



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 20 September 2018 (10.30 am – 5.58 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Mrs Sue Saddington (Chairman)
Kevin Rostance (Vice-Chairman)

	Reg Adair	Eric Kerry
	Pauline Allan	John Knight
	Chris Barnfather	Bruce Laughton
	Joyce Bosnjak	John Longdon
	Ben Bradley	Rachel Madden
	Nicki Brooks	David Martin
	Andrew Brown	Diana Meale
	Richard Butler	John Ogle
	Steve Carr	Philip Owen
	John Clarke	Michael Payne
	Neil Clarke MBE	John Peck JP
	John Cottee	Sheila Place
	Jim Creamer	Liz Plant
	Mrs Kay Cutts MBE	Mike Pringle
A	Samantha Deakin	Francis Purdue-Horan
	Maureen Dobson	Mike Quigley MBE
	Dr John Doddy	Alan Rhodes
	Boyd Elliott	Phil Rostance
	Sybil Fielding	Andy Sissons
	Kate Foale	Helen-Ann Smith
	Stephen Garner	Tracey Taylor
	Glynn Gilfoyle	Parry Tsimbirdis
	Keith Girling	Steve Vickers
	Kevin Greaves	Keith Walker
	John Handley	Stuart Wallace
	Tony Harper	Muriel Weisz
	Errol Henry JP	Andy Wetton
	Paul Henshaw	Gordon Wheeler
	Tom Hollis	Jonathan Wheeler
	Vaughan Hopewell	Yvonne Woodhead
	Richard Jackson	Martin Wright
	Roger Jackson	Jason Zadrozny

OFFICERS IN ATTENDANCE

Anthony May	(Chief Executive)
David Pearson CBE	(Adult Social Care and Health) (part)
Jonathan Gribbin	(Adult Social Care and Health)
Paul McKay	(Adult Social Care and Health)
Sara Allmond	(Chief Executives)
Carl Bilbey	(Chief Executives)
Angie Dilley	(Chief Executives)
Martin Gately	(Chief Executives)
David Hennigan	(Chief Executives)
Anna O'Daly-Kardasinska	(Chief Executives)
Marjorie Toward	(Chief Executives)
Rob Shirley	(Chief Executives)
Nigel Stevenson	(Chief Executives)
James Ward	(Chief Executives)
Colin Pettigrew	(Children, Families and Cultural Service)
Adrian Smith	(Place)

OPENING PRAYER

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

MINUTE SILENCE

A minute silence was held in memory of former County Councillor Tim Bell and Honorary Alderman and former County Councillor Martin Brandon-Bravo

1. MINUTES

RESOLVED: 2018/033

That the minutes of the last meeting of the County Council held on 12 July 2018 be agreed as a true record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

The following apology was submitted:-

- Councillor Samantha Deakin – other reason

3. DECLARATIONS OF INTEREST

None

4. BUSINESS OUTSTANDING FROM THE LAST MEETING

The motion carried over from the last meeting had been withdrawn by the mover and seconder.

5. CHAIRMAN'S BUSINESS

(a) FORMER COUNTY COUNCILLOR TIM BELL AND HONORARY ALDERMAN AND FORMER COUNTY COUNCILLOR MARTIN BRANDON-BRAVO

The Chairman and Councillors Adair, Bosnjak, Butler, Carr, Cottee, J Clarke, Cutts, Knight, Laughton, Rhodes, Tsimbirdis, Weisz and G Wheeler spoke in memory of former County Councillor Tim Bell and Honorary Alderman and former County Councillor Martin Brandon-Bravo.

(b) PRESENTATION AND AWARDS

None

CHAIRMAN'S BUSINESS SINCE THE LAST MEETING

The Chairman updated the Chamber on the business she had carried out on behalf of the Council since the last meeting.

6. CONSTITUENCY ISSUES

The following Member spoke for up to three minutes on issues which specifically related to their division and were relevant to the services provided by the County Council.

Councillor Roger Jackson – regarding car parking issues in Lowdham

7a. PRESENTATION OF PETITIONS

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

- (1) Councillor Tony Harper regarding the removal of a tree on Nottingham Road, Eastwood
- (2) Councillor Roger Jackson regarding street lighting on Leeks Close, Southwell
- (3) Councillor Keith Girling concerning the condition of the pavement of Riverside Road, Fairway, Peebles, and part of Hawton Road, Newark
- (4) Councillor Keith Girling regarding concerns about HGV traffic on Boundary Road, Newark
- (5) Councillor Phil Rostance regarding road repair requests in Hucknall
- (6) Councillor Pauline Allan requesting a residents parking scheme for Henry Street and Larkspur Avenue, Arnold
- (7) Councillor Muriel Weisz requesting tarmac on the highway verge outside Weaverthorpe Pre-School Centre, Arnold

RESOLVED: 2018/034

That the petitions be referred to the appropriate Committees for consideration in accordance with the Procedure Rules, with a report being brought back to Council in due course.

7b. RESPONSE TO PETITION PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

RESOLVED: 2018/035

That the contents and actions taken as set out in the report be noted.

8. NOTTINGHAMSHIRE YOUTH JUSTICE STRATEGY ANNUAL UPDATE

Councillor Philip Owen introduced the report and moved a motion in terms of resolution 2018/036 below.

The motion was seconded by Councillor Tracey Taylor

RESOLVED: 2018/036

That the 2018 annual update of the Youth Justice Strategy 2015-18, attached as Appendix 1 to the report, be approved.

9. THE GREAT WAR ONE HUNDRED YEARS COMMEMORATIONS 2018

Councillor Mrs Kay Cutts MBE introduced the report and moved a motion in terms of resolution 2018/037 below.

The motion was seconded by Councillor Keith Girling.

RESOLVED: 2018/037

- 1) That the sacrifice of the 14,000 brave men and women of Nottinghamshire who gave their lives in the service of their country during the Great War be acknowledged;
- 2) That the programme of events in 2018 to commemorate the end of the Great War, as agreed by Policy Committee on 24 January 2018 be endorsed
- 3) That a final report on this programme of work be taken to Policy Committee, with any interim update reports being taken the Communities and Place Committee.

10. COMMUNITIES AND PLACE REVIEW AND DEVELOPMENT COMMITTEE

Councillor Richard Butler introduced the report and moved a motion in terms of resolution 2018/038 below.

The motion was seconded by Councillor Nicki Brooks.

RESOLVED: 2018/038

- 1) That a Communities and Place Review and Development Committee be established with terms of reference as set out in Appendix A of the report and that the Council's Constitution be amended accordingly.
- 2) That Councillor Gordon Wheeler be appointed as Chairman and Councillor Errol Henry JP as Vice Chairman of the new Committee until May 2019 and that the Vice Chairman will always be a member of the Main Minority Group.
- 3) That Councillor John Handley be appointed as Vice Chairman of Communities and Place Committee until May 2019 in place of Councillor Gordon Wheeler.
- 4) That the composition of committees and sub-committees as set out in Appendix B of the report be confirmed.

11. QUESTIONS

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

No questions were received

Council adjourned from 12.30pm to 1.30pm for lunch.

(b) QUESTIONS TO COMMITTEE CHAIRMAN

Six questions had been received as follows:-

- 1) from Councillor Andrew Brown concerning bus services to villages in the Leake and Ruddington Division (Councillor John Cottee replied)
- 2) from Councillor Alan Rhodes regarding the Fair Funding Review for Nottinghamshire (Councillor Mrs Kay Cutts MBE replied)
- 3) from Councillor Mike Pringle about funding for the Robin Hood Line (Councillor John Cottee replied)
- 4) from Councillor Muriel Weisz concerning the response to 'The lives we want to lead' consultation (Councillor Stuart Wallace replied)
- 5) from Councillor Liz Plant regarding Mental Health provision for children and adolescents in Nottinghamshire (Councillor Dr John Doddy replied)
- 6) Councillor Jason Zadrozny about funding for the Local Government Reorganisation Business Case and decision making (Councillor Mrs Kay Cutts MBE replied)

As far as question six was concerned, following receipt of the answer from Councillor Mrs Kay Cutts MBE, Councillor Zadrozny moved:-

“That an adjournment debate take place on this question.”

This was seconded by Councillor Helen-Ann Smith.

The full responses to the questions above are set out in set out in Appendix A to these minutes.

12. NOTICE OF MOTIONS

MOTION ONE

A Motion as set out below was moved by Councillor David Martin and seconded by Councillor Tom Hollis:-

“This Council notes Nottinghamshire County Council's Highways capital and revenue programme that is to be delivered during 2018/19.

This Council further notes the £20m to be invested in highways over the next 4 years and the continued consultations with Councillors about their divisional priorities.

This Council notes however that with such a huge investment in our Highways, the quality of any work is critical. This Council notes complaints from hundreds of residents across Nottinghamshire about the quality of pot-hole repairs with this Council having to repeatedly re-visit and improve patching on our Highways.

This Council therefore instructs the Communities and Place Committee or the Communities and Place Review and Development Committee to undertake regular reviews of any highway's improvements undertaken by this Council to ensure best practice so that any investment in our Highways benefits Nottinghamshire for the long term future.”

An amendment to the Motion as set out below was moved by Councillor John Cottee and seconded by Councillor Phil Rostance:-

“This Council notes Nottinghamshire County Council's Highways capital and revenue programme that is to be delivered during 2018/19.

This Council further notes the £20m to be invested in highways over the next 4 years and the continued consultations with Councillors about their divisional priorities.

This Council notes however that with such a huge investment in our Highways, the quality of any work is critical. This Council notes **any** complaints from ~~hundreds of~~ residents across Nottinghamshire about the quality of pot-hole repairs ~~with this Council having to repeatedly re-visit and improve patching on our Highways~~ **and will re-visit and improve such repairs wherever there is a genuine safety issue.**

This Council therefore instructs the ~~Communities and Place Committee~~ or the Communities and Place Review and Development Committee to ~~undertake~~ **conduct** regular reviews of any highway's improvements undertaken by this Council to ensure best practice so that any investment in our Highways benefits Nottinghamshire for the long term future."

Councillor David Martin accepted the amendment.

Following a debate, the Motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2018/039

This Council notes Nottinghamshire County Council's Highways capital and revenue programme that is to be delivered during 2018/19.

This Council further notes the £20m to be invested in highways over the next 4 years and the continued consultations with Councillors about their divisional priorities.

This Council notes however that with such a huge investment in our Highways, the quality of any work is critical. This Council notes any complaints from residents across Nottinghamshire about the quality of pot-hole repairs and will re-visit and improve such repairs wherever there is a genuine safety issue.

This Council therefore instructs the Communities and Place Review and Development Committee to conduct regular reviews of any highway's improvements undertaken by this Council to ensure best practice so that any investment in our Highways benefits Nottinghamshire for the long term future.

MOTION TWO

A Motion as set out below was moved by Councillor Jason Zadrozny and seconded by Councillor Helen-Ann Smith:-

"This Council notes the ongoing problems caused by synthetic cannabinoid substances like Black Mamba and Spice. Black Mamba, Spice and similar drugs are currently Class B drugs and are illegal to produce, supply or import in Britain.

This Council further notes that drugs like these do not just have a devastating impact on users but also cause huge demand on public services and our Police and other Emergency Services.

This Council calls for the substances and similar substances to be reclassified as Class A drugs to give our Police more powers to deal with the issues created by their misuse. These are substances that belong in the highest category of narcotics, alongside heroin and cocaine.

This Council believes that the illegal use of drugs like Spice and Black Mamba are the biggest threat to public health for a generation and congratulates Lincolnshire's Police

and Crime Commissioner Marc Jones and 19 other PCCs for writing to the Home Secretary calling for the drugs to be reclassified.

This Council regrets that Nottinghamshire's current Police and Crime Commissioner has not counter-signed the letter.

This Council therefore resolves to:

1. Ask the Leaders of the Ashfield Independents, Conservatives, Labour and the Mansfield Independent Forum to write a joint letter to the Home Secretary Rt. Hon. Sajid Javid MP to outline Nottinghamshire County Council's support to reclassify drugs like Black Mamba and Spice to Class A Drugs.
2. This Council further calls for Paddy Tipping, Nottinghamshire's current Police and Crime Commissioner to join his PCC colleagues and write to the Home Secretary calling for a reclassification of these drugs and for extra resources to deal with it.
3. To request that the Adult Social Care and Public Health Committee receives regular reports on the problems that the misuse of these drugs are causing across our County for users, residents and traders."

An amendment to the Motion as set out below was moved by Councillor Stuart Wallace and seconded by Councillor Tony Harper:-

"This Council notes the ongoing problems caused by synthetic cannaboid substances like Black Mamba and Spice. Black Mamba, Spice and similar drugs are currently Class B drugs and are illegal to produce, supply or import in Britain.

This Council further notes that drugs like these do not just have a devastating impact on users but also cause huge demand on public services and our Police and other Emergency Services.

This Council calls **on Government to carefully consider all of the evidence** for these substances and similar substances to be reclassified as Class A drugs **alongside heroin and cocaine, and for giving** to give our Police more powers to deal with the issues created by their misuse. ~~These are substances that belong in the highest category of narcotics, alongside heroin and cocaine.~~

This Council believes that the illegal use of drugs like Spice and Black Mamba ~~are~~ **is a** the biggest threat to public health **and a matter of public concern** for a generation and **notes that** congratulates Lincolnshire's Police and Crime Commissioner Marc Jones and 19 other PCCs **have written** for writing to the Home Secretary calling for the drugs to be reclassified.

~~This Council regrets that Nottinghamshire's current Police and Crime Commissioner has not counter-signed the letter.~~

This Council therefore resolves ~~to~~ **that**:

1. Ask ~~the~~ The Leaders of **all groups on the County Council will** ~~the~~ Ashfield Independents, Conservatives, Labour and the Mansfield Independent Forum to write a joint letter to **Nottinghamshire Members of Parliament asking them to lobby** the Home Secretary **The** Rt. Hon. Sajid Javid MP to **consider all of the evidence for** ~~outline Nottinghamshire County Council's support to reclassifying~~ drugs like Black Mamba and Spice to Class A ~~Drugs~~.
2. ~~This Council further calls for Paddy Tipping, Nottinghamshire's current Police and Crime Commissioner to join his PCC colleagues and write to the Home Secretary calling for a reclassification of these drugs and for extra resources to deal with it.~~
32. ~~To request that the Adult Social Care and Public Health Committee~~ will receives regular reports on the **numbers of referrals where New Psychoactive Substances are identified, allowing Members to report any further examples of the** ~~problems~~ **being caused by** ~~that the misuse of these drugs are causing across our County for users, residents and traders-,~~ **and to discuss any further actions they require.**"

Council adjourned from 3.32pm to 3.45pm.

Councillor Jason Zadrozny accepted the amendment.

Following a debate, the Motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2018/040

This Council notes the ongoing problems caused by synthetic cannabinoid substances like Black Mamba and Spice. Black Mamba, Spice and similar drugs are currently Class B drugs and are illegal to produce, supply or import in Britain.

This Council further notes that drugs like these do not just have a devastating impact on users but also cause huge demand on public services and our Police and other Emergency Services.

This Council calls on Government to carefully consider all of the evidence for these substances and similar substances to be reclassified as Class A drugs alongside heroin and cocaine, and for giving our Police more powers to deal with the issues created by their misuse.

This Council believes that the illegal use of drugs like Spice and Black Mamba is a threat to public health and a matter of public concern and notes that Lincolnshire's Police and Crime Commissioner Marc Jones and 19 other PCCs have written to the Home Secretary calling for the drugs to be reclassified.

This Council therefore resolves that:

1. The Leaders of all groups on the County Council will write a joint letter to Nottinghamshire Members of Parliament asking them to lobby the Home Secretary

The Rt. Hon. Sajid Javid MP to consider all of the evidence for reclassifying drugs like Black Mamba and Spice to Class A.

2. The Adult Social Care and Public Health Committee will receive regular reports on the numbers of referrals where New Psychoactive Substances are identified, allowing Members to report any further examples of the problems being caused by the misuse of these drugs across our County for users, residents and traders, and to discuss any further actions they require.

MOTION THREE

A Motion as set out below was moved by Councillor Jim Creamer and seconded by Councillor Sybil Fielding:-

“This council congratulates its Planning Officers for the comprehensive written evidence submitted to the House of Commons Communities and Local Government Committee on guidance for local authorities taking planning decisions on fracking applications.

In summarising this written evidence, the authority highlighted the need for involvement in such applications throughout the various stages of the decision making process. This authority’s response also emphasised:

‘The need to include both local professional and specialist input, as well as opportunities for elected members to represent their communities. The views of local people must be given the same level of consideration as is currently the case. It must remain a fair and transparent process and one with which local people feel able to engage’.

This council further commends the work of the Ministry of Housing, Communities and Local Government in their Consultation document ‘Permitted development for shale gas exploration’, which summarised the findings of a National Consultation on this issue, and noted:

- 1) No justification or evidence had been provided for why fracking has been singled out to be included in a national planning regime.
- 2) Mineral Planning Authorities should be free to adapt their Local Plans as they see fit as long as they do not arbitrarily restrict fracking developments. It is essential that Mineral Planning Authorities have the right to put conditions in their Local Plans which can be justified having proper regard to local circumstances.
- 3) It is essential that Mineral Planning Authorities are sufficiently resourced to deal with fracking planning applications.

This council is in full support of the guidance issued by the House of Commons Select Committee, published July 5th 2018. Furthermore, this council resolves to respond to the current consultation on permitted development for fracking, reiterating that the right to determine shale gas applications for Nottinghamshire remains within our jurisdiction, and does not support any proposal to grant the status of ‘Permitted Development’ for shale gas applications.”

An amendment to the Motion as set out below was moved by Councillor Chris Barnfather and seconded by Councillor Tracey Taylor:-

“This council congratulates its Planning Officers for the comprehensive written evidence submitted to the House of Commons Communities and Local Government Committee on guidance for local authorities taking planning decisions on fracking applications.

In ~~s~~Summarising this written evidence, the authority highlighted the need for involvement in such applications throughout the various stages of the decision making process. This authority’s response also emphasised:

‘The need to include both local professional and specialist input, as well as opportunities for elected members to represent their communities. The views of local people must be given the same level of consideration as is currently the case. It must remain a fair and transparent process and one with which local people feel able to engage’.

In this spirit, the Council respects the rights of Community Liaison Groups which are properly established as a condition of a planning permission to provide an open dialogue between local residents, the County Council as the Minerals Planning Authority and the site operators.

This ~~e~~Council **welcomes the opportunity to comment on the two** further commends the work of the Ministry of Housing, Communities and Local Government in their ~~C~~consultation documents **‘Permitted development for shale gas exploration’ and ‘Inclusion of shale gas projects in the Nationally Significant Infrastructure Project regime’**, which summarised **and supports** the findings of **the Housing, Communities and Local Government Committee report on ‘Planning guidance on fracking’**, in particular ~~that a~~ National Consultation on this issue, and noted:

- 1) No justification or evidence had been provided for why fracking has been singled out to be included in a national planning **Nationally Significant Infrastructure** regime.
- 2) Mineral Planning Authorities should be free to adapt their Local Plans as they see fit as long as they do not arbitrarily restrict fracking developments. It is essential that Mineral Planning Authorities have the right to put conditions in their Local Plans which can be justified having proper regard to local circumstances.
- 3) It is essential that Mineral Planning Authorities are sufficiently resourced to deal with fracking planning applications.

This council is in **general** full support of the guidance issued by the House of Commons Select Committee, published July 5th 2018. Furthermore, this council resolves to respond to the current consultation on ~~p~~**‘Permitted development for shale gas exploration’** ~~fracking,~~ **and the consultation for ‘Inclusion of shale gas production projects in the Nationally Significant Infrastructure Project regime’**. **We believe that, on balance,** ~~reiterating that~~ the right to determine shale gas **exploration** applications for Nottinghamshire **should** remain within our jurisdiction, and **we** does

not support any proposal to grant the status of 'Permitted Development' for shale gas exploration applications."

Council adjourned from 4.55pm to 5.07pm

Councillor Creamer accepted the amendment, with the agreement of Councillor Barnfather that it be recorded that the mover of the amended motion be recorded as Councillor Barnfather and the seconder recorded as Councillor Creamer to demonstrate the cross-party support for the motion.

Following a debate the Motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2018/041

This council congratulates its Planning Officers for the comprehensive written evidence submitted to the House of Commons Communities and Local Government Committee on guidance for local authorities taking planning decisions on fracking applications.

Summarising this written evidence, the authority highlighted the need for involvement in such applications throughout the various stages of the decision making process. This authority's response also emphasised:

'The need to include both local professional and specialist input, as well as opportunities for elected members to represent their communities. The views of local people must be given the same level of consideration as is currently the case. It must remain a fair and transparent process and one with which local people feel able to engage'.

In this spirit, the Council respects the rights of Community Liaison Groups which are properly established as a condition of a planning permission to provide an open dialogue between local residents, the County Council as the Minerals Planning Authority and the site operators.

This Council welcomes the opportunity to comment on the two Ministry of Housing, Communities and Local Government consultation documents 'Permitted development for shale gas exploration' and 'Inclusion of shale gas projects in the Nationally Significant Infrastructure Project regime', and supports the findings of the Housing, Communities and Local Government Committee report on 'Planning guidance on fracking', in particular that:

- 1) No justification or evidence had been provided for why fracking has been singled out to be included in a Nationally Significant Infrastructure regime.
- 2) Mineral Planning Authorities should be free to adapt their Local Plans as they see fit as long as they do not arbitrarily restrict fracking developments. It is essential that Mineral Planning Authorities have the right to put conditions in their Local Plans which can be justified having proper regard to local circumstances.

- 3) It is essential that Mineral Planning Authorities are sufficiently resourced to deal with fracking planning applications.

This council is in general support of the guidance issued by the House of Commons Select Committee, published July 5th 2018. Furthermore, this council resolves to respond to the current consultation on 'Permitted development for shale gas exploration' and the consultation for 'Inclusion of shale gas production projects in the Nationally Significant Infrastructure Project regime'. We believe that, on balance, the right to determine shale gas exploration applications for Nottinghamshire should remain within our jurisdiction, and we do not support any proposal to grant the status of 'Permitted Development' for shale gas exploration applications."

13. ADJOURNMENT DEBATE

Following the motion by Councillor Jason Zadrozny that an adjournment debate take place on question six, which was duly seconded, the motion was debated.

In accordance with the Constitution, no vote was taken.

During this item the Chairman exercised her discretion to extend the meeting by 30 minutes to enable the business of the meeting to be completed.

The Chairman declared the meeting closed at 5.58 pm.

CHAIRMAN