

Meeting COUNTY COUNCIL

Date Thursday, 9 December 2010 (10.30 am – 3.40 pm)

Membership

Persons absent are marked with `A`

COUNCILLORS

Thomas A J Pettengell (Chairman)

Keith Walker (Vice Chairman)

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

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Assistant Chief Executive & Monitoring Officer)
Chris Holmes	(Chief Executive's Department)
Sara Allmond	(Chief Executive's Department)
Carl Bilbey	(Chief Executive's Department)
Claire Dixon	(Chief Executive's Department)
Martin Done	(Chief Executive's Department)
Greg Michael	(Chief Executive's Department)
Daniel Roberts	(Chief Executive's Department)
Daniel Reynafarje	(Chief Executive's Department)
David Pearson (Part)	(Adult Social Care and Health)
Linda Bayliss (Part)	(Adult Social Care and Health)
Anthony May	(Children & Young People's Services)
Tim Gregory	(Corporate Services)
Alan Sumbly	(Corporate Services)
Deborah Hinde	(Corporate Services)

OPENING PRAYER

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

1. MINUTES

RESOLVED: 2010/074

That the Minutes of the last meeting of the County Council held on 21 October 2010 be agreed as a correct record, and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fiona Asbury, Rev. Tom Irvine, Mrs Wendy Quigley, S Smedley MBE JP, Mark Spencer MP and Gail Turner.

3. DECLARATIONS OF INTEREST

Councillor John Cottee declared a personal interest in item 8 – Ways of Working Business Case as he was a Council appointed member on the Making It Trust.

Later in the meeting Councillor Steve Carr declared a personal interest in item 12 – Treasury Management Six Monthly Review as he was employed by Royal Bank of Scotland.

4. CHAIRMAN'S BUSINESS

- (a) The Chairman thanked the Emergency Team for all their hard work during the recent bad snow. A card was passed round the chamber for Members to sign.

(b) Presentation of Awards

Councillor Mrs K Cutts presented to the Chairman a copy of the book "From Domesday to Dukedom and Beyond" which was a book about the history of the Pierrepont family and included local history. The Chairman received the book on behalf of the Council.

(c) Constituency Issues

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

Councillor Stephen Garner – local ward issues

Councillor Sybil Fielding – local ward issues

5. PETITIONS

(a) PRESENTATION OF PETITIONS

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

1. Councillor Michael J Cox - Petition requesting a co-ordinated response from the Council and the Police to enforce the speed limit on Trevor Road, West Bridgford
2. Councillor Chris Barnfather - Petition regarding the condition of the windows at Abbey Gates Primary School, Ravenshead
3. Councillor Bruce Laughton - Petition requesting traffic calming measures on Lower Kirklington Road, Southwell
4. Councillor Jason Zadrozny – Petition from residents of Mansfield Road, Sutton in Ashfield requesting to withdraw from the Permit Parking Scheme
5. Councillor Jason Zadrozny - Petition against the plans to switch off street lights at night

6. Councillor Keith Girling - Petition against the proposed funding cuts for Newark Women's Aid
7. Councillor Brian Wombwell - Petition against the proposed funding cuts for the Disability Living Centre, Nottinghamshire
8. Councillor Lynn Sykes - Petition requesting that the Council reconsider the speed limit through Zouch
9. Councillor Martin Wright - Petition requesting the continuation of funding for the 50+ group at the Forest Town Resource Centre
10. Councillor Keith Walker - Petition requesting a change to the parking regulations outside John Hunt Primary School
11. Councillor Steve Carr - Petition requesting continued national and local funding for the Broxtowe Women's Project
12. Councillor Steve Carr - Petition requesting reconsideration of the decision to cut funding to County Citizen's Advice Bureaux
13. Councillor Kevin Greaves - Petition requesting a revision of the proposals to reduce funding for Bassetlaw Citizen's Advice Bureau
14. Councillor Sybil Fielding - Petition requesting that the County Enterprise Foods services be maintained within the control of Nottinghamshire County Council
15. Councillor Darrell Pulk - Petition against the proposed closure of Gedling School
16. Councillor Darrell Pulk - Petition against the proposed cuts to the Parent Partnership Service and Inclusion Support Service
17. Councillor Chris Winterton - Petition against the proposed reduction in library service hours and the cuts in the mobile library fleet
18. Councillor Joyce Bosnjak - Petition against the proposed reduction in library service hours at Mansfield Woodhouse Library.

RESOLVED: 2010/075

That the petitions be referred to the appropriate Cabinet Members for consideration in accordance with Standing Orders.

(b) REPORT BACK ON PETITIONS

RESOLVED: 2010/076

That the contents and proposed action of the report back on petitions received on 21 October 2010 be noted and the petitioners be informed accordingly.

6. QUESTIONS

(a) QUESTIONS UNDER STANDING ORDER 7.1

Three questions had been received as follows:-

1. from Councillor Alan Rhodes about County Council Gritting Teams (Councillor Richard Jackson replied)
2. from Councillor Brian Wombwell concerning NET Phase Two tram extensions (Councillor Mrs Kay Cutts replied)
3. from Councillor Bruce Laughton regarding wind turbines near Rainworth (Councillor Richard Butler replied)

The full responses to these questions under Standing Order 7.1 are set out in Appendix B to these Minutes.

(b) QUESTIONS UNDER STANDING ORDER 7.2

One question had been received for the Chair of the Police Authority from Councillor Michael J Cox about the reorganisation of the policing divisions (Councillor Jon Collins, Chair of the Police Authority replied)

The full response to this question under Standing Order 7.2 is set out in Appendix C to these Minutes.

There were no questions to the Chair of the Fire Authority.

7. REPORTS FROM MEMBERS

(a) CABINET MEMBERS

The Leader presented the reports. The reports were seconded by the Deputy Leader.

RESOLVED 2010/77

That the portfolio reports be noted.

Following item 7aiii, Council adjourned from 12.45 pm until 1.45 pm for lunch.

(b) CHAIR OF OVERVIEW COMMITTEE

Councillor Joyce Bosnjak presented the report. The report was seconded by Councillor Liz Yates.

RESOLVED 2010/078

That the report be noted.

8. WAYS OF WORKING BUSINESS CASE

Councillor Martin Suthers introduced the report and moved a motion in terms of the resolution 2010/079 below.

The motion was seconded by Councillor Andy Stewart

RESOLVED: 2010/079

1. That the implementation of Option 1 as set out in the report be approved.
2. That the Capital Programme be varied as set out in the report.

9. REVIEW OF PRUDENTIAL INDICATORS

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2010/080 below.

The motion was seconded by Councillor Carol Pepper.

RESOLVED: 2010/080

1. that it be noted that had technical amendments not been made to accounting arrangements, the 2009/10 prudential indicators would not have been breached.
2. that it be noted that factors resulting in technical breaches of the 2009/10 prudential indicators have had no practical impact on the revenue budget or on the borrowing levels of the Council.
3. that the revised prudential indicators for 2010/11 to 2012/13 set in section 5 be approved.

10. PROCUREMENT STRATEGY

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2010/081 below.

The motion was seconded by Councillor Martin Suthers OBE.

RESOLVED: 2010/081

1. That the Procurement Strategy 2010-2012 be approved
2. That the changes to Financial Regulations proposed in paragraphs 2.8, 2.9 and 2.10 of the report be approved

11. TREASURY MANAGEMENT POLICY

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2010/082 below.

The motion was seconded by Councillor Martin Suthers OBE.

RESOLVED: 2010/082

That the revised Treasury Management Policy for 2010/11 be approved.

12. TREASURY MANAGEMENT SIX MONTHLY REVIEW

At the beginning of this item, Councillor Steve Carr declared a personal interest in this item as he was employed by Royal Bank of Scotland.

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2010/083 below.

The motion was seconded by Councillor Carol Pepper.

RESOLVED: 2010/083

That the report be noted.

13. PETITIONS SCHEME

Councillor Carol Pepper introduced the report and moved a motion in terms of the resolution 2010/084 below.

The motion was seconded by Councillor Chris Barnfather.

An amendment to the motion was moved by Councillor Jason Zadrozny and seconded by Councillor Ken Rigby as follows:-

“That item 7 B remains at the current figure of 5,000 or more signatures, and is not amended in accordance with the legislation”

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

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

RESOLVED: 2010/084

1. That the Petition Scheme be amended in accordance with the Appendix to the report.
2. That the Council’s Constitution be amended in accordance with paragraph 9 of the report.

The Chairman declared the meeting closed at 3.40 pm

CHAIRMAN
M_9DEC10

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 9 DECEMBER 2010

3-MINUTE SPEECHES

Councillor Stephen Garner

I just have a couple of issues in my constituency. First, I would like to thank this Council for improving Samworth Academy. The statistics have gone up to 44% in A-C which is very good considering they were used to being in special measures and I would like to thank the Council for improving it.

Item 2 is the Patch Hills Day Centre. As you know, last year, the Patch Hills Day Centre got shut with thanks to Councillor Shepherd here and his members. I've been looking into it all year and I've asked a few people who have moved. They got back to me and said "They did a good job." I asked two local residents who moved to Red Oaks, which is a very good place, and they are quite pleased with it so I'll thank you for that.

Anyway my next thing is, I went on a Ward walk the other day, which I usually do and I went across the racecourse. I saw an old woman I know, and she said to me "Steve, you've got your name in the paper."

I said "No, I haven't." She said "You have, you've got your name in the paper."

So she showed me this document and I said "That's not a paper, that's a comic."

She said, "It is not a comic." I said "It is, because Buzz Lightyear's on it. Buzz Lightyear is on one side and I'm on the other!"

Councillor Sybil Fielding

'20 mph speed limits outside all schools in Worksop North is a cause I have championed since being first elected. It is disappointing that this is still to materialise.

Two years ago I was almost first on the scene where a 12 year old was struck by a car outside a Bassetlaw school. This truly was an unfortunate accident and indeed outside school times. I will spare this meeting the details but the image of a child dying will remain with me always. It is impossible to say if a 20mph speed limit would have made a difference in this case but it surely would have given the child a better chance. Most recently a student was involved in a road traffic collision outside Norbridge School. I am awaiting the results of the investigation, and I use this time to again call for 20mph speed limits outside all our schools.

Balmoral Library is a small community library and on a regular visit I discovered two key issues. First, cutbacks in staffing now prevent the local primary school from using the facility. I also learnt that there is a consultation about opening hours and I formally invite the Cabinet Member to a meeting of the Balmoral Tenants and Residents Association to answer their questions about the future of their library.

Most recently I have visited County Enterprise Foods. I am particularly impressed at the commitment to prepare, pack and deliver meals in the most adverse weather conditions. It has to be said staff morale is low, fearful of redundancies and being sold off to a private company. County Enterprise Food provide sheltered employment, and to dismantle the service will have the most devastating effect.

It is a privilege to be Vice Chair of Norbridge Primary School Governing Body. I pay tribute to the Head Teacher, staff and governors for their tremendous hard work. It is now in the top 5% of the County. I am however shocked that the Chair of the Governing Body was removed and replaced for what appears to be political reasons. I am bound to wonder how this sort of decision benefits the local management of any school. I recognise the right of Children and Young People's Services to do this, but I do question the wisdom'.

APPENDIX B

COUNTY COUNCIL MEETING HELD ON 9 DECEMBER 2010

QUESTIONS UNDER STANDING ORDER 7.1

Question to the Cabinet Member for Transport & Highways from Councillor Alan Rhodes

Will the Cabinet Member for Transport and Highways join me in praising the heroic efforts of the Nottinghamshire County Council gritting teams, who toiled day and night in the recent weather conditions?

In doing so, will he explain to the Council what additional measures he introduced following the heavy snowfall of last year and earlier this year to keep Nottinghamshire moving, and would he tell us whether these measures have been successful?

Response by Councillor Richard Jackson Cabinet member for Transport & Highways

"I am sure that Members will wish to join me and Councillor Rhodes in passing on thanks and appreciation to all the Highways services, both in the County Council and in our Manage and Operation Partners. They've worked tirelessly to keep our roads in as good a condition as possible through the current lengthy period of exceptionally severe winter weather and the record low temperatures we've seen in the county.

There has been extensive communication and development work done in the field of winter maintenance services building on the experiences and lessons learnt over the last two severe winters.

This includes but isn't limited to:

- A Winter Maintenance Seminar which I hosted here at County Hall in May this year and at which Members and a wide variety of key stakeholders were invited to share their experiences and add their suggestions
- A review of problem areas such as the hills in Arnold and Carlton and the addition of extra salting and snow clearance routes in severe weather
- Review of salt stocks and stocking of salt in the summer of this year to a level of 15,000 Tonnes which is four times the minimum level recommended by Government and a great deal more than the level which we inherited when we took control of the council last June.
- An allocation of £180,000 has been made in the Capital Programme for provision of an additional salt barn at Gamston Depot. For this year new salting depots have come into operation at Newark and Markham Moor
- Detailed information and responses to issues raised at the Winter Maintenance Seminar have been sent to all Parish Councils and Local

- Councils. This included the offer of 5 free bags of salt plus the opportunity to purchase further salt supplies and grit bins
- A review of all requests for grit bins has led to the provision of an additional 60 at County Council expense and others at the expense of the Councillors' Divisional Fund and parish councils
 - Provision of a salted severe weather route to all Special Schools has been introduced on the ground that many pupils at special school receive medical treatment during the course of the school day
 - Discussions with Children and Young People colleagues regarding snow clearance and assisting schools to obtain supplies of salt
 - There is an ongoing review of bus routes in the County looking at which major routes are or are not on salted routes
 - There will be a review of all winter maintenance salted lengths in the next 18 months but this is complex due to changes in the road network arising from such as the dualling of the A46 and from termination of the Manage and Operate Partnerships
 - Liaison has taken place with District and Borough Councils regarding their providing additional resources to help with snow clearance in Town Centres and other predestined areas
 - Guidance has been put on the County Council's website about good practice and the liability for snow clearance carried out by residents. This guidance has been provided by the Department for Transport
 - The County website now has an interactive mapping function which provides information on salted routes around a given postcode
 - Details of weather forecasts and salting are now given on mobile phones via the County's "Gritter Twitter" network
 - An additional £600,000 has been allocated to the winter maintenance revenue budget for the next financial year

Members will note that a lot of work has been done in this area, but at the end of the day the whole process is dependent clearly on the weather and the recent exceptional snowfall and low temperatures have given some real problems clearly round the County.

All available resources have been directed at keeping our roads clear, resources have been moved around the county where necessary and the first consideration has been to keep the main routes operational (in the main all 'A' and 'B' category roads plus major bus routes) open.

This has been successful, but the level of resources and effort which has had to be deployed has led to many side roads and estate roads becoming covered in compacted ice.

Snow ploughing is ineffective in such cases where there is compacted ice and salt does not work effectively on compacted ice nor does it work at all in the very low temperatures we are experiencing over the last few days.

I am very aware that in general conditions and snowfall in the north and west of the County have been more severe, and we will continue to do all we can to help in areas of greatest need according to the resources which we have available.

Many Members have expressed thanks for the work which has been done by the highways teams, and this has been very much appreciated'."

Question to the Leader of the Council from Councillor Brian Wombwell

Now that Broxtowe Borough Council have withdrawn their objection relating to the land known as the Greenway, can Councillor Cutts please inform us as to the intentions of this Council in respect of the obligations to exchange land for public use elsewhere to allow the NET Phase Two tram extensions to go ahead?

Response by Councillor Kay Cutts, Leader of the Council

"The County Council's position is that it is not entering into any private agreement to sell the open space land to the promoters of the NET project. This will mean that a Compulsory Purchase Order will have to be made and this could require a Public Inquiry. The decision to hold a Public Inquiry is a matter for the relevant Government Department.

The County Council is very clear in its opposition to the NET project and specifically the alignment of the route. The Council is, however restricted by legal constraints and procedures in the action it can take in this matter.

If the Compulsory Purchase Order is approved by the relevant Government Department, 'open space' land known as the Greenway, will be exchanged for substitute 'open space' land adjacent to Field Lane'."

Question to the Cabinet Member for Environment & Sustainability from Councillor Bruce Laughton

Is the Cabinet Member for Environment & Sustainability aware of the serious concerns of some residents of Rainworth arising from the wind turbines erected near their village by npower earlier this year?

I have been contacted by people who are angry about the unsightly nature of these machines and concerned at the effect of shadow-flicker and the potential loss of value to their property.

One resident invited me to witness the impact of shadow-flicker from the turbines whilst standing outside and inside her property. The effect is akin to a constant strobe lighting effect and very quickly becomes distracting and disorientating. There is no doubt that it impacts upon the quality of life and, in my view, is not the sort of thing you would get used to over a period of time.

Whilst acknowledging that planning consent for these facilities lies with the borough and district councils, would the Cabinet Member ensure that when the County is consulted on these applications such as this, we place strong emphasis on protecting the interests of nearby residents and protecting the countryside scene?

Response by Councillor Richard Butler, Cabinet Member for Environment & Sustainability:

“I would like to thank Councillor Laughton for bringing the concerns of some residents regarding the wind turbines erected near Rainworth to my attention. At a strategic level, the County Council recognises the positive contribution that wind farms can make towards achieving renewable energy targets. Whilst, as Councillor Laughton rightly says, the issue of shadow flicker is a non-strategic detailed matter for the determining local planning authority, it is something that I have had concerns on and have raised these in response to consultations on planning applications. I shall continue to do this.

Landscape character assessments should be used to judge the appropriateness of wind farms in their proposed setting. Again this will be done by the local planning authority when determining the application, but the County Council will continue to provide its observations on individual applications as they arise.”

APPENDIX C

COUNTY COUNCIL MEETING HELD ON 9 DECEMBER 2010

QUESTIONS UNDER STANDING ORDER 7.2

Question to the Chairman of Nottinghamshire Police Authority from Councillor Michael Cox

The last three appointed Chief Constables of Nottinghamshire have reorganised the policing divisions within the county.

What assurance can the Chairman of the Police Authority give to the residents of the county that the two division City/County split will be any more successful than previous reorganisations?

Response by Councillor Jon Collins, Chair of the Police Authority:

“The assurance I can give is that the new model will be a more cost effective approach to Police and the County and that the Police Command Team believe it will continue to derive improvement despite our being required to make budget cuts of around 36 million pounds over the next 3 years.

Members will be aware of the recent capability review into the Force and the Authority and that it concluded that the current four division model was overly bureaucratic with significantly more senior management and Sergeants employed than our most similar forces.

Three options were therefore considered: A single BCU, which was rejected because it wouldn't address the current pattern of crime across the County. A two BCU structure, which would split the County North and South, and this was rejected because it would impact adversely on County partnership working. And a two BCU structure, which has been accepted, based on the City County current boundaries and accepted this because it supports the current partnerships on the one hand but also recognises the pattern of crime across the County.

Our aim as an authority as our budget declines is to protect neighbourhood policing and funding on the front line. The Force estimates that the move to a two BCU model will save around £100,000 on senior management costs, around £2.6 million a year in sergeant and inspector posts and around £2.5 million in administration and back office costs. The move will therefore significantly help maintain front line policing in what is a very challenging time.

Ultimately however, the success of any organisational structure depends less on the structure itself and more on the people who run it. Over the last 9 months, the new senior command team in the Force have established a good track record refocusing the organisation, accelerating the rate of reduction in crime and

preparing effectively the funding cuts. In the circumstances I think it's reasonable to back their judgement on what is the best BCU structure."