



# Nottinghamshire County Council

## Full Council

**Date:** Thursday, 01 November 2012  
**Time:** 10:00  
**Venue:** County Hall  
**Address:** County Hall, West Bridgford, Nottingham NG2 7QP

### AGENDA

- |             |   |                |
|-------------|---|----------------|
| <b>1</b>    | <b><u>Minutes of the last meeting held on 20th September 2012</u></b><br>Details  | <b>5 - 28</b>  |
| <b>2</b>    | <b><u>Apologies for Absence</u></b><br>Details  | <b>1-2</b>     |
| <b>3</b>    | <b><u>Declarations of Interests by Members and Officers:- (see note below)</u></b><br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary)  | <b>1-2</b>     |
| <b>4</b>    | <b><u>Chairman's Business</u></b><br>Details  | <b>1-2</b>     |
| <b>4(a)</b> | <b><u>Rufford By-Election Result</u></b><br>Details   | <b>29 - 30</b> |
| <b>4(b)</b> | <b><u>Presentation of Awards/Certificates (if any)</u></b><br>Details   | <b>1-2</b>     |
| <b>5</b>    | <b><u>Constituency Issues (see note 5 below)</u></b><br>Details   | <b>1-2</b>     |
| <b>6</b>    | <b><u>Presentation of Petitions (if any) (see note 6 below)</u></b><br>Details  | <b>1-2</b>     |
| <b>7</b>    | <b><u>Questions</u></b><br>(a) Questions to Nottinghamshire Police Authority and Nottinghamshire and City of Nottingham Fire Authority<br><br>(b) Questions to Committee Chairmen | <b>1-2</b>     |
| <b>8</b>    | <b><u>Clarification of Minutes of Committee meetings published since the last meeting on 20th September 20</u></b><br>Details   | <b>31 - 32</b> |
| <b>9</b>    | <b><u>Armed Forces Community Covenant</u></b><br>Details  | <b>33 - 42</b> |

<b>10</b>	<b><u>Replacement of the Mosaic Outside County Hall</u></b> Details	<b>43 - 46</b>
<b>11</b>	<b><u>Electoral Review of Rushcliffe</u></b> Details	<b>47 - 48</b>
<b>12</b>	<b><u>Quality in Care Services</u></b> Details	<b>49 - 60</b>
<b>13</b>	<b><u>Provisional Performance Figures for Nottinghamshire Schools and Academies - Summer 2012</u></b> Details	<b>61 - 68</b>
<b>14</b>	<b><u>Treasury Management Half-Year Report 2012-13</u></b> Details	<b>69 - 78</b>
<b>15</b>	<b><u>NOTICE OF MOTION</u></b>  "This Council condemns the recent decision of the Policy Committee to award £900,000 to Nottinghamshire County Cricket Club towards the cost of a new scoreboard, at a time when deep cuts to Public Services are causing hardship in our communities."  Councillor Alan Rhodes                      Councillor Joyce Bosnjak	<b>1-2</b>
<b>16</b>	<b><u>Adjournment Debate (if any)</u></b> Details	<b>1-2</b>

**(A) For Councillors**

(1) Group meetings of Members will be held as follows:

**Thursday 25<sup>th</sup> October 2012**

Liberal Democrat Group - 10.00 am

**Monday 29<sup>th</sup> October 2012**

Independent Group - 1.30 pm

**Wednesday 31<sup>st</sup> October 2012**

Conservative Group - 10.00 am

Labour Group - 1.30 pm

(2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.

(3) (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is personal or prejudicial and the reasons for the declaration.

(b) Any member or officer who declares a prejudicial interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable the Service Manager Governance and Scrutiny to record accurate information.

(4) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.

(5) Members are given an opportunity to speak for three minutes on any particular issue which relates to matters relevant to their constituencies or any particular issues arising in their electoral division. This would be an opportunity simply to air these issues in Council meeting. It would not give rise to a debate on the issues or a question or answer session

(6) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(7) Members' attention is drawn to the questions put to the Chairman of the Transport & Highways Committee and the Chairman of the Children and Young People's Committee under paragraphs 31 and 38 of the Procedure Rules and the answers thereto which are included at the back of the Council book.

**(B) For Members of the Public**

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:

Customer Services Centre 08449 80 80 80.

(2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 08449 80 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.

(3) Information in respect of this meeting is available in a wide range of languages which can be provided in large print, Braille and audio. Please contact the number referred to above.



Meeting COUNTY COUNCIL

Date Thursday, 20<sup>th</sup> September 2012 (10.00 am – 12.52 pm)

**Membership**

Persons absent are marked with `A`

**COUNCILLORS**

Carol Pepper (Chairman)  
L B Cooper (Vice Chairman)

Reg Adair		Bruce Laughton
John Allin	A	Keith Longdon
Fiona Asbury		Rachel Madden
Chris Barnfather		Geoff Merry
Victor Bobo		Mick Murphy
Joyce Bosnjak	A	Philip Owen
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
John Cottee		Kevin Rostance
Michael J Cox		Mrs Sue Saddington
Jim Creamer		Mel Shepherd MBE
Bob Cross		S Smedley MBE JP
Mrs Kay Cutts		Mark Spencer MP
V H Dobson		June Stendall
Dr John Doddy		Andy Stewart
Sybil Fielding		Martin Suthers OBE
Stephen Garner		Lynn Sykes
A Michelle Gent		David Taylor
Glynn Gilfoyle		Parry Tsimbirdis
Keith Girling		Gail Turner
Kevin Greaves		Keith Walker
John M Hempsall		Stuart Wallace
Stan Heptinstall MBE		Gordon Wheeler
Rev. Tom Irvine	A	Chris Winterton
Richard Jackson		Brian Wombwell
Rod Kempster		Martin Wright
Eric Kerry		Liz Yates
John Knight		Jason Zadrozny

## **OTHERS IN ATTENDANCE**

Hon. Alderman Martin Brandon-Bravo OBE

## **OFFICERS IN ATTENDANCE**

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Policy, Planning and Corporate Services)
Anthony May	(Children, Families and Cultural Services)
David Pearson	(Adult Social Care, Health and Public Protection)
Nick Allars	(Environment and Sustainability)
Carl Bilbey	(Policy, Planning and Corporate Services)
Claire Dixon	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Chris Holmes	(Policy, Planning and Corporate Services)
Paul McKay	(Adult Social Care, Health and Public Protection)
Daniel Reynafarje	(Policy, Planning and Corporate Services)
Nigel Stevenson	(Environment and Sustainability)
Anna Vincent	(Policy, Planning and Corporate Services)
Michelle Welsh	(Policy, Planning and Corporate Services)

## **OPENING PRAYER**

Upon the Council convening, prayers were led by the Chairman's Chaplain. Members stood in silence in memory of Councillor Les Ward.

## **1. MINUTES**

### **RESOLVED: 2012/038**

That the Minutes of the last meeting of the County Council held on 5<sup>th</sup> July 2012 be agreed as a correct record and signed by the Chairman.

## **2. APOLOGIES FOR ABSENCE**

The following apologies for absence were received:-

### Medical/Illness

- Councillor Michelle Gent
- Councillor Keith Longdon
- Councillor Philip Owen

Other

- Councillor Chris Winterton

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest

**4. CHAIRMAN'S BUSINESS**

Councillor Les Ward

Councillors June Stendall, Chris Barnfather, Alan Rhodes, Ken Rigby and the Chairman spoke in tribute to Councillor Les Ward.

Presentation of Awards

Councillor Kevin Rostance presented a national award from Partnership Assurance for the Council's Care Home Monitoring system in recognition for developing a cutting edge solution to improve services to the public who are looking for a Care Home. The award is for best use in technology in care 2012. Councillor Rostance presented the award to the Chairman.

Suspension of Procedure Rules

**RESOLVED: 2012/039**

That the Order of Business under the Procedure Rules for Meetings of Full Council be suspended to enable Full Council to consider Agenda Item 9 – Amendments to the Constitution, prior to Agenda Item 7 – Questions.

**9. AMENDMENTS TO THE CONSTITUTION**

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2012/040 below.

The motion was seconded by Councillor Martin Suthers OBE.

**RESOLVED: 2012/040**

That paragraph 31 of the Procedure Rules for meetings of Full Council set out in the Council's Constitution be revised to state that 60 minutes is allowed for questions to Committee Chairmen.

## **5. CONSTITUENCY ISSUES**

Set out in Appendix A to these minutes is a full note of the issues discussed by Councillors as follows:-

Councillor Stan Heptinstall – Bramwell Care Home quality of care

Councillor Rachel Madden – Issues with the Highways Department

Councillor Jason Zadrozny – Issues with the Highways Department

Councillor Fiona Asbury – Traffic issues in Huthwaite

## **6. PETITIONS**

### **(a). PRESENTATION OF PETITIONS**

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

1. Councillor Brian Wombwell – Petition requesting a pedestrian crossing on Toton Lane, Stapleford
2. Councillor Jason Zadrozny – Petition regarding road resurfacing at Chancery Close and Courtfield Road, Sutton
3. Councillor Stuart Wallace – Petition requesting a bus shelter on Beacon Hill Road, Newark
4. Councillor Fiona Asbury – Petition concerning highways issues in Huthwaite
5. Councillor Fiona Asbury – Petition concerning parking issues in Huthwaite
6. Councillor Rachel Madden – Petition regarding cars 'rat running' through residential streets in Kirkby
7. Councillor Rachel Madden – Petition requesting a Zebra crossing near Annesley Primary School
8. Councillor John Cottee – Petition regarding street lighting in Keyworth
9. Councillor John Allin – Petition requesting speed cameras on the A60 between Church Warsop and Cuckney



10. Councillor Martin Wright – Petition requesting street lighting on Blidworth Lane
11. Councillor Martin Wright – Petition requesting a speed limit reduction on Blidworth Lane
12. Councillor Steve Carr – Petition regarding changes to the Number 13 Bus timetable
13. Councillor L B Cooper – Petition concerning a school patrol crossing on Davies Road, West Bridgford
14. Councillor Sybil Fielding – Petition opposing the opening of a pathway at Sulis Gardens, Worksop
15. Councillor Rev Tom Irvine and Councillor Mick Murphy – Petition regarding Children’s Centre services at the John Godber Centre in Hucknall
16. Councillor Sheila Place – Petition concerning street lighting in Styrrup
17. Councillor Steven Garner – Petition concerning parking on residential areas in Littleworth
18. Councillor Steven Garner – Petition opposing an LIS project in Forest Road, Mansfield
19. Councillor Ged Clarke – Petition requesting a Residents’ Parking Scheme for Redhill Road, Arnold
20. Councillor Glynn Gilfoyle – Petition concerning grass cuttings in Windmill Lane, Worksop

**RESOLVED: 2012/041**

That the petitions be referred to the appropriate Committees for consideration in accordance with the Procedure Rules.

**(b). PETITION RESPONSES REPORTS**

**RESOLVED: 2012/042**

That the contents and proposed actions in the reports back on petitions be noted and the petitioners be informed accordingly.

## **7. QUESTIONS**

### **(a) QUESTIONS TO NOTTINGHAMSHIRE POLICE AUTHORITY AND NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY**

A question for the Nottinghamshire Police Authority was received as follows:-

1. from Councillor June Stendall regarding section 106 planning requests by the Police Authority (Councillor Glynn Gilfoyle replied)

A question for the Nottinghamshire and City of Nottingham Fire Authority was received as follows:-

2. from Councillor Jason Zadrozny regarding financial information from the Fire Authority (Councillor Darrell Pulk replied)

The full responses to these questions are set out in Appendix B to these Minutes.

### **(b) QUESTIONS TO COMMITTEE CHAIRMEN**

Seven questions had been received as follows:-

1. from Councillor Liz Yates about Broadband in Bassetlaw (Councillor Keith Girling replied)
2. from Councillor Jason Zadrozny about the super-fast broadband scheme (Councillor Keith Girling replied)
3. from Councillor June Stendall concerning Notts Watch (Councillor Mick Murphy replied)
4. from Councillor Rachel Madden regarding Kirklands Care Home (Councillor Reg Adair replied)
5. from Councillor Rev Tom Irvine regarding Sherwood Industries (Councillor Kevin Rostance replied)
6. from Councillor Jason Zadrozny concerning the food waste recycling scheme (Councillor Richard Butler replied)
7. from Councillor Rachel Madden concerning the ploughing up of footpaths (Councillor Bruce Laughton replied)

The full responses to these questions are set out in Appendix C to these Minutes.

## **8. CLARIFICATION OF MINUTES**

The report provided Members with the opportunity to raise any matters of clarification on the minutes of Committee meetings published since the last meeting.

## **9. AMENDMENTS TO THE CONSTITUTION**

(Item moved prior to Agenda Item 7 – Questions)

## **10. ARRANGEMENTS FOR STANDARDS**

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2012/043 below.

The motion was seconded by Councillor Martin Suthers OBE.

### **RESOLVED: 2012/043**

That the appointment of the following to act as Independent Persons under the Localism Act 2011 be formally approved for a term of 5 years from 23 July 2012:

- Charles Daybell
- Robert Lilley
- Christine Southwell

## **11. CO-OPTION TO ECONOMIC DEVELOPMENT COMMITTEE**

Councillor Keith Girling introduced the report and moved a motion in terms of the resolution 2012/044 below.

The motion was seconded by Councillor Gordon Wheeler

### **RESOLVED: 2012/044**

That County Council ratify the recommendation of the Economic Development Committee to offer co-opted (non-voting) places on the Committee to two Nottinghamshire business leaders.

**12. NOTTINGHAMSHIRE AND NOTTINGHAM WASTE CORE STRATEGY – SUBMISSION TO THE SECRETARY OF STATE**

Councillor Richard Butler introduced the report and moved a motion in terms of the resolution 2012/045 below.

The motion was seconded by Councillor John M Hemsall.

**RESOLVED: 2012/045**

1. That the County Council approves the Schedule of Proposed Changes to the Nottinghamshire and Nottingham Waste Core Strategy for a six week period of public representations.
2. That Council notes that the December County Council will be asked to approve the subsequent submission to the Secretary of State of the draft Waste Core Strategy, along with its submission documents, for independent examination.

**13. STATEMENT OF ACCOUNTS 2011/12**

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2012/046 below.

The motion was seconded by Councillor Michael J Cox.

**RESOLVED: 2012/046**

1. That the contents of the Annual Governance Report be noted.
2. That the letter of representation be approved.
3. That the Statement of Accounts 2011/12 be approved.

**14. PROVISIONAL RESULTS FOR SCHOOLS AND ACADEMIES – SUMMER 2012**

Councillor Allen Clarke introduced the report and moved a motion in terms of the resolution 2012/047 below.

The motion was seconded by Councillor Lynn Sykes.

**RESOLVED: 2012/047**

That the report be noted.

The Chairman declared the meeting closed at 12.52 pm

**CHAIRMAN**  
M\_20SEPT12

## APPENDIX A

### COUNTY COUNCIL MEETING HELD ON 20<sup>TH</sup> SEPTEMBER 2012

#### 3-MINUTE SPEECHES

##### **Councillor Stan Heptinstall MBE**

“You all know that this County Council sold Bramwell Care Home to the private sector despite much opposition. At the time of the sale this care home was deemed to be of very high quality indeed and was providing excellent care for local people. Assurances were given that the quality of care in Bramwell would not change.

I have to advise you that the Care Quality Commissioning Body inspected the home in June of this year and found it to be wanting. The CQC have identified five areas where improvements are required. First, in treating people with respect and involving them in their care. Second, in providing care, treatment and support which meets people’s needs. Third, caring for people safely and protecting them from harm. In this matter the CQC concluded that people were not protected from the risk associated with medicines because the provider did not have appropriate arrangements in place to manage them.

The fourth area in which improvements are required is in staffing. The CQC concluded that there were not enough qualified, skilled and experienced staff to meet people’s needs. Here are some quotations from the report and I quote;

*“There were several times when there were no staff around in the communal areas because they were busy supporting other people with their needs”*

*“We also found evidence that there had been an increase in falls and the audit showed that during May 2012; out of 88 accidents, 31 of these had not been witnessed by staff”*

A member of staff is reported as having said the following:

*“It’s scary when someone needs one-to-one attention and we can’t watch them if we are with other people. People have a lot of falls, they have high dependency needs and there are not enough staff”*

Some further information for you; I am informed that since the transfer some 50% of the staff transferred across have resigned their positions. Staff morale is said to be at an all-time low. Despite this the remaining 50% are doing their very best to continue to try and deliver the care that is needed.

The fifth area in which improvements are required is in the standard of management. The CQC concluded that the provider did not have an effective

system in place to regularly assess and monitor the quality of the service that people received. In mitigation of this finding, a manager told the CQC that there was a group called the Friends of Bramwell and that feedback could be given by this method.

Councillors, I have to tell you that the Friends of Bramwell have tried to set up two meetings at Bramwell since this report. Both of these meetings have been cancelled by Runwood Homes. The most recent email received from Runwood says, and I quote;

*“Unfortunately the dates originally given have been rapidly filled in the diary. We will come back to you at a later date if we feel a meeting is needed”*

I am very concerned about this. I hope that you are too.”

### **Councillor Rachel Madden**

“I know the rules say that this 3 minute slot should be to raise a subject of interest to my residents but I have a sneaking suspicion that this speech may interest the residents in other divisions such as those of my Liberal Democrat colleagues.

I rise to comment on the highways section of this authority from whom I've had satisfactory if not good service up until April of this year. Actually, thinking about it, I still got good service in April, but in May it went down to just being OK and during June, July & August I'm afraid it's gradually sunk to very unsatisfactory.

My first gripe is regarding the email responses; they used to be 50% correct in stating that the group requests had been actioned. 50% because upon checking, only half the jobs supposedly marked for work were completed. But for the last month even the acknowledgement emails have now dried up.

I request work on carriageways and/or pavements which are agreed and included in the works programme. “Great” I think, “but, wait!” 9 months later they've disappeared off the list and it seems the money's allocated to them have been used elsewhere. I report overhanging trees and other vegetation on well-used footpaths and this is cutback most of the time. But all the cut materials are left all over the pathway so these paths end up just as unusable as before. Other requests are just being ignored so more and more pathways in my division are becoming impassable.

I could go on and on with such money spent resurfacing a short cul-de-sac used by, at the most, 2 vehicles whilst a parallel well-used road is in urgent need of repair. Or how about the footpath used by schoolchildren where a disabled child keeps tripping over potholes while an adjoining path which turns out to be the least well-used within my division has been resurfaced once and is earmarked again for resurfacing shortly in the last 18 months. Need I mention the weed control.

My division used to be neat, tidy & litter-free – not anymore. Potholes were repaired but now I have to report them 3, 4 or 5 times to get any action. Who does what? Is it the responsibility of the Districts or is it the responsibility of the County?

Please bring back the MOPS – things were good and went smoothly. They could be good again, thank you.”

### **Councillor Jason Zadrozny**

“I rise to speak on the same issue that Councillor Madden did. I think it's fair to say that since the Managing Operate Partnership (MOP) has been taken back by the County Council, the service has been derisory to a level that has been unparalleled in the history of my time as a County Councillor. So much so that the Chief Executive's ear has been bent about it at a number of times and I believe he's even visited my division to look at the complaints I've got.

What's worse, I can accept having a poor service, I can accept money being cutback, I can't accept not being acknowledged. And there are still emails outstanding from my district manager from July where they haven't even bothered to acknowledge them. When I've complained about it and resent the emails they've failed to acknowledge those. All of my group are handing in petitions today about issues that have been ignored and not even acknowledged by the Council. It's not good enough.

I managed to get one small job on Manor Road in my ward where cars were going around a very steep corner and swerving straight into a resident's front room. It's the safer route to school, it's the main footpath into Daneswood Primary School and I asked for some bollards to be put there. The Council in their wisdom knew better than me, refused to do that and put some white lines there instead and last week the gentlemen had another car in his front room. If a child walks on that path and we don't put some bollards there, there'll be a death and believe me, I don't want to be in this chamber saying 'I told you so'. It's not the sort of politics I engage in but I've been in here before telling you about Skegby Road and the near misses and old ladies being crushed in between parked cars. Nothing's being done and I will be here saying 'I told you so'.

Councillor Madden raised the weeds and the grass and without a shadow of a lie I've emailed the Chief Executive copies of photographs where I'm stood on Loundhouse Road in my division (mark the name down) where the weeds are taller than me! I'm 6 foot dead and they are on the outside edge of the pavement and I have reported it in and been assured that the rain's washing off the weed killer. I keep expecting Rachel Welch and a dinosaur to jump out from somewhere, it's embarrassing. We are damaging roads and pavements now by not doing those jobs because the weeds are getting under the tarmac and are



going to cause more problems. Where I can accept in tough economic times that some of our services need cutting, our weeds need cutting too.”

### **Councillor Fiona Asbury**

“I would like to speak about a highways issue in the Huthwaite area of my division. Ashfield Council have recently granted permission for a new doctor’s surgery on the corner of Skegby Road on what is effectively a crossroads. Though the surgery will have 28 parking spaces, the centre will employ around 15 staff so many of the spaces will be used by them.

At recent public meetings lots of residents have spoken about their fears of further accidents in this area from visitors to the doctors who will park on Skegby Road and Sutton Road. I’ve already asked in the past for double yellow lines on the corner of Skegby Road onto Sutton Road as quite a few people park already on that corner causing problems when leaving and entering and there’s going to be a lot more people using that which obviously will become more of a problem.

Also Sutton Road already suffers from speeding traffic. Members may well be aware of the tragic fatality that happened there a year or so ago with the junctions coming onto Sutton Road just below the brow of the hill. Speeding traffic & reduced visibility can only lead to more accidents and God forbid anyone else will lose their life there.

On behalf of my extremely worried residents in the area on whose behalf I will be handing in petitions, I plead with the Council to urgently review the traffic management of the area and seek a solution to issues there. Finally I know that finances are tight at the moment and unfortunately Ashfield District Council did not seek any community sum from the developer towards any local improvements. The Liberal Democrats have met with the owners of the site and the developers and we have in principle agreement from them that they will contribute to improvements that the Council recommends.

I and my residents look forward to these problems being resolved quickly.”

## **APPENDIX B**

### **COUNTY COUNCIL MEETING HELD ON 20<sup>TH</sup> SEPTEMBER 2012** **QUESTIONS TO NOTTINGHAMSHIRE POLICE AUTHORITY AND** **NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY**

#### **Question to the Nottinghamshire Police Authority from Councillor June Stendall**

Would the Chairman tell me when I will receive the answer to the supplementary question I asked on the 17<sup>th</sup> May 2012 under the Standing Order 7.2 regarding 106 planning request by the Police Authority?

#### **Response by Councillor Glynn Gilfoyle, Vice-Chairman of the Nottinghamshire Police Authority**

“Before responding to Councillor Stendall’s Question can I on behalf of the Police Authority and the Nottinghamshire Police Force express our sadness at the loss of Councillor Les Ward. His contribution and experience as a former Police officer are greatly missed and our thoughts are with his family. Also to the family, friends and colleagues of WPC Fiona Bone and WPC Nicola Hughes of the Greater Manchester Police Force who both were so tragically murdered this week whilst performing their duties protecting the people of Manchester.

Can I apologise to Councillor Stendall in the delay responding to her supplementary question to me on the 17<sup>th</sup> May. I am pleased to now be in a position to say that the update Councillor Stendall has requested is being emailed to her as I speak. I appreciate this has taken a little longer than the Authority originally hoped; this is primarily due to the unique pressures on staff due to the forthcoming transition of the Police & Crime Commissioner but I would like to apologise wholeheartedly for the delay.

Can I offer that once Councillor Stendall has had time to read and digest the response, myself, the Chief Executive and the Deputy Chief Constable are more than happy to meet her and discuss the issue further if she so wishes. On behalf of the Authority can I thank Councillor Stendall for a continued interest in funding streams to support policing and community safety issues.”

#### **Question to the Nottinghamshire and City of Nottingham Fire Authority from Councillor Jason Zadrozny**

At the recent Fire Authority seminar on 7<sup>th</sup> September, the Leader of the Liberal Democrat group made a request through the Chair of the meeting for Fire Authority members to be provided with a financial explanation of the point at which additional cuts to the service will have to be introduced due to any financial shortfall. Is the Authority’s Strategic Director of Finance and Resources now in

the position to produce that information, as I believe all members of the Fire Authority and the County Council will find it very useful?

**Response by Councillor Darrell Pulk, Chairman of the Nottinghamshire and City of Nottingham Fire Authority**

“The Fire Authority set a budget for 2012/13 and the following two years on 24 February 2012 in which a number of assumptions relating to the later years were relied upon. The extent to which these assumptions continue to hold good will determine whether any further budget reductions need to be made in 2013/14 and 2014/15. The assumptions were:

1. That a government grant would reduce by 18.5% over the remaining CSR period.
2. That Council taxbase would remain relatively constant.
3. That increases in council tax of 3.5% would be considered in each of the years 2013/14 and 2014/15.
4. That levels of pay in the service would increase in line with NFRS assumptions.

There are a number of reasons why these assumptions may not hold good. For example, grant formula changes may adversely affect Nottinghamshire as they did in 2012/13. The impact of business rates localisation is also unclear. Taxbase may reduce due to the impact of the localisation of Council Tax support. Government capping criteria may cause the 3.5% projected increase to be reduced. Pay restraint in the public sector may not be able to be sustained throughout the period. Variations in any of these factors may cause the Fire Authority to consider further budget reductions over and above those already planned.

The Fire Authority meets on Friday 21<sup>st</sup> September 2012 to set out budget guidelines for the Finance and Resources Committee and it is likely that this Committee will be directed to prepare a range of budget options based on Council Tax rises of between zero and 3.5%.”

## **APPENDIX C**

### **COUNTY COUNCIL MEETING HELD ON 20<sup>TH</sup> JULY 2012** **QUESTIONS TO COMMITTEE CHAIRMAN**

#### **Question to the Chairman of the Economic Development Committee from Councillor Liz Yates**

Does the Chairman of the Economic Development Committee share my astonishment that, at the committee meeting on 4<sup>th</sup> September, the Labour county councillor for Worksop East apparently did not consider improved broadband to be a priority for the businesses and residents of Bassetlaw?

Can I assure him that while Labour councillors seem uninterested, many Bassetlaw residents are fully behind the County Council's Campaign for the rollout of Superfast Broadband in Nottinghamshire, as illustrated by the petition I presented to Full Council on 5<sup>th</sup> July?

#### **Question to the Chairman of the Economic Development Committee from Councillor Jason Zadrozny**

Can the Chairman of the Economic Development Committee take this opportunity to update Members on the super fast broadband scheme? In particular, could he highlight any changes to the approach from National Government or the County Council which may put the scheme in jeopardy?

#### **Response by Councillor Keith Girling, Chairman of the Economic Development Committee to both these questions**

"To answer Councillor Yates: Yes, frankly, I was astonished by the comments of the county councillor for Worksop East, who appeared to suggest that faster broadband is not a priority or the "be all and end all" as far as enticing new business to Bassetlaw.

I don't know if these remarks were an echo of earlier differences between Bassetlaw District Council and Nottinghamshire County Council, or whether Bassetlaw Labour, like many socialist states, regard the internet as a threat to their established systems of carefully drip-fed propaganda.

Either way, they're wrong. The reality is that faster broadband connection is crucial to the future of the Nottinghamshire economy and we are fighting against many other areas of the country to be at the head of the queue. This is no time to be downplaying the importance of broadband, not least for Bassetlaw.

Councillor Gilfoyle may be right that larger businesses choosing to establish themselves in Nottinghamshire will fund their own broadband installations, but my

concern is securing the right infrastructure for the (27,000) small businesses with the potential to become the big businesses and big employers of tomorrow.

Almost 48,000 Bassetlaw properties, both business and residential, are set to benefit from our planned infrastructure investment. That's 41% of the Broadband Plan total.

Digitally disadvantaged homes and businesses represent one in five properties in the county and are predominantly in the rural Bassetlaw, Newark & Sherwood and Rushcliffe districts. Research undertaken by Nottinghamshire County Council has confirmed that:-

- 44% of Nottinghamshire households cannot get 2 Megabytes per second (Mbps) broadband access;
- 66% of households and 64% of businesses in Nottinghamshire's rural areas have sub 2Mbps broadband provision; and
- 64% of households and 46% of businesses cannot get a broadband service greater than 4Mbps.

Our Plan sets out to transform Nottinghamshire's broadband infrastructure by addressing areas of market failure to benefit an additional 111,000 homes and 5,000 businesses. We want to: -

- Provide superfast broadband access of at least 24 Mbps to at least 90% of Nottinghamshire's homes and businesses by 2015;
- Ensure all premises in Nottinghamshire have access to a service of at least 2Mbps by 2015;
- Deliver solutions that have the potential for future speed uplifts;
- Develop an 'open' infrastructure network; and
- Provide short-term and long-term affordability for customers.

Chairman, I don't know if Councillor Gilfoyle's views in Economic Development Committee reflect those of his Labour colleagues but rest assured, this Conservative administration is committed to improving the local economy and the life opportunities of residents in Nottinghamshire. There are many ways to achieve this and faster broadband is as important as any.

Councillor Zadrozny's question requires a rather technical reply which is inevitable when you mix technology with the European Union, so I apologise in advance.

Nottinghamshire County Council has agreed to use the Broadband Delivery UK (BDUK) Framework Agreement. There were originally a number of suppliers who expressed an interest, but there are now just two suppliers left on the framework – BT and Fujitsu. The irony is that if you ignore the framework and go down the competitive dialogue route (as did Herefordshire and Gloucestershire) you still finish up with BT!

The European Commission has identified issues regarding BDUK State Aid Umbrella Notification relating to passive access infrastructure and the possibility of a single supplier Framework Agreement. As a consequence, there is delay in achieving the State Aid Umbrella Notification. Nottinghamshire County Council cannot award a Call-Off Contract until this Notification is achieved. If a single supplier Framework is the final outcome, this will increase the need to demonstrate that value for money is being achieved in all aspects of delivery of the Nottinghamshire Call-Off Contract.

The County Council will secure a supplier via the Nottinghamshire Call-Off process but is waiting for BDUK to confirm its procurement slot. In the meantime, our dedicated broadband project team are working on all the necessary data gathering in preparation for the call-off process. This includes developing an Open Market Review for State Aid compliance, to ensure Nottinghamshire will be ready to proceed as soon as BDUK gives the green light.

Nottinghamshire County Council launched its demand stimulation campaign, called "Superfast Broadband for Nottinghamshire", on 6 July.

A successful outcome should encourage supplier interest and funding. So far, we have received more than 3,300 pledges of support, 26% of which are from Bassetlaw and would disagree with Councillor Gilfoyle's archaic view. We can add to that Councillor Yates' petition and many written accounts describing how poor broadband is affecting people's lives and suffocating the local economy. This evidence will be used to prove to telecoms companies that there is high demand for decent broadband speeds in Nottinghamshire.

Residents and businesses can pledge their support for faster broadband speeds in Nottinghamshire by visiting the website, [www.nottinghamshire.gov.uk/broadband](http://www.nottinghamshire.gov.uk/broadband) or calling the County Council Contact Centre on 08449 80 80 80. I urge all Members no matter what their political colours to encourage other people to fill the petition and give this their full support."

#### **Question to the Chairman of the Community Safety Committee from Councillor June Stendall**

Nottinghamshire County Council has awarded a grant to Notts Watch who have invited you to attend the launch of their new unique website which will be the first example of its kind in the country. The launch is on the 9<sup>th</sup> October between 12-2pm at The Arrow Centre. I understand you are unable to attend on this occasion. Do you agree that it is important, given the source of the grant that someone from this Council should be in attendance to show our support for the initiative? Is there any reason why the Vice Chairman or any member of the Community Safety Committee who is available on this day at this time could not attend to represent you and the County Council?

## **Response by Councillor Mick Murphy, Chairman of the Community Safety Committee**

“NottsWatch is a countywide umbrella organisation that maintains links with the ever growing number of Neighbourhood Watch schemes in the seven boroughs and districts of Nottinghamshire.

In November 2011, Nottinghamshire County Council awarded a grant of £14,500 to NottsWatch for a 22 month programme. From this grant: -

- £6,200 has funded the design and build of a website, including an 18 month service contract;
- £2,500 is meeting the cost of crime prevention display materials and equipment including a scheme registration booklet;
- £2,480 is providing 160 NottsWatch members with professional training delivered by Nottinghamshire Police and partners, including improved community safety techniques, running neighbourhood watch schemes, personal safety and partnership working;
- £1,520 is enabling NottsWatch to run two conferences in the county - one on Saturday 24th November 2012 at County Hall and one in 2013 - to recognise and celebrate the achievements of volunteers; and
- The remaining £1,800 is assisting with co-ordination and administration costs.

Chairman, the work of NottsWatch meets four main aspects of Nottinghamshire County Councils' Strategic Plan 2010 -2014, not least Priority Three: making Nottinghamshire a safer place to live. It is the type of initiative that deserves and receives the support of this Council. They have my unequivocal backing as Chairman of the Community Safety Committee.

Councillor Stendall is absolutely correct that NottsWatch invited me to the launch of their new website on 9<sup>th</sup> October at the Arrow Centre in Hucknall. Unfortunately, I am away at the time and my PA emailed them with apologies to this effect on 13<sup>th</sup> September.

However, I am pleased to confirm that Community Safety Committee member Councillor Mike Quigley will be attending the launch on my behalf to communicate the support of all of us for the website launch and the overall NottsWatch initiative.

I regret not being able to attend personally on this occasion, but I hope I have made my backing of NottsWatch obvious in this answer and I shall seek to engage with them again at the earliest opportunity in the future.”

**Question to the Chairman of the Adult Social Care and Health Committee from Councillor Rachel Madden**

I understand that the plot of land at the junction of Fairhaven and Central Avenue, Kirkby, containing Kirklands has been submitted for, and been included in, Ashfield District's L.D.F. for housing. Could the Chair give me his 100% guarantee that Kirklands itself is not to be sold off and, secondly, his views on the risk that the residents of this facility could have their quality of life ruined by houses being built right outside their windows?

**Response by Councillor Reg Adair, Chairman of the Finance and Property Committee, on behalf of the Chairman of the Adult Social Care and Health Committee**

"There are no plans to sell Kirklands.

There was a comprehensive report considered by the Adult Social Care and Health Committee, of which you are a Member, on the 2<sup>nd</sup> July 2012. The report outlined proposals for the 6 retained Council-owned residential care homes and was agreed and supported by that committee.

However, strategically the County Council is duty bound to review its property portfolio and any surplus land not required for the Kirklands care and support centre will be sold in order to ease financial pressures on the Council. I would stress that the potentially surplus land adjacent to the centre is not in view of the residents' windows and any proposal would of course be subject to the usual planning approvals via Ashfield District Council."

**Question to the Chairman of the Adult Social Care and Health Committee from Councillor Rev Tom Irvine**

Can we have an update on the redeployment of the staff and subsequent outcome from the Sherwood Industries?

**Response by Councillor Kevin Rostance, Chairman of the Adult Social Care and Health Committee**

"A full report is to be considered at the Adult Social Care and Health Committee on the 1<sup>st</sup> October which provides an update on the current position.

However, Sherwood Industries employed 43 staff in February 2012, 29 of whom were disabled workers on the Work Choice programme. In brief, the current position is detailed below: -

- 16 staff members have taken voluntary redundancy;
- 8 staff members have been confirmed in alternative permanent posts within the Council;



- 7 staff members are undertaking their trial period in alternative permanent posts within the Council;
- 10 staff members have been placed in temporary supernumerary posts within the Council;
- 2 staff members are absent from work due to ill health and are being supported through the absence management process.

With regards to the 10 staff members that are on temporary supernumerary placements, work is ongoing to find them a permanent redeployment opportunity.

Each staff member has retained the services of a named human resources officer to support them in addition to the assistance offered from supported employment line management. The situation changes on a day by day basis as opportunities become available and a number of staff who are working in supernumerary placements are waiting for a meeting date to be arranged, or for the outcome of a meeting, with an appointing officer. Continued funding is being made available to support the supernumerary placements.

Also, a local company with whom we have been in discussions have offered our staff first refusal on four vacancies which they currently have. These vacancies have been offered to the staff group and, to date, one member of staff has expressed an interest and has met with the management of the company.

Chairman, a recent Labour Party leaflet in Hucknall claimed that the closure of Sherwood Industries resulted in 46 job losses. This is untrue.

First of all, every group in this Chamber, except Labour, agreed that closing Sherwood Industries was a sad but necessary decision which Labour councillors had lacked the moral courage to take earlier, leaving disabled employees in an unsustainable position and costing the taxpayer more than £800,000 year on year.

Secondly, and most important at all, there were not “46 job losses”. As I explained earlier, Nottinghamshire County Council worked with 43 Sherwood Industries employees and has fully supported each and every one. We will continue to do so and nobody has lost their job. I repeat: nobody has lost their job.”

**Question to the Chairman of the Environment and Sustainability Committee from Councillor Jason Zadrozny**

In the new corporate plan unveiled this month by Ashfield District Council one of the very few positive actions the Council proposed to take was the introduction of a food waste recycling scheme. The council has now informed members that the scheme will not go ahead as it cannot find a way to work through costing and transport issues with the County Council.

Can the Chairman outline the issues proving to be an obstacle for the introduction of this desirable scheme?

**Response by Councillor Richard Butler, Chairman of the Environment and Sustainability Committee**

“My understanding is that their bid, which was made without necessarily liaising with us first, was based on a number of flawed assumptions around tonnages and costs. These included the proposal of a collection methodology which would have required all of their existing kerbside recycling to be delivered to the Mansfield Recovery Facility (MRF) via a transfer station, rather than directly, as currently happens.

The cost of doing this would be substantial, and more than offset the landfill savings resulting from collecting the food waste in the first place. On that basis, Ashfield chose not to submit a final bid for funding to the DCLG.

The County Council is fully supportive of the principle of collecting food waste either separately, or mixed with green garden waste, provided it makes financial sense.

I’m sure that Councillor Zadrozny and colleagues appreciate the need to ensure any new services are cost effective, and do not impose substantial additional costs, potentially amounting to several hundred thousand pounds per annum, on either council in the current economic climate.

In the final analysis Ashfield withdrew from the bidding process simply because their business case did not stack up.”

**Question to the Chairman of the Transport and Highways Committee from Councillor Rachel Madden**

It's the start of the harvest season and farmers are or will be ploughing up Rights of Way that cross their fields despite laws protecting these footpaths. I have had complaints regarding this for the previous 3 years of my term - reported to the relevant section within this authority - and one resident has raised the subject again already this year. So far no prosecutions have been effected by NCC so when is this authority going to start prosecuting the perpetrators?

**Response by Councillor Bruce Laughton, Chairman of the Rights of Way Committee on behalf of the Chairman of the Transport and Highways Committee**

“From the outset may I say that I find this question quite distasteful and the reason why I say this is I dislike it when politician automatically turn to what they see as the last resort of threatening prosecution when other avenues are available to them. Not once has Councillor Madden contacted me on this issue

and I can look round this chamber to numerous councillors who have spoken to me as Chairman of Rights of Way Committee – there's Gail, Vince, there's all these councillors around here; and we've managed to sort most of those problems out.

Can I only assume that Councillor Madden believes that if a footpath crosses a field it shouldn't be cultivated and should be maintained presumably like her front lawn? I recall making a pledge to this Council that if there were any problems as far as Rights of Way were concerned, please use me as the first port of call; I am more than happy to contact my officers on any issue in their divisions.

Farmers do have a right to cultivate footpaths that cross fields. They have to reinstate them within 2 weeks and on second cultivation they have to reinstate them within 24 hours. When they do plough up fields, our officers actually advise them to just run the tractor down the length of the footpath so that there is a tyre mark for people to follow and most farmers do carry out this process.

Can I also point out that this Council relies on the goodwill of the agricultural industry to maintain the Rights of Way system across this county and I can assure you that without their support the Rights of Way system within Nottinghamshire would be a lot worse off.

Running round prosecuting people is not the answer – it is only a last resort. I am more than happy to liaise with my officers and Councillor Madden and meet with the landowner to discuss the problems that she has in her division. Whenever there are problems with the Rights of Way across Nottinghamshire, we have found the best way forward is to liaise with the people involved and to negotiate a way forward. Even if that means to the cost of this Council putting in a diversion order to sort out the problem and we are actively doing that in some of the areas that Councillors representing this chamber today.”



## **REPORT OF THE CHIEF EXECUTIVE**

### **RUFFORD BY-ELECTION RESULT**

#### **Purpose of the Report**

1. To report on the outcome of the by-election held in the Rufford Division on 20<sup>th</sup> September 2012 and on the implications for the overall political balance of the Council.

#### **Information and Advice**

2. I am able to report that at the by-election in the Rufford Division held on 20<sup>th</sup> September 2012 John Peck was elected County Councillor for that Division. Councillor Peck is a member of the Labour Group on the Council.
3. The overall political balance of the Council due to this election result, is now:-

Conservative Group	35
Labour Group	16
Liberal Democrat Group	9
Independent Group	<u>7</u>
	67

4. The allocation of Committees and Sub-Committees has been reviewed and no change to the proportionality is required as a result of this.

#### **Other Options Considered**

5. None

#### **Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

1.) That the report be noted.

### **Report of the Chief Executive**

**For any enquiries about this report please contact: Chris Holmes, Team Manager  
Democratic Services 0115 9773714**

### **Constitutional Comments**

7. Because this report is for noting only no Constitutional Comments are required

### **Financial Comments (MA 24/10/12)**

8. There are no direct additional financial implications arising as a result of this report.

### **Background Papers**

Political proportionality calculations table

### **Electoral Division(s) and Member(s) Affected**

All

**REPORT OF THE CHIEF EXECUTIVE**
**Clarification of Minutes of Committee Meetings published since the last meeting on 20<sup>th</sup> September 2012**
**Purpose of the Report**

1. To provide Members the opportunity to raise any matters of clarification on the minutes of Committee meetings published since the last meeting of Full Council on 5<sup>th</sup> July 2012.

**Information and Advice**

2. The following minutes of Committees have been published since the last meeting of Full Council on 20<sup>th</sup> September 2012 and are accessible via the Council website:-  
<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

<b>Committee meeting</b>	<b>Minutes of meeting</b>
Administration Committee	11 <sup>th</sup> Sept 2012, 3 <sup>rd</sup> Oct 2012
Adult Social Care and Health Committee	3 <sup>rd</sup> Sept 2012, 1 <sup>st</sup> Oct 2012
Appeals Sub-Committee	18 <sup>th</sup> , 25 <sup>th</sup> , 27 <sup>th</sup> Sept 2012*
Audit Committee	None
Children & Young People's Committee	10 <sup>th</sup> Sept 2012, 8 <sup>th</sup> Oct 2012*
Community Safety Committee	10 <sup>th</sup> July 2012
Corporate Parenting Sub-Committee	16 <sup>th</sup> July 2012
Culture Committee	4 <sup>th</sup> Sept 2012, 2 <sup>nd</sup> Oct 2012
Early Years and Youth Services Sub-Committee	24 <sup>th</sup> Sept 2012
Economic Development Committee	4 <sup>th</sup> Sept 2012
Environment and Sustainability Committee	27 <sup>th</sup> Sept 2012
Finance and Property Committee	17 <sup>th</sup> Sept 2012
Grant Aid Sub-Committee	None
Health Scrutiny Committee	None
Joint City/County Health Scrutiny Committee	11 <sup>th</sup> Sept 2012
Joint Committee on Strategic Planning and Transport	None
Nottinghamshire Pensions Fund Committee	None
Pensions Investment Sub-Committee	14 <sup>th</sup> Sept 2012*
Pensions Sub-Committee	None
Personnel Committee	26 <sup>th</sup> Sept 2012*
Planning & Licensing Committee	18 <sup>th</sup> Sept 2012
Policy Committee	18 <sup>th</sup> July 2012
Rights of Way Committee	27 <sup>th</sup> June 2012

Shadow Health and Wellbeing Board	5 <sup>th</sup> Sept 2012*
Transport and Highways Committee	13 <sup>th</sup> Sept 2012

\* Minutes expected to be published before 1<sup>st</sup> November 2012, but not yet approved by the relevant Committee.

**Mick Burrows**  
**Chief Executive**





## **REPORT OF THE LEADER OF THE COUNCIL**

### **THE ARMED FORCES COMMUNITY COVENANT**

#### **Purpose of the Report**

1. This report is to agree an Armed Forces Community Covenant pledge.

#### **Information and Advice**

2. At the meeting of the County Council on 17 May 2012 it was agreed that the County Council enter into an armed forces community covenant for Nottinghamshire.
3. The Community Covenant complements the Armed Forces Covenant and encourages local communities to develop a relationship with the service community in their area. This includes both serving members of the armed forces and veterans.
4. The Community Covenant is based around the signing of a Community Covenant pledge. The pledge sets out what a Community Covenant seeks to achieve in a particular area and is signed by representatives from all parts of the Community.
5. Council agreed to develop a Community Covenant Pledge for Nottinghamshire in partnership with the local armed forces community.

#### **Community Covenant Pledge**

6. The Ministry of Defence is encouraging the Armed Forces Community to be involved in the scheme and to take a proactive approach to forging links with Local Authorities in their area. The County Council has been invited by representatives of the Royal British Legion and the Army to consider establishing a Community Covenant.
7. The development of a Community Covenant Pledge provides the County Council with an opportunity to further develop its relationship with the armed forces in Nottinghamshire and to record the important contributions that it already makes in respect to the armed forces, including events on Flag Day and Armistice Day.
8. The proposed Community Covenant Pledge for Nottinghamshire is attached as an appendix to the report and has been developed in consultation with representatives of the armed forces community in the county.

9. A number of initial actions have been identified to honour the Community Covenant Pledge and are set out as an appendix to the report. It is proposed that progress against these actions be reported to the Policy Committee.

### **Other Options Considered**

10. None.

### **Reason/s for Recommendation/s**

11. The development and signing of a community covenant actions the resolution of Council in May 2012.

### **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

It is recommended that

1. Council agree the Armed Forces Community Covenant Pledge for Nottinghamshire and the actions set out to honour the pledge
2. the County Council publicly sign the covenant.

**Councillor Kay Cutts**  
**Leader of the Council**

**For any enquiries about this report please contact:** Matthew Garrard, Policy, Performance and Research Team Manager T: (0115) 9772892 E: [matthew.garrard@nottscc.gov.uk](mailto:matthew.garrard@nottscc.gov.uk)

### **Constitutional Comments (SG 23/10/2012)**

13. Full Council is the appropriate body to decide on the issues set out in this Report.

### **Financial Comments (MA 24/10/2012)**

14. The contents of this report are duly noted; there are no financial implications arising.

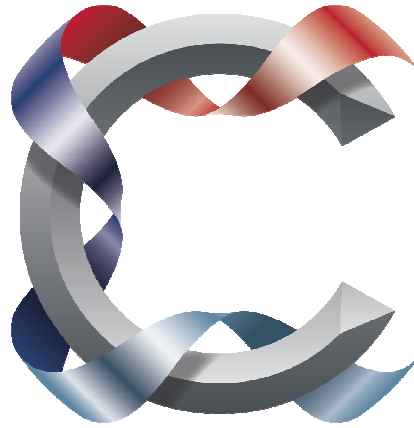
## **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

## **Electoral Division(s) and Member(s) Affected**

All





# **Community Covenant**

## **AN ARMED FORCES COMMUNITY COVENANT**

BETWEEN

NOTTINGHAMSHIRE COUNTY COUNCIL

AND

THE ARMED FORCES COMMUNITY IN NOTTINGHAMSHIRE

**We, the undersigned, agree to work and act together to honour the Armed Forces Community Covenant.**

## Signatories

Signed:

Signed:

Name:

Name:

Position Held:

Position Held:

**Signed on behalf of the Armed Forces  
Community**

**Signed on behalf of Nottinghamshire  
County Council**

Date:

Date:

Signed:

Name:

Position Held:

**Signed on behalf of Armed Forces  
Charities**

Date:

Date:

## **SECTION 1: PARTICIPANTS**

1. This Armed Forces Community Covenant is made between:

The serving and former members of the Armed Forces and their families working and residing in Nottinghamshire

And

Nottinghamshire County Council

## **SECTION 2: PRINCIPLES OF THE ARMED FORCES COMMUNITY COVENANT**

- 2 The Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at the local level.
- 3 Nottinghamshire has many current and historical connections to both regular and reserve forces. Within the county are the Chetwynd Barracks, RAF Syerston and several former RAF bases. These are supported by cadet organisations from all three services, and organisations such as the Royal British Legion, the Royal Naval Association, the Army Benevolent Fund, the Royal Air Force Association and the Parachute Regiment Association, all of which represent the interests of Military veterans within Nottinghamshire. Many veterans have also chosen to live in the county.
- 4 The purpose of this Community Covenant is to encourage support for the Armed Forces Community working and residing in Nottinghamshire and to recognise and remember the sacrifices made by members of this Armed Forces Community, particularly those who have given the most. This includes in-Service, ex-Service and reserve personnel their families and widow(er)s in Nottinghamshire.
  - For Nottinghamshire County Council the Community Covenant presents an opportunity to bring knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community and to record the important contribution that it already makes in respect to the armed forces, including events on Flag Day and Armistice Day
  - For the Armed Forces community, the Community Covenant encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.

### **SECTION 3: OBJECTIVES AND GENERAL INTENTIONS**

#### **Aims of the Community Covenant**

- 5 The Armed Forces Community Covenant complements the principles of the Armed Forces Covenant which defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community
- 6 It aims to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from the Charitable and Voluntary Sector. These organisations already work together in partnership at local level.
- 7 The scheme is intended to be a two-way arrangement and the Armed Forces Community are encouraged to do as much as they can to support their community and promote activity which integrates the Service community into civilian life.

#### **SECTION 4: Measures**

- 8 Through this covenant we will seek to work together to
  - i. encourage the local community to support the Armed forces and its personnel in Nottinghamshire and provide opportunities for them to show that support.
  - ii. promote awareness and understanding of issues affecting the Armed forces community in the wider community.
  - iii. enable military personnel and their families to access services and facilities within the wider community.
  - iv. support military personnel and their families re-settling or re-locating to Nottinghamshire, including ensuring that children from Armed forces families are not disadvantaged.
  - v. promote access to suitable employment and training opportunities for those in transition or preparing to leave active service.

#### **CONTACT PERSONNEL AND TELEPHONE NUMBERS**

In-Service representative(s)

Nottinghamshire County Council

Contact Name: David Dawber  
Title: Lieutenant Colonel  
Telephone: 0115 957 2027  
Address: Building 125, Chetwynd  
Barracks, Chilwell, Nottinghamshire.  
NG9 5HA

Contact Name: Tim Gregory  
Title: Corporate Director - Environment  
and Resources  
Telephone: 0115 977 3404  
Address: County Hall, West Bridgford,  
Nottingham, NG2 7QP



# THE ARMED FORCES COVENANT

An Enduring Covenant Between

The People of the United Kingdom  
Her Majesty's Government

– and –

All those who serve or have served in the Armed Forces of  
the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

## Nottinghamshire County Council

### Actions to honour the Community Covenant Pledge

<p>i. encourage the local community to support the Armed forces and its personnel in Nottinghamshire and provide opportunities for them to show that support.</p>	<p>the County Council will support</p> <ul style="list-style-type: none"> <li>▪ Flag Day</li> <li>▪ Armed Forces Day</li> <li>▪ Armistice Day</li> <li>▪ The Poppy Appeal</li> </ul>
<p>ii. promote awareness and understanding of issues affecting the Armed forces community in the wider community.</p>	<p>the County Council will explore opportunities for collaboration with the service charities in the delivery and signposting of services</p>
<p>iii. enable military personnel and their families to access services and facilities within the wider community.</p>	<p>the County Council will explore opportunities for co-operation with the service charities in the delivery and signposting of services</p>
<p>iv. support military personnel and their families re-settling or re-locating to Nottinghamshire, including ensuring that children from Armed forces families are not disadvantaged.</p>	<p>the County Council will explore and report options for collaboration with the armed forces' transition processes and the signposting of services and opportunities to those re-settling or re-locating to Nottinghamshire</p>
<p>v. promote access to suitable employment and training opportunities for those in transition or preparing to leave active service.</p>	<p>the County Council will bring forward one or more community projects as part of the community covenant grant scheme to promote closer ties with, or a greater understanding of, the Armed Forces within local communities.</p>

**REPORT OF THE LEADER OF THE COUNCIL****REPLACEMENT OF THE MOSAIC OUTSIDE COUNTY HALL****Purpose of the Report**

1. To agree in principle the replacement of the mosaic outside the main entrance of County Hall with a lasting memorial to all those who have died in the service of their country.

**Information and Advice**

2. The current mosaic was laid 23 years ago and is in a poor state of repair. Action needs to be taken to repair, remove or replace it.
3. This presents the Council with an opportunity to provide a lasting memorial to those who have lost their lives whilst carrying out their duties as public servants. The memorial would not only therefore cover those serving in the armed forces but also Police, Fire and Ambulance staff.
4. Members will be aware that 2014 sees the 100<sup>th</sup> anniversary of the first world war and a number of campaigns are underway to remember and honour the sacrifice of those who died a 100 years ago and to show support for the men and women who have followed in their footsteps and are today's soldiers, police officers, fire officers, and ambulance workers. It is therefore an ideal time to consider a permanent memorial to the fallen of the County
5. If the principle of such a lasting memorial is agreed it is suggested that the Local Improvement scheme team be commissioned to produce a number of costed design options and a further report will be brought to Council to decide on the most suitable option.

**Other Options Considered**

6. The current mosaic could be repaired or removed . The Council would lose the opportunity to erect a lasting memorial to those citizens of Nottinghamshire who have lost their lives in the services of the country and the county over the last 100 years.

**Reason/s for Recommendation/s**

7. To take the opportunity to create a memorial to the citizens of Nottinghamshire who have died to protect the public.

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) The replacement of the current mosaic is agreed in principle and the LIS team are commissioned to undertake detailed design and costing work
- 2) That a further report on the design and costing is brought to Council for approval as soon as possible.

**Councillor Kay Cutts**  
**Leader of the Council**

**For any enquiries about this report please contact:** Sue Jaques, Local Improvement Scheme Manager on 0115 977 4368 or email [sue.jaques@nottscc.gov.uk](mailto:sue.jaques@nottscc.gov.uk)

### **Constitutional Comments (NAB 3.10.12)**

9. Council has the authority to approve the recommendation set out in this report.

### **Financial Comments (MA 24/10/12)**

10. The cost of a replacement, and appropriate funding, will be decided when costed options are presented to a future meeting.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

### **Electoral Division(s) and Member(s) Affected**

All





**REPORT OF THE CHIEF EXECUTIVE****ELECTORAL REVIEW OF RUSHCLIFFE****Purpose of the Report**

1. To advise Members of the draft recommendations from the Local Government Boundary Commission on the future electoral arrangements for Rushcliffe Borough Council and to consider providing a response to the recommendations.

**Information and Advice**

2. The Local Government Boundary Commission is currently undertaking an electoral review of Rushcliffe.
3. Having considered the representations they received during the initial stages of the review, the Commission has published its draft recommendations on the future arrangements for Rushcliffe Borough Council. A consultation is now being undertaken on the draft recommendations which will close of 12<sup>th</sup> November 2012.
4. Rushcliffe Members Forum considered the draft recommendations at their meeting on 26<sup>th</sup> September 2012 and made the following comments:-
  - a. Kneeton should be with East Bridgford
  - b. Langar and Barnstone should not be divided
  - c. Keyworth should be called Keyworth and the Wolds
  - d. There was concern regarding Keyworth being teamed up with Kinoulton
5. Full Council is asked to approve the comments from the Rushcliffe Members Forum as the Council's response to the consultation.

**Other Options Considered**

6. The Council is not legally required to provide a response to the consultation.

**Reason for Recommendation**

7. To enable the County Council to contribute to the consultation process

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

- 1) That County Council approve the following comments to be sent to the Local Government Boundary Commission in response to the consultation on the Electoral Review of Rushcliffe:-
- a) Kneeton should be with East Bridgford
  - b) Langar and Barnstone should not be divided
  - c) Keyworth should be called Keyworth and the Wolds
  - d) There was concern regarding Keyworth being teamed up with Kinoulton

## **Report of the Chief Executive**

**For any enquiries about this report please contact: Chris Holmes, Team Manager – Democratic Services – Tel: 0115 9773714**

## **Constitutional Comments (SG 23/10/2012)**

9. Full Council is the appropriate body to decide on the issues set out in this Report.

## **Financial Comments (MA 24/10/12)**

10. There are no direct financial implications arising as a result of this report.

## **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Letter from The Local Government Boundary Commission for England on Electoral Review of Rushcliffe dated 18<sup>th</sup> September 2012.

## **Electoral Division(s) and Member(s) Affected**

Bingham – Councillor Martin Suthers OBE

Cotgrave – Councillor Richard Butler

Keyworth – Councillor John Cottee

Radcliffe-on-Trent – Councillor Mrs Kay Cutts

Ruddington – Councillor Reg Adair

Soar Valley – Councillor Lynn Sykes

West Bridgford Central & South – Councillors L B Cooper and Michael K Cox

West Bridgford West – Councillor Gordon Wheeler



**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND HEALTH  
COMMITTEE**

**QUALITY IN CARE SERVICES**

**Purpose of the Report**

1. To inform Members of the work undertaken within the Adult Social Care, Health and Public Protection Department (ASCH&PP Department) to audit and monitor the quality of social care services provided in care homes and in people's own homes.

**Information and Advice**

2. The total budgeted gross expenditure on adult social care in 2012/13 is £300 million of which a sum of £261 million is being spent on care and support services. Of this sum an estimated £226 million (86%) is used to commission care and support services from the independent sector, including voluntary sector organisations and private organisations.
3. The care and support services are commissioned through contractual arrangements and the Department has contracts in place with providers as follows:
  - 294 care homes within Nottinghamshire – approximately 174 for older people and 120 for younger adults
  - 29 home care agencies
  - 30 Care, Support and Enablement providers who deliver care and support to younger adults in supported living services
  - a wide range of providers delivering housing related support, such as information, advice and support to help maintain people in their tenancies
  - independent sector providers of day care services
4. The majority of these social care services, which entail the delivery of personal care, require registration with the Care Quality Commission (CQC) which is responsible for registering and regulating both the health and social care sector. Agencies that are required to register with the CQC include care homes and home care agencies. Providers of day care and housing related support do not need to be registered with the CQC.

**The role of the Adult Social Care, Health and Public Protection Department**

5. The ASCH&PP Department has a statutory duty to undertake an assessment of need to determine the level of care and support required by service users and where relevant

their carers. The assessment also includes completing a financial assessment to determine the service user's contribution to their care, based on their financial circumstances.

6. The department also has a duty to undertake an annual review of each service user to ensure that the services continue to meet their needs. The reviews are undertaken by social work staff based in the locality teams. These reviews provide staff with the opportunity to ensure that service users are receiving a good quality service.
7. Of the 294 care homes in Nottinghamshire, the table below shows that there are approximately 6,622 care home beds available in Nottinghamshire. This includes placements for all service users groups. As well as placements funded by Nottinghamshire County Council, a number of placements are arranged and funded by the NHS in nursing care where the service users meet the NHS Continuing Health Care criteria, or by people who fund their own care, or which are arranged and funded by other Councils. It is important to note that not all the places are occupied all of the time and most, if not all care homes, will have vacancies at varying levels.

**Table 1: Placements within care homes in Nottinghamshire**

<b>Total Number of care home places in Nottinghamshire</b>	6,622
Nottinghamshire County Council funded placements	3617 (at Sept 2012)
Self Funders	764
NHS funded placements	85
Placements funded by other Councils	185 (approx)

### Quality monitoring

8. Through its Market Development and Care Standards Team, the ASCH&PP Department has responsibility for developing a diverse social care market within Nottinghamshire which can support the delivery of safe, good quality, affordable services. The Department is required to ensure that there is sufficient capacity in the market to meet needs both for those service users for whom the Council has funding responsibility and also for people who fund their own care.
9. One of the Market Development and Care Standards Team's key functions is to undertake annual auditing of care and support services using comprehensive audit tools to ensure the audits are robust and consistent. The Quality Audit Framework used to audit care homes can be found in the background papers. The audit tools are reviewed annually to ensure providers are demonstrating continuous improvement in the quality of the care they provide.

10. The Market Development and Care Standards Team, consisting of 16 officers, including the Team Manager, covers the range of externally commissioned social care services. Table 2, below, identifies the number of officers in the team and the areas of service that they cover.

**Table 2: Staffing structure and compliment of the Market Development and Care Standards Team**

<b>Team Manager</b>	
<b>5 Market Development Officers:</b>	<b>10 Quality Development Officers:</b>
Care Homes, Older People	Care Homes, Older People x 4
Care Homes, Younger Adults	Care Homes, Younger Adults x 2
Home Care	Home Care x 2
Supported Living, Younger Adults	Supported living x 1
Day Care and Carers' Services	
Supporting People funded Services	Supporting People x 1

11. The number of Quality Development Officers is high in Nottinghamshire compared to neighbouring County Councils and these officers carry out higher levels of visits to care providers as part of their auditing and monitoring activities.
12. During 2012/13, the team is scheduled to undertake an annual quality audit of all 174 care homes for older people and 120 care homes for younger adults. Annual quality audits will also be undertaken with the 30 existing domiciliary care providers and 30 care, support and enablement providers. Plans are also underway to commence quality auditing of independent sector day care services. The audits are undertaken by Quality Development Officers (QDOs), each of whom is assigned specific service areas and specific providers.
13. Each audit takes approximately 2 days to complete with one day spent on the site visit and the equivalent of one day to gather supporting information and to write the report. Through the audit process, the QDOs seek to ensure that the providers are meeting the following objectives:
- the health, well-being and safety of people using care services is maintained and promoted
  - service users are treated with dignity and respect
  - that service users and their carers have choice and control over the services they receive
  - to ensure that care staff are appropriately trained to deliver the services
14. The audit process will entail detailed discussions with the registered/nominated manager, with some of the care staff, and with service users and carers where appropriate. The audit also entails looking through the provider's records to ensure that:

- they are implementing safe recruitment practices, including undertaking CRB checks and following up references
  - there are sufficient numbers of staff on the rotas to meet the needs of the service users
  - care staff are following appropriate practice in terms of moving and handling, safe medication management and practice, appropriate infection control etc
  - staff have relevant and up to date training, including refresher training
  - where the provider is caring for people with dementia, then staff are suitably trained and experienced
  - care records are kept up to date and care plans are personalised, recording each service user's specific needs
15. Where the audit process identifies concerns about the quality of care being provided then the QDO will make recommendations to the provider who will be required to develop and implement an action plan, within specified timeframes, to address the areas of concern. The concerns may range from poor recording such as that of service users' care plans, or care plans not being updated through to insufficient evidence of training of care staff, or high levels of staff turnover resulting in inconsistent and poor care management and practice. Where concerns have been raised through the audit process, the QDO will undertake a follow up visit to ensure that the actions have been implemented.
16. In addition to the annual audit process, the Market Development and Care Standards team will respond to any concerns or complaints that are received relating to the quality of care and support services.
17. Complaints or concerns are routed through the Customer Services Centre and may come from a number of sources including:
- family members or carers
  - operational staff
  - GPs and health practitioners
  - the provider's own staff, through their whistle blowing procedures
  - members of the public
  - the CQC
18. If the concern or complaint indicates that a vulnerable adult or older person is at risk of harm then in accordance with Nottinghamshire's multi-agency safeguarding procedures, the referral will be passed immediately, by the Customer Service Centre, to the relevant local operational team. The operational team will undertake initial enquires to ascertain the nature of the referral and will instigate a safeguarding assessment where a service user has been deemed to have been at risk of harm. If the initial enquiries undertaken by the operational team identify do not indicate that a service user has been at risk of harm but identify general concerns about the quality of care or poor practice, then the matter will be passed to the Market Development and Care Standards Team.
19. The team will gather information from the relevant sources and will undertake a monitoring visit to the care home or in the case of a home care agency to the provider's registered office. The monitoring visit will include speaking to the manager of the home, to care staff and to carers and family members were relevant and appropriate. The aim

of the monitoring visit will be to work with the provider to ensure the concerns are addressed swiftly and robustly.

### **The role of NHS commissioners in quality monitoring**

20. NHS Nottinghamshire County PCT plays an active role in monitoring health care practice and provision in care homes. The range of health clinicians visiting residents in care homes on a regular and routine basis includes:
  - District nurses
  - Continuing Health Care nurses
  - GPs
  - Pharmacy Services
21. Where care homes are registered with the CQC to provide nursing care, NHS Nottinghamshire County PCT undertakes annual quality audits in each nursing home. The PCT employs two officers, known as Safeguarding and Monitoring Leads, who complete the annual quality audits. If and where the Safeguarding and Monitoring Leads have concerns about particular aspects of health care practice or poor quality provision within a home, such as medication management or infection control, they may make a referral to the specialist health care teams requesting specialist pharmacy audits or infection control audits. The Safeguarding and Monitoring Leads will undertake follow-up visits to the nursing home to ensure the required actions are implemented.
22. Frequently, the Safeguarding and Monitoring Leads will accompany the Council's QDOs to a nursing home as part of a joint audit or monitoring visit where the QDO has identified poor practice or concerns about clinical issues. A joint monitoring report will be produced following these visits, and the provider will be required to implement an action plan which will be monitored by both the health and social care quality monitoring staff.

### **The role of the Care Quality Commission**

23. The CQC has the statutory duty to inspect all registered care services. Their role also entails taking action against providers who are not meeting the required standards.
24. As part of its inspection process the CQC gathers information from all sources about each care home to enable it to assess levels of risk to residents. The CQC undertakes unannounced visits to all care homes as part of its inspection process. Each home is inspected against 5 key standards as follows:
  - standards relating to treating people with respect and involving them in their care
  - standards relating to providing care, treatment and support which meets people's needs
  - standards relating to caring for people safely and protecting them from harm
  - standards relating to staffing
  - standards relating to management
25. Under each of the above key standards are a set of outcomes and the CQC inspections will check that the home is meeting the outcomes attributable to each of the standards, although the inspection will not necessarily cover all of the outcomes. Where the CQC finds that a provider has failed to meet one or more of the above standards, it determines

the level of impact that this will have on service users on the basis of minor risk, moderate risk or major risk. The CQC then decides whether it will take compliance actions or enforcement actions against the home.

**Compliance Actions** – where a provider is not meeting the key standards but service users are not considered to be at immediate risk of serious harm, the CQC will usually take Compliance Action and require the home to complete and implement an action plan to address the concerns.

**Enforcement Action** will be taken where the CQC has identified an urgent need for changes reflecting the levels of risk to service users and this is usually in the form of a **Warning Notice**. The CQC will also issue Warning Notices where there has been a persistent failure by a Provider to adhere with Compliance Actions.

26. As well as scheduled unannounced visits, the CQC also undertakes inspection visits to care homes in response to concerns raised either by family members/carers or members of the public, as a result of care staff from the home raising concerns through whistle-blowing procedures, or as a result of issues raised by Council officers either formally through information sharing meetings or following our own monitoring activities.

### **Raising Awareness about Safeguarding**

27. Prior to the 'No Secrets' guidance published by the Department of Health in 2000, there was little awareness or recognition nationally that vulnerable adults and older people may be, and are at times, at risk of abuse. In comparison Area Child Protection Committees (ACPC) were established in 1974 following a high profile child death and the multi-agency arrangements for overseeing the effectiveness of the protection of children have been strengthened over the years. ACPCs have subsequently developed into Local Safeguarding Children Boards which are established on a statutory footing.
28. Adult safeguarding procedures were developed following the 'No Secrets' guidance and, since this time, awareness and understanding about risks to vulnerable adults has increased significantly.
29. Over a number of years, in Nottinghamshire there have been a significantly higher number of safeguarding referrals than that of neighbouring local authorities. Of the referrals that are received, after initial enquiries are completed approximately 30% – 40% are progressed to a safeguarding assessment. Many of the referrals that do not progress to a safeguarding assessment may require alternative actions such as an assessment of need, or arrangement for short term preventative services. Of the 30% – 40% of that progress to a safeguarding assessment, approximately 1 in 4 or 5 will be substantiated.
30. The higher number of safeguarding referrals in Nottinghamshire is due to the proactive approach the Council has taken in raising awareness about risks to vulnerable adults. The measures taken include:
  - running a number of publicity campaigns so that members of the public know how to raise concerns if they are worried about the safety and well-being of a vulnerable person or an older person

- working directly with care providers informing them of the process to follow to raise concerns
  - developing and promoting a Thresholds and Pathways Document for providers of care service and statutory agencies, including health professionals, identifying where and when to make a safeguarding referral
  - ensuring care providers have whistle blowing policies in place so that their staff have the confidence to raise concerns about care practices without fear of reprisals
31. Nationally there is evidence of high profile situations and cases where a lack of awareness, training and robust procedures has resulted in a high level of risk to people's safety. The Council has sought to encourage openness and transparency in the raising of complaints and concerns and this approach has enabled officers to be proactive in addressing safeguarding concerns quickly to ensure that vulnerable people are not placed at risk of significant harm.

### **Information Sharing Processes**

32. Through its quality audit process and monitoring activities, and through the service user reviews undertaken by social work staff in the localities, the Department has a high level of knowledge and intelligence about the quality of care delivered by the providers with whom the Council has a contract. In addition to the Department's own monitoring activities, officers have regular contact with the CQC and with health partners to share intelligence particularly in relation to providers where there are concerns about the quality of care.
33. Historically, the Department had established regular Information Sharing meetings with the CQC's local Compliance Manager. The purpose of these meetings is to share information about care homes and home care agencies where concerns and complaints have been raised which have resulted in safeguarding assessments and also where a number of concerns have been identified about general poor practice and poor quality of care provided. These meetings also enable patterns of poor practice to be identified including the causes such as frequent changes in the nominated manager, or high levels of staff turnover.
34. The CQC nationally has undergone significant structural changes over the past couple of years and has also changed its inspection activities, introducing a new inspection framework in October 2011. There have also been significant changes in the staffing structure and staffing levels in the local area and in the region. These changes had impacted on the CQC's ability to attend information sharing meetings during 2010 and 2011, but as the new structure and the new regulatory framework have bedded in, the CQC has once again begun to attend the scheduled information sharing meetings.
35. In addition to the scheduled meetings with the CQC, if and where officers have concerns about poor practice in a care home or within a home care agency, then the Market Development and Care Standards Team will contact the Compliance Manager or relevant inspector at the CQC to notify them of the concerns. Usually the concerns will have been identified following an annual audit visit or a follow-up monitoring visit, or as a result of concerns identified by social work staff arising from a review in relation to an individual service user, or following a safeguarding referral.

36. With regards to the 16 care homes that the CQC rated as failing all 5 of the key standards following their inspections during 2011 and 2012, officers from the Department notified the CQC of concerns in relation to 8 of these. As a result of the information shared by the Council, the CQC brought forward a scheduled inspection or undertook an unplanned visit and subsequently put in place measures for improvement either through compliance action or enforcement action.
37. The Department also works closely with health colleagues and has a well established process for sharing information on a regular basis and for undertaking joint monitoring activities. If and where the annual audit process identifies health related concerns such as medication management, the care of pressure areas, nutrition (weight loss/weight gain/diet), specific health conditions, infection control etc. these matters will be referred to health colleagues. Frequently these will result in a joint monitoring visit being undertaken and/or a referral made to health colleagues to undertake a pharmacy audit, or an infection control audit, depending on the nature of the concerns.
38. Information is also shared on a routine basis with colleagues within the City Council where the care provider also provides care to service users for whom the City Council has funding responsibilities. This is a reciprocal arrangement and City Council colleagues will notify the Market Development Team where they have concerns about a home which has one or more County funded service users.

### **Escalation Processes and Suspension of Contracts**

39. Where there is a pattern of poor practice which poses a risk to the safety and well-being of service users, and where the provider is not able or willing to make the required improvements, then the Department will escalate the actions taken against the provider. In gathering evidence of poor practice through the auditing and monitoring activities of the QDOs, the reviewing activities of social care staff and through information sharing, the Team Manager of the Market Development Team will determine whether action needs to be taken to suspend the contract so that no new placements are made to home pending satisfactory implementation of the required actions.
40. Historically, the CQC has not routinely notified the Council where, following an inspection, it has taken enforcement action against a home. In recent discussions with the two local Compliance Managers there has been an agreement for more proactive information sharing especially where the CQC is planning to issue a warning notice to a home in order to enable swift risk management by the Council.
41. The contract will also be suspended in instances where a safeguarding referral has identified that a service user has been harmed as a result of the practice of care staff. In all cases where a contract is suspended, the Department will notify the CQC and relevant health colleagues. The suspension will remain in place until it is evident through a follow up visit that all the required actions have been implemented and that safety and well-being of service users is no longer at risk.
42. Where contracts with care providers are suspended, the QDOs and Market Development Officers work directly with the provider and/or nominated manager to support them to make the necessary changes to improve their care services. If, despite the help and



support provided by the Department, the provider does not improve the quality of their service and where service users are considered to be at risk of significant harm, then the Department will take action to notify relatives and carers of the concerns. The Department will instigate a meeting with relatives and carers to notify them of the extent of the concerns and to advise them of their right to consider moving a service user to an alternative placement. The Department will help and support relatives and carers to find a suitable alternative placement as and where requested. Ultimately if a relative does not want the service user to move to another home then the Department will not be able to override their decision.

43. Only the CQC has the statutory powers to deregister a care provider. The CQC may instigate enforcement action and notify the provider of their intention to seek cancellation of their registration. This process can take months to implement as the provider has the right of appeal at various stages of the process. Alternatively, through their urgent measures the CQC can seek an order from the Court to cancel a provider's registration with immediate effect.
44. On occasion, where the CQC has insufficient evidence to take action to cancel a provider's registration but where the Council has had concerns about the quality of services in a care home and where, despite considerable support, training and advice from social care and health care staff, the home is persistently failing to provide good quality care, the Council has taken measures to notify relatives and carers of the service users of the nature and extent of the Council's concerns and has advised them that they should consider moving their relative to another home.
45. Ultimately, the Department is able terminate the contract with a care provider but this is usually taken as a last resort and only if the provider has continually failed to make improvements and is placing service users at risk of significant harm. It is recognised that moving service users to another home can pose a serious risk to their health and well-being especially where they are in the latter stage of life, or whether they have late stage dementia. It is essential that everything is done in the best interests of the resident.
46. Prior to terminating the contract, the Department will meet with relatives and carers and notify them of the intention to terminate the contract and the implications of this. The Department has limited powers to move service users to an alternative placement if relatives or carers do not give their consent. The Department will work with health colleagues throughout this process, including undertaking a joint assessment of need to ensure that the most suitable alternative placement may be found for each service users. Additionally, the Department will undertake a Best Interest Assessment, in accordance with the Mental Capacity Act where the service user does not have capacity, in order to ensure that the interests of the service user are given paramount consideration.
47. It is important that members of the public have confidence that care and support providers are delivering good quality, safe services. It is essential that the system of auditing and monitoring care services is kept under review to ensure that concerns are reported, investigated and addressed robustly. The auditing and monitoring systems in Nottinghamshire compare well with those in other areas but will be kept under continuous review.

## **Proactive approaches to help maintain good quality care provision**

48. The greater proportion of care providers are providing good quality care and have a highly motivated and committed team of care staff who provide high quality care services; where this falls short action is always taken.
49. The Council continues to work proactively with providers in order to enable and support them to provide good quality care. This support includes directly providing training to independent sector providers' care staff as well as the Department's own care staff. The Council has also provided funding to providers to access their own training.
50. The Department has been working in partnership with care home providers to invest approximately £352,000 over the next 2 years in additional training for the care sector for improving practice in areas such as dementia care and end of life care. This is in addition to the training that care homes provide for their staff as part of their own responsibilities.
51. Over the past five years the Council has also implemented a local 'Fair Price for care' framework which has entailed rewarding good quality care with higher fee levels. A review is currently underway in relation to the Fair Price for Care framework and the Department is working with providers with a view to introducing 'Beacon Status' for homes that are excellent to help set standards to which all homes can aspire.
52. These various initiatives aim to support continuous improvements in the quality of care being provided across the county.

## **Implications for Service Users**

53. Through the various approaches taken by the Department in addressing poor quality care and support services, it is able to ensure that service users are protected from significant harm wherever possible.
54. The Council's safeguarding processes encourage and enable complaints to be raised and to be addressed swiftly and robustly.
55. All Council policies are subject to production of an Equality Impact Assessment.

## **Other Options Considered**

56. The ASCH&PP Department reviews its internal processes, including its auditing and monitoring activities to ensure that the quality of care services continues to improve.

## **Statutory and Policy Implications**

57. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they have been described in the text of the report.

## **RECOMMENDATION/S**

It is recommended that:

- 1) Members note and comment on the activities undertaken by the ASCH&PP Department in working in partnership with providers of care and support services and with other statutory agencies to help improve the quality of care services provided to service users across the county.

**Councillor Kevin Rostance**  
**Chairman of the Adult Social Care and Health Committee**

**For any enquiries about this report please contact:**

Caroline Baria,  
Service Director, Joint Commissioning, Quality and Business Change  
Email:caroline.baria@nottsc.gov.uk

### **Constitutional Comments (LMcC, 23/10/12)**

58. The recommendations in the report fall within the remit of Full Council.

### **Financial Comments (NDR 23/10/12)**

39. There are no financial implications arising directly from this report.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

1. Quality Audit Framework 2011
2. Framework Descriptors 2011

### **Electoral Division(s) and Member(s) Affected**

All.



**REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND INCLUSION**

**PROVISIONAL PERFORMANCE FIGURES FOR NOTTINGHAMSHIRE SCHOOLS AND ACADEMIES – SUMMER 2012**

**Purpose of the Report**

1. This report provides updated information on the outcomes for Nottinghamshire children and young people at the end of each key stage in 2012. In particular, it shows that, for the first time, our young people are achieving a standard ahead of the national average at the end of statutory schooling at age 16. This will impact significantly upon their future life chances and the economy of the County. Better educated and skilled school leavers gives young people more confidence and self esteem.

**Information and Advice**

2. At the end of each Key Stage, students are assessed by a combination of teacher assessment and/or testing. The expected level of attainment together with assessment age is summarised below:

Key Stage	Age	Expected level of attainment	Method of assessment
Early Years Foundation Stage Profile	3-5	78+ points and a score of 6+ in PSED* and CLL*	Teacher Assessed
Key Stage 1	5-7	Level 2+	Teacher Assessed
Key Stage 2	7-11	Level 4+	Test / Teacher Assessed
Key Stage 3	11-14	Level 5+	Teacher Assessed
Key Stage 4 (GCSE and equivalent qualifications)	14-16	5+ A*-C grades including GCSE English and mathematics	Test
Key Stage 5 (GCE A level and equivalent qualifications)	16-18	Average point score per candidate and per exam entry together with threshold pass rates	Test

\* PSED Personal, Social and Emotional Development

\* CLL Communication, Language and Literacy

3. Members will recall that early, provisional information was reported to County Council in September on the performance of Nottinghamshire's schools at the end of each key

stage. Since then, the Department for Education (DfE) has released national, comparative data. At Key Stage 4 and Key Stage 5 the September data seen by Members had been collected directly from individual schools and was, therefore, regarded as highly provisional. The data provided below is the first DfE official release for these key stages. All the data remains provisional until the final, verified figures are released by the DfE early in the New Year.

### Early Years Foundation Stage Profile

4. In 2012, 64.2% of Nottinghamshire pupils achieved a good level of development (78 points across the Early Years Foundation Stage Profile (EYFSP) with at least 6 in each of the scales in Personal, Social and Emotional Development and Communication, Language and Literacy). This represents a 7.9% increase from 2011 (56.3%).
5. The achievement gap between the lowest performing 20% and the rest was 29.6% in 2012. This represents a narrowing of the gap by 5% when compared to 2011. Nationally, the achievement gap was 30.1% in 2012.
6. In 2012 the Free School Meals (FSM) gap for pupils achieving a good level of development was 23.7% (FSM pupils achieved 44.6% and Non-FSM pupils 68.3%). Compared with the previous year (18.6%) there was a 5.1% increase in the achievement gap between pupils eligible for FSM and the rest.
7. 2012 headline figures for Nottinghamshire are:

Measure	Nottinghamshire	National
78+ points and 6+ in PSED and CLL	64.2%	64%
Gap between bottom 20% and the rest	29.6%	30.1%

### Key Stage 1

8. Since 2005 (when reporting changed to teacher assessments), at Level 2 or above (the expected level for 7 year olds), Nottinghamshire has remained consistently at or above the national averages in all KS1 subjects (reading, writing, maths and science).
9. Early reported figures show that the Local Authority (LA) has increased in all subject areas at Level 2+ from 2011.
10. The greatest increase was seen in writing with an increase of 2.3% from 2011 to 83.9% of pupils attaining Level 2 or higher.

11. At the expected level, 2012 headline figures for Nottinghamshire are:

Level 2 and above	Nottinghamshire	National
Reading	86.8%	87%
Writing	83.9%	83%
Mathematics	90.9%	91%
Science	89.8%	89%

### Key Stage 2

12. A new reporting arrangement was introduced in 2012 for English. Historically, English outcomes were based on a combined reading and writing test taken at the end of Key Stage 2. Writing tests were abolished in 2012 and therefore English is based on a combination of reading test and writing teacher assessment outcomes.
13. Since 2008, achievements at Level 4 or above (the expected level for 11 year olds) have remained above or in line with national averages.
14. At the expected level, early 2012 figures in English put Nottinghamshire 4% above national figures for 2011. In mathematics, Nottinghamshire is 4.5% above the 2011 national average.
15. At the expected level in English and mathematics, early 2012 figures put Nottinghamshire 1% above the national figure.
16. At the expected level, 2012 headline figures for Nottinghamshire are:

Level 4 and above	Nottinghamshire	National
English	86.0%	85%
Mathematics	85.5%	84%
English and maths	80.9%	80%

### Key Stage 3

17. At the expected level, 2012 figures in English put Nottinghamshire 1% above national figures for 2011. In mathematics, Nottinghamshire is in line with the national average.
18. Compared to the equivalent 2011 figures, the greatest increase was seen in English with an increase of 2.6% from 2011 to 85.4%.

19. At the expected level, 2012 headline figures for Nottinghamshire are:

Level 5 and above	Nottinghamshire	National
English	85.4%	84%
Mathematics	83.4%	83%
English and maths	78.5%	N/A
Science	86.6%	85%

#### **Key Stage 4 (GCSE and equivalent qualifications)**

20. Information regarding the achievements of young people in GCSE and equivalent qualifications is based on data collated for the 2012 Secondary School Performance Tables. This is currently in the process of being checked and amended by schools. This data will exclude any re-grades to papers. For this reason, information is considered provisional and subject to change.
21. Early provisional results for 2012 show that Nottinghamshire has closed the gap on national outcomes on the Government's main measure of the percentage of pupils gaining 5+ A\*-C including English and mathematics. 60.3% of Nottinghamshire pupils gained this measure (an increase of 2.7% from 2011) compared to 58.6% nationally (which witnessed a decrease of 0.4% from 2011). This is the first time since the 'gold standard' measure was introduced in 2006 that Nottinghamshire has been above national outcomes.
22. 87.4% of pupils achieved 5 or more GCSEs (or equivalent) at grades A\*-C, an increase of 4.8% compared to 2011. In 2012 outcomes in Nottinghamshire for this measure was greater than those reported nationally. 81.1% of pupils nationally gained this measure, an increase of 1.5% from 79.6% reported in 2011.
23. Provisional figures for 2012 show Bassetlaw schools have seen the greatest increase in the percentage of students gaining 5+ A\*-C including English and mathematics. 61.3% of students gained this measure, an increase of 12.4% from 2011.
24. 14.7% of pupils achieved the English Baccalaureate which is an increase of 0.8% compared to the 13.9% reported in 2011. Nationally 18.1% of pupils gained the English Baccalaureate, an increase of 0.5% from 17.6% reported in 2011. The English Baccalaureate measures the percentage of pupils gaining A\*-C grades in each of the following GCSE full course qualifications: English, mathematics, two sciences, humanities and a language.
25. Since 2005, Nottinghamshire has witnessed an increase of 22.3% in the number of pupils gaining 5+ A\*-C including English and mathematics. Nationally over the same period this figure is 13.7%.
26. The percentage point gap between the LA and the national average has fallen from 5.7% in 2006 to +1.7% in 2012.



27. 2012 headline figures for Nottinghamshire are:

Measure	Nottinghamshire	National
5+ A*-C (including English and maths)	60.3%	58.6%
5+ A*-C	87.4%	81.1%
English Baccalaureate	14.7%	18.1%

### **Key Stage 5 (GCE A/AS and equivalent qualifications)**

Based on sixth form centres only

28. Information regarding the achievements of young people in GCE A/AS and other Level 3 qualifications is based on data collated for the 2012 Secondary School Performance Tables. This is currently in the process of being checked and amended by schools. This data will exclude any re-grades to papers. For this reason, information is considered provisional and subject to change.
29. In 2012, provisional data shows that the overall pass rate for Nottinghamshire has increased slightly by 0.3% to 97.5% of full A-level entries gaining an E or above. This compares to 98.5% nationally.
30. 42.7% of A-level qualification entries achieved a pass at grades A\*-B. This compares to a national figure of 52.8%.
31. In Nottinghamshire 5.2% of A-level entries achieved an A\*. This is a slight decrease of 0.8% from last year.
32. The average point score (APS) per entry was 204.1 which is just below an average grade of C at full A level. This shows a slight increase of 0.8 points from 203.3 in 2011. Nationally this figure is 211.8 (which is just above an average grade of C at full A level). This shows a fall of 4.4 points from 216.2 reported in 2011.
33. The APS per candidate shows a slight fall of 3.1 points to 750.4 from 2011 (this is equivalent to two Bs and an A grade at full A level). Nationally this figure is 717.7 (this is just short of the equivalent of three Bs at full A level). This shows nationally that there was a decrease of 28.3 points from 746.0 reported in 2011.

34. 2012 headline figures for Nottinghamshire are:

Measure	Nottinghamshire	National
Entry pass rate (A*-E)	97.5%	98.5%
Entry pass rate (A*-B)	42.7%	52.8%
APS per entry	204.1 (Grade D)	211.8 (Grade C)
APS per candidate	750.4	717.7

### **Other Options Considered**

35. This is a report outlining local outcomes against national benchmarks. No other option is appropriate.

### **Reason/s for Recommendation/s**

36. Members will wish to note the report so that they are aware of the progress made in Nottinghamshire schools and academies.

### **Statutory and Policy Implications**

37. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

1) That the report be noted.

**John Slater**  
**Service Director, Education Standards and Inclusion**

**For any enquiries about this report please contact:**

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### **Constitutional Comments**

38. As this report is for noting only, no Constitutional Comments are required.

## **Financial Comments (NDR 23/10/12)**

39. There are no financial implications arising directly from this report.

## **Background Papers**

Provisional performance figures for Nottinghamshire schools and academies – Summer 2012: report to County Council on 20 September 2012.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

## **Electoral Division(s) and Member(s) Affected**

All.



**REPORT OF THE SERVICE DIRECTOR – FINANCE AND PROCUREMENT  
TREASURY MANAGEMENT HALF-YEAR REPORT 2012/13**

**Purpose of the Report**

1. To provide a review of the Council's treasury management activities in 2012/13 for the 6 months to 30 September 2012.

**Information and Advice**

2. Treasury management is defined as “the management of the council's investments and cashflows; its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.
3. County Council approves the Treasury Management Policy and Strategy and also receives mid year and full year outturn reports. In accordance with the Council's new constitution, the scrutiny role for the Treasury Management function is the responsibility of the Finance and Property Committee. Quarterly reports will be presented to cover compliance with the Policy and Strategy and treasury management activities within the quarter.
4. In the first half of 2012/13, borrowing and investment activities have been in accordance with the approved limits as set out in the Council's Treasury Management Policy and Strategy. Appendix A provides a detailed report on the treasury management activities and Appendix B provides a breakdown of the transactions during the period. The main points to note are:
  - All treasury management activities were effected by authorised officers within the limits agreed by the Council
  - All investments were made to counterparties on the Council's approved lending list
  - No new borrowing was raised
  - The Council earned 1.06% on short term lending, outperforming the average London Inter-Bank Bid rate of 0.43%.

## **Statutory and Policy Implications**

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

6. Financial implications are contained in the body of the report.

## **RECOMMENDATION/S**

- 1) To note the treasury management activities for the first half of 2012/13.

**Simon Cunnington**  
**Team Manager – Investments**

**For any enquiries about this report please contact: Simon Cunnington**

### **Constitutional Comments**

7. Because this report is for noting only no Constitutional Comments are required

### **Financial Comments (SRC 19/10/12)**

8. Financial implications are contained in the report and associated appendices.

### **Background Papers**

None

### **Electoral Division(s) and Member(s) Affected**

All

## REPORT OF THE SERVICE DIRECTOR – FINANCE AND PROCUREMENT

## TREASURY MANAGEMENT HALF YEAR REPORT 2012-13

## 1. Treasury Management Activities

- 1.1 The Council's treasury management strategy and associated policies and practices for 2012/13 were approved on 23 February 2012 by Full Council. The Council manages its investments in-house and invests with institutions on the Council's approved lending list, aiming to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. The Council's treasury portfolio position at 30/09/2012 is shown in Table 1 below.

<b>Table 1. Treasury Position at 30 September 2012</b>		<b>£m</b>	<b>£m</b>	<b>Average Interest Rate</b>
<b>EXTERNAL BORROWING</b>				
Fixed Rate	PWLB	185.4		6.39%
	Market Loan	<u>100.0</u>	285.4	3.85%
Variable Rate	PWLB	0.0		
	Market Loan	<u>0.0</u>	0.0	
<b>Total</b>			<b>285.4</b>	5.50%
<b>Other Long-Term Liabilities</b>			<b>138.0</b>	
<b>Total Gross Debt</b>			<b>423.4</b>	
Less: Investments			37.1	1.39%
<b>Total Net Debt</b>			<b>386.3</b>	

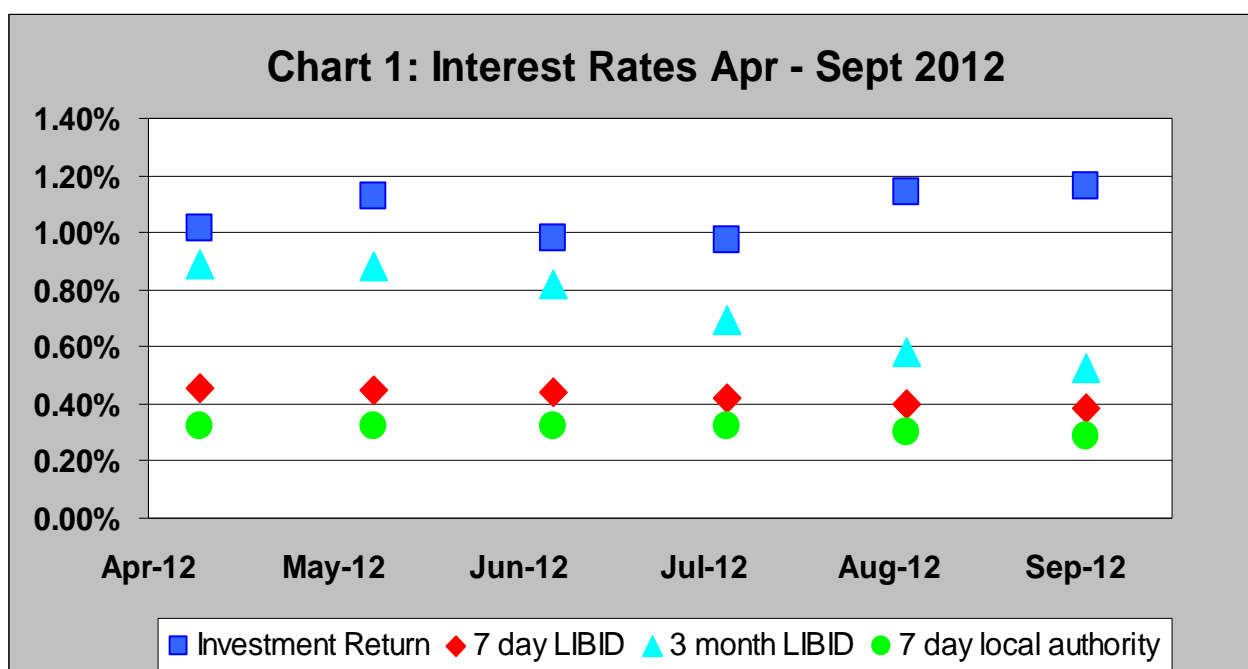
Note 1: PWLB = Public Works Loans Board

Note 2: Market Loans = Lenders' Option, Borrowers' Option (LOBO) loans

- 1.2 Over the first 6 months of 2012/13 the Council's cashflows were maintained with no new borrowing, and surplus cash was invested through the wholesale money market. The net position shows outstanding temporary lending of £37.1m, compared to the opening position of £38.5m. The average level of funds available for investment purposes over the period was £64m. This was mainly dependent on the timing of precept payments, receipt of grants, progress on the capital programme and net movement on creditors and debtors.
- 1.3 The Council's temporary borrowing and lending activity over the period is set out in Table 2 below. Appendix B shows the treasury dealings for the period together with a detailed breakdown of the investment portfolio at the start and end of the period.

<b>Table 2 Temporary Borrowing and Lending</b>	<b>Borrowing £m</b>	<b>Lending £m</b>	<b>Net Position £m</b>
Outstanding 1st April 2012	0.00	(38.50)	(38.50)
Raised/ (lent) during period	0.00	(474.15)	(474.15)
Repayments during period	0.00	475.55	475.55
Outstanding 30 Sep 2012	0.00	(37.10)	(37.10)

- 1.4 Council investment returns outperformed the benchmark (7 day London Inter-Bank Bid rate) every month in the first half of 2012/13. Chart 1 below shows the average monthly return achieved by the Council together with other key interest rates.



- 1.5 The Council has significantly outperformed the benchmark which averaged 0.43% against actual returns of 1.06%, an out-performance of 0.63%. This equates to additional interest of £203,000 for the first half of the year. The weighted average maturity of investments over this period was 59 days. Table 3 shows that the use of fixed term investments has allowed a higher return to be achieved. The use of call accounts and money market funds has allowed the Council to optimize liquidity versus returns.

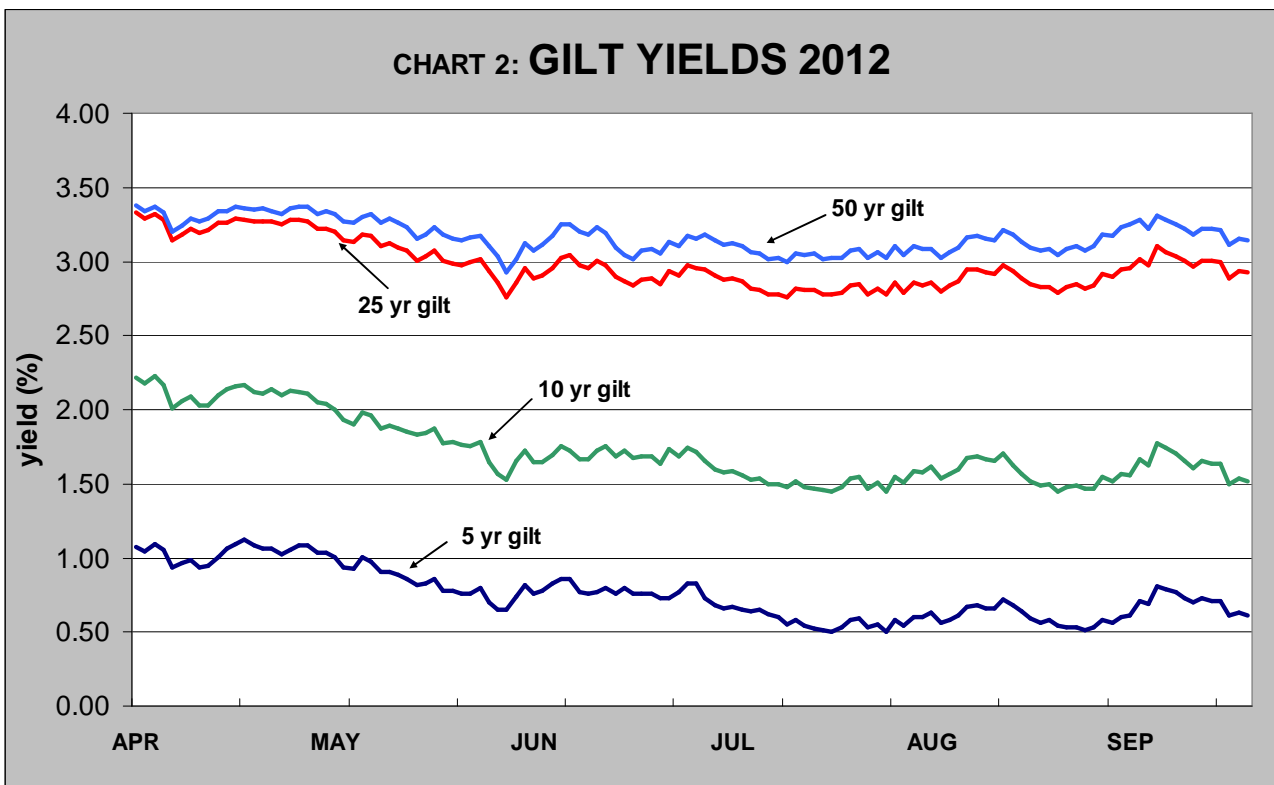
<b>Table 3 Returns on Investments</b>	<b>Average Balance £m</b>	<b>Interest Earned £k</b>	<b>Investment Return %</b>
Fixed Term Investments	36.2	241.8	1.36%
Bank Call Accounts	11.3	43.5	0.77%
Money Market Funds	16.8	55.3	0.65%
<b>Total</b>	<b>64.3</b>	<b>340.6</b>	<b>1.06%</b>



- 1.6 The Council has maintained average cash balances at £64m over the first half of the year. This exceeds the planned minimum cash balance of £50m to minimize long-term borrowing yet maintain sufficient liquidity to meet payments as they fall due.
- 1.7 During the first quarter two counterparties were removed from the approved lending list by the Treasury Management Group. In May, Santander UK was suspended following the financial crisis in Spain which came to a head with Spain seeking a bail-out for its banks. Although Santander UK operates as a subsidiary regulated by the Financial Services Authority, there were fears of contagion from the Spanish parent Banco Santander. In June Danske Bank was suspended following rating downgrades by Moodys and Standard & Poor due to the challenging economic and financial environment created by the Eurozone crisis. The Council had no funds invested with these counterparties although the pension fund had a total of £25m invested which matured in July and August. The approved list continues to be monitored and action taken to suspend counterparties where concerns arise over security of funds.

**2. Long Term Borrowing**

- 2.1 Since the start of the financial year gilts have reduced across all durations with the 10 year gilt showing the largest fall of 70 basis points (as shown in Chart 2). These movements reflect a number of factors:
  - UK seen as a safe haven from the Eurozone crisis
  - demand for gilts boosted by the Bank of England’s quantitative easing programme
  - demand from banks to hold more secure assets under Basel III
  - lower prospects for UK economic growth.
  - investor sentiment (“risk on” – “risk off”)

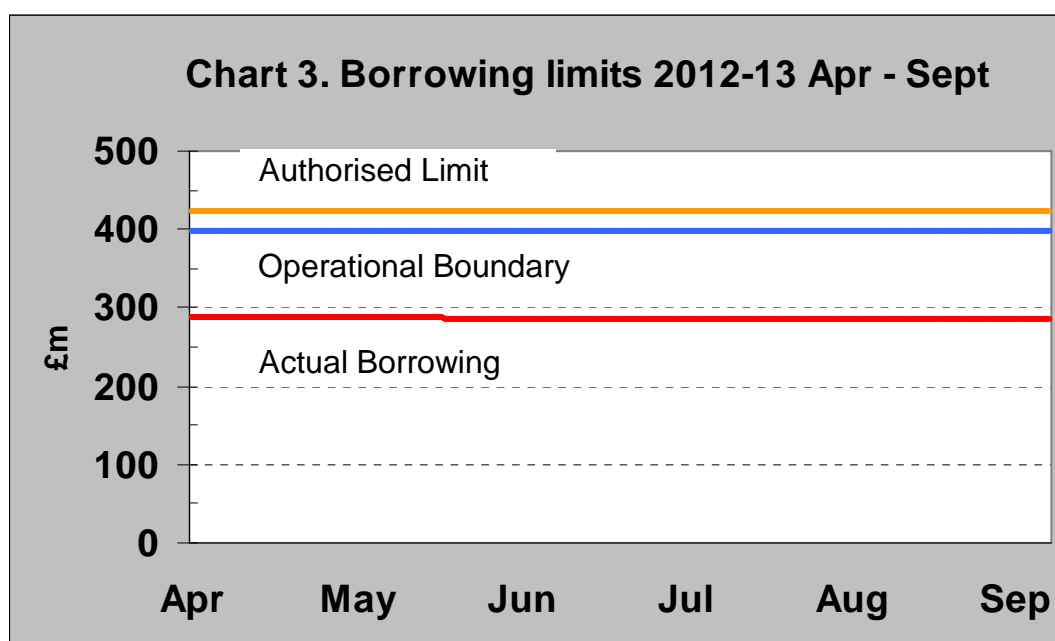


- 2.2 The Council's Treasury Management Strategy Report for 2012/13 indicated borrowing of up to £100m would be required in 2012/13. No new borrowing has yet been undertaken this year due to the level of cash balances as described in paragraph 1.2 above. The actual level of new borrowing will be dependent on whether the Council has sufficient cash resources to fund the capital programme and may be significantly lower than originally forecast. Table 4 below shows the movement in long-term borrowing which reflects the maturities of existing debt. There was one LOBO with a call date in June which was not exercised by the lender.

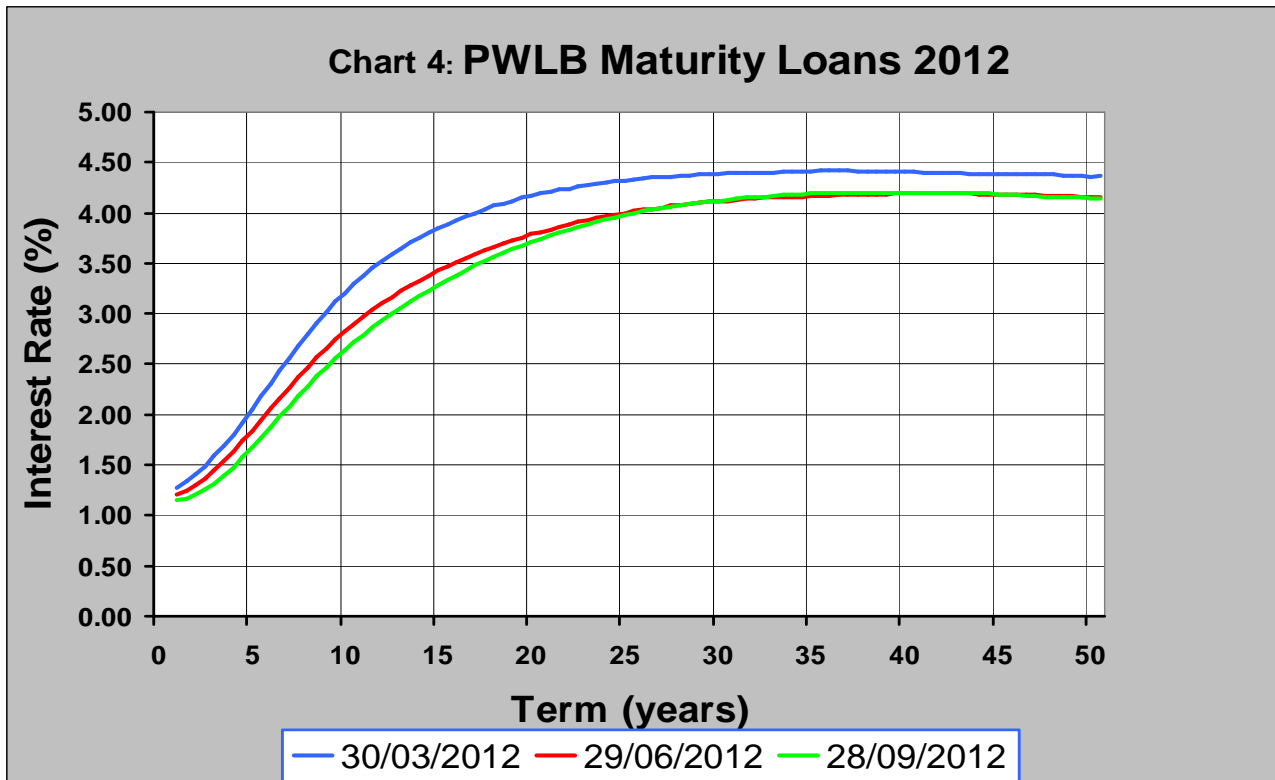
**Table 4 Movements in Long-term Borrowing 2012-13 Apr - Sept**

Lender	B/fwd 31/03/12 £m	Advances 2012/13 £m	Repayments at maturity 2012/13 £m	Premature Repayments 2012/13 £m	C/fwd 30/09/12 £m
PWLB	188.8	0.0	3.3	0.0	185.5
LOBO	100.0	0.0	0.0	0.0	100.0
<b>Total</b>	288.8	0.0	3.3	0.0	285.5

- 2.3 Chart 3 shows how current borrowing compares with the prudential indicators and indicates little risk of them being breached. The Authorised Limit was set at £424m and the operational boundary at £399m.



- 2.4 Borrowing rates from the PWLB in Chart 4 below have fallen over the first half of the year following the reductions in gilt yields as explained in paragraph 2.1. Since the start of the financial year rates are lower over all durations with falls of over 60 basis points for durations between 10 and 16 years.



- 2.5** Borrowing rates over the remainder of the year are likely to remain within this range due to the continuation of the challenging economic environment. The PWLB will be offering a new “certainty rate” from 1 November for local authorities providing information about their borrowing plans. This rate will be 20 basis points lower than the standard rate. The Council has submitted the required information to benefit from this reduction.
- 2.6** The Council has the option of rescheduling its existing long-term debt should market conditions indicate opportunities for savings. This is achieved by redeeming fixed rate debt and raising new debt at a lower rate of interest. This opportunity is provided primarily for PWLB debt and may give rise to premiums or discounts depending on the rate differentials. Opportunities for debt rescheduling may arise later in the year should rates continue to fall.



## TREASURY MANAGEMENT INVESTMENT ACTIVITY HALF-YEAR 2012/13

## 1. Transactions

<b>a. Fixed Term Raised</b>	<b>Amount £m</b>	<b>Date Raised</b>	<b>Duration Days</b>	<b>Rate %</b>
Lloyds Bank	5.0	12-Apr-12	364	3.00%
Lloyds Bank	5.0	12-Apr-12	183	1.75%
Nationwide BS	5.0	19-Apr-12	92	0.98%
Barclays Bank	19.1	19-Apr-12	8	0.40%
Bank of Scotland	10.0	03-May-12	92	1.40%
Clydesdale Bank	20.0	01-Jun-12	31	0.62%
Skandinaviska Bank	10.0	19-Jun-12	1	0.40%
Barclays Bank	10.0	19-Jun-12	31	0.45%
Clydesdale Bank	15.0	04-Jul-12	23	0.48%
Clydesdale Bank	15.0	03-Aug-12	21	0.45%
Bank of Scotland	5.0	03-Aug-12	94	1.35%
Bank of Scotland	5.0	03-Aug-12	185	1.65%
Clydesdale Bank	10.0	10-Sep-12	91	0.63%
Skandinaviska Bank	20.0	19-Sep-12	2	0.30%
<b>Total</b>	<b>154.1</b>			

<b>Matured</b>		<b>Date Matured</b>
Barclays Bank	19.1	27-Apr-12
Bank of Scotland	10.0	03-May-12
Clydesdale Bank	10.0	01-Jun-12
Skandinaviska Bank	10.0	20-Jun-12
Clydesdale Bank	20.0	02-Jul-12
Nationwide BS	5.0	20-Jul-12
Barclays Bank	10.0	20-Jul-12
Clydesdale Bank	15.0	27-Jul-12
Bank of Scotland	10.0	03-Aug-12
Clydesdale Bank	15.0	24-Aug-12
Skandinaviska Bank	20.0	21-Sep-12
<b>Total</b>	<b>144.1</b>	

<b>b. Bank Accounts</b>	<b>Deposits £m</b>	<b>Withdrawals £m</b>	<b>Net Deposits £m</b>
Royal Bank of Scotland	7.20	10.10	-2.9
The Co-Operative Bank	120.60	124.10	-3.5
Santander UK	0.00	5.00	-5.0
<b>Totals</b>	<b>127.80</b>	<b>139.20</b>	<b>-11.4</b>

<b>c. Money Market Funds</b>	<b>Subscriptions £m</b>	<b>Redemptions £m</b>	<b>Net Subscriptions £m</b>
Invesco	101.55	101.55	0.0
Legal & General	45.00	45.00	0.0
Ignis	45.70	45.70	0.0
<b>Totals</b>	<b>192.25</b>	<b>192.25</b>	<b>0.0</b>

**2. Investment Portfolio**

<b>Counterparty</b>	<b>31 March 2012</b>		<b>30 September 2012</b>	
	<b>£m</b>	<b>%</b>	<b>£m</b>	<b>%</b>
Bank of Scotland	10.0	26%	10.0	27%
Clydesdale Bank	10.0	26%	10.0	27%
Co-operative Bank	3.5	9%	0.0	0%
Lloyds Bank	0.0	0%	10.0	27%
Royal Bank of Scotland	10.0	26%	7.1	19%
Santander UK	5.0	13%	0.0	0%
<b>Total</b>	<b>38.5</b>	<b>100%</b>	<b>37.1</b>	<b>100%</b>