

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 7 February 2011 at 2.00 pm

ATTENDANCES

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

60 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Benson, Dewinton and Jones.

61 DECLARATIONS OF INTERESTS

Councillor Grocock declared personal and prejudicial interests in the Council questions relating to housing allocations (CQ2 and 5), and agenda item 10 – Motion in the name of Councillor Sutton, as he was subject to an ongoing investigation, and left the room prior to these items being discussed.

Councillor Grocock also declared personal interests in agenda item 8 – Adoption of the Municipal Waste Management Strategy – A “Wasteless” Nottingham, as a voluntary participant on the Eastcroft Liaison Group, and agenda item 9 – Nottingham Local Transport Plan 2011 to 2026, as a Council appointed Director of Nottingham City transport Limited, which did not preclude him from speaking or voting.

Councillor Hartshorne declared a personal interest in agenda item 8 - Adoption of the Municipal Waste Management Strategy – A “Wasteless” Nottingham, as a Council appointed Director of EnviroEnergy Limited, which did not preclude him from speaking or voting.

Council Ahmed declared a personal interest in agenda item 10 – Motion in the name of Councillor Sutton, as a Council appointed Director of Nottingham City Homes Limited, which did not preclude him from speaking or voting.

Councillor Wood declared a personal interest in agenda item 10 – Motion in the name of Councillor Sutton, as a Council appointed Director of Nottingham City Homes Limited, which did not preclude him from speaking or voting.

Councillor Bryan declared personal interests in agenda item 7 – Basford Designated Public Place Order, as a Council appointed Director of Nottingham City Transport Limited, and agenda item 10 – Motion in the name of Councillor Sutton, as a Council appointed Director of Nottingham City Homes Limited. The personal interest in agenda item 7 was later corrected to agenda item 9 – Nottingham Local Transport Plan

2011 to 2026. None of the declarations made precluded her from speaking or voting on those items.

Councillor Parbutt declared a personal interest in agenda item 9 Nottingham Local Transport Plan 2011 to 2026, as a Council appointed Director of Nottingham City Transport Limited, which did not preclude him from speaking or voting.

Councillor Liversidge declared a personal interest in agenda item 8 – Adoption of the Municipal Waste Management Strategy – A “Wasteless” Nottingham, as a Council appointed Director of EnviroEnergy Limited, which did not preclude him from speaking or voting.

Councillor Bull declared a personal interest in agenda item 8 – Adoption of the Municipal Waste Management Strategy – A “Wasteless” Nottingham, as a Council appointed Director of EnviroEnergy Limited, which did not preclude her from speaking or voting.

Councillor Urquhart declared a personal interest in agenda item 9 – Nottingham Local Transport Plan 2011 to 2026, as a member of Nottingham Express Transit Board and Nottingham Express Transit Partnership, which did not preclude her from speaking or voting.

Councillor Arnold declared a personal interest in Council question on Building Schools for the Future (CQ6), as her daughter attended a school affected by the Building Schools for the Future programme, which did not preclude her from speaking or voting.

Councillor Gibson declared a personal interest in agenda item 9 - Nottingham Local Transport Plan 2011 to 2026, as a Council appointed Director of Nottingham City Transport Limited, and a member of Nottingham Express Transit Partnership and Clifton Community Association, which did not preclude him from speaking or voting.

Councillor Clark declared a personal interest in agenda item 9 – Nottingham Local Transport Plan 2011 to 2026, as a member of Nottingham Express Transit Board and Nottingham Express Transit Partnership, which did not preclude him from speaking or voting.

62 QUESTION AND PETITIONS FROM CITIZENS

Questions from citizens

The following questions from citizens were received:

Disabled person's concessionary travel permit

The following question was asked by Mr Benjamin Kasparinskis to the Portfolio Holder for Transport and Area Working:

In light of the Council's potential plans to restrict the use of the Disabled Person's Concessionary Travel Permit, which could potentially cause hardship to people that use it, would you consider an alternative scheme of re-introducing a yearly charge for people who wish to use their pass at peak times, instead of not allowing the pass to be used at all before 9.30 am during the week?

Such a scheme could be an opt-in scheme, meaning that if people did not wish to travel between these times they would not pay the yearly charge but would not be able to use their pass at peak times.

Councillor Urquhart replied as follows:

I'd like to thank Mr Kasparinskis for his question and for the proposal that he makes.

Firstly, it is important to reassure that none of the proposals that are out in the budget consultation include the removal of free morning peak weekday travel for eligible disabled people who are below pensionable age, and that is because this is considered to be of great value in helping those people with a disability Citycard to access work and training opportunities, particularly if that's for part time or lower paid employment.

One of the proposals does remove this additional optional concession for those people who are above pensionable age, and is in line with all other authorities in the East Midlands. This age group are usually better able to restrict their travel times until after 9.30am or before 11.00pm on weekdays. So if you have a mobility Citycard and are over pensionable age your entitlement will be the same entitlement as older people would get.

When we were drawing up these proposals, consideration was given to separately charging for the discretionary benefit of free morning weekday local peak travel, however, at that time this was discounted because the additional administration costs in such a scheme might outweigh the additional benefit for the charge, and this is because not all of the transport operators in Greater Nottingham have smart card readers on their buses, and it would require us to have a separate local card which we would issue on a yearly basis for those people who wanted that benefit. So more work needs to be done really to predict what demand there would be for such an opt-in scheme and the best means by which that could be implemented efficiently. So whilst in the present round of proposals we don't have a plan to do this, the suggestion is a sensible one and I will make sure that it is considered more fully over the course of the next year. Thank you.

Business rates for carwashes

The following question was asked by Mr Simon Rudge to the Deputy Leader:

The City of Nottingham has seen a proliferation of carwashes set up in defunct pubs/petrol stations. Can the Council reassure Council Tax payers that these carwashes pay the full business rates that the previous occupants paid during their tenure? I have a list.

Councillor Chapman replied as follows:

This is a very good question and can I thank the questioner for it.

It's helped me check up on something that I hadn't considered previously and probably most of us hadn't considered previously. Hand car washes are rated by the Valuation Office Agency (VAO) whenever they become aware of them. The information comes from a variety of sources, and as a team, the Council reports to the VOA. Members of the public may also inform the VOA and of course they will become aware of them themselves when out inspecting. So there's three methods for reporting the carwashes.

The rateable value will depend on the area used and the facilities they have, and so will vary a lot between premises. For example we have one car wash with a rateable value of £33,000 and another with a rateable value of £4,500. We've identified nine such premises that are rateable

within the City. We can only charge where there are buildings on the property. We cannot charge apparently where there are no buildings on the property and where it's just an open piece of land. The proprietors of car/washes are the people who are liable for the rates.

Petitions from Councillors on behalf of citizens

(a) Councillor G Khan – Ashiana Asian Supported Housing

Councillor G Khan submitted a petition to the Lord Mayor on behalf of 15 residents at Ashiana Asian Supported Housing, protesting against the withdrawal of supporting people funding.

(b) Councillor G Khan – Loss of support staff at Basera House

Councillor G Khan submitted a petition to the Lord Mayor on behalf of 10 residents at Basera House, protesting against the loss of support staff.

63 MINUTES

RESOLVED that the minutes of the following meetings, copies of which had been circulated, be confirmed and signed by the Lord Mayor:

- (1) the last meeting held on 13 December 2010;**
- (2) the Extraordinary meeting held on 13 December 2010.**

64 OFFICIAL COMMUNICATIONS

The Chief Executive reported the following communications:

Equalities Framework

The Council had received an award of 'Excellent' by external peer assessors against the Equalities Framework for Local Government by really making a difference with partners for communities on equality issues. Nottingham was one of only three local authorities to have achieved 'Excellent'.

Nottingham Castle

Nottingham had been recognised by Visit England for its excellent customer service through the National Tourists Board's Visitor Attraction Quality Assurance Scheme. The Castle was praised for its image, presentation of staff and welcome.

Nottingham City Transport

Nottingham City Transport won the Bus Authority of the Year Award 2010/11.

Sir Dennis Pettitt

Sir Dennis Pettitt passed away on 16 January at the age of 85.

Sir Dennis became the Leader of the County Council in May 1981, a position he held for 20 years.

He retired in May 2001, becoming Honorary Alderman of the County Council.

He received many awards over the years and in 1998 he received a knighthood in The Queen's New Years Honours List for services to Local Government and the community.

Councillor Edwards also spoke about Sir Dennis Pettitt.

The Council stood in silence as a tribute to his memory.

65 QUESTIONS

Impact of cuts on Police Services in Nottinghamshire

Councillor Gibson asked the following question of the Chair of the Police Authority:

What is the impact of cuts in revenue support from the national Government for Police Services in Nottinghamshire?

Councillor Collins replied as follows:

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

Members will be aware that Nottinghamshire Police Force will be required to reduce spending over the next four years as part of the public spending cuts imposed by the Conservative and Liberal Democrat Government across most parts of the public sector. As a result of that decision by Conservative and Liberal Democrat MPs there will be a 22% cut in Nottinghamshire's Police budget over the next four years, which in total amounts to a reduction of £46 million from a budget of £208 million. In meeting the needs to make such significant cuts, the Authority will look first to encourage efficiency savings, in addition to the £23 million efficiencies that have been made over the last three years. However, it is unlikely that further efficiencies on their own will meet the anticipated shortfall in funding.

During the next four years it is anticipated that through voluntary and compulsory redundancies, 520 police staff will be lost, and over the same period through the application of regulation A19, around 400 Police Officers with over 300 years service will be asked to leave and will not be replaced. Next year the force will be expected to make a 6% saving, which is a budget cut of nearly £12 million. How the savings target will be reached is through the delivery of a number of projects and initiatives.

First around business and finance, and the target saving here is £1.53 million. The business and finance project is looking at the transformation of the Finance Department and its amalgamation with Corporate Development. The savings from combining these two departments will amount to £1.53 million next year, and that saving is made up of staff and non-staff savings.

On Human Resources, the savings target is £1.3 million, and changes in the service will support organisational change in the force, and will be driven by a smaller more centralised Human Resources team, again police staff will lose their jobs in that re-organisation.

Fleet and vehicle hire, the target here is some £720,000 saving next year, the aim will be to reduce the number of vehicles the force has to use, and that will save around £500,000. They are also looking to make savings of around £200,000 in the hire costs for vehicles.

On premises, next year £250,000 in efficiency savings from looking at the way we manage premises is anticipated, and this is being considered as part of an ongoing review of the whole of the police's estate portfolio. A full review of the operational estates, including the number, location and opening times of Police Stations is underway, and will conclude during the next financial year, with further more substantial savings likely to contribute to the 2012/2013 cuts target.

With overtime, there is anticipated target savings of some £500,000. Overtime spend has reduced during the current financial year, and we are looking to reduce that further next year, and as I said we are looking for a saving of around £500,000, clearly that may have an impact, but it is important that we look to how we can best control overtime.

£200,000 savings on procurement of supplies and services, and that's simply a case of how best can we buy the supplies that the force needs over the next year.

Police Officer workforce changes, is as I mentioned at the beginning of my answer, perhaps the most significant part and is facilitated by the application of Regulation A19, and here we're looking to make savings of some £4.1 million. Members may have read that on 15 December last year, the Police Authority approved the use of Regulation A19, and that is effectively the compulsory requirement that officers retire after having reached 30 years pensionable service, and that will come into effect on 31 March this year, and it will operate over the next financial year and it is likely that that will remain in force over the next four years. And that's a step that we believe is necessary if we are to meet the cuts target that we've been set by the Government. So, as I say, altogether it is likely to mean some 400 fewer Police Officers employed by the force by the end of that period of budget cuts.

East Midlands Regional Review Units, we're looking for regional collaboration efficiencies which should save us around £130,000 over the next four years. The Domestic Abuse Unit, we are looking to merge that with the Crime Management Unit at a saving of around £30,000.

We are looking for more effective use of mobile data, some £370,000 we believe can be saved by the better use of Blackberries, which most Police Officers have been issued with, both for filling in forms and for reducing the number of enquiries that go through to the dispatching desk.

We are looking to reduce staff sickness and save around £50,000 there, and a number of other initiatives which are in a fairly early stage of development, but which we're hoping will free up savings.

Savings in the Criminal Justice services which is targeted to generate around £700,000 worth of savings, savings on the demand management side of the force and the way the Police respond to enquiries which should save us around £800,000. About £500,000 of savings we hope in the Information Directorate. Around £250,000 savings on Operational Support, for those who are not initiated into the police language as I was not a year ago, Operational Support includes Firearms forces and helicopters apparently. Force Crime and Intelligence, some £600,000 worth of savings there.

Lord Mayor, I am confident that despite the unprecedented cuts that the Conservative and Liberal Democrat Government is expecting Police Forces to make over the next four years, in Nottingham, at least, next years cut can be met without a significant impact on performance or on the current downward trend in crime figures. Although it may well be that the way services are delivered and the experience that the public have of those services may change. In future years however I believe the challenge will be greater and it seems unlikely that having lost so many police staff and officers, we will be able to provide a service in the way that perhaps the public expect and the way they would wish to experience it.

Impact of cuts on Fire and Rescue Service in Nottingham

Councillor Williams asked the following question of the Vice-Chair of the Fire Authority:

What is the impact of cuts in revenue support from national Government for Fire and Rescue Services in Nottingham?

Could the Chair also advise me as to the impact this will have on front-line emergency services across the County?

Councillor Wood replied as follows:

Thank you, my Lord Mayor. I feel, like Councillor Jon Collins, that I am a harbinger of bad news, because like the rest of the public sector, fire authorities across the UK (particularly in metropolitan and unitary areas),

have seen a disproportionate reduction in their resources. Indeed we all know that the current cuts in public spending are the worst we have seen in this country for many years and I take no pleasure in reporting the concerns of the Nottinghamshire Fire and Rescue Service.

Members of Council will of course be aware that the Nottinghamshire Fire and Rescue Service is a stand-alone authority which sets its own precept. To that end, approximately half of our budget comes from central Government grant, and the rest from Council tax. Regrettably, central Government has hit the Nottinghamshire Fire and Rescue Service hard, reducing its grant by 9.5% in year one and we expect to see a reduction of 12.6% over the first two years of the Comprehensive Spending Review. Fire ministers have also confirmed that the cuts are being back loaded, which compounds the problem.

Rather irritatingly some fire authorities, particularly in the south, have seen grant increases which contrasts starkly with Nottinghamshire. Indeed we have received one of the worst settlements in the country and over the next four years will see our grant reduce by a massive 36%. Clearly that much hackneyed phrase “we’re all in it together”, is far from the truth. Now despite the fact that the Chair of the Authority has on many occasions made representations to Government ministers, there is little prospect of a change of mind and the current funding formula will remain.

Consequently this means that the Fire Authority has to make cuts to local services to save money. Fortunately because of cross party support, the Fire Authority is better placed than most to mitigate the worst effects, having invested in its people, its vehicles, its equipment and buildings over previous years. Indeed the Fire Authority can be proud of its achievements, because in recent years we have refurbished seven stations and totally rebuilt four. We have purchased state of the art fire kit and equipment; we’ve introduced new shift patterns and now have the lowest absentee/sick record of any UK Fire service, which is as good, if not better, than the private sector, and these measures will certainly help us when the cuts begin to bite.

Councillor Williams asks what impact this will have on front-line emergency services across the County. I can inform Council that preparations for a Fire Cover Review began 12 months ago, which is being validated by Nottingham Trent University’s Business School. This was designed to look at front-line emergency services that we currently

have in place and recommend how they might need to adapt to respond to future demand. This is clearly an important piece of work, and the first of its kind in more than 20 years. It took account of the reduced number of emergency calls and the different patterns of activity in the service. This important work will obviously help us to assess the impact of cuts in a reasoned and considered way.

Frank Swann, our highly respected Chief Fire Officer, has given us his professional advice which suggests some significant changes to the way the service is currently run. His proposal, if agreed, will achieve savings of over £1 million from the frontline, requiring additional savings of around £7 million to be found from non-frontline functions over a four year period. Moreover, it is worth saying at this point that it has never been the intention of the Fire Cover Review to reduce spending on front-line service delivery. Indeed if the reduction in Government grant had not been so excessive, then the £1 million plus savings from service efficiencies would have been re-invested directly back into the service. Regrettably, we now have to use this money to help plug the hole in our budget which has been created by cuts in Government grant.

If the Chief Fire Officer's recommendations in the Fire Service Review were to be implemented, then the number of fire engines covering the county would be reduced from 36 to 30. Moreover the retained fire stations at Warsop and Edwinstowe would be replaced by a new fire station at Ollerton and the retained fire station at Collingham would also be closed. In addition, both West Bridgford and Central stations would be relocated. To that end, Central would move nearer to Trent Bridge and the West Bridgford station would move towards the Clifton and Wilford areas, which I know Councillor Price would be delighted to see.

On Friday 25 February, all 18 members of the Fire Authority will consider the proposals presented by the Chief Fire Officer. If members agree, the Authority will then begin a period of extensive and thorough consultation with both local people and stakeholders. All comments submitted during a minimum three month consultation period will then be carefully considered, before the Fire Authority hopefully reaches a final decision in June.

Clearly, and much to my regret, doing nothing is not an option open to the Authority, and as the Chief Fire Officer recently said, "These are unusual times and the level of budget cuts being considered are

uncommon. There is no doubt that the service will change in some way, shape or form over the coming years”.

Thank you, my Lord Mayor.

At this point the order of the questions from Councillors was amended to facilitate the Lord Mayor leaving the room for the questions on housing allocations due to his personal and prejudicial interest.

The Deputy Lord Mayor took the Chair for the following two questions:

District Auditor’s reports into housing allocations

Councillor Campbell asked the following question of the Deputy Leader:

What steps have been taken by the Council to respond to the District Auditor’s reports into housing allocations in Nottingham in the early 2000s?

Councillor Chapman replied as follows:

Can I thank Councillor Campbell for the question, and I have to warn Council that this is not the most exciting response that you have ever heard, so batten down the hatches. It is, nevertheless, very important. I will first deal with the process that’s been applied, I will then talk about the effort that’s been applied to get to the bottom of this case.

In relation to the particular cases investigated for the Public Interest Report the District Auditor recommended as follows:

“The Council and Nottingham City Homes Board need to demonstrate that they have addressed the failings described in this report. They need to demonstrate that exemplary standards of public administration are now present in the management of council housing in Nottingham”.

Since the receipt of the report extensive work has been carried out on the particular cases referred by the District Auditor, and the following is a summary of the situation, which was reported, in more detail, to Executive Board last December:

Tenancies

Housing Act 1985 Ground 5 possession action:

Under the Housing Act 1985 the City Council can seek to repossess tenancies where a ground in the Act is made out. It is then a matter for discretion of a County Court Judge whether to order possession in all the circumstances. Ground 5 is the relevant ground. Ground 5 states “The tenant is the person, or one of the persons, to whom the tenancy was granted and the landlord was induced to grant the tenancy by a false statement made knowingly or recklessly by (a) the tenant, or (b) a person acting at the tenant’s instigation”. The difficulty here is, to succeed, the Council has to show that the tenancy has been induced by reliance on the representation. Counsel advised that the burden of proof here is the civil standard but very strong evidence is needed to sustain the allegation. Detailed analysis of the ground of possession, as applied to the cases, showed that whatever was stated by the applicant, it did not induce the decision to grant a tenancy. Counsel and in-house staff have reviewed all the cases cited by the District Auditor and concluded that actions for repossession under this ground either had negligible or no prospects for success, on the basis of the evidence available.

Secure tenancy status:

I will now move on to the challenge to secure tenancy status. Security of tenure as a secure tenant will depend on the ongoing status in occupying the premises as their only and principal home. The City Council would have to prove that a tenant was not in such occupation. One case was investigated via Nottingham City Homes to assess whether a claim could be pursued on that basis, but not yet enough evidence has come to light. The case will remain under review.

Ultra Vires:

Given the difficulties of pursuing repossession of tenancies outlined above, Counsel also developed an argument that tenancies granted outside of allocation policies were ultra vires, which means beyond the powers of the Council to dispose, and, hence could not give rise to statutory protection granted to secure tenants. This argument is intended to get around the Ground 5 problem and the eventual narrowness and uncertainty apparent in attacking the secure tenant definition. The difficulty with the ultra vires argument is that it does not involve any

allegation of fault with the tenant, but with the authority, and a court may be reluctant to find against a tenant in such circumstances. Independently of its development for Nottingham's situation, the argument has, very recently, been run in a case involving Birmingham City Council and was not accepted by the Court of Appeal. Following that judgement this avenue was abandoned, with Counsel acknowledging that the Birmingham case was on "all fours" with Nottingham's cases.

Right to buy:

We then pursued right to buy. The difficulties inherent in maintaining a tenancy possession action are amplified where the tenant has exercised a Right to Buy which has been accepted by the Council. The acceptance involves a recognition of the secure tenancy which would be difficult to deal with in a claim for return of the property. There are serious evidential difficulties with the right to buy cases, but two cases have been pursued:

- 1 a current right to buy application, originally accepted, is being contested;
- 2 investigation of paperwork concerning a right to buy sale showed a previous right to buy history which gave rise to a claim for recovery of overpaid right to buy discount. Judgement was obtained for the City Council in the case, and has been secured by a charging order over the property.

Fiduciary Duty and Civil Fraud

We then move on to Fiduciary Duty and Civil Fraud. This is an argument on the lines that specific senior managers had a fiduciary duty not to jeopardise the Council's assets and create losses. Action was contemplated against one individual, a former senior manager. Counsel advised that any proceedings would have to be strongly evidence-based, very probably defended and highly expensive to run. A means enquiry was nevertheless carried out. On the evidence, and having regard to the means of the former employee, it has been concluded that such proceedings, carrying a significant risk of failure and non-recovery of damages sufficient to match the City Council's likely costs, would not be an effective use of public money.

This is the degree to which bodies outside the Council have been involved:

The District Auditor

Obtaining evidence proved a general difficulty in pursuing cases, partly because of statutory restrictions on the release of information by the District Auditor who, having taking legal advice, informed the Council that interview notes obtained in the course of the investigations under the Audit Commission Act 1998 could not be released to the City Council (save in one case where the consent was to the release). However there has been an enormous amount of to-ing and fro-ing with the District Auditor, and hours and hours of discussion in order to find a resolution.

The Police

The Police have also been introduced, and it's worth pointing out that the District Auditor report did not recommend alerting the Police in this case, it was the City Council which took the initiative to involve the Police and the Fraud Squad. After Council considered the Public Interest Report the Police were asked to review their position on whether they intended to take criminal proceedings on any cases. They have now confirmed that they are satisfied that their original exercise, which resulted in no criminal proceedings being taken, was carried out reasonably and in accordance with their procedures and they will not be pursuing the cases further.

Conclusions on litigation

Decisions to proceed or not with cases have to have regard to the quality of evidence, likely outcomes and costs of proceedings. The public interest in taking stop/go decisions on litigation needs to balance public demonstrations of intent to deal with the improper conduct and practices against the costs and uncertainties involved in the litigation. In these cases, it is felt that the public interest would not be best served by investing large amounts of additional resources in pursuing such uncertain litigation. The District Auditor has been kept informed of progress on the cases and has been made aware of this opinion, and has made express reference to this in her recently issued Annual Audit Letter as follows, and I'll conclude with the final word going to the District Auditor:

“I have considered the work carried out by the Council to review and pursue recovery options. I am satisfied that they have taken a robust approach and sought various options to facilitate recovery. I consider that making their decisions about whether or not to proceed with cases on the basis of the quality of evidence, likely outcomes and the cost of proceedings is a reasonable approach”.

Nottingham City Homes housing allocations

Councillor Culley asked the following question of the Deputy Leader:

Does the Deputy Leader of the Council seriously believe the Council has taken ‘all reasonable steps’ with regard to the Nottingham City Homes housing allocations scandal, considering that almost no disciplinary action has been taken to any of the wrong doers?

Can the Deputy Leader of the Council therefore explain why the only person publicly named in association with the matter, far from being punished, actually received a promotion to the position of Lord Mayor?

Councillor Chapman replied as follows:

I’ve already given a very full response on the steps taken by the Council in response to the District Auditor’s public interest report, and I need not take up Council time repeating those comments. It is also clear, from the comments of the District Auditor, in her Annual Letter, that she also agrees.

A report to Executive Board on 21 December last year summarised the HR outcomes for a few City Council staff involved in the case and I have no reason to doubt that these were dealt with appropriately. If Councillor Culley has grounds to doubt, I am sure she will provide some details, and I look forward to receiving any additional details.

With regard to the final part of her question, the public interest report did not identify any councillors. It did not identify any councillors, though her question implies that it did. But the councillor identified generally self-referred himself under the Code of Conduct regime, to ensure the matter was investigated properly. That process has not yet concluded, the Standards Board has not yet met, but will do shortly I am reassured. So I have to take issue with Councillor Culley making the statement “far from being punished”, a very interesting statement that actually gives the

game away. I am therefore surprised that we should have the phrase, because I want to know what does she think someone should be punished for at this stage. Is it for allegedly being named in a report that they weren't named in? That would be very strange criteria for punishment. Or would it be for not being named in a report that she alleges they're named in? Which again would be very strange criteria? Or is it for referring himself to the Standards Board? I thought we wanted to encourage self-referrals to the Standards Board in order to help transparency? Finally does she think that punishment should be meted out before a case is heard? The case has not yet been heard, but has she drawn her own conclusions? Does she think people should be punished before a case? Because quite honestly, even the Taliban don't do that. So could she give us an answer, what does she imply by the word punishment, and "should have been punished", we are all very very interested to hear.

The Lord Mayor rejoined the meeting and resumed the Chair.

Inspection of Nottingham's Safeguarding Children's services

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

What was the outcome of the inspection of Nottingham's Safeguarding Children's Services?

Councillor Mellen replied as follows:

Thank you, Lord Mayor and can I thank Councillor Edwards for his question, which allows me to inform Council this afternoon of the outcome of the inspection which took place before Christmas.

The inspection was a thorough one. It involved a team of four inspectors being resident in the City for two weeks, and it was an inspection not just of the Council and of the services we provide, but of a huge range of our partners who work with children across the City. The evidence evaluated by the inspectors included discussions with children and young people receiving services, front line managers, senior officers including the Director of Children's Services, and the Chair of the Local Safeguarding Children's Board, Elected Members and a range of community representatives. They included analysing and evaluating reports from a variety of sources, including a review of the Children and Young Persons

Plan, performance data, information from an inspection of local settings such as schools and day care provision, and the evaluation of a serious case review undertaken by officers in accordance with working together to safeguard children. It included interviews and focus groups of frontline health professionals, managers, and senior staff from NHS Nottingham, CitiHealth, Nottingham Community Health, and Nottingham University NHS Trust. It included a review of 28 social and healthcare records for children and young people with a range of needs. It included the outcomes of the most recent annual unannounced inspection of the Local Authority Assessment and Referral Centres undertaken in December 2009.

Now the results of such a report can never lead to complacency in this area. There are areas here recommended by the OFSTED inspectors that we need to address, and are identified as needing further work; I will come to these later in my answer. This is an area in which it would be foolish in any way to rest on one's laurels, and in Nottingham we will not be doing that. However, this is a pleasing report and I want this afternoon to give it proper recognition, and I will be quoting from the report so that Council can hear what inspectors have concluded about safeguarding arrangements in Nottingham, and also, and this was an equally important part of the report, what judgements have been made about our arrangements for children in the care of the local authority.

So first, the headlines from the report. I'm just going to take quotes from the report in various ways:

Paragraph 9 - the overall effectiveness of the Council and its partners in safeguarding and promoting the welfare of children in Nottingham is good. Leadership across the partnership to safeguard children and young people is good. Political leadership is good, and this, in conjunction with effective managerial leadership, ensures safeguarding is suitably prioritised as everyone's business. Outstanding developments in respect of Early Intervention projects, family support, and Children's Centres are having a marked impact on shifting the balance of services towards early identification and intervention with vulnerable children and families. Schools are playing a significant role within the partnership in supporting vulnerable children and young people and contributing to the assessments of needs and risk.

Paragraph 13 - capacity for improvement is good, strategic planning to the various boards is decisive and forward looking, with good use of performance information to monitor agreed plans.

Paragraph 15 - inspections of regulated services judged safeguarding provision to be adequate or better in 99% of primary schools, 90% of local authority maintained secondary schools, and all academies. Safeguarding is judged to be good or better in inspections of the local authority adoption and fostering services, the local authority children's homes, and in early years and day-care settings as well as in a significant majority of private and voluntary sector children's homes. Safeguarding is seen as a priority for voluntary sector organisations and for all commissioned services. The quality of information about incidences of domestic abuse referred by partner agencies has substantially improved, facilitating better evaluation of risk to children and young people.

Paragraph 21 - current workloads are manageable. Morale is very good and workers indicate they enjoy the professional challenge of their role. Locality based services are good, including an extensive and very comprehensive network of Children's Centres. This facilitates the effective co-location of health and social care staff and enables the appropriate escalation and de-escalation of services according to presenting needs and risks.

Paragraph 27 - the contribution of health agencies to keeping children and young people safe is good.

Paragraph 33 - ambition and prioritisation across the partnership are good.

Paragraph 37 - leadership and management of services to safeguard children and young people are good.

Paragraph 41 – “evaluation including performance management quality assurance and workforce development is good. Scrutiny arrangements in Nottingham are good”. I'm sure members are pleased to hear about this, “The Young Nottingham Select Committee focuses on key issues affecting the quality and efficiency of services, including safeguarding, and ensures concerns are appropriately raised and monitored”.

Paragraph 53 - the overall effectiveness of services for looked after children and young people is good. Improvements to provision across services in recent years are making a significant difference to the quality of provision and outcomes for young people. The Corporate Parenting Strategy reflects the partners commitment to improving outcomes for looked after children and is being implemented effectively with commitment from elected members from across this chamber, partnership staff and representatives. Capacity for improvement with looked after children is also good.

So that is the summary of the report, the headlines. You can see, Lord Mayor, that this is a positive report for Nottingham, one which demonstrates the distance that Nottingham has come in the last 5 years, and one which bodes well for the future, within, as I've said earlier, the provisos of the danger of complacency in this area. The report is pleasing in its headlines, but also recognises other strengths in the work with our vulnerable children in Nottingham. I would like to draw Council's attention to some of these other areas of strength as recognised by inspectors. Firstly leadership, there is clear evidence from the report that leadership in this area of work is strong across agencies in Nottingham.

Paragraph 34 draws this conclusion - the Corporate Director for Children and Families and senior management team provide strong and effective leadership and are establishing a management culture based on aspiration and achievements for children and young people in the City. This is re-enforced by strong health and police leadership and effective political leadership, which are responsive to service demands and pressures, and active in promoting the priorities within the Children and Young Persons' Plan. Strong and determined leadership is driving structural change to achieve more effective and consistent service across the City, as evidenced by the extensive and outstanding range of early intervention and prevention services.

Paragraph 55 - elected members take a very active interest in the progress and achievements for looked after children through sitting on the Corporate Parenting Board. The Board is well constituted, with members and officers in a position to make strategic as well as operational decisions in relation to children in care.

Paragraph 88 - leadership and management of services to promote the welfare of looked after children and young people and care leavers are good. Leaders across the partnership including elected members and

managers, demonstrate a personal and corporate commitment to looked after children and young people, exhibited through effective service provision, resource allocation, and service prioritisation.

I feel it's important for Council to hear what inspectors who have spent a fortnight in our City are saying about what is done here in partnership. And partnership is the second area I want to go into, because this is not just a report about what we do, what officers of the City Council do, safeguarding is very much everybody's business, and the report has caught that through its positive comments about partnership.

From paragraph 9 - there is active and extensive involvement in the voluntary sector in the provision of services and in facilitating effective user involvement and feedback. The Chair of the Safeguarding Board ensures agencies meet their respective statutory responsibilities, and achieve compliance with national safeguarding guidance. There are good examples of professionals increasingly co-working on cases, and plans are in place to bring about further service integration.

Paragraph 13 - partnership working is good, with some outstanding examples of joint service development, with health and the police, and the voluntary sector, which is demonstrating high impact in a challenging and demanding environment. Liaison arrangements with other agencies, notably the police and health, are effective and strengthening, as co-location and service integration are extended.

Paragraph 22 - health staff are aware of thresholds for referrals, and are actively involved in discussions about raising thresholds for social care referrals in light of positive joint initiatives to extend early intervention provision. There is effective partnership in working with A&E, minor injuries, walk-in service and the out of hours general practitioners services to inform primary care and community staff of any safeguarding matters. The Family Nurse Partnership is providing intensive support for young women at the point of conception until their children are two years old. This support has resulted in reduced isolation, and in the number of teenagers who have had second conceptions. There is effective joint working between social care staff and other agencies such as health and housing in this priority area, leading to a reduction in vulnerabilities for young women and their children. Social Care and health provision for children with disabilities has integrated well, and joint commissioners are responsive to identified need. There are good links with maternity services and adult services to reduce the vulnerabilities of unborn

babies, children and young people where adults are substance misusers. The Chair of the Safeguarding Board provides effective leadership, (repeated a number of times through the safeguarding report) bringing partners together on a regular basis. Good inter-agency working with the police is in place, where there has been a sudden infant death, with community paediatricians and the police routinely attending the home together, taking joint statements and co-operating with the provision of support for both families and staff.

And the report goes on to highlight good partnership working in lots and lots of ways. Particularly highlighted is the arrangement for the dedicated police officer responsible for children in care, which has resulted in a reduction of exclusions, where the criminalisation of children in our care has been reduced by the early intervention of that particular police officer who is commended on a personal basis in this report. So the clear theme of strong partnership runs throughout this report.

The third area I wish to highlight to Council is the involvement of the voice of children and young people in safeguarding, and in decisions about the arrangements for the care of our looked after children. Just a few mentions here of that:

Paragraph 15 - in the Care For Me survey conducted for this inspection over 88% of children who responded said that they feel safe or very safe in their communities. Children met as part of the inspection reported that they feel safe in school, know how to report concerns, and where they would ask for help.

Paragraph 68 - almost all children responding to the Care For Me survey feel they have good or very good education and get positive help and support.

Paragraph 73 - the Children in Care Council has been running for a year, good support has been offered to develop the necessary skills and confidence of the group who represent looked after children and young people and the various boards of planning groups. The Council has been very successful in increasing the profile of the views of children and young people within the Corporate Parenting Board through political processes and management. Looked after children and young people have good opportunities to express their views and opinions about their individual plans and service provision.

The final area to which I would like to draw members' attention this afternoon is the area of responding to emerging needs and in changes of circumstances. It is clear that in our City there are significant challenges and changes in demand to services as a result of national and local cases which hit the headlines, such as the Baby Peter case in Haringey and children seen out late in Bulwell last year. Inspectors conclude that where circumstances change the response is effective.

Firstly in paragraph 21 - senior managers and elected members have been responsive to work pressures and have appropriately deployed more resources to meet increased service demands.

Paragraph 38 - decisive joint action was taken in June 2010 to identify and respond to the increased referral rates and the staffing pressures in all the key agencies which lead to the allocation of additional resources to meet demands. Political support for the provision of additional resources was timely and effective.

Paragraph 64 - some young people have experienced some change of social worker, particularly when there was a peak in referral rates and social care capacity was adversely affected. The Council is alert to these trends and has a good record of acting decisively to resolve these issues. The move to small group homes is providing high quality accommodation and plans are well developed to increase the number of small group homes and return young people placed outside the City.

So Lord Mayor, the OFSTED report recognised considerable strengths in this City, and at a time when, sadly, too many other authorities have been judged as inadequate in this area, I wish to pay tribute to staff, partners, and members in this chamber who have worked so hard in this area of our responsibility, for the part they have played in bringing about this report, which concludes a judgement of good for safeguarding and good for looked after services. Inspectors do draw attention to certain areas of improvement, none of which are for immediate action, as seen in reports for other areas, but within 3 months of the publishing of the report:

- to address issues around Accident and Emergency staff having access to information about children with child protection plans;
- monitoring the consistent operation of the thresholds in the area of social care;

- that the view of children in care is consistently taken into account in their annual health assessments which need to be regularly updated;
- the new 15+ service needs further embedding and its impact assessing.

Further recommendations for action will be discussed at a meeting next week.

Publishing expenditure above £500

Councillor Morley asked the following question of the Leader:

Could the Leader of the Council explain the refusal of the Council to publish details of expenditure above £500 when 210 councils have done so at little or no extra cost?

Does he not worry that by doing so, he may be jeopardising much-needed funding for Nottingham City from Central Government?

Councillor Collins replied as follows:

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

Although some 200 councils have decided to publish details of expenditure over £500, that still leaves a similar number that do not. And as for the cost, I guess that depends on what you consider to be little or no extra cost.

We currently spend pushing £500,000 per year managing Freedom of Information Act enquiries, and officers estimate, whilst the IT costs of publishing expenditure items of £500 or more would only be a few thousand pounds, the extra cost of dealing with the enquiries generated would, they estimate, probably exceed more than £100,000 per year. Indeed, Manchester estimate publication has meant they've had to employ six new members of staff at an estimated cost of £116,000 per year, and, similarly, Lib-Dem controlled Newcastle have employed an extra five members of staff at an estimated cost of around £90,000 per year for the same purpose.

At a time when your Conservative and Liberal Democrat Government has cut grant funding to this Council by £60 million next year, to spend £100,000 extra on this kind of thing hardly seems to be much of a priority. As for the second part of your question, I'm sure Councillor Morley isn't suggesting that Central Government would penalise the City Council for exercising a local decision on a matter that is for local discretion, albeit that it is one that the Secretary of State for Communities and Local Government has happened to have a different point of view on. I am sure she would accept that for a Government that professes a commitment to localism, that kind of discrimination would not only be inappropriate, but also illegal.

Expenditure on recruitment agencies

Councillor Price asked the following question of the Portfolio Holder for Employment and Skills:

Can the Portfolio Holder tell the Council how much was paid in 2009/10 to the top five recruitment agencies, in terms of expenditure, used by the City Council, and also how much of this figure is paid as commission to the agencies and not to the employees?

Does the Portfolio Holder recall that I requested this information at the recent Appointments and Conditions of Service Committee on 4 January and in subsequent correspondence? Can the Portfolio Holder estimate when an organisation chart and centralised vacancy list will be available?

Councillor Ahmed replied as follows:

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

Actually I did provide a very comprehensive answer on the agency spend issue to Councillor Culley in December which I've got a record of here. While trying to respond to Councillor Price's question, just sort of setting the wide budgetary context and the impact this is having on our organisational structure whilst the Conservative and Liberal Democrat led Government announced that Nottingham City Council would see a cut of 8.44% next year, the picture is in fact much worse, Nottingham faces nearly a 17% cut in Government funding for next year, which along with in-year cuts this year and other Government adjustments equates to a cut of around £60 million in our real spending power next year. This

means we are among the worst hit councils in the country. We have been taken aback by the severity of these cuts for Nottingham given the disadvantaged communities we serve. This also means that our decisions to meet the level of cuts will involve a wide range of restructuring across the council, which in itself makes it difficult to have a fixed organisation chart given the degree of change being currently undertaken.

In 2009/10 the expenditure Nottingham City Council incurred with the five top agencies, the analysis by Corporate Procurement shows, that slightly over £8 million was spent with the top five agencies in 2009/10, these being:

- Kelly's Services - £3.263 million
- Taskforce - £2.339 million
- BBT - £876,000
- Select Education - £784,000
- Capita Resourcing - £750,000

The top five represent some 54% of the total expenditure on agency and temporary staff. It should be noted that consolidation continues and both BBT and Select Education are now part of Ranstad Care. The difference between the amount paid to the employees and that paid by the council to the agency itself does not represent the amount the agency makes. There are three key figures, the amount we pay to the employees, holiday pay entitlement and also the employers' National Insurance contributions, which are the 'on' costs. The margin is therefore the difference between the sum of the three figures above and the rate paid by the council to the agencies. Any comparison should not only be around the margin that the agency makes, but also should be focussed on the cost differential between the agency worker and the full cost of employment for the City Council employee. Some examples I can give you are:

- for a scale point 16, the full cost of employment to us would be £20,430 per annum, this excludes of course the shift premium and overtime. The charge for an agency worker, which when we look at the analysed cost of that worker, will come to something like £15,873;
- on the other end of the scale, for a qualified Social Worker, NCC scale point 34, the full cost of employment would be in the region of

£35,992, whereas the Ranstad Care agency worker analysed cost would come to something like £56,572. As such an agency staff worker would need to be with Nottingham City Council for 34 weeks before they become more expensive than the council employing a full time employee themselves.

In terms of the exact margins, these are not readily available and, dependent upon the contract type, may not necessarily be disclosed in the first place. However, it is reasonable to estimate that margins for larger managed contracts typically range between 8% and 15%. Based on the 2009/10 expenditure for the top five suppliers, an 8% margin would represent £598,240, whereas a 15% margin would represent £1,053,423. A margin improvement to 8% from 15% would therefore provide a saving of approximately £450,000. Far greater saving will be achieved through the active reduction of overall agency staff.

In November 2010 further controls were introduced in both vacancy management and the use of agency staff, while these have only been in place for two months, initial expenditure comparisons have shown a decrease in the expenditure of agency and temporary workers as compared with the last financial year. Provisional figures suggest that the spend in December and January is some £130,000 less than last year. Very few new approvals have been given since November 2010. The real impact on actual reduction on the spend in agency staff will start showing in April 2011, because these are early days.

In terms of Councillor Price's question regarding organisational charts and centralised vacancy lists, the minutes from the Appointments and Conditions of Service Committee (ACOS) meeting on 4 January do not capture this specific request and I'm not aware, as he mentioned in his question, about writing to the Council. Reference 33/34 of the minutes record a report will be going to the February ACOS meeting regarding the structural changes in the organisation. So there is the mention that we will bring a report to ACOS in February which will have the details of the new re-structure. However in light of the scale of the changes which are ongoing, I have decided to defer that report for this month's ACOS, but it will be coming to subsequent meetings. However the Council's management structure is being updated with proposals being reviewed by Corporate Leadership Team, it is currently proposed that this will be released over the next few weeks although it may be subject to further changes as a result of the current and proposed restructures.

Organisational charts at department and senior management level, including directors and heads of service, are available on the internet, and these will be updated to reflect the ongoing changes with the organisation. Service areas will normally have more detailed organisational charts, however given the scale of restructuring currently in progress across the council, these will also be subject to ongoing changes.

The current level of restructuring, many of which may include proposals to delete some vacant posts, means that it is not possible at this time to have a definitive list of posts across the council that are vacant. However, a list to be filled through the redeployment register or through internal and external adverts is held centrally and available, and are also available on the website. I'm currently encouraging departments to fill all those vacant posts which are not subject to workforce reductions. It is the intention of the Council to release as many vacancies as possible to be filled rather than covering gaps with agency workers. As such, vacancies continue to be assessed and released in line with the control processes put in place in November, over 30 vacancies were released and a further 26 were this week given approval for recruitment. I think that that's the current status of things. Thank you.

Building Schools for the Future (BSF)

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

Does the Portfolio Holder agree with me that while we must still continue to lobby for additional funding for Top Valley and Trinity Schools, the £27 million we are to receive under the Building Schools for the Future programme for Ellis Guilford, Bluecoat, Nethergate and Woodlands Schools is good news for Nottingham?

Councillor Mellen replied as follows:

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

On the face of it Lord Mayor, of course this is good news, as a result of this decision young people in two of our secondary schools and two of our special schools will have a much improved learning environment, inadequate classrooms will be replaced and these school communities

will have the boost that so many others in our City have had as a result of investment in our children and young people from our last Government resulting in dramatically improved school buildings.

But let's be clear, this is not a new decision, this investment was promised under the last Government as the second half of wave two of the BSF programme, and when Mr Gove made his announcement about the BSF programme in July last year, these schemes were listed as "unaffected". Now we have spoken about the meaning of this word "unaffected" in the Chamber in the past, I am clear that it means the scheme is the same, it is unchanged, it is not altered. So the confirmation of the funding for these schemes, if indeed this is what has happened, you can never quite tell at the moment, we are still waiting for approval from the Government of the stage 0 submission with regards to Nethergate approved by the Executive Board in July and submitted to Government in August, about which we've had no further news. Nevertheless, if this is indeed what has happened it is a confirmation of a previous decision. This funding was confirmed further with Partnership for Schools as recently as September of last year, yet sadly, the funding is not what was originally agreed.

Even though these schemes were classed as unaffected by Mr Gove in July, a request for savings on these schemes was made to the Council in November, and has since been submitted and accepted by Partnership for Schools. We still await the confirmation as to the acceptance, or otherwise, of the savings we have submitted for Farnborough School. With regard to Ellis Guilford, Bluecoat, Nethergate and Woodlands, the agreed savings, totalling £810,000, will inevitably have an effect on the original plans for these schools that were previously described as unaffected. For example, at Ellis Guilford, with a saving of £536,000 the majority of the savings have been attained through the loss of the area of four classrooms, a foyer to the existing gymnasiums, a reduction in the funding of fixtures, fittings and equipment, and a reduction in the external landscaping and specification of items in the building. So yes, the scheme at Ellis Guilford, that popular school serving many areas of our City, will go ahead, but we can't say it's exactly the same. So whilst I'm pleased it's going ahead eventually, if that is indeed what is happening, it's a scheme which has had to take savings.

At Nethergate, with savings of £32,000, £8,000 is a reduction in the specification of the building and approximately £24,000 is reliant on us re-using the majority of fixtures, fittings and equipment.

At Bluecoat the saving is approximately £240,000, largely by not allowing for an inflationary increase at a time when inflation is rising. And, of course, with Bluecoat this is only half the money that was promised, with the allocation for the Aspley Lane site being stopped by the Government totally in July. So yes, Councillor Morley, this is good news for these four City schools, I don't want to underplay that, but it's not as good as previously promised, and as you so rightly point out, it does not take us away from our responsibility to stand up for Nottingham Schools, for Trinity and Top Valley as we have been doing, but also for Fernwood, Bluecoat, Westbury and the Pupils Referral Units who have also lost the funding that those schools so badly needed. We must continue our lobbying, and we will do so.

66 BASFORD DESIGNATED PUBLIC PLACE ORDER

The joint report of the Leader and Portfolio Holder for Transport and Area Working, as set out on pages 385 to 394 of the agenda, was submitted.

RESOLVED that on the motion of Councillor Collins, seconded by Councillor Urquhart:

- (1) the draft order and map, detailed in Appendix 1 to the report, showing the area proposed to be covered by the Order be noted;**
- (2) the timetable and procedures for making the Order, as detailed in Appendices 2 and 3 to the report, be noted;**
- (3) the publication of the draft Order for public consultation be approved.**

67 ORDER OF BUSINESS

RESOLVED that the order of business be varied to consider the remainder of the agenda items in the following order:

- (1) report of the Portfolio Holder for Transport and Area Working on the Nottingham Local Transport Plan 2011 to 2026;**
- (2) motion in the name of Councillor Sutton;**

- (3) report of the Portfolio Holder for Environment and Climate Change on the Adoption of the Municipal Waste Management Strategy – A “Waste-less” Nottingham;
- (4) motion in the name of Councillor Oldham;
- (5) motion in the name of Councillor Chapman.

68 NOTTINGHAM LOCAL TRANSPORT PLAN 2011 TO 2026

The report of the Portfolio Holder for Transport and Area Working, as set out on pages 403 to 408 of the agenda, was submitted.

RESOLVED that on the motion of Councillor Urquhart, seconded by Councillor Parbutt, the Nottingham Local Transport Plan covering the period from April 2011 to March 2026 be approved for adoption from 1 April 2011, with final revisions to the Plan to be agreed by the Coporate Director of Development and Portfolio Holder for Transport and Area Working.

Prior to consideration of the next item, Councillor Grocock left the room and Councillor Wildgust took the Chair

69 MOTION IN THE NAME OF COUNCILLOR SUTTON – HOUSING ALLOCATIONS

Moved by Councillor Sutton, seconded by Councillor Foster:

“This Council acknowledges the continuing widespread concern about Housing Allocations in Nottingham following the Audit Commission reports in March 2006 and January 2009.

The Council notes that no legal action has been taken to prosecute anybody and no wrongfully allocated homes have been reclaimed.

Members of all political parties represented on Nottingham City Council agree that it is disappointing and concerning that efforts made to date by Nottinghamshire Police force have not identified any individuals to be held to account.

The Council recognises that public confidence depends on assurance that everything possible has been done to seek remedy and restitution.

This Council therefore resolves to ask the Professional Standards Directorate of the Nottinghamshire Police Force to request the Independent Police Complaints Commission to independently review the scope and conduct of the police investigation undertaken since the issue first came to light and determine what further steps can be taken”.

After discussion the motion was put to the vote and was not carried.

RESOLVED that the motion not be carried.

Councillors Akhtar, Clarke-Smith, Culley, Davie, Foster, Long, Marshall, Morley, Oldham, Price, Spencer and Sutton requested that their votes in support of the motion be recorded.

Councillor Grocock rejoined the meeting and resumed the Chair.

70 ADOPTION OF THE MUNICIPAL WASTE MANAGEMENT STRATEGY – A “WASTE-LESS” NOTTINGHAM

The report of the Portfolio holder for Environment and Climate Change, as set out on pages 395 to 402 of the agenda, was submitted.

RESOLVED that on the motion of Councillor Bull, seconded by Councillor Edwards:

- (1) that the feedback from the consultation be noted and the amendments to the draft Municipal Waste Strategy 2010-2030 be approved;**
- (2) that the final Waste Strategy 2010-2030, A Waste-Less Nottingham be adopted as Council policy.**

71 MOTION IN THE NAME OF COUNCILLOR OLDHAM – GRIT/SALT PROVISION

Moved by Councillor Oldham, seconded by Councillor Long:

“This Council...

- Notes the recent cold weather snap which affected Nottingham and most of the UK.
- Further notes the injuries and other problems that can be caused by slippery surfaces which are not gritted or salted.
- Welcomes the 40 extra grit/salt bins provided by the authority during December, but recognises that this left over 150 sites without a bin where one had been requested.
- Resolves to provide grit or salt at up to 200 further sites during times of extremely bad weather”.

Moved by Councillor Urquhart by way of amendment and seconded by Councillor Clark that:

- bullet point 3:
 - after ‘welcomes’ insert ‘both’;
 - after ‘December’, insert ‘and the changes to gritting practise and prioritisation established following the scrutiny review’;
 - after ‘150 sites’ insert ‘that had not scored so highly on the prioritisation criteria’;
- bullet point 4:
 - after ‘provide’ insert ‘from within Winter maintenance resources temporary supplies of’;
 - delete ‘up to 200 further’;
 - after ‘salt at’ insert ‘appropriate additional’;
 - after ‘sites’ insert ‘identified in accordance with the established process to give additional asupport’;
- insert bullet point 5 ‘resolves to establish a system for Ward Councillors to provide additional supplies of grit/salt from within their ward allocations’;

- insert bullet point 6 ‘expresses its thanks to the staff from across the Council who worked hard during the cold snap to enable the majority of our services to continue to run despite the prolonged extreme conditions’.

The amended motion to read:

“ This Council...

- Notes the recent cold weather snap which affected Nottingham and most of the UK.
- Further notes the injuries and other problems that can be caused by slippery surfaces which are not gritted or salted.
- Welcomes both the 40 extra grit/salt bins provided by the authority during December, and the changes to gritting practise and prioritisation established following the scrutiny review, but recognises that this left over 150 sites that had not scored so highly on the prioritisation criteria without a bin where one had been requested.
- Resolves to provide from within Winter maintenance resources temporary supplies of grit or salt at appropriate additional sites identified in accordance with the established process to give additional support during times of extremely bad weather.
- Resolves to establish a system for Ward Councillors to provide additional supplies of grit/salt from within their ward allocations.
- Expresses its thanks to the staff from across the council who worked hard during the cold snap to enable the majority of our services to continue to run despite the prolonged extreme conditions”.

After discussion the amendment was put to the vote and was carried.

The amended substantive motion was voted on and carried.

RESOLVED on the motion of Councillor Urquhart, seconded by Councillor Clark, that this Council:

- **notes the recent cold weather snap which affected Nottingham and most of the UK;**
- **further notes the injuries and other problems that can be caused by slippery surfaces which are not gritted or salted;**

- welcomes both the 40 extra grit/salt bins provided by the authority during December, and the changes to gritting practise and prioritisation established following the scrutiny review, but recognises that this left over 150 sites that had not scored so highly on the prioritisation criteria without a bin where one had been requested;
- resolves to provide from within Winter maintenance resources temporary supplies of grit or salt at appropriate additional sites identified in accordance with the established process to give additional support during times of extremely bad weather;
- resolves to establish a system for Ward Councillors to provide additional supplies of grit/salt from within their ward allocations;
- expresses its thanks to the staff from across the council who worked hard during the cold snap to enable the majority of our services to continue to run despite the prolonged extreme conditions.

72 MOTION IN THE NAME OF COUNCILLOR CHAPMAN – GRANT SETTLEMENT 2011-12

Moved by Councillor Chapman, seconded by Councillor Collins:

“This Council believes the Government’s grant settlement 2011-12 is unfair on the city, unfair on the worst off in the city, and risks destabilising the economy of the city.

It therefore asks the government to rectify the injustice of this year’s settlement in order to ensure that the reductions are fair, as promised; the national economy is rebalanced, as promised; and that we really are “all in it together”, as promised”.

Moved by Councillor Price by way of an amendment and seconded by Councillor Culley that:

Delete:

‘, unfair on the worst off in the city, and risks destabilising the economy of the city.

It therefore asks the government to rectify the injustice of this year's settlement in order to ensure that the reductions are fair, as promised; the national economy is rebalanced, as promised; and that we really are "all in it together", as promised'

and insert:

'and requests transitional funding until a new local govt funding mechanism is developed in 2012/13'.

The amended motion to read:

"This Council believes the Government's grant settlement 2011-12 is unfair on the city and requests transitional funding until a new local govt funding mechanism is developed in 2012/13".

At 9.30 pm the Lord Mayor, in accordance with Standing Order 16, ceased discussion and put the amendment and substantive motion to the vote.

The amendment to the motion was not carried.

The substantive motion was carried.

Councillors Akhtar, Foster, Long, Marshall, Oldham and Sutton requested that their vote against the amendment to the motion be recorded.

RESOLVED that on the motion of Councillor Chapman, seconded by Councillor Collins that this Council believes the Government's grant settlement 2011-12 is unfair on the city, unfair on the worst off in the city, and risks destabilising the economy of the city.

It therefore asks the government to rectify the injustice of this year's settlement in order to ensure that the reductions are fair, as promised; the national economy is rebalanced, as promised; and that we really are "all in it together", as promised.

The meeting concluded at 9.33 pm

Council questions requiring a written response

The following responses were sent to all City Councillors on 15 February 2011:

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

Could the Portfolio Holder explain the discrepancy between the Area 1 Committee report where it is mentioned that the pavilion at the Bulwell Recreation Ground is not being rebuilt and quotes from Councillors Clark and Trimble commenting on recent press articles where claims are being made to the contrary?

As a matter of urgency, can the Portfolio Holder confirm that the pavilion is in fact being demolished, or are stories in the Hucknall Dispatch and the Nottingham Post to be believed? Can the residents of Bulwell Forest have an answer, they deserve to know.

Councillor Trimble replied as follows:

In response to your enquiry, dated 4 February, regarding the clarification on the future of the pavilion at Bulwell Forest Recreation Ground I can confirm the proposal is to demolish the existing pavilion building, and incorporate the footprint of the building into the redevelopment of the park.

The proposal, which forms part of a wider plan to redevelop the park, was agreed at Area Committee on 19 January 2011.

As outlined within the Area Committee report the proposals will involve demolition of the existing pavilion, which is significantly fire-damaged, and incorporate the footprint of the building into the redevelopment of the park, e.g. terraced area, expansion of play and/or youth facilities and/or car parking.

Despite demolition of the building we will look to salvage the roof, boiler and other items, if appropriate, for use on other Nottingham City Council buildings that would benefit.

I understand there were two articles published relating to this story, one in the Nottingham Evening Post, dated Thursday, 13 January 2011 and one in the Hucknall Dispatch, dated Thursday, 3 February 2011. Both articles reported the decision inaccurately by stating that the pavilion building... "will be demolished and rebuilt" (NEP) and "the new pavilion will be built on the footprint of the existing building" (Dispatch). Neither of these quotes were from either Councillor Trimble or Councillor Clark.

Approximately £180,000 will be spent on the redevelopment of the park but this does not include a new build pavilion which would cost considerably more than this.

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

Which method does the Portfolio Holder for Children's Services think is most likely to bring the further investment in Nottingham schools that all parties are calling for: going to London to have a meeting with Lord Hill, asking the Department for Education and Partnerships for Schools for information under the Freedom of Information Act, a week long hearing in the High Court of a Judicial Review or asking Councillor Mellen to hand a letter to Lord Hill?

Councillor Mellen replied as follows:

Going to London to have a meeting with Lord Hill?

I had initially requested a meeting with the Secretary of State (SoS), I had some difficulty in this, I had to write on two occasions before I had a response. Eventually a meeting was arranged, in London on the 11 October 2010, between Lord Hill Parliamentary Under Secretary of State for Schools, Graham Allen MP, Peter Brown Headteacher at Top Valley School and Jim Mason BSF Programme Director. I, along with my colleagues, made a cogent case for working with the department in order to retain the funding that we had been promised for the Top Valley and Trinity Schools. Following the meeting I received a letter from Lord Hill dated 1 December 2010. The letter suggested that it would be useful if a further meeting was held between the Capital Unit of the Department for Education (DfE) and Jim Mason; my assumption was that this may lead to funding being made available for the schools. Jim Mason rang the Capital Unit soon after receipt of Lord Hill's letter to arrange the meeting. The outcome of the telephone call resulted in Jim being told that no

additional capital funding is available for the schools in question and that any further meetings on the issue would be futile in this regard.

Asking the Department for Education and Partnerships for Schools for information under the Freedom of Information (FOI) Act?

I am aware that a number of requests have been made to both the DfE and Partnerships for Schools. The response to these, I am led to believe, is at best patchy and the replies do not address the answers to the information requested. Thus far this route has proven to be fruitless in having the funding reinstated.

A week long hearing in the High Court of a Judicial Review?

Given the efforts that were made as outlined above, I consider that this was the Councils last and only resort to try and secure the funding that had been approved. The Judge's decision to ask the SofS to remake the decision, upholding the case made by Nottingham City Council and 5 other Local Authorities has justified this course of action taken by the council in standing up for it's schools.

Asking Councillor Mellen to hand a letter to Lord Hill?

I delivered the letter to Lord Hill as requested by Cllr Morley, when I met with him in October. I am not aware whether a reply was received to this letter or how effective it was.

It is still too early to judge which of these course of action is most likely to yield further investment in Nottingham Secondary Schools. It will only be possible to judge this once further monies have been received. However, it sees that the government have not responded to letters, meetings of FOI requests by granting further funding. The result of the judicial review does at least give the possibility of this happening. Time will tell.