

## **APPENDIX A**

### **COUNTY COUNCIL MEETING HELD ON 15 OCTOBER 2020 QUESTIONS TO COMMITTEE CHAIRMEN**

*The following three questions were taken together*

#### **Question to the Leader of the Council from Councillor Eric Kerry**

In light of public allegations that Nottinghamshire County Council did not engage with the Leaders and Chief Executives of the borough and district councils in Nottinghamshire until “the last minute” regarding the issue of Local Government Reorganisation;

Would the Leader explain whether she has met or sought to meet these representatives, and if so, how many times since the Summer of 2018, when Nottinghamshire County Council began the first phase of its work on the future of local government in Nottinghamshire?

#### **Question to the Leader of the Council from Councillor Kate Foale**

At the AGM of the East Midlands Council, the Secretary of State for Housing, Communities and Local Government Robert Jenrick was asked for more clarity from government about plans for local government reorganisation and devolution. His response was very clear that this is not the right time and I quote: ‘it is not helpful to get into arguments in and between councils .....when there is a job to be done’, referring to the challenges currently facing Councils: COVID, economic recovery and service delivery.

In hindsight does she agree with me that the decision at Policy Committee on 16 September to write to the Secretary of State to ask for an invitation for the County Council to come forward with proposals for unitary local government in Nottinghamshire was a mistake?

#### **Question to the Leader of the Council from Councillor Jason Zadrozny**

Can the Leader please outline what discussions she has had with the 7 Leaders of Borough and District Councils and the Leader of Nottingham City Council with regards to Local Government Reorganisation? Does she now accept that her attempts to create a Unitary Authority across our County has failed? Will this authority now stop any further spending on this doomed project and will she apologise to the 11,000 workers at our Borough and District Councils for threatening their jobs. Further to this, will she guarantee that this will not be revisited in the future after a number of botched, expensive attempts to scrap Borough and District Councils?

#### **Response from Councillor Mrs Kay Cutts MBE, Leader of the Council**

This administration has made no secret of its ambitions to see Local Government Reorganisation in Nottinghamshire and wider reforms across the East Midlands. In

both 2018 and 2020, we have undertaken rigorous consultation with local residents, partners, and organisations including district and parish councils.

When we first considered Local Government Reorganisation in Nottinghamshire in June 2018, I wrote to the Leaders of Nottinghamshire's seven district & borough councils outlining my council's proposals to work with Derbyshire, Leicestershire, and the three corresponding cities – and I quote – 'in a Strategic Alliance to drive economic and strategic housing growth' and to 'seek the government's views on whether local government reorganisation would help in delivering the right conditions to maximise the region's potential.'

I corresponded with these leaders on two further occasions in July 2018, providing further details on our proposals and inviting them to meet. In tandem with this correspondence, I met with the Leaders and Chief Executives of these councils on the following occasions:

- On 19 June 2018, I met with Councillor Simon Robinson, Leader of Rushcliffe Borough Council
- On 25 June 2018, I met with Councillor Simon Greaves, Leader of Bassetlaw District Council, together with our councils' Chief Executives
- On 18 July 2018, I met with Councillor Zadrozny in his capacity as Leader of the Ashfield Independent Group. Councillors Rhodes & Garner were present as Leaders of their respective Groups.
- On 23 July 2018, I met with Councillor David Lloyd, Leader of Newark & Sherwood District Council, together with our councils' Chief Executives
- On 6 September 2018, I again met with Councillor Simon Robinson, Leader of Rushcliffe Borough Council, together with our councils' Chief Executives
- On 13 September 2018, I met with Councillor Richard Jackson, then Leader of Broxtowe Borough Council, together with our councils' Chief Executives
- On 17 September, I met with Kate Allsop, then Mayor of Mansfield, together with our councils' Chief Executives

I had also arranged to meet with Councillors Jason Zadrozny and John Clarke in their capacity as District Council Leaders, though both cancelled the meeting at short notice and did not seek to reschedule.

Further to these meetings, two meetings were also held with the Leaders and Chief Executives of all eight Nottinghamshire councils. These took place on 5 November 2018 and 5 December 2018.

It was at this point that we paused our work, further to discussion with the district and borough councils, so that they could consider further ways in which we could deliver efficiencies and work more closely. This included a report to the Nottingham & Nottinghamshire Economic Prosperity Committee, on which all District and Borough Leaders sit together with myself and the Leader of the City Council. This report, which was approved in February 2019, agreed that the Chief Executives of these councils should hold workshops on joint working. Our Council was able to arrange for this work to take place with a leading consultancy free of charge, and whilst these workshops took place throughout 2019 a follow-up report has not been forthcoming.

I have, of course, continued to speak with my district colleagues since this time on a more informal basis and arranged official meetings with Councillor Milan Radulovic and Mayor Andy Abrahams in November 2019, though the latter was cancelled at short notice. However, more general progress has been interrupted on several occasions – namely from the purdah periods from the recent local district council elections and general elections, the Government’s focus on Brexit throughout 2019, and of course the COVID-19 pandemic, and the lockdown which was imposed on 23<sup>rd</sup> March 2020.

To address Councillor Zadrozny’s points more directly, the following passage from a letter which I received from Luke Hall MP, the Minister responsible for overseeing Local Government Reorganisation on Friday 9 October, should make the official position quite clear:

“I would value an opportunity now to see how your vision for the future of local government in Nottinghamshire is developing and the ideas you have for future unitary structures. If you wish, I would be happy for you to send me the business plan and proposals you are developing including the evidence you have about the level of local support. I will be interested to consider this material, which will help me develop my thinking for the future.”

**Question to the Chairman of the Communities and Place Committee from Councillor Tom Hollis**

Can the Chairman please give a statement on the poor standard of jobs being carried out on our Highways by Via East Midlands – now 100% owned by Nottinghamshire County Council. Residents from across both the Ashfield and Mansfield Districts have complained about the poor, rushed standard of workmanship. This includes carrying out micro-asphalting jobs without filling in pot-holes and re-surfacing around parked cars. Will the Chairman, take this opportunity to apologise, accept responsibility and carry out an investigation into the standard of highway’s works carried out by this authority?

**Response from Councillor John Cottee, Chairman of the Communities and Place Committee**

I agree an apology is due. An apology is due from Councillor Hollis and at least one of his colleagues to the operatives of Via East Midlands and to our contractors, and to our own Highways Manager, who have been are being publicly, unjustly criticised by the most cynical politicians I have ever known. The same people who, a couple of weeks ago, were presenting themselves as champions of council employees and operatives.

Under the Ashfield Independent Code of Dishonour, it seems nobody is exempt from being used or attacked in pursuit of a headline or something to write in a political leaflet, even though the accusations being made are at best ill-informed, and at worst downright malicious.

I will answer the question regarding micro-asphalting as though it is a legitimate expression of concern, rather than the latest attention-seeking political stunt.

Micro asphalt is a treatment to repair roads, and is used nationally and recognised as a cost-efficient repair method. It has been used in Nottinghamshire for a number of years. It is particularly appropriate for use on residential streets where often in the past surface dressing has been the chosen treatment.

Micro asphalt by nature regulates out potholes and surface defects and as such removes the need to repair all but the most serious ones before it is applied.

The ironwork will be adjusted in the coming weeks and the surface will be swept to remove any loose aggregate, which is in accordance with national guidance. The road markings will also be replaced shortly, and over time the surface will continue to lighten as the material cures, eventually changing to a grey colour similar to the surrounding roads.

I understand that a meeting took place involving Ashfield members and our resilient, professional representatives of both Via East Midlands and Nottinghamshire County Council, and a number of micro-asphalting works were discussed. Residents will be advised on the forthcoming additional or remedial work in due course.

Regarding resurfacing around parked cars, specifically the instance cited in an Ashfield Independents' media release, five vehicles were removed from the carriageway, but a remaining vehicle had been involved in an incident where police attended, so a decision was made to leave it in case it was part of an ongoing investigation.

Chairman, our operatives and contractors carry out highways works all over the County, more often than ever before because of the extra £24 million invested in highways and the maintenance of them by this Conservative & Mansfield Independent administration.

### **Question to the Chairman of Finance and Major Contracts Management Committee from Councillor Mike Pringle**

At the most recent Finance and Major Contracts Management Committee, you stated that it would be challenging to produce a balanced budget for this authority next February. Can you please share with Members how you intend to protect services and not leave the incumbent administration with an increased deficit, despite all the cuts you have made to vital services throughout your term?

### **Response from Councillor Richard Jackson, Chairman of the Finance and Major Contracts Management Committee**

Over the past weekend there was a considerable amount of triumphalism from your Group Leader and certain other politicians on social media, celebrating the news that Nottinghamshire will not be in the first wave of areas considered for unitary status.

Clearly, you want to take credit for delaying the release of at least £27 million a year tied up in the bureaucracy of the current two-tier structure, not to mention the additional

devolved funds that we would attract by forming a Combined Authority of unitary councils.

If we had been in the first wave, then we could have made different assumptions in planning next year's budget and our Medium Term Financial Strategy, but this delay means we cannot.

The letter to the Leader of this Council from Minister of State, Luke Hall, which has been referred to already this afternoon, is clear that we should proceed with putting together our updated business case for unitary local government, but self-evidently, those who have argued to kick this can further down the road have succeeded, for now.

As a consequence, and as I have warned all along in newspaper columns, in radio interviews, in television interviews, and at committee, this means that difficult decisions will now need to be taken around council tax and our discretionary services.

You have known this all along, but you and your colleagues led people to believe that local government reorganisation could be delayed or killed off with no consequence. Your Leader, and others, have insisted that now was not the time to discuss a unitary council while we deal with Coronavirus.

But I beg to differ. I think now was precisely the time to discuss a new approach that would release – as I have already said – at least £27 million a year of extra money to fund services, both during and after this public health crisis has abated.

You campaigned against this. You fought against releasing that money as quickly as possible, and I'm sure that's why you have wasted no time tabling a question seeking to distance yourself from the consequences!

Well, rest assured, Councillor Pringle, I will be reminding the Nottinghamshire public of the truth every single time your group or any other group tables a hypocritical questions or motions seeking to shift the blame.

I suspect I already know some of your excuses. One will be to accuse this administration of financial mismanagement. Well, the truth is that in February this year, before COVID became a factor, this County Council was in the best financial shape it had been for over a decade. A Local Government Association Peer Review specifically praised the financial management of this authority, and it called us a 'good' council going towards great.

Since then, the Coronavirus outbreak has caused unprecedented demand on our services. Our Section 151 officer and his team have been analysing spend, completing the necessary government returns and reporting to my Committee throughout the year. We have been transparent about the situation.

Over the months we have seen Government announcements of support to business; to care homes and home-based care providers; to fund additional PPE; and significant direct support for local government. But the current picture is that Nottinghamshire County Council has a budget gap of £52 million over the next three years, even after

receiving over £40 million of emergency funding from the Government. Of that £52 million, £24 million of savings need to be found in 2021/22.

This leads me to pre-empt another of your likely excuses for the consequences of you stalling LGR. You will likely remind me that the Government told councils to “spend whatever is needed” to tackle Coronavirus, implying that we would be financially covered to do so, and I agree. We have spent whatever was needed, and we are reminding the Government of all their promises at every opportunity.

But let’s be clear, the scale of the COVID crisis has stunned the world. The costs go beyond what any Government was anticipating back in February and March. And the bottom line is that every pound we spend on the response to COVID comes out of the public’s pocket – that’s the taxpayer’s pocket – whether it is raised through council tax, or arrives as an additional grant from the Government. It is not ‘free’ money, there is no such thing.

The only way to meet the costs of a crisis like this without increasing the burden on the taxpayer one way or another, is by delivering our services in a more efficient way. And that is exactly what we want to do - as fast as possible – by creating a unitary authority.

I repeat, a single unitary council would release at least £27 million a year currently that is tied up in duplicating council administration to be spent instead on frontline services. But your group campaigned to block that.

And this leaves us where we are, Chairman. In order to close the budget gap, the choice is now between higher council tax or fewer services, or a combination of both.

Labour, the Ashfield Independents and the Liberal Democrat all told the Nottinghamshire public that we should look the gift-horse of a unitary council in the mouth. So, next February, you will have the opportunity to table alternative budgets showing the public how we can keep the current two-tier structure, meet the costs of COVID and protect all of our services.

If those alternative budgets don’t materialise, Chairman, or if they don’t add up, then rest assured I will be advising the Nottinghamshire public to ask opposition members why.

### **Question to the Leader of the Council from Councillor Kevin Rostance**

At Policy Committee on 16<sup>th</sup> September, it was agreed to commission an independent social research company to undertake engagement work on the Council’s behalf. This is to gather the views of the Nottinghamshire public and business community on the development of proposals for unitary local government across the County Council’s administrative area.

Whilst this work is ongoing and the final outcomes will be reported at a later stage, would the Leader bring the Council up to date on the work taking place, and the response so far?

## **Response from Councillor Mrs Kay Cutts MBE, Leader of the Council**

We have indeed commissioned an independent social research company to help us garner views on the future arrangements for local government in Nottinghamshire. ORS – a company with a strong track record in this field – have designed our engagement work to ensure that it is both objective and transparent. Our work with ORS can be summarised as follows: -

A public questionnaire has been widely publicised and made available via the “Your Nottinghamshire, Your Future” microsite, which is found on the County Council’s main website. It is designed to garner initial views on the current arrangements, and potential future changes.

The questionnaire is supported by an information leaflet that provides lots of background detail on local government in the County, and explains why it’s both necessary and appropriate for us to explore whether there is a better way to do things.

In addition to being available online, both the questionnaire and leaflet are available in hard copy at each one of our 60 libraries. So far, we have had over 3,000 responses, which indicates that we have been successful in publicising this work, and that the public are keen to express their views. The questionnaire remains open until 19 October.

In addition, we have organised a series of engagement events for town and parish councils, the voluntary and community sector, and local businesses, and have communicated these widely across those networks. COVID means that these events will be virtual of course, but to date the Council:-

- The two town and parish events took place earlier this week, on 13 and 14 October;
- The voluntary sector forum took place yesterday, on 14 October; and
- The business forum took place earlier today.

In all cases, I understand that these events, independently facilitated by ORS, were well attended by representatives from across the County.

Lastly, we have arranged for one-to-one interviews to take place with senior representatives of number of the Council’s key partner agencies, including the Police, the Fire Service, health and education partners. These are currently underway.

The valuable feedback we gather from this activity will be incorporated into the work we have begun to develop firmer proposals for the future shape of local government in Nottinghamshire for consideration by Councillors in due course.

***The following two questions were taken together and answered by the Chairman of Adult Social Care and Health Committee.***

**Question to the Chairman of Adult Social Care and Public Health Committee from Councillor Muriel Weisz**

Does the chair share my sense of disappointment regarding this government's complete failure to produce the desperately needed proposals for social care reform, in particular how social care will be funded in the future, which would give our residents some much need clarity and reassurance about our ability as an authority to continue providing high quality care for our elderly and vulnerable across this county?

**Question to the Leader of the Council from Councillor Jason Zadrozny**

Nottinghamshire County Council currently spends millions of pounds more a year on social care than it raises in Council Tax. Who does she blame for the black hole in Council finances – the 7 Borough and District Councils or the failure of the Government to publish the Green Paper on Social Care reform SIX times?

**Response from Councillor Tony Harper, Chairman of the Adult Social Care and Public Health Committee**

Thank you, Councillors Weisz and Zadrozny for your important questions as this is a subject I feel very passionate about.

Mr Chairman, if Councillor Weisz hadn't used such extreme language, I would have wholeheartedly agreed with her, and this is the problem when party political point-scoring is apparently more important than working together.

Yes, I am very disappointed that in October 2020 we are still awaiting desperately needed proposals on the future of social care funding. You are fully aware of my comments and campaigning on this subject. Councillor Richard Jackson has emphasised the importance of this on numerous occasions, including during his budget presentation this year.

The reality is that successive Labour and Conservative Governments have kicked this can down the road for at least 30 years, despite commissioning numerous reviews and consulting the public several times. Although the suggested solutions to social care funding have varied in detail from one review to another, the fundamental truth has remained the same. The assumptions made around life expectancy and health & social care funding requirements, which were made when the NHS and social care system first came into being, have long since become outdated and unsustainable.

Life expectancy has dramatically increased since those days thanks to advances in medical science, and the technology now available to help people live longer and more comfortably despite severe health conditions.

The problem is that the system expected to fund these fantastic advances in science and life expectancy has not evolved to match. There is no question that in order to sustain health and social care services in the future, people will either have to pay more in direct taxation or take more responsibility for meeting some of their own medical costs. Probably both, or probably other schemes that have been looked at like insurance.

That is a difficult message to communicate to the public, especially the older generations who were sold the myth of a "free" health and social care system.

Any Government has to tell people the truth, but nobody wants to grasp that nettle. This isn't surprising, because on the few occasions any recent Government has tentatively tried to open a mature discussion with the public, their political opponents have undermined it, telling the public what they want to hear rather than what they need to know.

Now, I'm not singling out any one party for blame – I am making that quite clear. At different times I think they have all been as bad as each other in their short-term political opportunism, but the result is that whoever is in power has made no real decisions on this issue.

The consequence of this dangerous game of pass the parcel – at least with regard to social care - is that councils across the country have to perform ever more impressive financial gymnastics to bridge an ever more unsustainable gap between funding and need.

And also, in relation to Councillor Zadrozny's question, the Ashfield Independents are probably thinking "This is nothing to do with us, we've never been in Government!". But actually, in his eagerness to take a sideswipe relating to local government reorganisation, they've shown themselves to be just as culpable.

The fact is that for social care to be sustainable in the future, we need greater financial contributions one way or the other from the people receiving that care.

If we had a single unitary local authority structure, that makes much more efficient use of public money by bringing together all elements of social care and associated support services under one roof, achieving economies of scale, and having more money to pump into social care. However, for reasons of self-interest or political expediency, they works to delay or oppose this.

Chairman, while-ever politicians at national and local level "kick the can down the road" in terms of social care reform and local government reform, then the financial situation for councils will become more and more unsustainable.

While-ever politicians mislead the public to think that if we carry on as we are, everything will be fine, then those politicians – whichever party or group they represent - are all, collectively, responsible for this situation.

**Question to the Chairman of Children and Young People's Committee from Councillor Liz Plant**

We continue to see a consistent overspend in the Children and Young People's budget, arising from the increasing costs for our Looked after Children (LAC). Does the chair of CYP agree with me that the profits made by Independent foster care organisations and private children's homes are completely unacceptable when every upper tier local authority is struggling to support increased numbers of LAC, numbers that will more than likely be exacerbated by the Covid crisis?

## **Response from Councillor Philip Owen, Chairman of the Children and Young People's Committee**

First, we should recognise that there are several private agencies who recruit foster carers, and that those foster carers do a very good and valuable job, providing vulnerable children with a stable background which greatly enhances their life chances.

I'm not going down the 'Old Labour' line that any company or agency which makes a degree of profit from providing this type of service is "bad" or "run by nasty people".

In an area of high demand such as foster care, a mixed economy of public and private sector provision, regulated in the right way, can help to ensure we have the optimum capacity of good quality foster care available.

However – and this is where I agree with the thrust of Councillor Plant's question – if either of those two sectors begin to work against each other rather than with each other, this becomes detrimental to the interests of children and taxpayers alike.

Nottinghamshire County Council is making a determined effort to recruit more foster carers, as Members and the general public will no doubt be aware from our 'Giving Local Children Roots' advertisements throughout the county.

One aspect of this campaign is to make people aware of their potential to be foster carers, where they may not previously have considered the idea or recognised the mutual benefit it can offer to their own lives and that of the fostered child.

The other aspect is that we must provide sufficient financial incentives and support for taking on this duty, because no matter how much a person or family wants to give back to society, we all have bills to pay. Our lives must be financially sustainable.

It is entirely normal that those people wishing to commit their time to being foster carers will be attracted to sign up with councils or private agencies who offer the best financial rewards for their work, but sadly this has led to what could be described as a 'price war' or a 'fee war' between the public and private sector.

As part of our recruitment drive we have increased the fees we pay in order to attract new foster carers, but the reality is that some private providers respond by effectively 'gazumping' us, not only making it harder to attract new recruits, but in some cases poaching from us foster carers who we have trained at the public's expense.

This leaves us with a shortage of foster carers, meaning we have to rely too heavily on those private providers, who duly recover their initial outlay by charging the council, and therefore the taxpayer, more for each private placement we are forced to use.

Last year I wrote to ministers and local MPs stating my view that the answer may be to introduce some type of legally binding cap on what the independent sector can charge, otherwise councils will be forced to spend excessive and escalating amounts of money to meet their statutory duties to looked-after children.

My desire is not to eliminate private foster care provision, but to regulate the situation so that a mixed economy of private and public sector foster care provision can continue in a sustainable, complementary way that delivers the greatest possible number of good quality foster care placements for our vulnerable children, whilst also protecting the taxpayer and this council from increasing costs.

Councillor Plant is correct that the current 'fee war' I have described are one of many pressures on the children's budget even before we were confronted by COVID, but by no means are we alone. Some 96% of local authority children's services overspent last year, and this Council is currently forecasting a 1.3% non-COVID overspend which compares very favourably with other authorities across the East Midlands and the country.

It is true nevertheless that Looked After Children costs are going up. It is costing more per child, and more children have become looked after by Nottinghamshire County Council - an increase from around 800 to 950 over the past two years, which amounts to 18% compared with the East Midlands increase of 23%. Therefore, any financial or regulatory action central government can take to alleviate those pressures has to be welcomed.