

# MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 13 June 2011 at 2.00 pm

## ATTENDANCES

✓	Councillor Wildgust		Lord Mayor
✓	Councillor Ali	✓	Councillor McDonald
✓	Councillor Arnold	✓	Councillor MacLennan
✓	Councillor Aslam	✓	Councillor Malcolm
✓	Councillor Ball	✓	Councillor McCulloch
	Councillor Bryan	✓	Councillor Mellen
✓	Councillor Campbell	✓	Councillor Molife
✓	Councillor Chapman	✓	Councillor Morley
✓	Councillor Choudhry	✓	Councillor Morris
	Councillor Clark	✓	Councillor Neal
✓	Councillor Collins	✓	Councillor Norris
	Councillor Cresswell	✓	Councillor Ottewell
✓	Councillor Culley	✓	Councillor Packer
✓	Councillor Dewinton	✓	Councillor Parbutt
✓	Councillor Fox	✓	Councillor Parton
✓	Councillor Gibson	✓	Councillor Piper
✓	Councillor Grocock	✓	Councillor Saghir
✓	Councillor Hartshorne	✓	Councillor Smith
✓	Councillor Healy	✓	Councillor Spencer
✓	Councillor Heaton	✓	Councillor Steel
✓	Councillor Ibrahim	✓	Councillor Trimble
✓	Councillor Jeffery	✓	Councillor Unczur
✓	Councillor Jenkins	✓	Councillor Urquhart
✓	Councillor Johnson	✓	Councillor Watson
✓	Councillor Jones	✓	Councillor K Williams
✓	Councillor Khan	✓	Councillor S Williams
✓	Councillor Klein	✓	Councillor Wood
✓	Councillor Liversidge		
	Councillor Longford		

## **15 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bryan, Clark, Cresswell and Longford.

## **16 DECLARATIONS OF INTERESTS**

No declarations of interests were made.

## **17 QUESTIONS AND PETITIONS FROM CITIZENS**

### **Questions from citizens**

There were no questions from citizens.

### **Petitions from Councillors on behalf of citizens**

Councillor Ball submitted a petition to the Lord Mayor on behalf of 140 residents requesting financial assistance to keep the Edwards Lane Community Centre open.

## **18 MINUTES**

**RESOLVED** that the minutes of the last meeting on 23 May 2011 be confirmed and signed by the Lord Mayor.

## **19 OFFICIAL COMMUNICATIONS**

There were no official communications.

## **20 QUESTIONS**

### **Housing Allocations**

Councillor Culley asked the following question of the Leader of the Council:

In order for the issue to be put to rest for good, will the Leader of the Council instigate a full police led investigation into the housing allocation scandal?

Councillor Collins replied as follows:

Thank you, Lord Mayor. Lord Mayor, over the last 6 years there has already been a police led investigation, along with an internal audit led investigation, a district audit led investigation, and an investigation led by the Council's Head of Legal and Democratic Services and Section 151 Officer. The advice of a top Barrister has also been taken, and the Crown Prosecution service has been consulted. They all take the view that, with the Council having spent over £100,000 investigating the misallocation of properties six years ago, and Nottingham City Homes (NCH) having probably spent more than double that, to continue the investigation would be a waste of money.

So the Council's internal audit service, the Council's legal advisor, the Section 151 Officer, a specialist Barrister, the District Auditor, the Police and the Crown Prosecution Service, all of whom have access to all of the evidence and information held by the Council and NCH on the matter, have taken the view that everything that could reasonably be done, has been done. Whereas you, the Liberal Democrats, and the Nottingham Post, think the Council and NCH should continue the investigation despite the cost and with no prospect of success.

Well I understand the political motives behind that view. No doubt they're the same motives that drive the Lib Dems and the Nottingham Post, and of course all three of you are entitled to your view, and to continue to obsess about the matter if that's what you want to do. But let me leave you with one observation, at most Council elections you made this an issue, you made this issue a big part of your election campaign and you lost two seats. The Liberal Democrats made this issue the central feature of their election campaign, and they lost all of their seats. The Nottingham Post continues to devote page after page to the way Council housing was allocated six years ago, and year on year their circulation continues to decline.

By contrast, Nottingham Labour in the election concentrated on how we would continue to bring down crime and tackle anti-social behaviour, how we would create jobs and cut unemployment, how we would ensure school leavers got jobs, training or education places, how we would continue to improve street cleaning in the city, and how we would keep people's energy bills down. And we increased the number of seats we held on the Council from 42 to 50. Lord Mayor, I'm happy to leave Councillors and Officers to draw their own conclusions about the issues

and concerns that people in Nottingham want the Council to address, and to spend its time and their money on.

### **Workplace Parking Levy (WPL)**

Councillor Morley asked the following question of the Portfolio Holder for Planning and Transportation:

What lessons has the Portfolio Holder learnt from the Council's efforts to implement the Workplace Parking Charge on our own workforce that may have implications for the city-wide introduction of the levy?

Councillor Urquhart replied as follows:

Thank you, Lord Mayor and thank you Councillor Morley. Well really Council would not be Council without a workplace parking levy question from the Conservatives. Following on from the point that Councillor Collins makes, again workforce parking levy featured very strongly in your election literature, your opposition to it no doubt contributing significantly to the result of that election, and of course the workplace parking charge is also a decision that formed part of the budget that was passed in March, and was an aspect of that budget that the Conservatives did not oppose, indeed Councillor Price as your former leader supported the workplace parking charge very publicly when given the opportunity to express his view to the BBC on the Politics Show. I know because I was there sitting next to him when he was asked the question. So I'm sure your question is intended to be supportive of the Council's difficult budget decisions and the choice that we face between the introduction of a workplace parking charge ahead of workplace parking levy, or the additional budgetary reductions we would have to make given the £60 million hole in our budget following the Tory and Liberal Democrat Government spending cuts.

So of course, like many employers in Nottingham, in advance of the introduction of the Workplace Parking Levy, Nottingham City Council is in the process of introducing its parking policy and its workplace parking charge. Of course a key part of that is to encourage staff to consider using different transport options for their journeys to and from work.

The process of introducing a parking charge for the City Council is made, of course, more difficult for us because we are the authority rolling out the Workplace Parking Levy and so we know that anything we do will be

subject to much greater scrutiny than perhaps other employers will be. We are introducing our workplace parking levy across the City in order to raise those funds for future investment in public transport and to help manage the increasing problems associated with congestion.

So Workplace Parking Levy and the workplace parking charge are separate things, but clearly they have links. The workplace parking charge is primarily a human resources issue and it is inevitable that Nottingham City Council will face greater scrutiny than other companies in its introduction of it.

The proposals that we are currently negotiating on remain in negotiation and it would, I think, be premature to think that we have currently got a full set of lessons learned. We're currently talking to unions and employees about our proposals and, equally importantly, listening to and sharing ideas with the other employers in the city in terms of what they are doing. Where there is good practice, and I believe that Nottingham University, also introducing a scheme well ahead of WPL, are demonstrating best practice, so we're learning from them, but we are keen to learn from others. And I'm sure that we will have support from you too Councillor Morley in implementing this policy, and of course if you have learning that you think will be useful, please do share it.

We will use this opportunity for the consultation with trade unions and employees to design a parking management scheme which strikes the right balance between being enough of an incentive to encourage employees to think about alternative transport options to the car on one hand, while, on the other, not discouraging those for whom the car is their only option for getting to and from work, from parking at work.

So the City Council, as an employer, will play a key role in reducing traffic congestion in the city both through its own parking management policy and the overall introduction of WPL, in order to fund two more lines of the tram, the station improvements, and the ongoing link bus network.

### **Widening of the A453**

Councillor Culley asked the following question of the Portfolio Holder for Planning and Transportation:

In view of the generous offer from the Conservative-led County Council, and reported potential donations from major private industry, could the

Portfolio Holder reveal whether or not this council intends to make a financial contribution of its own to secure the widening of the A453?

Councillor Urquhart replied as follows:

Thank you, Lord Mayor, thank you Councillor Culley. As people will know from previous answers and previous debates in this Chamber, the widening of the A453 is a subject which I have spoken about before and which we have been very clear as a council that we support the proposals to widen the A453, and we have taken an active part in the lobbying around that issue. Of course when we had a Labour Government in power we thought we were almost there and we thought that the A453 work was due to begin. But of course as part of the spending cuts that we faced there has been significant delay, and the current Conservative and Liberal Democrat Government say that the A453 is not so much of a priority for them.

So in response to the County Council's proposals, my response has been to say that no we are not intending to make a financial contribution to the A453, in the context that we make a significant contribution currently to transport investment in the City and in the conurbation as well.

Transport investment that happens in Nottingham City also benefits many residents of the County. The investment that we have put in to our bus stop infrastructure, for example, in the City Centre is a significant investment paid for by the City and is something that anyone of course using those bus stops benefits from, many of those people being County residents. We didn't ask the County Council to help us out with that; they deal with their bus stops on their County roads, that's quite right and proper. And we do that in partnership with them, that's quite right and proper. So we do things together with the County and we spend significant amounts of money on transport infrastructure investment that is significant both for our City residents and for County residents.

Line one of the tram is a case in point, in which the County Council were in partnership with us. It benefits both our residents and County residents, as will lines two and three of the tram, and of course we are the sole funders of lines two and three of the tram, together with the contribution that will come from government, the City Council's investment is the only investment for lines two and three of the tram, the County Council chose not to spend money on lines two and three of the

tram, despite the fact that it would have not only significant benefits for their residents living along those lines, but also significant benefits in terms of its impact on the A453.

So they withdrew their money from lines two and three of the tram and now they are in a financial position to be able to commit to the A453. You might wonder why they have that money to commit to the A453 and whether or not there's any relationship between not paying for the tram and deciding to commit to the A453, but I'm sure, having had the conversations that I've had with my County Council colleagues, they agree with me that we have different places where we invest in transport. So we've invested in the tram, we will continue to do so. We're investing of course in the station, and the station will be fit for the 21<sup>st</sup> century, a fantastic resource for our city to drive our city's economy, and of course that has significant impact for those people who live in the County too because rail use isn't only confined to city residents. Strangely enough there are a number of people who use our station who live in the County too, and I'm sure they will benefit greatly, but no we haven't asked the County for a contribution towards that either.

So we think that our investment on big public transport infrastructure, our investment in buses, our investment in rail, our investment in the tram, means that we are making a significant contribution which will impact on the A453 in terms of lines two and three of the tram, and that our contribution in terms of the lobbying that we have done, and the clarity with which we have continued to state that the A453 is a significant priority for us is what we will be doing about that, no we won't be committing the City's money in the way that the County have committed theirs, we're committing the City's money to the City's priorities.

### **Expenditure above £500**

Councillor Morley asked the following question of the Deputy Leader of the Council:

Can the Deputy Leader of the Council confirm that the work necessary to provide information on all expenditure above £500 has already been carried out and, if so, why is he not prepared to release the information like every other authority in England has?

Councillor Chapman replied as follows:

Like every other authority in England has? Sorry, ok. There are a number of reasons. All councils who have published the figures have done so by putting the ledger online. That costs about £2,000 which actually is not a great deal of expenditure. The trouble is that the information is untreated. And information, a little like sewage, if untreated is fairly toxic stuff. So our options are to treat it; that will take a great deal of time. We'd have to take out individual details, provide explanations, re-categorise; that would come at a cost; that cost is not only expensive, it is bureaucratic, it is utterly non-productive. It will not clean one more street, it will not educate one more child. Indeed, it will do the opposite of what the government tells us it wants to achieve, it will increase our overheads and back office costs.

The next option is not to treat it, and this is where the simile about sewage comes into its own. So talking about sewage, two weeks ago Eric Pickles, at a weekend, decided that he was going to release credit card expenditure by Nottingham City Council to the Daily Mail. It was done on a Friday so that we had no chance of checking what the expenditure was on. Nor did he have the courtesy, because Eric Pickles is not known for his courtesy, to let us know in advance, and so he launched an attack on our credit card spending. Well it just so happens he chose the wrong council. Not only does credit card spending save money and bureaucracy, which is what he's interested in, also his facts were wrong. Or at least his insinuations, because he doesn't deal in facts, he deals in insinuations, and they were wrong. All the scandalous items that were listed proved legitimate. We were supposed to have spent hundreds and hundreds of pounds on wine, presumably for Councillors because that's what he wanted to think, but actually it was for resale at Wollaton Hall, Newstead and other outlets. An £80 trip to Alton Towers, now the assumption was that it was for Councillor Trimble to go on the water splash, or the Lord Mayor to go on the go karts, that was the assumption. Actually it was for a bunch of kids from Aspley who had not had holidays and it was a reward for good behaviour. So we had this sort of pollution.

Now I could actually have turned the tables on Eric Pickles, because it seems that his department have been spending money on lap-dancing clubs. Now I could have assumed that Eric had gone to a lap-dancing club on taxpayers' expense. Or perhaps he was doing research in a lap-dancing club, which is often the excuse, which is what you do, isn't it? I



could be playing that game. But actually I think there was probably a very legitimate reason for it. And we hear that it's to do with hiring premises for a conference or for a discussion or something. I could have made a fuss about the fact that he claimed expenses for a second home when he perhaps shouldn't have done, even though it was legitimate, but I'm not going to get into that, and nor is the council because we think it demeans the public sector. I would just ask for similar treatment, but it seems we can't get it.

But, ultimately, the cost of treating the information, the cost of not treating the information, would fall on the council tax payer. We are, for example spending £500,000 on chasing around information for Freedom of Information Act requests. £500,000 it's costing, and again it's not cleaning one more street, it's not educating one more child, and it's not doing a great deal in the end for freedom of information and for satisfying the public about our activities. And I would be very reluctant to add to that, and this precise proposition would add to that. It is all a big silly game, and the cost would fall on our taxpayers, and I don't want to play games like that and I don't want to cost the tax payers.

The Government has become obsessed. The economy is flat, there's a withdrawal of services for children and the elderly. The NHS is in turmoil. The judicial system is in trouble. And what is the government concentrating on? It's concentrating on whether we publish £500 or not on our website. That is what its concentrating on. And I believe it is a total misallocation of their energy and their resources, especially when they take parliamentary time to discuss it, and to berate myself and Councillor Collins.

So we will not be publishing the information until we are forced to do so. So that brings me on to the second part of the question; "What are we doing about it?"

Well we're doing a few things, we're examining how much it might cost and how we might do it, but actually we're not doing a lot, and we're not doing a lot because we haven't got the resources to do a lot. And we're not doing a lot because we were expecting in the wonderful Localism Bill, and please note the contradiction and the irony of a Localism Bill telling us to publish particular information as a local council, we were expecting some provisions in that to force us to do it. And I've been through it. I've googled it. I've searched for "£500" with a £ sign. I've searched "five hundred pounds" written. I can't see anything. I've had our officers

trawling over it and I can't see anything. So I don't know what he's going to do about it. And my view is he may not do anything. It may be huff and puff and we may get back to doing what we're all supposed to do which is delivering services.

## **Review of Business Rates**

Councillor Khan asked the following question of the Deputy Leader of the Council:

Would the Deputy Leader comment on the Government's review of business rates and how this might affect Nottingham. Does this mean further distribution from the poor to the rich?

Councillor Chapman replied as follows:

Thank you Lord Mayor. The thing about the Government is that they are only localist when it suits. They are centralist on specific matters such as bin collections, use of credit cards, or telling us what or what not to publish. But on the business rates, on the general matters, on the big issues, they are highly localist. Which makes me suspect that the real distinction is not rationality, but what suits them. And this is why we should treat their motives with great suspicion. All the more so because the Conservative philosophy does not believe in redistribution.

So if they stick to the view that each authority keeps what it raises, and this is often determined by geography, particularly if you're down South you raise a lot more, if you're up North you raise less. Land values down South are higher, rateable values are higher. The further north you go, the less the rateable values on the home, the less the land prices, and the less opportunity to raise council tax. But if they stick to that principle, there will be some big losers.

In our region, Leicester would lose £40,000,000. But poor old Liverpool, who lost more than anyone else on the last grant settlement would lose £100,000,000. Nottingham for 2011/12, we've calculated would lose £24,000,000. £24,000,000 on top of the £20,000,000 that we are losing over the next five years possibly, in addition to the £60,000,000 we lost last year. And I hope you're listening Conservatives, defenders of the City, so if that happened then we would be in great difficulty. But what makes it even more galling is who would gain. Who do you think would gain from this? Well the City of London would do terribly well out of this,

because the City of London raises as much business rates in that one square mile than the whole of the Northern region. The City of Westminster would do relatively well. In fact it would do extremely well, it's one of the great supporters of this reform. Kensington and Chelsea would do well. And what have they all got in common? They are very well off already. But the other thing they've got in common is that they are Conservative controlled.

Now a second option which I think the Government are really thinking about, is creaming off some of that excess funding and putting it into a pool to create a safety net for the biggest losers. A sort of 'poor fund' for Councillors, and it'll be dished out like Maundy money. And if you had a real problem, for example Corus Steelworks folded during the year, then they give you a few bob from their Maundy fund. That is what I think they're thinking about. But a third option, would be a sensible one, would be to fix current levels of business rate allocation, and then to give incentives on the basis of incremental growth. And the irony of that is a system they've just abolished which Labour introduced.

What I can't work out is what they are intending to do. I can work out their intention which is to give to the rich and take from the poor. I do know that is the underlying intention. But my real fear or real feeling actually, it's not a fear, is that they will get themselves bogged down in such complexity, because they haven't worked out what they want, they haven't worked out the implications, and the complexities of any resulting change will create so much havoc that what I think we will get is another pause. I think we will get a u-turn, which worries me as well, because what they will do while they're doing that is sow chaos.

So we've actually got two options from what they're doing; we've either got the possibility of unfairness and chaos, or we've got the possibility of just more chaos. But that seems to be the hallmark of the current government and the current Secretary of State; they make up policies that they don't fulfil, and I think this will be another one. However if they do fulfil it, it will be very interesting because we will lose, and large other numbers of authorities that need the money will lose. But I'll end up with a quote from a government advisor before the last election: "Governments with money centralise and take the credit. Governments without money de-centralise and spread the blame". I think that's what's going on as well.

## **21     ADOPTION OF THE PLANS SET OUT IN THE LABOUR MANIFESTO AS THE BASIS OF COUNCIL POLICIES**

The report of the Leader, as set out on page 22 of the agenda, was submitted.

**RESOLVED** on the motion of Councillor Collins, seconded by Councillor Chapman, that the plans set out in the Labour Manifesto 2011-2015 be adopted, as a basis of its policies for the current term of office.

## **22     BASFORD DESIGNATED PUBLIC PLACE ORDER**

The report of the Portfolio Holder for Area Working, Cleansing and Community Safety, as set out on pages 23 to 32 of the agenda, was submitted.

**RESOLVED** on the motion of Councillor Norris, seconded by Councillor Dewinton:

- (1)    that it was satisfied that nuisance or annoyance had been caused to members of the public, and/or disorder had arisen, which had been associated with the consumption of alcohol in the area covered by the Order;**
- (2)    that the Corporate Director of Communities and Director of Legal and Democratic Services be authorised to make and advertise the Order in accordance with the relevant Statutory processes;**
- (3)    that the Order shall take effect from 1 August 2011.**

## **23     ST ANNS AND SNEINTON DESIGNATED PUBLIC PLACE ORDER**

The report of the Portfolio Holder for Area Working, Cleansing and Community Safety, as set out on pages 33 to 42 of the agenda, was submitted.

**RESOLVED** that on the motion of Councillor Norris, seconded by Councillor Dewinton:

- (1) that it was satisfied that nuisance or annoyance had been caused to members of the public, and/or disorder had arisen, which had been associated with the consumption of alcohol in the area covered by the Order;**
- (2) that the Corporate Director of Communities and Director of Legal and Democratic Services be authorised to make and advertise the Order in accordance with the relevant Statutory processes;**
- (3) that the Order shall take effect from 1 August 2011.**

## **24 ST ANNS DESIGNATED PUBLIC PLACE ORDER**

The report of the Portfolio Holder for Area Working, Cleansing and Community Safety, as set out on pages 43 to 53 of the agenda, was submitted.

**RESOLVED that on the motion of Councillor Norris, seconded by Councillor Dewinton:**

- (1) that the area proposed by the Order, detailed on the A4 map circulated separately to the agenda be noted;**
- (2) that the publication of the draft Order for public consultation, as detailed at Appendix 1 to the report be approved;**
- (3) that the timetable and procedures for making the Order, as detailed in Appendices 2 and 3 to the report be noted.**

## **25 CHANGES TO THE MEMBERSHIPS OF COMMITTEES**

**RESOLVED that the following changes to the membership on the Appointments and Conditions of Service Committee be noted:-**

- (i) the removal of Councillor Carole Jones and appointment of Councillor Toby Neal;**
- (ii) the appointment of Councillor Toby Neal as Chair of the Committee.**

## **26    EXECUTIVE SCHEME OF DELEGATION**

**RESOLVED** that the following remits of the Executive Assistants be noted as follows:

- **Councillor Alex Ball – Housing and Regeneration**
- **Councillor Nicola Heaton – Health**
- **Councillor Carole Jones – Area Working and Environment**
- **Councillor Cat Arnold – Culture and Tourism**
- **Councillor Nick McDonald – Economic Development**

The meeting concluded at 4.40 pm