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NOTTINGHAM CITY COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 4 January 2017 from 14.00 - 15.57

Membership

Present

Councillor Brian Parbutt (Chair)
Beverley Frost
Councillor Patience Uloma Ifediora
Assim Ishaque
Councillor Glyn Jenkins
Councillor Neghat Khan
Councillor Ginny Klein
Councillor Anne Peach
Councillor Andrew Rule

Absent

Councillor Leslie Ayoola
Councillor Azad Choudhry
Councillor Josh Cook
Councillor Georgina Culley
(Substituted by Councillor Andrew Rule)
Councillor Pat Ferguson
Councillor Mohammed Ibrahim
Councillor Sue Johnson
Councillor Gul Nawaz Khan

Colleagues, partners and others in attendance:

Robert Dixon - Head of Business Growth and International Strategy
Councillor David Mellen - Portfolio Holder for Early Intervention and Early Years
Brendan Moffett - Chief Executive, Marketing Nottingham and Nottinghamshire
Kate Morris - Governance Officer
Laura Wilson - Senior Governance Officer

37 APOLOGIES FOR ABSENCE

Councillor Josh Cook - personal
Councillor Georgina Culley - illness
Councillor Mohammed Ibrahim – illness
Councillor Sue Johnson - leave
Councillor Gul Nawaz Khan – leave

38 DECLARATIONS OF INTERESTS

None.

39 MINUTES

The minutes of the meeting held on 7 December 2016 were confirmed and signed by the Chair.

40 MINUTES OF THE CALL-IN PANEL

The minutes of the Call-in Panel held on 7 December 2016 were confirmed and signed by the Chair.

41 DISCUSSION WITH THE PORTFOLIO HOLDER FOR EARLY INTERVENTION AND EARLY YEARS

Councillor David Mellen, Portfolio Holder for Early Intervention and Early Years, gave a presentation updating the Committee on the progress of achieving priorities within his portfolio, and highlighted the following points:

- (a) the priorities currently on target are:
- ensure zero tolerance of child sexual exploitation through a public awareness campaign and increase early identification of concerns by a fifth. This is being achieved by:
 - an increased focus within Children’s Services;
 - continued work with taxi drivers within the City and surrounding areas to increase awareness, with mandatory training every 2/3 years;
 - awareness campaigns for hotel reception staff and security staff;
 - cross-authority work including work focused on service stations throughout the region;
 - “Love me too” drama and workshops going into secondary schools to raise awareness;
 - work with at least 3000 vulnerable families over the next four years, which will mainly be through the Priority Families programme;
 - increase the number of 2 year olds in nursery by 40%. This is being achieved by:
 - offering up to 15 hours free provision, mainly in the private and voluntary sector;
 - working with families to encourage them to take up this scheme;
 - create new services for babies and toddlers to work with parents of 4500 children. This is being achieved by:
 - offering new services, eg Dolly Parton Imagination Library;
 - the Small Steps Big Changes programme;
 - increased maternal mental health monitoring;
 - ensure that in the evening and at weekends, as well as during school holidays, there are a range of positive activities available for children and young people to enjoy in every part of the city. This is being achieved by:
 - an increase in the amount of school clubs available;
 - 60 activities currently being available for primary and secondary aged young people, across various organisations.

Although this priority is currently on target, provision could be at risk due to proposed reduction of funding as a result of budget cuts;
 - offer permanent jobs or apprenticeships to at least 10% of care leavers and encourage further opportunities across the city. This has been achieved for the last 3 years;
 - consult young people on important decisions and involve them in the council’s decision making process. This is being achieved by:
 - having a dedicated member of staff working with the Youth Council, Primary Parliament, and the Children in Care Council;

- young people are also invited to attend some of the Council's formal meetings that focus on young people;
 - secure and provide breakfast clubs in every primary school in the city. Every primary school in the city now offers breakfast clubs. Some are free, and some charge a nominal fee, but this provision could be at risk when the school funding formula is changed and there is less funding available;
- (b) the priorities that are slightly off target are:
- ensure at least 85% of children in the City Council's care live within 20 miles of Nottingham. If the target was 25 miles this would be on target. 83% is currently being achieved so, with additional recruitment, 85% should be achieved by the end of the 4 year Council Plan;
 - achieve a permanent home through adoption or Special Guardianship for 40% more children in care. This is only slightly off this target. Baby adoption remains easy, however, sibling groups/older children and special needs adoption still remains more challenging, but it should be achievable by the end of the Plan;
- (c) the priorities currently not on target are:
- promote the Dolly Parton Imagination Library scheme so that every child under 5 in Nottingham receives a monthly book. This is not on target due to the lack of available funding, although funding has been secured for 3000 children so far, and the Council is continuing to seek funding from businesses, grants and individuals to ensure all 21,000 children have this service;
 - increase the number of Nottingham City Foster Carers by 20%. Fostering agencies offer more money and incentives than the Council, but the Council can provide more consistent placements and is continuing with its recruitment drives;
 - extend free school meals to all primary school children within the next ten years. All Key Stage 1 pupils currently have free school meals, and the aspiration is for this to be extended to Key Stage 2 pupils.

In response to questions from the Committee, Councillor David Mellen provided the following additional information:

- (d) further areas of concerns are:
- risk to provision of Early Intervention work at the Youth Offending Team, due to budget cuts;
 - risk to youth and play services due to further budget cuts, but the Council works well with the voluntary sector, faith groups and community groups to help provide these services;
- (e) Nottingham City Council is working hard to increase awareness of how fostering and claiming benefits interact. There are monthly meeting for foster carers with information about different aspects of foster care and all Nottingham City Council foster carers have access to a Fostering Network for support around finances and other issues;
- (f) breakfast clubs are offered in all primary schools in the city, including academies and special schools where there is primary provision;

- (g) since 2009 the Portage Service has been protected and not faced cuts that other services have. Current proposals will see three of the six posts moved to Early Intervention allowing the Council to retain the expertise of current staff, and these staff will retain direct contact with families;
- (h) short breaks for respite care for young people will be offered at the same frequency as in adult social care;
- (i) all children in foster care are assessed for special educational needs and disabilities (SEND), and 92% have education plans in place. Nottingham City Council has foster carers who specialise in caring for children with SEND, and there is a specialised residential unit for young people with SEND.

Beverley Frost, 3rd Sector Advocate, submitted a paper containing information and questions for Councillor David Mellen to respond to outside of the meeting, which was circulated with the minutes.

RESOLVED to thank Councillor David Mellen for his attendance.

42 TOURISM IN NOTTINGHAM

Brendan Moffatt, Chief Executive, Marketing Nottingham and Nottinghamshire, gave a presentation on the establishment of the Place Marketing Organisation, and highlighted the following key issues:

- (a) Marketing Nottingham and Nottinghamshire was created from Invest in Nottingham, Experience Nottinghamshire and Nottingham Means Business in April 2016;
- (b) data from 2015 shows that the number of tourists in Nottinghamshire in 2015 increased by 4.4% to 34.26 million, Nottingham Castle was the most visited paid for attraction, and that Nottingham was the 18th most visited city by overseas tourists in 2014;
- (c) it is estimated that tourism generated £1.6 billion for the economy, with nearly 22,000 jobs supported by the industry;
- (d) Marketing Nottingham and Nottinghamshire was involved in the following campaigns and activities during 2015/2016:
 - One Day in Notts is Never enough – ended March 2015;
 - VisitEngland's Access for all Campaign;
 - VisitEngland's Home of Sport campaign;
 - VisitBritain GREAT US Campaign;
 - major events campaigns including Trent Bridge Ashes and One Day Internationals, Aegon Open Nottingham, Splendour, October in Nottingham – UK's Festival City, and the Robin Hood Festival;
 - the Arts Council England Grand Tour through the Cultural Destinations Fund;
- (e) there are four key areas of opportunities for Nottingham to focus on to increase Nottingham's appeal:
 - heritage, including:

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- Heritage Lottery Fund funding for Nottingham Castle redevelopment;
 - better use of the Robin Hood brand/experience;
 - visitor centre improvements, including moving to digital information, easier access to tickets, etc
 - art and culture, including:
 - UNESCO City of Literature;
 - developing a 10 year cultural framework;
 - considering whether to bid for the European Capital of Culture;
 - sports, including:
 - Test cricket and the Aegon Open already being held in the city, but it is necessary to look at attracting new sports to the city, especially those that improve citizen participation;
 - conferencing, particularly working with partners to bring large conferences to the city.
- (f) key actions for the next 2 years are:
- relaunching Experience Nottinghamshire as Visit Nottinghamshire with an increased city focus;
 - increasing focus on national and internationally important events, such as Dinosaurs of China, UK Corporate Games, and triathlons;
 - working with members to create a 48 hour itinerary with a view to turning day visitors into overnight visitors;
 - working in partnership on major product or campaign development;
 - relaunching the Tourist Information Centre as an innovative, higher income, lower cost model;
 - launching a new conference ambassador programme and make the most of nationally and internationally renowned experts in the area matched to potential conferences or events;
 - increasing the 75% mid-week hotel occupancy to the 80% occupancy of comparable cities;
 - continuing representation to major organisations like VisitBritain, VisitEngland, Arts Council, UK Sport, etc, ensuring Nottingham is comparable to other major cities;
 - ensure alignment with national strategies and maximise the potential to attract external funding.

In response to questions from the Committee, Brendan Moffett provided the following additional information:

- (g) although Nottingham City Council funds a large portion of Marketing Nottingham and Nottinghamshire's total £1.8 million budget (£690,000 per annum), it also receives around £250,000 per annum from the private sector and is working towards increasing the private sector funding;
- (h) Marketing Nottingham and Nottinghamshire is now in a position to approach the larger organisations in Nottingham and plan on having talks with them within the next 3 months to bring them on board with the work of the Place Marketing Organisation. Funding from Nottingham City Council and Nottinghamshire County Council and the increased size of the organisation now gives more credibility to the campaign;

- (i) there are already 700 business involved in Marketing Nottingham and Nottinghamshire. 500 are from the tourism industry, ranging from small Bed and Breakfasts to large international conferencing centres. The remaining 200 businesses are small and medium sized businesses with work opportunities looking to bring people into Nottingham;
- (j) despite Nottingham having a number of golf courses it is very difficult to be competitive within that market within the UK;
- (k) Marketing Nottingham and Nottinghamshire continue to work with companies to bring in key skilled professionals to the city to fill skills gaps. Nottingham is in a good position to compete for these professionals and there is a campaign to bring key professionals to the city showcasing the breadth of opportunity in Nottingham;
- (l) a new website is in development to showcase opportunities in Nottingham. The website will also distribute material made by others and be the main website advertising Nottingham;
- (m) a review of all products on sale at the Tourist Information Centre has recently begun to look at the feasibility of stocking some of the high quality, Nottingham made goods which will appeal to visitors to the area and continue to promote Nottingham ;
- (n) the Visiting Friends and Relatives sector of tourism has good potential in Nottingham and has shown a large increase within the last decade. The Universities have large numbers of international students and a graduation week focused itinerary could be developed;
- (o) the challenges facing Marketing Nottingham and Nottinghamshire are:
 - the difficult financial climate for businesses;
 - all major cities are competing for footfall and business opportunities;
- (p) regeneration programmes currently underway across the city will help improve Nottingham's appeal.

RESOLVED to

- (1) thank Brendan Moffett for his attendance;**
- (2) invite Brendan Moffett to a future meeting of the Committee to provide an update on the progress being made.**

43 WORK PROGRAMME

Laura Wilson, Senior Governance Officer, introduced the report setting out the programme of activity for this Committee and the Overview and Scrutiny Review Panels for 2016/17. She highlighted that the discussion with the Portfolio Holder for Planning and Housing, scheduled for 5 April 2017, would be rearranged.

RESOLVED to agree the work programme for the Overview and Scrutiny Committee and Review Panels for 2016/17.

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Overview and Scrutiny 4/1/17

A. Children and Families Act 2014

Does the city hold as a priority the need to be compliant with the Children and Families Act 2014, part 3, section 19 – specifically part d of section 19?

Local authority functions: general principles

S.19 Local authority functions: supporting and involving children and young people In exercising a function under this Part in the case of a child or young person, a local authority in England must have regard to the following matters in particular—

(a) the views, wishes and feelings of the child and his or her parent, or the young person;

(b) the importance of the child and his or her parent, or the young person, participating as fully as possible in decisions relating to the exercise of the function concerned;

(c) the importance of the child and his or her parent, or the young person, being provided with the information and support necessary to enable participation in those decisions;

(d) the need to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes.

B. Portage Service

A number of families and professionals have raised concerns in relation to the restructuring of the Portage service. This is an 'Early Intervention' and vital for families pre-school.

A letter sent on behalf of families has been sent and a response received.

Question whether the response that they are 'not cutting the service they are increasing it' is accurate?

- The new Early Years posts they are supposedly creating will not have direct contact with children and parents within the home.
- There will still be a significant impact on children receiving home visiting. The criteria for the service will have to be tightened once again somehow.
- Are they referring to Children's Centres offering support? If so this is universal support NOT specialist. There has been numerous examples of parents of children with ASD being placed on general parenting courses and of incorrect strategies and advice being given to parents - setting them up to fail.

- There have been increasing numbers year on year of severely disabled children being born in Nottingham city. How will we be able to give these children the best start possible with 3 workers across the whole city? The January Census 2014 reported 7,738 of city pupils with SEND. Also, a rising birth rate – from 3,200 in 2000 to 4,500 in 2011.

C. Short Breaks

Additionally, concerns are being raised with regard to the cuts in Short Breaks funding and direct payments – in order to align the hourly rate to that of adult social care rates.

Provision of Short Breaks is a statutory duty and enshrined in law.

'A Local Authority budget is simply an estimate of its expenditure. It is always open to a Local Authority to spend more than its budget in a particular area – and indeed it may have to do so if this is required in order to comply with its legal duties, as may well be the case in relation to short breaks. Also, even if budgets are cut the next question is how the available funds are going to be allocated. Many of the issues below – for example the 'sufficiency duties' (being duties to secure a sufficient supply of short break services) and the Public Sector Equality Duty – are directly relevant to how funds are allocated and how decisions are taken.

Can the Local Authority show compliance with the 'sufficiency duties' imposed by regulation 4 of the Breaks for Carers of Disabled Children Regulations 2011 and section 27 of the Children and Families Act 2014? In particular does the Local Authority know (1) how many disabled children there are in its area, (2) what the likely need for short break services will be for these children and their families and (3) whether the level of short break services to be provided after the funding is cut will be sufficient to meet this need?

Recent statistics produced for a Peer Review (November 2016)

Key facts about Nottingham


Nottingham City
 Clinical Commissioning Group

- 314,000 people are resident in Nottingham City
- 128,000 children and young people aged between 0-24
- The population is expected to rise 10% by 2020
- There are 46,000 young people in Nottingham schools, 16% of whom have SEND
- Between 2,000 – 3,500 children are estimated to be experiencing some form of disability
- Boys are two and half times more likely to have EHC Plans compared to girls
- There is a link between SEND and deprivation and the more deprived wards in the city have significantly higher levels of people with an SEND



The estimated 2000 to 3500 is inconsistent with 16% of 46,000 (=7,360) and also the figures stated in a Service Specification of 21.3% presumably from the JSNA from 2010. Does the LA know how many CYP with SEND that they have a duty to support?

Regarding evening and weekend activities access for disabled children - a lot of parents are being told to use their short breaks money for 1-1 support but then don't qualify or are not successful when they apply. Additionally, some families find it difficult to find appropriate options for their child due to limited Short Break providers.

"Nottingham City Council has developed a proposal to align the direct payment rate for children (currently £10.57), to that paid to adults (£8.71). We have started consultation on these proposals and as an existing recipient I am seeking your views. This proposal will mean that for all new recipients of direct payments, the rate will be aligned to the adult rate of £8.71 from the 1st April.

Please see attached your personalised impact profile to understand how this will impact on yourselves and help you to prepare for these proposed changes.

We are making this proposal to assist the Council to make savings that are required in the budget over the next three years. This change will help to ensure children have a more seamless transition to our adult direct payments scheme."

D. Questions

We would like to ask you the following questions and would be grateful if you could answer them as soon as possible.

1. How much money does the Local Authority currently hold in its reserves, and in particular how much money is in 'unallocated' reserves, by which we mean reserves which are not earmarked for a specific purpose?
2. What if any consideration was given by the Local Authority to using its unallocated reserves to avoid or reduce the need to cut spending on short breaks?
3. What if any increase in Council Tax is proposed by the Local Authority for 2017/18?
4. What if any consideration was given to increasing Council Tax as a way of avoiding or reducing the need to cut spending on short breaks?
5. When the Local Authority consulted on the proposal to cut spending on short breaks, what if any information was given to consultees on these or other alternative ways of meeting the shortfall in funding available to the Local Authority?
6. Can the Local Authority show that it is going to be providing a level of short break service which is sufficient to meet the needs of children and families in our area after the funding cuts, as required by regulation 4 of the Breaks for Carers of Disabled Children Regulations 2011 and section 27 of the Children and Families Act 2014?
7. Can the Local Authority show that it is going to be able to provide short breaks to all disabled children for whom it is necessary to provide this service to meet their needs, as required by section 2 of the Chronically Sick and Disabled Persons Act 1970?
8. How will the Local Authority meet its obligation to promote the right to respect for private and family life under Article 8 of the European Convention on Human Rights if the short breaks budget is cut?
9. How will the Local Authority meet its obligation to treat disabled children's best interests as a primary consideration in its decision making process when deciding on the proposed cut to the short breaks budget, as required by Article 3 of the UN Convention on the Rights of the Child?
10. How can the Local Authority show that it has complied with the Public Sector Equality Duty in its proposed cut to the short breaks budget, in particular the duty under section 149(1)(b) of the Equality Act 2010 to have due regard to the need to advance equality of opportunity for disabled children? We would urge you and your fellow councillors to reconsider the proposed cut to the short breaks budget for 2017/18. We would strongly argue that this would be a false economy, as cutting short breaks is likely to lead to the need to fund expensive crisis interventions for families who can no longer cope. We would also argue that the proposed cut will breach the legal duties that we have asked questions about above.