

# Minutes



Meeting COUNTY COUNCIL

Date Thursday, 29<sup>TH</sup> MARCH 2007 (10.30 am – 12.40 pm)

## Membership

Persons absent are marked with `A`

## Councillors

Peter Barnes (Chairman)

John C Allin (Vice-Chairman)

A	Reg Adair	Bruce Laughton
	Chris Baron	Edward Llewellyn-Jones
	Joyce Bosnjak	Ellie Lodziak
	Martin M Brandon-Bravo OBE	Joe Lonergan MBE
	Kenneth Bullivant	Mick Murphy
	Richard Butler	Jim Napier
	Steve Carr	Jim O'Riordan
	Steve Carroll	Philip Owen
A	John Carter	Tom Pettengell
	John Clarke	Sheila Place
	Jen Cole	Peter D Prebble
	Barrie Cooper	Darrell Pulk
	John Cottee	Alan Rhodes
	M J Cox	A Ken Rigby
	Jim Creamer	Sue Saddington
	Mrs Kay Cutts	David Shaw
	Yvonne Davidson	Mrs Stella M Smedley
A	Alan Davison	Mark Spencer
	V H Dobson	Andy Stewart
	Sybil Fielding	A John R Stocks
	Andy Freeman	Mick Storey
	Glynn Gilfoyle	Martin Suthers OBE
	Keith Girling	Lynn Sykes
A	Albert Haynes	A The Hon Joan Taylor
	John M Hemsall	David Taylor
A	Paul Henshaw	Parry Tsimbiridis
	Stan Heptinstall MBE	Kevan Wakefield
	Helen Holt	Keith Walker
	Richard Jackson	Chris Winterton
	Rod Kempster	Brian Wombwell
	David Kirkham	Yvonne Woodhead
	John R Knight	Jason Zadrozny
	Pat Lally	

## **OPENING PRAYER**

Upon the Council commencing at 10.30 a.m. Members welcomed Councillor Jason Zadrozny to his first meeting since being elected to the Council at the recent by-election in the Sutton-in-Ashfield North Division. This was followed by prayer led by the Chairman's Chaplain.

## **1. MINUTES**

### **RESOLVED: 2007/020**

That the Minutes of the last meeting of the County Council held on 22<sup>nd</sup> February 2007 be agreed as a correct record and signed by the Chair.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors:-

Reg Adair\*  
John Carter  
Alan Davison  
Paul Henshaw

Ken Rigby  
John Stocks\*  
The Hon Joan Taylor

\* denotes on other County Council business.

## **3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

There were no declarations of interest made by Members or Officers.

## **4. CHAIRMAN'S BUSINESS**

### **(a) Presentation of Awards**

- (1) Councillor Alan Rhodes presented to the Chairman the Care Services Positive Practice Award presented to Nottinghamshire County Council for its work in older people in social care programmes.
- (2) Councillor Glynn Gilfoyle presented to the Chairman the Beacon Status Award for Emergency Planning that the County Council had recently been awarded. During the receipt of this award Councillor Gilfoyle and Members of the County Council thanked the Emergency Planning Team for its commitment to gaining the Beacon Status Award alongside Officers from Newark and Sherwood District Council.
- (3) The Chairman said that he wished to take this opportunity to publically praise the good work and worthwhile activities undertaken by young people in the County which he had recently seen at the Gang Show and the Youth

Orchestra and Choir. He felt this needed to be said to counter the often negative images of young people that were portrayed.

**(b) Suspension of Standing Orders**

It was moved by Councillor Mick Storey, seconded by Councillor Mrs. Kay Cutts and

**RESOLVED: 2007/021**

That, in accordance with Standing Order 12, the Standing Orders of Council be suspended for the business of agenda items 4(c) (Constituency Issues) and agenda item 6 (Presentation of Petitions).

**(c) Constituency Issues**

Following the suspension of Standing Orders the next 15 minutes of the Council meeting were allotted to give Members, who had previously given notice, an opportunity to speak for three minutes on any particular matter relevant to their constituency or any particular issues arising from their electoral divisions. This was an opportunity simply to air these issues in Council meeting and it did not give rise to debate upon the issue or question and answer sessions.

Set out in Appendix A attached to these Minutes is a full note of the issues discussed by Members. The following Members had indicated that they wished to speak under this item:-

Councillor John Cottee – HGVs travelling through the villages in his Division.

Councillor Philip Owen – Residents only parking schemes with reference to the new development known as Phoenix Heights which is at the side of Bilborough College.

Councillor Jim O’Riordan – Bus plugs associated with the A612.

Councillor Keith Girling – Newark Bus Station.

Councillor Mrs. Kay Cutts – HGVs travelling on unsuitable rural roads in Radcliffe-on-Trent Division and in particular through Newton village.

**5. MEMBERSHIP OF THE COUNCIL AND APPOINTMENTS TO THE EXECUTIVE AND COMMITTEES**

A supplementary report was circulated to Members following the election of Jason Zadrozny to the Council. This report contained information on the overall political balance of the Council following the by-election in Sutton-in-Ashfield

North Division. Council noted that it was not necessary to review the allocation of seats on Committees further following the exercise reported to the last meeting. On a motion by Councillor Sheila Place, seconded by Councillor John Cottee, it was:-

**RESOLVED: 2007/022**

- (1) That the content of both the substantive and supplementary reports be noted;
- (2) that the appointments made by the Leader, as set out in the report, be noted and
- (3) that Councillor Helen Holt be appointed as Chair of the Appeals Committee.

**6(a) PRESENTATION OF PETITIONS**

The Chairman reminded Members that there was no requirement to walk whilst presenting a petition and there was a two minute time limit for such presentations.

A petition was presented to the Chairman by Councillor Andy Stewart about Gunthorpe residents requesting better access to the A6097.

**6(b) REPORT BACK ON PETITIONS**

**RESOLVED: 2007/023**

That the matters contained in the report back on petitions received on 22 February be noted.

**7(A) QUESTIONS UNDER STANDING ORDER 6.1**

Six questions had been received as follows:-

- (1) The Lyons Report (Leader) (Councillor Mrs. Kay Cutts)
- (2) Landfill Tax increases (Environment) (Councillor Bruce Laughton)
- (3) 20 mph speed limit outside Netherfield School (Environment) (Councillor John Clarke)
- (4) Young musicians in Nottinghamshire (Children and Young People's Services) (Councillor Joe Lonergan)
- (5) Allowances for Foster Carers (Children and Young People's Services) (Councillor Martin Brandon-Bravo)
- (6) Postcode Lottery for Home Care (Adult Services and Health) (Councillor Joe Lonergan)

The full text of the questions together with answers given is included at Appendix B to these Minutes.

**7(B) QUESTIONS UNDER STANDING ORDER 6.2**

There were no questions asked under Standing Order 6.2.

**8. REPORTS FROM CABINET MEMBERS**

The Leader presented the reports to the meeting on-bloc and in presenting the reports to Council he informed Members that they may indicate to the Chairman any questions or comments they wished to put to the Cabinet Members on matters arising from their reports.

Comments and questions are included at Appendix C to these Minutes.

**RESOLVED: 2007/024**

That the reports be noted.

**9. MINERALS AND WASTE DEVELOPMENT FRAMEWORK – SAVING POLICIES IN THE ADOPTED NOTTINGHAMSHIRE AND NOTTINGHAM WASTE LOCAL PLAN BEYOND 27 SEPTEMBER 2007**

On a motion by Councillor Stella Smedley, seconded by Councillor Mick Storey, it was:-

**RESOLVED: 2007/025**

That the proposed submission to the Government Office as set out in Appendix 1 attached to the report be approved.

**10. PROJECT TO RATIONALISE HIGHWAYS DEPOT FACILITIES IN THE NORTH OF THE COUNTY**

On a motion by Councillor Chris Baron, seconded by Councillor Stella Smedley, it was:-

**RESOLVED: 2007/026**

- (1) That the funding required to undertake the project, subject to approval being granted for the new Ollerton Area Office as set out in paragraph 2.3 of the report, be approved;
- (2) that the appointment of project management and design resources as necessary to progress the project through outline and detailed design,

- planning approval and implementation be approved and
- (3) that the properties referred to in table 5.2 of the report be surplus to requirements as and when they are vacated and that the Head of Service (Estates Management and Valuation) be authorised to market them for sale accordingly.

**11. PLANNING CONTRIBUTIONS STRATEGY – SECOND CONSULTATION RESPONSES AND FINAL STRATEGY**

On a motion by Councillor Mrs. Stella Smedley, seconded by Councillor David Kirkham, it was:-

**RESOLVED: 2007/027**

- (1) That the final planning contribution strategy for the purpose of seeking planning contributions be approved and
- (2) that the Service Director for Communities (Planning and Sustainability) be authorised, in consultation with the Leader and Cabinet Member for Environment, to approve revisions to the Strategy including but not limited to:-
- i amendments to any amounts, formulae or multipliers
  - ii any other revisions which do not materially alter the Strategy such as changes to reflect new guidance where reference should be properly made to that guidance.

**12. TREASURY MANAGEMENT POLICY AND STRATEGY STATEMENT**

On a motion by Councillor Chris Baron, seconded by Councillor David Kirkham, it was:-

**RESOLVED: 2007/028**

- (1) That the CIPFA Code of Practice on Treasury Management continue to be adopted and
- (2) that the Treasury Management Policy Schedule, Approved List, Strategy and Treasury Management Indicators be approved.

**13. NOTTINGHAMSHIRE SCHOOL ADMISSION ARRANGEMENTS 2008/9**

In introducing the report Councillor Joyce Bosnjak informed Members of an omission to paragraph 18 of the report which should have read;

“The generally positive response is noted, but in the context of the wider BSF proposals for the Newark and Sherwood District, it is proposed to defer a decision for the time being and consider this request as part of the overall BSF Plan for the District during the autumn term 2007.”

A motion in terms of resolution number 2007/029 below was moved by Councillor Joyce Bosnjak and seconded by Councillor Kevan Wakefield. In the light of this she added that it was also necessary to revise recommendation (3) and that this revision would be included in her motion to Council on this item.

Debate of the issues referred to in the report (as amended above) and the motion pursued. The motion was then put to the vote and after a how of hands was declared to be carried. It was therefore:-

**RESOLVED: 2007/029**

- (1) That the general admission arrangements for community and voluntary controlled schools be approved;
- (2) that the over-subscription criteria as attached as Appendix 1 to the report be approved;
- (3) that the Governors’ request be considered in the context of the ‘Building Schools for the Future’ proposals for the Newark and Sherwood District;
- (4) that the proposed published admission numbers for 2008/09 as set out in Appendix 2 attached to the report be approved;
- (5) that the protocol for admissions to secondary schools (or fair access protocol) be approved unchanged;
- (6) that the primary and secondary co-ordinated admission schemes try including the new timelines for 2008/09 be approved and
- (7) that “the relevant areas” for consultation about school admissions be approved unchanged.

**14. CHILDREN AND YOUNG PEOPLE’S SERVICES CAPITAL PROGRAMME VARIATIONS**

On a motion by Councillor Chris Baron, seconded by Councillor Joyce Bosnjak, it was:-

**RESOLVED: 2007/030**

That the variations to the Children and Young People’s Capital Programme as described in the report be approved.

## **15. REVISED COUNTY COUNCIL FINANCIAL REGULATIONS**

On a motion by Councillor Chris Baron, seconded by Councillor David Kirkham, it was:-

### **RESOLVED: 2007/031**

- (1) That the revised Financial Regulations be approved;
- (2) that the Monitoring Officer be authorised to make the appropriate changes to the Authority's Constitution to incorporate the new Financial Regulations and
- (3) that the Strategic Director – Resources be authorised, in consultation with the Council's Monitoring Officer, to make such operational changes to the Financial Regulations as may reasonably be necessary for the proper conduct of the Council's financial affairs provided that such changes are not substantial in impact or effect.

## **16. MEMBERS' ALLOWANCES SCHEME – PROPOSED AMENDMENT CONCERNING THE DETERMINATION OF LATE CLAIMS**

On a motion by Councillor David Kirkham, seconded by Councillor Mick Storey, it was:-

### **RESOLVED: 2007/032**

That the Members' Allowances Scheme be amended at paragraph 4 of the Appendix on Administrative Matters as set out below:-

- “4. Members should submit their claims for travel and subsistence as soon as is practicable. The following deductions will be applied to late claims:-  
  
up to 3 months delay – full payment  
3 – 6 months delay – 50% reduction  
after 6 months delay – no payment made, except in exceptional circumstances where the matter would be referred to the Standards Committee for determination.”

## **17. CONSTITUTIONAL MATTERS**

On a motion by Councillor David Kirkham, seconded by Councillor Mick Storey, it was:-



**RESOLVED: 2007/033**

That the establishment of the Cabinet Committees set out in the report be noted.

**18. ADJOURNMENT DEBATE**

There were no adjournments.

**EXCLUSION OF THE PUBLIC**

On a motion by Councillor Sheila Place, seconded by Councillor Chris Winterton, it was:-

**RESOLVED: 2007/034**

That under paragraph 3 of the Local Government Act (Access to Information) (Variation) Order 2006 the public be excluded from the meeting for the remaining item of business on the agenda on the grounds that it involves the likely disclosure of exempt information.

**EXEMPT INFORMATION ITEM**

**19. NORTH OF THE COUNTY AREA OFFICE**

On a motion by Councillor Chris Baron, seconded by Councillor Mick Storey it was:-

**RESOLVED: 2007/035**

- (1) That the Council pursue option 2 as set out in the report;
- (2) that the additional capital funding (of £1.3 million) required to undertake the project be approved;
- (3) that the Cabinet Member for Finance and Property be given delegated authority to approve terms for the acquisition of 4,000 sq metres of offices at Sherwood Energy Village, Ollerton and
- (4) that the appointment of project management and design resources as necessary to progress the project through the detailed design and implementation of the fit-out be approved.

**CHAIRMAN**

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**COUNTY COUNCIL MEETING 29<sup>TH</sup> MARCH 2007**

**THREE MINUTE SPEECHES**

**Councillor John Cottee**

“Thank you Chairman.

Within my electoral division are the villages of Upper Broughton, Hickling, Kinoulton and Owthorpe, which border the beautiful Vale of Belvoir.

Hickling and Upper Broughton, in particular, suffer from a problem we have inherited from a neighbouring county.

Leicestershire County Council has introduced a policy banning all Heavy Goods Vehicles from its minor roads.

The result is that these HGVs now drive over the county border into Nottinghamshire, which has no such restrictions and take short cuts through these villages to gain access to major roads like the A52 and the A46.

Lorries leave Nether Broughton in Leicestershire on the A606, come down the hill into Upper Broughton in my division and then turn left, through the village, instead of staying on the main road.

These lorries destroy the road sides, cause country lanes to collapse, damage signs and cause obstructions.

On a Sunday night recently, residents had to move their cars from outside their houses because a 32 tonne lorry got stuck, not able to move forward or backwards.

One business in Leicestershire has taken to avoiding the restrictions by sending its vehicles through Hickling village to reach the A606.

It is intimidating enough to meet one of these 40 foot vehicles on the narrow lanes when driving a car.

It's positively frightening if you are walking, or riding a bike or a horse.

So what action can be taken to solve the problem?

This County Council does have a policy for restrictions to be put in place, but it is based on percentage flows of HGVs to cars.

A recent survey determined that Hickling meets the criteria for restrictions to be introduced, but Upper Broughton does not.

If you ask the residents of Upper Broughton they will tell you it only takes one lorry to do the damage.

At the very least, the criteria needs to be changed so that Parish Councils representing the villages bordering Leicestershire can request HGV restrictions.

But in reality we should go further.

Nottinghamshire should apply the same restrictions as Leicestershire wherever possible.

Firstly, to protect our villages.

Secondly, to ensure HGVs stick to the main roads, as they were designed to do.

And thirdly, to reduce our budget spend on repairing the damage caused by these HGVs.

I am aware that Recommendation 25 of the Highways Select Committee last Monday proposed a flexible restriction policy, but I fear this does not go far enough to solve the problems these villages have with HGVs.

Thank you, Chairman.”

### **Councillor Philip Owen**

“Yes, thank you Chairman.

I want to raise an issue that is occurring and a problem which has arisen between residents of a new development in my Division, called Phoenix Heights and Bilborough College. I hasten to add that the problem is not of the County Council’s making, but I suspect it is only the County Council that is going to be able to solve the issue and it is an issue of student parking on the roads of this new development, causing enormous difficulty of access egress to residents of this new development.

If I can give you just a little bit of background Mr Chairman. The College, which is within the boundaries of the City Council, sold off some adjacent playing fields some years ago. The playing fields are actually within the boundaries of the County Council, hence that’s why they are in my Division. They sold off these playing fields so that housing could be built on them and, of course, the money that they raised was used to fund the new build of Bilborough College. Nottingham City planners imposed conditions on the planning permission that they granted for the new College and one of those conditions was a severe

restriction on parking spaces and the other condition was the production of a travel plan.

I have to say that Nottingham City Council's contribution to this travel plan has been to remove two of their bus services that actually serve the College. So, access by public transport is extremely difficult, not only because of that, but also because of the location of the College which is on the western outer loop road.

Public transport for many of the students is not a reality. I have no doubt that the students read diligently the travel plan and having read it, they have said to their parents, can I have a car! Many parents being generous, stupid or brow-beaten have agreed and have provided them with a car because as a student would say – "It is a lot quicker, a lot easier and indeed it is a lot safer to get there by car than it is to attempt it by public transport" and what they are doing is parking in this new development, creating as I said, at the beginning, huge problems and in addition parents of those students who haven't got cars, many come to pick them up from College at the end of the day creating even greater problems.

I have a meeting on Tuesday with the College and they are anxious to try and solve the problems insofar as they can. Two City Council officers actually turned up to that meeting.

The solution I am suggesting is a residents' parking zone."

### **Councillor James O'Riordan**

"Thank you Chairman.

I am going to talk about the bus plug associated with the new A612.

The project was obviously very welcome since it addressed significant problems such as bottlenecks at Shearing Hill. Long-standing problems were being experienced getting into the City Centre which the £12m new road will address.

Also, we will be turning 18,000 cars away from the area near the secondary school, Carlton-in-the-Willows making the area much safer for school children.

Also, there will be a cut in journey times into the City Centre for buses – ten minutes cut from journeys to improve public transport from the East.

Local people definitely want this first part of the Gedling by pass, but we and they do have reservations about bus plugs.

Chairman, we believe that the vast majority of cars will automatically go down the new road. It will be the obvious route. At peak times we feel that there is a case for bus plugs, but don't feel bus plugs are necessary at non-peak times. So,

during the daytime, evenings and week-end what we are asking for is flexibility. We certainly wouldn't want to agree to twenty-four hours blockage of local roads.

We are asking the department to consider putting in better signage where the new road joins the old. There have been some reservations from the department in terms of contravention of the signs, but will think if there is a red light camera put onto the bus plugs there will be very little contravention.

So, I think there are solutions to the problems that the department has looked at. There was a cost benefit analysis done on the new road which came out a ten, which was extremely advantageous. So we think it has got some flexibility to reduce the bus plug coverage so the local people can have local access at non-peak times of the day. I think the road is a great asset to the East of the City, but we also need to consider local people and their local access.

Thank you.”

### **Councillor Keith Girling**

“Chairman, Newark is a unique and historic place.

It is conveniently sited near the A1 and the A46 and is blessed with two railway stations and a bus station.

Unfortunately, at present, there is no or little linkage between these facilities or major roads.

Newark has been identified as a Growth Point for extra housing, with the support of the District Council.

The advent of the Potterdyke development is, in my view, an ideal opportunity to produce a fully integrated transport plan incorporating all three locations and the major roads.

There has been much discussion, over the past few months, regarding the siting of a new bus station and to-date no ideal site has been identified.

The people of Newark have made it quite clear that they value a bus station close to the town centre, with a bus service that will serve their local needs as well as for travelling further a-field.

The two railway stations, at opposite ends of the town, provide very different services.

The Castle Gate Station hosts the train service into Nottingham – where you can join the Robin Hood Line.

It also provides the link to the historic City of Lincoln.

The North Gate Station, meanwhile, provides an excellent service to London in the south and Edinburgh in the north.

Newark is very lucky to have such good connections and we now have the opportunity of a lifetime to locate a bus station where it can best compliment all of these services.

As a Council we have a duty to create an integrated transport system which takes account of the need to reduce the number of journeys by car.

As the local Councillor I have been making every effort to achieve this aim, and our officers are still in the process of conducting traffic assessments and analysing the results.

It would be premature to make a decision before all of these outcomes are known. All possible sites are evaluated, and all of our partners have been consulted.

I have received considerable representation from the people of Newark, whom I am proud to represent on this Council, and have been struck by the value they place on their local bus service.

Chairman, just because something is difficult to achieve doesn't mean that you should not seek to achieve it.

This Council should lead a paper, open discussion together with the District Councillors, bus operators and most importantly, bus users, to find the best solution, for all, for the 21<sup>st</sup> Century.

Thank you Chairman."

### **Councillor Mrs Kay Cutts**

"Thank you Chairman.

Oversize lorries, narrow country lanes, are the Shelford rural nightmare and it's regrettable, but true, that this Council tolerates this situation or more accurately, asks our residents to tolerate the problem.

Let me be more precise. Take the traffic lights on the A6097, East Bridgford to Shelford turn. This offers the opportunity for HGV drivers to turn right in safety and proceed along a narrow lane to a tight T junction, turn right, head towards Radcliffe on Trent via Shelford's top road, teeter along the escarpment round numerous bends over undulations and eventually approach the built up area of Radcliffe on Trent village. Just before the heart of the village, shopping centre

and mini roundabout, the driver is greeted by a hump-backed bridge, over the rail line and past a blind entrance to the station. Onwards past the health centre, village hall, church, British Legion, round a few more sharp bends to the end of the road and out at the RSPCA corner onto the A52.

Let us return again to the T junction, this time turn left to Newton village. This is a narrow village street with cottages built up to the pavement, which is also narrow. Overrun the pavement if necessary to pass a parked car and continue towards commercial hangers on the ex-RAF site.

Both of these journeys are made, daily, by HGVs and both are unnecessary. These journeys are made in order to avoid the heavily congested A46 and Saxondale roundabout junction with the A52.

You have steadfastly refused to impose a HGV restriction and make any improvements despite numerous requests by myself and Parish Councils and over several years.

If Nottinghamshire County Council wishes to be seen as green, friendly and responsive to local needs, then it is time to put a stop to these unnecessary rat runs and use the powers which are vested in you.

I am asking you, publicly again today, to impose HGV restrictions on the two roads I have highlighted in order to improve the quality of life for the villagers and bring some order out of chaos and to seek to restore our country lanes for the environment.

Thank you.”

**COUNTY COUNCIL MEETING 29<sup>TH</sup> MARCH 2007**

**QUESTIONS UNDER STANDING ORDER 6.1**

**Question to the Leader of the County Council from Councillor Mrs. Kay Cutts**

Can the Leader of the Council give his views on the main conclusions of the Lyons Report released last week, and can he explain how this Council might respond?

Has he received any indication from the Government of a timescale for implementing the proposals, including revaluation?

**Response by Councillor David Kirkham, Leader of the County Council:**

“Thank you Chairman.

I would like to thank Councillor Cutts for her question.

The Lyons report was 3 years in the making. The full title is ‘Place Shaping: a shared ambition for the future of local government’.

Here it is...it’s big, being nearly 400 pages long. So I believe it is only right that we take **our** time to reflect on the report and its many recommendations. As a guiding principle to our considerations I would say to Members that we need to give a local response to Sir Michael’s very broad overall aims, those being to improve the well-being of all our communities.

Without prejudging the Council’s consideration of the report, there is much to commend it to Nottinghamshire, understandably reports focused on finance and the council tax and we could probably all agree now that:

- Capping is bad
- And we should be allowed to keep part of any growth in our council tax or national non-domestic rates base

More generally, who could disagree that:

- Central and local government need to work more closely together?
- Local people need greater clarity about who is responsible for what?
- And that they should have a greater say in setting local priorities to enable us to manage pressures on public spending and improve satisfaction?



But individually and collectively we need to get to grips with the detail of the report if we are to respond properly.

The second part of Kay's question asks about a timetable for all of this and, specifically, about council tax revaluation.

Sir Michael tells us that the report is addressed to future Governments, not just the current administration. He suggests that it will take a decade, with success measured by us as councillors and a council being:

- more confident in our role;
- more trusted by our local population;
- sure of our 'place shaping' role;
- and being seen as a champion for value for money.

He **recommends** a mix of short, medium and long term options for change and he sets out what he thinks Government, local and national, needs to do. Some immediate, others not. I would **recommend** that every member has a good look at the report, but on revaluation I would say this.

Politicians of all parties don't do revaluation. Why? Just ask Mrs Thatcher. Avoiding rates revaluation, led directly to the Poll Tax. So I am not surprised that this is seen as a long term option for change. Reports suggest that Ministers have postponed property revaluation and the additional council tax bands proposed by Lyons until at least 2011.

So how can we prepare a response?

The conference season is now upon us and Lyons features heavily on invitations. To create our own, Nottinghamshire response, I am proposing to combine several approaches. We should:

- arrange a Members' Conference or Seminar to consider the detail of the report;
- we should bring key partners into our discussion;
- we should use our new citizen's panel to test people's reaction to the report;
- and we should make links between this agenda and our Community Strategy;
- and finally we should keep a close eye on developments like the Comprehensive Spending Review.

Thank you Chairman."

**Question to the Cabinet Member for Environment from Councillor Bruce Laughton**

From April 2008 to 2011, Landfill Tax will increase each year by £8 per tonne. Could the Cabinet Member for Environment inform this Council of the likely cost to the local taxpayer of this increase?

**Response by Councillor Stella Smedley, Cabinet Member for Environment:**

“Thank you Chair.

Can I thank Councillor Laughton for his timely question as we start looking ahead to the next round of budget setting for the Council.

Members are probably aware that in order to reduce the amount of waste going into landfill the Government has introduced a Landfill Tax Levy, which we all expected to increase by £3 a tonne each year until it reached £35 a tonne by 2011/2012. The recent budget announcement increased the levy by £8 a tonne with effect from April 2008 and two further £8 increase until 2010/2011, by which time the levy would be £48 a tonne as apposed to £33 a tonne that was previously projected.

In terms of costs of the extra Landfill Tax Levy these are about £2.3 million in total over two years 2008/09 and 2009/10, over and above what has been allowed for in the present financial plans. This equates to a 1% increase in the Council Tax.

The actual cost of the Landfill Tax Levy will, therefore, be £7.6 million and £8.7 million in 2008/09 and 2009/10 respectively. This is likely to rise by another £0.9 million, over previous predictions, in the following year to £10.3 million in the years 2010/2011.

As Members are no doubt aware this Council has been acutely conscious of the environmental damage landfilled waste causes and, indeed, the financial burden of extra taxes. Members need to be aware that there are likely to be fines of up to £150 a tonne we believe on those councils that fail to achieve their landfill diversion targets.

We have been forward looking in our strategy to secure sustainable waste management facilities that will be central to meeting, or even dare I say, exceeding our landfill diversion targets. As a result we will not only maximize recycling and resourcing of value from waste, but also minimize costs to local taxpayers as a result.

I am pleased to say, Mr Chairman, that this Council is well placed to avoid this happening as we have already in place a twenty-six year PFI contract that also brought in £38 million of funding from the treasury by way of PFI credits.”

**Question to the Cabinet Member for Environment from Councillor John Clarke**

Would the Cabinet Member for Environment let Councillor O’Riordan and myself know whether it would be possible to install a 20 mph limit outside the Netherfield School when it opens later this year? The school will have greater numbers of pupils than the existing school and there have been a number of new developments bringing greater traffic along Chandos Street, Netherfield.

**Response by Councillor Stella Smedley, Cabinet Member for Environment:**

“May I thank Councillor Clarke for his question.

In October 2006 I approved pilot projects to install variable twenty miles per hour speed limits outside four schools in the County and a fifth site being added following discussion at full Council. These trial sites comprise a mix of both type of site and of advisory and mandatory speed limits and were decided following involvement with stakeholders including Members, the public and school travel plan officers.

The sites will be monitored for a one-year period after installation in terms of vehicle speeds and reported road traffic casualties, following which I shall consider the results and how these should inform our policies in respect of this type of speed limit.

Three of the sites will be operational from April this year and the remaining two will be installed by the end of March 2008, the extended timescale being due to the need for consultation and statutory processes for both Traffic Regulation Orders and traffic calming features.

It is important that our policies and criteria, in this area, are appropriate and address areas having the greatest need and for this reason I do not wish to add additional sites for the twenty miles per hour zones in advance of the overall policy being decided.

I am, however, pleased to be able to confirm that in the summer holiday, of this year, there is a Safer Routes to School Scheme planned for Chandos Street. This will take account of the new entrances to the school and will revise and update the existing School Zone. It will, also, include new School Crossing Patrol and Children Crossing signs with flashing amber warning lights, together with new road markings and bollards to prevent vehicle parking. These works, will, I trust, help safeguard and protect pupils at the Netherfield School. Therefore, I thank you very much.”

### **Question to the Cabinet Member for Children and Young People's Services from Councillor Lonergan**

Would the Cabinet Member remind Council what we do for young musicians in Nottinghamshire and how we measure our success?

What progress has been made over the past few years, and is the outlook encouraging for these young people?

### **Response by Councillor Joyce Bosnjak, Cabinet Member for Children and Young People's Services:**

"Thank you Chairman.

I would like to thank Councillor Lonergan for his two questions. It is not often such questions give cause for celebration.

No doubt all Members are aware of the long tradition over many years of County Council support in meeting the artistic and cultural needs of our children and young people whether either to simply participate and enjoy or develop talent and excel. Music is no exception to this. Indeed it is the largest provision we make for our youngsters and we do this through the Instrumental and Teaching section of the Arts Support Service. Perhaps the following will illustrate this. I apologise for a long list, but I think it is important that you get a full answer Joe:

- the number of pupils, weekly, receiving instrumental tuition is currently 7355 compared to 6890 in 2005-2006, that is a rise of 6.5%.
- there are currently 2735 pupils regularly attending weekly curriculum support activity in music, representing an increase of 2.5% on the previous year. The trend shows a steady increase.
- the overall trend also shows a significant increase in boys' participation in instrumental tuition e.g. male flute pupils have increased from 56 to 74.
- the Wider Opportunities project is a continually expanding programme of music tuition to Key Stage 2 pupils in whole class groupings which has grown from the previous year's 113 pupils involved to 710, representing an increase of 600% on the previous year.
- there are 265 pupils receiving instrumental tuition from ethnic minority groups and 62 from special schools
- 884 young musicians currently attend our four 11<sup>th</sup> Session Music Workshops on Saturday mornings
- there are 123 advanced musicians in our County Performer Ensemble group.

The total figure of just over 10,500 children and young people on a weekly basis.

There is success in the level of participation, but that is all about quantity. The real evidence of success is the outcome, which is the quality, exemplified by last

week's concert 'Spring Serenade' at Thoresby Park, which as I said, has already been mentioned by the Chairman, earlier this morning.

Those of you that attended will bare witness to the astounding musicianship which was demonstrated on the public platform that night and they certainly gave us cause to celebrate and to be proud of their achievement.

So now to Councillor Lonergan's second question, which allows me the chance to reassure Council of the strength of our provision.

The over all position is very very pleasing. Throughout what has been a very difficult budget year and previous budget years, and with the support of Council, the range and depth of music provision has been sustained and in the latter few years developed. The numbers both taking tuition on a musical instrument and making music on 11<sup>th</sup> Session Workshops has steadily increased. The numbers of disadvantaged young people benefiting from the remission scheme that ensures their instrumental tuition comes at no cost to the family has grown year on year and is now standing at 832, a little more than 10% of the overall numbers. The quality of our performers just seems to be getting better and better. The instrument stock has grown enormously, now providing 4,000 children and young people with an instrument free of charge at the start of their tuition. An instrument purchase scheme is in place that allows parents to buy an instrument for their child free of VAT and at lower cost because of purchasing power. The Endangered Species scheme has ensured that rare and large instruments, for example tuba or double bass, are available for young people to learn to play. The Wider Opportunities initiative is allowing significantly large numbers of our young people to access instrumental music learning to fulfil the Government's pledge that 'in time all Key Stage 2 pupils who wish to shall be able to learn on a musical instrument'.

The Audit Commission Survey of Schools 2006 showed that the most consistent and positive grades related to Arts Support Service provision for Instrumental and Music Teaching and Workshops and Performance. An overall score of 2.37 placed them firmly in the 'good' category as far as schools are concerned.

The 2006 Annual Performance Assessment for Children's Services identified the programme of enrichment services, of which the Arts Support Service is one, as one of six major strengths of the County Council acknowledging the key role they will play in the development of integrated children's services and the priorities and objectives of the Children and Young People's Plan.

I believe the outlook is encouraging for our children and young people and with our continuing support will be even better. So once more, thank you Joe for the opportunity to celebrate the success of our young people in Nottinghamshire.”

**Question to the Cabinet Member for Children and Young People’s Services from Councillor Brandon-Bravo**

Following the Delegated Decision of 16<sup>th</sup> March increasing the weekly allowances for the very valuable service provided by our Foster Carers, can the Cabinet Member clarify in greater detail the difference between the average payment to carers of around £120 per week and the actual full cost to this authority of £340 per week?

Whilst recognising there is a cost for social workers, who play a vital part in this service, what portion of this £340 is purely central overheads and finance?

**Response by Councillor Joyce Bosnjak, Cabinet Member for Children and Young People’s Services:**

“Thank you Chairman.

I would like to thank Councillor Brandon-Bravo for your question and I will try and answer it in some detail and if you then require further information I will be more than happy to provide it for you. I would, also, like to agree with you that the Foster Care Service for the young people of Nottinghamshire do an incredible good job and for those people who attended the Long Service Awards event in the Civic Suite, only a few weeks ago, there were foster carers there who received awards for having serviced this Authority – looking after thousands of children – some of them for as many as thirty-five years. I think that is incredible.

Now to the detail of your question Martin.

The unit cost amount of £340 per week is calculated for the Personal Social Services Expenditure Report, which is the requirement for all local government’s external reporting. It is calculated taking into account all costs of the fostering service including payments to carers, costs of fostering social workers and administration. It also includes overheads such as training, accommodation for staff, IT and finance costs. It is calculated by dividing the total cost by the number of weeks of foster care provided.

The average payment to foster carers is in excess of £190 per week. This is calculated by averaging the following costs:

- regular weekly allowances;
- payment for skills payments – I think that means me, but I shall have to check that out!
- Emergency and Contract Care Schemes;

- Other child specific payments.

The total cost of providing the Fostering Service is £6.5 million. Direct costs of providing the service amount to £6.1 million – i.e. payments to carers and staff costs. The remaining £0.4 million is for other overheads to the Authority as outlined above.

If you require a more detailed response, then I shall be very glad to provide that for you.

Thank you Chairman.”

**Question to the Cabinet Member for Adult Services and Health from Councillor Joe Lonergan**

Further to the scandal of the postcode lottery for Home Care charging, is the Cabinet Member aware of recent Age Concern research which found evidence of a significant postcode lottery in the delivery of Continuing Care across the country?

Primary Care Trusts decide who should receive Continuing Care, and then provide a fully NHS-funded service for qualifiers, either via Nursing/Residential Homes or through Home Care.

Age Concern found that due to variations in policy between PCTs, up to 40 times more people can receive Continuing Care in one area compared with another.

Worse still, the report specifically identified Nottinghamshire as one of four areas where a “worryingly low” percentage of the population get Continuing Care.

Would the Cabinet Member confirm that Nottinghamshire PCTs are carrying a disproportionately light burden of cost for Continuing Care, and that the shortfall must be picked up by Nottinghamshire County Council, or from the pockets of sick people themselves?

Whilst the Cabinet Member cannot be held directly responsible for this postcode lottery, can the additional costs to Nottinghamshire County Council be quantified, and can he exert any influence on Health Service colleagues to redress this imbalance and provide a fairer deal for our residents?

**Response by Councillor Alan Rhodes, Cabinet Member for Adult Services & Health:**

“Thank you Chairman.

Can I thank Councillor Lonergan for his question.

The Adult Social Care & Health Department is aware of the complexities surrounding continuing care and has been working in partnership to address some of these issues.

We are currently waiting for national policy and guidance on continuing health care which is due later this year.

Until we receive this guidance we will continue to adhere to the Trent Strategic Health Authority policy on Continuing Care. In line with this staff will continue to consider individual's continuing care needs as part of the assessment process.

Staff members have been informed of the changes to legislation and policy through on-going training and briefing sessions which were led by one of our own solicitors, David Spicer. As part of assessing needs staff are aware that they are required to consider whether the individual's health needs require nursing and other health services beyond those that are "incidental or ancillary" or are of a nature beyond that which can reasonably be expected that the Adult Social Care Department should provide. All assessments take into account the nature, complexity, intensity, or unpredictability of the individual's medical, nursing, and/or clinical care.

Representatives from Adult Social Care and Health Department have also been working in partnership with staff from the PCTs to review those people previously assessed as high band nursing. This was a requirement from the Department of Health following the high court ruling on the Grogan case in January 2006. As a result of these high band reviews a significant number of people who were previously contributing to the cost of their care have now been awarded level 3 continuing care.

As of October 2006 the numbers of people requiring high band reviews across Nottinghamshire was 259. The largest numbers of people were in the south; 172 in Broxtowe, Gedling, Rushcliffe locality; 50 in Mansfield & Ashfield; 37 in Bassetlaw & Newark. As of 21<sup>st</sup> March 93 reviews had been completed in the south of which 34 had been converted into level 3, free NHS care. This is a conversion rate of approximately 36%, which so far has been mirrored across Nottingham City. The final conversion rates for the rest of the County will be released shortly.

As for other NHS fully funded cases, recent statistics released from the NHS East Midlands Strategic Health Authority indicate that in September 2006 in South Nottinghamshire 49 people per 100,000 were receiving fully funded continuing care and in North Nottinghamshire 18 per 100,000. The average for the East Midlands was 32 per 100,000. These figures will now have increased following the recent reviews, but as of yet new figures have not been released by the SHA.

As Members will be aware the area of continuing care is a complex one, encompassing legal and financial issues.



Whilst we await further guidance from central government we will continue to work with our colleagues from health and where necessary challenge assessments and decisions which we feel have not been subject to a robust and fair process.

Thank you Chairman.”

**COUNTY COUNCIL MEETING 29<sup>TH</sup> MARCH 2007**

**REPORTS FROM CABINET MEMBERS**

**1. Community Safety and Partnerships**

In response to a question on the Nottinghamshire Camera Safety Partnership, Councillor Gilfoyle replied that he was not a member of that Partnership but would endeavour to find out what issues it is currently discussing, especially with regard to the rural areas.

Members also congratulated the Cabinet Member on the Beacon Status Award for Emergency Planning presented to the Chairman earlier.

**2. Culture and Regeneration**

Members wished to offer their congratulations to Sam Hynd for breaking the IPC (International Paralympic Committee) S10 category world record for the 400 metre individual medially.

**3. Environment**

In response to questions and comments on:-

- Fiskerton recycling centre consultations.
- Concessionary Fares Scheme and the extension across the Country.
- Congratulations to the Highways' Teams in keeping the County's roads open and traffic flowing during the recent high winds.
- Putting Passengers First – is a good scheme which will give the County Council the power to ensure better bus quality for passengers.

Councillor Stella Smedley replied as follows:-

- The results of extensive consultation and the responses received were taken into account before making the decision.
- The extension of the concessionary bus fare scheme is proof that Nottinghamshire is a leader in the field of bus services provided to the public
- The comments of Members on the sterling work carried out by the Highways Teams to keep the roads open in Nottinghamshire will be

passed on to all those personnel who help keep the traffic flowing.

- Safety is extremely high on the agenda of Nottinghamshire County Council when it comes to passengers and the quality of buses.

#### **4. Finance and Property**

In response to questions and comments on:-

- Mansfield Academy – the County Council are fully involved in the design work of the Academy and everything is understood to be proceeding well and due to open in 2010.
- Who will occupy the Ashfield Area Office space?

Councillor Chris Baron answered as follows:-

- The Mansfield Academy was a scheme that Nottinghamshire County Council should be proud to be involved in
- with regard to the Ashfield Area Office – the decision on this aspect had been taken and was logged on the delegated decision record for Members to see.