

Minutes



Meeting COUNTY COUNCIL

Date Thursday, 19 May 2005 (10.30 am – 11.50 am)

Membership

Persons absent are marked with 'A'

COUNCILLOR

Mrs Nellie Smedley (In the Chair until the election of a new Chairman)
Alan Davison (Chairman)
Peter Barnes (Vice-Chairman)

	Reg Adair	John R Knight
A	John C Allin	Patrick Lally
	Dick Anthony	Bruce Laughton
	Chris Baron	E D W Llewellyn-Jones
	Joyce Bosnjak	Ellie Lodziak
	M M Brandon-Bravo OBE	Joe Lonergan OBE
	Kenneth Bullivant	J T A Napier
	Richard Butler	James O'Riordan
	Steve Carr	Phillip Owen
	Steve Carroll	Tom Pettengell
	John Carter	Mrs Sheila Place
A	W J Clarke	Peter D Prebble
	Jennifer Cole	D E Pulk
	Barrie Cooper	Alan Rhodes
	John Cottee	Ken Rigby
A	M J Cox	A Susan Saddington
	S M Creamer	David Shaw
	Mrs K L Cutts	Mrs S M Smedley
	Yvonne Davidson	Mark Spencer
	V H Dobson	A S Stewart
	Sybil Fielding	J R Stocks
	Andy Freeman	M Storey
	Glynn Gilfoyle	Martin Suthers OBE
	Keith Girling	Linda Sykes
	Albert Haynes	The Hon Joan Taylor
	John M Hemsall	David Taylor
	Nigel Henshaw	A Parry Tsimbiridis
	Stan Heptinstall MBE	Kevan Wakefield
	Richard Jackson	Keith Walker
	George Kane	C P Winterton
	Rod Kempster	Brian Wombwell
	David Kirkham	Yvonne Woodhead

OPENING PRAYER

Upon the Council convening, prayers were led by the Chaplain to the outgoing Chairman.

OUTGOING CHAIRMAN'S ADDRESS TO COUNCIL

Councillor Nellie Smedley, outgoing Chairman of the County Council, made a short address, during which she referred to the highlights of her year of office and thanked Members and Chief Officers for the support which she had received from them.

ELECTION OF CHAIRMAN

It was moved by Councillor Mick Storey, seconded by Councillor K Bullivant and unanimously:-

RESOLVED:- **2005/030**

That Councillor Alan Davison be elected Chairman of the Nottinghamshire County Council until the annual meeting 2006.

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

INCOMING CHAIRMAN'S ADDRESS TO THE COUNCIL

Councillor Davison addressed the Council, thanking members for the opportunity to again perform the civic role for the County Council. He indicated that his chosen charities for the year would be Focus on Young People in Bassetlaw and the St John's Ambulance Brigade. Councillor Davison 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 Chris Baron paid tribute to Councillor Nellie Smedley's contribution to Nottinghamshire civic life. He referred particularly to civic visits to HMS Nottingham, berthed in Portsmouth, the Lord Byron Basketball competition in Messalonghi, the Citizenship Ceremonies and School Council visits.

Councillor Baron was pleased also to acknowledge the support given by Mrs Louie Bean, the Chairman's escort. In conclusion, he moved a motion thanking Councillor Smedley for her work as Chairman.

The motion was seconded by Councillor Mrs K L Cutts, who articulated Members' appreciation and congratulations for Mrs Smedley's year of office. Councillor Mrs Cutts made specific mention of the reception for Normandy Veterans, which many considered to be the highlight of the last civic year.

RESOLVED:-
2005/031

That the County Council's thanks for Councillor Smedley's work as its Chairman during 2004-05 be recorded.

PAST CHAIRMAN'S BADGE OF OFFICE

Further to the above resolution, the Chairman of the County Council presented to Councillor Nellie Smedley her Past Chairman's Badge of Office and acknowledged their work together during the year.

APPOINTMENT OF A VICE-CHAIRMAN

The appointment of Councillor Peter Barnes as Vice-Chairman was moved by Councillor Darrell Pulk and seconded by Councillor Joe Lonergan.

During their speeches, both Councillors spoke of Councillor Barnes' long and distinguished history of public service, which had included school governorships and previous civic experience gained through two periods as Mayor of Gedling.

Upon being put to the vote, it was unanimously

RESOLVED:-
2005/032

That Councillor Peter Barnes be appointed Vice-Chair of the Nottinghamshire County Council until the Annual Meeting 2006.

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

COUNTY COUNCIL ELECTIONS

RESOLVED:-
2005/033

That the Chief Executive's report on the outcome of the County Council Elections held on 5 May 2005 be noted.

RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS

RESOLVED:- **2005/034**

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

(a) Nottinghamshire County Labour Group

Leader	Councillor David Kirkham
Deputy Leader	Councillor Mike Storey
Chair	Councillor Jim Creamer
Chief Whip	Councillor Andy Freeman
Assistant Whip	Councillor Sheila Place
Assistant Whip	Councillor Albert Haynes
Secretary & Treasurer	Councillor Pat Lally

(b) Nottinghamshire County Council Conservative Group

Leader	Councillor Mrs K L Cutts
Deputy Leader	Councillor Martin Brandon-Bravo
Business Manager & Group Secretary	Councillor David Taylor
Deputy Business Manager & Group Treasurer	Councillor Thomas A J Pettengell

(c) Liberal Democrat Group

Leader	Councillor Stan Heptinstall
Deputy Leader	Councillor Brian Wombwell

MINUTES

RESOLVED:- **2005/035**

That the Minutes of the last meeting of the Council be agreed as a correct record and be signed by the Chairman

NOTE:

In accordance with the above resolution, the Minute Book was signed by Councillor Alan Davison.

APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor J Allin
Councillor John Clark (on other County Council business)
Councillor M J Cox
Councillor Sue Saddington
Councillor Parry Tsimbiridis (on other County Council business)

DECLARATIONS OF INTEREST

There were no declarations of interest by Councillors or Officers.

APPOINTMENTS

The Chief Executive had circulated a report 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. The Council's decisions in relation to these matters are set out in the following paragraphs,

Leader of the County Council

It was moved by Councillor Andy Freeman, seconded by Councillor Sheila Place and

RESOLVED:- **2005/036**

That Councillor David Kirkham be appointed Leader of the County Council until the annual meeting 2006.

On behalf of members of the Conservative Group, Councillor Mrs K L Cutts rose to congratulate Councillor Kirkham upon his appointment. She wished him a very successful term of office and signalled that she looked forward to working with him during the coming year.

At the invitation of the Chairman, Councillor Kirkham then addressed the Council. He described the tremendous honour and privilege which he felt upon his appointment and his acute consciousness of the responsibility attaching to the position of Leader.

Outlining his vision, Councillor Kirkham explained the rationale for the recommendation of the new Community Safety and Partnership portfolio and referred to a desire for schools to be at the centre of local communities, with people of all ages being encouraged to use their facilities; plans for a further 15 local libraries to be renovated during the next 4 years helping to increase library-usage even further; increased use of bus services within the County; the provision of improved and expanded care services helping older people to

retain their independence; support for the introduction of Police Community Support Officers and Neighbourhood Wardens across the county.

Councillor Kirkham referred also to the future organisation of the County Council, indicating that work was taking place with external consultants on this matter. He indicated also that he intended to facilitate measured, cross-party consideration of scrutiny and the role/business of full Council Meetings.

Finally, Councillor Kirkham indicated that, in delivering his vision, he was aiming for consensus through consultation and consideration, building on past achievements without complacency regarding future efforts.

Appointment of Cabinet

It was moved by Councillor David Kirkham, seconded by Councillor Andy Freeman and

RESOLVED:- **2005/037**

- (1) That the Cabinet be re-established to carry out the role described in Article 7 of the Council's Constitution.
- (2) That the membership of the Cabinet be the Leader of the Council and 8 councillors.
- (3) That the following councillors be appointed to the Cabinet with responsibilities for the portfolios indicated:-

Councillor Dick Anthony	-	Social Services
Councillor Chris Baron	-	Culture
Councillor Joyce Bosnjak	-	Community Safety & Partnerships
Councillor John Carter	-	Finance & Property
Councillor Stella Smedley	-	Environment & Sustainability
Councillor Mick Storey	-	Deputy Leader (Education)
Councillor John Stocks	-	Resources
Councillor Chris Winterton	-	Regeneration

- (4) That 8 members of each of the Labour and Conservative Groups, 1 Liberal Democrat Member and the Chairs of the Nottinghamshire Police Authority and Combined Fire Authority (where they are members of the majority group on the Council) be invited to attend Cabinet, with the ability to participate in discussions, but not to vote.

Other Appointments

It was moved by Councillor Andy Freeman, seconded by Councillor Sheila Place and

RESOLVED:-
2005/038

Ethical Committees

- 1a) That the Standards Committee be re-appointed with the following membership:-
- 7 Councillors (4 Labour, 2 Conservative and 1 Liberal Democrat), who may not include the Leader nor more than one member of the Cabinet
3 independent members
- 1b) That Messrs J Blackwell & J Healey and Canon Eddie Neale be re-appointed as independent members of the Standards Committee with immediate effect and until 31 October 2005.
- 1c) That the Monitoring Officer be asked to make arrangements to advertise for new independent Members of the Standards Committee and for the Committee to consider any applications and make appropriate recommendations to full Council before 31 October 2005.
- 1d) That Canon Eddie Neale be invited to accept appointment as Chair of the Standards Committee until the appointment of a successor and that Councillor Ellie Lodziak and Councillor Sue Saddington be appointed as Vice-Chairs

Regulatory Committees

- 2a) That the Appeals and Planning and Licensing Committees be re-established with their existing terms of reference and with the memberships shown below:-

	TOTAL	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Appeals	12	7	4	1
Planning & Licensing	12	7	4	1

- 2b) That the Council appoint the Chairs and Vice-Chairs of these Committees as follows until the annual meeting of the Council in May 2006:-

	CHAIR	VICE-CHAIR
Appeals	Cllr Yvonne Woodhead	Cllr Rod Kempster
Planning & Licensing	Cllr George Kane	Cllr Ken Bullivant

Committees of Council

- 3a) That the Administration, Audit, Pensions and Selection Committees be re-established with their current terms of reference and with the following memberships:-

COMMITTEE	TOTAL NO OF COUNCILLORS	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	ADDED	
					VOTING	NON-VOTING
Administration	12	7	4	1	-	-
Audit	12	7	4	1		
Pensions	12	7	4	1		
Selection	9	5	3	1		

- 3b) (i) That, notwithstanding the requirements of the Constitution regarding changes to the establishment of Committees, the Personnel Committee be re-established on a temporary basis, with its current terms of reference and with a membership of 12 (7 Labour, 4 Conservative and 1 Liberal Democrat)
- (ii) That 2 representatives of the recognised trades unions be appointed to the Personnel Committee with the right to speak but not to vote on matters before the Committee.
- (iii) That Councillor John Stocks and Councillor Yvonne Woodhead be appointed Chair and Vice-Chair respectively of the Personnel Committee.
- 3c) That the Council appoint the following as Chairs and Vice-Chairs of the Committees shown until the annual meeting of the Council in May 2006:-

	CHAIR	VICE-CHAIR
Administration	Cllr A Freeman	Cllr Sybil Fielding
Audit	Cllr J Carter	Cllr David Kirkham
Pensions	Cllr J Carter	Cllr Darrell Pulk

Select Committees

- 4a) That the following Select Committees be established, with the memberships shown, to discharge the scrutiny function:-

SELECT COMMITTEE	TOTAL NO OF COUNCILLORS	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	ADDED MEMBERS	
					VOTING	NON-VOTING
Corporate Strategy & External Affairs	12	7	4	1		
Community Services	12	7	4	1		

SELECT COMMITTEE	TOTAL NO OF COUNCILLORS	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	ADDED MEMBERS	
					VOTING	NON-VOTING
Education & Lifelong Learning	12	7	4	1	4	
Environment & Sustainability	12	7	4	1		
Health	12	7	4	1		
Social Services	12	7	4	1		

- 4b) That the non-voting added members of the Education & Lifelong Learning Select Committee be as follows:-

2 Governor representatives
1 representative of minority ethnic communities
1 representative of Further Education
2 Head Teacher representatives

- 4c) That representatives of the recognised trades unions be appointed to Select Committees as follows, with the right to speak but not to vote on matters before the committees:-

Education & Lifelong Learning - 4
Community Services - 2
Environment & Sustainability - 2
Social Services - 2

- 4d) That Chairs and Vice-Chairs of Select Committees be appointed until the Annual Meeting of the Council in May 2006 as follows:-

	CHAIR	VICE-CHAIR
Corporate Strategy & External Affairs	Cllr E D W Llewellyn-Jones	Cllr Martin Brandon-Bravo
Community Services	Cllr Yvonne Davidson	Cllr R Butler
Education & Lifelong Learning	Cllr Kevan Wakefield	Cllr Martin Suthers
Environment & Sustainability	Cllr The Hon Joan Taylor	Cllr Bruce Laughton
Health	Cllr Jim Napier	Cllr Mrs K L Cutts
Social Services	Cllr Steve Carroll	Cllr Joe Lonergan

Joint Committees

- 5a) (i) That, subject to a similar resolution being passed by Nottingham City Council, the following Joint Committees be re-established with their existing terms of reference and memberships.

- (ii) that the allocation of County Council places to political groups as shown:-

JOINT COMMITTEE	NOTTINGHAMSHIRE COUNTY COUNCIL			
	TOTAL NO OF COUNCILLORS	LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Jt City/County Health Scrutiny	8*	2	1	1
Jt Cttee for Appointments to the Nottinghamshire Policy Authority	3	2	1	
Jt Cttee on Strategic Planning & Transport	4	3	1#	
Greater Nottingham Light Rapid Transit Advisory Committee	5	3	2	

* see (b) below

see (c) below

- 5b) That the County Council take only 4 of its places on the Joint Health Scrutiny Committee (2 Labour, 1 Conservative, 1 Liberal Democrat) and that the remainder of its places be filled by co-opting one member each from Ashfield District Council (Hucknall) and Broxtowe, Gedling and Rushcliffe Borough Councils.
- 5c) That the County Council note that the application of the strict political balance calculation to the available places on the Joint Committee on Strategic Planning and Transport would give an allocation as follows:-

Labour	2 (2.28)
Conservative	1 (1.48)
Liberal Democrat	0 (0.42)

However, the principles of the relevant sections of the Local Government and Housing Act 1989 require the majority of available places to be allocated to the majority political group.

External Appointments

- 6a) That representatives be appointed to the following organisations as shown:-

Organisation	Labour	Conservative	Liberal Democrat
Combined Fire Authority	7	4	1
Coalfield Communities Campaign	3		
East Midlands Regional Local Government Association (EMRLGA)	4		

Organisation	Labour	Conservative	Liberal Democrat
East Midlands Regional Assembly	1		
Regional Assembly Planning Board	1		
EMRLGA Employment Forum	3		
Local Government Association (LGA)	4		
LGA Urban Commission	1		
LGA Rural Commission	1		
County Councils Network	4		
School Organisation Committee	3	2	

Giving effect to the wishes of the groups and making appointments

7a) That the appointment of members of the political groups to committees, sub-committees and joint committees be undertaken by the Head of Members' 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.

7b) That the Head of Members' Services be authorised to act on behalf of the Chief Executive to appoint people as statutory or non-statutory co-optees, added (non-councillor) members or trade union representatives to membership of committees or joint committees where their memberships include such appointments.

(Note: the appointment of any trades union representatives shall be undertaken on receipt of nominations agreed collectively by the recognised trades unions).

7c) That the notification and appointment of representatives to the external organisations referred to above is done by the Head of Members' Services on behalf of the Chief Executive and acting in accordance with nominations to be received from the Groups.

ISSUES ARISING FROM THE CONSTITUTION

The Monitoring Officer had prepared and circulated a report and other supporting papers on issues relating to the Constitution which arose mainly from the Council's decisions on appointments. The report was concerned also with the criteria for Executive Key Decisions.

It was moved by Councillor David Kirkham, seconded by Councillor Mike Storey and

RESOLVED:-
2005/039

- (1) (a) That the Monitoring Officer be authorised to make changes to the Constitution as set out in the papers she had circulated.
- (b) to make any other consequential changes required to be made as a result of Council's resolutions for the appointment of and determination of cabinet members, appointments to committees and external appointments.
- (2) That the criteria for Key Decisions remain unchanged in the Constitution.

PRESENTATION OF PETITIONS

The Chairman informed Council that he had received previously a petition from residents of Humpreys Gardens, Worksop which is located within his Electoral division. The petition was regarding parking problems in that area and a request for a Traffic Regulation Order.

Thereafter, a number of other petitions were presented to the Chairman by the following Councillors:-

- | | |
|-----------------------------|--|
| Councillor Steve Carr | - (from residents of Cyprus Avenue and Cyprus Drive, regarding problems they are experiencing with car parking) |
| Councillor Stan Heptinstall | - (regarding noise and safety issues arising from mis-use of LEA land opposite houses on Moor Lane, Bramcote, by motor-cyclists) |
| Councillor Chris Baron | - (requesting traffic calming measures for Common Lane, Hucknall) |
| Councillor Keith Girling | - (seeking resurfacing of pathways of the Riverside Road area of Newark) |

RESOLVED:-
2005/040

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

QUESTIONS

(a) Questions under Standing Order 6.1 (Cabinet Members)

Three questions had been received prior to the meeting as follows:-

1. Nottinghamshire's Expectations (Leader of the Council from Councillor Chris Baron)
2. Community Speedwatch, Southwell (Cabinet Member for Environment & Sustainability from Councillor Bruce Laughton)
3. Waste Issues (Cabinet Member for Environment & Sustainability from Councillor Martin Suthers)

In light of both the address made by the Leader of the Council earlier during the meeting and the absence of Councillor Chris Baron at the appropriate time, question 1 above was not asked.

Details of the remaining questions and the answers given by Councillor Stella Smedley (Cabinet Member for Environment & Sustainability) are included at Appendix A to these Minutes.

(b) Questions under Standing Order 6.2

There were no questions for the Police or Combined Fire Authorities.

PROGRESS WITH THE WASTE PFI CONTRACT PROCUREMENT AND RE-ESTABLISHMENT OF PROJECT BOARD

It was moved by Councillor Stella Smedley, seconded by Councillor Andy Freeman and

RESOLVED:- **2005/041**

- (1) That the progress made in the procurement of the PFI waste contract, and in the achievement of the PSA recycling and composting targets be noted.
- (2) That the Project Board be re-established with its current membership, except the replacement of the former Member for Environment Councillor Terry Butler with the new Cabinet Member with portfolio responsibility for environment issues. (Councillor Stella Smedley)
- (3) That Council delegate to the Director of Environment, in consultation with the members and officers of the Project Board,

authority to take all decisions required as part of the procurement process for the Waste Strategy up to financial and contract close
SUBJECT TO:

- (i) a report to Cabinet seeking approval to the selection of the Preferred Bidder following the evaluation process; and
- (ii) a final report to Cabinet on the outcome of negotiations as close as is practicable to financial and contract close, setting out all of the major commercial, financial and legal aspects to the arrangements, subject to the requirement for further delegated authority at that stage as set out in paragraph 9 of this report.

ADJOURNMENT MOTIONS

There were no motions to adjourn the Council.

CHAIRMAN

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COUNTY COUNCIL MEETING – 19 MAY 2005

QUESTIONS UNDER STANDING ORDER 6.1

Question to the Cabinet Member for Environment & Sustainability from Councillor Bruce Laughton:

Last year, the Cabinet Member for Finance & property advised me that the Community Speedwatch Campaign in the Southwell area was not worthy of County Council funding because this authority 'does not believe that providing speed guns for use by local communities is an appropriate way forward'.

Given the recent success of the Community Speedwatch Campaign in the northern part of Nottinghamshire, is the Cabinet Member for Environment willing to reconsider this policy?

Response by Councillor Mrs Stella M Smedley, Cabinet Member for Environment & Sustainability:

"Thank you, very much, Mr Chairman and may I congratulate you on, once again, reaching high office. Everybody has told tales about you today and I am not going to tell the tale about when I rode in your robin reliant and we had got a little problem with a window leaking. So it is, perhaps, appropriate that you, Vice-Chairman, is interested in leaks and when I got out, if you remember, my shoe was full of water and I went up the path – squelch Now, you must admit that even you thought that was a particularly spiteful robin reliant that you had on that particular occasion. Neither am I going to take this opportunity to talk about when you drove steam trains and you used to cook your breakfast, which consisted of bacon and eggs, on a shovel, but I think that everybody is delighted, here, Alan that you are back.

However, I would, also, like to take this opportunity to congratulate everybody else who was elected to the Council. I think the new Members will find that although we often have political disagreements, on the whole we quite like each other. Don't tell Bruce Laughton that I quite like it. Now to offer advice to our new Liberal Democrat Member – your really should have told him, Stan, that when you are presenting petitions you learn to walk slowly because then you get in what you want to say before you get there. The observers in the gallery will all think that most of the people presenting petitions have got some terrible joint disease, but it is a trick!

So, we will, now, move on.

May I thank Councillor Laughton for his question on the use of Speed Guns by local communities. First of all can I say that enforcement of speed limit offences, as you are all aware, is a matter entirely for the Police Authority. The County Council as a Highway Authority has no such enforcement powers for moving traffic offences at this present time and the Community Speed Watch Campaign has been promoted, in the main, by the Police with support from the Newark & Sherwood Community Safety Partnership.

The County Council does have a clear and agreed protocol on the use of Speed Guns by members of the public, Parish Councils and any other interested parties which is set down in the County Council's Highway Network Management Plan (2003). This states that "the County Council recognises that real and perceived speeding traffic is a major concern to many Nottinghamshire communities. For this reason it works in close partnership with Nottinghamshire Police to identify accident problem sites and to target engineering measures and enforcement activity. It also promotes rural gateways, amended speed limits and supports driver education programmes.

However, it does not believe that providing Speed Guns for use by local communities is an appropriate way forward. This is because of the respective insurance, training and Health & Safety issues associated with this activity. More critically because of the large number of individuals and circumstances that are involved there can be no guarantee that the results obtained will be comparable, useful or reliable."

Whilst noting that the Community Speed Watch Campaign has already resulted in several motorists vehicle registrations being forwarded to the Police following contravention of the local speed limits being monitored, I feel it would be more appropriate to wait and discuss the outcomes of these trials in Newark & Sherwood, with the Police, before any review of Countywide policy on this matter takes place. The County Council needs to be certain that the use of Speed Guns in this way would be beneficial in contributing to the delivery of the Authority's road safety strategy and in particular in reducing the number and severity of accidents on the County's roads."

Question to the Cabinet Member For Environment & Sustainability from Councillor Martin Suthers:

Would the Cabinet Member for Environment tell Council:-

1. How much biodegradable municipal waste was sent to landfill in Nottinghamshire in 1995 and in consequence how much can be sent to landfill in 2010 if the County Council is to comply with the European Landfill Directive?

2. What annual allowance has been allocated to the County Council by the Government to indicate how much biodegradable material can be sent to landfill in Nottinghamshire?
3. Is it likely that this allowance will be exceeded in any year, and if so, is it correct that the County Council would incur a penalty of £150 per tonne?
4. Is it anticipated that Nottinghamshire County Council will participate in the Landfill Allowance Trading Scheme to be regulated and monitored by the Environment Agency?

Response by Councillor Mrs Stella M Smedley, Cabinet Member for Environment:

“Thank you Chairman. I would like to thank Councillor Suthers, before I begin, for his kind words. We worked very well together, I think, when we were Chairman and Opposition Spokesman on the Education Select Committee. And I must say, Martin, that – Yes, I did not have to fight very hard in the election, but what I do have to put up with, as a consequence, is Andy Stewart constantly saying to me – my majority is now bigger than yours because I haven’t got one and he keeps saying to me – It’s lovely because now that I have got the biggest majority in the County and I am sure he understands that if I had had to fight I would have had the biggest majority in the County. So, he has got four years gloating over me, that he got x number of votes and I got none!

I would, now, like to thank Councillor Suthers for his question on the landfilling of biodegradable household waste. I can confirm that Government has now confirmed how much biodegradable municipal waste Nottinghamshire County Council can send to landfill for each year from 2005/06 to 2020/2021. The amount of biodegradable waste that can be landfilled over that period reduces from 170,275 tonnes in 2005/06 to 84,640 tonnes in 2020/2021. These figures are based on the level of biodegradable waste that was landfilled in 2001/02 which amounted to 226,938 tonnes. The allowance for 2009/10 is 161,389 tonnes.

As Members will be aware the Authority is in the final stages of awarding a 26-year Waste Management Contract supported by £32m of PFI funding. A specification for this Contract is that the Authority will always send less biodegradable waste to landfill in any one year than it is allowed to do so.

Clearly to achieve this reduction in waste going to landfill new process facilities must be provided within the County such as mechanical, biological treatment facilities or incinerators. If these new facilities are not provided or are delayed, due for instance to not receiving planning approval, the Authority would incur penalty costs at the rate of £150 per tonne of waste landfilled above the permitted allowance. It should be noted, however, that to avoid paying this penalty the Authority could purchase landfill trading allowances from other Authorities that will send less waste to landfill than they are allowed to send. It is

expected that the cost of these landfill trading allowances will be significantly less than £150 per tonne. Members should note that the trading allowance scheme only commenced on the 1 April 2005 and information is still being collected with the view of preparing a trading strategy for approval by the Authority.

It is proposed that Nottinghamshire County Council will participate in the local trading allowance scheme as if the new Contract proceeds without any delay the Authority will be in a position to sell trading allowances to other Authorities and, therefore, generate an income stream.”