



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 10 October 2019 (10.30 am – 4.32 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Kevin Rostance (Chairman)
Stuart Wallace (Vice-Chairman)

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

OFFICERS IN ATTENDANCE

Anthony May	(Chief Executive)
Melanie Brooks	(Adult Social Care and Health)
Jonathan Gribbin	(Adult Social Care and Health)
Sara Allmond	(Chief Executives)
Sarah Ashton	(Chief Executives)
Luke Barratt	(Chief Executives)
Carl Bilbey	(Chief Executives)
Rob Davies	(Chief Executives)
Angie Dilley	(Chief Executives)
David Hennigan	(Chief Executives)
Marjorie Toward	(Chief Executives)
Nigel Stevenson	(Chief Executives)
James Silverward	(Chief Executives)
Adrian Smith	(Place)

CHAIRMAN

Vice-Chairman Councillor Stuart Wallace would chair the meeting until Chairman Kevin Rostance arrived.

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 Colin Bromfield. The Chairman, Councillor Alan Rhodes, Councillors Mrs Kay Cutts MBE, Councillor Parry Tsimbiridis, Councillor Glynn Gilfoyle and Councillor John Cottee spoke in member of former County Councillor Colin Bromfield.

1. MINUTES

RESOLVED: 2019/027

That the minutes of the last meeting of the County Council held on 24 July 2019 be agreed as a true record and signed by the Chairman with the following alterations:-

- Correct the Chairman and Vice-Chairman and include Councillor Saddington as a member of the Full Council on page one; and
- Change "she" to "he" in Chairman's Business on page three.

2. APOLOGIES FOR ABSENCE

The following apology was submitted:-

- Councillor Martin Wright – other reasons

Councillors Rachel Madden and Kevin Rostance submitted apologies that they would be arriving late to the meeting. Councillor Madden did not attend the meeting.

3. DECLARATIONS OF INTEREST

None

4. BUSINESS CARRIED OVER FROM THE PREVIOUS MEETING

Motion Three from 11th July 2019 meeting

A Motion as set out below was moved by Councillor Alan Rhodes and seconded by Councillor Kate Foale:

“On 10th June 2019, the BBC informed viewers that free TV licences for over 75’s will be scrapped for those not on pension credit.

This council recognises that this action will have a significant detrimental impact to some of our most vulnerable elderly residents across Nottinghamshire.

This council resolves to write to the Secretary of State for Digital, Culture, Media and Sport to ask him to consider the consequences of these actions and to request that they reconsider the 2015 decision to no longer fund TV licences for over 75’s.

This council further resolves to write to the BBC to request that they too reconsider their recent decision.”

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

“On 10th June 2019, the BBC informed viewers that free TV licences for over 75’s will be scrapped for those not on pension credit.

This ~~e~~Council recognises that this action will have a significant detrimental impact ~~ont~~o some of our most vulnerable elderly residents across Nottinghamshire.

This ~~e~~Council resolves to write ~~through the Council Leader~~to the Secretary of State for Digital, Culture, Media and Sport to ask him to consider the consequences of these actions and to request that they reconsider the 2015 decision to no longer fund TV licences for over 75’s.

This council further resolves to write to the BBC **Board Chairman and Director General** to request that they ~~to~~ **seriously** reconsider their recent decision **in view of the advice given by the Prime Minister that the BBC should “cough up” to keep over 75s’ TV licences free.**”

The amendment was accepted by the mover of the motion.

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: 2019/028

On 10th June 2019, the BBC informed viewers that free TV licences for over 75's will be scrapped for those not on pension credit.

This Council recognises that this action will have a significant detrimental impact on some of our most vulnerable elderly residents across Nottinghamshire.

This Council resolves to write through the Council Leader to the BBC Board Chairman and Director General to request that they seriously reconsider their recent decision in view of the advice given by the Prime Minister that the BBC should “cough up” to keep over 75s’ TV licences free.

Motion Four from 11th July 2019 meeting

A Motion as set out below was moved by Councillor Jason Zadrozny and seconded by Councillor David Martin:

“This Council notes the crisis in Social Care and further notes the multiple delays to the green paper on Adult Social Care. The green paper was first promised in the March 2017 budget as a route to a more secure and sustainable system – it has now been delayed numerous times – Ministers citing ‘Brexit’ as the main reason.

The green paper aimed to confront two issues: chronic underfunding of the existing means-tested care system caused by the huge cuts in government funding to councils since 2010 and the urgent need to protect self-funding people outside the current system from catastrophic care costs.

This Council further notes:

- (1) The proportion of the council’s budget spent on Adult Social Care in 2019/20 is 35p in every £1 of Council expenditure. This amounts to £356 million pounds this financial year. This is £11.9 million more than this County Council expected to raise in Council Tax this year. This is unsustainable.
- (2) The Association of Directors of Adult Social Services recent statement that social care in England was adrift in a “sea of inertia” caused by years of budget cuts and that “The system is not only failing financially, it is failing people.”
- (3) That this is causing significant pressure on the finances of Nottinghamshire County Council - becoming this Council’s single biggest expenditure.
- (4) The importance of a reformed funding system to give Councils like Nottinghamshire the financial certainty to address the underlying problems.

- (5) That delays to the green paper make it impossible for Councils like Nottinghamshire to plan ahead and deal with the biggest crisis we face.
- (6) That the funding crisis, in particular the failure to publish the green paper caused by Brexit-related policy paralysis is putting untold Nottinghamshire residents at risk with un-met care needs.

This Council therefore resolves to instruct the Leaders of the Ashfield Independents, the Conservatives and Labour Parties on Nottinghamshire County Council to write to the Secretary of State for Health and Social Care setting out the consequences of the Government's failure to get to grip with funding social care, calls for emergency parachute payments to Councils, calls for a timetable for the publication of the green paper and to reiterate our call for this to be published as soon as possible so we can deal with the biggest catastrophe facing Nottinghamshire County Council."

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

"This Council welcomes the Government's response to the County Councils Network's campaign for additional resources for councils, particularly with regard to adult social care funding. The additional £1 billion funding boost for social care announced in September will give councils some real breathing space over the next 18 months, allowing us to protect vital services for our communities.

This Council ~~however~~ notes the crisis in Social Care and further notes the multiple delays to ~~that~~ the green paper on Adult Social Care. The green paper ~~which~~ was first promised in the March 2017 budget as a route to a more secure and sustainable system—it has now been delayed numerous times – Ministers citing 'Brexit' as the main reason. **In fact, successive governments since the 1940s have failed to tackle the question of how social care will be funded sustainably in the future.**

~~The green paper aimed to confront two issues: chronic underfunding of the existing means tested care system caused by the huge cuts in government funding to councils since 2010 and the urgent need to protect self-funding people outside the current system from catastrophic care costs.~~

~~This Council further notes:~~

- ~~(1) The proportion of the council's budget spent on Adult Social Care in 2019/20 is 35p in every £1 of Council expenditure. This amounts to £356 million pounds this financial year. This is £11.9 million more than this County Council expected to raise in Council Tax this year. This is unsustainable.~~
- ~~(2) The Association of Directors of Adult Social Services recent statement that social care in England was adrift in a "sea of inertia" caused by years of budget cuts and that "The system is not only failing financially, it is failing people."~~
- ~~(3) That this is causing significant pressure on the finances of Nottinghamshire County Council – becoming this Council's single biggest expenditure.~~

~~(4) The importance of a reformed funding system to give Councils like Nottinghamshire the financial certainty to address the underlying problems.~~

~~(5) That~~The delays to the green paper make it more difficult impossible for Councils like Nottinghamshire to plan ahead ~~and deal with the biggest crisis we face.~~
so

~~(6) That the funding crisis, in particular the failure to publish the green paper caused by Brexit-related policy paralysis is putting untold Nottinghamshire residents at risk with un-met care needs.~~

~~This Council therefore resolves to write through instruct the Leaders of the Ashfield Independents, the Conservatives and Labour Parties on Nottinghamshire County Council to write to the Secretary of State for Health and Social Care setting out the consequences of the Government's failure to get to grip with funding social care, calls for emergency parachute payments to Councils, callings for a timetable for the publication of the green paper and to reiterate our call for this to be published as soon as possible so we can deal with the biggest catastrophe facing Nottinghamshire County Council."~~

The meeting adjourned from 11.22am to 11.35am to enable members to consider the proposed amendment.

The amendment was not accepted by the mover of the motion.

Following a debate, the amendment was put to the meeting and after a show of hands the Chairman declared it was carried and became the substantive motion.

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: 2019/029

This Council welcomes the Government's response to the County Councils Network's campaign for additional resources for councils, particularly with regard to adult social care funding. The additional £1 billion funding boost for social care announced in September will give councils some real breathing space over the next 18 months, allowing us to protect vital services for our communities.

This Council however notes that the green paper on Adult Social Care which was first promised in the March 2017 budget as a route to a more secure and sustainable system has now been delayed numerous times – Ministers citing 'Brexit' as the main reason. In fact, successive governments since the 1940s have failed to tackle the question of how social care will be funded sustainably in the future.

The delays to the green paper make it more difficult for Councils like Nottinghamshire to plan ahead, so this Council therefore resolves to write through the Leader to the Secretary of State for Health and Social Care calling for a timetable for the green paper to be published as soon as possible.

Council adjourned from 12.18pm to 1.19pm for lunch during consideration of this item. The Chairman, Councillor Kevin Rostance, arrived at 1.19pm and Chaired for the remainder of the meeting.

5. CHAIRMAN'S BUSINESS

PRESENTATION AND AWARDS

Association of Directors for Environment, Economy, Planning and Transport – Highly Commended Award.

Councillor Mrs Kay Cutts MBE introduced the award informing the Council that the Council's Digital Growth Programme had been awarded as "Highly Commended" at the ADEPT President's Awards under the category of "Deploying Digital Innovation and Technology". The Chairman received the award from Councillor Cutts and presented it to Emily Wormall and Trish Burke from the Growth and Economic Development Team.

Ambassador Centre Status Award

Councillor Tracey Taylor introduced the award which gave St Michaels Environmental Education Centre Ambassador Status from the Peak District National Park. St Michaels was the first centre to receive this status. The Chairman received the award from Councillor Taylor and presented it to Ian Weeks, Head of Centre at St Michaels.

CHAIRMAN'S BUSINESS SINCE THE LAST MEETING

The Chairman updated the Chamber on the business he 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 Neil Clarke MBE – regarding parents parking outside or near schools in his division leaving engines running / idling and how to alleviate this behaviour in these more environmentally aware times.

Councillor Muriel Weisz – regarding the site of the former Sherwood E-Act Academy in Gedling

7a. PRESENTATION OF PETITIONS

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

- (1) Councillor Gordon Wheeler requesting a new road surface on Lydney Park, West Bridgford
- (2) Councillor Neil Clarke MBE requesting a new road surface on Nottingham Road, Cropwell Bishop
- (3) Councillor Tracey Taylor requesting improved vehicle speed and HGV traffic management on Blyth Road, Ranskill
- (4) Councillor Mike Quigley MBE requesting an extension to an existing residents parking scheme on Queen Street, Retford
- (5) Councillor Andrew Brown requesting a partial road closure on Landcroft Lane, Sutton Bonington
- (6) Councillor John Handley regarding dangerous parking outside Brinsley Primary School
- (7) Councillor Roger Jackson requesting crash barriers along Hoveringham Road, Hoveringham
- (8) Councillor John Peck JP requesting the resurfacing of the B6030, Mansfield Road, through Clipstone
- (9) Councillor Kate Foale requesting a residents parking scheme for Redwood Crescent, Beeston
- (10) Councillor Stephen Garner regarding a proposed Traveller Site at the side of Abbey Primary School, Mansfield
- (11) Councillor Vaughan Hopewell regarding traffic calming measures on Bransdale Avenue, Forest Town
- (12) Councillor Muriel Weisz requesting a compulsory speed restriction / interactive speed sign and a weight restriction on Moore Road, Mapperley
- (13) Vice-Chairman Stuart Wallace requesting a policy to pursue the divestment of funding in fossil fuels by the Nottinghamshire Pension Fund.

RESOLVED: 2019/030

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: 2019/031

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

8. NOTTINGHAMSHIRE YOUTH JUSTICE STRATEGY 2019

Councillor Philip Owen introduced the report and moved a motion in terms of resolution 2019/032 below.

The motion was seconded by Councillor Tracey Taylor.

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

RESOLVED: 2019/032

That the Nottinghamshire Youth Justice Strategy 2019, as set out in appendix 1 of the report, be approved.

9. THE CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS – APPOINTMENT OF INDEPENDENT PERSON

Councillor Bruce Laughton introduced the report and moved a motion in terms of resolution 2019/033 below.

The motion was seconded by Councillor Andy Sissons.

The Chairman put the Motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/033

That the appointment of Rob White to the role of Independent Person, for an initial period up to 21 May 2020 be approved.

10. NOMINEES FOR THE ADMINISTRATION OF ESTATES, AND DEALING WITH THE FINANCIAL AFFAIRS OF INDIVIDUALS LACKING MENTAL CAPACITY

Councillor Richard Jackson introduced the report and moved a motion in terms of resolution 2019/034 below.

The motion was seconded by Councillor Tony Harper.

The Chairman put the Motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/034

- 1) To formally delegate authority to act as the Council's nominee/s for the purpose of administering the estates (including making an application to the Probate Registry for a Grant of Representation) of deceased service users and their relatives or the estates of deceased relatives of looked after children or adults lacking mental capacity where necessary to:
 - a. the Group Manager Legal, Democratic and Complaints (or any successor postholder having responsibility for the head of the Legal Service); and
 - b. the Corporate Director of the relevant service department (to act as an additional nominee in cases where two nominees are legally required).
- 2) To formally delegate authority to the Corporate Director of the relevant service department and the Group Manager Legal, Democratic and Complaints to act as a trustee in appropriate cases.
- 3) To formally delegate authority to the Corporate Director of the relevant service department to act as the Council's nominated Deputy for an individual where it is necessary for the Council to deal with their property and affairs.
- 4) To formally delegate authority to the Corporate Director of the relevant service department to act as an appointee of the Department of Works and Pensions in order to deal with the benefits of service users who cannot manage their own affairs.
- 5) To delegate to the Chief Executive the authority to make any similar such nominations in the future on behalf of the County Council as may be required for the efficient and effective conduct of service delivery.
- 6) To authorise the Council's Monitoring Officer to update the Council's Scheme of Delegation for Officers to reflect the above delegations which, for the avoidance of doubt, shall apply to the person from time to time holding the above posts or to any equivalent or replacement successor job titles to each of those posts.

11a. QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

None

11b. QUESTIONS TO COMMITTEE CHAIRMAN

Nine questions had been received as follows:-

- 1) from Councillor Bruce Laughton regarding the cutting of grass verges (Councillor Gordon Wheeler replied)
- 2) from Councillor Alan Rhodes about the impact of HS2 delay on the local economy (Councillor Mrs Kay Cutts MBE replied)
- 3) from Councillor Kate Foale concerning the use of funds for free school meals (Councillor Philip Owen replied)
- 4) from Councillor David Martin regarding electronic real time bus information signs (Councillor John Cottee replied)
- 5) from Councillor Jason Zadrozny about funding for transport (Councillor Mrs Kay Cutts MBE replied)
- 6) from Councillor Muriel Weisz concerning cost of care policy (Councillor Tony Harper replied)

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

The time limit of 60 minutes allowed for questions was reached before the following questions were asked. A written response to the questions would be provided to the Councillors who asked the questions within 15 working days of the meeting and be included in the papers for the next Full Council meeting.

- 7) from Councillor Ton Hollis regarding resources to tackle Council Tax Fraud (Councillors Mrs Kay Cutts MBE to reply)
- 8) from Councillor Rachel Madden concerning a food waste recycling pilot proposal (Councillor John Cottee to reply)
- 9) from Councillor Kate Foale regarding KS4 Curriculum on study for Citizenship (Councillor Philip Owen to reply)

12. NOTICE OF MOTIONS

Motion One

A Motion was moved by Councillor Tracey Taylor and seconded by Councillor Tony Harper in terms of resolution 2019/035 below.

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

RESOLVED: 2019/035

This Council recognises the threat posed by Child Criminal Exploitation, in particular 'County Lines' drug dealing, where gangs from city areas have expanded their

operations into towns and villages by using violence, coercion or manipulation to recruit vulnerable children and young people to carry and sell drugs.

This Council supports the excellent work being undertaken by our officers in partnership with other organisations, including the Police, to raise awareness of and combat Child Criminal Exploitation so that young people at risk are identified, supported and protected. These measures include:-

- support to, and information sharing with, schools;
- multi-agency training and awareness raising;
- targeted youth work and youth crime prevention;
- monthly Serious Youth Violence & Criminal Exploitation Panels;
- place-based safeguarding;
- a Criminal Exploitation Steering Group; and
- a Home Office-funded Violence Reduction Unit for Nottinghamshire.

Such work already falls within the purview of many of our committees including Children and Young People, Adult Social Care and Public Health and Communities and Place, and this should continue.

This Council further resolves that reports will be brought to Policy Committee at appropriate intervals to provide an overview of these various elements of work and recommend, as required, any further strategic actions that may be necessary to tackle this issue, especially with regard to our youth services.

Councillor Jason Zadrozny left the meeting at 3.20pm during consideration of this item.

Motion Two

A Motion was moved by Councillor Bruce Laughton and seconded by Councillor John Cottee in terms of resolution 2019/035 below.

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

RESOLVED: 2019/036

This Council welcomes the recommendations agreed at Communities and Place Committee on 5 September 2019, approving further work to develop Electric Vehicle (EV) technology and encourage its use. This reflects the national drive to increase the use of EVs and recognises their role in achieving our local, regional, and national objectives for transport and the environment – particularly our statutory duty to improve air quality.

However, this Council also recognises the challenges that are present when rolling out new technology to countryside areas, and the additional work that is required to ensure that urban and rural communities' have comparable access to such utilities.

This Council therefore instructs officers to undertake further work to examine the EV infrastructure currently available to rural communities, and how this could be enhanced

to ensure that these communities are not left behind as this technology continues to advance.

This work will be fed back to Communities & Place Committee as part of its wider remit for the development of EV infrastructure.

Councillor Jason Zadrozny returned to the meeting at 4.18pm during consideration of this item.

The Chairman declared the meeting closed at 4.32 pm.

CHAIRMAN

