

Minutes



Meeting COUNTY COUNCIL

Date Thursday, 18th June 2009 (10.30 am – 12.15 pm)

Membership

Persons absent are marked with 'A'

COUNCILLOR

The Hon Mrs Joan Taylor (In the Chair until the election of a new Chairman)

Ellie Lodziak (Vice-Chairman)

David Taylor (Chairman)

Thomas A J Pettengell (Vice Chairman)

	Reg Adair	John Knight
	John Allin	Bruce Laughton
	Tom Appleby	Keith Longdon
	Fiona Asbury	Rachel Madden
	Chris Barnfather	Geoff Merry
A	Michael Bennett	Mick Murphy
	Victor Bobo	Philip Owen
	Joyce Bosnjak	Carol Pepper
	Richard Butler	Mrs Sheila Place
	Steve Carr	Darrell Pulk
	Steve Carroll	A Mike Quigley MBE
	Allen Clarke	Mrs Wendy Quigley
	Ged Clarke	Alan Rhodes
	John Clarke	Ken Rigby
	L B Cooper	Kevin Rostance
	John Cottee	Mrs Sue Saddington
	Michael J Cox	Mel Shepherd MBE
	Jim Creamer	Mrs S Smedley
	Bob Cross	Mark Spencer
	Mrs Kay Cutts	June Stendall
	V H Dobson	Andy Stewart
	Sybil Fielding	Martin Suthers OBE
	Stephen Garner	Lynn Sykes
	Michelle Gent	Parry Tsimbiridis
	Glynn Gilfoyle	Gail Turner
	Keith Girling	Keith Walker
	John M Hemsall	Les Ward
	Stan Heptinstall MBE	Gordon Wheeler
	Rev. Tom Irvine	Brian Wombwell
	Richard Jackson	A Martin Wright
	Rod Kempster	Liz Yates
	Eric Kerry	Jason Zadrozny

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis	(Monitoring Officer)
Chris Holmes	(Chief Executive Department)
Carl Bilbey	(Chief Executive Department)
Barbara Cooper	(Chief Executive Department)
David Pearson	(Adult Services and Health)
Anthony May	(Children and Young People's Services)
Tim Malynn	(Communities)
Alan Sumby	(Corporate Services)
Tim Gregory	(Corporate Services)

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman's Chaplain. Members stood in silence in memory of Kieron Hill from Clifton, who had recently been killed in service whilst on patrol near the town of Garmsir, Afganistan with the 2nd Battalion the Mercian Regiment.

OUTGOING CHAIRMAN'S ADDRESS TO COUNCIL

Councillor Hon Joan Taylor, outgoing Chairman of the County Council, made a short address, during which she referred to the highlights of her year of office, in particular the visit by His Holiness the Dalai Lama and thanked Members and Chief Officers for the support which she had received from them.

ELECTION OF CHAIRMAN

It was moved by Councillor Philip Owen, seconded by Councillor Stan Heptinstall MBE and unanimously:-

RESOLVED: 2009/025

That Councillor David Taylor be elected Chairman of the Nottinghamshire County Council until the annual meeting 2010.

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

INCOMING CHAIRMAN'S ADDRESS TO THE COUNCIL

Councillor Taylor addressed the Council, thanking members for the opportunity to perform the civic role for the County Council. He indicated that his chosen charity for the year would be the Royal National Lifeboat Institute (RNLI). Councillor Taylor also informed Council that he wished to be addressed and referred to as "Chairman".

RETIRING CHAIRMAN – VOTE OF THANKS

At the invitation of the newly-elected Chairman, Councillor Stella Smedley paid tribute to Councillor The Hon Joan Taylor's contribution to Nottinghamshire civic life, thanking her for her work as Chairman.

The motion was seconded by Councillor Mrs Kay Cutts, who articulated Members' appreciation and congratulations for The Hon Joan Taylor's year of office.

RESOLVED: 2009/026

That the County Council's thanks for Councillor Taylor's work as its Chairman during 2008-09 be recorded.

PAST CHAIRMAN'S BADGE OF OFFICE

Further to the above resolution, the Chairman of the County Council presented to The Hon Mrs Joan Taylor her Past Chairman's Badge of Office and acknowledged her work during the year.

APPOINTMENT OF A VICE-CHAIRMAN

The appointment of Councillor Tom Pettengell as Vice-Chairman was moved by Councillor Richard Jackson and seconded by Councillor Darrell Pulk.

During their speeches, both Councillors spoke of Councillor Pettengell's long and distinguished history of public service, which had included school governorships and membership of Broxtowe Borough Council as well as the County Council.

Upon being put to the vote, it was unanimously

RESOLVED: 2009/027

That Councillor Tom Pettengell be appointed Vice-Chairman of the Nottinghamshire County Council until the Annual Meeting 2010.

Arising from the above Resolution, Councillor Pettengell 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 David Taylor thanked Councillor Ellie Lodziak for all her hard work during the past year as Vice-Chairman.

COUNTY COUNCIL ELECTIONS

RESOLVED: 2009/028

That the Chief Executive's report on the outcome of the County Council Elections held on 4th June 2009 be noted.

RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS

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

RESOLVED: 2009/029

- (1) That the County Council note the establishment and memberships of the Nottinghamshire County Council Conservative Group, the Nottinghamshire County Labour Group, the Nottinghamshire Independent Group and the Liberal Democrat Group.
- (2) That, in accordance with Standing Orders, the following Officers of the Groups be recognised:-

(a) Nottinghamshire County Council Conservative Group

Leader	Councillor Mrs Kay Cutts
Deputy Leader	Councillor Martin Suthers OBE
Business Manager & Group Secretary	Councillor Carol Pepper
Deputy Business Manager	Councillor Chris Barnfather
Deputy Business Manager & Schools Co-ordinator	Councillor Kevin Rostance

(b) Nottinghamshire County Labour Group

Leader	Councillor Alan Rhodes
Deputy Leader	Councillor Joyce Bosnjak
Chief Whip	Councillor Steve Carroll

(c) Nottinghamshire Independent Group

Leader

Councillor Tom Appleby

(d) Liberal Democrats Group

Leader

Councillor Jason Zadrozny

Deputy Leader & Whip

Councillor Stan Heptinstall MBE

Chief Whip

Councillor Steve Carr

MINUTES

RESOLVED: 2009/030

That the Minutes of the last meeting of the Council held on 21st May 2009 be agreed as a correct record and be signed by the Chairman

APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Michael Bennett

Councillor Mike Quigley MBE

Councillor Martin Wright

DECLARATIONS OF INTEREST

There were no declarations of interest by Councillors or Officers.

PRESENTATION OF PETITIONS

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

- (1) Councillor Reg Adair – request for a pedestrian crossing at the junction of Loughborough Road and Flawforth Lane, Ruddington.
- (2) Councillor Steve Carr – request for change in the law with regard to ‘ Sports Knives’ on display in shop window
- (3) Councillor Steve Carr - request for speed restrictions on Central Avenue and Boundary Road, Beeston.

RESOLVED: 2009/031

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

GOVERNANCE ARRANGEMENTS

Consideration was given to a report of the Chief Executive which described the requirements of the Constitution and the law in relation to the appointment of a Leader, Cabinet, Committees, and to a small number of external organisations. An addendum to the report was circulated. The Council's decisions in relation to these matters are set out in the following paragraphs.

APPOINTMENT OF LEADER OF THE COUNTY COUNCIL

It was moved by Councillor Carol Pepper, and seconded by Councillor Sheila Place and

RESOLVED: 2009/032

That Councillor Mrs Kay Cutts be appointed Leader of the County Council until the Annual meeting 2013.

Councillor Mrs Kay Cutts addressed the Council and indicated it was a privilege to be elected Leader of the Council. She referred to the difficult economic time and that the Council must look to reduce the excessive tax burden on families. There was a need to bring spending under control to invest in those front line services taxpayers expect.

APPOINTMENT OF CABINET

A motion was moved by Councillor Mrs Kay Cutts and duly seconded in terms of resolution 2009/033 below.

RESOLVED: 2009/033

1. That it be noted that the Leader will be taking a delegated decision to appoint the following Councillors to:-

(a) the Cabinet positions set out below with effect from 18th June 2009:-

Councillor Martin Suthers OBE	- Deputy Leader
Councillor Richard Butler	- Environment & Sustainability
Councillor Philip Owen	- Children & Young People's Services
Councillor John Cottee	- Culture & Community
Councillor Mick Murphy	- Community Safety
Councillor Mel Shepherd MBE	- Adult Social Care & Health
Councillor Richard Jackson	- Transport & Highways

Councillor Andy Stewart	- Personnel & Performance
Councillor Reg Adair	- Finance & Property

- (b) the posts of Deputy Portfolio Holder set out below with effect from 18th June 2009:-

Councillor Allen Clarke	- Children's Social Services
Councillor Lynn Sykes	- Youth Services
Councillor Keith Girling	- Culture & Community
Councillor Bruce Laughton	- Transport, Highways, Environment & Sustainability
Councillor Mark Spencer	- Community Safety

2. That the Monitoring Officer make the appropriate amendments to the constitution to reflect the changes in the Cabinet Member responsibilities.
3. That the Council continue the practice of inviting the following members of each group to attend Cabinet meetings, with the ability to participate in discussions but not to vote:-

Labour Group	5
Independent Group	4
Liberal Democrats Group	4

4. (a) that the Council re-establish a Standards Committee with its membership being 4 Members of the Conservative Group, 1 Member of the Labour Group, 1 Member of the Independent Group, 1 Member of the Liberal Democrats and 4 non elected independent members
- (b) that it be noted that Charles Daybell, Ian McLaren QC, Robert Lilley and Christine Southwell have been appointed as Independent Members of the Standards Committee until May 2013, and that Charles Daybell has been appointed Chair of the Committee until May 2013.
- (c) that Councillors Michael Bennett and Les Ward be appointed Vice-Chairs of the Standards Committee.
5. (a) that the Council establish the following additional Committees and Sub-committees of Council with the membership shown:-

	Total	Conservative Group	Labour Group	Independent Group	Liberal Democrat Group	Non Elected Independent Members
STANDARDS	11	4	1	1	1	4
APPEALS	11	6	2	2	1	-
PLANNING & LICENSING	11	6	2	2	1	-
ADMINISTRATION	9	5	2	1	1	-
AUDIT	11	6	2	2	1	-
PENSIONS	9	5	2	1	1	-
SENIOR STAFFING SUB-COMMITTEE	9 or 5	5 or 3	2 or 1	1 or 1	1 or 0	-
FOOTPATHS AND RIGHTS OF WAY	11	6	2	2	1	-
PERSONNEL	11	6	2	2	1	-

- (b) That the membership of the Administration Committee and Senior Staffing Sub Committee be as set out in the addendum to the report.
- (c) That the Council make the following appointments of Chair and Vice-Chair until the Annual Meeting of the Council in May 2010, it being noted that the appointment of a Chair and Vice-Chair of the Senior Staffing Sub-Committee shall be a matter for that Committee:-

	Chair	Vice-Chair
Administration	Leader	Leader of the Main Opposition Group
Appeals	Cllr Rod Kempster	Cllr Sheila Place
Audit	Cllr Steve Carroll	Conservative Group-to be appointed at Audit Committee
Personnel	Cllr Andy Stewart	Cllr Steve Carr
Pensions	Cllr Michael J Cox	Cllr Sheila Place
Planning & Licensing	Cllr Keith Walker	Cllr Sybil Fielding
Footpaths and Rights of Way	Cllr John M Hemsall	Cllr Steve Garner

- (d) That the terms of reference of the Footpaths and Rights of Way Committee be as set out in the addendum to the report, and that a further report be brought to Council as soon as possible on the practical operation of the Committee
 - (e) That the terms of reference of the Administration Committee be as set out in the addendum to the report and that the Monitoring Officer be authorised to change the Travel and Conference Policy accordingly.
6. (a) that the Council establish 4 Overview and Scrutiny Committees
- (b) The first of these Committees will have responsibility for the administration of the scrutiny function and will deal with Call in and Councillors Call for Action. This Committee will have 9 members with the Chair appointed by the main opposition group (Cllr Joyce Bosnjak) and with two Vice Chairs one from each of the other two opposition groups (Councillors June Stendall and Brian Wombwell), and will be known as the Overview Committee.
 - (c) That the other 3 Committees be established as permanent Standing Committees each with a politically balanced core membership of 17 places (9 Conservative Group, 3 Labour Group, 3 Independent Group, and 2 Liberal Democrats Group) and that the Chair and Vice-Chairs be appointed as indicated until the Annual Meeting of the Council in May 2010:-

Areas Covered by Standing Committee	Chair	Vice-Chair
Environment, Highways and Community and Culture	Cllr Sue Saddington	Cllr Geoff Merry
Adult Services and Health and Children and Young People	Cllr Ged Clarke	Cllr Fiona Asbury
Education Including 14-18 years, and Colleges of FE	Cllr Peter D Prebble	Cllr Liz Yates

- (d) That the terms of reference of the Overview and Scrutiny Committees be as set out in the addendum to the report.

- (e) That the following Statutory Co-optees be appointed to attend and participate in meetings of the Education Standing Select Committee and other meetings as required by law:-

1 representative of the Church of England
 1 representative of the Roman Catholic Church
 2 elected Parent Governors

- (f) That the Joint Local Area Agreement Scrutiny Committee with District and Borough Councils in Nottinghamshire be re-appointed subject to a similar resolution being taken by the other authorities and that the 7 places be allocated between the groups as follows:-

Conservative Group 4
 Labour Group 1
 Independent Group 1
 Liberal Democrats Group 1

- (g) That the authority discontinues participating in the arrangements for regional health scrutiny.

7. (a) that, subject to similar resolutions being taken by the relevant other authorities, Joint Committees be established as follows:-

JOINT COMMITTEE	NOTTINGHAMSHIRE COUNTY COUNCIL				
	TOTAL NO OF COUNCILLORS	CONSERVATIVE	LABOUR	INDEPENDENT	LIBERAL DEMOCRAT
Jt City/County Health Scrutiny	8	4	2	1	1
Jt Cttee for Appointments to the Nottinghamshire Police Authority	3	2	1	0	0
Joint Cttee on Strategic Planning and Transport	4	2	1	1	0

and that Councillor Vince Dobson be appointed Vice-Chair of the Joint City/County Health Scrutiny Committee for the ensuing year.

- (b) That the Nottingham City Council be informed the County Council does not wish to take up its seats on the Greater Nottingham Light Rapid Transit Advisory Committee at this time.

8. That the School Governance Group be dis-established.
9. That Departmental Briefings be discontinued.
10. That the Monitoring Officer be authorised to make appropriate alterations to the Constitution to take account of the above changes to Committees.
11. That the Corporate Parenting Panel be re established with 9 members (5 Conservative Group, 2 Labour Group, 1 Independent Group, and 1 Liberal Democrat Group) and that the Corporate Director Children and Young People review the current operation of this Panel and bring forward appropriate recommendations as necessary.
12. That the 12 places on the Combined Fire Authority be allocated between the groups as follows;-

Conservative Group	6
Labour Group	2
Independent Group	2
Liberal Democrats Group	2
13. (a) That the appointment of members of the political groups to committees, sub-committees and Joint Committees be undertaken by the Service Manager, Governance and Scrutiny 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.
- (b) That the Service Manager, Governance and Scrutiny be authorised to act on behalf of the Chief Executive to appoint people as statutory or non-statutory co-optees to membership of committees or joint committees when required .

MANAGEMENT ACCOUNTS 2008/09

On a motion by Councillor Reg Adair, and seconded by Councillor Steve Carroll, it was:-

RESOLVED: 2009/034

- (1) That the year end carry forwards set out in paragraph 3.4, 3.5 and Appendix B be noted.
- (2) That contingency allocations set out in paragraph 5.2 and Appendix C be approved.

- (3) That the increase in County Fund balances set out in paragraph 6.1 and Appendix A be approved.
- (4) That the use and transfers to reserves as detailed in paragraph 6 and Appendix D be noted.

CHILDREN & YOUNG PEOPLE'S PLAN

On a motion by Councillor Philip Owen, and seconded by Councillor Joyce Bosnjak, it was:-

RESOLVED: 2009/034

That approval be given to the Children and Young People's Plan 2009-2011.

ADJOURNMENT MOTIONS

There were no motions to adjourn the Council.

The meeting closed at 12.15pm

CHAIRMAN

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