

Minutes of the County Council Meeting - 14 October 2010

Present:

Attendance

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| Ben Adams | Brian Edwards | Mary Maxfield |
| Philip Atkins | Matthew Ellis | Geoff Morrison |
| Ray Barron | Terry Finn | Barrie Mycock |
| Lee Bates | John Francis | David Nixon |
| Erica Bayliss | Bob Fraser | Michael Oates |
| Peter Beresford | Gill Heath | Ian Parry |
| John Bernard | Mark Heenan | Kath Perry |
| David Billson | Derrick Huckfield | Steve Povey |
| Len Bloomer | Christina Jebb, FRSA | Robert Reade |
| Henry Butter | Ivan Jennings | Rex Roberts, OBE |
| Frank Chapman | Phil Jones | John Rowley |
| Tim Corbett | Philip Jones | Liz Staples |
| Pat Corfield | Kathy Lamb | Stephen Sweeney |
| Derek Davis, OBE | Frank Lewis, MBE | Simon Tagg |
| William Day | Geoff Locke | Steve Tranter |
| Veronica Downes | Robert Marshall | John Wells |
| Janet Eagland | Geoffrey Martin | Alan White |
| Ray Easton | Mike Maryon | Mark Winnington |

Apologies for absence: Paul Atkins, Brian Beale, John Cooper, Dylis Cornes, Peter Davies, Mike Lawrence, Ian Lawson and Jeremy Oates

PART ONE

28. Confirmation of the minutes of the Council meeting held on 22 July 2010

RESOLVED – That the minutes of the meeting held on 22 July 2010 be confirmed.

29. Chairman's Correspondence

Great British Care Awards

Members were informed that the County Council had won the West Midlands regional award for promoting "Dignity in Care" based on the work done at Brighton House in Newcastle. In addition, Glenys Robinson OBE, one of the Council's social care assessors, had won the "Outstanding Contribution to Social care Award". Both of the aforementioned award winners would now go through to the national finals in the New Year. Brighton House was also shortlisted for the "Putting People First" award.

NHS West Midlands Health and Social Care Awards

The Chairman informed Members that the County Council had recently been awarded the "Excellence in Commissioning" award in the NHS West Midlands Health and Social Care Awards for the savings it had achieved in the cost of residential and nursing placements. The Council was also runner-up in the same category for the new "Memory Clinic" services it had commissioned to support people in the early stages of dementia.

Macmillan Cancer Support - World's Biggest Coffee Morning

The Chairman informed Members that, on Friday, 24 September 2010, she had hosted a coffee morning in the County Buildings in support of the Macmillan Biggest Coffee Morning Appeal. The event raised £374 and the Chairman extended her thanks to those Members and staff who attended the event for their support.

50 Years Service

Members were informed that the Chairman and Leader of the Council, together with the Chief Executive, hosted an afternoon tea for Marty Whitehouse from the Council's ICT division who, on 3 October, completed 50 years service with the County Council. Marty had joined the Council in October 1960 and originally worked in the Data Prep team of the Treasurers Department where she was one of the first staff to be involved with IT in the Council preparing "punched cards" that were used to input data into the Council's first mainframe computer system.

Queen's Award for Voluntary Service

The Chairman informed the Council that, on 5 October 2010, she hosted afternoon tea in the Oak Room for volunteers from Douglas MacMillan Hospice, Katherine House Hospice, Landywood and District Volunteer Help Centre, SCALE and the National Memorial Arboretum who had recently been awarded the Queen's Award for Voluntary Service. These five Staffordshire based volunteering groups were amongst 103 charities nationally to receive the Award this year in recognition of the outstanding contributions they had made to local communities by voluntarily devoting their time for the benefit of others.

County of Staffordshire Rose

The Chairman informed the Council that, on Thursday, 23 September, she had had the pleasure of visiting Sandon Hall for the Staffordshire launch of the County of Staffordshire Rose. The rose was originally the brainchild of Brian Cox, a member of The Staffordshire Society. It took over ten years to produce and was officially launched at the Hampton Court Flower Show in June. The rose had already won gold, silver and bronze medals in various international trials.

Charity Music Show in aid of Help for Heroes – Council Chamber, Friday 26 November 2010

Members were informed that the Chairman was to host a Charity Music show in the Council Chamber on 26 November 2010 to raise money for her chosen charity, "Help for

Heroes". All the performers would be past or present Staffordshire County Council employees. The evening would take on a Victorian theme with members of staff dressed in Victorian costumes and the County Building dressed for Christmas. Tickets for the show were available from the Civic Office.

30. Leader's Statement

The Leader of the Council presented a Statement outlining his recent work; his plans for the Council; and an overview of decisions taken by the Cabinet (and Portfolio Holders) since the previous meeting of the Council.

Staffordshire Compact Update including the Third Sector Commissioning Standards

(Paragraph 2 of the Statement)

In response to a question from Mr Lee Bates concerning the Staffordshire Compact, Mr Ben Adams indicated that the Compact was a crucial element in being able to offer the most straightforward of contracting arrangements to third sector organisations, particularly the smaller organisations who were of an insufficient size to be able to compete for larger contracts.

Treasury Management Outturn Report for the Year ended 31 March 2010

(Paragraph 4 of the Statement)

In response to a question from Mr Derek Davis concerning the size of the Authority's borrowing and its assets, Mr Philip Atkins indicated that the Council's overall level of borrowing stood at £532.239m whereas its assets, at current trading value, stood at £1.5bn.

Stoke-on-Trent and Staffordshire Local Enterprise Partnership

(Paragraph 6 of the Statement)

Mrs Christina Jebb asked whether the announcement that East Staffordshire Borough Council had withdrawn from the proposed Stoke-on-Trent and Staffordshire Local Enterprise Partnership would have any effect on the Partnership's viability. In response, Mr Philip Atkins indicated that East Staffordshire Borough Council had indicated their intention to join the Birmingham and Solihull Local Enterprise Partnership and that this decision reflected the complex economic geography of the region. He added that such partnerships needed to have "porous" boundaries to enable adjacent Partnerships to work together. He concluded by indicating that, irrespective of East Staffordshire Borough Council's decision not to be a member of the proposed Stoke-on-Trent and Staffordshire Local Enterprise Partnership, he believed that the case for the Partnership was still a strong one.

Consultation on the provision of Magistrates and County Courts in Staffordshire

(Paragraph 8 of the Statement)

Several Members expressed concern at the Courts service's proposals to change Magistrates and County Court arrangements in Staffordshire which, if implemented, would result in the closure of the Magistrates and County Courts in Tamworth and the

closure of the County Court in Burton. Mrs Liz Staples expressed the opinion that the foundation for the judicial system should be local people dispensing local justice and that, if the proposals went ahead there would be a loss of local knowledge. In response to Members' concerns, Mr Philip Atkins indicated that the County Council would continue to press the Courts service to retain the courts.

Supporting the Staffordshire Economy – Staffordshire Business Support Fund (Paragraph 9 of the Statement)

Mr Matthew Ellis explained that there was to be a further extension of the fund to support care orientated businesses. Another recent innovation was "Business in a Box" under which the County Council were providing help and advise to help "kick start" businesses providing care for vulnerable people. Mr Ellis also announced that the second trench of funding under the Community Wellbeing Fund was now available.

Staffordshire County Council – New Operating Model (Paragraph 10 of the Statement)

In response to questions from Members in relation to the Council's new operating model, Mr Philip Atkins indicated that implementation of the new model was moving forward as quickly as possible with the intention that full implementation would be achieved by the time the 2011/12 budget was set in the spring of next year.

RESOLVED – (a) That the Statement of the Leader of the Council be received.

(b) That an amendment to the Investment Strategy be approved to allow investment in UK Government treasury bills for up to 1 year maturity to be added to the list of in-house specified investments.

31. Petition Regarding the Closure of Burntwood Household Waste Recycling Centre

The Council considered a report of the Director of Law and Democracy concerning the receipt of a petition opposing the proposed closure of Burntwood Household Waste Recycling Centre.

They were informed that the petition contained 12,222 signatures which, under the Council's Petitions Policy, was sufficient to trigger a debate at the Council meeting.

Mr Steve Tranter, one of the "local" members, welcomed the recent announcement by Mr. Robbie Marshall, the Cabinet Member for Regeneration and Infrastructure that the Burntwood Household Waste Recycling Centre (HWRS) was to remain open whilst a review of the longer-term financial viability of all HWRC sites in the County was undertaken. He extended his thanks to Mr Marshall for listening to the views of local residents.

In response, Mr Marshall indicated that, in spite of the difficult economic conditions, the Directorate had been able to find sufficient savings elsewhere in its waste budget to be able to keep the Burntwood site open.

Several Members spoke in support of the decision to keep the Burntwood HWRC open and Mrs Christina Jebb stated that she hoped that Mr Marshall would commit to full and open consultation during the review of the longer-term financial viability of all such sites in the County. Mr Derek Huckfield added that this review needed to take account of a range of issues including traffic generation and the increased incidents of fly tipping if one or more sites was identified for closure.

RESOLVED – (a) That the receipt of the petition be noted.

(b) That the decision of the Cabinet Member for Regeneration and Infrastructure to keep Burntwood Household Waste Recycling Centre (HWRC) open whilst a review of the longer-term financial viability of all HWRC sites in the County is undertaken, be noted.

32. Electoral Review of Staffordshire

The Council considered a report of the Chief Executive concerning the Electoral Review of Staffordshire which was being undertaken by the Local Government Boundary Commission for England.

They were informed that the Review was being undertaken as, since the last review (200/2003), the electorate in County Electoral Divisions had changed to the extent that 42% of those Divisions now had electorates which varied by more than 10% from the average. (The threshold for a review was 30%). The aim of the Review would be to correct this so as to ensure that each County Councillor represented approximately the same number of electors as his or her colleagues.

The first stage in the Electoral Review process was to determine the appropriate size of the Council (the total number of Councillors). This figure would then be used as the basis for consultation on the other stages of the Review which would consider the possible electoral arrangements including the number of Councillors per Electoral Division; the boundaries of each Division; and the names of Divisions.

Members considered a draft response to the Local Government Boundary Commission's consultation on Council size which made the case for a future scheme of representation based on 62 Members representing 62 divisions.

Several Members expressed their support for the proposals contained in the draft response to the Commission as they felt that a Council's size of 62 was appropriate for Staffordshire. Differing views were expressed however with regard to whether the Council should press for single Member divisions across the whole of the County and it was therefore suggested that those Members representing dual Member divisions should be given an opportunity to submit their views before the final response was forwarded to the Local Government Boundary Commission.

Several Members expressed their concern at the cost of the Review, especially bearing in mind that only six years had passed since the completion of the last Electoral Review in Staffordshire. Mr Mark Winnington responded by indicating that he had already written to the Secretary of State to convey Members' concerns.

RESOLVED – That the Chief Executive, in consultation with the Leader of the Council, be authorised to update the draft response to take on board Members’ views and to then forward the response to the Local Government Boundary Commission for England by the consultation deadline of 25 October 2010.

33. Report of the Audit Committee

The Chairman of the Audit Committee, Mr. R. Roberts OBE, presented to the Council an overview report detailing the work of the Audit Committee over the past year.

Following the consideration of the report, Mr Alan White indicated that, with the anticipated demise of the Audit Commission, the work of the Council’s Audit Committee would become more important.

RESOLVED – That the report of the Chairman of the Audit Committee be received.

34. Proposed Changes to the Constitution

The Council considered a report of the Director of Law and Democracy proposing amendments to the Constitution to reflect changes to Council structures and processes following the introduction of a New Operating Model (NOM) for the Authority.

RESOLVED – That the Constitution as revised (as outlined in Appendix 2 to the report considered by the Council) be approved and that the Director of Law and Democracy be authorised to make the necessary amendments to the Scheme of Delegation to Officers.

35. Questions

Mr. David Nixon asked the following question of the Deputy Leader of the Council and the Cabinet Member for Children and Young People

Question

I see in last week’s daily paper the headline ‘Academy plan for all Surrey schools.’
Quote - “The (Surrey) council said that a wholesale conversion to academy status was preferable to a small number of schools opting out of local authority control”.
Seeing that Surrey County Council will be able to reduce drastically its L.E.A. bill with regard to pension provision, maintenance and heating of buildings etc. etc. are Staffordshire County Council thinking of going down this route as it is Conservative flag ship policy?

Reply

Staffordshire County Council has no plans to adopt a model of wholesale ‘conversion’ to Academy status for our schools. We believe that the current diversity of educational provision, including various governance arrangements serve the Staffordshire population well. We work with all our ‘family’ of Staffordshire schools, regardless of their status or governance arrangements and will support those schools which choose to become academies or Free schools in the future.

In terms of school funding, Staffordshire's position for 2010-11 is as follows:-

- Almost 91% of funding for schools goes, via the local council, directly to schools
- The remainder is used to:-

support pupils educated out of school and in alternative provision (1%);

purchase services on behalf of schools, for example, building insurances, software and other licences and annual maintenance contracts (2%);
support costs met centrally on behalf of schools, including maternity pay (1%);

payments to third parties for educational provision, including payments to private, voluntary and independent providers of nursery education (3%); and

pay for a number of central support services, mainly related to meeting the needs of pupils with more complex needs (2%).

It is possible that some savings would be made, however, the level of savings would depend on what statutory duties or powers were retained by the authority, which we are expecting to be included in the next education bill and whether the authority continued to provide services to academies. It is therefore unlikely that the council would see any significant financial benefit.

Supplementary Question

A lot of this year's Education Budget is spent on bureaucracy. As schools opt out of local authority control will the Cabinet Member look to see if savings can be made?

Reply

Many of the grants we get from Central Government are ring fenced and we therefore have little control over how this funding is utilised. I believe that this is a quite bureaucratic and wasteful way of doing business and I am hoping that the Government, in its comprehensive spending review, will do away with these ring fences so that we can utilise the resources to much greater effect. The County Council is a very lean organisation with most of the education funding going directly to schools. What we need to do is to tackle Whitehall red tape.

Mr. Ray Easton asked the following question of the Cabinet Member for Highways and Environment

Question

How much salt and grit has been ordered for the County's roads for this coming winter and how does this compare with last winter?

Reply

In light of the problems of last year's most severe winter for 30 years a review of the winter service operations took place over the summer and as part of that we have increased our opening salt stocks from 13,500t to 30,000t. This is now sitting in our depots.

This week there will be a general communication to all Members, District Councils and Parish Councils regarding our Winter Service preparations

Supplementary Question

When I asked this question last year you said that there were adequate stocks which proved not to be the case. May I therefore ask the Cabinet Member that, in the light of the increased stock levels this year, all grit bins will be refilled and that "B" roads will be gritted throughout the winter?

Reply

Grit bins are being re-filled at the moment and there are approximately 1,200 such bins across the County. The level of salt and grit stocks we held in 2009/10 winter season had been sufficient for the last 28 years and it was the fact that we had an exceptionally bad winter last year which resulted in the supply of salt and grit running low. For this coming winter, if we begin to run low on salt and grit we have a contract in place with other Authorities in the region to obtain more supplies.

Mr. Ray Easton asked the following question of the Cabinet Member for Regeneration and Infrastructure.

Question

What effect will the abolition of Regional Strategies have on the Council's Mineral and Waste Planning responsibilities?

Reply

The County Council has in place policies on which to make decisions about regularising, permitting or refusing minerals and waste proposals.

In the case of future waste policy, we have just consulted on an Emerging Waste Core Strategy which is not dependent on a Regional Strategy being in place. We have reviewed regional waste projections, reassessed the need for additional waste management facilities/capacity in Staffordshire and Stoke-on-Trent and identified broad locations for new waste facilities which expand on regional policy and criteria set out in national waste planning policy.

Despite the abolition of regional policy, the Coalition Government advises that local planning authorities should continue to use the background technical documentation supporting the draft Regional Strategy in the process of preparing their waste core strategies, provided that there is a reasonable justification for doing so. The

information on which the draft regional strategy on waste was based is up to date, robust and credible having gone through an Examination in Public and provides a basis for our waste policy work.

For minerals policy, the Coalition Government has advised that "Planning Authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base." The County Council will be working on setting local targets for the provision of sand and gravel and crushed rock. The starting point will be using the evidence gathered in support of the March 2010 exercise completed by the former Regional Assembly, which resulted in reduced targets for the provision of aggregates in Staffordshire. The effect of abolishing the Regional Strategy remains unclear in terms of setting targets for the provision of sand and gravel and crushed rock

Supplementary Question

What are you going to do about this uncertainty?

Reply

It will be for us to determine our own targets both for waste and for mineral extraction rather than having the regional assembly or other regional bodies telling us what to do. The Coalition Government's decision to make such decisions more locally based has got to be a step forward and is in Staffordshire's interests.

Mrs. Christina Jebb asked the following question of the Cabinet Member for Highways and Environment

Question

(a) Which Safer Routes to Schools schemes, specifically, have been cut and which remain in operation?

(b) What is the estimated cost saving for each of the abandoned schemes?

Reply

Over recent years a number of Safer Routes to School schemes have been successfully completed and the programme has largely achieved its original purpose in that all priority schools with significant safety issues have been addressed. As a result of the Coalition Government's intention to reduce the national debt and the reductions to this year Government grants announced in July, some of the current Safer Routes schemes have been deferred. Whether or not they can continue next year will depend on the amount of grant allocated by Government for next years programme. However, we will continue to consider any specific safety issues for inclusion in forward programmes regardless of the position with the Safer Routes programme. Members will no doubt wish to raise any such issues in their discussion with officers over their Divisional Highway Programmes.

At the same time we are pressing ahead with our targeted 20 mph plans and the deployment of speed indication devices to reduce speeds around schools and our road safety teams who continue to deliver tailor made programmes in schools.

Six Safer Routes to School schemes with works planned for the current year have had the works deferred in whole or in part and will be reviewed when the grant funding for next year is known. The value of the deferred schemes is £300k. The schemes are listed below. The first two have had some works carried out.

- Rawlett High School Tamworth
- Leek High School
- The Friary High School Lichfield
- Endon SRS
- Madeley High School
- Sir Thomas Boughey High School Halmer End.

Supplementary Question

Officers have told me that at least the Endon Safer Routes to Schools scheme has not been “deferred” but “cut” completely. How much has been saved by cutting these schemes and by cutting the Endon scheme in particular? In addition, are you quite comfortable in justifying the £300,000.00 savings when the cost to the taxpayer of a serious road traffic collision can be up to £1m?

Reply

The first thing I need to clear up is that I said “deferred” because of the reductions in government grants and I do mean “deferred” not “cut”. I do not have to hand the details of the cost of each of the schemes and I will therefore respond to you in writing. With regard to whether I feel comfortable with the issue of reducing expenditure on such schemes when taking account of the cost of a road traffic accident, I am not comfortable with anything that endangers road safety. However, we need to take a balanced view particularly in the light of reductions in public sector spending. The road safety we have in this county is second to none and we will endeavour to maintain these high standards.

Mrs. Christina Jebb asked the following question of the Cabinet Member for Communities and Culture

Question

Staffordshire Police Independent Custody Visitors (ICVs) willingly agreed to help out as Appropriate Adults while Staffordshire County Council developed their own policy and training programme to meet their responsibilities in providing Appropriate Adults for the county. There appears to have been an unfortunate disregard for the valuable service carried out by ICVs in this respect and poor communication about the county council’s subsequent change of policy in using ICVs. The refusal to honour a claim form for an ICV carrying out an Appropriate Adult duty in late August was the first indication given of the county’s change of policy.

Would you write to each of the ICVs involved to thank them for stepping into the breach and explain the county council's changed policy which means you no longer require their help?

Would you also honour the expenses claim which was refused for an ICV carrying out an Appropriate Adult duty on behalf of the county council?

Reply

The County Council's social work services have always provided the appropriate adult service, both inside and outside of normal office hours. Tamworth custody (Police) entered into their own local agreement with their independent custody visitors, using them as appropriate adults rather than utilising the services available via the Local Authority.

Following a multi agency review of the Appropriate Adult service, in 2008, the Emergency Duty Service (out of hours Social Work services) secured further funding from the Youth Offending Service in order to provide a more robust and responsive service to young people in custody. A protocol was signed by Superintendent Juliet Prince of Staffordshire Police on 26 June 2009. We would expect that this would have been disseminated to relevant staff within the Police Service.

In 2009, Youth Offending Service and the Emergency Duty Service completed a recruitment and training process to secure / train further staff to provide a more robust Appropriate Adult service. This was open to anyone who wished to apply. Following recent discussion with Chief Inspector Ricki Fields, he advised that Tamworth Custody unit had wrongly continued to use an Independent Custody Visitor in the role of Appropriate Adult and requested that, as a gesture of good will, the Local Authority should pay the expenses incurred by the said Independent Custody Visitor. He stated that he would ensure that this would not occur again and that all of his custody suites would be advised accordingly.

I can confirm that 3 claims were submitted to the Youth Offending Service and that these claims were paid on the 14 September 2010.

Whilst we greatly appreciate the work that the ICVs have undertaken on behalf of Staffordshire Police, we need to be clear that this has been at the request of Staffordshire Police, rather than the Local Authority. The Local Authority has always maintained its own Appropriate Adult Service.

Supplementary Question

The County Council used ICVs from across the whole of the County, not just Tamworth. You do not appear to be aware of the discussions that took place prior to the new protocol being put in place. Would you therefore write to the ICVs that were used as appropriate adults to thank them for their services?

Reply

You are quite correct in that I am not aware of the discussions that have previously taken place regarding the use of ICVs as appropriate adults. I am, however, comfortable with regard to where we are now. The issues you have raised today would have best been dealt with outside of this Chamber and could have been dealt with more speedily. If similar issues arise in the future I would suggest that you contact me directly in order that I can deal with the matter in the most appropriate way.

36. Notices of Motion

Mr. Philip Atkins moved, and Mr. Ben Adams seconded the following motion under Standing Order No. 11:

“Staffordshire County Council recognises that there is a need for fundamental reform of the relationship between central and local government if we are to reduce public spending, tackle entrenched social, economic and environmental problems and rebuild trust in democratic accountability. The council supports the Local Government Association’s detailed proposals for Place-based Budgets which would bring together different streams of public spending into a single budget at the local level. It believes that this proposal would: save public money; cut waste and bureaucracy; allow for better decisions to be made transparently and accountably; and increase local communities control over spending in their area. It recommends that the Government begins the process of reform immediately by implementing Place-based Budgets throughout England and Wales as part of the 2010 Spending Review.”

Several members spoke in support of the motion and, following a vote, it was:

RESOLVED – That the motion be carried.

37. Report of the Chairman of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority

Members welcomed the news that Rising Brook Community Fire Station in Stafford, the first of ten new Fire Stations in the county, was opened on 3 September 2010.

Members also expressed their concern at the recent increase in the number of attacks on fire fighters.

Mr Terry Finn reported that a team of fire fighters from the Stoke-on-Trent and Staffordshire Fire and Rescue Service recently came 18th in the World First Aid Championships.

RESOLVED – That the Periodic Report of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority be adopted.

38. Petitions

Request for Traffic Management Measures to control parking along Manor Close, Alexander Close and Short Street, Uttoxeter

Mr. Geoff Morrison presented a petition from local residents seeking the introduction of traffic management measures to control parking along Manor Close, Alexander Close and Short Street, Uttoxeter.

Chairman

Documents referred to in these minutes as Schedules are not appended, but will be attached to the signed copy of the Minutes of the meeting. Copies, or specific information contained in them, may be available on request.