

Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date

Thursday, 11 May 2023 (10.30 am - 5.04 pm)

Membership

COUNCILLORS

Roger Jackson (Chairman) John Ogle (Vice-Chairman)

Reg Adair Mike Adams Pauline Allan Sinead Anderson Callum Bailey Matt Barney **Chris Barnfather** Ben Bradley MP **Richard Butler** Anne Callaghan BEM André Camilleri Scott Carlton Steve Carr John Clarke MBE Neil Clarke MBE Robert Corden John Cottee Jim Creamer Debbie Darby Sam Deakin Dr John Doddy **Bethan Eddy Boyd Elliott** Sybil Fielding Kate Foale Stephen Garner **Glynn Gilfoyle** Keith Girling Penny Gowland Errol Henry JP Paul Henshaw Tom Hollis

Mike Introna **Richard Jackson** Eric Kerry Bruce Laughton Johno Lee Rachel Madden David Martin John 'Maggie' McGrath - apologies Andy Meakin Nigel Moxon Kane Oliver Philip Owen Michael Payne Sheila Place Mike Pringle Francis Purdue-Horan Mike Quigley MBE Mrs Sue Saddington Dave Shaw Helen-Ann Smith Sam Smith Tom Smith **Tracey Taylor** Nigel Turner Roger Upton Lee Waters Michelle Welsh Gordon Wheeler Jonathan Wheeler Elizabeth Williamson John Wilmott Jason Zadrozny

HONORARY ALDERMEN

Terence Butler John Carter

OFFICERS IN ATTENDANCE

OPENING PRAYER

Upon the Council, convening, prayers were led by the Chairman.

MINUTE SILENCE

A minute silence was held in memory of former County Councillors Dick Wilson and Susan Bennett.

PRESENTATION OF AWARD FROM THE HIGH SHERIFF

The Chairman introduced the award received from Paul Southby former High Sheriff of Nottinghamshire. The award was in recognition of and in appreciation for the excellent way in which the Council ensured that the proclamation of the accession of His Majesty King Charles III following the death of Queen Elizabeth II was successful. The Chairman presented the award to Julie Forster, Group Manager who attended to accept the award on behalf of the entire team involved in delivering the events.

OUTGOING CHAIRMAN'S ADDRESS TO THE COUNCIL

Councillor Roger Jackson, outgoing Chairman of the County Council, made a short address, during which he referred to his interesting year in office, which he and his wife Jilly had enjoyed. Their civic year included the Platinum Jubilee for Queen Elizabeth II and then her sad passing shortly after. The Proclamation of King Charles III and the funeral of Queen Elizabeth II, and most recently the coronation of King Charles III. Councillor Roger Jackson expressed his pleasure, honour and privilege of being Chairman particularly this year. He also highlighted his enjoyment of the citizenship ceremonies and the school visits to County Hall. The Chairman's good cause was the Nottingham branch of the Association of Ukrainians in Great Britain for which over £27,000 had been raised so far.

1. ELECTION OF CHAIRMAN

It was moved by Councillor Tracey Taylor and seconded by Councillor Neil Clarke MBE and:-

RESOLVED: 2023/011

That Councillor John Ogle be elected Chairman of Nottinghamshire County Council, until the Annual Meeting 2024.

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

INCOMING CHAIRMAN'S ADDRESS TO THE COUNCIL

Councillor John Ogle addressed the Council, thanking members for the opportunity to perform the civic role for the County Council. He indicated that his chosen fundraising cause would be the National Society for the Prevention of Cruelty to Children (NSPCC) with all donations going to projects in Nottinghamshire.

RETIRING CHAIRMAN VOTE OF THANKS

At the invitation of the newly elected Chairman, Councillor Bruce Laughton paid tribute to Councillor Roger Jackson's contribution to Nottinghamshire civic life and moved a motion thanking him for his work as Chairman.

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

Councillors Ben Bradley MP, Kate Foale, Neil Clarke MBE, Mike Pringle, Keith Girling and Steve Carr also spoke in thanks of the work undertaken by Councillor Roger Jackson as Chairman of the County Council for the municipal year 2022/23.

RESOLVED: 2023/012

That the County Council's thanks for Councillor Roger Jackson's work as its Chairman during 2022-23 be recorded.

PAST CHAIRMAN'S BADGE OF OFFICE

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

The following members left the Chamber for more than 10 minutes during consideration of this item:

Councillor Tom Hollis left the Chamber at 11.13am and returned at 11.33am Councillor Dave Shaw left the Chamber at 11.17am and returned at 11.30am Councillor Samantha Deakin left the Chamber at 11.20am and returned at 11.40am

2. ELECTION OF VICE-CHAIRMAN

The appointment of Councillor Richard Butler as Vice-Chairman was moved by Councillor John Cottee and seconded by Councillor Matt Barney.

RESOLVED: 2023/013

That Councillor Richard Butler be appointed Vice-Chairman of the Nottinghamshire County Council until the Annual Meeting 2024.

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

Councillor Richard Butler gave a short address to Council and thanked Members for appointing him as Vice-Chairman.

3. MINUTES

RESOLVED: 2023/014

That the minutes of the previous meeting held on 30 March 2023 be agreed as a true record and signed by the Chairman.

4. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

• Councillor John 'Maggie' McGrath (other reasons)

An apology was also submitted by Councillor Helen-Ann Smith who would be arriving late.

5. DECLARATIONS OF INTEREST

None

6. KIRKBY SOUTH BY-ELECTION RESULT AND RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS

Councillor Chris Barnfather introduced the addendum report and moved a motion in terms of resolution 2023/015 below.

The motion was seconded by Councillor Bruce Laughton.

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

RESOLVED: 2023/015

- 1) That the outcome of the by-election held in Kirkby South be noted.
- 2) That the membership of the political Groups be recognised.
- 3) That the Officers of the Groups be noted.

7. CHAIRMAN'S BUSINESS

PRESENTATION OF AWARDS

None

FORMER COUNTY COUNCILLORS DICK WILSON AND SUSAN BENNETT

The Chairman spoke in memory of former County Councillors Dick Wilson and Susan Bennett.

Councillors Bruce Laughton, Steve Carr, Reg Adair and Kate Foale also spoke in memory of former County Councillors Dick Wilson and Susan Bennett.

8. 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 Paul Henshaw regarding Ladybrook Enterprises (Community Centre) in Mansfield West

9a. PRESENTATION OF PETITIONS

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

- (1) Councillor Bethan Eddy requesting the closure of Mansfield Road service road onto Vale Avenue
- (2) Councillor Kate Foale requesting a residents only parking scheme at The City in Beeston.

RESOLVED: 2023/016

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

<u>9b. RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE</u> <u>COUNTY COUNCIL</u>

RESOLVED: 2023/017

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

10. ESTABLISHMENT OF COMMITTEES

Councillor Chris Barnfather introduced the report and addendum and moved a motion in terms of resolution 2023/018 below.

The motion was seconded by Councillor Bruce Laughton.

The Chairman put the motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2023/0018

- 1) That the Council note the Leader's appointments to the Cabinet and their portfolio responsibilities, and the appointment of Deputy Cabinet Members as set out in paragraph 6 of the report.
- 2) That the Council confirm the establishment of the Committees and Sub-Committees of the Council and the allocation of seats as set out in Appendix A (addendum) of the report until the Annual Meeting of the Council in May 2024.
- 3) That the Council confirm the membership and allocation of seats and its continued participation of the Joint Committees set out in Appendix A (addendum) of the report and confirm the establishment or continued participation as applicable in the other committees, joint committees and boards, and allocation of seats, as set out in Appendix B of the report until the Annual Meeting of the Council in May 2024.

- 4) That the Council make the appointments of Chairmen and Vice-Chairmen set out in the addendum to Paragraph 12 of the report and agrees the arrangements for appointing the Chairman of the Committees set out in Paragraph 13 of the report until the Annual Meeting of the Council in May 2024.
- 5) That the other representatives on the committees / sub-committees set out in Paragraph 14 of the report be agreed.
- 6) That the appointment of members of the political Groups of the Council to committees, sub-committees, joint committees and boards be undertaken by the Team Manager, Democratic Services on behalf of the Chief Executive (the Proper Officer) in order to give effect to the wishes of the political Groups of the Council.
- 7) That the Team Manager, Democratic Services be authorised to act on behalf of the Chief Executive (Proper Officer) to appoint people as co-optees to committees when required.
- 8) That the Council appoints Ian Bayne, Craig Coles and Rob White as the Council's Independent Persons until the Annual Meeting of the Council in May 2024.

11. NEW CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS

Councillor Philip Owen introduced the report and moved a motion in terms of resolution 2023/019 below.

The motion was seconded by Councillor Johno Lee.

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

RESOLVED: 2023/019

- 1) That the Nottinghamshire Code, attached at Appendix 1 of the report, be adopted and that the subsequent amendment of Part 3, Section Ten of the Constitution be approved.
- 2) To note that appropriate mandatory training will be arranged for Members, to be completed by Members as soon as practicable.
- 3) To note that Members will be required to review their declarations of interests following notification by Democratic Services.

12. REVISED OFFICER CODE OF CONDUCT AND PROCEDURE FOR OFFICER REPORTING OF INTERESTS, GIFTS AND HOSPITALILTY

Councillor Philip Owen introduced the report and moved a motion in terms of resolution 2023/020 below.

The motion was seconded by Councillor Johno Lee.

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

RESOLVED: 2023/020

1) That the amended Officer Code of Conduct (D35 Personnel Handbook) be adopted and that the subsequent amendment of Section Eleven of the Constitution be approved.

13. EXECUTIVE REPORT – KEY ISSUES AND ACTIVITIES

RESOLVED: 2023/021

That the contents of the report be noted.

Councillor Michelle Welsh left the Chamber at 12.03pm and returned at 12.18pm during consideration of this item.

14a. QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

None

14b. QUESTIONS TO COMMITTEE CHAIRMAN

5 questions had been received as follows: -

- 1) from Councillor Nigel Turner regarding the Local Communities Fund (Councillor John Cottee replied)
- 2) from Councillor Paul Henshaw concerning funding to develop the Social Care workforce (Councillor Matt Barney replied)
- from Councillor Bethan Eddy about school admissions process (Councillor Tracey Taylor replied)
- 4) from Councillor Paul Henshaw regarding written risk assessments for care home residents being moved to another care home (Councillor Matt Barney replied)
- 5) from Councillor Roger Upton about Notts 4Uth Awards (Councillor Tracey Taylor replied)

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

The Council adjourned from 12.35pm to 1.48pm for lunch.

Councillor Johno Lee did not return to the meeting after the lunch break.

Councillor Jason Zadrozny was not in the Chamber when the meeting reconvened after the lunch break

15. NOTICE OF MOTIONS

MOTION ONE

A Motion as set out below was moved by Councillor Tom Hollis and seconded by Councillor Dave Shaw:

"Nottinghamshire County Council welcomes the announcement that smart motorways will be removed from Government road-building plans. It has been stated this is due to the "...lack of public confidence felt by drivers."

This Council notes that there have been at least 79 deaths linked to smart motorways. There have also been hundreds of accidents causing injury and distress connected with smart motorways.

This council further notes that around 10% of England's motorway network is made up of smart motorways and that large parts of the M1, going through Nottinghamshire form a smart motorway. This Council believes that resident's lives are being put in danger on these roads of death.

This Council therefore calls for the Government to undertake an urgent review of existing smart motorways and calls for immediate Government investment to ensure that motorist's lives are not put in danger in Nottinghamshire and across the UK.

This Council resolves to write to the Secretary of State for Transport making this Council's opposition to smart motorways clear."

An amendment to the motion as set out below was moved by Councillor Penny Gowland and seconded by Councillor Michelle Welsh:

"Nottinghamshire County Council welcomes the announcement that smart motorways will be removed from Government road-building plans. It has been stated this is due to the "...lack of public confidence felt by drivers."

This Council notes that there have been at least 79 deaths linked to smart motorways. There have also been hundreds of accidents causing injury and distress connected with smart motorways.

This council further notes that around 10% of England's motorway network is made up of smart motorways and that large parts of the M1, going through Nottinghamshire form a smart motorway. This Council believes that resident's lives are being put in danger on these roads of death. This Council notes that the Government and National Highways plan to continue to invest £900 million in existing smart motorways, at a time when Nottinghamshire also require £200 million to do the best job possible of improving the state of our local roads.

This Council therefore calls for the Government to undertake an urgent review of existing smart motorways and calls for immediate Government investment to ensure that motorist's lives are not put in danger in Nottinghamshire and across the UK reinstate the hard shoulder on all existing smart motorways while a comprehensive review of safety systems and evidence takes place, to ensure that motorist's lives are not put in danger in Nottinghamshire and elsewhere across the UK.

This Council resolves to write to the Secretary of State for Transport making this Council's opposition to smart motorways clear <u>and advocate that a proportion of this £900 million smart motorway budget instead be diverted to fixing Nottinghamshire local roads</u>."

The amendment was accepted by the mover of the Motion and became the altered (substantive) motion.

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

The requisite number of Members requested a recorded vote and it was ascertained that the following 29 members voted **'For'** the altered motion:-

Pauline Allan Anne Callaghan BEM Steve Carr John Clarke MBE Jim Creamer Debbie Darby Samantha Deakin Sybil Fielding Kate Foale Stephen Garner Glynn Gilfoyle Penny Gowland Errol Henry JP Paul Henshaw Tom Hollis Rachel Madden David Martin Andy Meakin Kane Oliver Michael Payne Sheila Place Mike Pringle Francis Purdue-Horan Dave Shaw Lee Waters Michelle Welsh Elizabeth Williamson John Wilmott Jason Zadrozny

The following 34 members voted 'Against' the altered motion:

Reg Adair	Chris Barnfather
Mike Adams	Ben Bradley MP
Sinead Anderson	Richard Butler
Callum Bailey	André Camilleri
Matt Barney	Scott Carlton

Neil Clarke MBE Robert Corden John Cottee Dr John Doddy Bethan Eddy Boyd Elliott Keith Girling Mike Introna Richard Jackson Roger Jackson Eric Kerry Bruce Laughton Nigel Moxon John Ogle Philip Owen Mike Quigley MBE Sue Saddington Sam Smith Tom Smith Tracey Taylor Nigel Turner Roger Upton Gordon Wheeler Jonathan Wheeler

No members 'Abstained' from the vote.

The Chairman declared the motion was lost.

Having submitted her apologies, Councillor Helen-Ann Smith arrived at the meeting at 2.02pm during consideration of this item.

Having not returned to the Chamber after the lunch break, Councillor Jason Zadrozny returned to the Chamber at 2.02pm during consideration of this item.

The following members left the Chamber for more than 10 minutes during consideration of this item:

Councillor Rachel Madden left the Chamber at 2.10pm and returned at 2.25pm Councillor Gordon Wheeler left the Chamber at 2.10pm and returned at 2.43pm Councillor Jason Zadrozny left the Chamber at 2.20pm and returned at 2.53pm Councillor Sue Saddington left the Chamber at 2.31pm and returned at 2.43pm

Councillor Pauline Allan left the Chamber at 2.56pm during consideration of this item and did not return.

MOTION TWO

A Motion as set out below was moved by Councillor Kate Foale and seconded by Councillor Jim Creamer:

"On 30 March 2023, Labour Party Leader Sir Keir Starmer stated that he would freeze Council Tax rises for the year 2023/24 if Prime Minister. This would be paid for by an increased windfall tax on energy companies who have profited excessively during the cost-of-living crisis, when so many people are struggling to pay bills and when food prices have risen by 19.2%, the highest observed annual rate in over 45 years.

A freeze in Council Tax rise at this time would provide an opportunity for Nottinghamshire residents to have more disposable income which could be used to mitigate the cost-of-living crisis. This Council therefore resolves to:

- a) Support any proposals from this Government, or a future Government, to deliver a freeze in Council Tax rises for Nottinghamshire residents in the year 2024/25, paid for by an increased windfall tax on energy companies.
- b) Following years of significant cuts to public services, write to the Government outlining the case for long-term funding settlements and increased Local Government investment, to enable this Council to deliver the services our residents need."

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

The requisite number of Members requested a recorded vote and it was ascertained that the following 18 members voted **'For'** the altered motion:-

Anne Callaghan BEM Steve Carr John Clarke MBE Jim Creamer Sybil Fielding Kate Foale Glynn Gilfoyle Penny Gowland Errol Henry JP Paul Henshaw Tom Hollis Kane Oliver Michael Payne Sheila Place Mike Pringle Dave Shaw Michelle Welsh John Wilmott

The following 35 members voted 'Against' the altered motion:

Reg Adair Mike Adams Sinead Anderson Callum Bailey Matt Barney **Chris Barnfather** Ben Bradlev MP **Richard Butler** André Camilleri Scott Carlton Neil Clarke MBE Robert Corden John Cottee Dr John Doddy Bethan Eddy Boyd Elliott Stephen Garner Keith Girling

Mike Introna Richard Jackson Roger Jackson Eric Kerry Bruce Laughton Nigel Moxon John Oale Philip Owen Mike Quigley MBE Sue Saddington Sam Smith Tom Smith Tracey Taylor Nigel Turner Roger Upton Gordon Wheeler Jonathan Wheeler

The following 7 members 'Abstained' from the vote:

Debbie Darby Rachel Madden David Martin Andy Meakin Francis Purdue-Horan Lee Waters Elizabeth Williamson

The Chairman declared the motion was lost.

The following members left the Chamber for more than 10 minutes during consideration of this item:

Councillor Samantha Deakin left the Chamber at 3.08pm and returned at 3.23pm Councillor Elizabeth Williamson left the Chamber at 3.28pm and returned at 3.48pm Councillor Errol Henry JP left the Chamber at 3.30pm and returned at 3.46pm Councillor Tom Hollis left the Chamber at 3.32pm and returned at 3.46pm Councillor Kane Oliver left the Chamber at 4.21pm and returned at 4.33pm

Councillor Samantha Deakin left the Chamber at 3.51pm during consideration of this item and did not return.

Councillor Jason Zadrozny left the Chamber at 4.09pm at the conclusion of this item and did not return.

MOTION THREE

A Motion as set out below was moved by Councillor Penny Gowland and seconded by Councillor Paul Henshaw:

"Encouraging Active Travel in Nottinghamshire is one of the stated ambitions of this Council.

This is acknowledged in the Nottinghamshire Plan as a Council priority to tackle the Climate Emergency.

Active Travel is sadly often too unsafe in some areas of Nottinghamshire, and this is notably the case for pedal cyclists.

Over in the last decade more than 1,875 cyclists have been injured by motor vehicles across Nottinghamshire.

For cyclists, potholes and highway junctions are a particular concern when trying to get safely to their destination.

To move beyond active travel advocacy and to accelerate increasing numbers of participation, it is clear that more needs to be done to improve safety.

This Council will therefore:

- Acknowledge that more needs to be done to make active travel participants feel safe, particularly pedal cyclists who travel by road.
- Identify the most dangerous areas in each Borough and District of the County for pedal cyclists and outline the steps which will be taken to improve active travel measures in these areas, and when these changes can expect to be delivered, on the Nottinghamshire County Council website."

An amendment to the motion as set out below was moved by Councillor Neil Clarke MBE and seconded by Councillor Chris Barnfather:

"Encouraging Active Travel in Nottinghamshire is one of the stated ambitions of <u>the</u> Government, to encourage people to leave their car at home in favour of walking, wheeling and cycling this Council.

<u>The environmental value of this is acknowledged in the Nottinghamshire Plan as</u> <u>part of thea</u> Council<u>'s</u> priority to tackle the Climate Emergency.

Active Travel is s**S**adly, walking, wheeling and cycling can be often too unsafe in some areas of Nottinghamshire, where and this is notably the case for pedal cyclists.

Over in the last decade more than 1,875 cyclists have been injured by motor vehicles across Nottinghamshire.

For cyclists, potholes and **busy** highway junctions are a particular concern when trying to get safely to their **a** destination.

To move beyond active travel advocacy and to accelerate increasing numbers of participation **in walking, wheeling and cycling**, it is clear that more needs to be done to improve safety.

This Council will therefore:

- Acknowledge that more needs to be done to make active travel participants feel safe <u>when</u>, particularly pedal cyclists who travel<u>ling</u> by road.
- I<u>Continue to i</u>dentify the most dangerous areas in each Borough and District of the County for pedal cyclists and outline the steps which will be taken to improve the walking, wheeling and cycling experience active travel measures in these areas, and improve road safety and publish when these measures changes can expect to be delivered, on the Nottinghamshire County Council website.
- <u>Continue to lobby the Government for more flexibility around Active Travel</u> <u>funding so we can do more, for example, to improve the condition of our</u> <u>highways and thus make walking, wheeling and cycling an easier and more</u> <u>attractive travel option</u>"

The amendment was accepted by the mover of the motion and became the substantive (altered) motion.

Following a debate, the Chairman put the altered motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2023/022

Encouraging Active Travel is one of the stated ambitions of the Government, to encourage people to leave their car at home in favour of walking, wheeling and cycling.

The environmental value of this is acknowledged in the Nottinghamshire Plan as part of the Council's priority to tackle the Climate Emergency.

Sadly, walking, wheeling and cycling can be too unsafe in some areas of Nottinghamshire, where potholes and busy highway junctions are a particular concern when trying to get safely to a destination.

To accelerate participation in walking, wheeling and cycling, it is clear that more needs to be done to improve safety.

This Council will therefore:

- Acknowledge that more needs to be done to make active travel participants feel safe when travelling by road.
- Continue to identify steps to improve the walking, wheeling and cycling experience and improve road safety and publish when these measures can expect to be delivered, on the Nottinghamshire County Council website.
- Continue to lobby the Government for more flexibility around Active Travel funding so we can do more, for example, to improve the condition of our highways and thus make walking, wheeling and cycling an easier and more attractive travel option

Councillor Errol Henry JP left the Chamber at 4.35pm and returned at 4.47pm during consideration of this item.

The Chairman declared the meeting closed at 5.04 pm.

CHAIRMAN