

CABINET

NOTES OF THE MEETING HELD ON
WEDNESDAY, 3RD MAY 2006
(11.00 AM – 12.15 PM)



Nottinghamshire
County Council

MEMBERSHIP

Councillors

	Dick Anthony	(Social Services)
	Chris Baron	(Culture)
	Joyce Bosnjak	(Community Safety and Partnerships)
A	John Carter	(Finance and Property)
	David Kirkham	(Leader)
	Stella Smedley	(Environment and Sustainability)
	John Stocks	(Resources)
	Mike Storey	(Deputy Leader and Education)
	Chris Winterton	(Regeneration)

Also in attendance

Cllr Martin Brandon Bravo
Cllr Steve Carroll
Councillor Jen Cole
Councillor John Cottee
Councillor Mrs K Cutts
Councillor V H Dobson
Councillor Keith Girling
Councillor Stan Heptinstall MBE
Councillor Richard Jackson
Councillor Bruce Laughton
Councillor Joe Lonergan MBE
Councillor Sheila Place
Councillor Darrell Pulk
Councillor Martin Suthers
Councillor Yvonne Woodhead

1. NOTES

The notes of the last meeting held on 29th March 2006 were agreed as a true and correct record and signed by the Leader.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor John Carter

Councillor John Clarke)
Councillor Sybil Fielding)
Councillor Albert Haynes) Other members
Councillor Edward Llewellyn-Jones)
Councillor David Taylor)

3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Chris Winterton declared a personal interest in agenda item 20 – Approval to the Award of 2 Waste Management Contracts to Companies in the Veolia Group (formerly known as Onyx Aurora Limited) – as he represented a number of his constituents in this matter.

Although not declaring his interest at this stage in Cabinet’s proceedings, Councillor Bruce Laughton later declared a personal and prejudicial interest in agenda item 14 – Rushcliffe Borough Replacement Local Plan – Proposed Modification (response to inspector’s report) – as he owned land in the Rushcliffe Borough area.

4. LEADER’S ANNOUNCEMENTS

The Leader reported that agenda item 6 – Colston Bassett Church of England (Voluntary Controlled) Primary School – had been withdrawn from the agenda.

He also reported that it was proposed that the report on the Waste Management contracts be considered as an exempt item, rather than some of the information considered in open session as indicated on the agenda at item 9.

SECTION A (KEY DECISIONS INCLUDED IN THE FORWARD PLAN)

5. PROVISION OF SUPPORT FOR STUDENT TRANSPORT IN POST-16 EDUCATION

RESOLVED:- 2006/060

1. That the proposed scheme, as set out in the appendix to the report, be approved for operation in the 2006/07 academic year and
2. that the DfES transport allocation be used to further the aims of widening participation and improving retention rates in post-16 education with the allocation being audited by Nottinghamshire County Council.

6. NETHERFIELD PRIMARY AND NURSERY SCHOOL – LATEST ESTIMATED COST REPORT

RESOLVED:- 2006/061

That, subject to the approval of the latest estimated cost report in the exempt section of the agenda, the building works set out in the report be approved.

7. LINK-AGE PLUS PILOT

RESOLVED:- 2006/062

1. That, subject to Ministerial approval, the Council engage and become part of Link-Age Plus Pilot Initiative and
2. that every effort be made to ensure that any initiatives resulting from the project are sustainable after the end of the project, without committing the County Council at this stage to pick up the cost of the project once grant from the Department of Work and Pensions has ended; it being noted that where continued funding is indicated, then this will be incorporated into the budget planning process for 2008/09.

8. PROPOSED FORMATION OF A JOINT PARTNERSHIP WITH ADJOINING LOCAL AUTHORITIES AND THE JOINT PROCUREMENT OF AN EXTERNAL SERVICE PROVIDED FOR THE PROVISION OF HIGHWAY CONSULTANCY SERVICES

RESOLVED:- 2006/063

That the Director of Environment be authorised to develop collaborative arrangements with Leicestershire and Derbyshire County Councils for highway and professional services and jointly to commence procurement for an external partner to contract award stage for such highway professional services.

9. ASHFIELD AREA OFFICES/NOTTS CONNECT PROJECT – LATEST ESTIMATED COST REPORT

RESOLVED:- 2006/064

That, subject to the approval of the latest estimated cost report in the exempt section of the agenda, the Director of Environment be authorised to receive competitive tenders for building works at Station Road, Sutton-in-Ashfield and to enter into a contract within the approval latest estimated cost, subject to compliance with the Council's Financial Regulations.

10. CURRICULUM COMPLAINTS PROCEDURE – LEARNING CENTRES

RESOLVED:- 2006/065

1. That the proposed procedure for dealing with complaints about the curriculum at the Local Authority's learning centres, as detailed in the annex to the report, be approved and
2. that the approval of the Secretary of State be sought for these proposals in accordance with the requirements of the Education Act 1996.

11. DEVELOPMENT OF A PREVENTATIVE ADAPTATION SCHEME ACROSS BROXTOWE, GEDLING AND RUSHCLIFFE

RESOLVED:- 2006/066

That the proposals for funding the scheme, as set out in the report, be approved for a 3 year period with an annual review.

12. REPORT OF THE CHAIR OF THE CORPORATE STRATEGY AND EXTERNAL AFFAIRS SELECT COMMITTEE – NOTTINGHAM EAST MIDLANDS AIRPORT MASTERPLAN CONSULTATION

The Leader reported that he had approved submission of this item as an urgent item in accordance with Section 100B(4) of the Local Government Act 1972 as the Select Committee meeting which considered the matter was held after the papers for this meeting of the Cabinet were published.

Councillor Brandon-Bravo, Vice-Chair of the Select Committee, introduced the report and commended the excellent Officer support received in drawing up this report to the demanding time table involved.

Members supported the Select Committee's proposals and were of the view that road and rail links needed to be addressed in detail as the next part in the development of infrastructure to support the airport.

RESOLVED:- 2006/067

1. That the proposed response to the Nottingham East Midlands airport masterplan consultation, as set out in appendix 1 of the report to the Corporate Strategy and External Affairs Select Committee on 26 April 2006 be approved as the County Council's response to this consultation and
2. that this response be forwarded to the Department of Transport and further that the Department be advised for the need for action at the National and International level to address the impact of air transport

on climate change, since this cannot be effectively addressed at local level.

SECTION B (STRATEGIC MATTERS FOR CONSIDERATION)

13. RUSHCLIFFE REPLACEMENT LOCAL PLAN PROPOSED MODIFICATIONS (RESPONSE TO INSPECTOR'S REPORT)

In accordance with his earlier declaration of interest, Councillor Bruce Laughton left the room prior to discussion and voting on this item.

It was noted that revised Director of Resources' financial comments for the report were circulated prior to the meeting.

Some non-voting Members expressed the hope that Rushcliffe Borough Council could re-consider issues in the response to the Inspector's report, particularly in respect of the implications for West Bridgford as a centre and also for proposed housing development in Cotgrave.

RESOLVED:- 2006/068

That the representations of objection and support on the response to the Inspector's report be approved as detailed in the appendix to the report.

Councillor Bruce Laughton returned to the meeting.

14. STRATEGIC PLAN PERFORMANCE TARGETS

Appendix 1 to the report – Strategic Plan 2006 – 2010: Commitments, Targets and Measures – was circulated to Cabinet Members.

Councillor Stocks introduced the report and summarised the reasons for the targets set out in the appendix. Following further consideration of the detail of the appendix he said that he wished to revise the target on Countryside and Wildlife to read as follows:-

“increase the area of Local Nature Reserves 50% over the life of the Plan.”

In debate it was suggested that it might be appropriate to recognise the Fire and Rescue Service in the target concerning the reduction in the number of death and serious accidents on Nottinghamshire's roads, in the same way that the Police was recognised in the commitment to approve the safety of communities. Members were also interested to hear more detail on how the performance against the targets was to be monitored. In response to the latter point, Councillor Stocks commented that the more formal monitoring arrangements were set out in paragraph 4.2 of the report but that, in addition to this, statistics on some, but not necessarily all areas would be forwarded to appropriate Cabinet colleagues in order that they could take any necessary

action on a more speedy basis. He also had no objections to a new Select Committee scrutiny of specific issues where this was felt to be helpful.

RESOLVED:- 2006/069

1. That the Strategic Plan targets as set out in appendix 1 to the report and as amended above, be approved and
2. that the arrangements for reporting, monitoring and review be approved as set out in the report and as detailed above.

15. FREE PREGNANCY TESTING SERVICE FOR YOUNG PEOPLE ACCESSING THE C CARD SCHEME

RESOLVED:- 2006/070

That workers trained to operate the C Card Scheme Registration points be authorised to offer free pregnancy testing for young people who are registered with the Scheme.

16. A RESPONSE TO CONSULTATION BY THE DEPARTMENT OF TRADE AND INDUSTRY ON THE DRAFT NATIONAL STRATEGIC REFERENCE FRAMEWORK

RESOLVED:- 2006/071

That the Leader be authorised to sign-off the County Council's response to the DTI on the draft National Strategic Framework.

SECTION C

EXCLUSION OF THE PUBLIC

RESOLVED:- 2006/072

That under paragraphs 1, 3 and 5 of the Local Government (Access to Information)(Variation) Order 2006 the public be excluded from the meeting for the remaining items of business on the agenda on the grounds that they involve the likely disclosure of exempt information.

EXEMPT INFORMATION ITEMS

17. NETHERFIELD PRIMARY AND NURSERY SCHOOL – LATEST ESTIMATED COST REPORT

RESOLVED:- 2006/073

That the exempt information be received and that the latest estimated costs as set out in the report be approved.

18. APPROVAL TO THE AWARD OF TWO WASTE MANAGEMENT CONTRACTS TO COMPANIES IN THE VEOLIA GROUP (FORMERLY KNOWN AS ONYX AURORA LIMITED)

Councillor Smedley introduced the report which had been the subject of a considerable effort by Officers, culminating in the report now before Cabinet which she commended to her colleagues.

Councillor Smedley and the Director of Environment dealt with questions from a Cabinet colleague as follows; the responsibility for the siting of the Energy Recovery Facility, as referred to in paragraph 26 of the report, was a matter for Veolia and they were not aware of any sites proposed; Veolia due diligence record and procedures had been monitored and reviewed (having regard to the experiences of other Local Authority clients in the Country) and Officers were of the view that the company's record stood up to scrutiny and any materials recycling facility would not need to be sited closely to the energy recovery facility as the former facility would only be dealing with a small amount of waste.

Other Members commented that they were of the view that thorough investigations had been conducted into all aspects of the contracts and that proposals going forward had cross-party support.

Following debate, it was:-

RESOLVED:- 2006/074

1. That the immediate pre-contract status and outstanding legal and financial issues of the Waste Management PFI project, as set out in the report, be noted;
2. that the County Council's commitment to funding the ongoing and additional review contributions flowing from the project, as detailed in the financial sections and appendices to the report, be approved;
3. that the award to Veolia ES Nottinghamshire Limited and Nottinghamshire Environmental Services Limited of the 26 year and 10 month PFI supported Waste Management Contract arrangements be ratified and that it be confirmed that they fall within the risk and financial envelopes authorised by Council resolved 2006/020;
4. that authority for the County Council to enter into all necessary project legal documents required to give effect to the project, together with any such additional acts and instruments required to give effect to the project within the financial parameters set out in the report, be approved;
5. that the Director of Resources as the Council's Section 151 Officer (or his constitutional successor in respect of the County Council's Section 151 Officer responsibilities) be authorised to enter into the necessary

Local Government Contracts Act Certificates required in connection with the PFI contracts;

6. that the structure of the Final Business Case, appended to the report be approved and the Director of Environment (or his constitutional successor in respect of the County Council's waste disposal function) (or his/her nominee) be authorised to finalise this case and approve its submission to DEFRA;
 7. that the Director Environment (or his constitutional successor in respect of the County Council's waste disposal functions) be authorised to continue negotiations relating to Partnering Agreements with the WCAs for Nottinghamshire to seek the most cost effective arrangements for the collection and disposal of waste for residents of Nottinghamshire;
 8. that the Director of Environment (or his constitutional successor in respect of the County Council's waste disposal functions) (or his/her nominee) be authorised, in consultation with the Cabinet Member for Environment and Sustainability (or her constitutional successor in respect of the County Council's waste disposal functions) to approve the final details of the negotiations and make all necessary decisions necessary to give effect to the project so that in the event that the final details of the negotiations takes the project outside the budget envelope approved by Council on 23rd February 2006 (resolution 2006/020), then the matter will be referred back to Council for further approvals;
 9. that the Director of Environment (or his constitutional successor in respect of the County Council's waste disposal functions) (or his/her nominee) be authorised, in consultation with the Director of Resources (or his constitutional successor in respect of the County Council's Section 151 Officer functions) (or his/her nominee) and the Cabinet Member for Environment and Sustainability (or his/her constitutional successor in respect of the County Council's waste disposal functions) to approve the decision on whether or not to enter into a Swaption as referred to in the report and
 10. that the Director of Environment (or his constitutional successor in respect of the County Council's waste disposal function) be authorised to discharge or nominate an Officer to discharge the functions of the Authority's Representative in the Project Agreements and any other relevant agreements in relation to the Project Agreements.
- 19. ASHFIELD AREA OFFICE/NOTTS CONNECT PROJECT – LATEST ESTIMATED COST REPORT**

RESOLVED:- 2006/075

That the information contained in the report be received and that the latest estimated costs set out in the report be approved.

20. PROPOSAL TO ASSIST WITH AN EXTENSION TO A FOSTER CARERS PROPERTY

In response to a question, clarification was provided by Councillor Anthony and the acting Director of Social Services on the basis on which financial assistance was provided in cases such as those details in the report.

RESOLVED:- 2006/076

That the sum now reported be made available to the foster carers details in the report to assist with property developments to secure long term or bridging placements.

LEADER OF THE COUNCIL

NOTE

The decisions contained in these minutes were made on Wednesday, 3rd May 2006, published on Monday, 8th May 2006 and become effective on Tuesday, 16th May 2006 unless a Call-In Request is made to call-in a decision in accordance with the Council's Overview and Scrutiny Procedure Rules paragraph 15.