

CABINET

NOTES OF THE MEETING HELD ON
WEDNESDAY, 29th MARCH 2006
(11.00 AM – 12 Noon)



Nottinghamshire
County Council

MEMBERSHIP

Councillors

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

Also In Attendance

Councillor John Allin
Councillor Martin Brandon-Bravo
Councillor Richard Butler
Councillor Jen Cole
Councillor John Cottee
Councillor Mrs Kay Cutts
Councillor V H Dobson
Councillor Stan Heptinstall MBE
Councillor Bruce Laughton
Councillor Joe Lonergan MBE
Councillor Sheila Place
Councillor Darrell Pulk
Councillor Martin Suthers
Councillor David Taylor

1. NOTES

The notes of the last meeting held on 8th March 2006 were agreed as a true and correct record and signed by the Leader.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Joyce Bosnjak

Councillor John Carter

Councillor John Clarke)	
Councillor Sybil Fielding)	
Councillor Richard Jackson)	other Members
Councillor Edward Llewellyn-Jones)	
Councillor the Hon Joan Taylor)	
Councillor Yvonne Woodhead)	

3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Richard Butler declared a personal interest in agenda item number 17 – Allocations from the Contingency – in the light of the fact that his employer, the Learning and Skills Council, was referred to in the report.

Councillor Chris Winterton declared a personal interest in agenda item number 12 – Subscription to the Coalfields Communities Campaign for 2005/06 – in view of his appointment as a member of the Campaign's National Executive Committee and also as Vice-Chair of the Midlands Region.

SECTION A (key decisions included in the forward plan)

4. ROBERT JONES INFANT AND NURSERY AND ROBERT JONES JUNIOR SCHOOLS, BLIDWORTH – SECTION 28 AND 29 NOTICE

RESOLVED: 2006/039

That the proposal contained in paragraph 1 of the report to amalgamate the two schools in their existing premises to form a single primary school, inclusive of nursery education places, with effect from 1st April 2007 be approved.

5. DENOMINATIONAL HOME TO SCHOOL TRANSPORT

RESOLVED: 2006/040

That the consultation process as set out in the report be approved.

6. THE STANDARDS FUND 2006/07

RESOLVED: 2006/041

That the proposed Standards Fund programme for 2006/07, as set out in the report, be approved.

7. FUTURE OF SHERWOOD HALL SCHOOL

RESOLVED: 2006/042

1. That the results of the public consultation undertaken on the future of Sherwood Hall School, as set out in the report, be noted;

2. that the Director of Education be empowered to commence the necessary process with the sponsor and the DfES to promote an academy to replace Sherwood Hall School, including the submission of all the necessary forms and
3. that the Director of Education report back to a future meeting on the results of the process referred to in (2) above together with any proposals to issue statutory notices for the closure of the school to enable the proposed academy process to proceed.

8. DORKET VIEW DAY UNIT, ARNOLD – LATEST ESTIMATED COST REPORT

RESOLVED: 2006/043

1. That the replacement of the Beck Meadow Day Centre be approved and
2. that the latest estimated cost for the building works, as set out in the report, be approved.

9. MANSFIELD AND ASHFIELD LEARNING CENTRE, MANSFIELD – LATEST ESTIMATED COST REPORT

RESOLVED: 2006/044

1. That the variation to the Capital Programme, as set out in the report, be approved and
2. that the latest estimated cost report for the building works, as set out in the report, be approved.

10. RESPONSE TO THE GOVERNMENT'S 2006 ENERGY REVIEW CONSULTATION

RESOLVED: 2006/045

1. That the conclusions set out in paragraph 32 of the report form the basis of the County Council's response to the Government's 2006 Energy Review consultation and
2. that, once the Energy Review is complete, the County Council develop an energy strategy for the Council as set out in paragraph 31 of the report.

11. BUS SERVICES TO ROBIN HOOD AIRPORT FROM THE BASSETLAW AREA

The Leader reported that he had, in accordance with Section 100 (B) (4) of the Local Government Act 1972, approved the submission of this item as an urgent one in order that a decision could be made on the offer of funding

received from EMDA by 31st March 2006. The report was circulated to Members immediately prior to the meeting.

In view of the need to implement any decision made by 31st March 2006, the report had also been submitted for certification as urgent in accordance with paragraph 17 of the Overview and Scrutiny Procedure Rules contained in the Council's Constitution and would not, therefore, be subject to Call-In.

The Monitoring Officer also referred to further discussions that had taken place since the report had been produced and, arising from these, circulated a revised recommendation for Cabinet's consideration. The Monitoring Officer informed the meeting that the Director of Resources had been in discussion with EMDA to seek ways of overcoming the difficulties of a payment being received from EMDA by 31st March 2006 and the possibility of funding coming to a capital programme which could then release funding for the purchase of the buses referred to in the report.

In the light of the discussion and on a motion by the Leader, duly seconded, it was:-

RESOLVED: 2006/046

1. That the offer of £700,000 funding from EMDA be welcomed and approved;
2. that the Capital Programme be increased by £700,000 to be met by the grant funding;
3. that the Leader be authorised to apply this funding to a suitable capital scheme as agreed with EMDA and
4. that the general exception rules in paragraph 15 of the Access to Information Procedure Rules set out in the Council's Constitution be applied in the circumstances of this matter and that, although the matter is not included in the Forward Plan, Cabinet is of the view that the taking of this decision cannot reasonably be deferred and further that the decision is an urgent one to which the provisions of paragraph 17 of the Overview and Scrutiny Procedure Rules apply and , accordingly, the decision should not be subject to the Call-In procedure.

Other Decisions

12. SUBSCRIPTION TO THE COALFIELD COMMUNITIES CAMPAIGN FOR 2005/06

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

RESOLVED: 2006/047

1. That a contribution of £13,281 be made to the Coalfield Communities Campaign representing the County Council's subscription for 2005/06, subject to a continued review of subscription levels for future years and
2. that a contribution of £100 be made to Bolsover District Council to support its maintenance of the Midlands Region Secretariat.

Councillor Chris Winterton returned to the meeting.

13. HOLME PIERREPONT – NATIONAL WATERSPORTS CENTRE

Councillor Baron explained the background to the issues set out in the report and also to the position taken by the County Council in the light of developments at national level and having regard to timescales which the Council faced. For these reasons he proposed a motion in terms of resolution number 2006/048 below which was duly seconded. He hoped that within approximately six months a business plan for the Centre could be drawn up which, at its heart, could have the principal objective of developing the premises as an asset for the County.

Following full discussion, it was, therefore:-

RESOLVED: 2006/048

1. That an assurance be sought from Sport England that it will remain committed to Holme Pierrepont until a robust solution can be found for the future use of the site;
2. that the consultant's initial findings be welcomed and used as a basis for a more detailed analysis to seek a preferred option for the future;
3. that Members and Officers continue to work positively with Sport England in determining the future for the site;
4. that a consultation plan be developed, to ensure users and stakeholders are involved in the consultation process;
5. that a further progress report be submitted to a future meeting to update Members on progress and
6. that a cross party Member Reference Group be established to ensure a regular flow of information across the Authority on this matter, to meet bi-monthly and be chaired by a Cabinet Member.

SECTION B (strategic matters for consideration)

14. STRATEGIC PLANNING OBSERVATIONS ON PLANNING APPLICATION FOR 7 WIND TURBINES ON LAND AT STONISH HILL AND FORMER BILSTHORPE COLLIERY, EAKRING ROAD, BILSTHORPE

The Leader advised that a report had recently been received from the Eaking Turbine Action Group which had raised significant concerns in relation to the matters and recommendations set out in the report. In the circumstances and on a motion by the Leader, duly seconded, it was:-

RESOLVED: 2006/049

That Newark and Sherwood District Council be informed that:-

1. the County Council is supportive of the principle of developing renewable energy sites as part of a comprehensive Energy Strategy;
2. whilst this proposal has the potential to meet the Nottinghamshire target for renewable energy as set out in RSS8, the County Council has a number of strategic concerns regarding the potential impact of this proposal on the environment of this part of Nottinghamshire, as set in the report, which should be considered alongside other aspects of the scheme which impact on the local environment including the visual impact of the proposed development and
3. the District Council should satisfy itself that the level of environmental impact which will result from the development, after all reasonable mitigation measures have been put in place, does not outweigh the benefits of this renewable energy scheme.

15. TOBACCO CONTROL POLICY

On a motion by the Leader, duly seconded, it was:

RESOLVED: 2006/050

1. That the draft revised Tobacco Control Policy and linked Guidance be approved in principle and
2. that a further report be submitted to a future meeting to consider the recommendations of the Personnel Committee.

16. STATEMENT OF CONFORMITY OF THE MINERALS AND WASTE LOCAL PLANS WITH THE JOINT STRUCTURE PLAN

RESOLVED: 2006/051

That the letter set out in the appendix to the report be sent to the Government Office for the East Midlands in order to comply with the requirements of the

Town and Country Planning Act 1990 and associated Town and Country Planning (Development Plan) (England) Regulations 1999.

17. ALLOCATIONS FROM THE CONTINGENCY

RESOLVED: 2006/052

That the allocations from the contingency and budget transfers, as set out in the report, be approved.

18. CAPITAL PROGRAMME VARIATIONS AND CAPITAL FINANCING

RESOLVED: 2006/053

1. That the previously approved variations to the Capital Programme for 2005/06 and the current monitoring position, as set out in the report, be noted;
2. that the current position regarding monitoring and financing the Capital Programme, as set out in the report, be noted and
3. that the current levels of borrowing be noted as being within the prudential limits set out at the beginning of the year.

19. IMPLEMENTING ELECTRONIC GOVERNMENT RETURN 2006 (IEG6)

RESOLVED: 2006/054

That the IEG6 return, as set out in the appendix to the report, be approved for submission to the Office of the Deputy Prime Minister.

20. RESPONSE TO CONSULTATION BY THE DEPARTMENT OF TRADE AND INDUSTRY AND THE REVIEW OF ASSISTED AREAS

RESOLVED: 2006/055

That the Leader be authorised to sign-off the County Council's response to the Department of Trade and Industry in connection with the Review of Assisted Areas.

21. INVITATION TO BID FOR GROWTH POINT STATUS

RESOLVED: 2006/056

That the proposal for the County Council to be part of a joint 3 Cities and 3 Counties bid for Growth Point status, as set out in the report, be approved.

SECTION C

EXCLUSION OF THE PUBLIC

RESOLVED: 2006/057

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

EXEMPT INFORMATION ITEMS

22. DORKET VIEW DAY UNIT, ARNOLD – LATEST ESTIMATED COST REPORT

RESOLVED: 2006/058

That the exempt information contained in the report be received.

23. MANSFIELD AND ASHFIELD LEARNING CENTRE, MANSFIELD – LATEST ESTIMATED COST REPORT

RESOLVED: 2006/059

That the exempt information contained in the report be received.

LEADER OF THE COUNCIL

NOTE

The decisions contained in these minutes were made on Wednesday, 29th March 2006, published on Monday 3rd April 2006 and become effective on Tuesday, 11th April 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.

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