

# Minutes



Meeting COUNTY COUNCIL

Date Thursday, 18 November 2004 (10.30 am – 5.20 pm)

## Membership

Persons absent are marked with 'A'

Kate Allsop		Bruce Laughton
Dick Anthony		E D W Llewellyn-Jones
Chris Baron		Ellie Lodziak
Roy R J Barsley		Joe Lonergan MBE
John Bell		J T A Napier
Sue Bennett		R Needham
Joyce Bosnjak JP		K L O'Toole
M M Brandon-Bravo OBE		Mrs Carol Pepper
Colin Bromfield		Tom Pettengell
Kenneth Bullivant		Mrs Sheila Place
Richard Butler		R A Poynter
Terry Butler	A	Peter D Prebble
Steve Carroll		Chris Preston
John Carter		D E Pulk
W J Clarke		R S Robinson
John Cottee		Rita Sharpe
M J Cox		Vicki Smailes
Mrs K L Cutts		Mrs Nellie Smedley
Yvonne Davidson		Mrs S M Smedley
Alan Davison		B G Smith
V H Dobson		A S Stewart
Andy Freeman		Reg Strauther
Glynn Gilfoyle		J R Stocks
John M Hemsall		M Storey
Stan Heptinstall MBE	A	Martin Suthers OBE
A Graham Jackson	A	The Hon Joan Taylor
Richard Jackson		David Taylor
Rod Kempster		Maureen Tewson
David Kirkham		Parry Tsimbiridis

Keith Walker  
Mick Warner  
C P Winterton

Yvonne Woodhead  
A Woodward

### **OPENING PRAYER**

Prior to commencement of the formal business of the meeting, prayers were led by the Chairman's Chaplain.

### **MINUTES**

It was moved by the Chairman, formally seconded and

### **RESOLVED:-** **2004/070**

That the Minutes of the last meeting of the Council held on 7<sup>th</sup> October 2004 be agreed as a correct record and signed by the Chairman, subject to the insertion at Appendix B of the answers to the questions put to the Chair of Police Authority.

### **NOTE**

In accordance with the above Resolution, the Chairman signed the Minute Book.

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from:-

Councillor	Graham Jackson
	Peter D Prebble
“	Martin Suthers OBE
“	The Hon Joan Taylor*

\* denotes on other County Council business.

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

Councillor Darrel Pulk declared a prejudicial interest in Motion 2, which arose from his terms of employment with Post Office Counters Ltd.

### **CHAIRMAN'S BUSINESS**

- (1) Councillor Chris Baron handed to the Chairman a framed Presidents' Group Certificate from the Nottinghamshire Outward Bound Association.

- (2) Councillor John Stocks handed to the Chairman a framed certificate of support from SaBRE (Supporting Britain's Reservists and Employers) which was presented to Nottinghamshire County Council in acknowledgement of its commitment to supporting the reserves of the Armed Forces.
  
- (3) Councillor John Carter handed to the Chairman the Corporate Governance Award won by the County Council at the Local Government Chronicle Finance Awards.

## **PETITIONS**

The following petitions were presented to the Chairman by the Members indicated:

- (1) Residents parking on James Street and Percival Street, Worksop (Councillor R R J Barsley)
- (2) Traffic calming along Banks Road, Toton (Councillor Tom Pettengell)
- (3) Residents parking on Second Avenue, Carlton (Councillor Darrell Pulk)

## **RESOLVED:-** **2004/071**

That the petitions be referred to the Cabinet Member for Environment for consideration in accordance with Standing Orders.

## **QUESTIONS**

With the consent of the Council the order of questions was changed to enable the Question to the Chairman of the Police Authority to be considered earlier than previously agreed. The order of Questions was therefore as follows:-

### **(a) Questions under Standing Order 6.1**

- 1) a) and b) Hallé Orchestra/participation in music (Councillor Terry Butler)

### **b) Questions under Standing Order 6.2**

- 2) Eradication of Gun Crime throughout Nottinghamshire (Councillor Tom Pettengell)

### **(c) The Remaining Questions under Standing Order 6.1**

- 3) Mori Liveability Study 2004 (Councillor Mrs K L Cutts)
- 4) Weight Restrictions – Halloughton Road (Councillor Bruce Laughton)
- 5) Southwell Community Speed Watch (Councillor Bruce Laughton)

- 6) Press Release – Call-In (Councillor Joe Lonergan)
- 7) Regional Flood Defence Committee (Councillor Andy Stewart)

The Questions, together with the responses given, are included at Appendix A to these Minutes.

## **REPORTS FROM CABINET MEMBERS**

Cabinet Members had circulated with the agenda written reports on issues arising within their respective portfolios.

With the consent of the Council the order of reports was changed to enable the Social Services portfolio report to be considered immediately after the Leader's.

The reports were presented in the following order, with Members having the opportunity to raise comments or questions:-

- |                       |   |                      |
|-----------------------|---|----------------------|
| a) Leader             | - | Councillor Warner    |
| b) Social Services    | - | Councillor Anthony   |
| c) Culture            | - | Councillor Baron     |
| d) Deputy Leader      | - | Councillor Kirkham   |
| e) Education          | - | Councillor Storey    |
| f) Environment        | - | Councillor T Butler  |
| g) Finance & Property | - | Councillor Carter    |
| h) Regeneration       | - | Councillor Winterton |
| i) Resources          | - | Councillor Stocks    |

Details of the comments/questions, together with any additional information given orally, are included at Appendix B to these Minutes.

(**Note** – during consideration of Cabinet Members' reports, the Council was adjourned between 12.30 pm and 1.45 pm).

### **RESOLVED:-** **2004/072**

That the reports be noted.

## **NET PHASE 2 – PROGRESS REPORT**

Councillor Terry Butler introduced his report and commented that Government had yet to reach a formal decision regarding the approval of the economic case (annex E) for NET Phase 2.

During the debate, Councillor Richard Jackson declared a personal interest in this item on employment grounds and indicated that this would not preclude him from speaking or voting.

It was moved by Councillor Terry Butler, seconded by Councillor Vicki Smailes and

**RESOLVED:-**  
**2004/073**

- (1) That the proposed new timetable for consideration of Transport and Works Act Order submission for NET Phase 2 as set out in paragraph 5 of the report be approved
- (2) That early discussions take place with those residents and property owners significantly affected by the route alignments on the possibility of establishing an accelerated property acquisition process after the Transport and Works Act Order submission.

**MINES AND QUARRIES (TIPS) 1969 – POLICY AND PROCEDURE**

Councillor Terry Butler (Cabinet Member for Environment) introduced this report, which asked for the County Council's powers with regard to the Mines and Quarries (Tips) Act 1969 to be delegated to the Planning and Licensing Committee.

It was moved by Councillor Butler, seconded by Councillor Vicki Smailes and

**RESOLVED:-**  
**2004/074**

- (1) That the proposed Mines and Quarries (Tips) Act 1969 Policy and Procedure for Inspection of Disused Colliery and Quarry Spoil Tips be adopted as County Council policy
- (2) That the responsibility for the exercise of its powers be delegated to the Planning and Licensing Committee.

**USE OF URGENCY POWERS**

**RESOLVED:-**  
**2004/075**

That the Chief Executive's report on the use of urgency powers in relation to the following decisions be noted;

- Approval of self-assessment to be submitted to the Audit Commission in preparation for the corporate assessment in November 2004 (decision taken by the Leader of the Council)
- Balancing the Options in Social Care – Further Consideration (Cabinet decision taken on 10<sup>th</sup> November 2004)

**NOTICES OF MOTION**

## **MOTION NO 1**

A motion in the terms of resolution 2004/076 below was moved by Councillor Parry Tsimbiridis and seconded by Councillor Mick Warner.

During the debate on the Motion, it emerged that the current opinion of curators around the world is that the Parthanon Sculptures, which represent part of Greek history should be reunited in their classical home.

At the conclusion of debate, the Motion was put to the meeting. Following a show of hands the Chairman declared the Motion to be carried, there being 25 votes for, 18 votes against and 3 abstentions.

### **RESOLVED:-** **2004/076**

- (1) That this County Council welcomes the new proposals for reuniting the Parthenon Sculptures, a unique work of art, in the new purpose built museum currently being constructed within sight of the Parthenon itself in Athens.
- (2) The authority supports the new proposal to offer those sections of the sculptures currently housed in the British Museum on long term loan for display in Athens alongside the sections that have never been removed from Greece.
- (3) Nottinghamshire County Council, with our commitment to excellence in our cultural services, also welcomes the Greek offer, which, in return for the Marbles, would make available other precious antiquities – never before seen outside Greece – to Museums across Britain.
- (4) This County Council will therefore resolve to write to Tessa Jowell, Secretary of State for Culture, Media and Sport, the Prime Minister, Tony Blair and the Director of the British Museum, Neil MacGregor in support of the campaign to reunite the Parthenon Sculptures.

## **MOTION NO 2**

As a consequence of the interest which he had declared earlier, Councillor Pulk withdrew from the meeting during discussion and voting on this item.

A motion in the terms of Resolution 2004/077 below was moved by Councillor Joyce Bosnjak, seconded by Councillor Jim Napier. During the debate on the Motion, Members contributed a range of views in support of the sentiments expressed therein. The main points which emerged can be summarised as follows.

- Post Offices are an important integral part of community structures
- Proposals regarding the location of, and services provided from, local Post Offices should be subject to full and effective consultation with the local community.

The Motion was put to the meeting and it was unanimously

**RESOLVED:-**  
**2004/077**

- (1.) That this County Council believes that Post Office Ltd must give consideration to allowing local Post Offices the freedom to offer more diverse services to their customers by for example, providing the Driver and Vehicle Licensing Authority (DVLA) Road Tax application service.
- (2.) This Council therefore calls on:
  1. Post Office Ltd to offer more diverse services in rural post offices
  2. Post Office Ltd and the DVLA to jointly look at ensuring that the DVLA application service is made widely available to rural post office branches in Nottinghamshire and elsewhere.
  3. Nottinghamshire MP's to support this case in Parliament.

**MOTION NO 3**

It was moved by Councillor Mrs K L Cutts, and seconded by Councillor David Taylor.

“That this Council

- (a) congratulates the people of Northumberland and Durham on their decision to REJECT the destruction of their County Councils by voting 4 to 1 against an elected Regional Assembly and
- (b) welcomes the Deputy Prime Minister's recognition that this rejection, by almost 80% of those who voted, is such that there is little likelihood of further referenda in other regions for the foreseeable future
- (c) recognises that co-operation between neighbouring authorities on projects of common interests is to be welcomed and encouraged, and can be achieved without wrecking our established local government structure”

During debate on the Motion, the following amendment (the first amendment) was moved by Councillor M Warner, seconded by Councillor Chris Winterton.

“Amend paragraph (a) to:-

Following the decision of Northumberland and Durham to reject an elected regional assembly. Delete paragraph (b), replacing it with (c) and insert a new paragraph (c) will write to the Deputy Prime Minister to seek a statement on the implications of the vote in the north-east for the future of local government in Nottinghamshire and the East Midlands.”

The amendment was not acceptable to the mover of the original motion, who indicated intention to move a further amendment. The Council was adjourned between 3.00 pm and 3.10 pm to enable the proposed amendment to be put in writing as required by Standing Orders.

Upon the Council reconvening, the Chairman indicated an intention to permit the further amendment to be moved and seconded. This would enable a single debate on the original motion and amendments.

The following amendment was, therefore, then moved by Councillor Mrs K L Cutts and seconded by Councillor Martin Brandon-Bravo:-

“That the motion reads as follows:-

That this Council following the decision of Northumberland and Durham to reject an elected regional assembly

- (a) welcomes the Deputy Prime Minister’s recognition that this rejection, by almost 80% of those who voted, is such that there is little likelihood of further referenda in other regions for the foreseeable future
- (b) recognises that co-operation between neighbouring authorities on projects of common interest is to be welcomed and encouraged, and can be achieved without wrecking our established local government structure
- (c) will write to the Deputy Prime Minister to seek a statement on the implications of the vote in the north-east for the future of local government in Nottinghamshire and the East Midlands.

At the conclusion of the debate, the amendment moved by Councillor Mrs Cutts was put to the meeting and following a show of hands was declared to be lost. There were 17 votes for, 36 against and no abstentions. In accordance with the provisions of Standing Orders, ten Members indicated that they required a Division. Voting was therefore recorded and the record of voting was as follows

Members voting “For”(17)

Councillor Kate Allsop	Councillor Richard Jackson
Councillor Martin Brandon Bravo OBE	Councillor R Kempster
Councillor Kenneth Bullivant	Councillor Bruce Laughton
Councillor Richard Butler	Councillor Joe Lonergan MBE
Councillor John Cottee	Councillor Mrs Carol Pepper



Councillor M J Cox  
Councillor Mrs K L Cutts  
Councillor V H Dobson  
Councillor John M Hemsall

Councillor David Taylor  
Councillor Andy Stewart  
Councillor Keith Walker

Members voting Against" (38)

Councillor Dick Anthony	Councillor Ray Poynter
Councillor Chris Baron	Councillor Chris Preston
Councillor RRJ Barsley	Councillor Darrell Pulk
Councillor John Bell	Councillor Richard Robinson
Councillor Sue Bennett	Councillor Rita Sharpe
Councillor Joyce Bosnjak JP	Councillor Mrs Vicki Smailes
Councillor Colin Bromfield	Councillor Mrs Nelly Smedley
Councillor T H Butler	Councillor Mrs Stella Smedley JP
Councillor Steve Carroll	Councillor Brian Smith
Councillor John Carter	Councillor John Stocks
Councillor Yvonne Davidson	Councillor Michael Storey
Councillor Alan Davison	Councillor Reg Strauther
Councillor Andy Freeman	Councillor Maureen Tewson
Councillor Stan Heptenstall MBE	Councillor Parry Tsimbirdis
Councillor David Kirkham	Councillor Mick Warner
Councillor E D W Llwellyn-Jones	Councillor Chris Winterton
Councillor Ellie Lodziak	Councillor Yvonne Woodhead
Councillor J T A Napier	Councillor Arthur Woodward
Councillor Richard Needham	
Councillor Sheila Place	

The Chairman then put to the meeting the first amendment, which was declared to be carried.

The motion as amended was then before the meeting and was carried on a show of hands by 34 votes for to 3 votes against. It was therefore -

**RESOLVED:-**  
**2004/078**

That this Council, following the decision of Northumberland and Durham to reject an elected regional assembly

- (a) recognises that co-operation between neighbouring authorities on projects of common interest is to be welcomed and encouraged and can be achieved without wrecking our established local government structure

(b) will write to the Deputy Prime Minister to seek a statement on the implications of the vote in the north-east for the future of local government in Nottinghamshire and the east-midlands

#### **MOTION NO 4**

It was moved by Councillor Mrs K L Cutts and seconded by Councillor Carol Pepper.

“This Council:-

- a) will write to the Local Government Association stating that Local Strategic Partnerships (LSPs) are unelected, unaccountable talking shops which occupy the time of local government departments and quangos, but produce few real benefits for the residents and taxpayers of Nottinghamshire.
- b) Will state that directly-elected local authorities, rather than LSPs, should be responsible for co-ordinating initiatives involving different parts of the public, private, business, community and voluntary sectors, because local Councillors are better placed to determine which projects are in the public interest, and how they should be funded.”

During the debate on this Motion, Members contributed a range of views both in support and against the sentiments expressed therein. The main points which emerged can be summarised as follows:-

- there is a need for a system to be in place to improve communications with the community. An empowered community is a strong community with more effective services being gained.
- there should be effective communication with Parish Councils and the public about the benefits for the community of the work of Local Strategic Partnerships. This point was countered with a view about democratic deficit arising from the difference between Councils and LSPs, in terms of openness and accountability.

At the conclusion of debate the Motion was put to the meeting and was declared to be lost by 35 votes to 9.

In accordance with Standing Orders, ten Members requested a Division. The record of voting was as follows:-

Members voting "For" (9)

Councillor Sue Bennett	Councillor Mrs Carol Pepper
Councillor Martin Brandon-Bravo OBE	Councillor Ray Poynter
Councillor John Cottee	Councillor Andy Stewart
Councillor Mrs K L Cutts	Councillor David Taylor
Councillor Richard Jackson	

Members voting "Against (35)

Councillor Kate Allsop	Councillor Richard Needham
Councillor Dick Anthony	Councillor Chris Preston
Councillor Chris Baron	Councillor Darrell Pulk
Councillor R R J Barsley	Councillor Richard Robinson
Councillor John Bell	Councillor Rita Sharpe
Councillor Joyce Bosnjak JP	Councillor Mrs Vicki Smailes
Councillor Colin Bromfield	Councillor Mrs Nellie Smedley
Councillor T H Butler	Councillor Mrs Stella Smedley JP
Councillor Steve Carroll	Councillor Brian Smith
Councillor John Carter	Councillor John Stocks
Councillor John Clarke	Councillor Michael Storey
Councillor Yvonne Davidson	Councillor Reg Strauther
Councillor Alan Davison	Councillor Maureen Tewson
Councillor Andy Freeman	Councillor Mick Warner
Councillor David Kirkham	Councillor Chris Winterton
Councillor E D W Llewellyn-Jones	Councillor Yvonne Woodhead
Councillor Ellie Lodziak	Councillor Arthur Woodward
Councillor J T A Napier	

**ADJOURNMENT MOTIONS**

There were no Motions to adjourn the Council.

**CHAIRMAN**

**COUNTY COUNCIL MEETING – 29 JULY 2004**

**QUESTIONS UNDER STANDING ORDER 6.1**

**1a & 1b Question from Councillor T H Butler to the Cabinet Members for Education and Culture**

Will the Cabinet Member for Education and Culture accept my sincere thanks for organising the Hallé – Iujah Concert at Worksop.

It was a feast of music presented by the people Nottinghamshire, our school children and Members of the Hallé Orchestra.

I would like to extend my thanks to the Director of the Hallé and most importantly their professional musicians who were present. They were a fine example drawn from one of our oldest and best orchestras.

I am, however, concerned that experience gained by our children from playing with the Hallé members will be lost when they attain the age of 16 or 18 when they leave school. Our once traditional heritage of brass bands is in decline and should be reversed. Those who wish to continue their musical education should have an avenue to extend their playing beyond school leaving age with more youth and adult groups of musicians or orchestras with financial support from this Authority. I would therefore like to see more funding to this already acclaimed area of the Council's work.

As this Authority has and still puts money into subsidising the Nottingham Playhouse, whose shows most Nottinghamshire people cannot attend, some budget changes are needed to support the arts in the County which will be of greater benefit to our people and their children.

I look forward to an answer today, but more importantly some movement in this direction in the not too distant future.

**Response by Councillor Chris Baron, Cabinet Member for Culture:**

“Thank you Madam Chairman.

I shall give a detailed response to this specific question and I would like to thank Councillor Butler for his question because it gives me the opportunity to share, with him, what the Education and Culture and Community Departments do to assist people, young and old in their musical education.

Can I start by joining Councillor Butler in his glowing praise for the recent event in Worksop.

The weekend of activities, known as Hallelujah 2, was indeed a hugely successful event and was a wonderful example of the joint working now formalised between the departments of Education and Culture and Community in pursuit of the cultural priorities described in our County Council's Strategic Plan.

Some Members will recall the presentation made, on joint working, to the two scrutinising committees by the two heads of service earlier this year. Hallelujah 2 was a fine example of our capability to work in partnership with an orchestra of quality and national standing.

26 workshops were provided to over 150 young people from 20 schools in the area involving members of the Halle Orchestra, County Performance staff and the Worksop Miners' Welfare Band, resulting in a stunning last evening performance.

Children who are inspired to take up or extend their music making because of events like this are enabled to continue their musical education through such County Council provision as instrumental music teaching, 11<sup>th</sup> Session Music Workshops on a Saturday morning and the range of music concerts we stage, all of which is open to young people up to the age of 18 years.

The decision to invest in this type of cultural activity is a sound one. The Council should be very proud of their commitment to the Arts; it is one of a number of areas, which sets Nottinghamshire apart from other areas in the country.

The Council's political and strategic support to the Arts was, indeed, commended by the Audit Commission during the recent service inspection.

Members attending the recent civic reception for the Cantamus girl's choir, based in Mansfield, will I am sure join me in celebrating their new status as 'Olympic Choir Champions'. Their dedication to training paid off by beating more than 200 choirs from around the world. This is, indeed, another example of the Council's support to excellence in the Arts.

Whilst I share some of Councillor Butler's concerns, relating to opportunities for people to continue their musical education after leaving school, I would also point out that the Culture and Community Division currently supports a range of activities for adults to progress their musical talents. Good examples of support include the development of emerging musical groups with professional training and grants, through the community initiative fund, to adult musical groups who seek to progress their opportunities.

I would, also, support the view that more funding would be beneficial to this acclaimed area of work. I look forward to his support in this debate, which will no doubt surface in the future.

Turning to the specifics of the Playhouse, whose annual grant for 2004/5 was, in fact, agreed at the Cabinet meeting on the 23<sup>rd</sup> June this year.

The Cabinet Member for Environment and the Council will be interested to know that in 2003/4 45% of people attending performances were from the County, 32% from the City and the remaining 23% from the region. The grant from this Authority equates to 9.86% of the overall grant to the Playhouse. In the same period the Playhouse created 249 performances in County schools as part of the Theatre's outreach programme. It was these statistics that informed the decision to contribute to the running cost of the Playhouse in 2004/5.

Finally, I can assure Councillor Butler that all grants and contributions to external organisations, across the whole of Culture and Community Services, are reviewed on a regular basis to ensure that the best value is achieved for the investment that is made. This approach will be used in the budget discussions taking place in the coming weeks and months and any changes to the financial year 2005/6 will have a sound rationale applied to them, which is expected of me as the Portfolio holder.

Thank you Madam Chairman."

### **QUESTION UNDER STANDING ORDER 6.2**

#### **1. Question from Councillor Pettengell for the Chairman of the Nottinghamshire Police Authority**

Would the Chairman of the Police Authority assure Council that the appalling murder of 14-year old Danielle Beccan in the City only further strengthens the resolve of the Chief Constable to eradicate gun crime throughout Nottinghamshire?

Although this senseless crime clearly represents a tragic setback, does he share my opinion that Nottinghamshire Police's Operation Stealth can still be viewed as an excellent intelligence-led strategy for reducing gun crime?

#### **Response by Councillor John Clarke, Chairman of the Nottinghamshire Police Authority:**

"Thank you Madam Chairman.

Thank you Council for allowing me to step up the order because I want to catch the Chief Constable before he actually goes to sleep, as he didn't get back until 3 o'clock, this morning, from a meeting in London last night and he was out there again at 7 o'clock this morning. So, he is looking a bit bleary-eyed. I will now be able to get to the meeting.

I would like to thank Councillor Pettengell for this question.

The Chief Constable and the Police Authority were both appalled by the murder of Danielle and continue to commit resources to gun related crime. The Police Authority and the Chief Constable are resolved to eradicate gun crime. The Chief Constable has commissioned a further strategic assessment of gun crime,

within Nottinghamshire, in line with N.I.M (National Intelligence Model), to further inform the force's response to the problem.

Operation Stealth continues to impact in a positive manner on gun related crime.

Since the formation of Stealth during the summer of 2002 it has achieved the following: -

- 1020 Arrests
- 110 Deportations
- £10 millions of drugs seized
- 310 Firearms recovered
- 6500 rounds of ammunition recovered

In addition to the above, 70% of persons arrested, resulted in a positive outcome, i.e. charged, cautioned or deported.

The number of incidents of gun crime within Nottinghamshire continues to fall. For the months of April, May, June and July 2004 there was a 40% month on month reduction compared with the same months in the previous year (2003).

August 2004 experienced a 60% reduction compared with August 2003.

September 2004 experienced a 70% reduction compared with September 2003.

This is evidence of an improving situation in relation to gun crime on the streets of Nottinghamshire. Whilst Stealth is an intelligence led operation, the role of the community must not be passed over. The community continues to engage in meaningful dialogue with the police and CDRP partners.

Excellent work is now being led by the City Council, supported by the Force, which focuses on supporting witnesses and young people. The City is looking to hold a further amnesty, which could be transferred across the County via the Countywide Community Safety Board.

There is a realisation that by continued enforcement, integrated preventative work, further reductions in gun related crime can and will be achieved.

The Police Authority continues to pursue this matter with the Home Office. I personally wrote to the Policing Minister Hazel Blears MP, the day after Danielle's murder emphasising the potential of gun crime to cause serious damage to communities and alarm to the general public.

When the Home Office Ministerial Team visited Nottingham on the 4th November, I was given the opportunity to speak with the Team and express my concerns and those of the Police Authority about the pressures that serious crime bring on a Police Force of this size.

Following this visit, I wrote to the Home Secretary to ensure this message was not lost and suggested more should be done to assist this Force financially.

The Force and the Home Office have jointly commissioned work to examine how to improve our capability to tackle serious and organised crime (which accounts for so much gun crime).

However, we must be able to show that we are making effective use of the resources we do have. Major Crime and Serious Crime is a new section within the HMIC Baseline Assessment of police forces across the country and is, therefore, ungraded in all reports. But Nottinghamshire is seen as a leader in this area of crime and is commended, in HMIC Baseline Report, for our strengths both in the prevention and detection of gun crime.

Of the 11 murders that have occurred since April 2004 (not all have been gun related), 10 have been detected. This is unprecedented performance for any police force, and our officers and staff should be congratulated on their hard work and tenacity. Nottinghamshire Police is viewed as a champion Force in the manner in which we undertake work in relation to gun crime and organised crime.

I would like to take this opportunity to say to the criminals involved in gun crime in Nottinghamshire, there is one thing they can be assured of – we will catch you and make sure you are convicted. We are not going to allow the people of Nottinghamshire to be intimidated. We will ensure that people continue to feel safe within this County.”

### **QUESTIONS UNDER STANDING ORDER 6.1 (CONTINUED)**

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

Could the Deputy Leader explain why the MORI Liveability Study 2004 was presented to the community before it was presented to the democratically-elected Members of this County Council?

Could he also explain why CentreParcs was considered the most appropriate venue for the ‘Stakeholder Visioning Conference’, and how much this event cost to organise including the engagement of a consultant and courtesy buses?

Was consideration ever given to using County Hall, which can easily accommodate 200 people and would generate revenue for our catering service?

When does he consider it would be appropriate to inform Councillor so the results of the MORI Liveability Study 2004?

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



“Thank you Chairman.

Can I thank Councillor Cutts for her question.

The facts presented in the opening session of Saturday’s Conference contained only the first headline results of this autumn’s MORI survey which we only received last Thursday, the 11<sup>th</sup> November. The Stakeholder Visioning Conference heard the first results from this year’s survey just as in November two years ago, when MORI’s Ben Page presented the first results of the 2002 survey to the Stakeholder Conference. I know that Councillor Cutts will remember this, having heard the presentation at the Village Hotel in Chilwell, along with other senior Members from this Authority. We still await the full results of this year’s survey from MORI; we received a fuller report from them, yesterday, giving a further breakdown of some details and we expect a report on the results tomorrow. Arrangements are being made for a Members’ Seminar at which the full results can be explained to Members and explored. I have, also, in the past couple of days, written to all Members enclosing the slides which comprised Saturday’s presentation to ensure that all Members are as up to date on the headline results as those Members, partners and members of the public who were able to attend last Saturday.

Beyond the Visioning Conference Councillor Cutts will know that we have a power to address the economic, social and environmental well being of the County and of local citizens; Government guidance recommends that a necessary precursor to the development of an agreed community strategy is to undertake extensive and robust consultation with local citizens. Members will remember that the existing Framework Community Strategy was based upon the priorities identified by local people in the 2002 MORI survey. We felt that before beginning work on drafting the next long-term strategy we should check on the progress over the last 2 years and seek the views of local people about their priorities, not simply through a further MORI survey, but also by engaging as many people as possible in a facilitated conference allowing a proper dialogue.

In order to ensure good attendance by members of the public, we took a decision in early September that we would organise the Conference for a Saturday, in a large enough venue to accommodate 200 people. There are few venues of this size in the County and as it was a Saturday, several of these were already booked for weddings and pre-Christmas events. County Hall was considered at this stage, but whilst the Assembly Hall could accommodate 200 people, this is only possible in theatre style and the style of event that was being considered required different arrangements and sufficient flexible space to be able to undertake a range of activities both within the main hall and in other break out rooms. The cost of CenterParcs was comparable with other large venues that might have been available – for example – the East Midlands Conference Centre and Eastwood Hall.

An added advantage of using Center Parcs was that all those delegates attending were able to use the venue’s facilities after the event had finished. We know from feedback from delegates that this was seen as an incentive that did attract many people who would not otherwise have chosen to attend.

Conference budget – Budgeting for the event was largely based around a delegate rate of £50 per head. Similar rates were quoted by other large venues and this rate was, in fact, cheaper than some from which quotes were obtained. The total Conference budget, approved in September, was £20,250 to be met from the Community Leadership budget. Half of this cost was dedicated to 200 delegates at a rate of £50 per head. In addition, the budget also included provision for breakout rooms, printing and publicity costs, design of the event, facilitation on the day, post event review and reports for all delegates.

Councillor Cutts also asks about the cost of the courtesy buses. These were laid on to transfer delegates from the CenterParcs car park to the Conference venue and were felt to be necessary due to the distance involved, the potential for inclement weather and the possibility that some delegates might have mobility problems. The 2 shuttle buses which cost £200, and which were used in the morning and at the close of the event, were well patronised and I'm pleased that Councillor Cutts, as well as many other delegates and several Members, was able to take advantage of them, proving that the decision to lay on this service was a sensible one and welcomed by many.

Thank you.”

#### **4. Question from Councillor Bruce Laughton for the Cabinet Member for Environment**

Is the Cabinet Member for Environment aware that any proposal to change the weight limit restriction on Halloughton Road in Southwell is opposed by residents, the Town council, District Councillor and both of the local County Councillors?

Has he responded to the numerous letters received from local residents regarding this matter, and will he take their views into consideration in reaching a decision?

#### **Response by Councillor Terry Butler, Cabinet Member for Environment:**

“May I thank Councillor Laughton for his question.

I am very aware of the concern of local residents and others in Southwell regarding proposed changes to the existing 7.5 Tonne structural weight limit on Halloughton Road.

The reason for the initial introduction of the weight limit in 1998, where none had previously existed, was to protect a weak culvert under the road. This was as a result of tests which had shown that the structure was not capable of taking full highway loads and was, therefore, at risk of collapse.

Subsequent retesting and very detailed analysis has now shown that the culvert is able to carry full highway loadings and the structural weight limit has to be removed as it is no longer legally justified. This is not a matter of choice.

In reaching my decision on this matter I have fully considered the representations made to me. In essence these relate to concerns regarding increased heavy

traffic, accident risks, road alignment and widths, the junction with Westgate and the absence of a footway on one narrow section.

Records show that Heavy Goods Vehicle flows on Halloughton Road have always been very low, even before the introduction of the current weight limit, and that there have been no injury accidents involving HGVs since at least 1990. I believe that the reason for this is that the major route to Westgate by continuing on the A612 is far more attractive to Heavy Goods Vehicles being of better alignment and width, having a better junction at the Westgate end and experiencing few delays.

I do agree that Halloughton Road is unsuitable for use by very large Heavy Goods Vehicles, particularly in respect of the narrow section without footways at the junction with Westgate.

I have treated this as a special case and after very careful consideration I have agreed to the introduction of an 18 Tonne weight limit on Halloughton Road on environmental grounds. Such a limit will prohibit the use of Halloughton Road by all larger types of Heavy Goods Vehicle, including the multi-axle type. This message will be reinforced by the use of 'Unsuitable for Heavy Goods Vehicles' signs at the A612/Halloughton Road junction.

I have provided a full response and explanation, in writing, to those who have contacted me on this matter.

Thank you Chairman."

**5. Question from Councillor Bruce Laughton for the Cabinet Member for Finance and Property**

Would the Cabinet Member for Finance & Property explain why his department issued, but then stopped Electoral Division Initiative cheques intended to help the

Community Speedwatch Campaign in the Southwell area?

Would he tell Council why he apparently considered this scheme to be unworthy of Council funding, when only a few days earlier his Leader told Councillor Andy Stewart that this was exactly the type of initiative the EDI money had been set aside to support?

**Response by Councillor John Carter, Cabinet Member for Finance and Property:**

"Thank you very much Chairman.

I thank Councillor Laughton for his question and I will proceed to say what I think is right and what I think is wrong.

The Electoral Division Initiative cheques for proposals from Councillors Stewart and Laughton were stopped because the rules of the Initiative Scheme were being flouted. The rules clearly state that proposals for initiatives should not be contrary to the County Council policy.

Initially it was understood that the proposals for expenditure from the budgets allocated to Councillors Laughton and Stewart were for general use by their local community safety partnership. However, it became apparent, on the date of the last County Council meeting, that the money was to be used specifically for purchasing hand-held speed devices for use by the members of the public.

The County Council has a policy on this set out in its Highway Network Management Plan. This policy states -

'The County Council has an agreed protocol on the use of speed guns by members of the public, parish councils and other interested parties. This states that the County Council recognises that real and perceived speeding traffic is of major concern to many Nottinghamshire Communities. For this reason, it works in close partnership with Nottinghamshire Police to identify accident problem sites and to target engineering measures and enforcement activities. It, also, promotes rural gateways, amended speed limits and supports driver education programmes.

However, it does not believe that providing speed guns for use by local communities is an appropriate way forward. This is because of the respective insurance, training and health and safety issues. More critically, because of a large number of individuals and circumstances that would be involved, there could be no guarantee that the results obtained would be comparable, useful or reliable.'

As a democratic organisation, we cannot operate by sanctioning Elected Members to break our own rules."

## **6. Question from Councillor Joe Lonergan for the Leader of the County Council**

Does the Leader of the Council share my annoyance that, despite internal protocols which are designed to ensure Members are aware of planned actions, a press release about the Call-in on home care charges was issued on behalf of the County Council on 25<sup>th</sup> October without the Members who have signed the Call-in request being informed?

Apart from the irony of the Council's Communications Team apparently forgetting

to communicate with its own Councillors, does he share my concern that some officers are not sufficiently aware of the role of non-Cabinet Members in this Council's decision-making and scrutiny processes, and are therefore failing to properly disseminate information?

### **Response by Councillor Mick Warner, Leader of the County Council:**

"Thank you Madam Chairman.

Whilst thanking Councillor Lonergan for his questions, I have to say to colleagues....the questions he poses are puzzling ones, but only in the sense that Joe seems confused.

Before I begin the detail of my answer, I hope all Members will take on board these three points:

Firstly – we have a duty to keep the press and the public informed of matters of public interest.

Secondly – the ‘call-in’ process does not belong to the five signatories once it is submitted, but to the council as a whole.

And thirdly – the press release was done in an objective and neutral way, it favours no particular views of the rights and wrongs of the case and to suggest otherwise is just plain wrong.

I have a copy of the press release in question here. It says – and all it says – is that a call-in has been agreed in respect of a particular Cabinet decision. It then explains a little about the call-in process.

Since Councillor Lonergan was one of the prime movers behind the call-in – indeed he knew before I did. He knew there was *going* to be a call in and there cannot be anything in this press release that would have been news to Councillor Lonergan.

Perhaps he’s feeling aggrieved that in some way the press release has stolen his thunder. Yet, that cannot be since I know it to be true that his Leader had spoken to the Evening Post about the call-in *three days* before the press release was issued.

In fact the press release was issued because, without it, the media, other than the Evening Post and, therefore, the public wouldn’t necessarily have known there was any sort of challenge to the important Cabinet decision on home care charging. It didn’t attempt to discuss the issues behind the call-in – and it would have been wrong to do so.

In fact the press release *was* alerting the media to that part in our democratic process where Councillor Lonergan was to play such a starring Perry Mason-type role.

Let me talk about the process: the press release was drafted and shared with officers so that the facts could be checked, and then shared with myself – as Leader of the Council – and Councillor Anthony as the Cabinet Member responsible for the service area being discussed.

Now since it was simply a statement of fact neither Councillor Anthony nor myself felt any need to offer any comment.

It was then issued to the media and on that same day posted on our internet site – as are all our press releases, where they are freely accessible to anyone interested.

So no, Councillor Loneragan, I'm not annoyed that our communications team should do its real job, communicating with and on behalf of three quarters of a million residents of Nottinghamshire. Clearly, I want the opposition parties to be appraised of the actions proposed and planned by the Council, but to extend that principle to telling them things they already know - that simply can't be a good use of officer time!"

**7. Question from Councillor Andy Stewart for the Cabinet Member for Finance and Property**

Would the Cabinet Member for Finance & Property tell Council how many meetings of the Regional Flood Defence committee have taken place from January 2004 to October 2004 inclusive, and how many of these meetings he has attended?

**Response by Councillor John Carter, Cabinet Member for Finance and Property:**

"Thank you Chairman.

I thank Councillor Stewart for his question.

As Councillor Stewart is aware from information he has obtained from the Environment Agency, the Regional Flood Defence Committee meets four times a year, so in the four-year period 2001-2004 there have been sixteen meetings. I have attended eight of these and given my apologies on the other occasions. I have, also, attended various other meetings and site visits that the Environment Agency have organised on flood defence issues.

Thank you."

**NOTTINGHAMSHIRE COUNTY COUNCIL MEETING – 29 JULY 2004**

**REPORTS FROM CABINET MEMBERS (Agenda Item 7)**

**a) Leader of the Council's Portfolio**

Responding to comments, the Leader confirmed the non-political nature of the recent Roadshows and supported views that, in some cases, it would have been appropriate to have a more prominent location. This latter issue will be addressed in future planning.

**b) Social Services Portfolio**

There were no questions or comments upon Councillor Anthony's report.

**c) Culture and Community**

Presenting his first report as Cabinet Member for Culture and Community, Councillor Chris Baron highlighted the successful Cultural Services Inspection and paid tribute to the work and political leadership of his predecessor.

Councillor Baron referred also to the Winding Engine House project at Bestwood Country Park and next year's Youth Service Showcase, which is to take place on 27/28 September 2005.

**d) Deputy Leader's Portfolio**

There was a brief debate on Councillor Kirkham's report, with references to the Conference held at CenterParcs on 13 November 2004.

**e) Education Portfolio**

Councillor Storey's report was received.

**f) Environment Portfolio**

Introducing his report, Councillor Terry Butler

- indicated that Officers in the Environment Department were heavily involved in detailed work relating to the development of

bids for TPP, PFI and BBC funding. This work was very important and he hoped that Member contact with these Officers on other issues could be minimised for the next few weeks

- advised Council that the Mansfield Ashfield Regeneration Route is to open on 21 December 2004. This project had been completed ahead of schedule
- paid tribute to the work and commitment of employees within his Department who provide services to schools.

Comment and question arising from the report which Councillor Butler had circulated was concerned with

- Nottingham Travelwise, where Members congratulated the Department on the successful negotiation and introduction of truly-integrated transport provision in Hucknall
- Support for the A453 to be duelled, with Councillor Butler confirming that the majority of Nottinghamshire's MPs supported this position.

#### **g) Finance and Property Portfolio**

Councillor Carter's written report was received.

#### **h) Resources Portfolio**

Councillor Winterton gave a brief oral introduction to his report, during which he highlighted the Coalfield Conference at Matlock, which would be discussing coalfield regeneration monies.

Members welcomed the County Council's commitment to the Coalfield Communities Campaign and acknowledged Councillor Winterton's work nationally as Coalfield regeneration matters. There was also support for work taking in Warsop.

#### **i) Resources**

Councillor Stocks shared up to date information in relation to the following matters, which were included in his written report:

- the Comprehensive Performance Assessment, where the outcome was expected to be announced in December 2004
- the Centre for Procurement Excellence, which was likely to have a wider remit than originally envisaged. It would have a role in assisting local authorities to deliver Gershon and efficiency improvement the cost would be increased to cover this additional work



- energy and sustainability, where a Beacon Status bid will be assessed in mid-December 2004.