

# MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 9 June 2008 at 2.00 pm

## ATTENDANCES

✓ Councillor G Khan	Lord Mayor
✓ Councillor Ahmed	✓ Councillor Jones
✓ Councillor Akhtar	✓ Councillor A Khan
✓ Councillor Arnold	✓ Councillor Klein
✓ Councillor Aslam	✓ Councillor Lee
✓ Councillor Benson	✓ Councillor Liversidge
Councillor Bryan	✓ Councillor Long
✓ Councillor Bull	Councillor MacLennan
✓ Councillor Campbell	✓ Councillor Malcolm
✓ Councillor Chapman	✓ Councillor Marshall
✓ Councillor Clark	✓ Councillor Mellen
✓ Councillor Clarke-Smith	✓ Councillor Mir
✓ Councillor Collins	✓ Councillor Munir
Councillor Cowan	✓ Councillor Newton
✓ Councillor Cresswell	✓ Councillor Oldham
✓ Councillor Culley	✓ Councillor Packer
✓ Councillor Davie	✓ Councillor Parbutt
✓ Councillor Dewinton	Councillor Price
✓ Councillor Edwards	✓ Councillor Smith
✓ Councillor Foster	✓ Councillor Spencer
✓ Councillor Gibson	✓ Councillor Sutton
✓ Councillor Griggs	✓ Councillor Trimble
✓ Councillor Grocock	✓ Councillor Unczur
✓ Councillor Hartshorne	✓ Councillor Urquhart
✓ Councillor Heppell	Councillor Watson
✓ Councillor Ibrahim	✓ Councillor Wildgust
✓ Councillor James	✓ Councillor Williams
Councillor Johnson	✓ Councillor Wood

## **17 ORDER OF BUSINESS**

**RESOLVED** that the order of business be varied to enable the Children and Young Peoples Plan 2008-11 to be considered as the first item of business after Declarations of Interests.

## **18 DECLARATIONS OF INTERESTS**

No declarations of interest were made.

## **19 CHILDREN AND YOUNG PEOPLES PLAN 2008-11**

Prior to debate on this item, a number of representatives from partner organisations addressed Council on their role and responsibilities in delivering the outcomes in the Plan, as follows:

Andrew Kenworthy - Chief Executive of Nottingham City Primary Care Trust

Margaret McGlade - Independent Chair of the Local Safeguarding Childrens Board

Sylvia Gibson - Director of Schools, Nottingham City Council, speaking as Chair of the Enjoy and Achieve Partnership

Jean Pardoe - Chief Executive of Connexions

Paula Webber - Learning and Skills Council

Alice Burgess and Chantal Ubaka - Members of the Nottingham City Youth Council

The report of Councillor Mellen (as set out on page 55 of the agenda) was submitted.

**RESOLVED** unanimously on the motion of Councillor Mellen, seconded by Councillor Newton, that the Children and Young People's Plan 2008-11 be adopted.

## **20 QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC**

### **Public Petitions**

Councillor Grocock submitted a petition to the Lord Mayor, on behalf of Top Valley residents who were requesting the redevelopment of Red Square, Top Valley, Nottingham.

## **21 MINUTES**

**RESOLVED** that the minutes of the meeting held on 12 May 2008, be confirmed and signed by the Lord Mayor.

## **22 OFFICIAL COMMUNICATIONS**

The Chief Executive informed Council that the re-development of the Old Market Square had won another national prize. The Royal Institute of British Architects deemed the Square an inviting public space and a substantial contribution to the local environment.

The Chief Executive also announced that the Council Services Directory had also picked up another award. It received a gold award from the Local Government Association Communications in the category of Best A-Z, and was described as setting a new standard for local government A-Z's. Both teams were congratulated for their creativity and hard work, and for making Nottingham a better place to live and work.

## **23 QUESTIONS**

### **Summons for non-payment of Council Tax**

Councillor Sutton asked the following question of the Portfolio Holder for Human Resources, Customer Services and Consultation:-

Can I ask how many summonses for non-payment of Council Tax were issued in the last 12 months, and how many were withdrawn before the court date when it transpired that the Council Tax department had their facts wrong?

Councillor Campbell replied as follows:-

Thank you Lord Mayor and can I thank Councillor Sutton for his question.

In total 28,215 summonses were issued of which 5,753 were withdrawn and did not proceed to court. This equates to approximately 20%.

A summons may be withdrawn for a number of reasons including:

- a customer agreeing to sign up to pay by Direct Debit. To encourage payment we offer to cancel a summons if the customer switches to direct debit, this is particularly relevant during the earlier part of the year;
- awarding of Council Tax Benefits resulting in no tax due;
- payment crossing in the post with the summons;
- obtaining information which shows the taxpayer is not liable for the debt after the summons has been issued.

Whenever a summons is withdrawn a code is manually entered into the system to include reasons for its withdrawal. There are a number of reasons underpinning the classification of 'incorrectly issued' and for the purpose of this exercise it has been assumed that everything in this category will be deemed as being withdrawn in Councillor Sutton's words 'due to the Council having their facts wrong'.

For example, potential ways in which the error might occur are Council Tax benefits claim delayed in processing, without knowledge of the Council Tax Recoveries team and customers moving out of a property but change of address being delayed in processing.

In summary, 1,488 summonses were withdrawn in such circumstances. This equates to 5.2% of all summons issued.

A full and detailed review of the Council Tax and Housing Benefit processes is currently underway, which will take a robust customer-

centric perspective on the way in which the activities currently operate. It is intended that a full redesign of the system takes place later in the year, with the engagement of front line staff who have detailed knowledge of the improvements which are required to improve service to the customer.

## **Section 215 of the Town and Country Planning Act**

Councillor Foster asked the following question of the Portfolio Holder for Neighbourhood Regeneration:-

How and when does the Council use its powers under Section 215 of the Town and Country Planning Act?

Councillor Clark replied as follows:-

Thank you, Lord Mayor and I thank Councillor Foster for his question.

Section 215 of the Town and Country Planning Act gives us the power to take action on property, including land, which is affecting the amenity of the council's area. Typical examples include overgrown gardens, badly dilapidated houses and collapsed walls and fences; derelict pubs and petrol stations also make up a significant proportion of the workload.

Nottingham City Council's Environmental Health team has two dedicated officers who react to complaints regarding areas which are affecting other residents or passers by, they also carry out action proactively, for example by working in partnership with Nottingham City Homes on estate action weeks.

In accordance with Government guidance the initial action is normally informal but if this does not resolve the problem a formal notice is served. If the notice is not complied with then the officer will either carry out works in default, where this is possible, or the perpetrator will be prosecuted.

The team has recently prosecuted two individuals and is now taking one of these forward and is instructing a barrister to apply for an injunction in the High Court to enable works to be carried out. The

Act does not allow for a warrant to be granted to enter land so if entry is refused then there is effectively no power to enter except via an injunction.

Last year, 70 Section 215 notices were served by the team, they received 384 service requests and worked on several estate action weeks.

## **Progress on crime reduction**

Councillor Dewinton asked the following question of the Leader of the Council:-

Would the Leader tell the Council what progress has been made on crime reduction and how that has been achieved?

Councillor Collins replied as follows:-

Thank you, Lord Mayor and can I thank Councillor Dewinton for her question.

Crime and fear of crime is a major concern for the people of Nottingham, and, therefore, is a key priority for the City Council and its partners, most noticeably for us and the Police to address.

Overall the level of crime in the City continues to be too high, for that reason at the last local election, Labour gave a commitment to reduce all crime by a further 25% using a baseline figure of May 2007 and building on the progress made since the Council elections in 2003. At that time and for the 12 months ending March 2003 there was 73,885 crimes committed within the City. For the 12 months ending March 2008 the number of crimes committed was 53,875 a reduction of more than 20,000 crimes or some 27% reduction.

Against our targets to further reduce crime by a further 25% during the last year we have seen a reduction of 10% against the 2007 baseline leaving us with a target of a further 15% reduction over the next three years.

Members will also know in that in 2004 the Council and its partners were set a challenging target by the Home Office to reduce British crime survey comparator crimes, that is BCS crimes, by 26% by the end of March 2008 against the 2003/2004 baseline.

BCS crime is a 'basket' of the most commonly committed crime types used by Government to compare the performance of Police Forces, Police Divisions and Crime and Disorder Partnerships. This was a challenging target which was recognised both within and beyond this chamber and I recall on a number of occasions being told by members of the opposition that there was no real chance of us hitting the target. Nevertheless, despite that, I am pleased to say that we not only met but also exceeded the target with BCS crime declining by 28½% since 2003/2004 baseline.

Within that overall figure there were also some significant reductions in different crime types including Auto Crime down 45%, burglary down 38%, theft from person down 42%, robbery down 29%, criminal damage down 12% and wounding down 7%.

Along-side these figures there has been a significant increase in Police detection rates, a 20% reduction in repeat victimisation, and a 43% reduction in youth offending.

Of course, none of this should encourage any complacency and while overall the figures are positive and encouraging they are better for some crime types than others. So, for example, while more serious violent crime, gun crime and knife crime have come down significantly, violent crime overall and in particular common assault and domestic violence, remains a concern and will require extra focus over the coming year.

As for how the reductions have been achieved I would suggest that a number of initiatives by the Council, Police and other parties have had an impact. Primarily the quality of the Crime and Drugs Partnership has significantly improved and in particular is well led by Alan Given. Through and along-side the CDP the working relationship between the Council and the Police has also improved significantly allowing better co-ordination and the allocation of resources around this particular area of work.

Secondly, the City Police Division has been well led, I believe, since the year 2004, first by Les Komuniak then Marcus Beale and more recently by Peter Moyes and currently Sean Beebe.

Thirdly, the introduction of weekly Joint Tasking meetings involving all partners with an interest in tackling crime in the City has allowed resources and effort to be focused on those communities most in need and on the individuals responsible for the most crime.

Fourthly, the introduction of Neighbourhood Policing has brought a real focus on crime in different neighbourhoods and, while this approach is still developing, the emphasis on visibility and contact with local people is building more confidence in communities with the work of the Council and the Police.

Fifthly, the efforts that the Police have made at Force level to tackle organised crime and in particular to bring to justice the Gunn family, has had an impact on crime at all levels in the City.

Finally, the Council has seen tackling crime as an organisational and financial priority, funding a Community Protection force of 100 officers, Enviro-crime and Anti-Social Behaviour Teams, extra CCTV, weeks of action and, in total, has increased our Community Safety spending from around £66,000 a year in 2003 to something like £6,300,000 a year in the current financial year.

Lord Mayor, I think we have made some real progress in tackling crime and the fear of crime and anti-social behaviour in the City and a survey shows the public recognise that this is the case too. However, whatever the progress there is still much more to do if we are to get crime down as low as people expect it to be.

## **New Market Square**

Councillor Arnold asked the following question of the Portfolio Holder for Neighbourhood Regeneration:-

On the first anniversary of the new Old Market Square, would the Portfolio Holder of Neighbourhood Regeneration care to comment on the success or otherwise of this venture?



Councillor Clark replied as follows:-

Thank you, Lord Mayor and may I thank Councillor Arnold for her question.

The Square is being used on a regular basis throughout the year but, especially in good weather like today, with large numbers seated in the area, interacting with the water feature and generally walking through the area. Improved lighting has been introduced to encourage evening usage of the Square, which is now safer and more welcoming at all times of day and night.

Members will be aware of the high profile opportunities that the new redeveloped Square in Nottingham has been able to attract for the first time, such as the E-on Sponsored Ice Rink and the Nottingham Eye. Both brought an increase in visitors to the Square and gave local, regional and national media attention and would not have been possible without the redevelopment. The Ice Rink enhanced the Christmas offer while the Nottingham Eye gave a focus to the City Centre in an otherwise quiet time of year contributing to the City Council's 'Proud' campaign.

Other high profile events have been developed to take advantage of the new space as a viable venue for the City's cultural offer including the Launch, Light Night and the recent City Pulse Festival. The Launch brought together over a 1,000 local residents into the City to parade as part of the opening event, along with over 40 schools that took part in a special concert to claim the space.

Light Night brought together schools, local artists and community groups to profile the City in a unique way. 20,000 additional visitors came into the City Centre on a winter's night, including a large number of families who are not the traditional City Centre night time customers. The City in partnership with the National Association of Town Centre Managers and other Core Cities is developing this concept into a series of national events based on the success of the European model for such events.

In addition to the high profile events, a managed programme ensures that there is always something different to experience in the Square, and uses that contribute to the City's economy. Local artists

are employed as part of events to work to deliver specific projects which contribute to the development of the City's cultural industries.

The programme includes Continental, Craft and Fine Food markets, Fine Food markets alone attracting 24,000 additional visitors per month and then commercial exhibitions and road shows where the feedback is that it is one of the best spaces in the UK for its size and capacity, high foot fall, infrastructure, and its competitive price. Prior to the redevelopment, Nottingham did not have such a suitable place for the type of events and exhibitions it now attracts, mainly due to the limitation of the previous layout and various levels which created smaller spaces with poor access especially for wheelchairs and buggies.

First year successes included:-

BBC on tour - an estimated attendance of 16,000 people - the best attended event in their national tour during 2007. The RAF presentation in the Square attracted an unprecedented 11,000 people and was reported as the best attended event in the region. We had activities linked into the Women's FA Cup Final. The British Juggling Convention. Culture 60 - celebrating the anniversary of the independence of India and Pakistan. The Nano exhibition linked with Science City status. Events around Game City, St Georges' Day events, a rugby event, St Patrick's Day events, these are neither in chronological nor priority order.

The Council, through its Arts and Events Team, has been able to utilise fully the new space for the maximum benefit to the City in terms of its local, regional and national profile, including it becoming the prominent feature in the East Midlands Today opening credits.

The Square, which was designed by Gustafson Porter and constructed by Balfour Beatty, has received national recognition for its innovative design and quality of construction. The following are some of the awards received over the past year:-

- The Nottingham Civic Society Commendation for the water feature - April 2007;
- The Landscape Institute Awards in the Urban design category;

- East Midlands Property 'Design Excellence Award' - September 2007;
- The Lord Mayors Award outright winner and the winner in the Public realm and open space category - November 2007;
- The Civic Trust gave us three awards in March 2008, first of all for outstanding contribution to the public realm, secondly for hard landscaping and thirdly a Special Regeneration award;
- It was highly commended in the Institute of Civil Engineers (ICE) East Midlands Merit awards (EMMAs) - 25 April 2008;
- Highly Commended in the RICS Regeneration category in May 2008 and, as was announced by the Chief Executive earlier, the RIBA - Best Public Space.

In addition the project team won the City Council's GEM team award announced at Full Council on the 12 May in recognition of the three prestigious Civic Trust Awards.

Further awards are currently being considered and have yet to be announced. The AMA (American Institute of Architects) - Design awards programme submission. The Natural Stone Awards 2008 for Landscaping, the E M Awards for the RIBA East Midlands Cat 3 Urban design and finally, as far as I know, the LGN Streetscape awards 2008.

## **City Pulse**

Councillor Chapman asked the following question of the Portfolio Holder for Communities, Leisure and Culture:-

Would the Portfolio Holder for Communities, Leisure and Culture comment on the City Pulse event on the Market Square.

Councillor Trimble replied as follows:-

Thank you, Lord Mayor and can I thank Councillor Chapman for his question.

Just before I go into that, the Market Square is being replanted, I just want to make that plain so that the Lib Dems cannot claim the credit for it.

We, as a Labour Group have decided that there's going to be a big step change in a number and quality of events in the City this year. Some have already been identified by Councillor Clark earlier and the Labour Group backed that up with a large increase in funding over and above our already significant events calendar.

The City Pulse Festival held over the Spring Bank Holiday weekend was the first of our major new festivals. It comprised a major stage in the Market Square and a series of smaller stages around the City.

The City Pulse Festival has been very well received by local press, media, City Centre businesses and other partners. Most importantly of all it was very well received by the attendees who enjoyed it. I'm told that the City was buzzing, rocking, swinging so Councillor Ian, Ralph McTell Streets of London, MacLennan told me.

Lord Mayor, as the City Pulse Festival was a free open to all event, it's difficult to have precise numbers on those that attended the event. Event Officers estimate that despite the very poor weather 30,000-40,000 over the weekend for the Market Square event and the smaller outlying venues attracted 15,000-20,000 over the weekend, giving a total of 45,000-60,000 attendees over the weekend, an excellent figure despite the weather. With today's weather I'm sure we would have had more people attending. We are already planning more outlying stages for next year and I'm sure there will be even bigger attendances then.

Lord Mayor, despite the poor weather I believe the City Pulse Festival was an excellent start to our events programme. I am looking forward to the Children's Festival in the school holidays and in particular looking forward to the Splendour Music Festival coming soon in Wollaton Park.

Lord Mayor, as I said at the beginning, these new events have been delivered by a Labour Group committed to a quality events programme and I do not believe it would have been delivered by any other political party in this City.

## **24 INVESTMENT STRATEGY REVIEW**

The report of Councillor Chapman (as set out on page 61 of the agenda) was submitted and its recommendations were moved by Councillor Chapman and seconded by Councillor Williams.

**RESOLVED on the motion of Councillor Chapman, seconded by Councillor Williams, that the criteria for External Investment of City Council monies, as set out in Appendix A to the report be approved.**

## **25 COMMITTEE MEMBERSHIPS**

**RESOLVED that the appointments of Councillors Griggs, Grocock, James and Wood to the Nottinghamshire and City of Nottingham Fire and Rescue Authority be noted.**

## **26 SPECIAL MEETING DATE**

**RESOLVED that a special meeting of full Council be held at 5.00 pm on Friday 26 September 2008.**

The meeting closed at 4.13pm.

**Council Question requiring a written response**

The following response was circulated to all members on 18 June 2008.

**Reimbursement of overpaid rent by BACs payment to over charged Tenants**

Councillor Davie asked the following question of the Portfolio Holder for Neighbourhood Regeneration:-

**Would the Portfolio Holder agree with me that when the Council identifies it has over charged tenants, that wherever possible it will make re-payment by the BACs system, when it has taken the over-payment by BACs, as this reduces the time that the tenant is out of pocket?**

Councillor Clark replied as follows:

I would like to thank Councillor Davie for his question.

Following your recent question regarding re-imburement of overpaid rent by BACs payment where tenants have been overcharged, may I take this opportunity to respond.

We have refunded overpayments of rent by BACS for a number of years for the reason stated and because it is more secure and provides good value for money for the Council.

Most rent overpayments are caused by tenants paying whilst their Housing Benefit is assessed, following Housing Benefit backdating, or by continuing to pay through the bank when Housing Benefit has increased. This doesn't happen with Direct Debits as we are in control of payments, but with standing orders only the account holder can instruct their bank.

Prior to a refund being processed, a Housing Benefit check is undertaken to ensure the tenant's entitlement is correct and that there are no debts held elsewhere to offset against the credit. Whilst this can delay the process by up to a week, it is important to refund the correct amount due.

Nottingham City Homes processed 879 refunds in 2007/8, amounting to £248,260. The average time taken to process a refund is between 7 and 14 days and we are working to improve on this. Refunds by BACS can speed up the process of tenants receiving cleared funds by as much as 3 days and this is used wherever possible.