



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 5th July 2012 (10.00 am – 12.40 pm)

Membership

Persons absent are marked with `A`

COUNCILLORS

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

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

OTHERS IN ATTENDANCE

Hon. Alderman Martin Brandon-Bravo OBE

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Policy, Planning and Corporate Services)
David Pearson	(Adult Social Care, Health and Public Protection)
Paul McKay	(Adult Social Care, Health and Public Protection)
Tim Gregory	(Environment & Resources)
Sara Allmond	(Policy, Planning and Corporate Services)
Carl Bilbey	(Policy, Planning and Corporate Services)
Claire Dixon	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Chris Holmes	(Policy, Planning and Corporate Services)
Anna Vincent	(Policy, Planning and Corporate Services)
Michelle Welsh	(Policy, Planning and Corporate Services)

OPENING PRAYER

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

1. MINUTES

RESOLVED: 2012/031

That the Minutes of the last meeting of the County Council held on 17th May 2012 be agreed as a correct record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

The following apologies for absence were received:-

Medical/Illness

- Councillor Bob Cross
- Councillor Rachel Madden
- Councillor David Taylor
- Councillor Les Ward
- Councillor Jason Zadrozny

Other

- Councillor Steve Carr
- Councillor Brian Wombwell

3. DECLARATIONS OF INTEREST

There were no declarations of interest

4. CHAIRMAN'S BUSINESS

Presentation of Awards

Councillor Reg Adair presented Wilkinson's Peace Sword and certificate which had been awarded to the Ruddington and District Branch of the Royal British Legion by Mr. W.F. Blackford and had been loaned to the Council to enable the sword to be on public display. Councillor Adair presented the sword and certificate to the Chairman.

5. CONSTITUENCY ISSUES

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

Councillor Mike Quigley MBE – East Midlands Ambulance Service review of services

Councillor Liz Yates – Slow broadband speeds in Bassetlaw

Councillor Sybil Fielding – 20mph limits outside schools, the community garden and development of former Shireoaks Colliery site

Councillor Gail Turner – Deterioration of highway services

6. PRESENTATION OF PETITIONS

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

1. Councillor Martin Wright – Petition regarding increasing the length of a 30 mph zone in Forest Town, Mansfield
2. Councillor Liz Yates – Petition regarding part-night lighting in Beckingham

3. Councillor Liz Yates – Petition regarding improving broadband speeds in Bassetlaw
4. Councillor Gail Turner - Petition regarding parking issues in Bourne Avenue, Selston
5. Councillor John Cottee – Petition regarding the Keyworth War Memorial
6. Councillor Stephen Garner – Petition regarding highway/pathway lighting improvements on Caudwell Drive, Mansfield
7. Councillor Keith Girling – Petition regarding the removal of the Citizens' Advice Bureau, Newark
8. Councillor Kevin Greaves – Petition regarding Worksop Bus Station

RESOLVED: 2012/032

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

7. QUESTIONS

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

No questions were received

(b) QUESTIONS TO COMMITTEE CHAIRMEN

Four questions had been received as follows:-

1. from Councillor Gail Turner about Section 106 monies for education (Councillor Philip Owen replied)
2. from Councillor Chris Winterton concerning youth unemployment in Ashfield and Mansfield (Councillor Philip Owen replied)

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

The time limit of 30 minutes allowed for questions was reached before the following two questions were asked. A written response to each question would be provided to the Councillor who asked the question within 15 days of the meeting and be included within the papers for the next Full Council meeting.

3. from Councillor Alan Rhodes regarding Energy Saving Programme (Councillor Richard Jackson to reply)
4. from Councillor Chris Winterton about care within nursing and residential homes (Councillor Kevin Rostance to reply)

8. CLARIFICATION OF MINUTES

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

9. POLICE AND CRIME PANEL ARRANGEMENTS

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2012/033 below.

The motion was seconded by Councillor Martin Suthers OBE.

RESOLVED: 2012/033

1. That the Panel Arrangements set out in Appendix A to the report be approved.
2. That the appointment of Nottinghamshire County Council as Host Authority for the Panel be noted.
3. That 1 Majority Group County Councillor be nominated as the Council's representative on the Panel.
4. That in the event of the Council's nominee being appointed as Chairman or Vice Chairman of the Panel, consideration will be given to payment of an SRA.

10. TREASURY MANAGEMENT POLICY UPDATE

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2012/034 below.

The motion was seconded by Councillor Eric Kerry

RESOLVED: 2012/034

That, given that the Finance and Property Committee now had responsibility for the scrutiny of treasury management policies and activities, appropriate changes be made to the Council's Treasury Management Policy and Practices.

11. MANAGEMENT ACCOUNTS 2011/12

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2012/035 below.

The motion was seconded by Councillor Eric Kerry.

Following a debate the motion was put to the meeting and after a show of hands the Chairman indicated that it was carried.

The requisite number of Members requested a recorded vote and it was ascertained that the following 43 Members voted '**For**' the motion.

'FOR'

Reg Adair	Keith Longdon
Fiona Asbury	Geoff Merry
Chris Barnfather	Mick Murphy
Victor Bobo	Philip Owen
Richard Butler	Carol Pepper
Allen Clarke	Mike Quigley MBE
Ged Clarke	Mrs Wendy Quigley
L B Cooper	Ken Rigby
John Cottee	Kevin Rostance
Michael J Cox	Mrs Sue Saddington
Mrs Kay Cutts	Mel Shepherd MBE
Dr John Doddy	Mark Spencer MP
V H Dobson	June Stendall
Stephen Garner	Andy Stewart
Michelle Gent	Martin Suthers OBE
Keith Girling	Lynn Sykes
John M Hemsall	Keith Walker
Stan Heptinstall MBE	Stuart Wallace
Richard Jackson	Gordon Wheeler
Rod Kempster	Martin Wright
Eric Kerry	Liz Yates
Bruce Laughton	

The following 15 Members voted '**Against**' the motion.

'AGAINST'

John Allin
Joyce Bosnjak
Steve Carroll
John Clarke
Jim Creamer
Sybil Fielding
Glynn Gilfoyle
Kevin Greaves

John Knight
Sheila Place
Darrell Pulk
Alan Rhodes
S Smedley MBE JP
Parry Tsimbirdis
Chris Winterton

There were no abstentions.

The Chairman declared that the motion was carried and it was:-

RESOLVED: 2012/035

1. That the 2011/12 year end revenue position be noted.
2. That the year-end carry forwards set out in section 4.12 and Appendix B of the report be approved.
3. That the level of County Fund Balances set out in section 7.1 and Appendix A of the report be approved.
4. That the movements in reserves as detailed in section 7 and Appendix D of the report be noted.
5. That the Capital Programme and its financing be noted.
6. That it be noted that the Council's Prudential Indicators were not breached in 2011/12.
7. That the treasury management outturn report in Appendix G of the report be noted.

12. STATEMENT OF ACCOUNTS

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2012/036 below.

The motion was seconded by Councillor Eric Kerry.

RESOLVED: 2012/036

That the pre-Audit draft Statement of Accounts 2011/12 be noted.

13. ARRANGEMENTS FOR STANDARDS AND AMENDMENTS TO THE CONSTITUTION

A draft Councillor Code of Conduct was circulated to Members at the meeting.

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2012/037 below.

The motion was seconded by Councillor Martin Suthers OBE.

RESOLVED: 2012/037

1. That a code based on the Department for Communities and Local Government (DCLG) code of conduct and which is consistent with recommendations 3 and 5 of the Report be adopted;
2. That the advice to members to check their existing register of members' interests within 28 days of this Report be noted;
3. That the meeting procedure rules provide for Councillors and co-opted members to declare any "disclosable pecuniary interests" at the start of a relevant meeting as proposed in paragraph 14 of the report;
4. That the meeting procedure rules provide for the exclusion of the Councillor or co-opted member from the meeting whilst a discussion or vote in relation to any item of business that the Councillor or co-opted member has any "disclosable pecuniary interest" is taking place;
5. That the meeting procedure rules provide for Councillors and co-opted members to declare other relevant interests at the relevant meeting as proposed in paragraph 17 of the report;
6. That the procedure for dealing with complaints set out in Appendix C of the report be adopted;
7. That responsibility for matters relating to the Councillors' Code of Conduct be delegated to the Policy Committee;
8. That the four former Independent Members of the Standards Committee be invited to make expressions of interest for the positions of Independent Person and to appoint two Independent Persons; Council to make the final appointments;

9. That the Independent Persons be entitled to claim reasonable expenses for travel and subsistence;
10. That the responsibility for granting dispensations to participate in an item at the meeting where the member has a "disclosable pecuniary interest" be delegated to the Policy Committee;
11. That it be acknowledged that the Head of Paid Service will consider applications from officers for exemptions from political restriction;
12. That the time for notification of changes in membership be amended to 4pm instead of 3.30pm as proposed in paragraph 32 of the report;
13. That the Monitoring Officer makes the necessary amendments to the Constitution.

14. NOTICE OF MOTION

The motion published in the agenda was withdrawn due to Councillor Zadronzy being unable to attend the meeting.

The Chairman declared the meeting closed at 12.40 pm

CHAIRMAN
M_5JULY12

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 5TH JULY 2012

3-MINUTE SPEECHES

Councillor Mike Quigley MBE

“We are all aware that the East Midlands Ambulance Service, known as EMAS, is currently undergoing a review of services.

The Health Scrutiny Committee have therefore arranged to question EMAS on these proposals and have invited local district councils to send their representatives to be part of the scrutiny process.

Ashfield District Council, Newark & Sherwood District Council and Mansfield District Council have all nominated members, but Bassetlaw District Council have not.

The excuse they gave was that they had no one with experience who was available. This seems rather strange, because I know of at least three district ward councillors who are in the area of the ambulance station, one of whom is actually a first responder! So I would of thought they had ample information on the issue.

In view of their failure to find a representative it would be reasonable to hope they would at least refrain from making ill informed comments from afar, but I will not be holding my breath. Suffice to say, John Mann MP increasingly appears to be the *de facto* Leader of Bassetlaw District Council and the scaremongering has already started.

It is a shame that Bassetlaw would rather undermine the scrutiny process than engage and represent their population in a constructive manner.”

Councillor Liz Yates

“I wish to bring to the attention of this Chamber the great concerns residents have about the very slow speeds of broadband in Bassetlaw. Under the next item on the Council agenda I will be handing in a petition with just short of 600 signatures from my division alone requesting that Nottinghamshire County Council should do all in its power to improve the broadband situation. This is just one division out of nine in Bassetlaw, which demonstrates the strength of feeling in the district.

Residents are very pleased that the County Council has entered into the BD/UK plan, as they see this as the route to improving their broadband speed.

This will enable rural business to work at the same speeds as businesses in good performance areas. Just as an example, I know of one resident who has a photography business and works from home. He has to burn his work onto a disc and take it or post it to his clients because sending it electronically is currently impractical.

Then we have schoolchildren who need broadband access for research to complete their homework and assignments. We all know how important it is for our young people to succeed in their education and to be on equal terms with their peers. If they can only access the internet on 'dial-up' – which many are – they are at a disadvantage in this modern world.

Therefore, I would hope that members who are also members in Districts and Boroughs have either already played their part in supporting the plan or will do so in the future to support their residents.”

Councillor Sybil Fielding

“Members will be aware that since 2005 I've called for the introduction of 20mph schemes outside all schools in Nottinghamshire. I am delighted to see that some schemes have been introduced but as a matter of urgency I would like to see these limits introduced outside of all schools. My experience of seeing a child die outside one of our places of learning was one experience too many and I don't want to see that repeated again.

I also want to raise the Local Improvement Scheme that took part on Playlands Avenue the Garden Society, I would like to pay tribute to the work of the County Council team who work close with the Society. The community garden is a truly wonderful project that has taken quite a lot of years to achieve. It's inclusive of primary schools and other organisations and it's really paying benefits for the community. Not wishing to turn providence but it's worth noting that since the further improvements to the old colliery site, the travellers have not gained access for the longest period since I've been an elected County Councillor.

The site at Shireoaks old colliery site is used greatly by the community, already the friends of Woodlands and Coachwood Green are working closely with officers on the adjacent site. The old colliery site very much needs to be developed sympathetically in conjunction with Woodlands and Coachwood Green. I am aware of the real challenges for this but this County Council has a once in a lifetime opportunity to support the concept of the Shireoaks Country Park.”

Councillor Gail Turner

“I arise today to inform the Chairman of the Transport and Highways Committee through you, Madam Chairman, that since the MOPs (Management and Operate Partnerships) were abolished, highway services in my constituency have

seriously deteriorated. It takes an age to get results on any highways matter including having very simple complaints like noisy manhole covers fixed. In a matter of only a few days and not weeks it used to take Ashfield District Council to do this, so there is that serious deterioration.

There are weeds growing everywhere, even Councillor Butler passed comments when he came to see me in Jacksdale, and that was a few weeks ago, but things have got a lot worse since then. The weeds are so bad that old age pensioners are doing their best to pull the weeds up near their homes and where the Council has performed very limited weed spraying. Where the weeds are now knee high, they're turning brown and look worse than when they were alive. The roots of all these weeds make small cracks in the footways and when the frost arrives in the winter, those small cracks will enlarge and then the spring will harbour even more weeds.

I have tried and I have tried with this department but I have made no headway what so ever in getting any of these jobs done. I have even telephoned the Chief Executive and still, no jobs done. And Madam Chairman, the most obscure situation has arisen, that Nottinghamshire County Council Highways sprays the weeds, all being very limited so far; and the District Councils have to pull all the dead weeds out. This just seems ridiculous to me and to my constituents. Wouldn't it just make sense to leave all the weed control to the districts? And another reason to give this responsibility back is the fact that Nottinghamshire County Council doesn't even communicate to the districts where and when they have sprayed. The barometer of this whole situation is how local people feel.

Madam Chairman I have never had so many complaints in all the time I have been a Councillor than I have had in the last couple of months."

APPENDIX B

COUNTY COUNCIL MEETING HELD ON 5TH JULY 2012 **QUESTIONS TO COMMITTEE CHAIRMAN**

Question to the Chairman of the Children & Young People's Committee from Councillor Gail Turner

"Is the Chairman of the Children & Young People's Committee aware that at Ashfield District Council, Councillor Madden and myself put forward a motion to have a policy written by Ashfield District Council to allow the Council to access Section 106 monies from developers to be contributed towards education which was defeated by the majority Labour Group including the dual hatted members.

Would the Chairman of the Children & Young People's Committee, who is also an ex-school teacher, please outline to the Council how he sees this as detrimental to the children of Ashfield.

Response by Councillor Philip Owen, Chairman of the Children & Young People's Committee

"Yes, I am aware of the vote last week at Ashfield District Council and I share her dismay at the potential implications for the many young people in Ashfield who attend school now, and those who will do so in the future.

Ashfield as a district doesn't enjoy the same levels of educational attainment as are achieved elsewhere within the county: based on the 2011 data, at Key Stage 4, 54.7% of students achieved 5 A*-Cs including English and Maths, compared with a national average of 58.9%.

Section 106 of the Town and Country Planning Act of 1990 enables providers of public services (like the County Council) to make requests to the relevant local planning authorities for mitigation against the adverse impact of a given proposed development upon their service, or services. In other words, it is recognised that if you lodge an application to build 100 new houses in an area and it is approved without conditions, it will impact on the infrastructure of the area. For example, there will be more cars on the roads, higher demand on local health services and there will be more families locally. This means more families requiring a school place for their children.

It is for this reason that whenever a development is proposed anywhere in the county of over 12 dwellings, my officers lodge a request with the relevant local council for a Section 106 contribution for education. The monies are spent purely to ensure that the local catchment schools have sufficient room to educate the extra children generated by a development. I should also add that where those catchment schools already have sufficient spare capacity to accommodate these children, we do not request Section 106 monies. Hence our requests are always

justified based on actual need, rather than simply being a “knee jerk” reaction to levy property developers.

I regret to confirm that in Ashfield we have a history of requesting Section 106 monies when developments are proposed and it is rather a lottery whether our requests are accepted or not. “Viability” is a word which is frequently used as a reason for Ashfield not pursuing contributions; they argue if we levy the developer for the sums we are asking for, then the developer will withdraw the proposed scheme. However, in my view, education should always be a priority in all Section 106 requests.

By contrast, over the border in Mansfield District, where there are almost identical economic conditions and hence the same “viability” issues, the district council does accept our requests for Section 106 monies.

So, in conclusion, and in answer to the member for Selston’s specific question, I would confirm that the failure to collect Section 106 education contributions is to the detriment of Ashfield children. Educating children in crowded classrooms leads to stress – both for children and teachers alike. I hope that the members in Ashfield accept our requests for education contributions when they are considering planning applications and that they give such requests priority over all other areas.

I am sure the member for Selston would agree with me when I say that nothing is more important for the sustainable and prosperous future of this county, than the first-class education of its children.”

Question to the Chairman of the Children & Young People’s Committee from Councillor Chris Winterton

“Latest figures state that over 1000 young people in Ashfield and over 1000 young people in Mansfield are unemployed. This figure has remained high throughout the last year.

As the economy is flat lining and there is little potential for growth, what new investment is the County Council making in order to deal with this high level of youth unemployment?”

Response by Councillor Philip Owen, Chairman of the Children & Young People’s Committee

“I and my colleagues in this Administration are fully aware that in the current difficult economic climate, young people across Nottinghamshire need effective support to gain the appropriate skills to take up employment opportunities. We need to ensure that employers are encouraged and supported to provide appropriate training and employment opportunities for young people.

I'm therefore pleased to be able to confirm the following:-

We are continuing to provide £2.3million of funding this year to support effective careers guidance and support for teenagers who need support the most, through our continuing commissioning of the Nottinghamshire Futures Service, at a time when a number of local authorities have ceased to directly support this activity.

We are also supporting Futures, which is a company jointly owned by the County Council with Nottingham City Council, to expand its focus of operations to incorporate support for young adults aged 18+. To this end, Futures has won the Government contract to deliver the National Careers Service in Nottinghamshire and the East Midlands, which means that we're well placed to ensure that young adults receive effective and comprehensive careers support in our County.

Our Skills For Employment Team in the Young People's Service will this year be providing 340 training places for 16+ school leavers at venues across the County, making it the largest Foundation level training provider in the County.

We've committed to increasing the number of County Council apprenticeships available to young people aged 16 -19, so that we can offer 100 apprenticeships to school leavers - at a cost of over £500,000.

We're partnering with West Nottinghamshire College, which has been awarded £3million of European Social Fund monies to deliver countywide programmes of NEET reduction and prevention activity over the coming 2 years, to help shape, support and deliver the programmes.

We are currently developing a Youth Employment and Employability Strategy for Young People aged 16-24. Within the context of our broader approach to economic development in Nottinghamshire this will set out how, with colleges, employers and other partners we will continue to support and invest in key priorities for youth unemployment such as growing apprenticeships, improving the employability and skills sets of our young people, and supporting employers to offer effective apprenticeships and first employment opportunities

We are continuing to drive up school standards and the educational attainment of our young people at school. The last 3 years have seen a substantial improvement in our KS4 performance, and our unrelenting and continuing focus on maintaining our current rate of improvement here will help ensure that our young people leave school in the best possible position to find and retain employment. At the same time, we are now turning our attention to Key Stage 5, so that we can ensure that young people leaving formal education at 18 do so in the best shape for the future."