

Meeting COUNTY COUNCIL

Date Thursday, 21 October 2010 (10.30 am – 9.56 pm)

Membership

Persons absent are marked with `A`

COUNCILLORS

Thomas A J Pettengell (Chairman)

Keith Walker (Vice Chairman)

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

OTHERS IN ATTENDANCE

Hon. Alderman The Hon. Joan Taylor MBE

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Assistant Chief Executive & Monitoring Officer)
Chris Holmes	(Chief Executive's Department)
Sara Allmond	(Chief Executive's Department)
Carl Bilbey	(Chief Executive's Department)
Claire Dixon	(Chief Executive's Department)
Daniel Roberts	(Chief Executive's Department)
Daniel Reynafarje	(Chief Executive's Department)
Marie Lewis	(Chief Executive's Department)
Martin Done	(Chief Executive's Department)
Greg Michael	(Chief Executive's Department)
David Pearson	(Adult Social Care and Health)
Anthony May	(Children & Young People's Services)
Tim Malynn	(Communities)
Tim Gregory	(Corporate Services)
Alan Sumbly	(Corporate Services)

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman's Chaplain.

Members stood in silence in memory of Thomas Eric Roach, former member of the County Council.

1. MINUTES

RESOLVED: 2010/065

That the Minutes of the last meeting of the County Council held on 16 September 2010 be agreed as a correct record, and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Rev. Tom Irvine and Parry Tsimbirdis.

3. DECLARATIONS OF INTEREST

Councillor Sybil Fielding declared a personal interest in item 10 – The Improvement Programme as she was the Chair of the Bassetlaw Citizens Advice Bureau.

Councillors Michelle Gent declared a personal interest in item 10 – The Improvement Programme as he was a member of a Citizens Advice Bureau.

Councillor Les Ward declared a personal interest in item 10 – The Improvement Programme as he was a Trustee of a Citizens Advice Bureau.

4. CHAIRMAN'S BUSINESS

(a) Councillors John Hemsall, June Stendall, S Smedley, Darrell Pulk and Stan Heptinstall spoke in tribute to the late Thomas Eric Roach.

(b) **WORKSOP WEST BY-ELECTION RESULT**

Councillor Carol Pepper introduced the report and moved a motion in terms of the resolution 2010/066 below.

The motion was seconded by Councillor Chris Barnfather.

RESOLVED: 2010/066

That the report be noted.

(c) Apology to Council

The Chairman informed the County Council that, following a decision of the Consideration & Hearing Sub-Committee on 1 October, he had received on behalf of the County Council, a letter of apology from Councillor Jason Zadrozny.

(d) Presentation of Awards

The Chairman informed Members that he had been presented with a certificate from the Retford Civic Society which was in recognition of the significant improvement made by the Council to the appearance of Retford Bus Station which was seen as being of considerable benefit to the local environment.

The Chairman congratulated Councillor Kevin Rostance on successfully completing his fire walk, in aid of the Chairman's Charity. He also congratulated Carol Devaney, Civic Office for organising a bowling night in aid of the Chairman's Charity and thanked all those who took part.

The Chairman congratulated the Nottinghamshire Cricket Club who had won the County Championship Division One.

(e) Constituency Issues

Councillor Sybil Fielding spoke on the impact of the proposed spending reductions on her constituents. This is set out in full in Appendix A to the minutes.

5. PETITIONS

(a) PRESENTATION OF PETITIONS

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

1. Councillor Allen Clarke - Petition against the volume and speed of traffic through Colwick Village
2. Councillor Lynn Sykes - Petition objecting to helicopters taking off from and landing on a new helipad close to a bridleway on Stocking Lane, East Leake
3. Councillor Mark Spencer MP - Petition requesting the removal of parking restrictions on North Green, Calverton
4. Councillor Mick Murphy - Petition requesting pedestrian crossings at the junction of Ashgate Road and Station Road, Hucknall
5. Councillor Mick Murphy - Petition against the sale of care homes in Hucknall
6. Councillor Gail Turner - Petition regarding the safety of children entering and exiting Westwood Infant School, Ashfield
7. Councillor Bruce Laughton - Petition against a reduction in the level of service at Sutton on Trent Post Office
8. Councillor Richard Jackson - Petition against the sale of Bramwell Care Home, Chilwell
9. Councillor L B Cooper - Petition against parking charges in Richmond Road, West Bridgford
10. Councillor LB Cooper - Petition against the Albert Road residents parking scheme, West Bridgford

RESOLVED: 2010/067

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

(b) REPORT BACK ON PETITIONS

RESOLVED: 2010/068

That the contents and proposed action of the report back on petitions received on 16 September 2010 be noted and the petitioners be informed accordingly.

6. QUESTIONS

(a) QUESTIONS UNDER STANDING ORDER 7.1

Two questions had been received as follows:-

1. from Councillor Ken Rigby about sale of care homes (Councillor Kevin Rostance replied)
2. from Councillor Brian Wombwell concerning repairs to Albany Junior School, Stapleford (Councillor Reg Adair replied)

The full responses to these questions under Standing Order 7.1 are set out in Appendix B to these Minutes.

(b) QUESTIONS UNDER STANDING ORDER 7.2

One question had been received for the Chair of the Fire Authority from Councillor Steve Carroll about cuts to front line services (Councillor Darrell Pulk, Chair of the Fire Authority replied)

The full response to this question under Standing Order 7.2 is set out in Appendix C to these Minutes.

There were no questions to the Chair of the Police Authority.

7. REPORTS FROM MEMBERS

(a) CABINET MEMBERS

The Leader presented the reports. The reports were seconded by the Deputy Leader.

RESOLVED 2010/69

That the portfolio reports be noted.

(b) CHAIR OF OVERVIEW COMMITTEE

Councillor Joyce Bosnjak presented the report. The report was seconded by Councillor Sue Saddington.

RESOLVED 2010/070

That the report be noted.

Following item 7b, Council adjourned from 12.40 pm until 1.45 pm for lunch.

8. MENTAL HEALTH ACT GUARDIANSHIP PANEL

Councillor Carol Pepper introduced the report and moved a motion in terms of the resolution 2010/071 below.

The motion was seconded by Councillor Chris Barnfather

RESOLVED: 2010/071

1. That a pool of sixteen members (nine Conservative, three Labour, two Liberal Democrat and two Independent) be established, from which a Mental Health Guardianship Panel can be formed, to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.
2. That appropriate training be provided for the members of the pool.
3. That the panels be administered by the Adult Social Care & Health Department, and that the Strategic Director, Adult Social Care and Health review the procedures after the first year.

9. URGENCY POWERS

Councillor Martin Suthers introduced the report and moved a motion in terms of the resolution 2010/072 below.

The motion was seconded by Councillor Carol Pepper.

RESOLVED: 2010/072

That the report be noted.

10. THE IMPROVEMENT PROGRAMME – PROGRESS REPORT AND RECOMMENDATIONS FOR ACTION

Councillor Martin Suthers introduced the report and moved a motion in terms of the resolution 2010/073 below.

The motion was seconded by Councillor Reg Adair.

Following a debate the motion was put to the meeting and after a show of hands the Chairman indicated that it was carried.

The requisite number of Members requested a recorded vote and it was ascertained that the following 36 Members voted '**For**' the motion.

'FOR'

Reg Adair
Chris Barnfather
Victor Bobo
Richard Butler
Allen Clarke
Ged Clarke
L B Cooper
John Cottee
Michael J Cox
Mrs Kay Cutts
V H Dobson
Stephen Garner
Keith Girling
John Hemsall
Richard Jackson
Rod Kempster
Eric Kerry
Bruce Laughton

Mick Murphy
Philip Owen
Carol Pepper
Thomas A J Pettengell
Mike Quigley MBE
Mrs Wendy Quigley
Kevin Rostance
Sue Saddington
Mel Shepherd MBE
Mark Spencer MP
Andy Stewart
Martin Suthers OBE
Lynn Sykes
David Taylor
Keith Walker
Stuart Wallace
Gordon Wheeler
Liz Yates

The following 28 Members voted '**Against**' the motion.

'AGAINST'

John Allin	Rachel Madden
Fiona Asbury	Geoff Merry
Joyce Bosnjak	Sheila Place
Steve Carr	Darrell Pulk
Steve Carroll	Alan Rhodes
John Clarke	Ken Rigby
Jim Creamer	S Smedley MBE JP
Sybil Fielding	June Stendall
Michelle Gent	Gail Turner
Glynn Gilfoyle	Les Ward
Kevin Greaves	Chris Winterton
Stan Heptinstall MBE	Brian Wombwell
John Knight	Martin Wright
Keith Longdon	Jason Zadrozny

There were no Members who 'abstained' from the vote.

The Chairman declared that the motion was carried and it was:-

RESOLVED: 2010/073

1. That the proposals set out in Appendix A of the report be approved for early implementation.
2. That the proposals in Appendix B of the report be approved in principle and that officers be authorised to commence non statutory consultation during the period leading up to the December Budget report. Final ratification will be sought within the February Budget report, unless an earlier decision making process is appropriate.
3. That statutory consultation on proposals in Appendix C of the report be commenced, with a view to final approval as part of the budget process.
4. That the cross-cutting proposals outlined in section 3.7.6 of the report be approved for implementation, subject to normal consultation procedures.

During consideration of this item the Council adjourned for tea from 4.25 pm to 4.45 pm and for supper from 7.00 pm to 7.30 pm.

The Chairman declared the meeting closed at 9.56 pm

CHAIRMAN
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APPENDIX A

COUNTY COUNCIL MEETING HELD ON 21 OCTOBER 2010

3-MINUTE SPEECHES

Councillor Sybil Fielding

“Since first being elected I have battled with developers to work closely with skilled County Council officers and other agencies to secure what is believed to be the largest single adoption of roads by a local authority and it has required developers to spend many hundreds of thousands of pounds bringing infrastructure up to adoptable standards. It has taken almost four years to resolve a problem created by this development and it is fortunate that work has now been completed as this administration is cutting back on highly skilled officers and I pay tribute to a number of officers who have worked so diligently for the residents of Worksop North.

As Chair of Worksop North Children’s Centres I know SureStart is making a real difference, in particular in the village of Rhodesia, and I am profoundly concerned at the proposed reductions in funding to SureStart as this will hit the most vulnerable families in Worksop North. Balmoral Library is a small but vibrant community library it attracts the use of schools as well as local people. A true community focal point and I am dismayed at the possibility of cutting professional staffing hours. I am proud to be Chair of Bassetlaw Citizens Advice Bureau and during the past 12 months there has been almost 13,000 enquiries. As the huge public service cuts take hold the workload is set to increase. This administration seems intent on a 67% cut in the grants for CAB across Nottinghamshire. This scale of this cut beggars belief and is in a stark contrast to their Chancellors spending review of 19% across all departments. If the CAB is to survive as I believe it must it will be in spite of this Tory run County Council and not because of it. Let’s be clear services built over 20 years by Labour are being dismantled by an administration intent on selling it to the private sector forcing out our skilled workforce at the detriment of the residents I represent. The people of Worksop North will be unforgiving.”

APPENDIX B

COUNTY COUNCIL MEETING HELD ON 21 OCTOBER 2010

QUESTIONS UNDER STANDING ORDER 7.1

Question to the Cabinet Member for Adult Social Care & Health from Councillor Ken Rigby

“The recent revelation that almost 100 care homes and agencies closed either voluntarily or forcibly last year as they did not meet basic Care Quality Commissions standards is cause for alarm.

An increasing number of horror stories are emerging, including reports that five elderly care home residents died within two weeks after suffering “severe neglect”, and 700 elderly people were re-housed to protect their safety.

In light of this and reviews that have concluded that many private homes simply cannot manage residents’ needs, would the Cabinet Member agree with me that this Council should seriously reconsider proceeding with its intention to sell off its care homes to the private sector?”

Response by Councillor Kevin Rostance, Cabinet Member for Adult Social Care & Health:

“Across Nottinghamshire we have approximately 6,500 people in residential care. Of that total, 361 long term residents are in our own homes. I feel sure that Councillor Rigby is not implying that the 6,000 people in private sector homes are at risk or receiving inferior care. I am also sure that he is not suggesting that we build new homes for the people not in our care so that everyone is on a level playing field. As he is aware the Care Quality Commission monitors all care homes. On top of this we have our own Quality Monitoring Assistants which goes above and beyond the standards required by the Care Quality Commission. Fair Price for Care rewards care providers for improved quality with an investment of an extra £2.3m in 2011-12. We are already committed to working with all the independent sector providers to improve quality and this will continue to be the case in the future.

I can honestly say that I have yet to meet one person who wants to go into residential care homes but I have met people on a waiting list for extra care housing. I fully support the sale of residential care homes in the knowledge that the care of our residents will continue to be monitored by ourselves and the Care Quality Commission and by doing so the much needed investment in extra care housing will be achieved. But seriously Councillor Rigby if you or anyone else has any concerns about the level of care please contact me and I will immediately sort it out.”

Question to the Cabinet Member for Finance & Property from Councillor Brian Wombwell

“Five years ago the County Council designed and built a small extension at Albany Junior School, Stapleford. The extension serves as the Head Teachers’ Office and the Admin Office. Since completion, the roof has leaked and many attempts have failed to resolve the matter.

The leak is severe and means that staff have to cover up computers and electrical equipment with plastic sheets and leave buckets at certain locations every night and weekend.

Can the Cabinet Member tell me when will the department get this matter sorted out?”

Response by Councillor Reg Adair, Cabinet Member for Finance & Property:

“I thank Councillor Wombwell for his question about the severe roof leak to the Headteacher’s room and office at the Albany Junior School, and I share his concern about the time it is taking to resolve it. As he just said five years and I’ve only just learnt of it just now.

I understand from technical officers that this is proving to be a particularly difficult issue to resolve. The water is entering the new extension where its flat roof abuts the glazed pitched roof of the main school building and several low cost solutions have been attempted over the last two years, but unfortunately none of these have provided a permanent solution.

The only solution to this problem would now seem to be the complete replacement of part of the glazed pitched roof to the main school building with a traditional roofing material and a carefully detailed junction with the flat roof of the extension. This will require the production of working drawings, a specification of works, building regulation approval and significant finance from the corporate planned buildings maintenance budget.

Unfortunately this may take several months to complete, but in the meantime every effort will be made to provide temporary protection from the roof leak. That is stating the facts as they are and we will see that it gets done.”

APPENDIX C

COUNTY COUNCIL MEETING HELD ON 21 OCTOBER 2010

QUESTIONS UNDER STANDING ORDER 7.2

Question to the Chairman of Nottinghamshire Fire Authority from Councillor Steve Carroll

"In view of the Government's cuts, can the Chair of the Fire Authority guarantee that there will be no cuts to essential front-line Fire services and that we won't have a reduction in the number of fire-fighters at local fire stations?"

Response by Councillor Darrell Pulk, Chair of the Fire Authority:

"Clearly cuts in the order of 25% to any service will affect that service and if it didn't affect the service you would beg the question why weren't you doing it cheaper before. Yesterday I received a letter about five past one by email from the Minister for Fire, Bob Neal and in it he says about the front-line service will be given some protection although there will be tough choices for Fire and Rescue to make. Over the four year period the reduction to the grant which makes up roughly 50% of the overall spend will be 25%. So in other words there will be a reduction of 25% to Fire & Rescue Authorities over the next 4 years.

It goes on to say – I won't read all of it – in the first year the formula grant reduction that will face the Fire and Rescue Authorities collectively will be in single figures in percentage terms so it is being back-loaded if you like. So in the first year according to that letter there should be a reduction of 9% or less. There is a complication to this - they are also looking at how the formula is distributed to individual Fire Authorities.

That is an overall picture for all Fire Authorities and clearly Nottinghamshire received a very reasonable grant after years and years of poor grants. In recent years they have received a reasonable grant and there are formulas being put about where we could lose more than could happen to other Fire Authorities. We could have a bigger percentage to make. So we are looking at 25%+ over 4 years.

Now the question that was asked in view of the cuts can the Chair guarantee that there will be no cuts to essential front Fire services. Members of the Fire Authority that sit on this Council and Members who sit on the City Council should have received a letter from me either today or yesterday inviting them to a meeting to discuss it because what we have to do collectively is address the issues. Clearly if the cloth is smaller we cannot supply the same amounts of coats, if you like. The Fire Service at the moment is also doing a review into its

fire cover. This is outside any cuts the Government are bringing in. We have already done things like amalgamate fire stations - Beeston and Dunkirk now share a site at Highfields and those sorts of things are ongoing and we would do them anyway to provide a better service for less.

Now these cuts, I must admit, makes it difficult for me to give any guarantee whatsoever that the 36 front-line appliances that currently serve the County of Nottinghamshire will be there in four years time. I would expect that in the first year the services may remain broadly similar to what they are but as time goes by there will be a reduction in the number of firefighters, and the number of appliances and possibly the number of stations and that is a reality we face.

In terms of affecting people's lives and in terms of the possible consequence the Chief Officer and the Fire Service are looking to make sure that everything we do maintains the highest possible standard of service that we can.

One other thing I would say on this question. I have given to all the Opposition Groups a copy of the information I asked for pertaining to the cover, number of firefighters, the appliances, the collaboration work and the community work this service operates and some of these things outside the front-line fire cover, some of the community work, home safety checks, things such as co-responding and other issues in the community will also have to be examined. So it might not just be front-line services that are being looked at it will be all the other good work the Fire Service does. ”