

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 14 September 2009 at 2.00 pm

ATTENDANCES

✓ Councillor Packer	Lord Mayor
✓ Councillor Ahmed	✓ Councillor A Khan
✓ Councillor Akhtar	✓ Councillor G 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 Morley
✓ Councillor Cresswell	✓ Councillor Munir
✓ Councillor Culley	✓ Councillor Newton
✓ Councillor Davie	✓ Councillor Oldham
Councillor Dewinton	✓ Councillor Parbutt
✓ Councillor Edwards	✓ Councillor Price
✓ Councillor Foster	✓ Councillor Smith
✓ Councillor Gibson	✓ Councillor Spencer
✓ Councillor Griggs	✓ Councillor Sutton
✓ Councillor Grocock	✓ Councillor Trimble
✓ Councillor Hartshorne	Councillor Unczur
Councillor Heppell	✓ Councillor Urquhart
✓ Councillor Ibrahim	✓ Councillor Watson
✓ Councillor James	Councillor Wildgust
✓ Councillor Johnson	✓ Councillor Williams
✓ Councillor Jones	✓ Councillor Wood

32 DECLARATIONS OF INTERESTS

The following declarations of personal interests, which did not preclude them from speaking, were made in respect of agenda item 5(c), a question by Councillor Price to Councillor Trimble as the Portfolio Holder for Leisure, Culture and Customers, in respect of annual rental charges at local golf courses:-

Councillors Culley and Morley, whose husbands were members of the Wollaton Park Golf Course and Councillor Davie as a member of the Bulwell Forest Golf Club.

The following declarations of interests were made in respect of agenda item 6 – NET Funding Arrangements:-

Councillors Bryan, Gibson, Grocock and Parbutt - personal and prejudicial interests insofar as they were City Council appointed Directors of Nottingham City Transport Limited, and withdrew from the Chamber during discussion of the item.

Declarations of personal interests by the following Councillors, which did not preclude them from speaking or voting:-

Councillors Newton, James and Malcolm as Chair and members respectively of the Greater Nottingham Light Rapid Transit Advisory Committee.

Councillor Malcolm as a City Council appointed representative to Greater Nottingham Light Rapid Transit Limited.

Councillor Edwards as the recipient of a pass entitling him to free travel on Network Rail.

Councillor Urquhart as a City Council appointed member of the NET Development Board and an employee of an organisation which would be affected by the introduction of a Workplace Parking Levy Scheme.

33 QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

The following petitions were submitted:-

(a) **Councillor Davie – Objections to Planned Extension to Cantrell Road Primary School**

Councillor Davie submitted a petition to the Lord Mayor on behalf of local residents, opposing a planned extension to Cantrell Road Primary School. The petition contained 68 signatures.

(b) **Councillor Collins – Objections to possible use of Stonebridge City Farm Land by Stonebridge Park Regeneration Project**

Councillor Collins submitted a petition to the Lord Mayor on behalf of users and visitors of the Stonebridge City Farm, objecting to possible use of Stonebridge City Farm Land by Stonebridge Park Regeneration Project. The petition contained 1,639 signatures.

Public Questions

Due to the number submitted, the text of public questions considered at this meeting, and the answers to them, are included at Annex A to these minutes.

34 MINUTES

RESOLVED that the minutes of the meeting held on 13 July 2009, be confirmed and signed by the Lord Mayor.

35 OFFICIAL COMMUNICATIONS

The Chief Executive reported the following communications:-

Green Flags

Parks and Open Spaces have recently been awarded eleven Green Flags for parks across the city. The team also worked with the grounds staff at the University to help them achieve their Green Flag. It is a credit

to the team to have been awarded so many, and citizens all over the city are taking advantage of the wonderful spaces on offer.

Green Pennant Awards

The Parks and Open Spaces team have also been working with a number of community groups and have helped them achieve five green pennant awards.

Association for Public Service Excellence Awards

Colleagues in Community and Culture were awarded the title of Best Service Team for Parks, Grounds and Horticulture at the APSE Service Awards Winners Ceremony held recently at the Cardiff International Arena.

Arquiva Awards

Road Safety's Drug/Driving Radio Advertising Campaign was a finalist of three in the creative category of the Arquiva Awards. The Arquiva Awards are the commercial radio industry's equivalent to the Oscars and the Council's ads were competing against entrants from all over the U.K.

National Transport Awards

The Transport Strategy Team were highly commended in the Transport Local Authority of the Year and Bus Lane Enforcement (technology) categories in the National Transport Awards (July) 2009.

East Midlands Regional Grand Committee

The City Council hosted a meeting of the East Midlands Regional Grand Committee at the Council House on 9 September 2009. The Committee met to question the Minister for the East Midlands, Phil Hope MP, on issue affecting the region and how the East Midlands would make the most of the upturn.

Congratulations to everyone involved with these projects.

36 QUESTIONS

There were no questions to the Nottinghamshire and City of Nottingham Fire and Rescue Authority or to the Nottinghamshire Police Authority.

Conservative Policy Proposals on Market Rents for Council-owned Social Housing

Councillor MacLennan asked the following question of the Portfolio Holder for Housing Delivery:

Would the Portfolio Holder for Housing comment on the Conservative policy idea to improve market rents on Council-owned social housing?

Councillor Liversidge replied as follows:-

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

I am shocked but not surprised that I am having to answer a question like this. Just at the time when Nottingham have been given the go ahead to build Council Houses. 80 years after the great depression, when the Tories took the opportunity to reduce the living standards of ordinary people, today the rabid right are trying to do the same.

This policy idea is to convert social housing rents by allowing the rise to higher market rents. They say this would free people to be able to live where they want. They also say that people on low incomes don't need to worry because Housing Benefit will bridge the gap, but they are also talking of removing Housing Benefit or localising it, different local authorities being able to have different Housing Benefit levels.

Responsible authorities like Nottingham would have to find the benefit from their own resources, presumably for the higher rents of those still able to pay. But should we worry? Where does this come from? It's an idea of Stephen Greenhalgh the Leader of the Tory Flagship Council Hammersmith and Fulham, who has said "We must stop our Borough becoming a ghetto for the urban poor. We want to attract people who are very rich". This might not have gone any further but Mr. Greenhalgh also leads the Conservative Councils Innovations Unit with an ear to Tory Leader Cameron. So we need to be worried for two reasons:

Firstly, hurriedly we will be thrown into the iniquitous position of trying to keep up increasing Housing Benefit payments as more and more of our citizens cannot afford higher rents and so need Housing Benefit.

Secondly, we may have to take in people from surrounding areas. In London, in Hammersmith and Fulham, Tories are talking about demolishing whole estates, only providing housing for the old or infirm and providing Housing Benefit levels to allow the rest of the poor to rent a room in a shared house, but it would not be in their Borough. This is just one example of the market rent idea being designed to politically cleanse the Borough by intentionally knocking down Labour supporting areas in favour of homes for the very rich. This could happen here.

We need to be afraid.

2009 GCSE Results

Councillor Bryan asked the following question of the Portfolio Holder for Children's Services:

Would the Portfolio Holder for Children's Services comment on this year's GCSE results?

Councillor Mellen replied as follows:

Thank you my Lord Mayor and Councillor Bryan for your question.

Official data on Key Stage 4 attainment is not made available by the Department for Children's Schools and Families to Local Authorities until mid October. Our information is, therefore, drawn from the collection of headline Key Performance Indicators from Nottingham schools on GCSE results day and we are grateful to head teachers and their staff for sharing this information with us at a very busy time of year. Nevertheless, I would welcome the opportunity to make the following observations on the best ever GCSE results for this city.

First of all, what is called the Gold Standard five A to C grades, including English and Maths, 41.7% of eligible pupils achieved this standard, that is up 7% points from our results in 2008.

In 1998 the proportion of pupils achieving this standard was just 18.7%, Nottingham has therefore improved 23% points over the last 11 years, more than doubling the proportion of children achieving this standard (from under 500 in 1998 to over 1100 in 2009).

Over 160 more pupils achieved this threshold in 2009 than in 2008 despite a fall of nearly 100 in the cohort and 10 schools and the academy achieved their best ever result at this measure and a further 4 schools achieved improvements on 2008.

At the level of 5 GCSE's, irrespective of subject, the level that we have been more used to comparing over the last decade, 66.5% of eligible pupils achieved at least 5 A stars to C passes, up 7.6 points from 2008 and for the first time more than 2 out of 3 Nottingham pupils achieved this historic measure. 17 out of 18 schools met or exceeded their Fischer Trust type D estimates which indicates performance in the top 25% of similar schools nationally and we have to go back to 1998 to look at the comparison. In 1998 the proportion of pupils achieving this standard was only 26.2%, that was not sufficient. Nottingham has, therefore, over the last 11 years improved by over 40 percentage points, with around two and a half times more students achieving this standard, from around 650 in 1998 to 1800 in 2009.

These results are testimony to the hard work, dedication and perseverance of head teachers, staff and the pupils in our schools and their parents and I would wish to commend them for their efforts and their successes. There are also result of work of the Children's Services Offices who supported and challenge schools to accept nothing but the best from our pupils but, my Lord Mayor, is also a testimony to the priority given to education by this government and the leadership of this council. This Labour group has taken bold decisions to prioritise investment in education; it has taken brave decisions to shut and reorganise schools, where necessary, so money is spent on young people and not on keeping half empty buildings open; it has shown commitment to our young people, so I am delighted to commend and comment on these excellent results on Nottingham young people, more of whom now who are staying in the city for their secondary education.

These results are what Nottingham young people deserve and are results which equip so many more of them to go on to further study and on to the world of work, so, congratulations to our young people and to their teachers; these are results that make us proud.

Respect – Foul and Abusive Language in City Parks

Councillor Lee asked the following question of the Leader of the Council:–

Would the Leader agree that foul and abusive language in our Parks is unacceptable and would he extend our respect initiative into the City's Public Parks and Open Spaces?

Councillor Collins replied as follows:-

Thank you Lord Mayor and can I thank Councillor Lee for his question and yes, I do agree that foul and abusive language in our parks is unacceptable and will discuss with the CDP ways that the respect initiative can be extended in the city's open spaces.

Children's Centres in the City

Councillor Newton asked the following question of the Portfolio Holder for Children's Services

Does the Portfolio Holder for Children's Services welcome the completion of the 16 new Children's Centres across the City? Would he confirm that they are an integral part of our communities now and also in the future?

Councillor Mellen replied as follows:-

Thank you my Lord Mayor and thank you to Councillor Newton for his question.

Sure Start children's centres have become a significant and exciting development nationally and are now well established in the City of Nottingham.

They offer integrated services for families with young children to help ensure all our children get the best possible start in life. The completion of the Wave 2 Children's Centres programme in 2008 means that there are now 16 Children's Centres across our city, providing parents and carers with early learning, family support and health services as well as training and employment advice. Services also include antenatal

sessions, stay and play groups, young parents groups, drop-in health clinics, family support, toy libraries and training courses.

These 16 Children's Centres provide coverage to over 80% of the city, however, there are still over 2,000 children under the age of 5 across the city without local access to services provided by Children's Centres. Nottingham City Council must fulfil its statutory duty to provide universal Children's services to every child under 5 across Nottingham City by March 2010.

The Department for Children, Schools and Families have provided funding to develop 2 further Children's Centres ensuring that everyone in Nottingham City can access these services. We have been consulting with families and stakeholders in the areas of Wollaton West and Bulwell Forest wards over the last year to ascertain the best sites for these two centres, planning applications have now been submitted for Children's Centres on the sites of Cantrell Primary School and Fernwood Infant school. We are confident that the Children's centres, both existing and new will have, and will become, a valuable and an integral part of the communities that they serve, providing extensive support in order to improve outcomes and to enhance the lives and opportunities of young children, their families and wider community.

However, I do have to warn the Council today that there is a clear threat to the extensive work that Children's Centres do in our City should a Conservative Government be formed in the future. Should the people of Britain forget what happened to public services in the 80's and 90's there is no guarantee that this level of investment will be preserved and these comprehensive services will be continued.

The shadow Children's Minister, Maria Miller, has repeatedly stated that the Tories are 100% committed to Sure Start - this commitment has been undermined by the comments of her colleagues. The Shadow Chief Secretary to the Treasury, Philip Hammond, has refused to guarantee funding for this early years programme, indicating that it will be subject to the same scrutiny and possible 10 to 15% cuts which all departments will be subject to. This was backed up by Shadow Chancellor George Osborne, who said although a Tory government would protect spending on overseas development and health, no other area would be protected.

So yes, Councillor Newton, Children's Centres have become an integral part of our communities, I know that you and your colleagues have been supportive of the work of the Basford Community Centre at Whitemoor School and attended the events we held there in June to mark the completion of Wave 2 of the Children's Centre Programme.

Sure Start Children's Centres are doing a great job across our city 13766 people are registered users of these centres and over 17000 people visited our centres over the last 12 months. These are vital community resources funded by consistent investment from this Labour Government and over £9M of revenue funding in the current financial year from this Labour Council. We know that resources for young children and their families are safe in our hands. We know that guaranteed investment in the young is the only way to ensure life chances are enhanced, that standards are raised and aspirations lifted. There is no such guarantee should the political leadership of this country change.

Annual Rental Charges at Local Golf Courses

Councillor Price asked the following question of the Portfolio Holder for Leisure, Culture and Customers:-

Can the Portfolio Holder explain why there is a significant difference in the rent set for Nottingham's three municipal Golf Courses; £1,250 per annum at Bulwell Hall, £22,000 per annum at Bulwell Forest and £95,000 per annum at Wollaton Hall Park. Does he agree that this discrepancy is further heightened by the rent moratorium that applies to Bulwell Hall and Bulwell Forest course?

Councillor Trimble replied as follows:-

Thank you Lord Mayor and can I thank Councillor Price for asking Councillor Culley's question.

When I first looked at this question, I was a little surprised how little Wollaton Park Golf Club paid for the privilege of playing in such a magnificent setting. Both Councillors, Price and Culley have been around long enough to know to make direct comparisons you should compare like with like.

Over recent years both Bulwell Golf Courses have had to make significant investment by private operators to bring them up to scratch, and whilst both operators are required by this City Council to maintain a public pay and play principle. As far as I am concerned that is a very important principle a public pay and play, turn up, pay your money and play - that is important. The environments of the Golf Clubs are completely, totally and utterly different, both Bulwell courses are local green spaces, whilst Wollaton is a stunning national heritage site. Indeed on it's own web site Wollaton Park Golf Club, its own strap line is, "one of the gems of Midlands Golf..."

Lord Mayor, the one and only time I have been in the club house, at Wollaton, I stood looking out a huge plate glass window on to Wollaton Park with the deer grazing very, very close up to the club house as my mind wandered, I could have been in the finest museum looking at a old master painting. A stunning view and one that has lived with me ever since. Lord Mayor at both Bulwell golf courses you or anyone else, for that matter, can turn up with a few pounds in your pocket with less than half a set of clubs and pay and play.

At Wollaton Park Golf Club you would have to go through the rigorous process of joining a private members' club - presumably with the risk of being 'black balled' (that is my chance of becoming a member blown) and you have to wear a tie as well. You don't have to wear anything else but you do have to wear a tie, and paying nearly £150 in advance before you think about even teeing off and still having a very lengthy waiting list. Alternatively you can play as a guest of a current member by paying up to £58 for a weekend green fee for the pleasure of playing there.

It seems to me Lord Mayor, in the world of hospitality, Councillor Price seems to be comparing a five star hotel with a bed and breakfast establishment. Councillor Price asked if the lease discrepancy is further heightened by the rent monetarism for both Bulwell clubs. On the previous draft of this question by Councillor Culley, asked if Wollaton Park Golf Club was discriminated against, the simple answer to both those questions is no. They are very different business models, Wollaton Park Golf Club substantially limits the numbers of players to less that 850, in order to restrict numbers playing at any one time with only 650 full members, with their demand they could easily increase that. As I have said before, Wollaton Park is a stunning national heritage site. Not surprisingly, you pay a premium for that, but I am surprised it is so little.

Lord Mayor this is now the third representation on behalf of Wollaton Park Golf Club I have received recently. Perhaps there is a rent review pending.

Availability of Parking Spaces Post Workplace Parking Levy Introduction

Councillor Morley asked the following question of the Portfolio Holder for Transport and Area Working:-

Can the Portfolio Holder tell us how much it would cost the Council in lost Workplace Parking Levy revenue were Boots to move their car park outside the city boundary?

How many other car parking places does the Portfolio Holder expect to be decommissioned when the levy comes into force?

Councillor Urquhart replied as follows:-

Thank you Lord Mayor, thank you Councillor Morley for your question.

The Workplace Parking Levy (WPL), is the means for us to achieve two new lines of the tram, re-develop a station and along side that redevelopment of the station area of the city and to secure our link bus network, all projects that large businesses like Boots have supported over the years. If you want the tram, whilst we still don't know whether you are Councillor Morley, Work Place Parking Levy is the route to it, no one has, as yet, put forward a credible alternative. Boots is a major employer in the Nottingham conurbation and its employees driving to and from its site do have a significant impact on the city's congestion. Boots is also a company which relies heavily on its distribution capability and would benefit significantly from measures to reduce congestion. Congestion that in Nottingham costs the entire business community £160 million a year in lost time and revenue.

Most traffic congestion is caused by people driving to and from free or relatively cheap work place parking and we believe it is only fair that larger employers contribute to providing better public transport, which is of particular benefit at peak times. Achieving real improvements to public transport is vital for the economic development of our city.

The use of Boots site has moved a long way in recent years from being under a single organisation's control. We as a City Council are currently working proactively with Boots in respect of that whole site. The issue of Boots moving their car park is somewhat theoretical as it is my strong belief that there are significant physical, financial and planning obstacles to achieving this. Furthermore, I think it wouldn't be the sort of response one would expect from a multi-national company that claims to take its social and environmental responsibility very seriously. Boots have made a strong and positive contribution to the debate about climate change, which we welcome and I would have thought that being part of the investment of £500 million, in new tram lines, ought to fit well with such sentiments. In terms of the specifics, clearly, if Boots were to move its car park outside and were to get the requisite planning permission and make that decision and spend all that money on shifting its car park the revenue for their spaces may be lost and at a cost of £253 for each space, that would equate to £759,000 a year.

As a demand management tool, the WPL is designed to encourage employers to consider the impacts of their employees commuting to work by car, so reducing car parking spaces is a possible and predicted outcome of the Levy. Our financial modelling in answer to the second part of the question, does project that around 10% of liable parking would be reduced, due to the introduction of Work Place Parking Levy. So, two new tram lines, a redeveloped station, a link bus network, significant transport projects to invigorate this City economically, to improve our environmental impact and to socially regenerate our City, thousands of jobs created, businesses benefiting from a better overall transport links, reduced congestion and better connectivity across the City and with other Cities, all of this is achievable and the Work Place Parking Levy is the means for us to achieve it. There is no alternative, I remain convinced that the Work Place Parking Levy is a reasonable charge to pay for such a huge investment. Nottingham will build on its already successful transport network and will provide an even better infrastructure which will benefit progressive businesses and residents economically, socially and environmentally.

The majority of businesses and the chamber of commerce are in favour of lines 2 and 3 of the tram, the majority of us in this Chamber want the tram, there are only a few who either don't or who are not sure, or who do but could not possibly say. We are clear, we want the tram, we want to redevelop the station and that is why Work Place Parking Levy is right for us.

37 NET FUNDING ARRANGEMENTS

The report of Councillor Urquhart as set out on pages 195 to 204 of the agenda, together with accompanying appendices, copies of which had been sent separately to Members, were submitted.

RESOLVED on the motion of Councillor Urquhart, seconded by Councillor Chapman:

- (1) that the receipt of Conditional Approval for NET Phase Two (which includes a requirement for a local funding contribution) and the Secretary of State's decision to confirm The City of Nottingham Workplace Parking Levy Order 2008, with modifications, be welcomed;**
- (2) that the previous decision to introduce the Scheme in the Schedule to the WPL Order, as modified by the Secretary of State, including a preliminary period when there will be licensing but no charge, be affirmed;**
- (3) that, in accordance with article 2 of the WPL Order, as modified by the Secretary of State, the Council resolved to appoint:**
 - (a) 1 July 2011 as the day on which paragraphs 1,2, 3(3) to (6), 4 to 8 and 10 to 12 of the WPL Scheme shall come into force (being the day from which licence applications can be made and licences granted); and**
 - (b) 1 October 2011 as the day on which paragraphs 3(1) and (2) and 9 of the WPL Scheme shall come into force (being the day from which a licence must be held where workplace parking places are being provided); and**
- (4) that the Council notes that, as a result of recommendation (3) above and the Secretary of State's modifications to the WPL Order, charges will commence on 1 April 2012 at an annual rate of £253 plus RPI for each workplace parking place.**

Councillors Clarke-Smith, Culley, Davie, Morley, Price and Spencer requested that their votes, dissenting from the above resolutions, be recorded.

38 'FAIR AND JUST NOTTINGHAM' – NOTTINGHAM CITY COUNCIL'S EQUALITY SCHEME 2009 – 2012

The report of Councillor Ahmed as set out on pages 205 to 208 of the agenda, together with a copy of the full Equality Scheme 2009-2012 document, copies of which had been sent separately to Members, were submitted.

RESOLVED on the motion of Councillor Ahmed, seconded by Councillor Jones:

- (1) that the Equality Scheme 2009-2012 be approved;**
- (2) that this Council recognises that to be successful, services need to be shaped and adjusted to meet the needs of its citizens;**
- (3) that this Council recognises that a wide definition of equality, inclusive of aspects of deprivation related to income and neighbourhoods based on the real experiences of our citizens, should be promoted.**

The meeting concluded at 4.40 pm

PUBLIC QUESTIONS

Question Submitted by Mr D Thomas

"I read with interest the press release 15th July 2009 on £3 million being invested in making our city a cleaner and greener place although I have a couple of questions. This press release was heavily loaded with investigation and prosecution aspects.

How much of this investment is allocated towards the Enforcement Team and subsequent prosecutions and is there an estimated figure for the level of returns in fines that could be reinvested in other cleaning services?

Are the Enforcement Team working city wide to catch littering offenders or just focusing on the easier target of the city centre "Griminals"?

What proportion is going to be spent on new equipment appropriate for the tasks in our neighbourhoods to enable sustained cleanliness after the 2 year period for the council to meet the commitments set out in the Sustainable Communities Strategy 2020?

I see manual litter pickers and large road sweepers around our community inappropriate to the tasks at hand whilst I see smaller scarab devices with detachable manual vacuums that, if used, could accomplish more work more efficiently. To quote a Councillor helping us at a Big Spring Clean event "A litter picker is no replacement for a good brush" and these mini and medium scarab devices have some very good brushes. I do hope we can see some tangible improvements from this project and I will carry on with my Council provided litter picker doing my bit in my neighbourhood."

Response by Councillor Bull

Thank you Lord May, and may I thank Mr Thomas for his question. Mr Thomas' question fall into three sections and I will comment on these separately.

Firstly, investment.

The City Council Enforcement Team has benefited from new envirocrime enforcement officers, and approximately 70% of the funding to which Mr Thomas makes reference has been earmarked towards improving levels of cleanliness across the city. We have a good record on issuing fines to offenders, but less success against those who create graffiti and fly-tipping by businesses where legal actions, including prosecutions, could be improved. We intend that revenue income from paid fines should be ploughed back into the service, although our long-term goal is make this less significant.

Secondly, focus.

Work on catching those who litter is city-wide. However, the initial focus will be on improving the city centre as far as possible, followed by the principal gateways to the city centre and then other areas. We are seeking to improve our skills at addressing issues such as the disposal of trade waste. It should be noted that the cleansing inspection function is independent of the City Council.

Finally, new equipment.

We have invested heavily to create a mechanical fleet which is both flexible and reactive to situations as they arise. We are working to resolve some operational anomalies, but overall, I feel that we are making progress.

Questions Submitted by Residents of Churchfield Lane

Public Question: 1

Submitted By: Mr and Mrs C Breedon

Has Canning Circus police stations received a list of licenced premises and the conditions for these for each licenced premises within their area?

Public Question: 2

Submitted By: Mr and Mrs C Breedon

What measures have been put in place to replace the ineffective "reactive" service of licenced compliance in Radford and Park Ward?

Public Question: 3
Submitted By: Ms K Smallwood

Will Nottingham City Council hold a referendum in Radford and Park Ward and throughout the city to seek support from constituents that they have responsibility to check on license compliance in their wards and then to inform the City Council, the license department and the police?

Public Question: 4
Submitted By: Ms K Smallwood

To what extent does Councillor Bull agree that the present level of license department funding will perpetuate the ineffective "reactive service" of license enforcement in Radford and Park Ward and in the city?

Public Question: 5
Submitted By: Miss J Brown

Will each Nottingham City Councillor receive from the Licence Department a list of licensed premises in their Ward?

Public Question: 6
Submitted By: Miss J Brown

Will each Nottingham City Councillor received from the License Department a copy of the licence conditions for each licensed premises in their Ward?

Public Question: 7
Submitted By: Mr K Charles

Has the License Department had any additional resources provided in real terms in the current financial year?

Public Question: 8
Submitted By: Mr K Charles

Has funding for the cleansing of the city been increased in the current financial year and by how much?

Public Question: 9
Submitted By: Mr K Charles

Is there an obligation for City Councillors to check and enforce license compliance within their wards?

Public Question: 10
Submitted By: Ms R Calcroft

Why should they have the right to appeal?

Public Question: 11
Submitted By: Ms R Calcroft

Do Nottingham City Councillors have an obligation to check and enforce license compliance within their wards?

Public Question: 12
Submitted By: Mr S Parnell

How does Nottingham City Council check and enforce licence conditions within its jurisdiction?

Public Question: 13
Submitted By: Mr R Ahmed and Mrs N Akhtar

How many licensed premises are there in both Radford and Park Ward and within the city?

Public Question: 14
Submitted By: Mr R Ahmed and Mrs N Akhtar

What is the cost of providing each Councillor for Radford and Park Ward with a copy of the conditions for each licensed premises in the Ward?

Public Question: 15
Submitted By: Mr D A Simpson

Why should I/we the residents have to walk around the area at 2-3.00am in the morning recording the out of hours trading, noise and anti-social behaviour, yet the Council have no knowledge about it?

Between November 2006 and June 2009 over 300 complaints were recorded against them. Some were highlighted in the Evening Post. I quote 2 extracts of a letter I/we received from Inspector Baguley of Canning Circus police station dated 1st May 2009.

1: "there are three premises worthy of note that contribute to higher levels of anti-social behaviour that are reported in the area and these are Y-T Stores (formerly the Spar shop), KFC and The Blueprint nightclub."

2: "I have commissioned analysis of the data, we have in our possession and can state that levels of anti-social behaviour in the area are higher in this particular location than in many parts of the city. Common denominators with regard to these incidents include the three premises I have mentioned earlier in this statement."

Public Question: 16
Submitted By: Mr D A Simpson

As Council Tax payers, why should we have to put up with this type of behaviour on a regular basis?

Public Question: 17
Submitted By: Mrs M Cunney

How many licensed premises in both Radford and Park Ward and within the city are licensed to be open after 11.00pm?

Public Question: 18
Submitted By: Mrs M Cunney

Will Nottingham City Council prosecute constituents in Radford and Park who withhold a portion of their Council Tax due to the reactive service of license compliance resulting in persistent anti-social behaviour in the Ward?

Public Question: 19
Submitted By: Mr J B Cunney

Will Nottingham City Council issue a public statement in Radford and Park Ward and throughout the city stating that the City Council, the licensing department and the police have responsibility to check and enforce licence conditions in each Ward in the city, and that constituents pay the Council Tax for this to be so?

Public Question: 20
Submitted By: Mr J B Cunney

Will constituents in Radford and Park Ward receive a refund in their Council Tax due to the underfunding of the License Department and the consequently persistent high level of anti-social behaviour in their area?

Public Question: 21
Submitted By: Mr K Donlan

To what extent does Councillor Bull agree or not, that the welfare and safety of children and young people cannot be seperated from the effective enforcement of the opening hours of licensed premises?

Public Question: 22
Submitted By: Mr K Donlan

Councillor Bull's letter of 6th July 2009 to constituents makes no reference to the twenty points made by residents in their letter of 28/6/2009 to full Council. These points were made in a positive manner to help improve license enforcement. Which of these points does Councillor Bull intend to implement?

Public Question: 23
Submitted By: Mr K Donlan

Will Councillor Bull provide evidence from her 2007 election campaign material that her constituents were made aware of their responsibilities under the "reactive service" of licensed compliance enforcement, and that they therefore, gave their consent to accept these responsibilities.?

Public Question: 24
Submitted By: Mr J W Turnbull

Do constituents in Radford and Park Ward have the right to a reduction in the Council tax is because of under-funding of licence department by the City Council when they suffer from persistent anti-social behaviour?

Public Question: 25
Submitted By: Mr J W Turnbull

Will Nottingham City Council prosecute constituents in Radford and Park Ward who withhold a portion of their Council Tax due to the reactive service of license compliance resulting in persistent anti-social behaviour in the Ward?

Public Question: 26
Submitted By: Mr J W Turnbull

Will Nottingham City Council hold a referendum in the said ward of Radford and Park Ward and throughout the city to seek support from the constituents that they have a responsibility to check on the licence compliance in their wards and then inform City Council and the License Department and police?

Public Question: 27
Submitted By: Mr J W Turnbull

By how much, in real terms, has the funding for the licensing and cleansing of the city been increased in the current financial year?

Public Question: 28
Submitted By: Mrs D Turnbull

Do the Council and the Councillor for this area of the Radford and Park board agree that licence compliance is more important than removing graffiti from walls and controlling anti-social behaviour a greater priority?

Public Question: 29
Submitted By: Mrs D Turnbull

Will the City Council issue a public statement in Radford and Park Ward and throughout the city stating that the City Council and license dept also the police have responsibility to check and enforce licence conditions in each ward all over the city has the constituents pay Council Tax for this to be so?

Public Question: 30
Submitted By: Mr and Mrs Widdison

The Nottingham city councillors have an obligation to check and enforce licence compliance within their wards? Yes

Public Question: 31
Submitted By: Mr and Mrs Widdison

Have any additional resources in real terms being provided for the licensed dept in the current financial year? No

Response by Councillor Bull

I thank Mr Donlan, Mr Charles, Mr & Mrs Cunney, Mr & Mrs Turnbull, the Late Mr Breedon and his widow, Mrs Breedon, Mr Simpson and Ms Smallwood, Miss Brown, Mr Parnell, Ms Calcroft, Mr & Mrs Widdison, Mr Ahmed and Ms Akhtar for their questions. 25 of the 31 questions were sent to me 3 weeks ago, which I replied to personally that same week, and I also asked both licensing and legal services to reply to those questions relating to their expertise, (which they have done) I then sent a copy of both my answers, licensing and legal services answers to 25 residents living alongside those named within these questioners. So, I will not be answering those same questions again but will refer members and members of the public to those answers I have given which are available here. However, there are a few new questions and also a few extra points of information for those residents that I will give in answer today.

I would also like to state too my sadness that we have lost Mr Cliff Breedon, one of the questioners who passed away a few weeks ago. He was one of the 'gang' of dedicated residents keeping a log of behaviour of the customers of both the 24 hour shop, nightclub and deep fried chicken take-away that are unfortunately located next to each other in this stable, close neighbourhood.

QUESTIONS

Questions 1,2, Caraline Ryan has answered previously, Question 3 – I have already answered in my letter, as has question 4, question 5 I have already answered but I have more information for members. The residents asked that each ward councillor get a copy of all the licensing premises in their ward – now, although I said that this was not currently possible as our database is not currently set up to print off in wards, I can inform residents that we are investing in our database system at the moment, and by the end of the year not only will members be able to view licenses by ward, but it will be available online for anyone with internet access – just like planning applications, those interested can search for premise licenses within their neighbourhood and, also, ward. In answer to question 6, the conditions should be attached online too. This new database is extra investment in this financial year. Question 7 - Caraline Ryan has answered this, I believe. I have already answered questions 8 and 9. Unfortunately I am not clear what question 10 might be referring to, but like most parts of our legal system, there is a right to an appeal. If this is a reference to why licensed premises should have the right to appeal, of course – it is very tiring that we cannot seem to get a final, unequivocal answer to the end of unpopular licenses (e.g Y and T Stores). The licensee has a right to appeal – and had the Council not supported the residents and I and ruled in our favour – we too would have had a right to an appeal. Question 10 I have already answered in my letter, and I believe Caraline Ryan has answered question 12, 13 and 14.

Question 15 – I personally do not expect residents to stay up watching & logging behaviour throughout the night. What residents have done in the past, is if they are woken in the night by rowdy behaviour, to write that down the next morning with a rough time. If we are to successfully object to a license application, or to call for a review of a premise license, we need to provide the councillor licensing members with evidence of the sort of behaviour residents have to deal with. This has proven to be

successful every time that the residents have asked me to either call for a review or object to licenses.

Question 16 – no-one should have to live with the sort of behaviour that your group of residents have been dealing with. But the Council, and myself have supported you, using every power available to us to fight against the unruly behaviour – and at a meeting only last week, residents stated that since the Council made the right decision to slash the original Spar shop hours from 24 hour alcohol licence to ending at 12.0 midnight – their environment has improved dramatically. The important point for these residents and I is that we win the magistrates' court appeal in mid October, ensure that the magistrates see the damage 24 alcohol licenses do to neighbourhoods and then seek to find some more permanent reassurance from Government that means residents will not have to wait for the next 24 hour alcohol application to come their way.

Questions 18, 19 20 have been answered already. Question 21 - The Licensing Act makes it clear that children must not be harmed as a result of any licensing application. If it is so, and it can be shown that a new license will harm children directly, then of course that can be listed as an objection – but as everything else within the Licensing Act, we must prove that children will be harmed. Having said that, given finite resources, funds are spent in the areas that present most risk to children – so that is on social work, children in care and parents support for example would get the lion's share in comparison to licensing enforcement. But of course – if there were ever an example of a licensed premise openly risking the safety of young children we and the Police would be swift to act.

Question 22 was questions put to all councillors and I had not understood that it was directed at me personally, but I believe many of those points have been covered within these answers and those given in my original letter. Question 23 – we made no particular manifesto pledges regarding licensing, as I have stated in my original letter – other than to cut the number of late night drinking places in the city centre. I take issue with this question as it is all of our duty to remain vigilant against anti social behaviour, and as I have said previously, many, if not all, of our services require information intelligence from members of the public in order to respond effectively. I cannot know, that some of the drains along Radford Boulevard may need clearing, but a helpful resident took it upon herself to tell me about this 2 weeks ago and I requested a clean: this question could argue that this is a too reactive service, our

council officers should have known this and in an ideal world –they might have. Also, a resident reporting noise from a pub - and our then sending a noise officer to investigate, this is a reactive service too: how can we monitor noise from all pubs, so too residents could make us aware of some fly tipping dumped overnight. Although we would check many hotspot areas, it is inevitable, because we do not have council officers on every street corner (and imagine the council tax bill for that), that some services are reacting to residents' information and intelligence. I do not think it unreasonable that, as residents and workers in Nottingham, we all feel a duty to report fly tipping, graffiti, noise and anti social behaviour so that the Council, Police and other partners can respond.

Question 24, 25, 26, 27 have already been answered.

Question 28 – I do not believe that either one is more important than the other, but Labour councillors are delivering our manifesto commitments from a manifesto which showed overwhelmingly that residents wanted a clean, green, safe city – and so the commitment to be England's cleanest big city was promised and we have received a lot of support from residents across the city that this is the right promise to make. Controlling licensed premises falls, of course, within the safer and clean agenda and I am using all the powers available to me to get results for Churchfield Lane residents. But I do not agree that licensing enforcement is more important than removing graffiti or controlling anti-social behaviour, but they are as important as each other.

Finally questions 29,30 and 31 have already been answered.

So, I hope this provided a useful update on those questions I have already answered, and that licensing, cleansing, and legal services have already provided over 3 weeks ago.

I have to say though, that I am somewhat disappointed in the questions asked, since I have been working with the group of Churchfield Lane residents directly for over 3 years on these issues. I have met with those residents regularly in one of their neighbour's houses, I have invited police, transport and licensing staff to those meetings too. I have used all powers available to respond to the requests of those residents: they asked that they get a bus shelter removed – and I got it removed, they asked to get a gate fitted next to the KFC, and I asked that Area 4 funds were used to install it, they asked for an additional bin and I got it installed, they asked for a bench to be removed and I got it removed.

They asked me to lead an objection to a planning application for a late night take-away in their ward – which I could not as I sit on planning, but certainly Cllrs Khan and Aslam objected, and indeed due to good planning grounds, the Council refused the application and it was heard at the full planning committee as I had requested it to be heard. It was only on appeal to the Planning Inspectorate that this was overturned and the takeaway was built – our noise and pollution team are still remaining vigilant as this take-away must not allow smells and noise to filter out into the neighbourhood.

My first involvement with the residents was as they were at their wits end from the behaviour of drunken customers of a 24 hour alcohol licensed Spar shop. The committed residents, led by Mr Donlan, containing a dedicated hard core of residents were prepared to stand up for their community. I investigated what powers were available and it seemed that we had to ‘call for a review of their license’ – this would mean we would need to prove that the Spar shop was not working towards the four licensing objectives, not an easy task but one that residents were willing to try. The residents asked me to call for the review. They kept diaries and logs of the late night behaviour of the customers. After 8 months of this we had a hearing, where I put the case of the residents and the Council ruled in our favour and the hours of the Spar were reduced to selling alcohol only until 12 midnight. It has had a dramatic effect and cases of anti-social behaviour are almost none-existent now, thanks to our decision. This was in June 2008.

The residents also asked me to lead an objection when a problem takeaway at the same location as the Spar shop applied to sell until late into the night. Again residents provided logs and diaries, and I led an objection: which also meant a hearing in front of licensing members and we had to argue the case against the takeaway owner, again the Council ruled in our favour.

And, in the fourth example of a quasi-legal power I was able to use, residents asked that I lead an objection to the new owners of the Spar shop to again sell alcohol 24 hours a day. This meant another hearing in front of licensing members, and also this time against a barrister that ‘guarantees to deliver 24 hour alcohol licenses’ – we put forward our case, with no legal support against the barrister – and again the evidence was so compelling that the licensing members ruled in our favour. Unfortunately this licensee has appealed the Council’s decision

and I and three residents will be called as Nottingham City Council witnesses in mid October at the Magistrates Court.

I have worked with the residents for the past 3 years, and as far as I can see, I have used all powers currently available to me, and in almost every case I have been able to deliver on requests asked of me by those residents. I can say that I cannot think of any more that I can do to improve the situation. The Blueprint Nightclub has closed due to police, council and residents pressure, the deep fried chicken take-away is keeping within their planning consent hours, and at the moment the 24 hour shop is not selling alcohol through the night.

I personally do not believe I can do anymore as a local ward member that I have done and am doing. I am also ensuring that our licensing department is fit for purpose. Whilst my answers may not reach agreement with those residents, those are my answers and I hope Churchfield Lane residents will find them useful and may I wish us luck in the middle of October we face the Magistrates together, fighting the most recent 24 hour alcohol licence.