

Minutes



Meeting COUNTY COUNCIL

Date Thursday, 30th November 2006 (10.30 am – 12.50 pm)

Membership

Persons absent are marked with 'A'

Councillors

Peter Barnes (Chairman)

John C Allin (Vice-Chairman)

	Reg Adair		Patrick Lally
A	Dick Anthony		Bruce Laughton
A	Chris Baron		E D W Llewellyn-Jones
	Joyce Bosnjak		Ellie Lodziak
	M M Brandon-Bravo OBE		Joe Lonergan MBE
	Kenneth Bullivant		Jim Napier
	Richard Butler		James O'Riordan
	Steve Carr		Philip Owen
	Steve Carroll		Tom Pettengell
	John Carter		Mrs Sheila Place
A	John Clarke	A	Peter D Prebble
	Jennifer Cole	A	D E Pulk
A	Barrie Cooper		Alan Rhodes
A	John Cottee		Ken Rigby
	M J Cox		Susan Saddington
	S M Creamer		David Shaw
	Mrs K L Cutts		Mrs S M Smedley
	Yvonne Davidson		Mark Spencer
	Alan Davison		A S Stewart
	V H Dobson		J R Stocks
	Sybil Fielding		M Storey
	Andy Freeman		Martin Suthers OBE
	Glynn Gilfoyle		Linda Sykes
	Keith Girling		The Hon Joan Taylor
	Albert Haynes		David Taylor
	John M Hemsall	A	Parry Tsimbiridis
	Nigel Henshaw		Kevan Wakefield
	Stan Heptinstall MBE		Keith Walker
	Helen Holt		C P Winterton
	Richard Jackson		Brian Wombwell
	Rod Kempster		Yvonne Woodhead
	David Kirkham		1 Vacancy
	John R Knight		

OPENING PRAYER

Upon the Council commencing at 10.30 Councillor Peter Barnes called upon Members and Officers to observe a minute's silence in memory of the late former Councillor Fred Groves.

Following the observation of a minute's silence the Chairman's Chaplain then led prayers.

1. MINUTES

RESOLVED: 2006/080

That the Minutes of the last meeting of the County Council held on 20th October 2006 be agreed as a correct record and confirmed and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Dick Anthony
Councillor Chris Baron*
Councillor John Clarke*
Councillor Barrie Cooper
Councillor John Cottee

Councillor Peter D Prebble
Councillor D E Pulk*
Councillor Parry Tsimbirdis*

* denotes on other County Council business.

3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Yvonne Woodhead declared a personal interest in agenda item 8 – Mansfield Passenger Transport Interchange Scheme due to a family member working for Stagecoach.

4. CHAIRMAN'S BUSINESS

(a) Awards presented to the Chairman

- (1) The Chairman presented to Council an award he received at the 75th Anniversary of the Nottinghamshire Schools Football Association on 21st November 2006.
- (2) The Chairman presented to Council a Basketball following Jimmy "Jumpshot" Smith's 25 years working with the County Council as a basketball coach.

(b) Suspension of Standing Orders

It was moved by Councillor Storey and seconded by Councillor Cutts and

RESOLVED: 2006/081

That, in accordance with Standing Order 12, the Standing Orders of Council be suspended for the business of agenda items 4(b) constituency issues and agenda item 5, presentation of petitions.

(c) Constituency Issues

Following the suspension of Standing Orders the next nine minutes of the Council meeting were allotted to give Members who had previously given notice, an opportunity to speak for three minutes on any particular matter relevant to their constituency or any particular issue arising from their electoral division. This was an opportunity simply to air these issues in Council meeting and it did not give rise to debate on the issue or questions or answer sessions.

Set out in Appendix A attached to these Minutes is a fuller note of the issues discussed by Members. The following Members had indicated that they wished to speak under this item:-

- (1) Councillor M. J. Cox – Internal communications between Members and Officers and the effect of this on issues in my electoral division.
- (2) Councillor K. L. Cutts – subject of urgency decisions.
- (3) Councillor M. Suthers – help a Nottinghamshire Child Campaign led by the National Centre for Citizenship and the Law.

5. PRESENTATION OF PETITIONS

(a) Receipt of Petitions

The Chairman reminded Members that there was no requirement to walk whilst presenting a petition and there was a two minute time limit for such presentation.

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

- (1) Councillor Keith Girling:- Valley Prospect residents objecting to alterations to a local bus route.
- (2) Councillor Michael Cox:- residents of Mellbreak Close, Gamston objecting to proposals to build an additional access path to the local school.

- (3) Councillor Alan Rhodes – Maximum Speed Limit (30mph) along A60 through Costhorpe, Carlton-in-Lindrick
- (4) Councillor Mrs K L Cutts – requesting a Zebra crossing outside the East Bridgford Medical Centre.
- (5) Councillor Suthers - Bingham Youth Football Club requesting assistance with the Butt Field Project.
- (6) Councillor Keith Walker - residents of Queen Street, Balderton, objecting to the state of the road and calling for action.
- (7) Councillor Steve Carr – residents of Warwick Avenue, Beeston about Speeding Traffic and use of the road as a “rat-run”
- (8) Councillor Mrs K L Cutts – Regarding Road Issues in Radcliffe-on-Trent
- (9) Councillor Helen Holt - Closure of Walkway on Willow Avenue Forest Town
- (10) Councillor The Hon Joan Taylor – Opposition to Landfill site near Selston.

(b) Report Back On Petitions

RESOLVED: 2006/082

That the matters contained in the report back on petitions received on 19th October 2006 be noted.

6(A) QUESTIONS UNDER STANDING ORDER 6.1

Seven questions had been received as follows:-

- (1) Extra costs incurred by Authority and tax payer on delay in Net decisions (Environment) (Councillor Tom Pettengell)
- (2) The timetable for next stage of net Phase II (Environment) (Councillor Richard Jackson)
- (3) The Council's policy on rural bus shelters (Environment) (Councillor Mrs. K. L. Cutts)
- (4) Question regarding the Stern Report on the economic impact of climate change) (People and Performance) (Councillor Bruce Laughton)

- (5) Recent County Council policy banning smoking within its buildings (Leader) (Councillor Martin Brandon-Bravo)
- (6) The possible bid for Unitary Status and consultation (Leader) (Councillor Stan Heptinstall)
- (7) East Midlands Regional Authority meetings and decisions taken (Deputy Leader) (Councillor Martin Brandon-Bravo).

The full text of the questions, together with the answers given, is included at Appendix B to these Minutes.

6(B) QUESTIONS UNDER STANDING ORDER 6.2

- (1) Community Speed Watch (Police Authority) (Councillor Bruce Laughton)

In the absence of Councillor W. J. Clarke, Mr. Alan Street, Independent Member of the Police Authority replied to the question which is set out in Appendix B appended to the Minutes.

7. REPORTS FROM CABINET MEMBERS

The Leader presented the reports to the meeting en bloc and in presenting the reports to Council he informed Members of an amendment to the Children and Young People's Services Portfolio under the heading Annual Shadow Exercise Sherwood Forest – 14th September 2006. The list of the dedicated team of County Councillors should have included Councillor Keith Girling and the Leader apologised for this omission.

He also informed Members that they may indicate to the Chairman any questions or comments they wish to put to Cabinet Members on matters arising from the report.

Comments and questions are included at appendix C to these Minutes.

RESOLVED: 2006/083

That the reports be noted.

8. MANSFIELD PUBLIC TRANSPORT INTERCHANGE SCHEME

Following her earlier declaration of interest at the commencement of the meeting and subsequent legal advice, Councillor Yvonne Woodhead left the room whilst discussions and voting took place on this item. The Monitoring Officer reported that following advice, Councillor Yvonne Woodhead had now declared a prejudicial interest in this item. On a motion by Councillor Stella Smedley, duly seconded, it was:-

RESOLVED: 2006/084

- (1) That the Strategic Director (Communities) be authorised:
 - (a) to commence with the detailed design for the scheme at the latest estimated cost of £8.65m;
 - (b) to secure all necessary land by negotiation or through compulsory purchase orders; and
 - (c) to add the scheme on to the Council's Capital Programme and allocate £321,000 of county funds towards the scheme.
- (2) that it be noted that, once the bus station opens, year on year revenue costs estimated to be in the region of £150,000 per annum are likely to be required to manage and maintain it.

Councillors Yvonne Woodhead returned to the meeting.

9. AMENDMENTS TO THE CONSTITUTION

On a motion by Councillor David Kirkham, duly seconded, it was:-

RESOLVED: 2006/085

- (1) That the County Council authorises the Monitoring Officer to make any further revisions, additions or other changes as may in her opinion be properly and reasonably required to give effect to the new organisational structures which are necessary to ensure the lawful operation of the County Council's business and the proper maintenance of the Constitution.
- (2) that Council notes and approves that the role of the statutory Monitoring Officer is now included in the roles and responsibilities of the post of Assistant Chief Executive and approves the consequent changes to the Constitution required by deletion of references to "Executive Head of Democratic and Legal Services" and the substitution of "Assistant Chief Executive" where these appear throughout the Constitution and that such changes will take effect from the first of December 2006.
- (3) that the changes to the Constitution be approved in relation to the Planning and Licensing Committee and the Strategic Director (Communities) set out at Appendix 1 attached to the report.

10 SIX MONTHLY PERFORMANCE REPORT

On a motion by Councillor John Stocks, duly seconded, it was:-

RESOLVED: 2006/086

That the report be noted.

11. ADJOURNMENT (MOTIONS) DEBATE

There were no adjournments.

CHAIRMAN

M_30Nov06

3-minute speech by Councillor Michael Cox:

“If I sound like Victor Meldrew, then I do apologise for new Members without the experience of the Council being administered by a committee system.

A few years ago, National Government in their wisdom encouraged local government to run a Cabinet system. They increased the number of councillors, they created multi-Member wards with a caveat that Members should spend more time in their divisions and less time attending meetings.

Those of us that have experienced this change have seen a further erosion of the democracy in this country.

Individuals can, under the current system make decisions unilaterally, which in due course could directly affect duly elected Members' divisions, who are more often than not unaware of such decisions until after they are made. Retrospective scrutiny, by way of a 'Call-in', does not cover most of the decisions made.

In my opinion, dialogue and trust between the Member and officer has been affected because of the scrutiny process. No longer can an officer decipher between a Member of the ruling or opposition parties. Members may be wearing a red twenty-five year tie, but they could have a 'scrutiny' hat on. So officers naturally keep their cards close to their chest.

Which brings me to the main point of the 3 minutes I am allowed.

Officer/Member relationship

I believe officers are increasingly bypassing the role of Members. Time allows only for one typical example, but I guess each of you could relate to similar experiences.

On receipt of a planning application within their wards, Borough and District Councillors are advised and their approval or otherwise is sought. Sometimes, other agencies are approached (Police, Fire, bus companies and County Highways) and asked for their comments.

Whilst all this is happening, elected County Council Members are not aware of the situation.

Officers could learn from involving local Members, prior to them making professional judgements, and likewise Members could understand the reasoning behind any decision taken. In this day and age surely a simple

e-mail or pre-printed post-card informing the local Member that matters involving highways' approval has been sought could be provided.

In closing, I ask that the Council inserts into its Constitution:-

'Officers have a duty to inform Members when an opinion is sought on Highways or any other matter affecting a local Member's division, prior to a response being given.' “

3-minute speech by Councillor Mrs Kay Cutts:

“Thank you Chairman.

This is a matter of great concern to the people I represent in Radcliffe-on-Trent.

Chairman, you will recall that in the Adjournment Debate, last month, I raised concerns that the County Council had failed to follow the correct constitutional procedure with regard to important decisions about the future of the Nottinghamshire International Clothing Centre.

Sometimes, it appears that significant decisions are being taken and enacted without even being formally published for the attention of County Councillors or their constituents.

And sometimes, when decisions *are* published, they are done so in such a way as to prevent Members from raising their constituents' concerns.

Last week, I received a decision which was classified as 'urgent', entitled *Acceptance of Programme Entry Approval Letter – NET Phase 2 Scheme*.

It clearly had implications for all of Nottinghamshire and Radcliffe-on-Trent in particular. Since we could be talking about the spending of approximately £28 million of County Council money, based on the present formula.

It also directly affects residents in the West Bridgford, Beeston, Chilwell, Toton and Radcliffe-on-Trent – more than 80,000 people.

The accompanying decision report explained the background to the NET Phase Two bid, stating, and I quote:

'A letter of approval for Programme Entry Status was received by the City Council on the 25th October. It was not to exceed £437 million. The letter ... sets out a number of reports. We were then invited to reply to the promoters within 4 weeks.'

So, to summarise, a letter was RECEIVED on the 25th October which stated quite clearly that NET Phase Two was getting the go ahead and a response was needed from the County Council within 4 weeks.

My question, therefore, is why did it take until the 24th November for the County Council to publish a Delegated Decision authorising the Strategic Director for Communities to respond?

Particularly as this had been the subject of a presentation by officers to the Departmental Briefing on the 13th November where the Cabinet Member for Environment also answered questions.

Also, why did the Communities Department require a last-minute, urgent decision to respond to a letter received some 4 weeks earlier?

Surely it should have been possible in the space of a month, and after a public presentation, to prepare a response and consult properly with Members, but instead it has been rushed through at breakneck speed.

I am aware that some relatively minor issues can get temporarily 'lost' in the system: buried under a pile of papers in somebody's in-tray. After all, we're all human.

But come on, NET Phase 2 is one of the most important issues the County Council has dealt.

I realise that the letter from the Department for Transport went to the City Council first, but surely the channels of communication between the City Council and County Hall are not *that* slow!

And surely we could have anticipated that the Government would require a fairly swift response because they always do.

I, therefore, begin to question, Chairman, whether leaving the response to the very last minute was more *tactical* than accidental, or is £28 million of County money so easily overlooked.

Therefore, it would hardly have come as a surprise to Cabinet Members or officers if Conservative Members representing the West Bridgford, Chilwell, Toton and Radcliffe-on-Trent wards called in this decision.

Thank you Chairman."

COUNTY COUNCIL MEETING – THURSDAY 30TH NOVEMBER 2006

QUESTIONS UNDER STANDING ORDER 6.1

Question to the Cabinet Member for Environment from Councillor Thomas Pettengell

Would the Cabinet Member for Environment advise Council of the extra costs incurred by this authority and the taxpayer due to the Government's delay in reaching a decision on the economic case for NET Phase Two?

Response by Councillor Stella Smedley, Cabinet Member for Environment:

"Can I thank Councillor Pettengell for his question.

The two councils submitted their business case for the scheme in July 2003. Between July 2002 and March 2006, the Government requested a series of additional information to ensure a rigorous evaluation of scheme costs and benefits. The Government had all the additional information they needed to make a decision on the economic case for NET Phase Two in March 2006. I am pleased to report that it has led to the Government confirming its intention to support the project by approving its entry into the programme. This is a key milestone for the project as it confirms the Government's commitment to the funding of this project.

Between March 2006 and the end of October 2006 (a delay of six months) the PFI credit requirement for the project increased by around £20 million. Although calculations are complex, essentially it means that the promoters are having to fund around £5 million, which would be shared on a formula yet to be agreed by the two councils."

Question to the Cabinet Member for Environment from Councillor Richard Jackson

Can the Cabinet member for Environment give Council a timetable for the next stages in the NET Phase Two project?

Response by Councillor Stella Smedley, Cabinet Member for Environment:

"Can I thank Councillor Jackson for his question.

Nottinghamshire County Council and Nottingham City Council next need to decide whether to apply for a Transport and Works Act Order (a TWAO), and confirm the scheme proposals. This decision report will be taken to County Council in the Spring of 2007; I will read out a list of the current programmed

dates at the end of this answer. In order to supplement the detailed information in that report, a Member briefing will be held in the New Year. At that briefing, Members will receive further information about all aspects of the proposals. I have, also, asked my officers to arrange a Coach Tour of the proposed routes for all Members.

A TWAO application would request the Government to provide the Promoters with the planning powers to build and operate NET Phase Two. When the TWAO application is submitted this will be advertised and there will be a period of six weeks when interested parties can formally comment on the scheme. Should there be any objections, and I somewhat expect there will be, a Public Inquiry would be called in the Autumn of 2007.

The findings and recommendations from the Public Inquiry would be reported to the Secretary of State for Transport, who would then confirm or reject the application. If confirmed, there would then be a competitive tendering process during which private companies will bid for the work of building and running NET Phase Two. It could take a year to negotiate this commercial contract and get the final proposals agreed by Government. The new company – who would take over the running of NET Line One as well as building and running NET Phase Two – could start construction work by 2010 with trams running on the extended NET system by 2013.

The current programme is as follows:

- Nottinghamshire County Council will consider a report on funding and whether to submit a Transport and Works Act Order application on the 22nd February 2007.
- Nottingham City Council will decide whether to submit a Transport and Works Act Order application on the 5th March 2007.
- If approved, the submission of the TWAO application to the Department for Transport would take place in early April 2007.
- A Public Inquiry would happen in November 2007.
- If appropriate, the TWA Order would be made and the DfT conditional approval supplied in November 2008.
- Procurement of the new concession would commence in November 2008 and
- If appropriate, the DfT would supply full approval and the contract would be awarded in the Spring of 2010.
- The two new lines would then open in the Spring of 2013.”

Question to the Cabinet Member for Environment from Councillor Mrs Kay Cutts

Could the Cabinet Member for Environment explain the County Council's policy on rural bus shelters?

Response by Councillor Stella Smedley, Cabinet Member for Environment:

"Can I thank Councillor Mrs Cutts for her question.

The County Council is responsible for the provision of new and replacement bus shelters in the County and their repair and maintenance. There are around 1400 shelters, some of which are on trunk roads, are inspected, cleaned and repaired to specified standards by the County Council.

In rural areas the County Council works in partnership with Parish Councils on the provision and siting of new and replacement shelters. We also liaise with local bus companies to assess the potential usage of a shelter before any new facilities are considered.

If shelters are destroyed or are beyond repair then it is not the policy to automatically replace them. In such situations a review is undertaken to decide whether replacement is warranted in the light of factors such as usage and continued need. Again, any final decision is made in discussions with both the Parishes and the bus operators as appropriate.

However, I am aware of some occasions when bus shelters, some of which are in isolated locations, have been destroyed through vandalism and this is not always brought to the attention of staff in the Department. Having said this, as soon as they do come to know of such instances, then we do take necessary steps to remedy the situation in discussion with our partners."

Question to the Cabinet Member for Environment from Councillor Bruce Laughton

Tony Blair recently described the Stern Report on economic impact of climate change as "the most important document about the future he had read since becoming PM."

How does the Cabinet Member think this statement tallies with DEFRA's decision to cut £14.9 million from the Environment Agency's flood risk management budget, and what are the implications of this for Nottinghamshire people living in flood-threatened areas?

Response by Councillor John Stocks, Cabinet Member for People and Performance:

"Thank you Chairman.

I hate to break the little question and answer relationship that Bruce and Stella have, but this actually falls within my portfolio.

I would like to thank Councillor Laughton for his question. As he may know I take a very keen interest myself in the issues of climate change and, like Tony Blair, I read with concern the implications raised by the Stern Review. The report concluded that carbon emissions have already pushed up global temperatures by half a degree Celsius. If no action is taken on emissions, there is more than a 75% chance of global temperatures rising between two and three degrees Celsius over the next 50 years. There is a 50% chance that average global temperatures could rise by five degrees Celsius. To put this into perspective, we are now only around 5 degrees Celsius warmer than the last Ice Age. The environmental impacts of this will be melting glaciers increasing flood risk, crop yields will decline, particularly in Africa, rising sea levels could leave 200 million people permanently displaced, up to 40% of species could face extinction, and more examples of extreme weather patterns would be seen. Furthermore, the Stern Review leads to the conclusion that a two to three degrees Celsius rise in temperatures could reduce global economic output by 3% and if temperatures rise by five degrees Celsius, up to 10% of global output could be lost. In other words, climate change will result in major environmental, social and economic upheaval.

As Councillor Laughton should know, this authority is taking very seriously its own commitment to reduce carbon dioxide emissions and was awarded Beacon Status in 2005 for work on Sustainable Energy. We have, also, been awarded a grant of £500,000 by the Carbon Trust through their Local Authorities Energy Finance scheme to improve the energy efficiency of our own buildings and a further £500,000 bio-energy grant from DEFRA to extend our woodheat programme. Bringing all this together, I am launching for consultation a draft Carbon Management Plan which sets out clear targets across the Authority to tackle emissions of carbon.

In view of all I have just said, the decision to cut funding from the Environment Agency is most unfortunate. The County Council has, in the last few years, played a very active role with the Environment Agency in consulting over its strategy and proposals for future flood defence works along the River Trent and continues to work with them through the Flooding Select Committee. However, I understand from Officers at the Environment Agency that detailed decisions about where these cuts may impact have yet to be determined. With this in mind I have consulted with Councillor Davidson who is presently Chair of the Flooding Select Committee, to ask her to include this issue on the committee agenda. When further information becomes available, we will be able to brief Council colleagues accordingly.”

Question to the Leader of the County Council from Councillor Martin Brandon-Bravo

Whilst in no way disagreeing with the Council's policy to ban smoking within its buildings, and acknowledging a general duty to encourage healthy living, would the Leader of the Council not agree that it is unacceptable to publish statistics to justify our actions that are known either to be misleading or inaccurate?

Earlier this year, Members were told that an impressive-sounding 81% of Unison respondents agreed with this authority's proposed new Tobacco Control Policy, yet it was later revealed that only 200-odd members had bothered to reply.

Meanwhile, on the Council's own internal intranet poll which closed on 26th July, 71.4% of 1,784 voters *disagreed* that the Council should take a lead in anti-smoking policies.

A further poll of 380 people on our public website recently suggested only 16.6% saw the Tobacco Control Policy as "good community leadership", while 46.3% regarded it as "another example of the nanny state".

Will the Leader agree to ensure that, in future, reports are not spun or skewed to justify a pre-conceived recommendation?

Response by Councillor David Kirkham, Leader of the County Council:

"Thank you Chairman and I would like to thank Councillor Brandon-Bravo for his question.

I am heartened to learn, Chairman, that Martin doesn't disagree with our policy which I suppose is his rather quaint and convoluted way of saying that he *does* agree with our policies. I am very pleased to hear that.

May I also satisfy your libertarian instincts Martin – because I know that you have had some difficulty with it - the policy is not as you call it 'anti-smoking'. It is not about *whether* people smoke, but about *where* and *when* they do it. Smoking in the workplace is a Health and Safety issue: our policy aims only to protect staff from the effects of smoking and second-hand smoke, irrespective of whether they smoke or not.

I also need to issue something of a health warning where internet straw polls are concerned: they are not to be taken at face value. Indeed, on both our intranet and internet sites, you will notice that any straw polls are accompanied with the following words of warning: 'the results are indicative and may not reflect public opinion'. Anyone on the internet can vote wherever in the world they are. And they can vote, with just a casual click of a mouse button, any number of times. It means that the results are not reliable, nor are they meant to be reliable. Straw polls, Martin, are just a bit of fun.

However, the Unison poll is different. Although there were only 200 responses to the questions about the Council's tobacco policy - and yes 81% were in favour of a total working hours ban - the data is a valid reflection of opinion because Members had to send in a reply slip included in a copy of the Unison newsletter and Members were entitled to just one vote.

And the Unison poll does reflect the positive response that we've already seen to this policy. An even more accurate reflection of a public opinion is the East Midlands Big Smoke Debate - the results of which were published in 2004. There were a total of 24,145 valid responses in the East Midlands of which 5805 came from Nottinghamshire. Respondents were asked if they would support or oppose a law to ban smoking in all workplaces: 79.2% were in favour of a ban.

There has been a high degree of compliance with the policy and few reported difficulties. Indeed, a number of staff have already accessed Stop Smoking services across the County and it is anticipated that this trend will continue particularly when the ban on smoking in public places is introduced in Summer 2007. This view is supported by the members of the Nottinghamshire Tobacco Alliance whose members include the Primary Care Trusts, the County Council, District and Borough Councils.

Some of the District and Borough Councils are also signing up to the Smoke Free Charter (which the County Council signed up to in March 2005) introducing more stringent no smoking policies. The Primary Care Trusts, including hospital sites are also totally smoke free.

We are working in partnership with these organisations to support them during this process, both through the Nottinghamshire Tobacco Alliance and the Local Strategic Partnerships. We need to ensure that we are providing a clear and consistent message regarding the effects of smoking and exposure to second-hand smoke across Nottinghamshire - work that is also supporting the Local Area Agreement target to reduce smoking prevalence in Nottinghamshire by 6%.

Chairman, can I suggest that Councillor Brandon-Bravo puts a stop to his pre-conceived ideas that reports are spun and skewed: he gives a misleading and inaccurate reflection of the good things this Authority continues to achieve."

Question to the Leader of the Council from Councillor Stan Heptinstall

When did The County Council decide to prepare a bid for possible unitary status for Nottinghamshire? When did the Liberal Democrats and the Conservative Group have an opportunity to be involved in discussions on this issue? In view of the importance to everyone in Nottinghamshire, why is there no mention of this potential bid for unitary status in the Leader's Report to Council? In view of the large amount of adverse comment already received, especially from the district councils, have the Labour councillors at County Hall now changed their minds on this matter?

Response by Councillor David Kirkham, Leader of the County Council:

“Thank you Chairman and I would like to thank Councillor Heptinstall for his question.

As you will know, Stan, the White Paper gives local authorities the opportunity to make a bid for unitary status, or to follow a pathfinder option to try and improve the provision of services between District and County Councils.

The Labour Group asked the Chief Executive to prepare a business case to examine both of these options. On the basis of this business case – and, of course, on what is best for the people of Nottinghamshire – this County Council will decide the course we should follow before any bid is submitted to the Government at the end of January.

In short, Stan, a decision has not yet been taken.”

Question to the Deputy Leader of the County Council from Councillor Martin Brandon-Bravo

In his report to Council on 19th October 2006, the Deputy Leader made brief mention of his attendance at EMRA meetings, but made no written reference to the important decision taken by EMRA on 7th September to endorse the Draft Regional Plan for public consultation.

At the EMRA meeting, did the Deputy Leader vote to approve the Draft Regional Plan report, and is he satisfied that he did enough to ensure Members of this Council were made fully aware of the implications?

Is he aware of the anger of residents in the Soar Valley and Ruddington divisions of Nottinghamshire at the suggestion in the Housing Policy Justification Paper that urban extension to the south of Clifton in Rushcliffe Borough would cause least harm to the purposes of the Green Belt?

Can he explain why residents and parish council representatives attending the Communities Department Briefing at County Hall on 13th November, and those attending the public sub-regional event in Nottingham on 14th November, claimed no direct attempt had been made to consult them about the Regional Strategy or accompanying documents?

Response by Councillor Michael Storey, Deputy Leader of the County Council:

“Chairman, I’m sure most Members would welcome a very short answer to the points raised in the three paragraphs of this question and that answer is – yes, yes and no. However, I probably ought to say a little more, although I suspect that whatever I say is somewhat irrelevant as I think the question is more about

my colleague having a further opportunity to express his views rather than to question me. And Chairman, I don't blame him for that – it's what he's here for – to represent people – that's his job.

Chairman, I did attend the EMRA meeting of 7 September speaking on behalf of the Labour Group – endorsing the comments of the Chairman of EMRA, Councillor David Parsons, who 'confirmed his group (Conservative) was happy to endorse the report as a basis for public consultation.' Indeed, a member of Councillor Brandon-Bravo's own party in the Rushcliffe parliamentary constituency also voted for the draft plan as a basis for public consultation even though he shares the same or similar concerns of Councillor Brandon-Bravo.

We supported the plan because it is in draft form and needed to go out for public consultation. Voting for consultation is not the same as endorsing the whole plan. I think it important to get the plan out for consultation so those who have those kind of specific concerns and anger as expressed in the question can formally respond and have their issues explored at the examination in public likely to be in May 2007.

Chairman, I am not in a position to respond to the last paragraph of the question as I was not at either event mentioned. I should add, however, that I have complete confidence in my colleagues on my right who would have ensured that the Departmental Briefing of 13 November was properly run."

QUESTIONS UNDER STANDING ORDER 6.2

Question to the Chairman of Nottinghamshire Police Authority from Councillor Bruce Laughton

A recent letter to councillors from the Bassetlaw, Newark and Sherwood Divisional Police Commander describes the Community Speedwatch campaign as an undoubted success.

However, the Commander states in his letter that the Police have now become a victim of that success, because staff have been overwhelmed with speeding cases requiring the distribution of warning letters to drivers.

The Commander appears to suggest using community volunteers instead of Police staff to send out these letters. This would contradict the original agreement and place an unfair demand on citizens who are, after all, already giving up their free time to help the Police do their job.

Can the Chairman of the Police Authority assure me that this idea will not be pursued and that, if necessary, additional resources will be put in place to ensure the existing *Community Speedwatch* arrangements can continue?

Response by Alan Street, Independent Member and Chair of Performance Committee (Nottinghamshire Police Authority):

“Thank you very much Chairman.

Councillor Clarke is speaking at the National Association of Police Authorities Conference in Leeds, today, and has asked that I pass on his apologies and respond on his behalf.

May I thank Councillor Laughton for his question.

I have passed on his comments to the relevant Divisional Commander, who is quite new in his post – Chief Superintendent Dave Colbeck and the response given below is based on his comments.

As the new Divisional Commander he does not intend to withdraw the current level of support we give to Speed Watch. In fact, it is possible that more could be done to support this good work.

He is seeking to establish if the publication of repeat offenders vehicle and owner details in the local media is permissible. This, it is believed, would encourage repeat offenders into showing more consideration for speed limits in built up areas.

Advice is being sought as to the evidence value of previous history – that is – ‘repeat offending’ when it comes to a prosecution. Also, as a last resort – if there is any bar to members of Speed Watch (if they are willing to do so), being able to give evidence of speeding in court.

Under the principles of neighbourhood policing, if the main concern of a neighbourhood is speeding motorists, then the Beat Manager for the area should take action to address that concern. This will require additional training of the Beat Managers to enable them to conduct/take part in speed checks. This will be so that on a limited number of pre-arranged dates the Beat Manager will work with Speed Watch and issue Fixed Penalty Notices to those motorists found to be driving at speeds in excess of the designated prosecution limit for the road. This will have a two-fold impact:

- 1) An appropriate penalty will be given to those who are caught.
- 2) The significance of Speed Watch will be increased as not only will an offending motorist get a letter, it could, also, mean a fine and points on a licence because it will not be immediately possible to know if it is Speed watch or Speed Watch and a Police Officer.

In answer to the specific point about support the Divisional Commander responds as follows:

“My understanding of the original agreement was that Community Speed Watch was to be a six-month trial after which there would be a review of support given. This review has never taken place.

Since July this year only 20 of all the 1,034 motorists caught have re-offended and of those only 6 have offended 3 times. Interestingly, out of those 6 it is understood that half of them live in Bleasby.

Nottinghamshire Police, and particularly Bassetlaw Newark and Sherwood Division now appear to be a victim of Speed Watch's success. Instead of the initial two or three parishes involved there are now 21 parishes active in Speed Watch across the Division. This has led to a significant impact on the time of some members of my staff - for example, it has taken the equivalent of 17 working days to do the necessary Police National Computer checks and write the letters for the period July 06 - October 06. You will appreciate the cost is not only in financial terms, but also in staff/officer time is not insignificant.

The original commitment of support by Nottinghamshire Police was to the workload created by those initial 2 - 3 parishes involved in Speed Watch, that workload has increased significantly and so has our commitment. I now have three members of staff who have received additional training to service the demand from Speed Watch. These members of staff have other duties and responsibilities to ensure a service to the wider public. I

will continue to give the administrative support to Speed Watch as outlined above. However, without additional volunteer support, which we are actively seeking, I will not be in a position to increase that support. “

I hope that this response re-assures Councillor Laughton.

The Police Authority will continue to encourage the Force to utilise volunteers in support of, but not as a replacement for, Police Officers and staff provided that proper training and support is provided to the volunteers themselves.

Thank you Chairman.”

COUNTY COUNCIL MEETING 30TH NOVEMBER 2006

REPORTS FROM CABINET MEMBERS

1. ADULT SERVICES AND HEALTH

In the absence of Councillor Dick Anthony, Councillor Allan Rhodes informed Members that Nottinghamshire County Council had heard today that it had maintained its two star (**) performance rating. Members congratulated the Adult Social Care and Health Department on the work they had undertaken to achieve this result.

2. CHILDREN AND YOUNG PEOPLE'S SERVICES

Reference was made to the excellent Annual Governors Conference and in particular the contributions from David Dickson (Head Teacher of Bowbridge Primary School) and Carolyn Drury (Community Governor at Bowbridge Primary School) who gave first-hand experience of developing their school as an extended school.

3. COMMUNITY SAFETY AND PARTNERSHIPS

Reference was made to the moving performances of the 'Rwanda: My Hope' play recently performed at County Hall and the need to ensure that the painful memory of the play about genocide was acted upon particularly in relation to events in the Darfur region of Sudan.

4. COMMUNITY AND REGENERATION

Reference was made to the sterling work that Jimmy Jumpshot 'Smith' had done for Nottinghamshire and that the appreciation of the County Council was noted.

5. ENVIRONMENT

In response to questions and comments on:-

- Agreeing to include 20 mile per hour schemes outside schools in rural areas.
- Following the decision of the Highways Agency when will the Bardhill's roundabout improvements begin.
- Work undertaken in the village of Carlton-in-Lindrick under the Building Better Communities (BBC) project.

- How was the £100 million investment of new money tied into line one of the NET being operational.
- What was the definition of regeneration in an area.

Councillor Smedley answered as follows:-

- It was important to ensure pilot schemes included rural areas to ensure appropriate information is gathered before rolling out the programme across the County.
- Work on Bardhill's roundabout was expected to commence in January/February 2007.
- The Building Better Communities (BBC) project has been a great success across the County with a lot of community involvement.
- Shel would let the Member have details of regeneration that had happened since NET Tramline One had been operational.

6. FINANCE AND PROPERTY

In response to a comment, Councillor M. Storey answered on behalf of Chris Baron and thanked Members for the positive comments on the Beckett School site road maintenance and the minimum disruption it has caused to local residents and the flow of traffic along Wilford Lane.