

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 28 January 2013 at 2.00 pm

ATTENDANCES

✓ Councillor Unczur	Lord Mayor
✓ Councillor Ali	✓ Councillor Longford
✓ Councillor Arnold	✓ Councillor McDonald
✓ 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 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
✓ Councillor Liversidge	

68 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Choudhry, Culley, McCulloch, Saghir, Spencer, Urquhart (on other Council business) and Wildgust.

69 DECLARATIONS OF INTERESTS

At the time of consideration, Councillor Edwards declared an interest in agenda item 8 – Council Tax Support Scheme, as a Council appointed member and Chair of Meadows Advice Group, which did not preclude him from speaking or voting.

At the time of consideration, Councillor Grocock declared an interest in agenda item 8 – Council Tax Support Scheme, as a member of Bestwood Advice Group, which did not preclude him from speaking or voting.

70 QUESTIONS AND PETITIONS FROM CITIZENS

Questions from citizens

The following citizen questions were received:

Callisthenics parks

The following question was asked by Mr Bartosz Jarecki to the Portfolio Holder for Leisure, Culture and Tourism:

Can we please install Callisthenics parks in various locations within the City to promote sports and active living? Idea of that came from Callisthenic workout which consists of exercise with body weight only. Sport is becoming very popular worldwide and it's also a very great way to spend free time and stay fit. These parks can really help people to develop a healthy lifestyle and combine fun with exercises. Also, it can be a good place to socialise with other people. This activity developed so fast throughout the time that we now have worldwide tournaments in this sport. Before attempting to write a question we had a look what other local outdoor gyms got to offer. Honestly they are not bad, but most of exercises aren't challenging enough, also it does not allow us to do certain exercises that are significant to develop strength and build muscles. Pull up bars are only made for normal pull ups, not for

advanced ones e.g. muscle ups, side to side, pull over and many more. The only good place to do is at outside John Carroll leisure centre but the issue is that bars are not the right width and a bit too short from length. Thank you.

Councillor Trimble replied as follows:

Thank you, Lord Mayor, and can I thank Mr Jarecki for his question.

I looked up Callisthenics in the Oxford Reference Dictionary, which describes callisthenics as an exercise to develop elegance in grace and movement.

I also looked at the video link which, on first impression, Callisthenics looks a very specialist and high energy exercise. On closer inspection, it can be low-tech and a very gentle form of exercise, using rhythmical movements to increase body strength and flexibility in bending, jumping, swinging, twisting, kicking, using only your own body weight for resistance.

Over the last 5 years this Council has secured external funding and has installed 18 outdoor gyms in our parks. We are about to install our 19th one at Bullwell Forest in time for the summer.

However, we do recognise that more advanced training can be achieved on a more specifically designed facility. This is an area that the Parks Team are keen to investigate and also to see if additional funding can be secured to develop such a facility as a possible future outdoor gym project. It would, though, have to be externally funded.

Squash courts

The following question was asked by Mr Lee Hogg to the Portfolio Holder for Leisure, Culture and Tourism:

As £13.5 million pounds is being spent on improvements at the Harvey Hadden site, is it not possible to spend some of that on keeping a squash facility as the ones at beechdale baths will go when Harvey Hadden is completed. Squash is a great, competitive way to keep fit. There are no other squash courts run by the council in Nottingham. This is a sad situation. Not everyone wants to swim to keep fit or do zumba. A small number of courts could be used to encourage youngsters to take

up this high-energy sport which is growing in popularity and which Britain is actually good at. Thanks.

Councillor Trimble replied as follows:

Thank you, Lord Mayor, and can I thank Mr Hogg for his question.

It's good that even in these difficult economic times, that we have two public questions relating to sport and physical activity. It is, of course, true that the squash courts at Beechdale will close when Harvey is built.

Lord Mayor, whilst many councils up and down this country have been closing their leisure centres, we have had a very significant 10 year leisure centre transformation programme in our leisure centres. The investment this City is making in Harvey Hadden will encourage young people to take part in a wide range of activities which are currently being planned. As part of the process, we are in discussions with a wide range of national sporting governing bodies to see whether or not they can provide funding to make the offer at Harvey Hadden even better than originally planned.

We are working with Squash England to submit a bid to Sport England's Iconic Fund which, if successful, would see 3 new squash courts built as part of the redevelopment of Harvey Hadden. It would be an exciting addition to the scheme as they would not just be traditional courts, but would have the ability to move all of the walls right out to the end to make a larger sports room which can be used for other activities when squash is not booked, thereby increasing the opportunity even further for young people to get fit, get active and take part in sport. It does, though, depend on that bid with Squash England to Sport England to be successful in order to do that.

Council Tax Support Scheme

The following questions were asked by Mr Mark Giblin to the Deputy Leader:

- (a) The City Council's proposed Council Tax Scheme means that people who are already finding they have no money just before their next wage or benefit payment will be unable to pay Council Tax and will end up in debt causing poverty and distress. Is the Council intending

to pursue debts when the cost of pursuing them is greater than the amount of the debt?

Councillor Chapman replied as follows:

First, let me correct the assumption in the question that the Scheme is somehow the City Council's Scheme, the Scheme has been thrust upon us by central government and we are against this Scheme. It is badly thought out, it is unfair, and it will cause serious problems which the Council will have to manage.

We have, however, as a Council to provide a version of the Scheme where we have tried to bring as much fairness into the measure as possible when dealing with an intrinsically unfair measure. Nevertheless, we will have to collect the money, and we will be pursuing non-collection, we have no option. Council Tax payers are and will continue to be provided with a range of payment dates that suit their needs, taking into account different times that they receive their household incomes. This includes weekly, fortnightly, monthly and over a 10 to 12 month period.

Although the Council will actively pursue any outstanding Council Tax amount, it does recognise that more people with small amounts of money to pay may fall into debt. It is inevitable. First, unlike many councils, we have not reduced our Benefit Advice Service; indeed, we are looking to put more resources in. We have also reviewed our position for recovery of small debts with a view to reducing the risk of high court costs for these debts, while ensuring it can take appropriate action to support payment at the earliest possible stage. We are training up volunteers and working with the advice sector to ensure maximum support in the circumstances. We are also supporting Credit Unions to put people in their direction, instead of moving into the direction of loan sharks, which is another high risk. So we are doing what we can, but we will have to collect the money.

(b) Why is it that this Council finds it hard to find the funding to cover these welfare cuts yet the Welsh government finds funding of £22 million to cover the shortfall in recipients benefits, this is over 3½ times what is touted as the shortfall in Nottingham.

Councillor Chapman replied as follows:

Well, the first answer is the Welsh government is a government and we are a council. Now, I could stop there, but it would be somewhat facetious.

The simple reason is the Welsh government has access to 56 times the settlement that Nottingham has. Its budget is £15.1 billion and, oh to have access to £15.1 billion. However, our net budget is £270 million, not billion, million. As a consequence, £22 million is only 0.15% of the Welsh budget. Nottingham, however, has found £3.2 million to offset the effect, which is 1.2% of our budget. So, in terms of budget size, we have made 8 times greater contribution than the Welsh government, and far more than similar councils, we are just not big enough to cover the whole amount. Moreover, £2.2 million of our contribution is ongoing and will continue, the £22 million from the Welsh government comes from reserves and there is doubt whether it will be able to continue to keep pumping reserves in year on year to cover the cost, so, at least there is some continuity in some of our funding.

(c) Will the new system for Council Tax and Housing Benefits be synchronised with the roll out of Universal Credit as and when the claimant is moved on to the benefit? Or will claimants have to be subjected to two bouts of changes in their welfare benefits?

Councillor Chapman replied as follows:

Well I wish I knew. It is unclear at this stage how or when Universal Credit will be implemented in Nottingham. The government intends Housing Benefit to be part of the Universal Credit system, which I believe is a mistake, administered by the Department for Works and Pensions (DWP). We will, where we are able to, work to ensure that any local schemes administered by the local authority, work in line with other government systems. We are, however, entirely dependent on what the DWP provide local authorities access to, and this is still, even at this stage, not clear.

Like many authorities, Nottingham does not understand why the government decided to pass responsibility for help with Council Tax to local authorities, rather than integrate it into Universal Credit.

As a consequence, local authorities have faced an unprecedented task in designing their own local Council Tax Support Schemes while facing a

significant reduction in central government funding and preparing for launch in April 2013.

There will be a wide range of Council Tax Support Schemes that differ across local authorities, which may well be confusing for citizens. These local schemes will sit alongside a number of other benefit changes happening at the same time which is likely to add to confusion and hardship for citizens. So, not only are they going to get hit unfairly, they're going to end up with a difficult system to manage which will make the situation even worse.

Choosing to not integrate Council Tax Support with Universal Credit may well undermine the overall policy intent of Universal Credit, especially in relation to simplification and improving incentives to work. And, in the longer term, separating the claims process for Council Tax Support and housing costs, which go to Universal Credit, may well cause further confusion for citizens. In other words, it is a mess. I personally do not think the system or the IT will be ready on time and I told the parliamentary Select Committee precisely that when I went down the other week.

Council Tax Support Scheme

The following question was asked by Mr Geraint Thomas to the Deputy Leader:

The Council refer to their new Council Tax Support Scheme as "sustainable". Reducing the Council Tax Benefit of some of the poorest people in the City so that individuals and families will have even less money than the amount they need to live on will clearly lead to poverty, distress and hardship and will cause a greater demand on services that themselves face cuts to funding. Thinking about the long term effect on the people of Nottingham, this is not "sustainable". Why does the City Council not use some of the Council's non-earmarked allocated reserves of £9.6 million to avoid cutting the level of support for Council Tax Benefit recipients and use the forthcoming year to mobilise a campaign locally and nationally to demand a fully funded Council Tax Support Scheme?

Councillor Chapman replied as follows:

The simple answer is that we are, as a Council, using reserves to avoid cutting the level of support. We are also abolishing the discount on

empty homes. Were it not for our use of reserves and the government subsidy it attracts, those that are receiving 100% rebate today, would be facing a 20% reduction this year. As it is, the reduction will be between 8 and 9%. Were it not for our abolition of the empty property discount, all non pensioners on benefits would be paying around 35%, not 20%, Council Tax. So we have done what we can with a diminishing council budget. The income from the empty property rate will continue to be applied and we cannot guarantee the contribution from reserve, other than for one year. We have the elderly to look after; we have children to cater for, we are hoping, however, by then that the government will be pressured into back tracking when it sees the consequences of its actions.

In terms of lobbying activity, we have clearly stated our opposition locally and nationally to the government's decision to abolish Council Tax Benefit, and on 10 September this very Council carried a motion which deplored these measures. We have also lobbied MPs regularly. I have email and text exchanges with Liam Byrne, who is the Labour Shadow Minister, and hope that we have helped ensure the Labour Party's opposition to these cuts, and it was a principled opposition to the cuts, in Parliament this month, and I am very proud of the Labour Party for that. We are currently doing a round of public consultation on the budget and on benefits showing our opposition. Every member of the Executive is participating in that process and every time we are talking to people about how unfair the benefits system is. We have put out press releases, we have set up 3 slots of TV coverage, the Politics Show last week was a result of a suggestion we made. We have met Lord Freud and explained the problems he was creating. This has not resulted in a change of direction, unsurprisingly, but we did get a scrap from it in the form of expanded emergency funding, because I think it pricked his conscience, and I also think he came out a bit more frightened than when he came in and the consequences of what he was doing.

Finally, because of our response to the legislation, we were one of the few councils invited to give evidence to the Select Committee on Benefits, where we made our opposition very clear. Nor have we finished. We will continue to bring forward cases of injustice, and there will be many, and inefficiency, and there will be many. We will continue to lobby both within our Party, and the government, and we will continue to alert public opinion about the unfairness of the legislation. But, what we will not do is anything outside the law, or refuse to implement what would be an illegal act, quite simply because we recognise that were we to do

that it would be highly divisive and it would be counterproductive, and we would end up by handing the management of this Council over to the government, the very government that is keen to impose these cuts, as harshly as it possibly can.

Petitions from Councillors on behalf of citizens

No petitions from citizens were received.

71 MINUTES

RESOLVED that the minutes of the last meeting held on 10 December 2012, copies of which had been circulated, be confirmed and signed by the Lord Mayor.

72 OFFICIAL COMMUNICATIONS

The Chief Executive reported the following communications:

Contributions to transport

Councillor Urquhart, Portfolio Holder for Planning and Transportation was named as one of ten people acknowledged for their contributions to transport during 2012. The top 10 list of influencers in transport were published in an article in the Transport Times Magazine, December issue.

Councillor Derek Cresswell

It is with regret that I inform Council that Councillor Derek Cresswell sadly passed away on 14 January.

He was elected to represent the Strelley Ward in May 2000 and was the Ward Councillor for Bilborough from 2003. He held the office of Sheriff twice between 2004 and 2006.

He became Chair of the Licensing Committee in 2003/4, a position he held for nine years, and was also Chair of the Regulatory and Appeals Committee for five years. He was also a Local Authority Governor for William Sharp Comprehensive.

He was born in Bulwell and educated at the John Player School in Bilborough before working as a shipping clerk in the lace trade and, following two years National Service, worked as a labourer and in the print and packaging industry.

Outside his council work, he was a keen Notts County FC supporter and found time to play for his local pub at dominoes and was Chairman of the Bulwell and District Domino League. He was married to Maureen and was father, grandfather and great grandfather to a large family.

His funeral was held this morning at St Margaret's Church in Aspley.

Councillors Wood and Morley paid tribute to Councillor Cresswell.

The Council stood in silent tribute to his memory.

73 QUESTIONS

Tree felling in the Clifton Grove heritage park landscape

Councillor Steel asked the following question of the Portfolio Holder for Leisure, Culture and Tourism:

Residents in Clifton North ward have come to me expressing concerns about the vast number of trees they have seen which have been allegedly marked for felling by the Nottinghamshire Wildlife Trust in the Clifton Grove heritage park landscape. While I understand that this is part of contracted-out work, could the Portfolio Holder reassure residents that no felling whatsoever will take place until a full consultation and communication exercise has taken place which explains the reasons for the work in detail, and does he agree with me that for the sake of residents' peace of mind, it would have been helpful to have held such an exercise before marking up the trees?

Councillor Trimble replied as follows:

Thank you, Lord Mayor.

I'm aware that this is Councillor Steel's first term of office, but he has been a Councillor for nearly two years now. As a local Councillor, if I was contacted by local residents expressing concerns about a project in the ward that I represent, I would not wait until Full Council to ask a question.

I would be straight on the phone to the organisation concerned to find out what was happening as fast as I could. Lord Mayor, it's called councillors casework, that's what local Councillors are meant to do. Full Council is not a forum for casework, Councillor Steel; you should do your own casework. If you're not happy with the response you get from Nottinghamshire Wildlife Trust, then you can come back to me and you won't even have to wait until Full Council in order to do that, but at least attempt to do your own casework first, it's pretty basic practice. The Nottingham Labour Party trains new Councillors on casework, perhaps the Nottingham Conservatives should think about doing the same.

Lord Mayor, in my experience, the Nottinghamshire Wildlife Trust are a very reasonable organisation. They are obviously very pro-wildlife and inhabitants, pro the environment, pro green and open spaces, and have been very supportive of me in my parks and open spaces agenda. The clue is in the name – Nottinghamshire Wildlife Trust.

When I saw Councillor Steel's question, I did exactly what Councillor Steel should have done, I phoned them. They have carried out some initial consultation, and they will be having further consultations on site. They will be having a drop-in session at the Cornerstone in Clifton, and I have here a copy of the agenda for the next Clifton and Wilford Area 8 Committee, it's on the agenda, the report is there too. He could've looked that up, he could've seen it himself, and he could've made some judgments. He hasn't done that. Lord Mayor, it looks an excellent scheme too, and if Councillor Steel doesn't want the £70,000 investment in his ward, I'll have it in mine.

Nottingham Castle

Councillor Steel asked the following question of the Portfolio Holder for Leisure, Culture and Tourism:

I am sure the Portfolio Holder will have been as pleased as I was to hear that the recent meeting between the Secretary of State for Culture, Media and Sport, representatives of the Nottingham Castle working group and MP Graham Allen went well. Would the Portfolio Holder please update the Council on progress?

Councillor Trimble replied as follows:

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

I too am reliably informed that the meeting between Graham Allen MP, Professor Ted Cantele, and the Secretary of State went very well.

The decision from the stage one submission will not be known until late April, and we are awaiting an assessment visit by Heritage Lottery Fund trustees by February or March. We are building advocacy by briefing and seeking support from influential figures in business, the museums' world, and other interest groups. We continue to work with Net Phase 2 and the station hub and the plans for Broadmarsh shopping centre, in order to add value to the Castle scheme, giving it a 'wow' factor and a better opportunity to succeed.

Lord Mayor, as I said at full Council just last month, we have a great opportunity here to change Nottingham for the better, for at least the next 50, and possibly 100, years. We need to give it our best shot and it will take a lot of team work. I think we will be going full steam ahead with that to make Nottingham really much better for the future.

Tram crossings of particular risk

Councillor Parton asked the following question of the Portfolio Holder for Planning and Transport:

In view of the tragic accident at a crossing near Bestwood Village in November, has the Portfolio Holder identified any other tram crossings of particular risk to pedestrians on the existing line or those under construction, and what can the Council do to make sure such accidents do not happen again in the future?

In the absence of Councillor Urquhart, Councillor Chapman replied as follows:

Thank you, Lord Mayor.

The tragic accident that occurred on the footpath crossing near Bestwood Village in November was a dreadful event and great sympathy goes out to the family and parents of Lindsey Inger. I cannot think of a worse thing to happen to anyone, than to lose a child. The accident, however, is the subject of a number of ongoing inquiries, including those

by the Coroner and the Accident Investigation Branch of the Health and Safety Executive, and hence the full details of the reasons for the accident are not yet known.

It is to be noted, however, that the crossing at which the accident occurred is not only a crossing of the tramway, but also of the heavy rail Robin Hood Line where incidents have previously occurred and, as such, is a unique crossing in the NET system. It is understood that Network Rail is reviewing the operation and layout of the crossing and both the Council and, in particular, the operator of the tram system, are fully engaged in this. Although it is considered that this crossing is a unique location, the tram operator and Network Rail will inevitably consider any findings arising from the investigation and inquest. So, in short, I think it's a bit premature for us to draw conclusions.

74 DECISIONS TAKEN UNDER THE URGENCY PROCEDURE

The report of the Leader, as set out on pages 278 to 280 of the agenda, was submitted and, in the absence of Councillor Collins, was proposed by Councillor Chapman.

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

75 COUNCIL TAX SUPPORT SCHEME

The report of the Deputy Leader, as set out on pages 281 to 295 of the agenda, and appendices which had been circulated separately, were submitted.

Contributions were made to the debate by:

- Martyn Neal from Advice Nottingham;
- Jean England, Chair of the Nottingham City Homes Tenants and Leaseholders Congress;
- Professor Cecile Wright, Chair of the Nottingham Equalities and Fairness Commission.

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

- (1) the findings and outcomes from the Council Tax Support Scheme consultation carried out with residents and other stakeholders, as set out in paragraph 3.1 of report, and in Appendix 2, be noted;**
- (2) having had regard to its Public Sector Equality Duty, the findings on equalities and other impacts arising from the proposed Council Tax Support Scheme, detailed in Appendix 1 to the report, be noted;**
- (3) having had regard to the recommendation of the Executive Board on 18 December 2012, the proposed Council Tax Support Scheme for the City of Nottingham for 2013/14 be adopted, to take affect from 1 April 2013;**
- (4) having had regard to the recommendation of the Executive Board on 18 December 2012, the Chief Finance Officer be authorised to:**
 - (a) submit an application to the Department for Communities and Local Government, no later than 15 February 2013, for ‘transition grant funding’ of £775,000; and**
 - (b) agree any appropriate terms and conditions;**
- (5) the full allocation of the ‘transitional grant funding’ be used in the operation of the Council Tax Support Scheme for 2013/14.**

76 ARBORETUM AND RADFORD AND PARK WARDS DESIGNATED PUBLIC PLACE ORDER

The report of the Portfolio Holder for Area Working, Cleansing and Community Safety, as set out on pages 296 to 304 of the agenda, and appendices which had been circulated separately, were submitted.

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

- (1) the draft Order and map, detailed in Appendix 1 to the report, showing the area proposed to be covered by the Order, be noted;**

- (2) the notification and consultation processes required for making the Order, as per the procedural summary detailed in Appendix 2 and the timetable detailed in Appendix 3 to the report, be approved;
- (3) the publication of the draft Order for public consultation, as per the draft notice detailed in Appendix 4 to the report, be approved.

77 APPOINTMENT OF THE INTERIM CORPORATE DIRECTOR FOR CHILDREN AND FAMILIES

The report of the Chair of the Appointments and Conditions of Service Committee, as circulated in advance of the meeting, was submitted.

RESOLVED that, on the motion of Councillor Neal, seconded by Councillor Campbell:

- (1) the Appointments and Conditions of Service Committee recommendation be accepted and the post of Interim Corporate Director for Children and Families be offered to Candida Brudenell for a period of up to six months;
- (2) as Interim Corporate Director for Children and Families, Candida Brudenell fulfil the statutory roles of Director of Adult Services (“DASS”) and Director of Children’s Services (“DCS”).

78 MOTION IN THE NAME OF COUNCILLOR BALL

Moved by Councillor Ball, seconded by Councillor Healy:

“This Council welcomes the National Federation of ALMOs report ‘Let’s get building’ which makes the case for more council house building to create jobs and provide an economic boost to the country, as well as providing much needed new homes. It resolves to lobby Government to support the recommendations of this report, the main recommendations of which are:

- 1 to remove the HRA borrowing caps and to rely instead on prudential borrowing rules as a means of ensuring that investment is sustainable

- 2 to adopt internationally recognised rules to measure government borrowing which would treat new council housing investment in the same way as housing association investment and thereby greatly increase the opportunity for council new build.”

RESOLVED that the motion be carried.

The meeting concluded at 5.00 pm