



Nottingham

City Council

Council Meeting

**To be held on
Monday 8 July 2013**



You are hereby summoned to attend a meeting of NOTTINGHAM CITY COUNCIL at the Council House, Nottingham, on Monday 8 July 2013 at 2.00 pm to transact the following business:

- 1 Apologies for absence
- 2 Declarations of interests
- 3 To receive:
 - (a) questions from citizens;
 - (b) petitions from Councillors on behalf of citizens.

Please note that questions to Council are received after the agenda has been published. Questions will be uploaded to this agenda by 5pm on Friday 5 July 2013

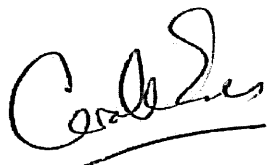
- 4 To confirm the minutes of the last meeting of Council held on 10 June 2013 63
- 5 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive
- 6 To receive:
 - (a) answers from the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority to questions on the discharge of that authority's functions;
 - (b) answers from a Councillor from the Executive Board, the Chair of a Committee and the Chair of any other City Council body to questions on any matter within their remit.
- 7 To consider a report of the Chair of the Overview and Scrutiny Committee on the Overview and Scrutiny Annual Report 2012/13 80

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|----|---|----------------------------|
| 8 | To consider a report of the Leader on the Arboretum and Radford and Park wards Designated Public Place Order | 82 |
| 9 | To consider a report of the Leader on decisions taken under the urgency procedures | 88 |
| 10 | To consider a report of the Chair of the Licensing Committee on the Statement of Licensing Policy | 93 |
| 11 | To consider a report of the Chair of the Appointments and Conditions of Service Committee on the appointment of the Corporate Director for Children and Adults | Available
at
meeting |
| 12 | <p>To consider motion in the name of Councillor Liversidge:</p> <p>“This Council calls on the government to repeal the expensive and inefficient bedroom tax.”</p> | |
| 13 | <p>To note the following change to the Health Scrutiny Panel membership:</p> <p>The removal of Councillor Healy and the addition of Councillor S Williams</p> | |
| 14 | <p>Executive Scheme of Delegation – to note the remits of the Executive Assistants as follows:</p> <p>Councillor Cat Arnold – Leisure and Culture
 Councillor Alex Ball – Commissioning and Voluntary Sector
 Councillor Rosemary Healy – Children’s Services
 Councillor Marcia Watson – Jobs and Growth
 Councillor Sam Webster – Strategic Regeneration and Community Safety</p> | |

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ABOVE, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ON THIS AGENDA, IF POSSIBLE BEFORE THE DAY OF THE MEETING.

Dated 27 June 2013

Deputy Chief Executive/Corporate Director for Resources

A handwritten signature in black ink, appearing to read "Carol Jones", with a horizontal line underneath the name.

To: All Councillors of Nottingham City Council

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Nottingham,

on Monday 10 June 2013 at 2.00 pm

ATTENDANCES

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

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Dewinton, Healy, McDonald, Morley, Watson and K Williams.

17 DECLARATIONS OF INTERESTS

Councillor Urquhart declared a personal and non-prejudicial interest in agenda item 7 (Crime and Drugs Partnership Plan 2013/14), as she is an employee of the Probation Service, but does not work in Nottingham City boundaries.

18 QUESTIONS AND PETITIONS FROM CITIZENS

Questions from citizens

The following question from a citizen was received:

School Places

The following question was asked by Mr J Duckworth to the Portfolio Holder for Children's Services:

What can be done to resolve the current crisis in the city's schools in which there are simply not enough places for children?

The issue is compounded by the difficulties parents face when dealing with both the City Council and County Council, both operating with different rules and not communicating effectively. What can be done to improve and streamline the process for parents?

What can be done to ensure a child is allocated at least one place at a school and is not left in a situation where they have no place at any school?

Councillor Mellen replied as follows:

Nottingham City is experiencing a high demand for primary school places, but this is not dissimilar to other authorities, particularly urban ones but also others too. Indeed only this morning Councillor Peck, the newly elected chair of the Education Committee at Nottinghamshire

County Council, was outlining plans to create more primary provision in two areas of the conurbation of Nottingham on radio. However the situation shouldn't be described as a crisis, because there are places available in our schools. This is because, since 2010/11, we have put an additional 1,600 places in our primary schools. Due to this increased demand for school places in Nottingham, this year we have been awarded additional capital money from the Department of Education and this will be used alongside City capital money to expand more schools, creating more places. Our expansion programme will continue to focus on the areas of most need, based on our pupil projection data.

Although there are places available in City schools, availability inevitably varies across the city and some schools and areas fill up quicker than others, which means some parents are asked to consider schools outside of their first preferences. In fact good practice is that the parents make as many preferences as possible, up to six, to maximise their children's chances. Some parents think that if they only put down one school they'll automatically get it, that's not how it works. This is why we are continuing to add school places in the areas of most need.

Parents have a right to express a preference for a school for their child, but this does not necessarily equate to choice as some schools are heavily oversubscribed. In the vast majority of cases, in fact in all but two primary schools in Nottingham this year, parents expressing a preference for their catchment school are successful in gaining a place for their child in a local school.

For parents who are trying to access places at both city and county schools, we work with Nottinghamshire County Council in a number of ways to support these parents. This includes a data sharing process which is done once a week where both the city and the county share information about parents who live in the County but are applying for city schools and vice versa. In addition, we also meet with county colleagues on a regular basis to review and update working practices. We do recognise that there isn't an automated way for the two authorities to communicate and this can create difficulties for some parents, but with so many government imposed changes on the relationships between local authorities and schools, a joint admissions process with the County is not something we are considering currently.

In terms of what we can do to offer a place to every child, we will always try and make a mandatory offer for a school place wherever possible.

But, this has to be when all pending applications have been considered so tends to be done later in the admissions process.

As always I would be happy to discuss this case further with Mr Duckworth if he would find that helpful.

Petitions from citizens

No petitions from citizens were received.

19 MINUTES

RESOLVED that the minutes of the meeting held on 20 May 2013, copies of which had been circulated, be confirmed and signed by the Lord Mayor, subject to the following amendments:

- (1) That the date of the meeting on page 32 be recorded as 20 May 2013;**
- (2) That the date of the September meeting in minute 14 (Dates of future meetings) be recorded as 9 September 2013;**
- (3) That the date of Councillor Parton's death in minute 7 (Official communications) be recorded as 6 April 2013.**

20 OFFICIAL COMMUNICATIONS

The Chief Executive reported the following communications:

Local by-election

On Thursday 6 June a by-election was held in the Wollaton West ward. The turnout for that by-election was 42.66%. We welcome Councillor Battlemuch to his first meeting as a result of the election.

Electric Buses

Nottingham City Council has been successful in securing a grant of over £1.5m to partly fund 15 fully electric buses to use on the City's park and ride services. This will give a 30% fuel bill and 40% carbon saving over conventional diesel buses.

Parking at the Broadmarsh Car Park

The Communications and Marketing Team were short-listed for the Value for Money award, at the Local Government Communications conference 2013, for the marketing of the 'early bird parking' campaign at the Broadmarsh car park.

Major Programmes Team

The Major Programmes Team has won the "Best Local Government Project Team" in the international Partnerships Awards, beating teams from Leeds, Sheffield and London. Judges welcomed the team's outstanding record of project delivery and the diversity of its projects and praised the team's efforts to ensure its work materialises into benefits for local people.

For information, the Major Programmes is the Council's programme and project and commercial management team. It was built out of the result of the former Building Schools for the Future programme and manages street lighting PFI and other projects within the Council.

21 QUESTIONS

Armed Forces Day

Councillor Ottewell asked his question of the Portfolio Holder for Leisure and Culture:

Does the Portfolio Holder for Leisure and Culture agree that the upcoming Armed Forces day is a great way to honour our serving Troops and is another great achievement for the City of Nottingham?

Councillor Trimble replied as follows:

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

It certainly will be a great honour for our serving troops, and another great achievement for Nottingham. This is the fifth armed forces day and it will be the first time that it's ever been held in a core city, so once again, Nottingham is ahead of the queue in terms of the major cities. It of course follows on from other great events that we have such as last

year's Olympic Torch relay which was huge, both in the square and the ice arena, the very successful Royal Jubilee visit, and hosting a fantastic leg of the tour of Britain with Bradley Wiggins and Mark Cavendish. We have also just recently hosted the very first Milk Race for twenty years in the City. And now we have coming up very soon, you'll have seen the bunting in the square, we have the Armed Forces Day which will be massive.

Of course it's not just Armed Forces Day, there is a whole week of events leading up to the day itself. We've got flag-raising, football, tea-dance, uniform-to-work day, local studies tours, a whole host of events happening over the week leading up to Armed Forces Day itself. On the day itself we'll have a 100 gun salute, we've got skydives, a march from the castle to the square, a drumhead service, fly-pasts galore with Royal Navy helicopters, Red Arrows, typhoons and spitfires among others, as well as an enormous amount of military hardware on show.

There will be a full programme of events on two stages at the Embankment, and whatever naval craft we can get onto the Trent, and there won't be an aircraft carrier!

The BBC Big Night Out will follow on into the evening with special events and special offers throughout the entire city, to make it last right from the very morning right to very evening, to have a really good long day. It will be a spectacular day which will highlight the work of our serving armed forces, and it is also vital for the morale of our service personnel, including regular troops, reservists and cadets. We're also expecting some very high profile figures for the event too.

Lord Mayor, the National Express bus company have offered anybody travelling to Nottingham for Armed Forces week half price travel from anywhere in the entire country. This has been published in lots of national newspapers including the Sunday Express, and it has even been in the Yorkshire Post twice. They always like a bargain in Yorkshire!

We know it will be featured in the press nationally and internationally, with the BBC, ITV, Sky, and the British Forces Broadcasting Service already lined up to give the city a high profile.

Lord Mayor, can I take this opportunity to thank your predecessor Councillor Unczur, for doing a fantastic job in chairing the Armed Forces Week Steering Group. My thanks also go to the Forces personnel,

partners, sponsors and neighbouring local authorities who contributed and sat on the Steering Group with me.

National Armed Forces Week, and in particular National Armed Forces Day on 29 June, will be a spectacular event. People from all over the country will see what a great city Nottingham is, and the Armed Forces will get a very very special big welcome from the people of Nottingham. The current estimate is that around 40,000 people will attend the day, and I think with a bit of good weather and a fair wind behind us it could be at least twice that size. Thank you.

Tram progress

Councillor Jenkins asked his question of the Portfolio Holder for Planning and Transport:

Would the Portfolio Holder for Planning and Transportation like to comment on progress with Lines 2 and 3 of the Tram and how the complex engineering is being managed?

Councillor Urquhart replied as follows:

Thank you Lord Mayor and thank you Councillor Jenkins for your question.

I'm really pleased to say that good progress has been made so far in building NET Phase Two. Activity has been increasing significantly in recent weeks, notably on those large structures. The launch of the bridge over Nottingham Station, which many of us will have noticed happening gradually as we've been going to and from Loxley House, which has also received national media attention, particularly for the role of Fairy liquid in the process, has now been successfully completed and works are now underway to install the permanent supports for that bridge. The columns for the bridge through the QMC site are currently being installed, and the bridge that will carry the tram over the A52 between the QMC and University is being built on site. It is expected that this bridge will be driven into place over the A52 in the autumn. The bridge over the Midland Mainline at Lenton is in place with the approach embankments now under construction, and good progress has also been made on widening Wilford Toll Bridge.

In terms of other works, large sections of utility diversions and site clearance have been completed. The Toton park and ride site is well advanced, and the earth removal for the Clifton park and ride site and along the former railway embankment is progressing well now following some weather related delays in the spring. Track laying is also gathering momentum, with over a kilometre of track now laid, including some in the Meadows and in Clifton. Works to expand the existing depot have commenced with additional track laid for the new tram stabling area, together with preparatory works for the construction of an extension to the depot building.

The works of course are happening because we have made them possible, because we took the brave and bold decision to implement Workplace Parking Levy in order to fund lines 2 and 3 of the tram so that we could have this massive infrastructure investment in our city, at a time when those jobs are so badly needed, and when our economy needs that stimulus.

The works are being undertaken by the contractor, Taylor Woodrow, being closely monitored by ourselves, the NET Team and of course by Environmental Health officers to ensure that satisfactory progress is being made and that the works are being undertaken in accordance with the design specification and the Construction Code of Practice. There were codes of practice agreed, of course, at the public enquiry. The designs are approved by the Local Planning Authorities, some city and some out in the districts, and there is regular liaison with major affected stakeholders, such as the Nottingham University Hospitals Trust and the University of Nottingham, as well of course with individuals affected by the route, to identify any emerging issues that are arising.

Significant numbers of local people are now employed in delivering the project. There are nearly 800 people employed in total, and around half of them come from the City or the immediate conurbation. We have held job fairs in Beeston and in Clifton to enable young people there to get work building their tram lines.

As many of you will know, one of the most significant challenges is the traffic management. In a number of areas, the works have required the introduction of various measures, including lane closures and temporary traffic lights, and in some cases, such as in Clifton, Chilwell and at Ruddington Lane, this has involved the closure of sections of roads.

To plan this work it's been necessary to balance the need to minimise disruption and to progress the work. All parties involved, including the Highway Authority and the Contractor, have carefully considered the best way to undertake the works in each location, and discussions have been held with representatives of Emergency Services and the bus companies to seek the best solutions in each case. There are many issues that have to be considered, including traffic volumes, the nature and staging of the works, health and safety, and the working arrangements have sought to minimise the impact on road users.

Of course as well, last month at Council I talked about the financial assistance packages that are now available to traders both in Clifton and Chilwell, recognising that whilst the works are planned carefully, there may at times be economic impact felt.

So whilst the extent of the scheme means that some disruption is inevitable, the overall goal is of course to ensure that the work is undertaken efficiently so it can be completed quickly and keep the periods of disruption as short as possible.

In parallel with these works, there have been major communications activities, keeping the public and stakeholders informed, with a dedicated comms team in place, and Community liaison officers working with communities on the ground. Leaflets and newsletters have been extensively distributed with up to date information also being posted on the NET Phase Two website. We've held a number of community events along the routes to allow members of the public to talk to the people who work for the tram and to talk to the NET team. Further communication channels through social media are shortly to be implemented.

Planning of the future works over the coming months will also be closely co-ordinated with other works going on in and around the City. Of course the A453 widening is now on-site, the Nottingham Station Hub project and the Station re-signalling scheme are due to continue their work, and of course the re-signalling scheme requires the closure of Nottingham Station for a six week period from 20th July and involves therefore the provision of extensive bus replacement services. Discussions are on-going with various agencies involved in these schemes to ensure that the City will continue to remain open for business while the works are taking place. And of course, line 1 of the tram and our excellent bus network will be operating as usual throughout the Station closure period.

In terms of works in the next few months coming forward, it is anticipated that utility diversions will be completed later this year, and track construction, highway changes and building the park and ride sites and introducing landscaping along the route will continue into 2014. Work will continue on several structures, including linking the station bridge all the way across Station Road and Queens Road continuing.

And of course, once the works are complete and Lines 2 and 3 are open to the public in late 2014, the City will have a tram network which will support our strategy for economic growth for the benefit of all Nottingham citizens, with long term employment growth of up to 8,000 jobs boosting the local economy by £300m per year. Together with the outstanding existing tram and bus services and improvements being made to our rail infrastructure, the City will indeed have a first class transport system it can truly be proud of.

Capital Projects

Councillor Neal asked his question of the Deputy Leader:

What capital projects are ready to be taken up in Nottingham should the national government increase the budget of such projects over and beyond the overspend that has occurred?

Councillor Chapman replied as follows:

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

Increasing capital spending from whatever source is to be welcomed. IT, new roads, railways, power stations, other large scale projects, are the right thing to invest in, because capital has a greater long-term effect on the economy than revenue spend. It is also an investment in future economic capacity, and to give the government credit, in my view they've chosen some of the most productive areas in which to invest. However, and there was going to be a "however", wasn't there? However, I want to make two points. First, that in terms of overall government spend, and in terms of the nation's economic requirements, the amount is miniscule. If you think that government investment is heading for £680 million, the capital spend is currently £47 million, and actually it is lower than it was and this £3 million will probably make it up to what it used to be, then the impact is likely to be miniscule. It is likely to have a very small impact on the economy, it will not do what the government says it wants to do.

Moreover, this government has an exceptionally poor record in delivering capital schemes, having dismantled much of the infrastructure to deliver the infrastructure. It got rid of the RDAs (Regional Development Agencies), and replaced them with LEPs (Local Enterprise Partnerships). The RDAs work, the LEPs do not work. It has introduced the regional growth strategy, but is way behind schedule. It has spent a small percentage of the money allocated even three years ago.

So the economic impact has been minuscule, not only in quantity, but also in delivery. My view therefore, is that having welcomed the announcement, I remain amazingly underwhelmed.

On the brighter side, my second point, should any of this munificence find its way to Nottingham, then we are ready to move. Virtually all of our recent capital spend in transport as we've just heard from Councillor Urquhart, in schools, and in health centres, have come in on budget and on time. We are one of the few Councils with our own project management team, or the Major Programmes Team, as we have just heard. And we also heard earlier on that it is one of the best in the country, and I'm very proud of that because I was instrumental in setting it up, especially after we'd not done terribly well building the Contemporary, but that's another matter.

We have many priorities. We have the Broadmarsh, we have the Castle, and we have more mundane things like lift replacement, which actually we are obliged to spend up to £3 million on in the next three years. But these would not fit in with the government criteria. So those that fit in with the government criteria are the following:

- additional spend on the ring road, particularly the Basford bridge;
- large scale extension of the district heating system, which will provide energy for the City and also provide revenue for the public sector and provide security for our energy source;
- greater investment on road repairs. We all know the problem with potholes is that the damage is exponential, once you get a pothole and you don't repair it or you can't repair it properly or you can't repair the basic road carriage, then you find that the costs escalate. And it is probably one of the greatest wastes of money in the end, not having enough money to invest in your roads;
- electrification of the Midland Mainline. If we can't get the lot, the £3 billion, which we can't, then a modest requirement would be the straightening of the line at Market Harborough;

- and we would also like a few more electric buses because we have put in for round four, have we not Councillor Urquhart?

Not on the government list however, are:

- social housing, where I think we could get a real move on with building and reducing the benefits bill at the same time and helping a lot of elderly people in the event of being able to build bungalows;
- and one form of capital spend which would stimulate the economy in the short term as well as the medium, but which is not capitalised at the moment, but I believe ought to be capitalised, I had this discussion with Chris Leslie about a future Labour government considering it as capital spend, is investment in training and in the further education sector. This is massively under-invested in.
- Training these days should be considered as capital, because it has got long term benefits. That is something I would want to spend money on, and if we weren't able to do that it would be considered as revenue, the least we should be doing is helping Central College to rebuild on the Broadmarsh East site, because there is a substantial funding gap.

And finally, on school building, I would really love to see Trinity School work together on one site, and modernised. It is one of our most successful schools, but it is one that has been left behind by the school building programme.

So Mr Osborne, if you've got problems getting schemes away and you want some action, we are the people. And I'll tell you how good this Labour Council is, we are as good at delivering capital schemes and capital development as we are at winning by-elections. But there again, that might not be an argument you'd want to listen to at the moment. Thank you.

Public Spending Review

Councillor Hartshorne asked his question of the Deputy Leader:

What are the implications for the future budgets of Nottingham City Council and the Police from the current government review of public spending? Is the national deficit actually falling because of the policy of cutting public expenditure?

Councillor Chapman replied as follows:

I've got to say first of all, I wanted Councillor Collins to answer this, because I'm getting bored with my own voice! I'm sure you are too, but there you go, we've got no option.

Over the current spending review, the 2010 period covering 2011/12 to 2014/15, the national grant funding to local authorities is being cut by over a quarter or £7.6bn in real terms. For Nottingham, this has meant that up until now we have lost about effectively £90 million of spend, and we are expecting another £80 million worth of reductions over the next three years.

The Chancellor also announced in his March Budget that further reductions of 1% above and beyond those in Spending Review 2010 will be found from non-protected government budgets in 2013/14 and 2014/15. Local government will be protected in 2013/14 and that is a great relief. But details of further cuts on the provisional 2014/15 budget are yet to be announced, and that is where I think we may get further reductions still on top of the ones we were expecting.

The likely future funding for 2015/16, covered in the June Spending Review, is currently unknown but we expect as I said, local government to get hit again if the government sticks to its ring-fenced protection of some of the bigger spending departments.

It has already been announced that total government spending in 2015/16, 2016/17 and 2017/18 will continue to fall in real terms at the same rate as during the Spending Review 2010.

However, the cross-party Public Accounts Committee has recently come out against this, particularly in terms of the impact on local government, and it has said financial sustainability of some local authorities is in jeopardy, and that the DCLG (Department of Community and Local Government) "does not properly understand the overall impact on local services that will result from further funding reductions" and that continuing cuts might leave some councils unable to meet their statutory duties. That means, actually, that some of them are heading for bankruptcy, and some of the smaller district councils in particular, and ironically enough some of the Conservative run councils are really heading for the rocks. They are in real real difficulty.

The problems for the government however, in addition, and why it's in such deep trouble, are two. First, there is no growth, the revenues are down. That's its main problem, all this assumption about growth that's not happened. And there is no growth because as I said later, they are deflating the economy by excessive reduction of public spending, but also because they are depressing the expectation of investors. Do not underestimate the psychology of this, if you go banging on about how the economy is in a state and we've got to cut, cut, cut, it says to investors, all of these people who've actually got a load of money stacked up on the balance sheets, why should I invest? And so as a consequence of them over-egging some of the problems, investment is not forthcoming. It is extremely short-sighted.

As a result, government borrowing figures announced in March indicate that the deficit in 2012/13, 2013/14 and in 2014/15 is expected to be £121 billion, £120 billion and £108 billion respectively. The forecasts for the same years made at the same time of the June 2010 Budget were £89bn, £60bn and £37bn. In other words, instead in a few years time we'll be at £108 billion which they're projecting, which I think is probably an underestimate. They were talking about £37 billion. Now that is one great big gap they are having to fill. And they're having to borrow an extra £70 billion in order to fill that gap, and this is a gap of their own making.

So by cutting too fast they've reduced income and the government is borrowing far more.

The second problem is indeed the increase in the social security budget, going up over 20% between 2011/12 and 2016/17. And this is something we, as a potential government, should really understand. The big pressure on the national budget is not the debt actually, because there are historically low levels of interest rates. It is the increased demand on the social security budget. But the reasons for this are not simply that there are more people around, and it's certainly not due to immigration, and it's not due to skivers. It is due to an increasing elderly population, that is the massive massive pressure on government budgets. And the government has also tied its own hands by refusing to tackle the benefits going to the wealthier elements in society, which means that it's having to press down more and more on services like those provided by local government, and that other category who are really easy meat; the poor. That is what is happening, and one of the reasons is that the rich tend to vote, and they used to vote until last week Tory, and the poor do not vote Tory, and I think there's some pork barrel politics going on here.

So in short, they are hurting a lot of vulnerable people, they are undermining the economy, and they are failing to drive down the debt. It amounts to an enormous amount of pain for a lot of poor people, without any gain, and I think that is a mark of utter failure, both moral, political and economic. Thank you.

22 CRIME AND DRUGS PARTNERSHIP PLAN 2013/14

The report of the Leader, as set out on pages 56 to 58 of the agenda, and the appendix which had been circulated separately, were submitted.

RESOLVED that, on the motion of Councillor Norris, seconded by Councillor Chapman the Crime and Drugs Partnership Plan 2013/14 be approved.

23 DECISIONS TAKEN UNDER THE URGENCY PROCEDURES

The report of the Leader, as set out on pages 59 to 62 of the agenda, was submitted.

RESOLVED that, on the motion of Councillor Chapman, seconded by Councillor Clark, the urgent decisions taken be noted.

24 APPOINTMENT OF THE DEPUTY CORPORATE DIRECTOR FOR COMMUNITIES

The report of the the Chair of ACOS, as circulated round the chamber, was submitted.

RESOLVED that, on the motion of Councillor Neal, seconded by Councillor Chapman, the post of temporary part time Corporate Director of Communities be offered to Andrew Vaughan for a period of up to six months.

25 MOTION IN THE NAME OF COUNCILLOR PIPER

Moved by Councillor Piper, seconded by Councillor W Smith:

“This Council:

- notes the success of recent welfare advice sessions across the city attended by 1200 people;

- commends the hard work of Welfare Rights advisors, NCH advisors and other Advice services who provided assistance;
- notes the damaging effects of the government's welfare reforms on the lives of many in Nottingham and its economy;
- recognises that welfare reforms will take £120 million out of Nottingham's economy;
- notes with regret that a large percentage of those affected by welfare reforms are in work households and their children;
- notes that the government is unprepared for the introduction of Universal Credit.

This Council:

- resolves to continue to provide advice and assistance where possible to citizens affected by changes to welfare payments;
- resolves to lobby the government to postpone the introduction of Universal Credit."

26 MOTION IN THE NAME OF COUNCILLOR ARNOLD

Moved by Councillor Arnold, seconded by Councillor Jenkins:

"This Council believes that pay day loans are detrimental to the health and economic wellbeing of Nottingham's citizens.

This Council notes:

- that pay day loans companies benefit from the economic misfortune of vulnerable citizen;
- that there is a need for stricter controls on this form of lending;
- that credit checks, which are not carried out by pay day loan companies, are necessary to protect those borrowing money as much as lenders;
- that Credit Unions offer a safer alternative to pay day loans.

This Council resolves:

- to lobby for stricter controls over pay day loan companies;
- to promote Credit Unions and the work they do to provide more suitable loans to vulnerable citizens;
- to investigate the possibility of requiring pay day loans premises to become licensed in the same manner as betting shops and public houses to protect the vulnerable;

- to lobby for stricter regulation of advertising for pay day loans companies.”

The meeting concluded at 4.46 pm

CITY COUNCIL – 8 JULY 2013

REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

OVERVIEW AND SCRUTINY ANNUAL REPORT 2012-13

1. SUMMARY

1.1 In 2012-13 the statutory scrutiny function was delivered through an Overview and Scrutiny Committee, which agreed and co-ordinated the overall work programme and carried out scrutiny of key strategic issues. This Committee was supported by the Health Scrutiny Panel, the Joint Health Scrutiny Committee, the Call-in Panel and a number of Scrutiny Review Panels commissioned by the main Overview and Scrutiny Committee.

1.2 I would like to record the Council's thanks to the following individuals, organisations and groups who supported Overview and Scrutiny during the last Municipal Year:

- Our partners and Executive Councillors who have been involved in overview and scrutiny work, both in providing the evidence that underpins our reports and in responding to our recommendations;
- The many community representatives, voluntary and community sector groups and individual citizens who have contributed to and supported Overview and Scrutiny; and
- Colleagues in the Council who have also supported our work.

1.3 The Overview and Scrutiny Annual Report for 2012-13 is appended to the Council booklet as a separate document for the consideration of Council.

2. RECOMMENDATIONS

IT IS RECOMMENDED that the Overview and Scrutiny Annual Report for 2012-13 be accepted.

3. **LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

None.

4. **PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Reports, agenda and minutes of the Overview and Scrutiny Committee, Health Scrutiny Panel, Joint Health Scrutiny Committee, Call-in Panel and Scrutiny Review Panels during the municipal year 2012-13.

**COUNCILLOR BRIAN PARBUTT
CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

CITY COUNCIL – 8 JULY 2013

REPORT OF THE LEADER

DESIGNATED PUBLIC PLACE ORDER

1 SUMMARY

- 1.1 On 28 January 2013, Full Council gave authority to consult on the proposal for a Designated Public Place Order (“DPPO”) that covers part of the Arboretum, Radford & Park and Leen Valley areas (herein after referred to as “the Order”). This report outlines the responses received during consultation and seeks approval to make, advertise and implement the Order.

2 RECOMMENDATIONS

- 2.1 Confirm that alcohol related nuisance or annoyance has been caused to members of the public, and/or disorder has arisen, which has been associated with the consumption of alcohol in the proposed area covered by the Order.
- 2.2 Authorise the Corporate Director for Communities and Director of Legal and Democratic Services to make and advertise the Order in accordance with the relevant Statutory processes, as detailed in paragraph 6 of this report.
- 2.3 Resolve that the Order take effect from 12th August 2013.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To reduce crime and anti-social behaviour, including nuisance and disorder arising from people drinking alcohol in the area covered by the Order.
- 3.2 To improve the quality of life and enjoyment of the area by residents, businesses and visitors.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 The Council has considered and utilises other options, including increased street patrols within the area and increased alcohol related

operations, to deal with the problems that arise. However these are unlikely, in isolation, to be effective in remedying alcohol related nuisance and disorder.

- 4.2 The Police have existing powers to seize and retain alcohol from young persons under the Confiscation of Alcohol (Young Persons) Act 1997. These powers do not apply to adults and cannot be used by accredited Community Protection Officers. The powers that would arise under the Order would apply to all persons regardless of age and can be utilised by both Police and all accredited officers. They would also give rise to the power to arrest people who refuse to stop drinking when asked to do so by an Officer.
- 4.3 Dispersal Orders are used by the Police from time to time; however, when applied they only give rise to the ability to disperse a group of two or more persons in any public place in the relevant locality which has resulted in members of the public being intimidated, harassed alarmed or distressed. The power does not specifically relate to preventing the consumption of alcohol.
- 4.4 Whilst directions to leave an area, under the Violent Crime Reduction Act 2006, can apply to individuals who may cause alcohol related crime or disorder, the power can only be utilised by the Police and once again, does not extend to the seizure of alcohol.

5 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 5.1 By virtue of the Criminal Justice and Police Act 2001 the City Council may make a DPPO to curb the problems brought about by irresponsible drinking in public places. The effect of an Order is to make it an offence both to continue drinking when requested to stop and to fail to surrender alcohol when requested to do so. The Act also gives powers to destroy alcohol that has been surrendered. Councillors will be aware that there are a number of similar Orders for other parts of the City including Hyson Green, the City Centre, Sneinton and parts of St Anns and Basford.
- 5.2 Evidence to support the making of a DPPO for the area concerned has been gathered which demonstrates that Community Protection and the Police in the area have seen an increase in reported problems of people causing nuisance and disorder affecting the enjoyment of the area and the general quality of life of residents, businesses and visitors alike due to the effects of alcohol. This was

reported to Full Council on 28 January 2013, and authority was given for the proposed Order to be the subject of statutory consultation.

- 5.3 Consultation took place between 6 February 2013 and 24 March 2013, with the statutory notice appearing in the Nottingham Topper Newspaper on 6 February 2013. As a result of the evidence collated following the consultation, members of the public appear to be in support of the proposed DPPO.
- 5.4 The Council has received a number of letters, attached at Appendix 2 to 4 from members of the public who have completed questionnaires stating that they are in support of the proposed DPPO and welcome the additional powers provided to Community Protection by the making of this Order which will assist in dealing with the issues of alcohol related anti-social behaviour and crime.
- 5.5 The Council has not received any letters or responses to the statutory notice from local businesses in the area.
- 5.6 Overall there is evidence that nuisance and annoyance has been caused to members of the public, and that disorder has arisen, which has been associated with the consumption of alcohol in the area to be covered by the Order. It is felt that these problems will continue unless the Order is adopted and that the powers granted by the Order will help to remedy the problems.
- 5.7 Enforcement will be by Community Protection Officers and the Police, however, the powers given by the making of the Order are discretionary and it is not intended that they should be used where people are drinking in public places responsibly and without causing nuisance, annoyance, or disturbance.
- 5.8 The proposed Order is attached as Appendix 1 to this report. A larger copy of the plan will be available prior to the meeting together with a copy of the evidence in support of the Order so Councillors can satisfy themselves that the tests for making the Order outlined in 7.1 and 7.3 below have been met
- 5.9 Should Council authorise the making of the Order it will need to be formally made and advertised before it can take effect. In addition appropriate signage needs to be made and erected and it is therefore recommended that the Order should not take effect until 12th August 2013 to enable these steps to be taken.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 Prior to implementing a DPPO, regulations require the Council to publish a Notice in the local newspaper circulated in the area. The notice must:-

- (a) Identify the place to which the Order will apply
- (b) Set out the effect the Order will have on the place
- (c) List the premises and times, where and when, the Order would not apply
- (d) Indicating the date on which the Order will take effect

6.2 The notice (see Appendix 5) would be published in the Topper newspaper which circulates in the proposed area. The Topper estimates for the cost of this advert as £483.00 per Notice.

6.3 An example of the proposed signs which will be used if an Order is made is shown at Appendix 6. It has been designed with language barriers in mind and is pictorial for those who cannot read English or the other languages displayed. The costs for each sign are approximately £29.40 (materials) with fitting of £90. Several signs would be displayed, one at each entry point to the area and additional signs at prominent points where particular issues with anti-social behaviour resulting from alcohol drinkers have been experienced. This overall cost is reduced when more than 50 signs are ordered. The costs could be reduced further still if all DPPO area signage was renewed.

6.4 There would be long term reduced costs for Community Protection and the Police in significantly reducing anti-social behaviour and alcohol related disorder in the area caused by drinking alcohol in public and subsequent behaviour associated with this activity.

6.5 There would be long term reduced costs for Community Protection and the City Council in significantly reducing litter caused by alcohol drinkers discarding their empty bottles and cans within the area.

6.6 If the Order is approved and the required signage erected, there will be no ongoing financial implications. The costs of enforcing the order will be met within the existing roles of Nottinghamshire Police.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL

IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS)

- 7.1 Paragraph 18 of the Home Office Circular 013/2007- Guidance for Designated Public Place Orders states that the local authority will want to satisfy itself that these powers are not being used disproportionately or in an arbitrary fashion which could be the case if one, isolated incident led to a designation order. Clearly there should be evidence of an existing problem, with an assessment as to the likelihood that the problem will continue unless these powers are adopted and belief that the problem could be remedied by the use of these powers. Against this background, it is possible that a single, serious incident might be sufficient to justify adoption of the powers.
- 7.2 The Order would assist the area by way of reducing and preventing criminal and anti-social acts.
- 7.3 As identified in the main body of the report Designated Public Place Orders should only be made where the Council is satisfied that to do so would be a necessary and proportionate response to problems caused by the activities of people drinking alcohol in the area defined and the subsequent anti-social behaviour caused by them. If the Order is to be made then the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 procedure must be followed including consultation and the advertisement of proposals. Subject to compliance with and the outcome of those procedures, the eventual making of the Order would be within the Council's powers.
- 7.4 Officers would use any powers derived from the making of a DPPO fairly and proportionately as described above. The use of the power is a discretionary one for individual officers. Any general offences or other anti-social behaviour would be dealt with under existing legislative powers.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 The proposed Order is not intended to restrict those wishing to drink alcohol in a sensible and reasonable manner and therefore would not impact upon such activities. The order does not have an impact on any particular gender, race, disability, religion or belief or sexual orientation. The powers that arise from an Order would only impact those who engage in alcohol related disorder and nuisance. The uses of the powers that arise under the proposed Order are specified in legislation that applies to everyone equally. Enforcement against

people acting in an anti social manner within the area of the DPPO will enable other members of the community, including young people, to enjoy the facilities provided without feeling uncomfortable or fearful. It is believed that interference with individuals' private lives would only occur in a proportionate and justifiable manner and within a defined area.

8.2 An Equality Impact Screening Assessment has been carried out which demonstrates that the implementation of an Order will not have a negative impact on Equality. There are no results from the consultation that could be utilised to assess any impact on Equality.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 Criminal Justice and Police Act (2001), sections 12-14.

10.2 Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 SI 2007/806

10.3 Home Office Guidance on Designated Public Place Orders (DPPO's): For Local Authorities in England and Wales.

**COUNCILLOR COLLINS
LEADER OF THE COUNCIL**

CITY COUNCIL – 8 JULY 2013

REPORT OF THE LEADER

DECISIONS TAKEN UNDER URGENCY PROCEDURES

1 SUMMARY

- 1.1 As required by the Council's Constitution, this report informs Council of urgent decisions taken under provisions within both the Overview and Scrutiny Procedure Rules and Access to Information Procedure Rules.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council notes the urgent decisions taken, as detailed in the appendices.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 To ensure compliance with the procedures detailed in the Council's Constitution.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 None.

5 BACKGROUND

5.1 Call-in Overview and Scrutiny Procedure Rules

- 5.1 Part 4, paragraph 15, of the Constitution requires that where a decision is taken under the urgency procedure, those decisions need to be reported to the next available meeting of Council, together with the reasons for urgency. Council will be aware that the call-in procedure does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The urgency procedure requires that the Chair of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and that it

should be treated as a matter of urgency. In the absence of the Chair, the Vice-Chair's consent is required. In the absence of both, the Chief Executive or his/her nominee's consent is required. Details of the decisions made where the call-in procedure has not applied due to urgency are set out in the Appendix.

5.2 **Special Urgency – Access to Information Procedure Rules**

5.3 The Local Authorities Executive Arrangements (Access to Information) (England) Regulations 2012 introduced a requirement for 28 clear days public notice to be given of all proposed key decisions. Where it is not possible to give the full 28 days notice, but there is time to give at least 5 clear days notice, then the General Exception procedure (as set out in paragraph 13 of the Access to Information Procedure Rules) applies. However, where 5 clear days notice is also not possible the above regulations provide for a Special Urgency Procedure (paragraph 14).

5.4 An urgent key decision may only be taken under the Special Urgency procedure where the decision taker has obtained agreement that the decision is urgent and cannot reasonably be deferred from:

- (i) the Chair of the Overview and Scrutiny Committee or
- (ii) if there is no such person, or if the Chair of the Overview and Scrutiny Committee is unable to act, the Lord Mayor (as Chair of the Council) or
- (iii) where there is no Chair of either the Overview and Scrutiny Committee or Lord Mayor, the Sheriff (as Vice Chair of Council).

As soon as reasonably practicable after the decision maker has obtained agreement, the decision maker must make available for public inspection at the Council's offices and publish on the Council's website a notice that the decision is urgent and cannot reasonably be deferred.

In addition the procedure requires that the Leader submits quarterly reports to Council containing details of each executive decision taken during the period since the last report where the making of the decision was agreed as a case of special urgency (paragraph 16.2).

5.5 Details of key decisions taken under the special urgency procedures are set out in the appendix.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 None.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

7.1 None.

8. EQUALITY IMPACT ASSESSMENT (EIA)

8.1 An EIA is not required as the report does not relate to new or changing services or policies.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 The Council's Constitution

10.2 The delegated decisions and committee reports detailed in the appendix to this report.

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

APPENDIX 1

URGENT DECISIONS (EXEMPT FROM CALL-IN)

<u>Decision reference number</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Consultee on urgency</u>	<u>Reasons for urgency</u>
0830	20/06/2013	Confirmation regarding the Closure/Automation of the Cashier Service	£110,164	Deputy Leader	Chair of Overview and Scrutiny	To allow for timely implementation prior to the closure of the cashier service.

APPENDIX 2

KEY DECISIONS – SPECIAL URGENCY PROCEDURE

<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Reasons for special urgency</u>
18/06/2013	Pre-Audit Corporate Financial Outturn 2012/13	Various outturns detailed in the report.	Deputy Leader	The recommendations in the report impacted on other decisions being made by the City Council on its funding and virement arrangements which need to be taken before the next ordinary meeting of the Committee currently scheduled for 16 July 2013.

CITY COUNCIL - 8 JULY 2013

REPORT OF THE CHAIR OF THE LICENSING COMMITTEE

REVIEW OF STATEMENT OF LICENSING POLICY

1 SUMMARY

- 1.1 As a Licensing Authority for the purposes of the Licensing Act 2003 (the Act), the Council is required to produce and publish a Statement of Licensing Policy (the Statement). A new Statement is required to come into force with effect from 7 January 2014 and is required to go through a consultation process prior to its adoption. The proposed draft Statement is attached to this report for approval prior to its release for public consultation (Appendix 1). Details of the method of consultation are also set out in the report.
- 1.2 The purpose of the Statement is to inform those making and considering applications for licences and other notifications under the Act of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and Statutory Guidance issued by the Home Office.
- 1.3 The consultation document also includes consideration and review of the existing City Centre Saturation Zone and Policy and also proposes a new Saturation Zone and Policy to cover parts of the Berridge, Arboretum, and Radford wards.
- 1.4 The Statement was presented to the Licensing Committee on 3 June 2013 which approved its content prior to submission to Council.

2 RECOMMENDATIONS

It is recommended that Council:

- 2.1 approve the release of the draft Statement of Licensing Policy for public consultation.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 It is a statutory requirement that a new Statement of Licensing Policy be adopted with effect from 7th January 2014.

- 3.2 It is proposed that the outcome of the consultation, (including any proposed amendments to the Statement,) be reported to Council at its meeting in December 2013 when Council will be required to approve the Statement in order to meet its statutory duties.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 NONE – statutory requirement.

5 BACKGROUND

- 5.1 The Council is a Licensing Authority for the purpose of the Licensing Act 2003.

- 5.2 Section 5 of the Act requires the Licensing Authority to prepare, consult and publish a Statement. At the time of the adoption of the existing Statement policies had to be reviewed every three years meaning that it is now appropriate to review the document. However, by virtue of the Police Reform & Social Responsibility Act 2012 Statements will now only need to be reviewed every five years. The Statement is in any event kept under review and the Authority may make revisions to it as and when it deems appropriate. The Statement must be published before the Authority carries out any functions in respect of applications or notifications made under the terms of the Act. Approval of the Statement of Policy is not an Executive function and only the Licensing Authority (Full Council) can adopt or review it.

- 5.3 Before determining its Statement, the Authority must consult with:
- The chief officer of police for the Authority's area
 - The fire and rescue authority for that area
 - Each Local Health Board for an area any part of which is in the licensing authority's area,
 - Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area
 - Such persons as the Authority considers to be representative of holders of premises licences issued by the Authority
 - Such persons as the Authority considers to be representative of holders of club premises certificates issued by the Authority
 - Such persons as the Authority considers to be representative of holders of personal licences issued by the Authority

- Such other persons as the Licensing Authority considers to be representative of businesses and residents in its area.

5.4 It is proposed that the consultation should last for a 12 week period.

5.5 As with previous Statements there has been liaison with neighbouring Licensing Authorities whilst preparing the draft Statement. The purpose of this is to try and ensure a consistency of approach where possible and appropriate whilst appreciating that each Authority will have its own specific issues and areas which need to be tackled individually.

5.6 Most of the policies are similar to those in the current Statement. However the Statement has been revised to bring it up to date with regard to changes in the law and Statutory Guidance. The existing City Centre Saturation Zone and Policy has been reviewed and it is proposed that this Policy be retained. In addition (following receipt of information from Nottinghamshire Police, and Community Protection,) it is proposed that a new Saturation Zone be added relating to off sales within parts of the Berridge, Arboretum and Radford wards. The information provided in support of both Saturation Zones and policies from the Police and Community Protection form background documents to this report and has been made available for inspection in the Members room in the run up to Council. Officers have been consulted internally over the proposed retention of the City Centre Saturation Zone and the Statement “refreshed” accordingly.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 The statutory fees levied for the regime are intended to cover the cost of the review of the Statement of Policy.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

7.1 It is a statutory requirement that the draft Statement be the subject of consultation with prescribed bodies and individuals and that thereafter the Statement be approved by full Council to come into effect on 7 January 2014.

7.2 The draft Statement has been the subject of legal advice to try to ensure conformity with the relevant legislation and Guidance and that

the policies contained within it are justifiable. As with any Council policy, once adopted it will be open to challenge by way of Judicial Review though it is unlikely that any formal challenge would be made prior to this on the basis of the consultative draft currently before Council.

- 7.2 The most contentious elements of the Statement are likely to relate to the Saturation Zones and Policies. In this respect the Guidance states that there should be an evidential basis for the decision to include such policies within the Statement and that Cumulative Impact (saturation) means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The boundaries for such Zones and Policies therefore need to be considered accordingly.
- 7.3 With regard to the newly proposed Berridge, Arboretum and Radford Zone and Policy some of the information received in support relates to health issues rather than the four licensing objectives of:
- the prevention of crime and disorder
 - the prevention of public nuisance
 - public safety
 - and the protection of children from harm.

Whilst the Home Office has issued a public consultation on the possibility of introducing health as a licensing objective for the purposes of cumulative impact policies only, the results of that consultation and any consequential legislative changes have not been published. Health is not therefore a matter which Council can take into account at this stage. Paragraphs 3-19 and Appendices 1-12 of Melanie Fretwell's statement must therefore be given no weight and should be disregarded when considering whether to include such a policy in the consultation draft Statement. The situation may change by the time that the Statement comes back before Council in December for adoption and Council will be advised appropriately at that time. The remainder of the information and appendices put forward by Ms Fretwell does relate to the licensing objectives and can be taken into account in reaching a decision on this issue.

- 7.4 The draft Statement has been prepared to enable fairness to all parties in relation to Equality & Diversity issues/

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED

WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 Evidence in support of retention of City Centre Saturation Zone and Policy and new Berridge, Arboretum, Radford Saturation Zone and Policy:-

- Statement of Sergeant Richard Shaw dated 27 March 2013
- Item RS/1 – Pub, Club and Off-Licence density in the East Midlands
- Item RS/2 – Violence- City Division
- Item RS/3 – Alcohol Report February 2013
- Statement of Melanie Fretwell dated 23 May 2013 (paragraphs 3-19 disregarded)
- Appendices 1-12 (disregarded)
- Appendix 13 - People, Premises, Places Initiative
- Appendix 14 - e-mail from Trading Standards
- Appendix 15 - map of DPPO (Hyson Green) boundary
- Appendix 16 - map of DPPO (City Centre) boundary
- Appendix 17 - map of proposed DPPO (Berridge, Arboretum, Radford) boundary
- Appendix 18 – map of City Centre Saturation Zone boundary
- Appendix 19 - proposed boundary for Berridge, Arboretum, Radford Saturation Zone
- Appendix 20 – Statement of Sergeant Neil Radford dated 13 May 2013
- Appendix 21 – Statement of Inspector Robert Wilson dated 15 May 2013 including Crime Pattern Analysis
- Appendix 22 – Statement of Inspector Gurmit Kaur dated 18 February 2013 including Crime Pattern Analysis
- Appendix 23 – Map showing density of off licences in Nottingham
- Appendices 24 – 43 photographs of off licences in the proposed area.

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Licensing Act 2003

9.2 Guidance issued under section 182 of the Licensing Act 2003, October 2012.

COUNCILLOR BRIAN GROCOCK
TITLE: CHAIR OF THE LICENSING COMMITTEE

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