

# MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 14 May 2012 at 2.00 pm

## ATTENDANCES

Councillor Unczur	Lord Mayor
✓ Councillor Ali	✓ Councillor Liversidge
✓ Councillor Arnold	Councillor Longford
✓ Councillor Aslam	✓ Councillor McDonald
✓ Councillor Ball	✓ Councillor Malcolm
✓ Councillor Bryan	✓ Councillor McCulloch
✓ Councillor Campbell	✓ Councillor Mellen
✓ Councillor Chapman	✓ Councillor Molife
✓ Councillor Choudhry	✓ Councillor Morley
✓ Councillor Clark	✓ Councillor Morris
✓ Councillor Collins	✓ Councillor Neal
✓ Councillor Cresswell	✓ Councillor Norris
✓ Councillor Culley	✓ Councillor Ottewell
✓ Councillor Dewinton	✓ Councillor Packer
Councillor Edwards	✓ 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 Urquhart
✓ Councillor Jenkins	Councillor Watson
✓ Councillor Johnson	✓ Councillor Wildgust
✓ Councillor Jones	✓ Councillor K Williams
✓ Councillor Khan	✓ Councillor S Williams
✓ Councillor Klein	✓ Councillor Wood

## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Edwards, Fox, Ibrahim, Longford, Piper and Unczur.

## **2 DECLARATIONS OF INTERESTS**

No declarations of interests were made.

## **3 ELECTION OF LORD MAYOR AND APPOINTMENT OF SHERIFF**

### **RESOLVED**

- (1) that on the motion of Councillor Parbutt, seconded by Councillor McCulloch, Councillor Leon Unczur be elected Lord Mayor of the City of Nottingham, until the next annual meeting of the City Council;**
- (2) that on the motion of Councillor Klein, seconded by Councillor Jones, Councillor Merlita Bryan be appointed Sheriff of the City of Nottingham, until the next annual meeting of the City Council.**

In the absence of the Lord Mayor the Sheriff, Councillor Bryan, took the Chair.

## **4 LORD MAYOR'S CHAPLAIN**

The appointment of The Reverend Christopher Harrison, Vicar of the parish of All Saints, St Mary's and St Peter's, Nottingham, as the Lord Mayor's Chaplain, was notified to the City Council.

## **5 QUESTIONS AND PETITIONS FROM CITIZENS**

### **Questions from citizens**

The following questions from citizens were received:

## **Journey times from Clifton**

The following question was asked by Mr Martin Clough to the Portfolio Holder for Planning and Transportation:

Over the next few years, a number of transport changes are planned for the Clifton area. The A453 is to become a 40-50 mph dual carriageway. A tram-line to Nottingham Railway Station is to be built. And, according to the Local Transport Plan, residential routes in Clifton and the Meadows are to be reduced to 20mph. In these areas, close to houses, shops, schools and community facilities, the tram will not be permitted to exceed 20mph.

Currently, buses from the Nobel Road area of Clifton take about 23 minutes to reach the Railway Station. They take 2 different routes: number 1 takes a long route via Trent Bridge, whereas number 48 takes a long, slow route through Clifton and the Meadows.

When all the planned changes have been completed, how long will the following journeys take from the Nobel Road area to the Railway Station:

1. by tram;
2. by the current number 1 bus route;
3. by the current number 48 bus route;
4. by a new fast bus route, using Clifton Lane and the full length of Queens Drive.

Councillor Urquhart replied as follows:

Thank you, Sheriff and congratulations on taking up the post of Sheriff and for today on chairing our meeting in the absence of the Lord Mayor.

Can I thank Mr Clough for his question.

Public transport reliability is the key to its success, and Nottingham's bus services have an excellent track record on punctuality and reliability, with 95% of buses departing on time. Our tram also has an excellent record, in fact, the tram is even better, having 98% of its trips running on time.

The tram extension to Clifton has been carefully designed to have as much of the network off road as possible to avoid trams getting caught up and delayed in road traffic. Therefore the tram service to Clifton will

be extremely reliable. It will have priority at key junctions and signals and the tram alignment will be kept clear of parked traffic and, of course, the tram line begins at a park and ride on the A453 making the most of the A453 improvements and the tram work.

We have also, as a council, invested £500,000 over the past 2 years in real time information to ensure that passengers, both of the trams and buses, are kept fully informed of when buses and trams arrive and depart, making it easier to plan journeys.

In answering the very specific points raised:

- journey times from the centre of Clifton to the centre of Nottingham are estimated, at this stage, as being 20 minutes and that it will be 26 minutes from Clifton park and ride to the centre of Nottingham. From the centre of Clifton to the station is due to take 16 minutes, and from park and ride to the station 21 minutes;
- using bus service number 1, journey times from Clifton to the centre of Nottingham are currently between 20 and 36 minutes, because the times vary and the timetable is adjusted depending on time of day and the direction of travel. So the tram is faster whatever time of day it is;
- using bus service 48, the journey time from Clifton centre to the centre of Nottingham is currently 23 minutes, and from Nobel Road to the centre of Nottingham about 32 minutes. So, again, the predicted tram times are faster;
- I am not currently aware of any proposals for a fast service into Nottingham from Clifton, taking a route along Clifton Lane and Queen's Drive and, therefore, it would be inappropriate to comment on any potential timings for such a route. I am sure bus companies will look at these issues and decide whether or not they think it is worthwhile to put up such a proposal.

Journey times and services referred to are not expected to change significantly as a result of any potential 20mph zones in residential areas. Mr Clough is right, the Local Transport Plan does mention this but, of course, such proposals would be subject to local consultation and are clearly aimed at improving safety in residential areas.

For passengers from Clifton they will, of course, not only be able to access Nottingham station and city centre via the tram, because the network would then comprise 3 tram lines, they would also be able to

access the Queens Medical Centre, the Goose Fair site and, via Medilink, City Hospital, as well as Hucknall and a range of other places using the fast and reliable tram service.

In Nottingham we have bus services that are second to none. They're high quality, they're reliable and passengers greatly appreciate them. The next two lines of the tram will add to the quality of Nottingham's public transport for people, not only in Clifton, but across the City and beyond, giving Nottingham the right transport system to drive our economy into the future.

### **Retention of teachers**

The following question was asked by Ms Amy Smith to the Portfolio Holder for Children's Services:

How will the Council try to retain the best teachers within City boundaries in view of the unpopular parking levy/changes to school terms?

Councillor Mellen replied as follows:

Thank you, Sheriff and can I add my congratulations to you on your appointment.

Can I thank Ms Smith for her question.

Teachers are an important resource to the City of Nottingham, we are aware of the hard work and dedication given by the teachers in Nottingham schools, and the vital part they have played in the improvement of education standards in the City over the past decade.

As a former teacher and Headteacher in both the City and County, I know many teachers could choose to work in less challenging schools outside of Nottingham, but have dedicated themselves to the needs of city children.

The decision to change to a 5 term year was made following consideration of evidence about the benefits of shortening the summer break, both from the UK and the US, and an extensive consultation period over 11 weeks between June and September last year. 4,800 responses were received and a democratic decision made, based on the evidence and consultation responses which showed that 58% of City

residents who responded to the survey were in favour of the change, a decision to make that change starting from August 2013.

We are currently in the last week of a 3 month consultation with the workforce about the effects of that change. Many school staff have contributed to this consultation and we will be collating and evaluating these responses in order to inform the way forward, following the close of the consultation on Friday. We are also listening to the views of parents and governors who have sent these in recently and we will bear these contributions in mind as well as we reflect on the results of the consultation with staff.

The Workplace Parking Levy (WPL) is a measure brought in this year as a way to pay for much needed improvement in public transport in order to continue combating congestion in our City. It will do so by providing funding for two new tram lines, the redevelopment of Nottingham railway station and by supporting the link bus services, as well as acting as an incentive for employers to manage, and potentially reduce, their workplace parking. The commitment to bringing in such a levy has been in the last 3 Labour manifestos, elections at which Labour increased the number of Labour Councillors elected on each occasion, and has been ratified by an Act of Parliament. Every workplace where there are 10 or more parking spaces has to pay WPL, apart from a few exempted businesses laid down by statute.

The City Council has agreed that staff working at local authority schools will be able to pay the workplace parking charge locality rate as a contribution to the WPL, which is set at a rate proportional to staff wages.

Neither of these measures are intended to make teachers leave jobs in the City. Changes such as these are made taking into account a range of factors, just as making a decision on the WPL was made considering a range of implications and alternatives. The decision to change the school holiday and term times has been made taking into account the views of staff – many of whom are against the change, the views of parents – the majority of whom were in favour of the change in our consultation last year and, most importantly, the needs of the City children, for many of whom a long summer holiday is not a positive experience.

Recent recruitment of teaching staff, since the decision to change has been made, has yielded very strong fields of candidates. We have had 29 candidates for a recent headship, above the national average for a

post of this nature, over 100 information packs sent out for 2 teaching posts at one school, eliciting 60 applications for the post, another 60 teacher applications were received for posts at another school.

Whilst we appreciate that for some City teachers who live and have children in schools in other authorities there will be childcare issues where none have existed before, these issues are those that working parents who don't work in schools face on a regular basis.

Teachers who work under the 5 term year have told us that it gives a much better work life balance with regular two week breaks and, whilst the opportunities to find positions that match experience and seniority in other nearby authorities will be limited, there is also no guarantee that holidays will remain the same in the schools that staff might choose to move to. According to a recent media report, one third of academy schools across the country are considering changing their terms and holiday patterns.

Nottingham remains a great place in which to live and work, support for Nottingham teachers is strong and there is retained support for newly qualified teachers brokered by the local authority, collective support for head teachers through the Secondary Heads Association and the newly formed Nottingham Learning Trust. Nottingham schools are well funded, with high levels of teaching assistant support on Nottingham classrooms and good levels of resources. Many staff who start their teaching career in the City remain here citing the quality of life and family feel of working in a small community as reasons for remaining.

Although we accept that change is often reluctantly received, and that for some staff the change will lead to changes in childcare arrangements, we still believe that, taking all of the factors into account, for the benefits to the City children, it is right to make this change.

### **St Ann's Valley Centre – provision of a pharmacy**

The following question was asked by Mr Richard Pearson to the Leader of the Council:

The new £15 million St Ann's Valley Centre contains the Primary Care Trust facility including GP practice and clinics, GP facilities and receptionists, that are all located on the upper first floor, which is accessed by a lift and stairs. However, the centre has no

pharmacy/chemist for patients to fill their prescriptions. The only chemist in use is on the Robin Hood Chase nearby and, as part of the regeneration of the land, this will be demolished in the summer of 2013, leaving patients having to travel over a mile to the nearest pharmacy. Are there any plans to provide a temporary chemist i.e. a portacabin on the Robin Hood Chase for the use of patients until a new chemist can be built nearby for users of the new centre?

Councillor Collins replied as follows:

Thank you, Sheriff.

The new St Ann's Valley Centre includes an area for retail provision located next to the front entrance. James Bray, Contracts Manager, Nottingham City Primary Care Trust has confirmed that "*it remains the intention of the NHS to have a pharmacy in the new Centre*" and that they are currently in ongoing negotiations about that provision at this particular time.

### **Wollaton Park children's playground facilities**

The following question was asked by Ms Sonia Bashforth to the Portfolio Holder for Leisure, Culture and Tourism:

Why, given the popularity of Wollaton Park with residents of Nottingham and tourists, are the children's playground facilities so poor and run down? When will the City Council make their refurbishment a priority? I note that this very same question was asked in October 2005 and despite many other playgrounds being refurbished and updated across Nottingham, there has been no improvement to the playground facilities at Wollaton Park, indeed they have declined further.

Councillor Trimble replied as follows:

Thank you Sheriff, and can I congratulate you on your appointment today.

Can I also thank Ms Bashforth for the question.

The Council, along with funders such as Heritage Lottery Fund and European Regional Development Fund, invested £9 million in Wollaton Hall about 5 years ago in a Phase 1 improvement programme, so



Wollaton Hall has had its share of investment, although I will agree it would have been desirable to do more, particularly on the playground.

Over the last few years we have seen a fantastic improvement in our parks and open spaces, with the transformation of over 40 playgrounds across the City. We have invested over £5 million in those 2 years, a lot of this funding was put in place by the last Labour government. We also used other external sources such as Veolia and WREN landfill tax, as well as the Lottery. City Council funds were used to kick-start and match fund these projects, to ensure that the City's money was used for maximum impact whenever possible.

I want to take this opportunity to thank the many Labour Councillors in the Chamber that prioritised parks and open spaces and playgrounds with their Area Capital, Councillor ward budgets and Section 106 finance to transform many of those playgrounds. For without that match funding we would have got nowhere near transforming 40 playgrounds across the City in just 2 years, but as soon as the coalition government came into existence they cut parks and playground funding immediately, not a very good coalition at that point, obviously.

In relation to Wollaton's playgrounds, I understand that the proposals to improve Wollaton Park play area were put forward but this was not pursued by the Conservative and Liberal Democrat Councillors on the Area Committee, so, had they wished, they could have addressed this 2005 question as much as other Labour Councillors have done right across the City.

In the Area Committee that covers Wollaton £147,000 was spent on Rushford Drive and Lenton Abbey playgrounds, in consultation with the Conservative and Liberal Democrat Councillors, that's where they chose to prioritise, but not a single penny of that came from Area Committee funds, all of that came from the centre. Contrast that with Clifton Councillors who set aside £200,000 and gained another £200,000 match funding, thereby taking their total playground spend to £400,000, showing a clear difference in priorities between Labour Councillors and opposition Councillors.

However, Sheriff we are aware that the current play offer at Wollaton Park is in need of investment. We are, therefore, starting a consultation process seeking to secure external funding for improvements to the play area hopefully during this financial year. If match funding can be found,

we would hope to secure up to £100,000 from landfill tax funders such as WREN and Veolia to help refurbish the playground at Wollaton.

### **Trams being built in Spain**

The following question was asked by Mr Steve Medcalf to the Portfolio Holder for Planning and Transportation:

Could somebody please explain why the new trams, required for the new lines to Clifton and Beeston, will be built in Spain? We have a train making company 15 miles away in Derby and this Council has decided to spend yet more money abroad. Secondly, how much will it cost to transport twenty or so trams from Spain to Nottingham, not only in terms of actual cost but in CO2 emissions too? It beggars belief that a Labour local government can, in these appalling fiscal times, again award work abroad when it could have been done locally at home.

Councillor Urquhart replied as follows:

Thank you, Sheriff and can I thank Mr Medcalf for his very good question and a question that I have been asked a number of times.

We would, of course, have been delighted to award the tram contract to include local tram manufacture. The trams for line one were assembled, of course, in Derby but regrettably, there are currently no companies manufacturing trams in the UK, and neither of the two consortia Arrow Connect or Tralink Nottingham, who bid for the contract for lines 2 and 3 of the tram, were in a position to offer to build new trams here. Indeed the Bombardier company, which, as Mr Medcalf says, has a train manufacturing base in Derby, now only builds trams on mainland Europe and the trams they are currently supplying for Manchester are being built in Vienna and those for Blackpool are being built in Bauzen in Germany. They make trains in Derby but they do not make or assemble trams there anymore. So no, this Council did not choose building abroad against building at home, sadly, the choice to build in the UK was not open to us as neither bidder was offering to do so and, so, yes, they will have to be transported across land from Spain but, as there was not a locally made alternative, comparative CO2 equations do become somewhat academic. The trams, when they come, will, of course, be serviced here in Nottingham and that will be one of the ways that the expanded tram network will be creating employment and jobs locally.

The £570 million investment in lines 2 and 3 of the tram and the £67 million currently being spent transforming Nottingham railway station is all about bringing economic prosperity to the people of Nottingham. Local people have already been employed on the construction of these projects and local companies have already won over £11 million worth of construction contracts for lines 2 and 3 of the tram and there is much more to come.

Once the 2 new tram lines are built and operational, the Centre for Business and Economic Research has estimated that the impact of lines 2 and 3 of the tram will stimulate the local economy to generate long term employment growth of up to 8,000 jobs and could boost the local economy by around £390 million per year. So whilst the trams themselves won't be built in the UK, building 2 more lines of the tram and having that economic drive for our local economy is clearly a positive thing that we, as a Labour local council, are doing in these difficult times to stimulate our local economy, and to improve our economic credentials long into the future.

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

Councillor Parton submitted a petition on behalf of 3259 signatories requesting that the Council reverse its decision to include green sites in Wollaton in its proposed locations for development as part of the Land and Planning Policies Development Plan.

Councillor Liversidge submitted a petition on behalf of 476 signatories opposing the closure of the Westminster Abbey Public House on St Ann's Wells Road and development of the site.

## **6 MINUTES**

**RESOLVED** that the minutes of the meeting held on 5 March 2012, copies of which had been circulated, be confirmed and signed by the Sheriff.

## **7 OFFICIAL COMMUNICATIONS**

The Acting Chief Executive reported the following communications:

## **Quality Mark for From Care to Work**

On 5 April the Children in Care Team were awarded the From Care to Work Quality Mark Award for improving the employability outcomes for young people leaving care.

From Care to Work is a national project managed by Catch22's National Care Advisory Service which aims to improve employability outcomes for young people leaving care, by creating employability opportunities with national employers and sharing good practice between local authorities.

The Quality Mark recognises those local authorities who demonstrate a commitment to improving employability and helping care leavers into the world of work.

## **Awards for work to help blind and partially sighted bus passengers**

Ground-breaking work by Nottingham City Council to help blind and partially sighted people to use buses more easily has been recognised by the award of five Travel Exemplars from the Royal National Institute of Blind People (RNIB).

The Council received three awards for tactile buttons at bus stops, clear and uncluttered bus stop signs, and a transport guide in Braille, large print and audio. The other two awards were for the way the Council worked with the RNIB and Nottinghamshire Royal Society for the Blind, including shadowing exercises with volunteers, and for the Mobility Citycard which provides free travel for everyone who qualifies.

## **Wedgwood International Seminar**

Pamela Wood, Collections Access Officer for Fine and Decorative Art, was invited to give a lecture at the Wedgwood International Seminar which took place in San Antonio, USA at the end of April. She was invited in recognition of Nottingham's important collection of Wedgwood and her particular knowledge and expertise in this area, joining a programme of prestigious international speakers.

## **Music Service**

On 4 May the Arts Council of England awarded the Music Education Hub for Nottingham to the Nottingham City Council Music Service in Young People, Learning and Skills.

This is a three year contract worth almost £1 million to continue the City's national reputation for ensuring access for all children to make music.

The Music Education Hub will develop a broad partnership of schools, young people, providers and participants in the world of music and education in the City.

At the same time, the Music Service has been successful in two further competitive bids for funding from Youth Music. This is a further £180,000 over two years, specifically to focus on two programmes: the continuation of the innovative Music Camp designed to offer an intensive experience to encourage children to continue playing their instruments; and development of an even wider inclusion programme creating broader access to music making in alternative educational settings.

## **Sir John Peace**

Sir John Peace, who is a former High Sheriff of Nottinghamshire, will succeed Sir Andrew Buchanan as the Queen's new Lord Lieutenant for Nottinghamshire, when he retires on 21 July.

The Lord Lieutenant is considered to be the Queen's representative for a county and is responsible for arranging royal visits, presenting medals on behalf of the sovereign and participating in civic and voluntary events.

Sir John Peace has worked as Chairman of Standard Chartered plc, Burberry plc and is founder and Chairman of Experian, as well as being a trustee of the Djanogly City Academy since 1999.

## **Get Nottingham Trending Day**

May 29 has been designated 'Get Nottingham Trending Day', when it is planned to take Nottingham into the top ten subjects being discussed on the Twitter social media website.

Plans in place so far include:

- free training to get people on Twitter;
- 'Tweet' HQ during the day at Antenna;
- an evening after party;
- recorded announcements on Nottingham City Transport buses;
- a banner campaign around the City;
- coverage in the Nottingham Post and local BBC;
- a dedicated website [www.getnottinghamtrending.co.uk](http://www.getnottinghamtrending.co.uk)

We plan to Tweet to the world how proud we are of our great City.

## **Stephen Byrne**

Stephen Byrne, former City Planning Officer, sadly passed away on 13 April aged 89.

Mr Byrne oversaw the creation of Castle Marina, and the restoration of the Beeston Canal, the development of Colwick Park and Turneys Quay, a former leather works that became apartments and homes.

Mr Byrne left the City Council in 1986 at the age of 63 to take up a position in Whitehall, serving as Chief Planning Adviser for the Department of the Environment. In this position, Mr Byrne worked in planning research and was on hand to advise ministers in policy discussions.

Following this appointment, he then worked for the Planning Inspectorate between 1988 and 1990 before retiring. In recognition of his public service he was awarded the OBE.

A tribute from Michael Hammond, former Chief Executive and Town Clerk, was read:

“Stephen Byrne came to Nottingham as City Planning Officer shortly after local government reorganisation in 1974. The City had lost its county borough status and morale was shaken by the upheaval and radical consequences this entailed.

For the City Council to perform at the required high standard a more corporate style was demanded of Chief Officers through the Management Team. Stephen Byrne was one of those who threw himself whole heartedly into adopting this corporate approach.

He did this in addition to being a Planner with a national reputation who served the City Council with great distinction over the succeeding years. He was at his best as a thinker of imaginative ideas and was fortunate to surround himself with staff adept at skilful execution. They were together a formidable team under his leadership which provided City Councillors with wise advice and practical means of implementation. He was also without a doubt the most elegantly dressed officer by a mile.

For me he was a loyal colleague whom I know I could always rely on and he became a close personal friend. I hope the Council will recognise today that they owe a great deal to a most distinguished officer and servant of the people of this City.”

The Council stood in silent tribute to his memory.

## **8 PROPOSED AMENDMENTS TO THE CONSTITUTION AND FINANCIAL REGULATIONS**

The report of the Leader, as set out on pages 31 to 35 of the agenda, and the appendices which had been circulated separately, were submitted.

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

- (1) the changes (as detailed below and shown on the plan attached to the report at Appendix 4) to Area Committee boundaries, and consequent reduction from ten Area Committees to nine (including the City Centre), be approved;**
- (2) in support of the changes and closer partnership working, the establishment of North, South and City Centre Locality Boards be noted:**

<b>Area One</b>	<b>Bulwell and Bulwell Forest</b>	<b>North Locality</b>
<b>Area Two</b>	<b>Basford and Bestwood</b>	<b>North Locality</b>
<b>Area Three (known as West Area)</b>	<b>Aspley, Bilborough and Leen Valley</b>	<b>North Locality</b>
<b>Area Four</b>	<b>Arboretum, Dunkirk and Lenton, Radford and Park</b>	<b>Central Locality</b>

<b>Area Five</b>	<b>Berridge and Sherwood</b>	<b>Central Locality</b>
<b>Area Six</b>	<b>Mapperley and St Anns and Dales</b>	<b>South Locality</b>
<b>Area Seven</b>	<b>Wollaton West and Wollaton East and Lenton Abbey</b>	<b>Central Locality</b>
<b>Area Eight</b>	<b>Bridge, Clifton North and Clifton South</b>	<b>South Locality</b>
<b>City Centre</b>	<b>(covering those parts of Areas 4, 6 and 8 that fall within the City Centre area</b>	<b>Central Locality</b>

- (3) the revisions to the Constitution, as set out in appendices 1 and 2, be adopted with immediate effect, noting that amendments to executive matters were within the authority remit of the Leader of the Council, but that they were presented to full Council for noting.

## **9 EXECUTIVE APPOINTMENTS, REMITS AND FIRST MEETINGS – 2012-2013**

The report of the Leader, as set out on pages 36 to 37 of the agenda, the appendices which had been circulated separately, and the addendum which was circulated at the meeting, were submitted.

**RESOLVED** that, on the motion of Councillor Collins, seconded by Councillor Chapman, the following be noted:

- (1) the appointments of Councillors as Portfolio Holders and Executive Assistants, as detailed in Appendix 1 and the addendum to the report;
- (2) the remits of Portfolio Holders and Executive Assistants, as detailed in Appendix 2 to the report;
- (3) the membership, terms of reference and first meeting date of the Executive Board and Executive Board Commissioning Sub Committee, as detailed in Appendix 3 and the addendum to the report.



## **10 APPOINTMENTS AND FIRST MEETINGS OF BOARDS, COMMITTEES AND JOINT BODIES, ETC 2012-2013**

The report of the Leader, as set out on pages 38 to 40 of the agenda, the appendices which had been circulated separately, and the addendum which was circulated at the meeting, were submitted.

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

- (1) the membership, terms of reference and first meeting dates of other Council bodies, as set out in Appendix 1 and the addendum to the report, be agreed;**
- (2) the City Council membership of joint bodies, dates of first meeting and terms of reference, as set out in Appendix 2 and the addendum to the report, be agreed;**
- (3) substitutes, where applicable, as set out in the addendum to the report, be agreed.**

## **11 DECISIONS TAKEN UNDER THE URGENCY PROCEDURE**

The report of the Leader, as set out on pages 41 to 43 of the agenda, was submitted.

**RESOLVED** that, on the motion of Councillor Collins, seconded by Councillor Chapman, the urgent decisions taken, as detailed in Appendix 1 to the report, be noted.

## **12 DATES OF FUTURE MEETINGS**

**RESOLVED** that meetings of the Council be held at 2.00 pm on the following dates, unless the City Council should at any time otherwise order:

<b><u>2012</u></b>	<b><u>2013</u></b>
<b>11 June</b>	<b>11 February</b>
<b>9 July</b>	<b>4 March</b>
<b>10 September</b>	<b>8 April</b>
<b>15 October</b>	<b>13 May</b>

10 December

**13 ACCEPTANCE OF DELEGATION FROM LEICESTER CITY COUNCIL IN RESPECT OF BUS LANE ENFORCEMENT FUNCTIONS**

The report of the Portfolio Holder for Area Working, Cleansing and Community Safety, as set out on pages 44 to 47 of the agenda, was submitted.

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

- (1) Nottingham City Council formally accepted the delegation given by Leicester City Council by its City Mayor on 22 March 2012 and as detailed in exempt Appendix 1;**
- (2) the Portfolio Holder's Delegated Decision (reference 0067), detailed in exempt Appendix 2, in respect of the partnering agreement entered into between the two authorities, be noted.**

**14 EXCLUSION OF THE PUBLIC**

**RESOLVED that the public be excluded during consideration of the remaining item in accordance with section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

**15 ACCEPTANCE OF DELEGATION FROM LEICESTER CITY COUNCIL IN RESPECT OF BUS LANE ENFORCEMENT FUNCTIONS – EXEMPT APPENDICES**

**RESOLVED that the exempt appendices be noted.**

The meeting concluded at 3.30 pm

**MEMBERSHIPS, ETC****AMENDMENT TO PORTFOLIO HOLDER TITLE**

Change Councillor Liversidge's Portfolio Holder title from Housing, Regeneration and the Community Sector to Adults, Housing and the Community Sector.

**EXECUTIVE BOARD COMMISSIONING SUB-COMMITTEE (5)****Membership (no substitutes allowed)**

Councillor Jon Collins  
Councillor Dave Liversidge  
(Chair)  
Councillor Alex Norris  
Councillor David Mellen  
Councillor Dave Trimble

**Executive Board**

The City Council operates a Strong Leader and Cabinet form of governance as set out in the provisions of the Local Government Act 2000 (as amended).

The Executive Board has responsibility, delegated by the Leader, for the Council's functions which are not the responsibility of any other part of the Council, whether by law or under the constitution.

Accordingly the role of the Executive Board is to:

- (a) take key decisions;
- (b) require the development of plans and strategies for approval by full Council that form the Policy Framework, with the exception of the Licensing Policy, due to it being a non-executive function;
- (c) take all other decisions that are not delegated to a specific committee or individual within the Scheme of Delegation **or any that have been reserved by the Leader;**

- (d) to respond to reports or recommendations received from the Overview and Scrutiny Panels within two months of receipt and to publish the response if the report or recommendation has been published, excepting when reports or recommendations have been received by individual members of the Executive, in which case the responsibility to respond and publish lies with that individual.

The Executive Board normally meets once per month at times agreed by the Leader.

The Executive Board's membership comprises the Leader of the Council, the Deputy Leader and up to eight other City Councillors. Political balance rules do not apply and the Board is currently a single party Executive.

### **Executive Board Commissioning Sub-Committee**

- (a) To review the implementation of the Commissioning Framework across the City Council and One Nottingham;
- (b) to evaluate the impact and success of the City Council and One Nottingham Commissioning Framework;
- (c) to approve procurement plans which have been identified for review in the annual work programme approved by the Sub-Committee, noting that the inclusion of a procurement plan within the annual work programme removes the individual delegated authority to approve the plan from the relevant Portfolio Holder, making it a decisions that may only be taken by the Executive Board, its Sub-Committee, or the Leader;
- (d) to approve commissioning and de-commissioning and third sector grant aid proposals above £25,000 (including decisions that have been identified in the Executive Forward Plan of Key Decisions in accordance with regulations<sup>1</sup>) subject to them being identified for review in the annual work programme approved by the Sub-Committee, but noting that there may be exceptional circumstances when urgent decisions are required to be taken that will not have been included in the work programme);
- (e) to review, by exception, outcomes achieved and delivery against the Nottingham Commissioning Framework's Guiding Principles of

commissioning and de-commissioning and third sector grant aid proposals above £50,000;

- (f) to receive reports on urgent commissioning decisions taken by the Leader or relevant Portfolio Holder;
- (g) to approve the Framework for Grant Aid and the Voluntary Sector Investment Programme;
- (h) to co-opt two non-voting members to represent the Voluntary Sector, namely Nottingham Council for Voluntary Services and Nottingham Equal;
- (i) to co-opt the Chair of the Health and Wellbeing Board as a non-voting member.

The Sub-Committee is accountable to the Executive Board and minutes of the Sub-Committee are to be reported to the Executive Board.

The Sub-Committee meets monthly and the membership comprises of the Leader of the Council, those Portfolio Holders whose remits include commissioning which falls within the Corporate Commissioning Framework and two co-opted members (non-voting) from Nottingham Council for Voluntary Services and Nottingham Equal.

The quorum for this Committee has been fixed at 2.

<sup>1</sup>S.13 Local Authorities (Executive Arrangements) (Access to Information) England Regulations 2000

### **CORPORATE PARENTING BOARD (9) (7:2)**

#### **Labour Group**

Councillor E Dewinton  
Councillor E Campbell  
Councillor G Jenkins  
Councillor G Klein  
Councillor C McCulloch  
Councillor D Mellen  
Councillor J Morris

#### **Conservative Group**

Councillor G Culley  
Councillor E Morley  
  
Substitutes -  
Councillor S Parton  
Councillor T Spencer  
Councillor R Steel

Substitutes -

Councillor L Ali  
Councillor M Ibrahim  
Councillor D Liversidge  
Councillor T Molife  
Councillor A Norris  
Councillor J Urquhart

### **AUDIT COMMITTEE (9) (7:2)**

#### **Labour Group**

Councillor M Aslam  
Councillor S Fox  
Councillor J Hartshorne  
Councillor N Heaton  
Councillor T Molife  
Councillor S Piper  
Councillor K Williams (Chair)

#### **Conservative Group**

Councillor S Parton  
Councillor R Steel  
  
Substitutes -  
Councillor G Culley  
Councillor E Morley  
Councillor T Spencer

Substitutes -

Councillor A Ball  
Councillor M Bryan  
Councillor E Dewinton  
Councillor C Gibson  
Councillor C Jones  
Councillor M Saghir

### **TRUSTS AND CHARITIES COMMITTEE (9) (7:2)**

#### **Labour Group**

Councillor L Ali  
Councillor J Hartshorne  
(Chair)  
Councillor J Morris  
Councillor S Williams  
Councillor C Jones  
Councillor K Williams  
Councillor T Molife

#### **Conservative Group**

Councillor T Spencer  
Councillor R Steel  
  
Substitutes -  
Councillor G Culley  
Councillor E Morley  
Councillor S Parton

Substitutes -

Councillor M Aslam  
Councillor A Norris  
Councillor E Dewinton

Councillor M Ibrahim  
Councillor G Jenkins  
Councillor D Mellen

**DEVELOPMENT CONTROL COMMITTEE (15) (13:2)**

**Labour Group**

Councillor L Ali  
Councillor C Arnold  
Councillor G Chapman  
Councillor A Choudhry  
Councillor A Clark  
Councillor E Dewinton  
Councillor C Gibson (Chair)  
Councillor G Khan  
Councillor M Edwards  
Councillor G Klein  
Councillor S Longford  
Councillor I Malcolm  
Councillor M Wood

Substitutes -

Councillor M Aslam  
Councillor T Neal  
Councillor J Urquhart  
Councillor M Watson  
Councillor G Jenkins  
Councillor R Healy

**Conservative Group**

Councillor E Morley  
Councillor R Steel  
  
Substitutes -  
Councillor G Culley  
Councillor S Parton  
Councillor T Spencer

**LICENSING COMMITTEE (15) (13:2)**

**Labour Group**

Councillor L Ali  
Councillor D Cresswell  
Councillor B Grocock (Chair)  
Councillor M Ibrahim  
Councillor G Jenkins  
Councillor G Khan  
Councillor D Smith  
Councillor M Saghir  
Councillor M Wildgust

**Conservative Group**

Councillor S Parton  
Councillor R Steel  
  
Substitutes -  
Councillor G Culley  
Councillor E Morley  
Councillor T Spencer

Councillor A Choudhry  
Councillor J Morris  
Councillor B Ottewell  
Vacancy

Substitutes -  
Councillor A Norris  
Councillor S Williams  
Councillor C McCulloch  
Councillor T Neal  
Councillor R Healy  
Vacancy

### **REGULATORY AND APPEALS COMMITTEE (13) (11:2)**

#### **Labour Group**

Councillor L Ali  
Councillor D Cresswell  
Councillor B Grocock (Chair)  
Councillor M Ibrahim  
Councillor G Jenkins  
Councillor G Khan  
Councillor T Molife  
Councillor M Saghir  
Councillor D Smith  
Councillor M Wildgust  
Councillor A Choudhry

Substitutes -  
Councillor C McCulloch  
Councillor N McDonald  
Councillor J Morris  
Councillor A Norris  
Councillor S Williams  
Vacancy

#### **Conservative Group**

Councillor S Parton  
Councillor T Spencer

Substitutes -  
Councillor G Culley  
Councillor E Morley  
Councillor R Steel

### **APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE (11) (9:2)**

#### **Labour Group**

Councillor M Bryan

#### **Conservative Group**

Councillor G Culley



Councillor E Campbell  
Councillor G Chapman  
Councillor A Clark  
Councillor J Collins  
Councillor N McDonald  
Councillor D Mellen  
Councillor T Neal (Chair)  
Councillor A Norris

Councillor E Morley

Substitutes -  
Councillor S Parton  
Councillor T Spencer  
Councillor R Steel

Substitutes -  
Councillor A Ball  
Councillor D Cresswell  
Councillor D Liversidge  
Councillor D Trimble  
Councillor J Urquhart  
Councillor G Khan

### **STANDARDS COMMITTEE (6) (5:1) plus 4 independent Members**

#### **Labour Group**

Councillor C McCulloch  
Councillor T Neal  
(Spokesperson)  
Councillor J Urquhart  
Councillor C Jones  
Vacancy

#### **Conservative Group**

Councillor G Culley

### **CITY CENTRE AREA COMMITTEE (7) (5:2)**

#### **Labour Group**

Councillor J Collins  
Councillor N McDonald  
Councillor D Mellen  
Councillor S Williams  
Councillor M Edwards (Chair)

Substitutes -  
Councillor T Neal  
Councillor A Norris  
Councillor M Ibrahim  
Councillor G Jenkins  
Vacancy

#### **Conservative Group**

Councillor E Morley  
Councillor S Parton

Substitutes -  
Councillor G Culley  
Councillor T Spencer  
Councillor R Steel

Vacancy

## **OVERVIEW AND SCRUTINY COMMITTEE (14) (12:2)**

Plus 2 Independent Members to be appointed by the Overview and Scrutiny Committee.

### **Labour Group**

Councillor E Dewinton  
Councillor R Healy  
Councillor G Jenkins  
Councillor G Khan  
Councillor G Klein  
Councillor T Molife  
Councillor M Watson  
Councillor B Parbutt (Chair)  
Councillor S Williams  
Councillor A Choudhry  
Councillor J Hartshorne  
Councillor M Bryan

Substitutes -

Councillor T Neal  
Councillor S Fox  
Councillor I Malcolm  
Councillor J Morris  
Vacancy  
Vacancy

### **Conservative Group**

Councillor G Culley  
Councillor S Parton  
  
Substitutes -  
Councillor E Morley  
Councillor T Spencer  
Councillor R Steel

## **JOINT COMMITTEE FOR APPOINTMENTS TO THE POLICE AUTHORITY (3) (3:0)**

### **City Membership**

#### **Labour Group**

Councillor J Collins  
Councillor I Malcolm  
Councillor C McCulloch

Nominations to the Joint Committee for Appointments to the Police Authority are only until November 2012.

**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY (6) (5:1)**

**City Membership**

**Labour Group**

Councillor D Smith  
Councillor J Collins  
Councillor B Grocock  
Councillor M Wood  
Councillor A Norris

**Conservative Group**

Councillor T Spencer

**JOINT CITY AND COUNTY HEALTH SCRUTINY COMMITTEE (8) (7:1)**

**City Membership**

**Labour Group**

Councillor M Aslam  
Councillor G Klein  
Councillor E Dewinton  
Councillor E Campbell  
Councillor C Jones  
Councillor A Choudhry  
Councillor T Molife

**Conservative Group**

Councillor T Spencer

**HEALTH AND WELLBEING BOARD (4) (4:0)**

**City Membership**

**Labour Group**

Councillor N Heaton  
Councillor J Collins  
Councillor D Liversidge  
Councillor D Mellen

**JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT (4) (4:0)**

**City Membership**

**Labour Group**

Councillor A Clark  
Councillor T Neal  
Councillor I Malcolm  
Councillor J Urquhart

**GREATER NOTTINGHAM LIGHT RAPID TRANSIT ADVISORY COMMITTEE (5) (5:0)**

**City Membership**

**Labour Group**

Councillor T Neal  
Councillor J Hartshorne  
Councillor A Norris  
Councillor S Piper  
Councillor D Trimble

Substitutes -

Councillor S Fox  
Councillor I Malcolm  
Councillor R Healy  
Councillor T Molife  
Vacancy  
Vacancy

**EAST MIDLANDS SHARED SERVICES JOINT COMMITTEE (2) (2:0)**

**City Membership**

**Labour Group**

Councillor G Chapman  
Councillor A Clark

**Overview and Scrutiny Committee**

- (a) To set, manage and co-ordinate the overview and scrutiny work programme to ensure all statutory roles and responsibilities accorded to the overview and scrutiny function are fulfilled, including the ability to:
- i. hold local decision-makers, including the Council's Executive, to account for their decisions, action and performance;
  - ii. review policy and contribute to the development of new policy

- and the strategy of the Council and other local decision-makers where it impacts on Nottingham residents;
- iii. explore any matters affecting Nottingham and/ or its residents;
  - iv. make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive;
- (b) to maintain an overview of key strategic issues relevant to Nottingham and its residents to inform decisions about the work programme so that it is focused on, and adds value by the examination of, issues of local importance and concern;
  - (c) to commission time-limited review panels (no more than 3 major reviews at any one time) to carry out an individual review in accordance with the overview and scrutiny work programme. This commissioning includes setting the remit, initial timescale, size of membership and chair of the panel to meet the needs of the review being undertaken;
  - (d) to monitor the effectiveness of the overview and scrutiny work programme and the impact of outcomes from overview and scrutiny activity, including the outcomes of review panels;
  - (e) to establish a sub-committee known as the Health Scrutiny Panel, to fulfil the statutory health scrutiny function, scrutinise the arrangements for the commissioning and delivery of local health services, and consider any matters referred to it by the Overview and Scrutiny Committee to support effective delivery of the overview and scrutiny work programme;
  - (f) to establish a sub-committee known as the Call-In Panel to meet as required to consider call-in requests in accordance with the Council's Call-In Procedure;
  - (g) to consider requests for councillor calls for action;
  - (h) to receive petitions in accordance with the Council's Petitions Scheme;
  - (i) to commission separate policy briefings to inform councillors about current key issues relevant to Nottingham, to aid decisions about the future overview and scrutiny work programme and prepare

councillors to undertake overview and scrutiny work that has already been commissioned;

- (j) to co-opt people from outside the Council to sit on any of the overview and scrutiny bodies as relevant to support effective delivery of the overview and scrutiny work programme;
- (k) to establish a pool of no more than 5 scrutiny chairs (the membership of which will include the Chair of the Overview and Scrutiny Committee and the Chair of the Health Scrutiny Panel) who will chair scrutiny review panels and / or the Call-in Panel as required by the Overview and Scrutiny Committee.

Membership will include two individuals co-opted (with voting rights) from outside the Council. Membership must not include members of the Executive Board. The allocation of seats on the Committee between political groups will be determined on a year by year basis.

The Committee has a number of established sub-committees:

- Call-in Panel;
- Health Scrutiny Panel
- Scrutiny Review Panels which are assigned specific time-limited reviews (number appointed by the Overview and Scrutiny Committee dependent on available resources).

### **Appointments and Conditions of Service Committee**

- (a) To undertake the appointment process (long listing, short listing and formal interviews) (or to appoint a politically balanced panel to undertake long listing and, short listing) in respect of the Chief Executive, Deputy Chief Executive and Corporate Directors, subject to having ascertained the views of the Executive Board in accordance with Standing Orders, to make recommendations to Council;
- (b) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- (c) to designate proper officers;
- (d) to designate officers as Head of Paid Service, Section 151 Officer

and as Monitoring Officer and to ensure the provision of sufficient staff and other resources;

- (e) to exercise any other personnel functions which cannot be the responsibility of the Executive;
- (f) to receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and the Senior Leadership Management Group (SLMG) leaving the employment of the Council where those terms included compensation;
- (g) determines redundancies, ill health retirements, flexible retirements and terminations of employment by mutual agreement on grounds of business efficiency, under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors subject in the event of a proposed dismissal to relevant notification to the proper officer, and the Executive and relevant consultation with nominated elected members and relevant approval as specified in the Officer Employment Procedure Rules (Part 4);
- (h) determines flexible retirements and terminations of employment by mutual agreement on the grounds of business efficiency, terminations of employment under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for any employee who is part of the Senior Leadership Management Group below the level of Director. The Committee also determines terminations of employment by mutual agreement, and following consultation with the appropriate Portfolio Holder(s), on the grounds of business efficiency under the DCR for employees where any proposed compensation payment is in excess of £30,000;

- (i) to appoint an independent person to investigate matters of misconduct and capability involving the Head of Paid Service, Section 151 Officer and Monitoring Officer;
- (j) to approve any proposals for significant restructuring of the Council's management structure;
- (j) to approve any proposals from the Chief Executive for changes to salary levels (including ranges of salaries) for Corporate Directors and the Deputy Chief Executive.

**NB - "Significant restructuring"**

- (i) the transfer of a significant function between Council departments, or to an external body, or
- (ii) the addition or deletion of a Corporate Director or Director post to or from a department.

The Committee is accountable to Council, has 10 members (politically balanced (one place is reserved for the relevant Portfolio Holder (or their substitute) in relation to matters in respect of the appointment process for the Chief Executive and Corporate Director and the dismissal process for the Chief Executive)), and usually has 5 meetings per annum.

**Area Committees**

Area Committees, including the City Centre Area Committee, can exercise both executive and non-executive functions delegated to them by the Executive and Full Council accordingly. The terms of reference of Areas 1 to 9 are set out below and the terms of reference of the City Centre Area Committee then follow.

- (a) To approve, ensure the delivery of and monitor ward action plans and other relevant area plans;
- (b) to lead and co-ordinate regeneration and renewal activity at an area level;
- (c) to undertake and co-ordinate consultation within their areas;
- (d) within budgetary limits, to be empowered to undertake any measures to achieve the following objectives:



- (i) the promotion or improvement of the economic wellbeing of their area;
  - (ii) the promotion of improvement or improvement of the social wellbeing of their area;
  - (iii) the promotion or improvement of the environmental wellbeing of their area;
- (e) to agree priorities, work programmes, and variations in performance standards, including through Transforming Neighbourhoods processes, for services such as, but not limited to:
- (i) footpath replacement;
  - (ii) street lighting;
  - (iii) patch maintenance;
  - (iv) grounds maintenance on community parks and playgrounds (excluding heritage sites and Bulwell Hall and Bulwell Forest Golf Courses);
- (f) in respect of services in the local area, and if urgent, via a panel of the Chair, Vice-Chair, an opposition Councillor (if there is one) and a community representative, to approve:
- (i) housing environmental improvements;
  - (ii) highway environmental improvements of a local nature;
  - (iii) minor traffic schemes, diversions and closures under highways and road traffic legislation, of a local nature;
  - (iv) applications for footpath closures on grounds of amenity or development;
  - (v) requests for the making, variation or revocation of gating orders;

and to be consulted on proposals for the following services in relation to the local area:

- (vi) strategic planning applications;
  - (vii) schools re-organisation;
  - (viii) detailed proposals for landscaping, open space provisions, park equipment provision and other local enhancements relating to agreements under Section 106 of the Town and Country Planning Act 1990 and section 278 of the Highways Act 1980;
- (g) to be part of the process for monitoring and scrutinising the performance of local services (provided by the Council and other

bodies) and provide feedback and recommendations on their effectiveness to the Executive Board and the Overview and Scrutiny, to include:

- (i) refuse collection;
  - (ii) housing – void properties;
  - (iii) community safety;
  - (iv) voluntary sector grants – a half yearly report;
- (h) to contribute to Best Value Reviews;
- (i) to advise the Executive Board and the Overview and Scrutiny Committee on local needs and priorities and on the impact of Council policy on their areas;
- (j) to input local needs and priorities, identified through area working, to the preparation of corporate budgets, policies and strategies;
- (k) to prepare, implement and review local projects in consultation with local communities and secure funding from appropriate sources;
- (l) to build partnerships between other public, private, voluntary and community organisations, local residents' and tenants' associations;
- (m) to suggest and/or approve proposals of local significance to rationalise the City Council's operational property holdings and to be consulted on any proposals to dispose of operational property holdings in their area of more than local significance; a proportion of capital receipts to be retained in accordance with a scheme to be determined by the Executive Board;
- (n) to allocate grants in amounts not exceeding £25,000 to community or voluntary organisations for the purposes of benefit to the area covered by the Committee, within a framework to be approved and reviewed from time to time by the Executive Board;
- (o) to make appointments to outside bodies (where the body relates to the area concerned) as specified by the Executive Board;
- (p) to approve any further matters delegated from time to time by Council or the Executive Board.

Area Committees are accountable to Council and the Executive Board and there are usually 6 meetings per annum for each Area Committee.

Membership comprises, for each Area Committee, the Councillors who represent the wards within the area of that Committee. Substitutes are not permitted.

By provisions contained in regulation 16A of the Local Government (Committees and Political Groups) Regulations 1990, Area Committees need not reflect the political balance of the Council as a whole where the Councillors on those committees were elected for wards wholly or partly within the area concerned. A Councillor on the Executive Board may serve on the Area Committee appropriate to their ward. Co-options to the committees may be made.

Where there is an equality of party representation on an Area Committee, the Chair is appointed by Council, Area Committees themselves appointing the Chair in all other circumstances.

**The terms of reference of the City Centre Area committee are as follows:**

#### **City Centre Area Committee**

- (a) To oversee the provision of services within the City centre, the geographical remit of which is to be defined as that used for corporate planning purposes;
- (b) to make arrangements to consult with interested parties on matters of concern and interest that impact on the City Centre;
- (c) to lead and co-ordinate regeneration and renewal activity at an area level;
- (d) to identify the operational needs and priorities of the commercial sector, local residents and other interested parties with regard to the City Centre and bring these to the attention of service providers;
- (e) to approve, ensure the delivery and co-ordination of the Council's relevant plans and to provide direction and scrutiny for specific area management operations;

- (f) to appoint tasks groups, as necessary, to facilitate the operation of the Committee;
- (g) to consider those crime and anti-social behaviour issues which need to be co-ordinated and addressed on a City Centre basis which are not being dealt with through other processes;
- (h) within budgetary limits, to be empowered to undertake any measures to achieve the following objectives:
  - (i) the promotion or improvement of the environmental wellbeing of the area;
  - (ii) the promotion or improvement of the social wellbeing of the area;
  - (iii) the promotion or improvement of the economic wellbeing of the area;
- (i) to agree priorities, work programmes, and variations in performance standards, including through Transforming Neighbourhoods processes, for services such as, but not limited to:
  - (i) footpath replacement;
  - (ii) street lighting;
  - (iii) patch maintenance;
  - (iv) grounds maintenance on community parks and playgrounds (excluding heritage sites and Bulwell Hall and Bulwell Forest Golf Courses);
- (j) in respect of services in the local area, and if urgent, via a panel of the Chair, Vice- Chair, and opposition Councillor, to approve:
  - (i) housing environmental improvements;
  - (ii) highway environmental improvements of a local nature;
  - (iii) minor traffic schemes, diversions and closures under highways, road traffic legislation and traffic regulation orders;
  - (iv) applications for footpath closures on grounds of amenity or development;
  - (v) requests for the making, variation or revocation of gating orders;

and to be consulted on proposals for the following services in relation to the local area:

- (vi) strategic planning applications;
- (vii) schools re-organisation;

- (viii) detailed proposals for landscaping, open space provisions, park equipment provision and other local enhancements relating to agreements under Section 106 of the Town and Country Planning Act 1990 and section 278 of the Highways Act 1980;
- (k) to be part of the process for monitoring and scrutinising the performance of local services (provided by the Council and other bodies) and provide feedback and recommendations on their effectiveness to the Executive Board and Overview and Scrutiny, to include refuse collection, housing (void properties), community safety and voluntary sector grants – a half yearly report;
- (l) to advise the Executive Board and the Overview and Scrutiny Committee on local needs and priorities and on the impact of Council policy on the area;
- (m) to input local needs and priorities identified through area working, to the preparation of corporate budgets, policies and strategies;
- (n) to prepare, implement and review local projects in consultation with local communities and secure funding from appropriate sources;
- (o) to build partnerships between other public, private, voluntary and community organisations, local residents' and tenants' associations;
- (p) to suggest and/or approve proposals of significance to rationalise the City Council's operational property holdings and to be consulted on any proposals to dispose of operational property holdings in their area or significance; a proportion of capital receipts to be retained in accordance with a scheme to be determined by the Executive Board;
- (q) to make appointments to outside bodies (where the body relates to the area concerned) as specified by the Executive Board;
- (r) to approve any matters delegated from time to time by Council or the Executive Board;

- (s) to be responsible for the operational management of the Old Market Square and other public open spaces in the City Centre;
- (t) to approve the City Centre events programme;
- (u) agree the markets and fairs trading regime and the street trading regime for the City Centre other than in relation to the designation of streets and determination of applications which shall remain the responsibility of the Regulatory and Appeals Committee.

The Committee is accountable to Council and usually has 6 meetings per annum.

The membership comprises one Councillor from Area Committees four, six and eight and 3 additional Councillors from across the City (subject to ensuring political balance is achieved on the Committee).

In order to provide executive support to the Committee and to ensure the co-ordination of operational officers, officer representation at meetings will include the following (or a representative if for any reason the named Officer is unable to attend):

- (i) Director of Sustainable Development;
- (ii) Director of Environmental Services;
- (iii) Director of Neighbourhoods and Communities;
- (iv) Chief Executive of the Crime and Drugs Partnership.

A range of operational officers from across and beyond the Council will co-ordinate their activity and report to the Committee. This is to be supported by a small group of executive officers liaising with the Chair of the Committee.

The service areas that will report to the Committee are as follows:

- (i) City Centre Management;
- (ii) City Services;
- (iii) Neighbourhood Management;
- (iv) Highways;
- (v) Traffic Management;
- (vi) Crime and Drugs Partnership.
- (vii) Markets and Fairs

## Licensing Committee

To undertake those functions of the Licensing Authority prescribed by the Licensing Act 2003 and the Gambling Act 2005, including the power to prescribe fees under section 212 of the Gambling Act 2005.

The Committee is accountable to Council (as Licensing Authority), has between 10 and 15 members (not politically balanced) and meets as and when required.

The Licensing Committee has established a Special Licensing Panel (to consider complex or contentious licensing applications and reviews of licences) and a number of “ordinary” Licensing Panels to deal with all other contested applications except:

- where representations are received relating to ‘cumulative impact’. Cumulative impact other than in a designated Saturation Zone;
- any contested application which a Panel feels should be referred to the main Committee.

## Regulatory and Appeals Committee

(a) To deal with applications for local licences and registrations of various kinds including:

- those licensing and registration functions and functions relating to health and safety at work which are contained in Schedule 1 of the Functions Regulations and are listed below under I, II and III:
  - **the Nottinghamshire County Council Act 1985**
  - regulation, under the Nottingham City Council Act 2003, of occasional sales and dealers in second-hand goods
  - but excluding matters which are statutorily the responsibility of the Licensing Committee.

(b) To deal with all powers relating to smoke free premises listed in paragraph F of Schedule 1 of the Functions Regulations.

- (c) To provide individual case panels selected by the Deputy Chief Executive/Corporate Director of Resources from a wider group of Regulatory and Appeals Committee members to constitute an Appeals Panel to hear and determine:
- (i) appeals relating to housing rents and homelessness;
  - (ii) appeals relating to the refusal / revocation of registration under the Council's Control Scheme for Houses in Multiple Occupation;
  - (iii) day care and childminding representations;
  - (iv) access to personal files appeals;
  - (v) representations under the Data Protection Act 1998;
  - (vi) Approved Premises (Marriages) Appeals;
  - (vii) statutory complaints concerning education matters.

The Committee is accountable to Council, has 13 members (politically balanced), and meets as and when required.

## **I. Licensing and Registration Functions**

- 1 Power to issue licences authorising the use of land as a caravan site ("site licences")
- 2 Power to license the use of moveable dwellings and camping sites
- 3 Power to license hackney carriages and private hire vehicles
- 4 Power to license drivers of hackney carriages and private hire vehicles
- 5 Power to license operators of hackney carriages and private hire vehicles
- 6 Power to register pool promoters
- 7 Power to grant track betting licences
- 8 Power to license inter-track betting schemes
- 9 Power to grant permits in respect of premises with amusement machines
- 10 Power to register societies wishing to promote lotteries
- 11 Power to grant permits in respect of premises where amusements with prizes are provided



- 12 Power to license sex shops and sex cinemas, and sexual entertainment venues
- 13 Power to license performances of hypnotism
- 14 Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis
- 15 Power to license pleasure boats and pleasure vessels
- 16 Power to license market and street trading
- 17 Duty to keep list of persons entitled to sell non-medicinal poisons
- 18 Power to license dealers on game and the killing and selling of game
- 19 Power to register and license premises for the preparation of food
- 20 Power to license scrap yards
- 21 Power to issue, amend or replace safety certificates (whether general or special) for sports grounds
- 22 Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds
- 23 Power to license premises for the breeding of dogs
- 24 Power to license pets shops and other establishments where animals are bred or kept for the purposes of carrying on a business
- 25 Power to register animal trainers and exhibitors
- 26 Power to license zoos
- 27 Power to license dangerous wild animals
- 28 Power to license knackers' yards
- 29 Power to license the employment of children
- 30 Power to approve premises for the solemnisation of marriages and civil partnerships
- 33 Power to license persons to collect for charitable and other causes
- 34 Power to grant consent for the operation of a loudspeaker
- 35 Power to license agencies for the supply of nurses
- 36 Power to issue licences for the movement of pigs
- 37 Power to license the sale of pigs
- 38 Power to license collecting centres for the movement of pigs
- 39 Power to issue a licence to move cattle from a market
- 40 Power to sanction use of parts of buildings for storage of celluloid
- 41 Power to approve meat product premises
- 42 Power to approve premises for the production of minced meat or meat preparations
- 43 Power to approve dairy establishments
- 44 Power to approve egg product establishments
- 45 Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods

- 46 Power to approve fish products premises
- 47 Power to approve dispatch of purification centres
- 48 Power to register fishing vessels on board which shrimps or molluscs are cooked
- 49 Power to approve factory vessels and fishery product establishments
- 50 Power to register auction and wholesale markets
- 51 Duty to keep register of food business premises
- 52 Power to register food business premises
- 54 Power to register motor salvage operators

## **II. Functions relating to health and safety at work**

- 1 Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connections with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer

## **III Conditions etc. and Enforcement**

- 1 The functions of imposing any conditions, limitation or other restriction on any approval, consent, licence, permission or registration granted in the exercise of any of the above functions and determining any other terms to which any such approval, consent, licence, permission or registration is subject
- 2 The function of determining whether, and in what manner, to enforce:
  - (a) any contravention or failure to comply with an approval, consent, licence, permission or registration granted as mentioned above; or
  - (b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject
- 3 The function of:
  - (a) amending, modifying or varying any such approval, consent, licence, permissions or registration as is mentioned above, or any conditions, limitation or term to which it is subject; or
  - (b) revoking any such approval, consent, licence, permission or registration
- 4 The function of determining:
  - (a) whether a charge should be made for any approval, consent, licence, permit or registration as is mentioned above; and
  - (b) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge
- 5 The power to enforce byelaws.

## **Development Control Committee**

- (a) All functions of the Council as a Local Planning Authority, except for matters reserved to or falling solely within the remit of Full Council or Executive Board. e.g. as The Development Plan forms part of the Council's policy framework the Executive Board is responsible for formulating the Development Plan, for approval by full Council, and in doing so will consult the Development Control Committee.
- (b) to exercise the functions of the Council relating to the regulation of the use of highways, street works and rights of way as set out in Schedule 1 of the Functions Regulations (including all powers of enforcement).
- (c) To exercise the functions of the Council in relation to the registration of town and village greens and common land except where the power is exercisable solely for the purpose of giving effect to:
  - (i) an exchange of lands effected by an order under either section 19(3) of or paragraph 6(4) of Schedule 3 to the Acquisition of Land Act 1981; or
  - (ii) an order under section 147 of the Inclosure Act 1845.

The Development Control Committee is accountable to Council, has 15 members (politically balanced) and usually has 12 meetings per annum. Whilst a number of delegations to Officers exist the following matters must be referred to the Committee:-

- (i) No application can be determined by officers where the decisions would be:
  - contrary to the provisions of the Development Plan;
  - contrary to approved City Council planning policy;
  - contrary to a previous decision of the Development Control Committee; or
  - contrary to a recommendation of any statutory consultee;
- (ii) items which give rise to complex or sensitive issues should be referred to committee for determination. Applications for A3, A4 and A5 uses are considered to be sensitive in all

cases. All planning applications made by, or on behalf of Councillors, are considered to be sensitive, requiring determination by the Development Control Committee;

- (iii) although applications requiring Section 106 agreements are often complex or sensitive, Development Control Committee have granted delegated powers to enter into agreements required in connection with straightforward planning applications, provided that such agreements are being negotiated in accordance with approved planning guidance. 'Non standard' agreements remain a Committee matter.