

Minutes



Meeting COUNTY COUNCIL

Date Thursday, 6th April 2006 (10.30 am – 4.17 pm)

Membership

Persons absent are marked with `A`

Councillors

Alan Davison (Chairman)
Peter Barnes (Vice-Chairman)

	Reg Adair		Patrick Lally
	John C Allin		Bruce Laughton
	Dick Anthony		E D W Llewellyn-Jones
	Chris Baron		Ellie Lodziak
A	Joyce Bosnjak	A	Joe Lonergan OBE
	M M Brandon-Bravo OBE		Jim Napier
	Kenneth Bullivant		James O'Riordan
	Richard Butler		Philip Owen
	Steve Carr		Tom Pettengell
	Steve Carroll		Mrs Sheila Place
	John Carter		Peter D Prebble
	John Clarke		D E Pulk
	Jennifer Cole		Alan Rhodes
	Barrie Cooper		Ken Rigby
	John Cottee		Susan Saddington
A	M J Cox		David Shaw
	S M Creamer		Nellie Smedley
	Mrs K L Cutts		Mrs S M Smedley
A	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		Parry Tsimbirdis
	Stan Heptinstall MBE		Kevan Wakefield
	Richard Jackson		Keith Walker
	George Kane		C P Winterton
	Rod Kempster	A	Brian Wombwell
	David Kirkham		Yvonne Woodhead
	John R Knight		

OPENING PRAYER

Mr Reg Strauther, Chairman's chaplain, led prayers.

MINUTES

It was noted that the personal interest declared by Councillor Yvonne Woodhead at the last meeting arose from her membership of Newark and Sherwood PCT.

RESOLVED: 2006/024

That, subject to the details of the interest declared by Councillor Yvonne Woodhead being amended to show that she is a member of Newark and Sherwood PCT, the Minutes of the last meeting of the Council held on 23rd February 2006 be approved as a correct record and be signed by the Chairman.

NOTE:

Arising from R2006/024 above, the Minute Book was signed by Councillor Alan Davison.

APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Joyce Bosnjak
Councillor M J Cox
Councillor Yvonne Davidson
Councillor Joe Lonergan
Councillor Brian Wombwell

Council also received apologies from the following councillors, whose arrival had been delayed and who would be attending later:-

Councillor Glynn Gilfoyle
Councillor Darrell Pulk
Councillor The Hon Joan Taylor.

DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Mr. Perry Holmes (representing the Monitoring Officer) declared a personal interest in the question put by Councillor Barrie Cooper at item 6(a) on the agenda, on the grounds that he owns property at or near Sharphill Wood.

A SCHEME FOR CO-OPTED MEMBERS

This report had been circulated with the Council Book. At the request of the Leader, and with the consent of the Chairman, it was withdrawn from the agenda.

CHAIRMAN'S BUSINESS

- (A) The Chairman presented to Mr. Reg Strauther, his Chaplain, a small personal gift in acknowledgement of the spiritual and other help and support which he had provided during Councillor Davison's chairmanship.
- (B) Councillor Chris Baron presented to the Chairman the Beacon Status Award which recognised the Council's achievements in extending sporting opportunities to hard to reach groups.
- (C) Councillor Stella Smedley presented to the Chairman the Institute of Civil Engineers' Merit Award, which had been awarded in respect of the Mansfield-Ashfield Regeneration Route.
- (D) Councillor Dick Anthony presented to the Chairman the Local Government Chronicle's e-government award for the Council's InfoCare scheme, which uses smartcard technology to help make home care more efficient and improve safety for older and disabled people in Nottinghamshire.
- (E) Chairman welcomed to the meeting a number of visitors from Poland, who were in the public gallery.

PRESENTATION OF PETITIONS

Councillor Keith Walker presented to the Chairman a petition regarding traffic problems on Hawton Lane, Newark, followed by Councillor Barrie Cooper, who presented a petition regarding traffic arising from the proposed Sharphill Development in West Bridgford.

RESOLVED: 2006/025

That the petitions be referred to the Cabinet member for Environment and Sustainability for consideration in accordance with Standing Orders.

QUESTIONS UNDER STANDING ORDER 6.1

There were eleven questions under Standing Order 6.1 (for Cabinet Members). The questions for Cabinet Members were as follows:-

1. from Councillor Richard Jackson about Council tax/capping (Leader's portfolio)
2. from Councillor Richard Butler about anti-social behaviour in alleyways and footpaths (Community Safety and Partnerships portfolio)
3. from Councillor John Cottee about the burglar alarm at Keyworth Youth Club (Culture portfolio)
4. from Councillor Philip Owen about GCSE results (Deputy Leader's portfolio)
5. from Councillor Andy Stewart about a planning application (Environment and Sustainability portfolio)
6. from Councillor Keith Girling about flood protection at Newark (Environment and Sustainability portfolio)
7. from Councillor Bruce Laughton about 20 mph zones outside schools (Environment and Sustainability portfolio)
8. from Councillor Martin Suthers about Cycle Route 15 at Bingham (Environment and Sustainability portfolio)

10 & 11

from Councillor Martin Brandon-Bravo and from Councillor Barrie Cooper, both about Rushcliffe Local Plan and treated as a single question (Environment and Sustainability portfolio).

The full texts of the questions, together with the answers given, are included at Appendix A to these Minutes.

QUESTIONS UNDER STANDING ORDER 6.2

There were no questions under Standing Order 6.2.

ADJOURNMENT

The Council was adjourned between 12.30 pm and 1.45 pm.

REPORTS FROM CABINET MEMBERS

Cabinet Members had each circulated with the agenda a report on issues arising within their respective portfolios as follows:-

- (a) Leader (including Finance)

- (b) Deputy Leader (Education and Property)
- (c) Culture
- (d) Community Safety and Partnerships
- (e) Environment and Sustainability
- (f) Regeneration
- (g) Resources
- (h) Social Services

The reports were presented in turn, with Members having the ability to raise comments or questions on each one.

Details of the presentations, comments, questions and responses are included as Appendix B to these Minutes.

RESOLVED: 2006/026

That the reports together with the additional information presented orally or through film.

DESIGNING THE FUTURE – PROPOSALS FOR THE SENIOR MANAGEMENT STRUCTURE OF THE COUNTY COUNCIL

This report from the Leader of the Council had been circulated with the agenda. It included information and recommendations about:-

- a) approval of the future chief officer and departmental structure;
- b) approval to integrate resources services under the director of resources;
- c) endorsement of the proposed second stage of the senior management structure for consultation; and
- d) approval of the proposals for managing the further development of the new structure.

Councillor Kirkham made a detailed presentation to introduce the report (reproduced in full at appendix C to these Minutes), during which he moved a motion in the terms of Resolution 2006/027 below. The motion was seconded by Councillor Mick Storey.

During Councillor Kirkham's introduction and prior to any debate, Councillors Barrie Cooper, Albert Haynes, Rod Kempster, Pat Lally, Nellie Smedley and Yvonne Woodward left the room. Councillor Sheila Place (Chief Whip of the Labour Group) announced that those Members had withdrawn as they were concerned that their ability to hear any employment appeals which might arise in future from the decisions now to be taken might be prejudiced were they to take part in any discussion and voting on this item. There then followed debate on the report and the motion, following which it was:-

RESOLVED: 2006/027

- 1(a) That, subject to (b) below, approval be given to the future chief officer and departmental structure outlined in the report.
 - (b) that the title of the post of Strategic Director, Adult Social Services, be changed to 'Strategic Director, Adult Social Care and Health'.
- 2 That resources services be integrated under the Director of Resources.
3. That the proposed second stage of the senior management structure be endorsed for five week's consultation.
4. That the proposals for managing the further development of the new structure be approved.

AMENDMENTS TO THE CONSTITUTION – AUDIT COMMITTEE

The Monitoring Officer had circulated a report which recommended amendments to the terms of reference of the Audit Committee. During debate on the matters raised in the report, there was reference to a suggestion that the Chair of the Committee could be a member of one of the minority Groups. It was moved by Councillor Kirkham, seconded by Councillor Pulk and

RESOLVED: 2006/028

That the terms of reference of the Audit Committee be changed to the following and that the Monitoring Officer effect the necessary changes to the Constitution:-

1. To act as an advisory committee of the County Council with no delegated powers, providing assurance on the adequacy of the Authority's control environment, overseeing the External Auditors' Annual Audit of the accounts and reporting to Council as necessary.
2. To receive the annual review of the effectiveness of the Authority's system of internal control, including corporate governance, contained in the Statement on Internal Control and:
 - a. Review the overall assurance framework and separate sources of corporate assurance to support the Statement.
 - b. Ensure action plans are in place to address significant internal control issues identified in the Statement.
 - c. Recommend the Statements adoption.
3. To consider the External Auditors' Annual Audit and Inspection Letter

and other relevant reports.

4. To consider the annual and six monthly Internal Audit Reports including a summary of Internal Audit performance and activity and the level of assurance it can give over the Council's internal control environment.
5. To receive both Internal Audit and External Audit Annual Plans.
6. To comment on the scope and depth of External Audit work reviewing whether it gives value for money.
7. To liaise with the Audit Commission over the appointment of the Council's External Auditor as appropriate.
8. To review the annual statements of accounts by the External Auditors' Report on issues arising from the audit of the accounts.
9. To consider reports from Internal Audit on the implementation of agreed Internal Audit recommendations.
10. To maintain an overview of the Council's Financial Regulations and anti- fraud and anti-corruption strategies.
11. To receive and comment upon any significant audit issues that may arise within the authority.

AMENDMENTS TO THE WHISTLEBLOWING POLICY

The Council considered a report from the Monitoring Officer which provided an update on the policy and suggested minor amendments to it.

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

RESOLVED: 2006/029

1. That the minor amendments to the Whistleblowing Policy included at Appendix 1 to the Monitoring Officer's report be noted.
2. That the County Council approves the publicity of the amended Whistleblowing Policy as set out in paragraph 5 of the report.

AMENDMENTS TO THE CONSTITUTION – EXEMPT INFORMATION

The Monitoring Officer had circulated a report which described amendments which she had made to the Constitution to take account of recent alterations to the law relating to exempt information. It was moved by Councillor Kirkham, seconded by Councillor Storey and

RESOLVED: 2006/030

That the County Council notes the Constitution amendments made by the Monitoring Officer under the delegation given to her by Council on 1st December 2005.

MEDIUM TERM FINANCIAL STRATEGY AND CAPITAL STRATEGY 2006/07 TO 2009/10

The Leader had circulated a report which identified the Council's key financial policies and their implications for the next four years. Details were included in the Draft Medium Term Financial Strategy and Capital Strategy 2006/07 to 2009/10. These strategies were informed by the draft Strategic Plan, which was the next item of business on the agenda, and are supported by departmental Service Plans.

It was moved by the Leader, seconded by Councillor Storey and

RESOLVED: 2006/031

That the document attached to the leader's report be adopted formally as the County Council's Medium Term Financial Strategy and Capital Strategy for 2006/07 to 2009/10.

ALL TOGETHER BETTER: COUNTY COUNCIL STRATEGIC PLAN 2006/2010

The Leader had circulated for consideration the draft County Council Strategic Plan for 2006 to 2010. The Plan ("All together better"), which provides a clear statement of the Council's priorities and values, includes:-

- a vision for the future of the County
- five themes that reflect the priorities of the Community Strategy
- commitments to action under each theme
- a section on improving the way the Council works.

There was ongoing work to design targets to enable measurement of progress in achieving commitments and these were to be presented to Cabinet for approval.

RESOLVED: 2006/032

1. That approval be given to "All together better" the County Council's Strategic Plan for 2006 – 2010
2. That strategic plan targets be presented to Cabinet for approval.

3. That progress with the Plan and a review of targets be reported to Council annually.

SCHOOL ADMISSION ARRANGEMENTS FOR 2007/2008

Members had received from the Director of Education a written report which described and commented upon proposals and consultations (including over-subscription criteria, delegated powers in exceptional circumstances and admission numbers for all Nottinghamshire community and voluntary controlled schools for the academic year 2007/2008).

It was moved by Councillor Storey, seconded by Councillor John Stocks and

RESOLVED: 2006/033

1. (a) That the general admission arrangements for 2007/2008 and over-subscription criteria (as attached at Appendix 1 a, 1b and 1c to the report) be approved.
 - (b) That approval be given to the specific proposal by the Governing Body of the Redhill School and Performing Arts College to admit up to 10% of the year 7 intake on aptitude for the Performing Arts with effect from the admission round 2007/2008.
 - (c) That the provision to vary the admission arrangement in exceptional circumstances as set out in the report be approved. The Deputy Leader and Cabinet Member for Education has delegated authority to agree this variation.
2. That the admission numbers for community and voluntary controlled schools for 2007/2008, as attached at Appendix 2 to the report, be approved.
3. That the timelines of the admissions rounds as describe at Proposal C within the report, be agreed.

USE OF URGENCY POWERS

During consideration of the Chief Executive's report, there were concerns that the decision referred to therein ought not to have been dealt with under the urgency powers. Notwithstanding that view, it was:-

RESOLVED: 2006/034

That the report be noted.

NOTICE OF MOTION

There had been included in the agenda a motion in the names of Councillors Stella Smedley, Jim O’Riordan and John Clarke. The motion, which was concerned with the trafficking of people and their forced participation as sex workers, was moved by Councillor Smedley who described ways in which those affected had been treated. Supporting the motion, Councillor Clarke called for stronger sentences, or possibly deportation for foreign defendants, and psychological help for victims of this type of crime.

It was unanimously:-

RESOLVED: 2006/035

This County Council welcomes the crackdown on traffickers who bring women into the UK and Nottinghamshire and force them to work in the sex trade.

This County Council supports the first UK-wide initiative to target criminal gangs who trade in prostitutes, known as Operation Pentameter and now calls on the Government to support:

1. legislation to provide support or protective measures for trafficked persons
2. a European Convention on Trafficking that requires states to take action to protect the rights of trafficked people.

ADJOURNMENT DEBATE

There were no motions to adjourn the Council.

CHAIRMAN

M_6April06

COUNTY COUNCIL MEETING – THURSDAY, 6TH APRIL 2006

QUESTIONS UNDER STANDING ORDER 6.1

QUESTION FROM COUNCILLOR RICHARD JACKSON TO THE LEADER OF THE COUNTY COUNCIL

Does the Leader of the County Council have some sympathy for York City Council and Medway Borough Council, the two authorities “designated” for in-year capping because they set Council Tax increases of 5.5% even though their average council tax is still considerably less than most similar unitary authorities?

Nottinghamshire County Council, meanwhile, set an increase beneath the capping threshold of 5%, but still charges the second highest shire county council tax at £1,081 for a Band D property.

Does the Leader think the ODPM might be wise to conduct closer scrutiny of those councils that consistently pitch their tax increase just below the capping threshold, but ultimately are the most expensive for the taxpayer?

RESPONSE BY COUNCILLOR DAVID KIRKHAM, LEADER OF THE COUNTY COUNCIL:

“Thank you Chairman and I would like to thank Councillor Jackson for his question.

I don't agree with capping. I didn't agree with capping when the Tories brought it in. And I don't agree with capping now under Labour.

Capping is a blunt instrument that is supposed to penalise so-called high spending authorities without giving due consideration to the quality of services that are provided. It allows the secretary of state to decide for him or herself what is an acceptable level of Council Tax increase. This, after the Government have also agreed among themselves not just what each local authority should spend, but increasingly, the way it should be spent.

Under the Tories we became the most centrally controlled country in western Europe. And I have to say that under Labour we still remain dependent on central government to provide almost 75% of our budget, with only the remaining 25% raised locally.

And because the central government budget is fixed, if a council wants to raise overall expenditure by just 1 %, Council Tax must increase by around 4% or 5%.

The Government have conceded that Council Tax, in its present form, brought in by John Major as a knee jerk replacement for the discredited poll tax - is unsustainable and I could not agree more.

Our former chief executive Sir Michael Lyons has been asked to look at the broader role and functions of local government as part of a wide review of the way local authorities are funded - a debate I would welcome here.

Any review should, I believe, centre on reducing councils' dependence on Whitehall funding which could reduce the pressure on councils to raise excessive council taxes, increase local autonomy, and voter turnout.

Because any Council Tax increases hits those on fixed and lower income groups the hardest, particularly pensioners.

Indeed, a report, sponsored by the Economic and Social Research Council, has found that people on low incomes spend more of their income on Council Tax than those on high incomes. 20%, on the lowest incomes spent an average of 4.6% of their income on Council Tax, even after benefits, while the 20% on the highest incomes spent just 1.6% on local taxes.

That said, Chairman, the average Council Tax increase this year is the second lowest in over a decade. And Richard may also want to know, that Labour councils continue to provide council taxpayers with better value for money. Labour councils cost, on average, £190 less than Tory controlled councils and £96 less than Lib Dem councils.

As recent independent audits have shown, of those local authorities awarded the highest rating of four stars, 43 per cent are Labour. This compares with 30 per cent being Tory and just 8 per cent being Lib Dem. Not only do Labour Councils cost less on average but, they also provide better services.

And that is what is important to taxpayers: value for money. Something Nottinghamshire County Council has consistently provided and has been acknowledged with its status as a 4 star authority, one of the best authorities in the country”.

QUESTION FROM COUNCILLOR RICHARD BUTLER TO THE CABINET MEMBER FOR COMMUNITY SAFETY & PARTNERSHIPS

The Clean Neighbourhoods & Environment Act 2005 states that where a highway area – for example an alleyway or footpath – ‘is facilitating the persistent commission of criminal offences or anti-social behaviour’, a council may make a ‘gating order’ restricting access to that highway.

Given that many pathways and alleyways are owned and managed by the County Council, has this authority to co-operate with other partner agencies throughout Nottinghamshire to ensure the swift implementation of gating order requests an protect local residents from anti-social activity?

RESPONSE BY COUNCILLOR JOYCE BOSNJAK, CABINET MEMBER FOR COMMUNITY SAFETY AND PARTNERSHIPS:

“Thank you Chairman.

Councillor Joyce Bosnjak has asked me to respond on her behalf. So, may I, firstly, thank Councillor Butler for his question.

The Clean Neighbourhoods and Environment Act has been in force since 2005. Regulations for Gating Orders, within this Act came in to force in April 2006 which give the operational detail to the primary legislation. These regulations set out the procedures, including consultation requirements, which will allow gating orders to be made.

The provisions are viewed as a useful possible last resort in situations where other interventions such as improved street lighting or increased policing had not worked. Policy will be developed in the near future on how the County Council will use these powers, which build on, and strengthen, the provisions in the Highways Act (s 118b and 119b) which allowed the closing of paths and rights of way in prescribed circumstances for reasons of crime.

The Act’s objectives on reducing criminal activity will best be achieved through a partnership approach. The policy to be developed will reflect this.

It is felt that the powers will be most effective in dealing with urban or housing estate jitties, where access around the back of buildings can make anti social behaviour and criminal damage easier to commit and escape from”.

QUESTION FROM COUNCILLOR JOHN COTTEE AND THE CABINET MEMBER FOR CULTURE

Is the Cabinet Member for Culture aware that the burglar alarm at Keyworth Youth Club had been broken for nine months prior to the recent burglary where equipment was stolen and damage caused?

Could he explain why the Youth Leader’s repeated requests to repair the alarm were ignored, and what the protocol is for registering such requests?

Can he also give an assurance that there are no other youth clubs with similar maintenance work outstanding?

RESPONSE BY COUNCILLOR CHRIS BARON, CABINET MEMBER FOR CULTURE:

“Thank you Chairman and I would like to thank Councillor Cottee for his question.

I apologise, sincerely, for the delay in replacing the alarm at Keyworth. We are trying to do our best to put this regrettable situation right, but for various reasons, it has taken some time. There have been a number of factors which have been taken against us and although these do not excuse the delay, I should like to explain them to you.

The funding for the replacement/repair of Intruder Detection Systems is accessed through a fund held centrally within the Department, subject to an application process. The alarm replacement at Keyworth is subject to that process.

Approval for the funding was obtained in December, at which point the contractor was appointed. As a result of the high level of work being placed with the contractor arising from the changes in response times imposed by Nottinghamshire Police, they were unable to make the site visit until the beginning of March. A quote in the sum of £1350.11 was received at the end of March and the order placed for the work to be undertaken. It is anticipated that the work will be completed before the end of April this year.

The Youth Leader has been kept informed at the various stages involved and the site has been visited on a number of occasions.

The Youth Service is undertaking an ongoing programme of upgrading all Intruder Alarms to ensure that they comply with the police requirements. The total cost of this work, however, exceeds the funds immediately available and is having to be scheduled within a rolling programme, prioritising those premises that are considered to be most at risk.

Whilst it is acknowledged that the work to replace the intruder alarm at Keyworth has taken longer than it should have done, it should be noted that a number of other improvements to the Centre are also underway, including clearing debris from the exterior of the building, internal and external decoration and the replacement of carpet in the seating area facilities.

Thank you Chairman”.

QUESTION FROM COUNCILLOR PHILIP OWEN TO THE CABINET MEMBER FOR EDUCATION & LIFELONG LEARNING

When the GCSE results for Nottinghamshire were announced, the Cabinet Member for Education said he needed to do some more digging around” for the reasons as to why Nottinghamshire schools had not performed well.

Could he tell Council how far he has managed to dig, and what he has unearthed?

RESPONSE BY COUNCILLOR MICHAEL STOREY, CABINET MEMBER FOR EDUCATION AND LIFELONG LEARNING:

“Chairman this question gives me the opportunity to clarify some factors affecting present performance and share with Council plans for the future.

The underperformance of sixteen year olds in Nottinghamshire is acknowledged and is rightly a key priority for the Council. And I know that the questioner will appreciate from his own experience working in a local secondary school that tackling this problem is a big challenge.

In my digging into this matter it became clear that the schools with the lowest levels of performance, in terms of raw GCSE results, are sited in the former coalfields. Members will be aware of the impact made by the rapid closure of so many of the mines, a particular feature of the demise of the coal industry in Nottinghamshire, and over a longer period, the collapse of the textile trade. In these areas young people with poor qualifications can no longer get a well-paid job. However, attitudes towards education and the acquisition of skills have often not shifted, which means that many young people and their parents do not aspire to the new levels of qualification required.

But my digging also unearthed the fact that many of our schools with the most advantaged intake of pupils do not always add the value they should to pupils' GCSE progress. This means, whilst raw GCSE results might look relatively high, results should be even higher based on the nature of the pupils in the school and their previous progress.

I know that Rushcliffe members had the benefit recently of an officer presentation on the performance of secondary schools in their district. We are arranging for the members of all of the districts to have a similar opportunity so that all councillors can gain a fuller understanding of the performance of schools in their areas.

Within schools the main areas that need to be improved are the curriculum and its match to students' needs, the quality of leadership at the middle management level and capacity to monitor and evaluate day-to-day practice effectively. Again, from his past experience, Cllr. Owen will understand this issue of the need for quality leadership at the middle management level.

These are all areas that have already been targeted for improvement by the local authority's school improvement services. This LA work and that focused on schools giving cause for concern is judged to be good by Ofsted and the DfES,

which is reflected in the highly favourable LEA inspection report of May 2003 and in the 2005 annual performance assessment.

Clearly, we need to maintain the good quality of existing work to support improvement and identify further strategies to support and challenge our local secondary schools, and this is what we have been doing.

The Director of Education personally led a full day's conference on this issue with secondary head teachers in January and the local authority has established a Key Stage 4 Partnership Board. This group, consisting of heads and a small number of officers is taking oversight of a raft of additional measures to secure improvement.

Some of these should have immediate effect, such as a recommendation to all schools to cancel study leave and replace this with a structured programme of revision. Others are more medium and longer term; some of these sit within the new integrated children's services framework and will bring together a wider group of council services (including the Youth Service) in tackling underachievement in the context of communities.

The strategies will also extend to the work of partner agencies through the Local Area Agreement. As a part of this agreement a stretch target has been set to achieve GCSE results at the national average by 2009.

Chairman, this Council is determined to improve the performance of the students at the end of Key Stage 4 and I do not accept any complacency or lack of aspiration on this agenda. Over the past five years we have significantly improved how well children do at 11. Last year the performance of our fourteen year olds rose faster than the national average. It is, of course, typical of Members opposite that they do not ask what is being done well so that we can celebrate success. They always go for failure – something they are, of course, accustomed to having remained in opposition for the last 25 years.

Chairman, we shall, through partnership working with the schools, ensure that all Nottinghamshire pupils secure the qualifications and the life chances they deserve”.

QUESTION FROM COUNCILLOR ANDY STEWART TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

Can the Cabinet Member explain what is the precise status of the planning application (3-02-01726-CMM) submitted in 2002 by Tarmac Central Limited, on which the County Planning Authority sought clarification on a number of points?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“Thank you for the question. This is, of course, a matter that ultimately will be determined by the Planning and Licensing Committee, but I understand the up to date situation is as follows:

In July 2002 a planning application was submitted by Tarmac Central Limited for the development of a sand and gravel quarry at Bulcote Farm, Gunthorpe. The planning application was put out to consultation and various comments were received regarding the environmental impact of the development. In April 2003 a letter was sent to Tarmac asking them to investigate the issues raised and to prepare a series of amendments and additional information to address and overcome any environmental impacts. It is understood that Tarmac have now done this work, and this information is awaiting submission.

One of the main issues is the flood risk associated with the development. The application site is located within the 1:100 year floodplain of the River Trent. Planning policy requires mineral developments within flood risk areas to be supported by an assessment to demonstrate that they will not result in adverse flooding impacts.

Consultants working on behalf of Tarmac have prepared a computer model to assess the flood risk of the development. The Environment Agency are currently assessing the draft results of the flood modelling in terms of the significance of any identified flood risk, and the level of mitigation works which may be required to minimise any increase in flood risk. It is this rather complicated and involved element that has delayed progress on the application, although significant steps have now been taken to quantify the level of flood risk.

The Bulcote Farm site is a strategically important allocation in the Nottinghamshire Minerals Local Plan adopted by this Council at the end of last year, insofar that it is seen as a replacement for Holme Pierrepont and Hoveringham quarries. The Minerals Local Plan public inquiry concluded that this was an acceptable site, close to the Nottingham market. It is, therefore, in the best interests of the County Council to let the ongoing flood risk assessment process reach its conclusion prior to making a decision on the outstanding planning application.

I am advised that Tarmac will shortly be making a decision on how they wish to progress the application. Once that is known, further consultation will be carried out with all interested parties, and a report brought to Planning & Licensing Committee at the earliest opportunity”.

QUESTION FROM COUNCILLOR KEITH GIRLING TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

Does the Cabinet Member share my concern that the Environment Agency has decided not to proceed with the flood protection work on the River Trent in Newark West, because ground tests for the installation of sheet piling revealed engineering problems which altered the cost-benefit ratio for the scheme?

The existing flood defences were originally deemed capable of withstanding a 1:100 year flood risk, but are now rated only sufficient for a 1:30 year flood risk; therefore, would the Cabinet Member echo my view that cost-benefit explanations do little for Newark West constituents whose properties are under threat?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“May I thank Councillor Girling for his question.

As he may know the County Council, in the last 2-3 years, has played a very active role in consultations by the Environment Agency over its strategy and proposals for future flood defence works along the River Trent.

Although not absolutely clear, I believe his question relates to possible flood defence works at Brewer’s Wharf in Newark. Here a number of properties are currently unprotected from flooding.

The Environment Agency has been considering a flood defence scheme at this location, which would provide a 1:100 year level of protection. The economic case of the scheme, and therefore its consideration in the prioritisation process, depended on the Environment Agency receiving developer contributions associated with a nearby development site. However, the developer has recently pulled out of this proposal, and the section 106 developer contributions are not now available to the Environment Agency. This has meant that unless a new developer comes forward, the scheme would not be high enough priority compared to other schemes competing for the Environment Agency’s available funding.

The Environment Agency have confirmed that they are currently considering less expensive ways to provide flood protection for these properties, including “demountable”, temporary defences which would be employed during flood warnings, and other measures around individual properties. They have stressed that they are in full consultation with the owners of the properties concerned.

In answer to the specific question, I do agree that it is extremely unfortunate whenever properties and people are at risk from flooding, and it is clearly

regrettable in this case that the proposed scheme, which will have raised local expectations, has had to be shelved due to the loss of developer contributions. However, I understand the need for a public body such as the Environment Agency to apply rigorous prioritisation criteria when deciding on the use of limited public funds, and am satisfied that they are considering other cheaper flood defence options. I am also pleased that they appear to be consulting with the people concerned. Furthermore, it is possible that the original scheme may be revived if a new developer comes forward for the nearby site.

Finally, officers from the Environment Agency have offered to explain the proposals in more detail to Councillor Girling, and I will pass on contact details for their Regional Flood Defence Manager, if he would find this useful”?

QUESTION FROM COUNCILLOR BRUCE LAUGHTON TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

Given that other local authorities have already introduced 20mph zones outside schools, and presumably can provide evidence and data to illustrate their effect, can the Cabinet Member for Environment & Sustainability explain why Nottinghamshire County Council is only introducing these zones as a pilot measure at this stage?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“May I thank Councillor Laughton for his question and I am sure we all join with him in wanting to ensure as safe conditions as possible outside schools in Nottinghamshire at arrival and departure times. Accordingly, I can assure Councillor Laughton that the safety of children is at the top of my agenda. To this end over 130 Safer Routes to School schemes have been introduced in the County over the last few years and well over a third of schools in Notts now have operational School Travel Plans in place by the end of March 2006.

Officers from the Environmental Department have also undertaken an analysis of child/student casualties outside schools in the County over the **10 year** period Jan 94 to Dec 03. This has revealed that within 50 metres either side of school entrances there have been 189 casualties; fortunately 150 of these instances only resulted in slight injury whilst our clear objective is to minimise casualties of all types to children. This statistic equates to an average of only 0.052 casualties per annum outside each school in the administrative County of Nottinghamshire.

Furthermore, less than **4%** of all casualties involving children aged 5 – 16 years on the road network across Nottinghamshire occurred within 50 metres of the school entrance.

Whilst clearly there is no room for complacency, one can, therefore, draw the conclusion that there is, actually, a very low risk of accidents involving pupils immediately outside schools.

Accordingly it is, therefore, important to take a measured approach to the introduction of 20mph speed limits outside schools.

The Authority needs to direct funding to where it will have the most impact on road casualty figures on the overall road network in order to meet the national 2010 casualty reductions. The national Child Key Stage Indicators target is to allow a 50% reduction based on the 1994 – 1998 average and the provisional 2005 statistics show a 38% reduction to date; accordingly the Authority is well on the way to achieving this target based on its current policies.

We are always considering new approaches to road safety and officers monitor closely what is happening in the East Midlands and elsewhere regarding good practice. On that basis it is proposed to introduce four trial sites in 2006/07 to guide policy and criteria relating to the implementation of 20mph speed limits outside schools. The effectiveness of the trial sites will be monitored before a strategy for future implementation of 20mph limits outside schools can be finalised. Many local highway authorities like ourselves are also awaiting Department of Transport guidance on "Setting Local Speed Limits" which is due out in the Summer of 2006. This is expected to contain further guidance on the introduction of advisory and of mandatory 20mph speed limits.

My preliminary view, 20mph speed limits would not be appropriate at every location and certainly existing experience around the country is varied. Research carried out by the Transport Research Laboratory showed that where 20mph speed limits alone have been introduced without other measures, a reduction of only about 2mph in mean vehicle speeds is achieved. 20mph speed limits are, therefore, only suitable in areas where vehicle speeds are already low (or for example - self-enforcing) or where traffic calming measures are planned as part of the strategy which clearly is a more expensive treatment. Department for Transport indicate that this figure should be mean vehicle speeds of 24mph or below. Self-enforcement will, also, be key in the co-operation of the Police on the future of the 20mph speed limit policy. Whilst the County Council is in the process of moving towards civil enforcement of parking offences in 2007, the Police will be responsible for speed limit enforcement.

To conclude, I would like to reiterate my commitment to improve the safety of children on the highways through a range of measures. I am pleased that child road accidents in Nottinghamshire are reducing and that child casualties outside schools only represent around 4% of the total child casualties on the 4000km of roads we have in the County. We will continue to invest in safety outside schools through our current programmes and policies and will commence trials of 20mph speed limits in 2006/07 and, most importantly, we will continue to invest in the

most appropriate manner to achieve the maximum reduction in road casualties in our highway network”.

QUESTION FROM COUNCILLOR MARTIN SUTHERS TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

Would the Cabinet Member for Environment and Sustainability tell Council:-

- (i) at whose instigation the section of cycle route 15 which lies along Nottingham Road, Bingham, has been constructed and at what cost and
- (ii) how many advisory signs relating to this cycle route have been erected along Nottingham Road between the Saxondale roundabout and the Bingham traffic lights, a distance of approximately three quarters of a mile, and what proportion of the cost this signage represents?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“I would like to thank Councillor Suthers for his question.

The Nottingham Road cycle route was developed as part of three separate initiatives:

- The statutory requirement on the County Council is to set a target to increase cycle use. The target for Greater Nottingham is to increase cycling by 6% between 2004 and 2010 and was set out in the Local Transport Plan submitted to the Government on March 2006.
- The scheme forms part of the cycling charity Sustrans’ Route 15. It has been a long-standing scheme that has been requested by Sustrans’ to link Bingham Town Centre to the Highways Agency’s cycle routes along the A52, westbound to Radcliffe- on-Trent and Nottingham and eastbound towards Grantham.
- As part of the Transport Study that has been carried out at the behest of Bingham Town Council, investigations were undertaken to improve access to the town centre by non-car modes of transport. One of the aims of the Study was to encourage shoppers and residents to walk or cycle into Bingham to relieve the burden on the main routes, junctions and car parks in the town centre. Nottingham Road was considered to be a high profile route along a busy main road that had sufficient space to incorporate a scheme that would improve safety for the number of cyclists using the road and encourage more cyclists to use the route.

The total scheme costs, including design fees, are estimated to be £120,000 and were funded by Local Transport Plan allocations.

The signing for the scheme has been designed in accordance with national guidance and the County Councils own Cycling Design Guide. The majority of the signs have been erected for safety and to provide clarity to all users of the highway. Nottingham Road has a large number of side roads and footpath links to the cycle track each having to be signed. These junctions and paths are in close proximity to each other and as a result have raised the profile of signing in the area to residents.

Approximately 100 signs have been erected as part of the scheme at a cost of approximately £9000, which equates to 8% of the total scheme cost.

In view of the concerns raised I have asked the officers in the design team, Accident Investigation Unit and the cycling officer to review the signing along Nottingham Road and if possible reduce the number of signs along the route. They will need to consider all the safety issues and, if appropriate, should amend the Cycling Design Guide to reduce the proliferation of signing which, in turn, will lead to the general improvement of the general street scene”.

QUESTION FROM COUNCILLOR BRUCE LAUGHTON TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

Will the Cabinet Member accept our congratulations on the completion of the Public Services Agreement (PSA) for casualty reduction, the success of which she attributes to a comprehensive package of engineering measures such as junction improvements, traffic calming, interactive signing and speed management techniques as well as targeting educational campaigns aimed at seatbelt awareness, young motorcyclists and elderly pedestrians?

Would she agree with me that, despite the initial scepticism of some, this achievement has demonstrated how dramatic improvements in road safety can be achieved with the consensus of road users, and without widespread reliance of speed cameras?

Can she give an assurance that the reference in her recent Cabinet report to “a more aggressive approach to speed enforcement via the Safety Camera Partnership” does not signal a dramatic shift towards punitive measures at the expense of more proactive techniques which have proved so successful?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“Could I thank Councillor Laughton for his question and for his congratulations to me on the completion of the Public Service Agreement for casualty reduction.

The success of the Public Service Agreement has demonstrated the benefit of applying a wide-ranging package of measures involving engineering, education and enforcement and partnership working with other agencies such as Nottinghamshire Police and Nottinghamshire Fire and Rescue.

Speed cameras form a small, but integral part of this package to be used where there is a history of fatal or serious road casualties and speeding and where there is no engineering solution that is more appropriate. Alongside speed enforcement the Safety Camera Partnership conducts wide-ranging educational and publicity campaigns aimed at reducing the level of speeding amongst drivers. Both the enforcement and the educational activities of the Safety Camera Partnership have contributed to the success of the Public Service Agreement.

The extract from the recent Cabinet report, on the 8th March 2006, relating to “a more aggressive approach to speed enforcement via the Safety Camera Partnership” was one of a number of suggestions made by the external “Critical Friend” invited to take part in the recent Road Safety Strategy Review.

As a result of this Review the Cabinet report recommended a number of amendments to the Road Safety Strategy. Regarding safety cameras the report recommended that, “through the Safety Camera Partnership and subject to the new Government guidelines and criteria, consideration be given to additional numbers of fixed and mobile cameras with high profile signing on key routes”.

Can I reassure Members that this does not suggest a shift towards punitive measures at the expense of other techniques. It reflects the continued application of a measure proven to reduce accidents and casualties”.

QUESTION FROM COUNCILLOR MARTIN BRANDON-BRAVO AND COUNCILLOR BARRIE COOPER TO THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

What ways are open to the Cabinet Member to respond to the recent Inspector's Report on the Rushcliffe Local Plan, which supported this County Council's concerns about the potential impact of the planned Sharphill Wood housing development on the A606 and the road network in West Bridgford?

Does she agree with all West Bridgford County Councillors that alternatives to the Sharphill development should be sought?

RESPONSE BY COUNCILLOR STELLA SMEDLEY, CABINET MEMBER FOR ENVIRONMENT AND SUSTAINABILITY:

“Thank you.

I began to think that the Members of that side had put so many questions to me, knowing that full well it would stop me nipping out for a cigarette, in the short-term!

Can I thank Councillor Brandon-Bravo for his question.

The County Council, in its roles as strategic planning authority and highway authority, is a statutory consultee in terms of the modifications to the Rushcliffe Local Plan recently published by the Borough Council. This affords the opportunity for the County Council to comment on the proposed modifications and on the Borough Council's decision not to accept a recommendation for modification made by the Inspector in accordance with planning procedure. The deadline for comments is the 2nd May. It is proposed that an officer response will be sent, by this date, which will be subject to ratification by Cabinet on the 3rd May. This process is necessary for proper consideration of the modifications to the local plan.

The County Council, as strategic planning authority, is concerned that having seen several delays to the earlier stages of the local plan, further delays will impact on the delivery of housing within the Borough. This concern is shared with other South Nottinghamshire Local Planning Authorities and GOEM.

With regard to Sharphill Wood, in particular, in its evidence to the Rushcliffe Local Plan Inquiry, the County Council raised concerns about the lack of information to assess the potential impact of the planned development on the local road network.

The promoters of Sharphill Wood have recently submitted a revised transport assessment based on the A52 multi modal study transport model. This is new information, which was not submitted to the Local Plan Inspector and is currently being evaluated by both the County Council and the Highways Agency. The County Council's formal response to this new information will be provided once it has been properly considered.

With regard to alternative sites, this question is, at present, hypothetical. The County Council's view is that the strategic housing requirement has to be met by the Borough Council in accordance with the strategy of the Joint Structure Plan. If, subsequent to further discussions on traffic impacts, the County Council considers the Sharphill Wood development to be inappropriate, this would need to be considered by the Borough Council in the light of all aspects of the proposed allocation, and the rest of the Plan. Rushcliffe Borough Council stated in the Inquiry that should they consider Sharphill Wood to be unacceptable then alternative sites would need to be identified to meet the housing allocation set out in the Joint Structure Plan. This would lead to further delay in producing the Plan. As stated earlier, the County Council's concern is that there would then be a further delay in producing the Plan and delivery of housing to serve the whole of South Nottinghamshire would be delayed".

COUNTY COUNCIL MEETING – 6TH APRIL 2006

REPORTS FROM CABINET MEMBERS (AGENDA ITEM 7)

a) Leader and Finance Portfolio

Councillor Kirkham in introducing his report following a meeting with the Minister for Transport, reported the Minister now has all the information needed in order to make a decision regarding the extensions to the Nottingham Express Transit Scheme although a definite decision date had yet to be set.

b) Deputy Leader, Education and Property Portfolio

Introducing his report, Councillor Storey informed Members that the post of Strategic Director - Children and Young People had been accepted subject to the Cabinet referral process.

Following the success of the Early Years Conference it was suggested that Professor Al Ainsley-Green, Children's Commissioner for England, be invited to speak to staff involved in the provision of services for children and young people.

c) Culture Portfolio

Councillor Baron was pleased to announce the County Council had been awarded Beacon Status for the culture and sport for hard to reach groups strand and introduced a short film highlighting some of the projects that had contributed to the scheme. Members joined Councillor Baron in congratulating the staff and partners involved. In response to a question, Councillor Baron said he would investigate why some deprived areas did not appear to be benefiting as much as others from the scheme.

In addition, Councillor Baron highlighted that refurbished libraries in Bircotes and Ollerton had now been reopened.

d) Community Safety and Partnerships Portfolio

In Councillor Bosnjak's absence, Councillor Kirkham introduced the report and updated Members on the suspected avian flu case in Fife. In response to a question raised about the feeding of wildfowl at Rufford, Councillor Baron informed Members that public access to the lakes would be restricted if the Country Park were advised to raise security to the next level.

e) Environment and Sustainability Portfolio

Councillor S M Smedley in introducing her report invited Members to put forward award nominations for the Annual Building Better Communities Event on Tuesday 4 July 2006. Councillor Smedley also reported that work on Retford Bus Station was underway.

In response to questions, Councillor Smedley acknowledged the complexity of the policy on public rights of way and will look into having a seminar to explore some of the issues Members had raised. .

f) Regeneration Portfolio

In presenting his report, Councillor Winterton highlighted the following:

- the joint bid by Ashfield, Bolsover and Mansfield Districts for the Local Enterprise Growth Initiative has been successful
- Regeneration recently lead on two important Government consultations with regard to Assisted Areas and the National Strategic Reference Framework
- the Nottinghamshire STARS project - aimed at tackling recruitment, retention and workforce issues in the hospitality, tourism, leisure and culture sectors - recently held its annual awards
- the County Council has achieved its Local Public Service Agreement objective to recruit 200 people through the New Deal scheme

g) Resources Portfolio

Councillor Stocks presented his report. In response to a question regarding the Woodheat Seminar held at Centre Parcs, Councillor Stocks was unaware that Opposition Group Members had not been invited to the event and would ensure they are invited to any future seminars.

h) Social Services Portfolio

In Councillor Anthony's absence Councillor Kirkham presented the report, which was received.