

CABINET

NOTES OF THE MEETING HELD ON
WEDNESDAY 26TH JULY 2006
(11.00 AM – 12.15 PM)



Nottinghamshire
County Council

MEMBERSHIP

Councillors

	Dick Anthony	(Adult Services and Health)
	Chris Baron	(Finance and Property)
	Joyce Bosnjak	(Children and Young People's Services)
	Steve Carroll	(Culture and Regeneration)
	Glynn Gilfoyle	(Community Safety and Partnerships)
	David Kirkham	(Leader)
	Stella Smedley	(Environment)
	John Stocks	(People and Performance)
A	Mike Storey	(Deputy Leader)

Also in attendance

Councillor Martin Brandon-Bravo
Councillor Jen Cole
Councillor Mrs Kay Cutts
Councillor V. H. Dobson
Councillor Keith Girling
Councillor Albert Haynes
Councillor John Hemsall
Councillor Richard Jackson
Councillor Bruce Laughton
Councillor Edward Llewellyn-Jones
Councillor Sheila Place
Councillor Alan Rhodes
Councillor Mark Spencer

1. NOTES

The notes of the last meeting held on 10th July 2006 were received as a true and correct record and signed by the Leader.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Mick Storey

Councillor Richard Butler)	
Councillor John Clarke*)	other Members
Councillor Stan Heptinstall)	
Councillor Jim O’Riordan)	
Councillor Martin Suthers)	
Councillor Yvonne Woodhead)	

* denotes on other County Council business.

3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Bruce Laughton declared the following personal and prejudicial interests:-

- on agenda item number 8 – Improvements at Rufford Mill and Country Park – in view of his business interests in land and property adjacent to the Country Park and
- on agenda item 18 – Joint Appointment for a Director of Public Health – as his wife is employed by the Rushcliffe PCT.

SECTION A (KEY DECISIONS INCLUDED IN THE FORWARD PLAN)

4. BUILDING SCHOOLS FOR THE FUTURE

RESOLVED:- 2006/105

1. That the commitment of Cabinet to the inclusion of the Council in the Building Schools for the Future programme in Waves, 4, 5 and 6 and recommended inclusion within Wave 5 be agreed;
2. that a Project Board and Implementation Team be established;
3. that the resources required for the inclusion of the Council in Wave 5, estimated to be £2.5 million, be identified and made available and
4. that the project management structure to prepare and deliver the project be considered in a later paper to be presented to the September meeting of Cabinet.

5. COTGRAVE CANDLEBY LANE SCHOOL – LATEST ESTIMATED COST REPORT

RESOLVED: 2006/106

That, subject to the approval of the latest estimated cost report (in the exempt part of the agenda), approval be given to the proposals set out in the report for the proposed works at the Cotgrave Candleby Lane School.

OTHER DECISIONS

6. TRANSPORT INNOVATION FUND – PUMP PRIMING “CONGESTION” BID AND OUTCOME OF “PRODUCTIVITY” BID

RESOLVED:- 2006/107

1. That the submission of the Transport Innovation Fund congestion pump priming bid made on behalf of the Three Cities and Counties referred to in the report be approved and
2. that the outcome of the Transport Innovation Fund productivity bid submitted by EMDA, as set out in the report, be noted.

7. MOVE UP THE SKILLS LADDER

RESOLVED:- 2006/108

That, subject to Legal Services approving the legal agreement between the County Council and New College Nottingham referred to in the report and being satisfied that appropriate indemnities are in place to safeguard the County Council's position, approval be given to:-

1. the County Council acting as the Accountable Body for the project and
2. expenditure of up to £200,000, by way of phased payments to New College Nottingham, in accordance with Finance Standing Order A3.4 between now and the end of March 2008 on the projects to be funded by the Nottinghamshire Learning and Skills Council and the European Social Fund.

8. IMPROVEMENTS AT RUFFORD MILL AND COUNTRY PARK

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

RESOLVED:- 2006/109

1. That the proposed improvements to Rufford Mill and Country Park, as set out in the report, be approved at a cost of £780,150;
2. that the acceptance of a European Regional Development Fund grant in the sum of £370,070 be accepted and
3. that the release of £410,080 matched funding required to support the above developments be approved.

Councillor Bruce Laughton returned to the meeting.

9. REPAYMENT OF PARTNERSHIP FOR EMPLOYMENT GRANT

Notwithstanding the points raised in paragraph 21 of the report, non-voting Members expressed their concerns in relation to the matters set out in the report. These concerned any checks undertaken by the County Council in order to protect its interests, the fact that no records appeared to be kept in relation to this project, whether there was a global figure of any similar grants which the Council might have to cover at some time in the future and on how the audit investigation would be reported back to Members, where their preference was for a report to the Audit Committee.

In response, Councillor Carroll said that despite these concerns it should not be forgotten that entering into the arrangements referred to in the report had secured funding of over £55 million for regeneration projects within the County. He added that he would provide an answer in respect of any global figure that might be available and that with regard to the other matters raised the Strategic Director (Resources) would be pursuing these issues.

RESOLVED: 2006/110

1. That virement of £221,000 from various budget heads to cover the cost of the grant repayment be approved;
2. that arrangements to repay the sum of £221,000 to the Government Office for the East Midlands part of grant previously received for the delivery of the European Social Fund Objective 2 programme funded Partnership for Employment "Works 4U" project be approved and
3. that it be noted that an internal Audit review has been commissioned to identify the lessons learned from this project and identify any failings or weaknesses in systems and project management approaches.

SECTION B (Strategic Matters for Consideration)

10. SUBMISSION OF THE DELIVERY REPORTS ON THE FIRST LOCAL TRANSPORT PLANS FOR NORTH NOTTINGHAMSHIRE AND GREATER NOTTINGHAM

In response to questions raised in relation to the issues set out in the table in paragraph 8 of the report, Officers said that they would provide a further written explanation of the figures concerning the number of cycling trips.

RESOLVED: 2006/111

That the submission of the two delivery reports for Nottinghamshire on the basis of the summary report before Cabinet be approved.

11. NEW FRANCHISING ARRANGEMENTS FOR NOTTINGHAMSHIRE'S TRAIN SERVICES

In introducing the report Councillor Smedley said that she had arranged for a Members' briefing on the issues set out in the report to be held on 12th September 2006 and that she hoped as many Members as possible could attend.

Members were pleased that a briefing was to be held at which they indicated they would seek more detailed information on matters such as the specification of two trains per hour Nottingham – London (paragraph 10 of the report), the issue of rail links to Nottingham East Midlands Airport, issues concerning the development at Beeston station and issues of promotion (as referred to in paragraph 58 of the report).

RESOLVED: 2006/112

That the report be approved as the basis for the Council's formal response to the Department for Transport consultations on the East Midlands and Cross-Country franchises.

12. EXTRACTION OF SAND AND GRAVEL AT THRUMPTON'S LAND, LONG EATON, DERBYSHIRE – CONSULTATION FROM DERBYSHIRE COUNTY COUNCIL (REFERRAL FROM THE PLANNING AND LICENSING COMMITTEE)

Councillor Smedley reported on the history to the planning application for sand and gravel extraction at this location, the revised proposals on which the County Council was now being consulted and also the views expressed by the Council's Planning and Licensing Committee at its meeting the previous day.

In the circumstances and on a motion by Councillor Smedley, seconded by Councillor Kirkham, it was:-

RESOLVED: 2006/113

1. That, subject to the signing of a finalised Section 106 Agreement that satisfies the in-principle agreements that have so far been negotiated and provisions to ensure the implementation and effectiveness of the river Erewash partial Eastern bank reinstatement scheme, as set out in the report attached as an appendix, the withdrawal of the County Council's objection to the application for sand and gravel extraction at Thrumpton's land, Long Eaton, Derbyshire be re-affirmed and
2. that the Director of Environment be authorised to write to Derbyshire County Council re-affirming the Council's withdrawal of its previously expressed objection, but pointing out that the County Council needed to be satisfied that proposals for partially re-instating the eastern bank of the river Erewash would deliver improvements in water quality at least as good as those envisaged from the siphon solution.

13. PLANNING CONTRIBUTIONS STRATEGY – FIRST CONSULTATION RESPONSES AND SECOND CONSULTATION DRAFT

RESOLVED: 2006/114

That the revised draft Planning Contribution Strategy, as set out in the appendix to the report, be approved for the purposes of further public consultation.

14. APPEALS AGAINST REMOVAL FROM THE COUNTY COUNCIL'S DIRECTORY OF PROVIDERS ELIGIBLE TO DELIVER THE FREE EARLY EDUCATION ENTITLEMENT

RESOLVED: 2006/115

That the County Council's Appeals Committee be utilised to hear appeals by private, voluntary and independent sector providers of funded early years education provision against any decision by Officers of the County Council to remove them from the Nottinghamshire directory of providers.

15. EAST MIDLANDS REGIONAL PARTNERSHIP – REGIONAL COMMISSIONING FRAMEWORK

RESOLVED: 2006/116

That, in accordance with the provisions of Finance Standing Order A3.4, approval be given for the Education Department to incur expenditure, offset by funding from the East Midlands Regional Centre of Excellence, as set out in the report, on behalf of the East Midlands Regional Partnership.

16. FUNDING ALLOCATIONS FOR MAJOR TRANSPORT SCHEMES

RESOLVED: 2006/117

That the report be noted.

17. NATIONAL FRAUD INITIATIVE 2006

RESOLVED: 2006/118

That the participation of the County Council in the National Fraud Initiative 2006, in accordance with the provisions of the Audit Commission Act 1998, be approved.

18. A JOINT APPOINTMENT OF A DIRECTOR OF PUBLIC HEALTH

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

RESOLVED: 2006/119

That the joint appointment of a Director of Public Health by the County Council and the PCTs in Nottinghamshire be agreed and that the responsibility for dealing with the details and arrangements necessary to affect the appointment be delegated to the Chief Executive.

Councillor Bruce Laughton returned to the meeting.

19. ESTABLISHMENT OF A CABINET COMMITTEE CONCERNING PAYMENTS TO INDEPENDENT SECTOR CARE HOMES

The financial comments of the Strategic Director (Resources) were circulated to Cabinet.

In response to a question concerning the position of Members from Opposition Groups on the proposed Committee, the Executive Head of Democratic and Legal Services advised that as the proposed Committee was a Committee of the Executive then only Members of the Executive (Cabinet) could take decisions on matters before the proposed Committee.

RESOLVED: 2006/120

That a Cabinet Committee concerning payments to independent sector care homes be established as set out in the report.

SECTION C

EXCLUSION OF THE PUBLIC

RESOLVED:- 2006/121

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

EXEMPT INFORMATION ITEM

20. THE COTGRAVE CANDLEBY LANE SCHOOL – LATEST ESTIMATED COST

RESOLVED: 2006/122

That the information contained in the report, which is not for publication by virtue of paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006, be received.

LEADER OF THE COUNCIL

NOTE

The decisions contained in these minutes were made on Wednesday 26th July 2006, published on Monday 31st July 2006 and become effective on Tuesday, 8th August 2006 unless a Call-In Request is made to call-in a decision in accordance with the Council's Overview and Scrutiny Procedure Rules paragraph 15.