



You are hereby summoned to attend a meeting of **City Council**
at Council Chamber, Council House on Monday, 13 November 2023 at 2.00 pm to transact
the following business

Agenda	Pages
1 Apologies for absence	
2 Declarations of interests	
3 Questions from citizens	To follow
4 Petitions from Councillors on behalf of citizens	Verbal
5 To confirm the minutes of the last meeting of Council held on 11 September 2023	5 - 28
6 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive	Verbal
7 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority	To follow
8 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council body	To follow
9 Decisions taken under Urgency Procedures Report of the Leader of the Council	29 - 32
10 Nottingham Community Safety Partnership Strategy 2023 - 2026 Report of the Portfolio Holder for Neighbourhoods, Safety and Inclusion	33 - 64
11 Review of Statement of Licensing Policy Report of the Chair of the Licensing Committee	65 - 128
12 Amendments to the Constitution Report of the Chair of the Housing and City Development Scrutiny Committee	129 - 136
13 Overview and Scrutiny Annual Report 2022/23 Report of the Chair of the Corporate Scrutiny Committee	137 - 156
14 Audit Committee Annual Report 2022/2023 Report of the Chair of the Audit Committee	157 - 186

15 Motion in the name of Councillor Audra Wynter

Nottingham City Council notes:

- that there is a crisis in local government funding with many councils facing severe budget problems. The Local Government Association (LGA) has calculated that the funding gap for local authorities in 2023/24 is £2.4 billion;
- that the main reasons for these problems are cuts in central government grant since 2011 combined with unfunded additional pressures in adult care and children's services, as well as recent rises in homelessness;
- that the poorer the area that the council represents, the greater the pressures, the greater the grant loss. The better off the area the fewer pressures, the less an area has lost. Nottingham between 2011 and 2023 has lost £915 per household, more affluent areas in the country, especially in the south, have lost less funding.

Nottingham City Council believes that the Government must move to a local government financing model that meets the demands of basic services, an ageing population and children in need and not, as now, on the basis of political expediency.

Therefore, Nottingham City Council resolves to:

- agree with other East Midlands Labour Authorities to collectively write to the Chancellor and Secretary of State to highlight the severe underfunding that local authorities generally are facing, but in particular the gross unfairness of the distribution of grant between local authorities;
- work with organisations like the Local Government Association, the Special Interest Group of Municipal Authorities (SIGOMA), and unions to campaign for a move towards a revenue funding model based on need and not on politics.

16 Committee Membership Changes

To note the following changes to Committee membership:

- a) Councillor Neghat Khan replaced Councillor Ethan Radford as a member of the Housing and City Development Scrutiny Committee;
- b) Councillor Zafran Khan stood down as a member of the Communities and Environment Scrutiny Committee;
- c) Councillor Ethan Radford was appointed to fill a vacant seat on the Children and Young People Scrutiny Committee;
- d) Councillor Neghat Khan was appointed as a named substitute for the Housing and City Development Scrutiny Committee;
- e) Councillor Nadia Farhat stood down as a member of the Housing and City Development Scrutiny Committee and Greater Nottingham Light Rapid Transit Advisory Committee and as a named substitute for the Planning Committee and Communities and Environment Scrutiny Committee.

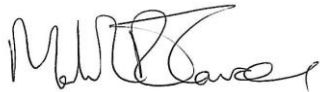
17 Extraordinary Council Meeting

To agree to hold an Extraordinary Council Meeting on 7 December 2023 at 6pm to seek Council's consent to the draft Combined County Authority Order, thereby proceeding with the next stage of the process to establish the East Midlands Combined County Authority.

Please note that questions to Council are received after the agenda has been published. Questions will be published as a supplementary agenda by 5pm on Friday 10 November 2023.

If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Team shown above, if possible before the day of the meeting.

Citizens are advised that this meeting may be recorded by members of the public. Any recording or reporting on this meeting should take place in accordance with the Council's policy on recording and reporting on public meetings, which is available at www.nottinghamcity.gov.uk. Individuals intending to record the meeting are asked to notify the Governance Team in advance.



Dated: 3 November 2023

Director for Legal and Governance

To: All Councillors of Nottingham City Council

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Public Document Pack Agenda Item 5

Minutes of the meeting of the City Council

held at the Council Chamber, Council House

on 11 September 2023 from 2.00 pm - 5.10 pm

Attendances:

✓ Councillor Carole McCulloch (Lord Mayor)	
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✓ Councillor Saj Ahmad	✓ Councillor Sam Lux
✓ Councillor Liaqat Ali	✓ Councillor Sulcan Mahmood
✓ Councillor Leslie Ayoola	Councillor Farzanna Mahmood
✓ Councillor Cheryl Barnard	✓ Councillor AJ Matsiko
✓ Councillor Steve Battlemuch	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Sajid Mohammed
✓ Councillor Kevin Clarke	✓ Councillor Fozia Mubashar
Councillor Audrey Dinnall	✓ Councillor Salma Mumtaz
✓ Councillor Michael Edwards	✓ Councillor Sana Nasir
✓ Councillor Nadia Farhat	✓ Councillor Devontay Okure
✓ Councillor Faith Gakanje-Ajala	✓ Councillor Nayab Patel
✓ Councillor Samuel Gardiner	Councillor Georgia Power
✓ Councillor Sam Harris	✓ Councillor Shuguftah Quddoos
✓ Councillor Jay Hayes	✓ Councillor Ethan Radford
✓ Councillor Patience Uloma Ifediora	✓ Councillor Nick Raine
✓ Councillor Imran Jalil	✓ Councillor Eunice Regan
✓ Councillor Corall Jenkins	✓ Councillor Sarita-Marie Rehman-Wall
✓ Councillor Maria Joannou	✓ Councillor Samina Riaz
✓ Councillor Kirsty Jones	✓ Councillor Andrew Rule
Councillor Kirsty L Jones	✓ Councillor Naim Salim
Councillor Helen Kalsi	✓ Councillor Michael Savage
✓ Councillor Angela Kandola	✓ Councillor Matt Shannon
✓ Councillor Anwar Khan	✓ Councillor Hayley Spain
✓ Councillor Zafran Nawaz Khan	✓ Councillor Maria Watson
✓ Councillor Gul Nawaz Khan	✓ Councillor Adele Williams
✓ Councillor Neghat Khan	✓ Councillor Linda Woodings
✓ Councillor Pavlos Kotsonis	✓ Councillor Audra Wynter

✓ Indicates present at meeting

28 Apologies for absence

Councillor Audrey Dinnall – personal

Councillor Helen Kalsi - unwell

Councillor Kirsty L Jones – leave

Councillor Farzanna Mahmood – personal

Councillor Georgia Power - personal

29 Declarations of Interests

None

30 Questions from Citizens

Display of Religious Symbols

A citizen asked the following question of the Portfolio Holder for Leisure and Culture: What is Nottingham City Council's policy on the permanent display of religious symbols on publicly owned land?

Councillor Pavlos Kotsonis replied as follows:

The policy was agreed by the Council's Executive Board and is available online within the Committee Reports section of the Council's website. The title of this policy is "New Statues, Monuments and Public Artworks in Parks and the Public Realm Owned by Nottingham City Council". It is important to note that the policy does not cover commemorative trees and benches, nor does it cover temporary installations, murals, plaques, or any installations on private land, although those may require planning permission. The policy provides an extra layer of nuance and due diligence, looking at considerations such as location, local history, funding, maintenance of structures that are proposed, quality of materials, community support, etc. When the policy went through the Portfolio, I did ask for a strong emphasis on diversity and inclusion – considerations to ensure that future monuments and installations express the full diversity of lived experiences in our city. We looked at areas such as the representative function of space for people from diverse ethnic and gender backgrounds. There is still a way to go in terms of achieving equality of representation in our public spaces, but this policy, as well as the new street naming policy which was brought forward last year, is a positive way forward in making space more representative, and space more accommodating to all of our diverse communities. It should be noted, lastly, that the statues and monuments policy does not replace the traditionally known planning process. Planning is a statutory function and anyone who proposes any installation which is of a certain scale will need to go through planning processes, depending of course on their application and the size of the proposed installation. The statues policy is an extra layer of consideration for issues related to culture which takes place before the planning process in most cases. That means that approval can be given by the Portfolio Holder responsibility for culture on a specific installation, but in most cases that will require a further approval which is given in relation to planning considerations, and that will be given either by a Planning Officer or by the Planning Committee depending on the scale of development. I hope that answers your question, thank you.

Playgrounds

A citizen asked the following question of the Portfolio Holder for Energy, Environment and Waste Services and Parks: What is the Council's current spending commitment to maintain, repair, improve and expand the provision of playgrounds in Nottingham? How does this commitment compare to patterns of spending over the past decade?

Councillor Corall Jenkins replied as follows:

With regards to the delay in replacing the swings in Ruddington Lane Recreation Ground, may I first apologise for the disappointment caused by the delay in the replacement. The old swing unit was removed because it had become dangerous, and, as always, our priority is to maintain the health and safety of the users of the

play area. However, I have spoken to the Green Spaces Development Team and I can confirm that the swings have been delivered and we are now waiting for contractors to confirm a date for the installation of the swings. Unfortunately, the play equipment is often made to order and delivered by specialist play area contractors. Clearly, this can create some delay and there can be supply chain delays, and also timetables can be delayed by the capacity of contractors. However, the Service understands your concerns, and will take steps to ensure advance communication is carried out to inform ward councillors about any future removals or any delays in installing replacement equipments.

Audit Committee

A citizen has asked the following question of the Chair of the Audit Committee: The recent Ernst and Young audit report concerning the Council's finances has reportedly not been reviewed by the Leader, Deputy Leader (notably the councillor responsible for finance), or other Council members. Additionally, the public, who have contributed £240,000 in council tax for this consultancy, has not been privy to the findings. Yet, decisions regarding the Council's response to the report were finalised in the Audit Committee meeting on 30th June. Given the Council's previous history of making political decisions without comprehensive information, evident from situations like Robin Hood Energy and the discrepancies in the Housing Revenue Account, two questions arise: a) Is the Chair of the Audit Committee content with the resolutions agreed upon during the 30th June meeting? b) Is it a routine practice for the Committee to make fiscal decisions using taxpayers' money without thorough knowledge of the facts?

Councillor Sam Gardiner replied as follows:

As has previously been communicated at Full Council, the report was prepared by EY. It was developed to give technical advice and opinion as to the effectiveness of financial controls at Nottingham City Council. To address the first question, I remain satisfied as to the appropriateness of the resolutions agreed at Audit Committee on 30 June 2023, which included the following: The Audit Committee noted the outcomes of the controls review, specifically the findings of the controls assessment, which underpins a conclusion that Nottingham City Council is operating within a considerably weakened control environment which is not fit for purpose in allowing a local authority to enact effective financial stewardship; and noted the immediate steps that the Council will undertake to address the findings. The Audit Committee requested future updates on the remediation work through the financial improvement plan reports; discussed establishing a sub-group that can assist the remediation work, and also wants to establish new panels, the remit of which will be established at a future meeting. Finally, the Audit Committee members want to voluntarily undertake a CIPFA self-assessment of the Audit Committee to provide assurances externally. It is clear, Lord-Mayor, that there were several outcomes from this one agenda item on Audit Committee on 30 June. It is clear that this will remain a standing item with the progress of remediations being monitored. It is worth nothing that the Audit Committee does have Opposition councillors within its membership, and there was a closed door session where councillors could ask any questions or seek clarity where they saw fit.

As to the second part of the question in relation to the Committee making fiscal decisions, the Committee has not taken a fiscal decision. The Committee has listened to the advice of the professional officer, reviewed it, and agreed with the

proposed course of action, but to be absolutely clear the Committee was never asked to make a fiscal decision.

The Audit Committee has a job to do, Lord-Mayor, and I am confident it will carry out its roles and responsibilities effectively.

31 Petitions from Councillors on behalf of Citizens

None

32 To confirm the Minutes of the last meeting of Council held on 10 July 2023

The minutes of the meeting held on 10 July 2023 were confirmed as an accurate record and signed by the Chair.

33 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive

The Chief Executive made the following announcements:

I'm pleased to report that the Council has received 15 Green Flag Awards, the international quality mark for parks and green spaces. 15 sites, including the Arboretum, Collett Country Park, Victoria Embankment, Highfields Park, Wollaton Park, Woodthorpe Grange, and two cemeteries – Highwood and Wilford Hill – have been accredited. The awards are testament to the hard work and dedication of Council staff and volunteers who make the city's parks and green spaces such great places for everyone to enjoy.

The Council has also been shortlisted in two other national awards. The Local Government Chronical Awards - this, in respect of our Public Health Team and our Change Academy where staff, many from under-represented groups, have been supported to develop their skills in Business Analysis and Project Management, and working on our improvement programmes – and also the Association for Public Service Excellence Awards for our frontline services. This covers our parks and our horticultural and our best climate action plan for decarbonisation.

I've got three sad announcements. Firstly, Phil Saunders, an officer in our Housing Management Division, died peacefully at home at the beginning of September. This was within a few days of taking retirement after 41 years of public service. Secondly, we join Nottinghamshire Police in mourning the sad loss of Sergeant Graham Saville who tragically died after being hit by a train while trying to help a distressed man. And thirdly, we also mark the passing of Valentine Nkoyo, and remember her for her work with the Mojatu Foundation which empowers and supports communities in Nottingham at risk from ongoing prejudice. Our thoughts are with the family and friends of all those we have lost.

Councillors David Mellen and Andrew Rule spoke in tribute to Graham Saville, and Councillor AJ Matsiko and Councillor Sarita-Marie Rehman Wall spoke in tribute to Valentine Nkoyo and Phil Saunders respectively.

A minute's silence was held.

34 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

35 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council body

Homelessness and Housing Funding

Councillor Sam Harris asked the following question of the Portfolio Holder for Housing: Does the Portfolio Holder for Housing share with me my shock and utter despair at the reports in July that Michael Gove returned nearly £2 billion back to the Treasury? And could the Portfolio Holder tell me how this money would ease the homelessness and housing crisis in Nottingham?

Councillor Jay Hayes replied as follows:

Yes, I do share your concerns about this matter. Funding like this would have been valuable to help us tackle the homelessness and housing crisis in Nottingham and I'm sure a number of councillors up and down the country would have been able to use this money to do the same. The Chartered Institute for Housing stated that such a sum would have bought five thousand affordable homes into use. Five thousand families could have had a decent, long-term secure home with this funding. To give a sense of the scale of the problems many families in Nottingham are facing, we have over nine thousand households on the waiting list needing support through social housing in the city. We have 761 of those households in temporary accommodation, including B&Bs and hotels, and every day new households are seeking advice and support from the Council's Housing Aid Service. Many of those are seeking help because of rising rents across the city and in the private sector which have outstripped the levels of the local housing allowance because this benefit has not kept up with the inflation in the rental market. More and more people who are relying on the housing allowance are actually in work and need this because of low pay. They need this money to support paying their rent or support their rent – and this is even before we consider the number of households who learned about their mortgages going up or that will go up in the next few months through the interest rate increase. That is because of the failure of the Conservative Government under Liz Truss and Rishi Sunak, who have failed to take any action to support people with mortgages or in private rented accommodation. Funds like this handed back to the Treasury could and should have been used to provide more low cost social housing, which is in such urgent demand. It could have been used to help to replace homes sold under the Right to Buy scheme with one-to-one replacements in Nottingham. Over the past seven years we have lost 1,750 council houses to the right-to-buy scheme and we have not been able to get the full money to replace them.

The Government offers funds in ways which make it hard for us to accept because they come with strings attached. Much of the funding we have to find or borrow from other resources, and with the borrowing caps and the financial difficulties we face, and that many other councils face across the country, it has been impossible for us to do so. A good example of this is the recent Local Authority Housing Fund allocated to support refugees with housing. Like us, many other authorities have not taken this

money, because it is only partly funded by the Government and the rest will have to come out of the City Council's budget. Yet again the failings of Government passing the burden on to local authorities. We already have subsidised funding to provide homes through the so-called One-for-One Right to Buy Replacement Fund, but these monies only meet 40% of the costs, so every house we sell through Right to Buy we only get 40% of that money in return. We have to find the rest to build a new property. Last week the Municipal Journal ran an article detailing the significant proportion of local authorities who also couldn't use this money due to the lack of matched funding finance or the fact that the funds are designed to buy homes on the second-hand market which is actually inflating the cost because of how much prices and interest rates have gone up over the last few years. If Nottingham City were able to secure a share of the funds that were given back to the Treasury without any strings attached they could have replaced all of our One-for-One Right to Buy replacement services. That's over two thousand houses we could have replaced with that money if it was given straight to us. Last year, Nottingham City Council unfortunately reached a great milestone. We have lost over half of our housing stock to the Right to Buy, which is increasing in demand and putting people into high-rent private accommodation which is unaffordable and putting more demand on us to find vulnerable families and people a decent home to live in.

While the Government has scrapped housing targets, in Nottingham we, as this Labour Group and this Council, haven't. I'm proud to say that last Council term we delivered on 1,000 new houses in the city for families to move in to, and this year we were elected on a winning manifesto that put 51 of us in this Chamber today to build another. I'm determined to see that we meet that target by the end of this term. But this money could have been spent – it doesn't need to go back to the Treasury – it could have remained in Department for Levelling Up, Housing and Communities, it could have been spent in other ways. It could have been spent on levelling up. How many times have we been rejected for levelling up funding in this city and other places like it when a nice wealthy place like Richmond that the Prime Minister sits in gets levelling up funding. If the Government doesn't have any ideas on how to spend this money, maybe the Opposition Party in Parliament do, and a Government without any ideas is a Government that should call for a General Election.

Afghan Refugees

Councillor Liaqat Ali asked the following question of the Portfolio Holder for Neighbourhoods, Safety and Inclusion: Does the Portfolio Holder for Neighbourhoods, Safety and Inclusion agree that the Government's decision to "evict" Afghan refugees from hotels and temporary accommodation is a shameful failure of duty, and yet another example of the Government's callous and uncaring views on refugees to this country?

Councillor Sajid Mohammed replied as follows:

My honest and fair appraisal Councillor Ali is that we can only describe this Government's performance as shameful failure – to everyone. I want to provide some context to the question which I feel would be helpful for members in the room. I think many of us remember exactly two years ago in late August, the images we saw of Kabul Airport, the so-called planned evacuation of British personnel, Afghans who had connections with Britain and also Afghans who worked for Britain during the war, and I think it's widely accepted that the planned evacuation was poorly executed. This inevitably led to the resettlement program being done off-the-cuff. In fact, we

could just describe it. I would describe it from my perspective as a continuous work-in-progress as policies continuously changed. It inevitably led to the Government looking for bridging accommodation, and we were very fortunate in Nottingham that Nottingham has two hotels – there isn't that many in the Midlands, but Nottingham had two – and we had the opportunity to resettle these Afghan refugees in the hotels. Unfortunately, as I would describe a bolt of lightning but as many of us could foresee given the aggressive nature against refugees by this current Government, all Afghans received a Notice to Quit three months ago in June. They were told that they only had twelve weeks to find accommodation and leave the service accommodation and hotels. That's twelve weeks. Many had children. Now as you can imagine, the resettlement program has always had a patchy response. Local governments have provided different responses in different ways and many were not offered places of accommodation even now. But Nottingham is a city of hope, a city of welcome, a city of opportunity and I'm proud to say that our officers have worked extremely well. I'm very proud of our response, and we have managed within those twelve weeks to find all Afghan families private sector accommodation. Not one has gone on to be homeless, not one has presented at Housing Aid – and this is down to our ability of partnership working. I want to recognise the great work we have done together with the Department of Work and Pensions and with the Home Office Liaison Officer. Not only have we found private sector accommodation for those families, bar 3 who are currently still in a hotel and we expect within the next four to six weeks they will move into their accommodation. We are waiting for special adaptations to be made by the landlords so that they can move in. So we've managed to do that, but not only that – we've ensured that all the Afghans received English classes and were supported by the Department of Work and Pensions. Many have already started to work in the city, and many more are going to join the employment market and help this city.

Now Councillor Ali, it remains to say that your description was 'is this a shameful failure of duty?', and I want to say that who haven't this Government failed? When we think about our children that were denied free school meals by so-called English MP patriots. They wrap themselves in the Union Flag, they wear badges of the Union Flag, yet millions of people in this country are using food banks. Even now, they haven't invested in our schools, and our schools have become dangerous buildings to our own children. They've brought the NHS, these so-called patriots, to breaking point. They've tanked the economy, where everyone is paying higher prices for gas and electricity and mortgage rates are going up, small businesses are being affected, and they have been crushing the public sector services through austerity measures, and now we're paying the price of high inflation. I want Nottingham to be reassured that this Group – Nottingham Labour – are the true patriots. We are committed that every child in this city will thrive, that no one will go hungry, that we will try our hardest to house, provide good education, good employment, and support local businesses. The only solution there is, is for an immediate General Election where we can get rid of these fraudsters, patriots who only have helped – it's easier, Councillor Ali, to ask the question 'who have they helped?' – well they've given tax cuts to petroleum companies so that they can continue polluting our world; they've given billions of money to their favourite friends and associates for personal protective equipment – most of it was never delivered, and at a higher price; and they have broken and tried to sell this country off all over the world to private companies and industry. It's only a Labour Government that is full of patriotism, that loves this country, that loves its people, that's going to bring back the housing.

Nottingham Castle

Councillor Sam Lux asked the following question of the Portfolio Holder for Leisure and Culture: Over 60,000 people have visited the Castle since its reopening, would the Portfolio Holder for Leisure and Culture join me in celebrating this and can he confirm what future events are planned at the Castle for this year?

Councillor Pavlos Kotsonis replied as follows:

On Monday 26 June Nottingham Castle reopened its gates. In the ten weeks since it was reopened, until 1 August 2023, I am pleased to report that we have hosted over 60,045 people visiting the Castle site, so slightly more than 60,000. If we consider the events prior to the full opening, the total number of people through the gates would rise to 72,005. So when you consider that we've set the target of 200,000 people in one year, isn't that realistic? Isn't that reassuring in terms of our ability to bring people through the doors? Seeing families queuing to go into the Castle and enjoy the redeveloped museum and the Brewhouse Yard, has been extremely gratifying to witness. Clearly the pricing strategy – pay once, visit all year, with under fifteen-year-olds going free – has had a great rapport with the people of Nottingham, and I think that it's a great thing to have as well if we think about Nottingham as a city that is child-friendly.

I want to acknowledge the hard work and professionalism of all of our teams in the Museums and Gallery Service in reopening so quickly. Yet again, it's the steer of Labour Councillors and a promise made to the Nottingham public about reopening the Castle in June, and we've obviously followed through on that promise. The Team and I are now focused on the Autumn program and developing a range of talks and events with partners. Details of these will be announced over the next number of weeks and will be linked to specific dates which will obviously be announced. However, I would like to take this opportunity to give you a brief overview of events and activities that are going to take place, which I think many of you are already waiting for. So, in September we obviously have the Heritage Open Days. We had two, on the 9th and 10th of this month just passed. We had the £1 ticket for the Heritage Weekend at Nottingham Castle. We had heritage talks from the people at the '70 Objeks & Tings' off the Windrush exhibition being held at the Castle at the moment. October will see events being planned in partnership with the universities for a special Freshers' Week promotion for the Castle, and I'm sure that Councillors Matt Shannon and Sam Lux sitting here are happy to hear that their support and their help to the Student Unions has come to fruition in terms of us having something happening in the Castle. It's really important when we have feedback from Councillors to see how we can make our heritage more friendly to our student population, more welcoming to our young people. There will also be a planned event with the organisers of the '70 Objeks & Tings' for the Caribbean finale celebration of the exhibition for the celebrations of Black History Month that will happen next month. In November we will see the launch of a twelve-month season of programmes dedicated to neurodivergent art with the world premiere of Stim Cinema. The exhibition will show how autistic filmmakers document the autistic perspective of the pleasure of repetition. The Castle will also be hosting talks as part of the University of Nottingham Being Human festival in the city, these being based at the Castle Rebellion and including the Goose Fair Cheese Riot of 1766. In December there will be a Christmas through the Ages event on the site featuring our own Castle Father Christmas and Christmas Market. This is just a brief outline of events taking place

that we are planning, and people should check the Castle website for further details. This has been an exciting time for Nottingham Castle – troublesome indeed this year, but also very exciting in terms of us being able to bring it back and have such an exciting programme coming in. I'm really proud of our work here and I'm looking forward to it developing further in 2024 and beyond.

Water Pollution

Councillor AJ Matsiko asked the following question of the Portfolio Holder for Energy, Environment and Waste Services and Parks: Could the Portfolio Holder for Energy, Environment and Waste Services and Parks confirm how polluted the river water is in Nottingham - in the Trent, the Leen and other water courses?

Councillor Corall Jenkins replied as follows:

As a local authority, we do not have direct access to the data on how polluted our waterways are. This is held by the Environment Agency. They have provided us with some statistics for the city, but unfortunately this is not broken down by river. In 2023 there were 21 sewage incidents in our rivers including burst water sewages, combined sewer overflows, pump station failures and sewage work issues. Because we do not have direct access to water pollution data, I am unable to give you a clearer picture as to how polluted our rivers in Nottingham are. However, the River Trust also publishes sewage leakage data. This data only covers 85% of the leakages and it is possible that water companies are concealing leakages. In 2022 there were 46 storm overflows of sewage in Nottingham waterways, all of which were monitored. There were 619 sewage spills, for a total of 1,909 hours, equating to 79.5 days. Again, this is only covering 85% of the actual leaks that took place. It is unacceptable that many sewages spills are occurring in the city. It is unacceptable that the waterways are polluted in this manner. We know who to blame for this, and it is the Conservative Government. It is under their watch that water companies have been getting away with breaking the law, with blatant dumping of sewage in waterways across the country, dumping it into our seas and polluting the country. The Government has failed as it allows water companies to effectively self-regulate their own actions. They have, like in many other areas of Government, abdicated responsibility. Perhaps the worst thing is that the water companies, when faced with the scale of their failures, have publicly stated that in any mitigation and improvement to the treatment of the system of sewer waters and the pipes etc. would lead to an increase in bills for the hardworking people of this country. In the midst of the ongoing cost-of-living crisis, this is unacceptable and highlights the failure of privatisation of water companies. Perhaps, this is the reason why the UK is the only country in the world that has solely privatised water treatment companies. So I am sorry to report that the waters in Nottingham are more polluted than they should be because the Government has failed to regulate correctly. In my view, it is not acceptable that as a local authority we do not have direct access to the Environment Agency's figures on water pollution and sewage dumping. We need to know how clean our waterways are. It should be a matter of course that we are kept informed, after all it impacts all the residents of Nottingham. The people of Nottingham deserve clean water in their rivers, and I think that anything less than that is completely unacceptable.

Reinforced Autoclaved Aerated Concrete

Councillor Michael Edwards asked the following question of the Portfolio Holder for Children, Young People and Education: Could the Portfolio Holder for Children,

Young People and Education tell us what is being done to check that schools in Nottingham are not at risk due to the presence of Reinforced Autoclaved Aerated Concrete (RAAC)?

Councillor Cheryl Barnard replied as follows:

Well, which of us had heard about RAAC before a couple of weeks ago? The City Council and academy trusts running schools within the city have been working with the Department for Education (DfE) during the last year, to identify any schools where the presence of RAAC may be suspected or where there is uncertainty over its potential use in school buildings. As a result of initial survey returns to the Department for Education, no City schools or academies were identified as requiring full or partial closure prior to the beginning of the new academic year. The change to DfE guidance prior to the new school year has prompted the increased focus on awareness of risks associated with RAAC. The local authority has ensured that all our maintained schools have received the updated guidance during the first week of the new term and has requested that headteachers and school site managers review their buildings accordingly. As a result, schools responded to the updated guidance. Where any new concerns or uncertainty has been raised by schools, we have deployed a project manager from our Major Projects teams to the school site to provide their professional opinion. This has resulted in three school site visits being undertaken in the first week of term, but in all cases no RAAC or suspected RAAC has been identified upon second inspection.

We are conscious that the raised awareness has naturally created greater levels of concern amongst parents, carers, children and staff about the safety of school premises. Therefore, though not an explicit requirement of the revised guidance, it has been agreed that a programme of inspection by external chartered surveyors is commissioned. Funding from the Schools Maintenance Contingency Fund has been approved, and that programme will be running over a number of weeks during autumn term. We believe that this is a sensible and proportionate measure to provide assurance to all stakeholders. We are also requesting that the DfE assure us that all academy trusts running schools in the city have complied fully with the guidance to ensure that City children are not at risk attending non-local authority maintained schools.

I'm unsure why the Conservative Government, despite the collapse of a RAAC roof in a school in 2018, had not given priority to the safety of children and young people until just before the start of the 2023 autumn term. The former Permanent Secretary for Education, Jonathan Slater, stated in an interview last week that when Rishi Sunak was Chancellor he was asked by the DfE to double the number of new schools from 100 to 200 but instead cut that number to 50. Also, the total school capital funding for repairs budget that was £9.8 billion in 2009 dropped to £6.4 billion. This is at a time when costs have risen, so it doesn't just represent a drop of around 30% but is more like a 50% drop. I would also add that the Government axed the Building Schools for the Future programme in 2010 and embarked upon opening free schools using disused buildings with no detailed surveys. Michael Gove made much of the fact that ministers would be tearing up planning laws to enable this. The refurbishment of these buildings ran to millions of pounds, whilst other state schools struggled with leaking and decaying buildings in urgent need of repair. One of these refurbished free schools closed 18 classrooms last week due to RAAC – no detailed survey or understanding of risk.

So were the Government aware of the state of our schools? A Condition of School Buildings survey in May 2021 found that the backlog of maintenance needed came to £11.4 billion, with £1.5 billion relating to school roofs. Not all of this would relate to RAAC, but it does indicate that major rebuilding of schools was necessary, and that the schools maintenance grant that we receive can only deal with the most urgent of repairs. I believe that our children deserve better. I'm sure that all councillors will agree with me that they have been let down by our Government.

Strategic Council Plan

Councillor Devontay Okure asked the following question of the Leader of the Council: In May, local elections delivered 51 Labour Councillors on the basis of an ambitious manifesto. Can the Leader report on progress on adopting these manifesto commitments as Council policy and on progress to date on the current Council Plan?

Councillor David Mellen replied as follows:

4 May 2023 was indeed a proud day for our City when Labour secured 51 seats out of a possible 55 - well-illustrated in this Chamber today. We increased our majority from the last electoral term and we saw the end of the Conservative Party in Nottingham, who failed to win a single seat, and who are no longer represented on this Council for the first time. This is a trend I look forward to seeing replicated at the next year's General Election when the Tories will hopefully face a similar rout on a national scale.

So, I'm proud to stand here as the Leader of the Labour Group in Nottingham. Not only did we increase our majority in this Chamber, but we did so with 62% of the popular vote. The people of Nottingham spoke loudly and clearly, they support the valuable work carried out by the Labour Authority and they have given us a clear mandate to continue. They are right to do so – out of the 140 pledges made in 2019, we delivered 127 of them. This included the building of 1,023 new affordable homes, helping 7,635 people into work, training or education, alongside protecting advice services, 75 community protection officers, 6 leisure centres and 15 community libraries. But we are honest about what we can achieve. It wasn't 140, it was 127. 13 of them we didn't manage to keep for one reason or another. If we'd kept all of them I would suggest that the manifesto was a bit too easy. But we're honest, we achieve and we're open and transparent about work that is still needed. We are aware that local government continues to be underfunded and that pressure on our demand-led services is increasing, but we are no less ambitious in our new manifesto for this new electoral term.

Our top five priorities are to continue to tackle the cost-of-living crisis; to provide 1,000 new affordable and social rented homes to rent or buy; to keep our streets, neighbourhoods and the city centre clean; to become the first carbon-neutral city in the country; and to support 3,000 Nottingham people into work. The Strategic Council Plan was refreshed in March earlier this year, and our new 105 manifesto pledges will be incorporated into a plan to be published when we next set the budget in February, where they are seen to be affordable and where finances are currently available.

Following May's election, work is already underway to make good progress against the 105 pledges. So, for example Lord-Mayor, we've already heard in this Chamber

today about the successful reopening of the Castle – one of the key pledges to the people of Nottingham. We are already working towards becoming a UNICEF Child-Friendly City. We're continuing to work with other councils to maximise investment in our communities through the Combined County Authority. We are promoting the work of our Clean Champions by extending our network to 10,000 people across the city involved in this valuable activity. We have a plan for restoring the Embankment paddling pool. We are working with the Nottingham Business Improvement District (BID) to continue to make Nottingham a safe place to enjoy a night out, and Lord-Mayor I could go on. Some of these pledges involve campaigning and these will be led by councillors. These include things like campaigning for the electrification of the Midlands Main Line, something which we have been involved in already, campaigns to see that qualifications achieved by many of our residents abroad are recognised here, and campaigning for Nottingham to receive its fair share of police funding. These pledges are led by councillors who will work with other people who share the same aims to seek to bring about the necessary change.

I look forward, Lord-Mayor, to reporting back on further progress on all of these and more when we bring back the Strategic Council Plan to this Chamber for approval at the beginning of next year.

Cemeteries

Councillor Kevin Clarke asked the following question of the Portfolio Holder for Energy, Environment and Waste Services and Parks: Could the Portfolio Holder explain the thinking of getting members of the public to remove cherished items from on and around their loved one's graves unless they renegotiate the terms of the leases they have?

Councillor Corall Jenkins replied as follows:

I'd like to say that Nottingham City Council understands that bereaved families may wish to leave gifts on their lost loved ones' graves and the Bereavement Service continues to work with families to do this whilst ensuring that access to enable essential ground maintenance and/or further burials to take place remains. We recognise that the design of the lawn grave does not provide a designated area to leave gifts and where we can we work with families to provide options such as an official half-kerb set which then gives the family space to place items within a designated and controlled area that doesn't impede these ground works.

We also need to ensure that our cemeteries are accessible for all, so those with mobility challenges can also access the facilities. Within the lease agreement with reference to how lawn graves are to be maintained it states that memorabilia cannot be placed on these graves. The Cemeteries Service is current consulting with families to inform them of what memorials are allowed and to help provide information about alternative memorial options, which may result in a different lease agreement. As we progress the management of these areas we ensure signage on site and also write to specific families where issue have been identified to ask them to contact us and to remove items. All the families, where possible, are being informed and clear signage is being place out in the cemeteries to notify the families before any items are removed. Families are asked to make contact with the Cemetery Services to discuss the removal well before anything is actually removed. In some

cases where there is no response the items are removed, and these items are then stored and available for collection.

Nottingham Cemetery and Crematorium Services continue to work with all families with graves within the cemeteries to ensure that the site is maintained to a high standard and remains accessible for all. This policy is laid out in the grave lease document and it is also detailed in the new Cemeteries and Cremations Services Policy that is available on the Council website.

Victoria Market

Councillor Kevin Clarke asked the following question of the Leader of the Council: Could the Leader of the Council provide an update on the future of the Victoria Market and what is being done to finalise compensation arrangements for those traders who already vacated the market in good faith and incurred additional costs as a result?

Councillor David Mellen replied as follows:

Let me start by assuring him that our work to resolve the future of the Victoria Market continues and that we remain in regular contact with the traders. This remains a high priority for the Council and is being well-led by the Portfolio Holder for Leisure and Culture. I know this has not been a quick process. In January 2022, approval was given to negotiate the Council's exit lease with Global Mutual, who own the Victoria Centre, and to agree terms with the market traders to leave the market. However, following negotiations with the traders where provisional compensation agreements were reached with the majority, but not all, of the traders, the cost envelope was beyond the agreed budget and a commercial review was undertaken. Since then the deadline to vacate the market has passed and Global Mutual, the owners of the centre, have terminated the agreement for surrender. While there is no longer any legal agreement to allow the surrender of the Victoria Market lease to Global Mutual, it is still the Council's preferred position to exit the Victoria Market. We have undertaken a review to identify the options available and these will be considered by members later this year. These options will include arrangements for trader notice compensation and arrears. Traders that have incurred legitimate costs in leaving or preparing to leave the market, such as abortive legal fees, can provide appropriate information to council officers, and these requests will be considered on an individual basis. Traders have been informed of this arrangement.

Women's World Cup Final

Councillor Kirsty Jones asked the following question of the Portfolio Holder for Leisure and Culture: Does the Portfolio Holder agree with me that it was a missed opportunity for the Council not to publicly broadcast the Women's World Cup final and bring the residents of Nottingham together to support the England Lionesses, and that the grounds of the Castle would have been an ideal venue to do so?

Councillor Pavlos Kotsonis replied as follows:

Firstly, can I start by congratulating the Lionesses for their fantastic achievement in the reaching the 5th Women's World Cup Final last month and particularly the goalkeeping heroics of Nottingham's own Mary Earps. Her performances were inspirational, rightly being named and recognised as the best goalkeeper in the World Cup tournament, claiming the Golden Glove award. More recently, Mary has also been nominated alongside Millie Bright, Rachel Daly and Georgia Stanway for the

Women's Ballon d'Or which will be awarded later this year. The role that the England's Women Football Team in inspiring girls and women in sport cannot be underestimated. As a city with sport very much at its heart, I want to thank them and do wish Mary and all the English players every success for the future.

Despite this tremendous achievement, it was disappointing that we were not able to, on this occasion, offer a public screening of the Final. The decision was taken for a number of reasons. The cost is the first reason. The cost of undertaking such a screening would have been significant, and may I just explain that it was also unbudgeted in the sense that this is an ad-hoc event that came in – it was not on the standard events cycle, it was an extra event that would have to be funded – and obviously the other issue with it was that there was an absence of sponsorship. Previously, for example, when we held the Coronation and the Eurovision Song Contest, we had Department for Culture, Media and Sport funding available from the Government to do this sort of thing. Obviously, in this occasion, we didn't have funding available for this screening therefore it was more difficult to do. Also, the time difference between the UK and Australia was an issue in terms of finding the right way of delivering it, and lastly, capacity. The Final fell at the same time as the Carnival and we had all our Teams there so, logistically speaking, we had to focus on the Carnival. I hope this lays out some of the reasons why, on this occasion, we were not able to screen this very important Women's World Cup Final. When it's possible to celebrate national celebrations we will always consider what is achievable. Accepting the financial constraints of course is something we have to do. We have a duty to have a balanced budget so we have a duty to make sure we do this in the appropriate way.

Community Centres

Councillor Maria Watson asked the following question of the Portfolio Holder for Leisure and Culture: Can the Portfolio Holder provide further detail on how the concept of community benefit will be applied to mitigate potential rent charges to the City's community centres?

Councillor Pavlos Kotsonis replied as follows:

The Community Asset Transfer Policy will adopt a mechanism for calculating the social value of activities run or managed by each of the community centres. The Communities Team has worked in collaboration with colleagues in the Property Team to develop a social value scoring matrix. That's going to create opportunity for centres to achieve a discount to the stated lease rent which is less than the market value. The categories that carry the most benefit in terms of percentage discount reflect those objectives that are identified on the Council Plan, linked of course with local communities, and those will be areas like combatting social isolation, combatting social deprivation and finding solutions for food poverty. Those are just some examples of activities that will score well in terms of helping those centres in the future, scoring well on the matrix and reducing the rents that they have to pay. The scoring matrix will also assist centres to identify activities and areas of need that are reflected in the Council Plan, which in turn will help centres in the development of a plan that will obviously focus on those areas that have the maximum impact for our residents. This is the most rational way of delivering this. This style of evaluating social worth of community centre activities is one that a number of authorities have

already adopted, and it will be part of the corporate landlord management system that is in the process of being implemented. It's not limited specifically to community centres, so this will be connected to other areas of community asset activity and so on.

Housing Revenue Account

Councillor Andrew Rule asked the following question of the Portfolio Holder for Housing: Following the well documented unlawful spend from the Housing Revenue Account, the Portfolio Holder's predecessor indicated at the budget meeting that there was a strategy in place to prioritise how monies repaid to it would be prioritised to benefit tenants. Could the Portfolio Holder provide further detail on this and particularly focus on how this will benefit those tenants with properties requiring outstanding repairs?

Councillor Jay Hayes replied as follows:

All of the monies returning to the Housing Revenue Account (HRA) are ringfenced and can only be spent on the priorities of the tenants. A layer of scrutiny for all HRA activities is provided through the governance and decision-making process, the Strategic Director of Housing and the new developed Housing and City Development Scrutiny Committee. This should provide assurance to all members and residents and other stakeholders that funds are allocated and spent in line with HRA guidelines. Additionally, the Social Housing Regulations Act has brought a new regulatory regime to drive up standards in social housing. The new tenant satisfaction measures and customer standards will be used as an additional measure to hold all social landlords to account for the service they provide. Members will be provided with feedback on our performance in due course and we are undergoing the second part of the tenant engagement and feedback.

The Housing Department has a thirty-year business plan which helps to inform priorities of the HRA spend on the maintenance of our homes and assets. This plan is currently being reviewed and updated with the latest financial and stock information and all of the returned funding will be incorporated into a long-term plan. Residents have identified the importance of good quality neighbourhoods with a strong sense of community and good value. As landlords we have to demonstrate that we meet our statutory and regulatory landlord responsibilities identified in the housing tenancy. Our priority is to aim to deliver the most effective balance between making decent homes, preventing homes from falling below the standard through the customer-focused delivery model and we will discharge these obligations through the Repairs, Maintenance and Investment Service. We have consulted with tenants on their priorities for investment in their homes, both as a part of the roadshow prior to bringing Nottingham City Homes back into Nottingham City Council. Tenants identified priorities including safety, security and warmth. Our investments in the maintenance programme have focused on spending on customer safety, including the installation of Secured by Design windows and doors, we have grade A boilers that are regularly maintained and we deliver a comprehensive compliance programme for electrical, water, building and fire safety. We will be reviewing our investment priorities based on the data we have on the condition of our stock to ensure we are addressing the emerging investment needs. Our repairs service is aimed at ensuring the properties are maintained in a reasonable state of repair as outlined within the Government guidelines. We are reviewing our offer to ensure that

we are able to manage and increase the service demand, and to increase what our customers can expect from the repairs service. We are using our resources in an aligned, efficient and effective manner and we target activities where we will make an impact in the safety of tenants and our ability to carry our essential day-to-day activities in their homes. Investment is always important because properly planned investment programmes is what's need to create long-term secure and safe homes for people. We understand there has been a challenge in the repairs service, and over the summer months our office has been working hard to uncover and go into detail about the issues with the housing services. We will be putting forward a detailed plan of how we are going to continue to invest in our local communities, invest in our properties for the benefit of tenants in due course and all of the HRA spending plans will be brought for approval in the appropriate manner.

Ruddington Lane Recreation Ground

Councillor Andrew Rule asked the following question of the Portfolio Holder for Energy, Environment and Waste Services and Parks: In February the Council removed the swings from the Ruddington Lane Recreation Ground. It is now almost six months since they were removed. Can the Portfolio Holder provide a timeframe for when they will be replaced and outline what can be done to ensure that replacing equipment does not take this amount of time in the future?

Councillor Corall Jenkins replied as follows:

I've covered some of this already in response to another question, but I'd just like to say that firstly I apologise for any disappointment caused by the delay to the replacement. I've spoken to the Green Spaces Development Team and I can confirm that the swings have been delivered and we are now waiting for the contractors to confirm a date for the installation. Unfortunately, the play equipment is often made to order and delivered by specialist play area contractors, and we have no control over that delivery time. This can create delays, and these can be supply-chain delays and also the timetable can be delayed by the capacity of the contractors. The Service does understand your concerns and will take steps to ensure advance communication is carried out to inform all ward councillors about any future removals and delays in installing replacement equipment and keep that dialogue going.

36 Oral Health

Councillor Linda Woodings, Portfolio Holder for Adult Social Care and Health, proposed the report about the state of oral health in the City and opportunities to improve oral health, including through water fluoridation. The report was seconded by Councillor Samina Riaz.

Resolved to:

- 1) note the evidence that demonstrates children in Nottingham experience worse dental health than many other parts of England;**
- 2) note the evidence that water fluoridation is shown by the Office for Health Improvement and Disparities to benefit children and adults throughout their lives and is a safe and effective tool to improve oral health and reduce some of the health inequalities felt by communities;**

- 3) reaffirm the Council's commitment to improving dental health including advocating for a local water fluoridation scheme for Nottingham City; and
- 4) delegate to the Portfolio Holder for Adult Social Care and Health and the Director of Public Health to work with other local councils, the Nottingham and Nottinghamshire Integrated Care Board and Office for Health Improvement and Disparities and ask the Secretary of State for Health and Care to conduct a more detailed exploration of a water fluoridation scheme that benefits Nottingham City residents.

37 Decisions taken under Urgency Procedures

Councillor David Mellen, Leader of the Council, presented the report detailing urgent decisions that the Council is required to note, which had been taken under provisions within the Overview and Scrutiny Procedure Rules and Access to Information Rules. The report was seconded by Councillor Audra Wynter.

Resolved to note:

- (1) the following decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules:

Decision Reference	Subject	Decision Taker	Reason for Urgency
4996	Lease of Highwood House to Nottingham City Homes Registered Provider Ltd	Portfolio Holder for Housing	Delay would have had onward implications for other disposals including those with statutory timeframes, and potential to severely delay the new lease being activated.
5006	Purchase of Nottingham City Homes Fleet	Leader of the Council	To enable the vehicles to be used for service provision and payment made to NCH enabling financial year-end closedown procedures to be completed as soon as possible.

- (2) that there were no decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules since the last report to Council.

38 Motion in the name of Councillor Dr Nayab Patel

Councillor Nayab Patel moved the following motion, which was seconded by Councillor Linda Woodings:

Council resolves to adopt the Motor Neurone Disease (MND) Charter, which sets out the care and support that local people living with MND and their carers deserve and should expect.

The MND Charter is made up of 5 points:

1. The right to an early diagnosis and information
2. The right to access quality care and treatments
3. The right to be treated as individuals and with dignity and respect
4. The right to maximise their quality of life
5. Carers of people with MND have the right to be valued, respected, listened to and well-supported.

By adopting the MND Charter, this Council agrees to promote the Charter and make it available to all councillors, council staff, partner organisations and health and social care professionals who deliver services for the Council.

We will raise awareness of MND and what good care looks like for those living with this devastating disease, as stated in the Charter, and do everything we can as a council to positively influence the quality of life for local people with MND, their families and their carers living in our community.

Resolved to carry the motion.

39 Motion in the name of Councillor David Mellen

Councillor David Mellen moved the following motion, which was seconded by Councillor Angela Kandola:

Council notes with dismay the news that the Department for Transport and the 13 train operating companies it manages have announced plans to close almost all staffed ticket offices in England, totalling nearly 1000, following changes to the Government's guidance relating to ticket office opening hours and operation. Statutory Consultations began on 5th July and finished on 1st September. Council believes that ticket offices provide a vital service to residents in Nottingham and support passenger safety, security and accessibility. Having a central place in the station for people requiring advice and assistance provides certainty and confidence for customers who may struggle to otherwise locate station staff and also acts as a point of safety for passengers. At many stations, access to facilities such as toilets and waiting rooms is reliant on ticket office staff. Not all residents are able to use ticket vending machines or online ticketing platforms. Many journeys require human assistance to ensure customers purchase the most appropriate and cheapest tickets, and do not incur penalties from mis-booked tickets. Ticket office staff have a wealth of knowledge which ensures that customers get appropriate advice for their whole journey. Council is concerned that the closure of ticket offices will disproportionately affect disabled, Deaf and older residents in Nottingham – as well as those with poor literacy and IT skills or on lower incomes. Council also notes the possible implications for current station staff and believes that the closure of ticket offices could lead to a de-staffing of rail stations.

Council therefore resolves to:

- request that the Leader writes to the Secretary of State for Transport, expressing Council's opposition to the possible closure of staffed rail ticket offices – and in particular the offices at local stations, and;
- request that the Leader writes to East Midlands Railway expressing the Council's opposition to any plans to close the staffed ticket offices at local stations.

Councillor Michael Edwards proposed an amendment to the motion, which was seconded by Councillor Eunice Regan to insert a new 4th paragraph: "Council notes the proposal to reduce the number of ticket office windows at Nottingham station from 3 to 1." And after the words "expressing Council's opposition to the possible" insert the words "reduction of ticket office windows at larger stations and"

Resolved to pass the amendment.

Councillors debated the amended motion.

Resolved to carry the amended motion.

40 Committee Membership Changes

The following changes to committee membership were noted:

- 1) Councillors Farzanna Mahmood and Eunice Regan had replaced Councillors Sam Lux and Matt Shannon as members of the Health and Adult Social Care Scrutiny Committee
- 2) Councillor Sam Lux had replaced Councillor Eunice Regan as a member of the Health and Wellbeing Board
- 3) Councillor Matt Shannon had replaced Councillor Farzanna Mahmood as a member of the Regulatory and Appeals Committee
- 4) Councillor Angela Kandola had replaced Councillor Matt Shannon as a member of the Greater Nottingham Light Rapid Transit Committee

41 Extraordinary Council Meeting

Resolved to hold an Extraordinary Council meeting on 13 November 2023 at the rising of the Ordinary Council meeting on that day to appoint Honorary Aldermen and Alderwomen.

The Meeting concluded at 5.10 pm

Response to Questions from Councillors requiring a written response

WQ1

Question asked by Councillor Andrew Rule of the Leader of the Council

The Leader of the Council will be aware that the Labour run Council in Birmingham is subject to a Section 114 notice and a significant cause of that is a £760million equal pay claim awarded against the Council. With that in mind, can the Leader offer reassurance that claims in a similar judgement upheld in the Supreme Court against Nottingham City Council in 2018 have all been settled; and if not what proportion of claims remain outstanding and what their cumulative value is?

Councillor David Mellen replied as follows:

The claims against Nottingham City Council were in relation to the freeze in incremental pay progression initially introduced in 2011 and then extended in 2013. The claims made by the Trade Unions, collectively for a number of employees, related to illegal deductions from wages in this regard and were in no way related to equal pay.

The process for settling these claims is a complex one, managed between the legal representatives of the Council and the legal representatives of the Trade Unions and involve complex calculations relating to back pay and pensions contributions over a number of years.

In total, there were 694 claims presented. 147 were dismissed prior to the first hearing. 547 were successful at appeal stage. A further 31 claims were dismissed/withdrawn in favour of the Council and 516 proceeded to settlement stage. 161 of these have been settled. In the region of 250 claims are awaiting action (at varying stages) by the Trade Union's legal representatives. 6 claims are awaiting action by unrepresented claimants. Work on the schedules by the Council's solicitors has paused for a short period to enable the Trade Union's solicitors to catch up with the work connected with those offers currently awaiting action.

WQ2

Question asked by Councillor Kirsty Jones of the Portfolio Holder for Skills, Growth, Economic Development and Property

Could the Portfolio Holder provide a breakdown of the proportion of commercial and industrial units in the City owned by Nottingham City Council split out by year since 2019?

Response not yet provided

WQ3

Question asked by Councillor Kevin Clarke of the Portfolio Holder for Finance and HR

Could the Portfolio Holder provide the following information in relation to Loxley House:

- Current book value as at 31 March 2023
- Annual utility cost for the last five years
- Annual maintenance cost for the last five years
- Current occupancy rate split out between the Council and non-Council organisations

Councillor Audra Wynter replied as follows:

Current book value as at 31 March 2023

The last published figures by the Council are as at 2018/19 with an asset value of £27.3m.

Annual utility cost for the last five years

Costs in £000's	Electricity	District heating	Water
2022-23	411	184	16
2021-22	374	139	14
2020-21	434	122	15
2019-20	441	101	32
2018-19	450	87	42

The Council's own energy generation company supply heat and power so the above expenditure largely stays within the Council. Water is also delivered through a self-supply arrangement which mitigates cost to the Council.

Annual maintenance cost for the last five years

FY (when order raised)	Sum of Expenditure £
19/20	577,338
20/21	360,117
21/22	437,388
22/23	392,397
23/24 to date	52,362
Grand Total	1,819,602

Current occupancy rate split out between the Council and non-Council organisations

Available desk spaces to external organisations within Loxley House amounts to 7% of total supply.

WQ4

Question asked by Councillor Maria Watson of the Portfolio Holder for Finance and HR

Could the Portfolio Holder provide a breakdown of external grants received by the City Council in the last 12 months, together with a breakdown of income earned by the Council for administering those grants?

Councillor Audra Wynter replied as follows:

Response not yet provided

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City Council – 13 November 2023

Report of the Leader of the Council

Corporate Director/ Director:

Director of Legal and Governance

Report Author:

Jane Garrard, Senior Governance Officer

jane.garrard@nottinghamcity.gov.uk

0115 8764315

Title: Decisions taken under Urgency Procedures

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 As required by the Council's Constitution, this report informs Council of any urgent decisions that have been taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) in the Constitution.
- 1.2 During the period since the last report to Council in September 2023, there have been no decisions taken under these urgency provisions. This reflects the significant reduction in the use of urgency procedures since the adoption of the new Constitution in October 2021.

2. Recommendations

- 2.1 To note that no decisions have been taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and/or Access to Information Procedure Rules (Article 13) of the Constitution since the last report to Council in September 2023.

3. Reasons for recommendations Page 29

3.1 To ensure compliance with requirements of the Council's Constitution.

4. **Other options considered in making recommendations**

4.1 None. It is a Constitutional requirement that Council is informed of any urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

5. **Consideration of Risk**

5.1 Consideration of the risks associated with individual decisions are published as part of each of those decisions.

6. **Background (including outcomes of consultation)**

6.1 Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

The call-in procedure set out in Article 11 of the Council's Constitution 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 provisions require the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Vice-Chair; or in the absence of all three, the Chief Executive) to agree that the decision proposed is reasonable in all the circumstances and that the reasons for urgency are valid. The Constitution requires that decisions taken under these urgency provisions are reported to the next meeting of the Standards and Governance Committee and Full Council.

6.2 Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

Where it is impracticable to give at least five clear working days notice that a Key Decision is going to be made, a Key Decision may only be made in accordance with the Special Urgency provisions set out in the Access to Information Procedure Rules (Article 13 of the Council's Constitution). The Special Urgency provisions require agreement from the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred. The Constitution requires that decisions taken under these urgency provisions are reported to the Standards and Governance Committee and Full Council.

6.3 There have been no decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules since August 2023 and no Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules since April 2023. This reflects a positive trend since the adoption of the new Constitution in October 2021 of a significant reduction in the use of urgency procedures.

7. **Finance colleague comments (including implications and value for money)**

7.1 Comments from Finance colleagues in relation to individual decisions are published as part of those decisions.

8. Legal colleague comments

8.1 Comments from Legal colleagues in relation to individual decisions are published as part those decisions.

9. Other relevant comments

9.1 None

10. Crime and Disorder Implications (If Applicable)

10.1 Where applicable, details of the crime and disorder implications of individual decisions are published as part of those decisions.

11. Social value considerations (If Applicable)

11.1 Where applicable, details of the social value considerations of individual decisions are published as part of those decisions.

12. Regard to the NHS Constitution (If Applicable)

12.1 Where applicable, details of the social value considerations of individual decisions are published as part of those decisions.

13. Equality Impact Assessment (EIA)

13.1 Where required, Equality Impact Assessments are published alongside individual decisions.

14. Data Protection Impact Assessment (DPIA)

14.1 Where required, the data protection impact of individual decisions is assessed and, where appropriate, details published as part of those decisions.

15. Carbon Impact Assessment (CIA)

15.1 Where required, the carbon impact of individual decisions is assessed and, where appropriate, details published as part of those decisions.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

17.1 Nottingham City Council Constitution

**Councillor David Mellen
Leader of the Council**

Appendix 1 - Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

There have been no decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules during the period since the last report to Council in September 2023.

Appendix 2 – Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

There were no Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules during the period since the last report to Council in September 2023.

City Council - 13 November 2023

Report of the Portfolio Holder for Neighbourhoods, Safety and Inclusion

Corporate Director/ Director:

Colin Parr, Corporate Director for Communities, Environment and Resident Services
Colin Wilderspin, Director of Communities

Report Author and Contact Details:

Laura Patterson, Policy Officer
laura.patterson@nottinghamcity.gov.uk

Title: Nottingham Community Safety Partnership Strategy 2023 - 2026

Does the report form part of the Budget or Policy Framework?

Yes

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input checked="" type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>

1. Summary

- 1.1 The Nottingham Community Safety Partnership (NCSP) Strategy 2023 to 2026, (see Appendix 1) sets out the Partnership's approach to reducing crime, substance misuse, re-offending and anti-social behaviour.
- 1.2 The 2023-2026 Strategy was approved by the NCSP (formerly known as the CDP) Board on 29th September 2023. The Plan's content has been developed in line with the findings of the Strategic Assessment 2022 and the priorities and targets agreed by the CDP Board at their meeting on 5th December 2022.
- 1.3 The NCSP Strategy 2023 to 2026 satisfies a statutory duty to co-operate in order to formulate and implement: a strategy for the reduction of crime and disorder in the area; a strategy for combatting the misuse of drugs, alcohol and other substances in the area; a strategy for the reduction of re-offending in the area; a strategy for preventing people from becoming involved in serious violence in the area and for reducing instances of serious violence in the area. ¹

1.4 There is a statutory requirement to revise the Partnership Strategy following the annual strategic assessment.²

Aims & Objectives

1.4 The overall, statutory, aims of the partnership are to:

- reduce crime
- reduce reoffending
- reduce substance use
- reduce anti-social behaviour

1.5 As recommended in the 2022 Strategic Assessment, the following will be priorities for strategic focus during 2023-2026:

- slavery and exploitation
- domestic and sexual violence and abuse
- preventing radicalisation and violent extremism
- serious violence
- substance use
- anti-social behaviour

1.6 Each priority has additional areas of strategic focus identified, as set out in the Strategy, attached as Appendix 1. Progress against these will then be reviewed annually as part of the strategic assessment process.

1.7 Hate crime will remain an area of focus for the partnership in the years to come. The partnership is working across the county on hate crime and over the next year the governance arrangements will be improved and the hate crime strategy will be updated and relaunched, with the support of partners from across Nottingham and Nottinghamshire.

1.8 The following cross-cutting issues, which may require strategic direction and governance by the partnership in 2023-2026, have also been identified:

- The cost of living
- Vulnerable adults, in particular those who do not meet the thresholds for criminal or safeguarding interventions
- Migration and the integration of individuals into the community
- Housing and homelessness

1.9 The strategy sets out how partners will work together using an approach that delivers thematic activity and focuses on those people, places and premises that require multi-agency problem solving to resolve.

2. Recommendations

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

2.1 To approve and adopt the Nottingham Community Safety Partnership Strategy 2023 to 2026, as set out at Appendix 1.

3. Reasons for recommendations

3.1 The NCSP Strategy 2023 to 2026 performs a statutory duty of the partnership and gives strategic direction to the work that the partnership will undertake over the three years of the strategy.

3.2 The new Partnership Strategy is based on robust evidence as set out in the 2022 Strategic Assessment.

3.3 As part of the Council's Policy Framework, it is a role for Council to approve and adopt the NCSP Strategy.

4. Other options considered in making recommendations

4.1 To do nothing would leave the city without a Partnership Strategy for the reduction of crime, reoffending, anti-social behaviour and substance misuse, which would leave a statutory duty unfulfilled.

4.2 Producing a Partnership Strategy for only 12 months would have lacked the long-term strategic direction needed and would not have provided an adequate performance management framework.

4.3 Producing a Partnership Strategy for more than three years generates unnecessary problems for performance management and the longer term.

5. Consideration of Risk

5.1 The Nottingham Community Safety Partnership is required to produce an annual Partnership Strategy to consider crime, anti-social behaviour, substance misuse and reoffending in the City. Not producing a strategy would mean that a statutory duty was not complied with.

6. Best Value Considerations

6.1 There are no financial implications to this decision. However, working in partnership to address the priorities set out in the strategy, helps to ensure the most effective use of resources of partner organisations.

6.2 The strategy is developed and delivered in partnership with a range of partners from across the public sector. This is the most effective and efficient method as responsibility and accountability for delivery are shared across the partnership, with each agency covering those activities from the strategy that fall within their remit or specialism. Economy is demonstrated by the fact that the strategy is entirely delivered with existing

resources. The process of development and delivery is a good example of doing it with others.

7. Background (including outcomes of consultation)

7.1 The Nottingham Community Safety Partnership Strategy for 2023 to 2026 has been developed in line with the:

- statutory duty of the Partnership to reduce crime, reoffending, substance misuse and anti-social behaviour;
- findings of the Strategic Assessment 2022, which incorporated the findings of both partner consultation and citizen consultation;
- priorities and targets agreed by the Nottingham Community Safety Partnership Board at its meeting on 5th December 2022.

7.2 The Partnership Strategy has been developed with regard to the priorities of the Police and Crime Commissioner. As a result, the plan seeks to complement the work of the Commissioner and the Police and Crime Plan.

7.3 Partners will use an approach which delivers thematic activity and focuses on people, places and premises that require multi-agency problem solving to resolve.

7.4 The NCSP Strategy 2023-26 was approved by the NCSP Board on 29th September 2023. The Partnership Strategy is presented to Full Council for its approval and adoption in line with the Constitution of Nottingham City Council.

8. Finance colleague comments (including implications and value for money)

8.1 As per the report author, this report seeks to approve and adopt the Nottingham Community Safety Partnership Strategy 2023 to 2026, the report has been reviewed by Finance and there are no direct financial implications as a result of this decision.

Ian McLellan, Interim Strategic Finance Business Partner, 19th October 2023.

9. Legal colleague comments

9.1 There are no significant legal implications associated to this decision. The Nottingham Community Safety Partnership is a statutory partnership established under the Crime and Disorder Act 1998. Nottingham City Council host the partnership. The partnership has a statutory duty to formulate and implement a strategy to (1) reduce crime and disorder in the area; (2) combat the misuse of drugs, alcohol and other substances; (3) reduce re-offending within the area; (4) prevent people from becoming involved in serious violence; and (5) reduce instances of serious violence. There is a statutory requirement to revise the Partnership Strategy annually. The Partnership Strategy sets out the 2023/26 strategy that is to be implemented. Legal advice will be available to assist with any implementation of the Plan, if required.

Benita Meehan, Contracts and Commercial Solicitor, 25th October 2023.

10. **Other relevant comments**

10.1 None

11. **Crime and Disorder Implications (If Applicable)**

11.1 The Nottingham Community Safety Partnership is required to produce an annual Strategic Assessment and Partnership Strategy to consider crime, anti-social behaviour, substance misuse and reoffending in the City. The Partnership Plan is presented to Full Council for its approval and adoption in line with the Constitution of Nottingham City Council.

12. **Social value considerations (If Applicable)**

12.1 Not applicable

13. **Regard to the NHS Constitution (If Applicable)**

13.1 Not applicable

14. **Equality Impact Assessment (EIA)**

14.1 Has the equality impact of the proposals in this report been assessed?

Yes



Attached as Appendix 2 and due regard will be given to any implications identified in it.

15. **Data Protection Impact Assessment (DPIA)**

15.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because no data processing is required as a result of the proposals in this report.

16. **Carbon Impact Assessment (CIA)**

16.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because all partnership organisations are responsible for their own environmental and climate policy.

17. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

17.1 None

18. Published documents referred to in this report

18.1 The Strategic Assessment 2022 is published on the Nottingham Insight website at <https://www.nottinghaminsight.org.uk/themes/crime-and-community-safety/strategies-plans-and-surveys/>

18.2 The Crime and Disorder Act 1998.

Councillor Sajid Mohammed
Portfolio Holder for Neighbourhoods, Safety and Inclusion

Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	THE NOTTINGHAM COMMUNITY SAFETY PARTNERSHIP STRATEGY 2023-2026
Author (assigned to Pentana):	Laura Patterson
Director:	Colin Wilderspin
Department:	Communities, Environment and Residents Services
Service Area:	Nottingham Community Safety Partnership
Contact details:	laura.patterson@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N	No
Exempt from publication Y/N	No

2. Document Amendment Record

Version	Author	Date	Approved
1	Laura Patterson	12/10/2023	25/10/23

3. Contributors/Reviewers

Name	Position	Date
Philip Broxholme	Senior Community Safety Manager	16/10/2023
Nasreen Miah	Equality & Employability Consultant	17/10/2023

4. Glossary of Terms

Term	Description
NCSP	Nottingham Community Safety Partnership
CDP	Crime and Drugs Partnership (previous name of the Nottingham Community Safety Partnership)
JSNA	Joint Strategic Needs Assessment
DV	Domestic Violence
LGBT+	Lesbian, Gay, Bisexual, Transgender Plus
DLUHC	Department for Levelling Up, Housing and Communities

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

The Nottingham Community Safety Partnership (NCSP) Strategy 2023-2026 sets out the Partnership's approach to reducing crime, substance use, re-offending and anti-social behaviour.

The NCSP Strategy 2023-2026 satisfies a statutory duty to co-operate in order to formulate and implement a strategy for the reduction of crime and disorder in the area, a strategy for combatting the use of drugs, alcohol and other substances in the area and a strategy for the reduction of reoffending in the area.¹ There is a statutory requirement to revise the Partnership Strategy following the annual strategic assessment.²

¹ s5 and s6 Crime and Disorder Act 1998

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

The 2023-2026 Partnership Strategy was approved by the Partnership Board on 29th September 2023. Its content has been developed based on the findings of the Strategic Assessment 2022 and the priorities and targets agreed by the NCSP Board (formerly known as the CDP Board) at their meeting on 5th December 2022.

2. Information used to analyse the effects on equality:

The targets in the new 2023-2026 plan were set following the annual strategic assessment. [The Strategic Assessment 2022](#) assesses current, emerging and longstanding crime, anti-social behaviour, substance use and reoffending issues in Nottingham.

The statutory aims of the Partnership are to:

- Reduce Crime
- Reduce Reoffending
- Reduce Substance Misuse
- Reduce Anti-Social Behaviour

The Strategic Assessment is based on a **detailed analysis of performance data across the city** and gives a comprehensive overview. Where particular areas are identified as disproportionately affected by one crime type, further analysis at a local geographic level has been undertaken. Some analysis has also been undertaken for different crime types, where data was available by protected characteristics, such as for hate crime. Relevant intelligence from a variety of sources has also been included, along with practitioner perspectives and citizen consultation wherever possible.

Using the analysis and insight developed during the assessment period, a number of local priorities around crime and antisocial behaviour have been identified, based on an assessment of threat, risk, harm, volume and the current partnership response. The identified priorities form the basis of the 2023-26 Partnership Strategy.

Partner consultation: Partners were invited to contribute at the beginning of the Strategic Assessment process and many partners took this opportunity to engage by sharing data, providing case studies and co-writing sections of the document. The proposed process for the strategic assessment was circulated to NCSP Board members in September 2022. The draft strategic assessment was sent to approximately forty partners and stakeholders for consultation in November 2022, with around ten responses received. Feedback was requested on the recommended priorities for 2023-2026. All NCSP Board members also had the opportunity to provide verbal feedback during Board meetings. The feedback provided was collated into the final draft of the assessment, which was approved and signed off by the NCSP Board on 5th December 2022.

Community Protection Resident Development colleagues also fed into the Strategic Assessment and provided a narrative, formed through engagement with members of the community around community issues such as Prevent, hate crime, emerging communities, economic migrants, asylum seekers, refugees, failed asylum seekers, destitution and modern slavery. The views of around 2,000 residents were also gained through the annual Respect survey.

The Partnership Strategy has been developed subsequent to the approval of the Strategic Assessment and has adopted the following priorities, following the consultation detailed above:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour

Hate crime will also remain an area of focus for the partnership in the years to come, with partnership work on this key issue being undertaken across the county.

3. Impacts and Actions:

<u>screeintip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<u>X</u>	<input type="checkbox"/>
Men	<u>X</u>	<input type="checkbox"/>
Women	<u>X</u>	<input type="checkbox"/>
Trans	<u>X</u>	<input type="checkbox"/>
Disabled people or carers.	<u>X</u>	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<u>X</u>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<u>X</u>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<u>X</u>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, <u>vulnerable children/ adults</u>). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<u>X</u>	<input type="checkbox"/>

<p style="text-align: right;"><u>screeentip-sectionE</u></p> <p>How different groups could be affected (Summary of impacts)</p>	<p style="text-align: right;"><u>screeentip-sectionF</u></p> <p>Details of actions to reduce negative or increase positive impact (or why action isn't possible)</p>
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>A key target in the Partnership Strategy is to reduce the number of victims of crime, which would therefore impact on the protected groups.</p> <p>A number of the crimes which are prioritised in the Partnership Strategy, disproportionately affect groups of citizens, both perpetrators and victims as detailed below. Some of these groups have protected characteristics and are also vulnerable groups, so prioritising these crimes, is therefore likely to have a positive impact on these groups:</p> <ul style="list-style-type: none"> • Domestic & Sexual Violence: gender (women) • Vulnerability & Exploitation: gender, age, race, disability • Substance Misuse – (Men) • Preventing Radicalisation & Violent Extremism: Race, Religion/Faith • Hate Crime: Disability, Race, Religion/Faith, Sexual Orientation, Transgender, Alternative Sub-Culture, Misogyny 	<p>1 Actions will need to be uploaded on Pentana.</p> <p>A full performance & outcomes framework is used to monitor performance on a regular basis, including detailed performance reports on progress against targets being provided quarterly to the NCSP Board.</p> <p>Key performance indicators will be used to manage the city's performance in relation to specific categories of crime. Rates of offending for specific crime types will be monitored to help manage delivery strategies. This EIA will be updated if any changes occur and if any negative impact should arise, mitigations will be identified.</p>

<p>This EIA focuses on the Partnership Plan as a whole, so does not go into level of detail you may expect at service level but commissioned services are required to ensure that equalities implications and possible barriers to access are taken into account in delivery and are required to report on this quarterly. EIAs will also be required when services are being commissioned.</p> <p>There are open-access commissioned substance misuse treatment services. There is under-representation of access by people from ethnic backgrounds. Commissioned services are taking steps to rectify this.</p> <p>Perpetrators Within commissioned domestic violence (DV) services, there is under-representation of people from ethnic backgrounds and LGBT+ communities. This is being addressed through the appointment of outreach workers from the DLUHC funding for the statutory duty on local authorities relating to the provision of support to victims of domestic abuse and their children residing within refuges and other safe accommodation. Men are also not accessing the DV services in the numbers which would be expected and this is also being addressed through additional outreach work.</p> <p>The disaggregated data is analysed by the NCSP Performance and Intelligence team but the team is not involved with delivery at an operational level and therefore any specific disproportionalities or barriers which might affect perpetrators engagement are addressed at an operational level.</p>	
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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Page 8
 The NCSP will regularly collect and analyse equalities data collected by commissioned domestic and sexual violence and abuse services, as these are funded through the NCSP. Data is collected regularly on all of the partnership priorities (both Police data and data from commissioned services) and is analysed, then presented to the NCSP board quarterly for information and discussion. The data collection is also part of the Joint Strategic Needs Assessment (JSNA) cycle and the analysis will feed in to the next JSNA. This EIA will be updated to reflect any updates or changes.

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: Amy Goulden, Head of Community Safety Amy.Goulden@nottinghamcity.gov.uk</p>	<p>Date sent for scrutiny: 16/10/2023</p>
---	--

SRO Approval: 	Date of final approval: 25/10/2023
--	--

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

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Nottingham Community Safety Partnership

Working in partnership to build a safer and stronger city



Partnership Strategy 2023/26



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities



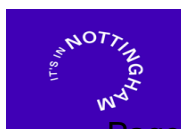
Nottingham
City Council



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE



NOTTINGHAMSHIRE
POLICE & CRIME
COMMISSIONER



NHS
Nottingham and
Nottinghamshire
Integrated Care Board

Probation
Service



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Working in partnership to build a **safer**
and **stronger** city



FOREWORD

Lord Vernon Coaker, Chair of the Nottingham Community Safety Partnership

Recent years have brought considerable change for Community Safety Partnerships and the citizens and communities that they serve. The past three years have brought not only a global pandemic but now also a cost of living crisis that is placing a significantly increased burden on the most vulnerable members of society.



From a community safety perspective, these events have had a significant impact. Significant reductions in the volume of crime were seen during the pandemic and levels have remained lower than those seen beforehand, particularly in key areas such as burglary and robbery, issues we know are of concern to citizens. Conversely, other issues and concerns have come to the fore, most notably hidden harms such as slavery and exploitation and those which are experienced, and perpetrated, online. There has also been an increased focus on the welfare and safeguarding of vulnerable citizens.

There has also been a renewed national focus on community safety and this has seen a range of new duties and responsibilities introduced in recent years. These cover a wide spectrum of activity, including domestic abuse, serious violence and substance use. These changes have brought new funding into the city and also increased scrutiny on the partnership and the outcomes that it delivers.

This changing landscape has made it imperative that the partnership also changes in response and therefore we have made a collective decision to review our structures and delivery in order to ensure that we are best placed to effectively serve the citizens and communities of Nottingham. As part of this process the partnership has been renamed as the *Nottingham Community Safety Partnership*.



Whilst it is clear that challenges remain across the city, it is my firm belief that real and sustainable improvements for citizens can be made by addressing problems locally, and by addressing the root causes of crime and anti-social behaviour. With this in mind, I am pleased to recommend this plan to you as our method for achieving what I hope you will find are ambitious targets for the city. Through working together with partners and communities, I am confident that our agencies, as a partnership, can continue to deliver sustainable change for our city and its citizens.

INTRODUCTION

The Nottingham Community Safety Partnership (NCSP) is a statutory partnership under the Crime and Disorder Act 1998, with key agencies working together to deliver against key priorities of the reduction of crime, anti-social behavior (ASB), substance misuse and reoffending.

Nationally these partnerships are known as Community Safety Partnerships, and were established in recognition of the fact that the causes of crime are complex, and that no single agency holds the key to reducing crime and its impact on society. Therefore, the responsibility for crime reduction and prevention sits with all agencies collectively, and the key to achieving long term and sustainable reductions in offending is through multi agency working, addressing prevention as well as enforcement.

The NCSP is made up of a number of statutory and non-statutory agencies including Nottinghamshire Police, Nottingham City Council, Nottinghamshire Fire and Rescue Service, the Probation Service, Public Health, the Integrated Care Board and the Office of the Police and Crime Commissioner.

In recent years the partnership has also taken on a number of additional duties and responsibilities in response to the changing national landscape around community safety. In 2021 the NCSP board took on the role of the statutory local partnership board for domestic abuse, as required by the Domestic Abuse Act 2021, and in 2022 the board assumed a similar role for substance use, as mandated by the *From Harm to Hope* national drug strategy. In 2023 the Serious Violence Duty was introduced and the NCSP will also take on strategic governance and oversight of this, alongside the Strategic Violence Reduction Board.

This plan sets out our strategic vision for the future and outlines how we, as a collective group of partners, will continue to work together in order to achieve our objectives.



OUR RESPONSE: INNOVATION & ACHIEVEMENT

Consent Coalition

The Consent Coalition is made up of 20 Nottingham-based statutory and voluntary sector organisations who are specialists in the sexual violence field. They work together to raise awareness on the importance of consent, challenge myths about rape and sexual violence, and encourage victims-survivors to access support and report.

Multi-Agency Risk Assessment Conference

A MARAC, or multi-agency risk assessment conference, is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, probation, health, child protection, housing practitioners, and other specialists from the statutory and voluntary sectors. After sharing all relevant information about a victim, representatives discuss options for increasing safety for the victim and turn these options into a coordinated action plan. The primary focus of the MARAC is to safeguard the adult victim.

Substance Use

The *From Harm to Hope* national drug strategy has seen renewed investment in treatment services in Nottingham. This has allowed services to expand and specialist programmes to be introduced.

Slavery & Exploitation Risk Assessment Conference

The SERAC in Nottingham was a national first and has been highlighted by the Home Office as an example of best practice. It brings together partner agencies to share information, risk assess and manage potential victims in a multi-agency forum. Many other areas have set up similar services based on the successful and innovative practice first seen in Nottingham.

Safer Streets

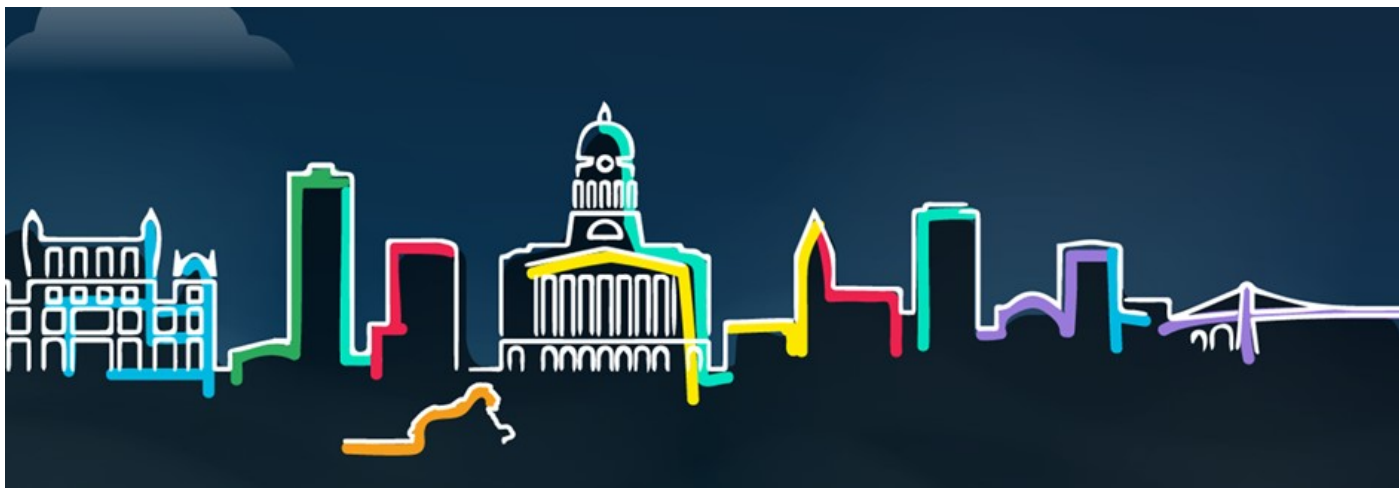
The Home Office *Safer Streets* programme began in 2020. Nottingham has been successful with all three funding bids made, bringing nearly £1.5m into the city to fund burglary prevention work, youth diversion schemes and the *Safe Space Pledge*, along with a range of other interventions and initiatives.

Purple Flag

Nottingham has been awarded the Purple Flag award on thirteen consecutive occasions for its evening and night-time economy. The city has been awarded the prestigious accreditation in recognition of its vibrant and diverse mix of dining, entertainment and culture whilst promoting the safety and wellbeing of visitors and local residents.



Nottingham retained Purple Flag accreditation for the 13th consecutive year in 2023



Safe Space Pledge

The Safe Space Pledge has been developed in partnership by Nottingham BID and the Consent Coalition. The pledge provides eight clear actions and commitments Nottingham venues can take to improve the safety of women and girls within their premises.



THE COMMISSIONER'S PLAN

The [Police & Crime Commissioner](#) for Nottinghamshire, Caroline Henry, was elected in May 2021, taking on responsibility for developing and implementing the Police & Crime Plan for Nottinghamshire. Commissioner Henry has subsequently published her 'Make Notts Safe' plan 2021-25, and our Partnership Plan seeks to compliment the work of the Commissioner in making Nottingham safer.

The [Make Notts Safe Plan](#) can be found on the Nottinghamshire Office of the Police & Crime Commissioner website.

There are several key themes that cut across both the Partnership Plan and the Make Notts Safe Plan, notably Domestic & Sexual Violence and Slavery & Exploitation, showing a clear focus of the Partnership to tackle issues around hidden harm and some of the most vulnerable in society.

The strong focus on prevention of and diversion away from criminality in the Make Notts Safe plan is complemented through the work of the Reducing Reoffending Board and Substance Use Strategic Partnership.



PARTNERSHIP STRUCTURE, GOVERNANCE & OPERATING MODEL

The partnership is organised to provide good governance and coordinated action:

- ▶ **Partnership Board** – Provides strategic governance of the partnership
- ▶ **Thematic Sub-Groups** – Oversight of delivery against the strategic priorities of the partnership. Forums for effective tactical problem solving, planning and challenge across a range of themes and community safety issues.
- ▶ **Neighbourhood Action Teams** – Comprised of officers from partner agencies who work at a ward level. NATs coordinate local activity with a strong focus on neighbourhood priorities



The Partnership Operating Model continues to support high quality service delivery through:

- Commissioning and grant funding high-quality specialist services, with particular focus on substance use and domestic & sexual violence & abuse.
- Supporting and facilitating data sharing.
- The coordination of initiatives in neighbourhoods that are disproportionately affected by crime.
- The delivery of Domestic Homicide Reviews as required.
- The investigation of drug related deaths alongside the Coroner.
- Supporting the continued development of the pathways to reducing reoffending.

The role of the Partnership Support Team will be to continue supporting the partnership with a clear remit to:

- Identify and implement best practice
- Develop and share expertise to support problem solving
- Contribute to the development of strategic and tactical plans
- Monitor performance, identify risks and provide insight behind the issues
- Provide a coordinating function between agencies and maintain links to neighbourhood and locality working
- Commission effective services to meet identified needs
- Provide advice and support in order to facilitate business and process improvements across the partnership

STRATEGIC ASSESSMENT 2022

Priority Areas

The Partnership conducts an annual assessment of crime, ASB, substance misuse and reoffending in Nottingham in order to ensure that we are tackling the community safety issues that have the greatest impact on the city and its residents. The assessment looks at levels and patterns of offending behaviour and substance misuse so that solutions and interventions can be developed on a robust evidential basis. Through the annual Respect for Nottingham Survey the assessment also includes the results of consultation with communities in order to make sure that we are addressing the issues that matter the most to Nottingham's residents. The Partnership's 2022 assessment was published in December 2022 and is available on the Nottingham Insight website. Based on an assessment of threat, risk, harm, volume and the current partnership response, the analysis identified a number of priorities for the city. Following discussions at the partnership board, these were agreed as:

- Slavery & Exploitation
- Domestic & Sexual Violence & Abuse
- Preventing Radicalisation & Violent Extremism
- Serious Violence
- Substance Use
- Anti-Social Behaviour



Hate crime will remain an area of focus for the partnership in the years to come. Over the next year the governance arrangements will be improved and the hate crime strategy will be updated and re-launched with the support of partners from across Nottingham and Nottinghamshire

Drivers of Risk

Furthermore, a number of additional strategic drivers of risk have been identified over the past year. The aim is to identify cross-cutting issues, outside of the agreed priorities, which may require strategic direction and governance by the partnership over the coming year. These include the

- The cost of living
- Vulnerable adults, in particular those who do not meet the thresholds for criminal or safeguarding interventions
- Migration and the integration of individuals into the community
- Housing and homelessness

PARTNERSHIP APPROACH 2023-26

Overall Aims

The statutory aims of the Partnership are to:

- Reduce Crime
- Reduce Reoffending
- Reduce Substance Use
- Reduce Anti-Social Behaviour



Strategic Focus

For the period 2023 to 2026 the strategic priorities and areas of focus for the partnership are as follows. These were identified as part of the 2022 assessment and planning process. Progress against these priorities will be reviewed annually in line with the requirements of the Crime & Disorder Act 1998. In addition, the NCSP Board have agreed an action plan for 2023/24 based on

Priority Area	Strategic Focus	Who
Slavery & Exploitation	<ul style="list-style-type: none"> > Improve partnership working across Nottingham & Nottinghamshire. > Expand the SERAC model into Nottinghamshire. 	Slavery & Exploitation Strategic Group
Domestic Abuse & Sexual Violence	<ul style="list-style-type: none"> >Ensure access to safer accommodation and support services. >Deliver a high quality MARAC service. >Build on the success of the consent coalition. 	*DVSA Strategy Group & Joint Commissioning Group *MARAC Steering Group *DVSA Strategy Group.
Preventing Radicalisation & Violent Extremism	<ul style="list-style-type: none"> >Launch a communications strategy. >Closer working with voluntary and community sector groups. 	Prevent Steering Group
Serious Violence	<ul style="list-style-type: none"> >Prepare for delivering the Serious Violence Duty. >Ensure close partnership working in Nottingham. 	Serious Violence Duty Implementation Group
Substance Use	<ul style="list-style-type: none"> >Break drug supply chains. >Deliver a world-class treatment and recovery system. >Achieve a generational shift in the demand for drugs. >Closer working with citizens and communities. 	Substance Use Strategic Partnership
Anti-Social Behaviour	<ul style="list-style-type: none"> >Make it easier to report ASB. >Improve the partnership response to ASB >Deliver the government ASB action plan. 	ASB Strategic Group

2023/24 NCSP Board Action Plan

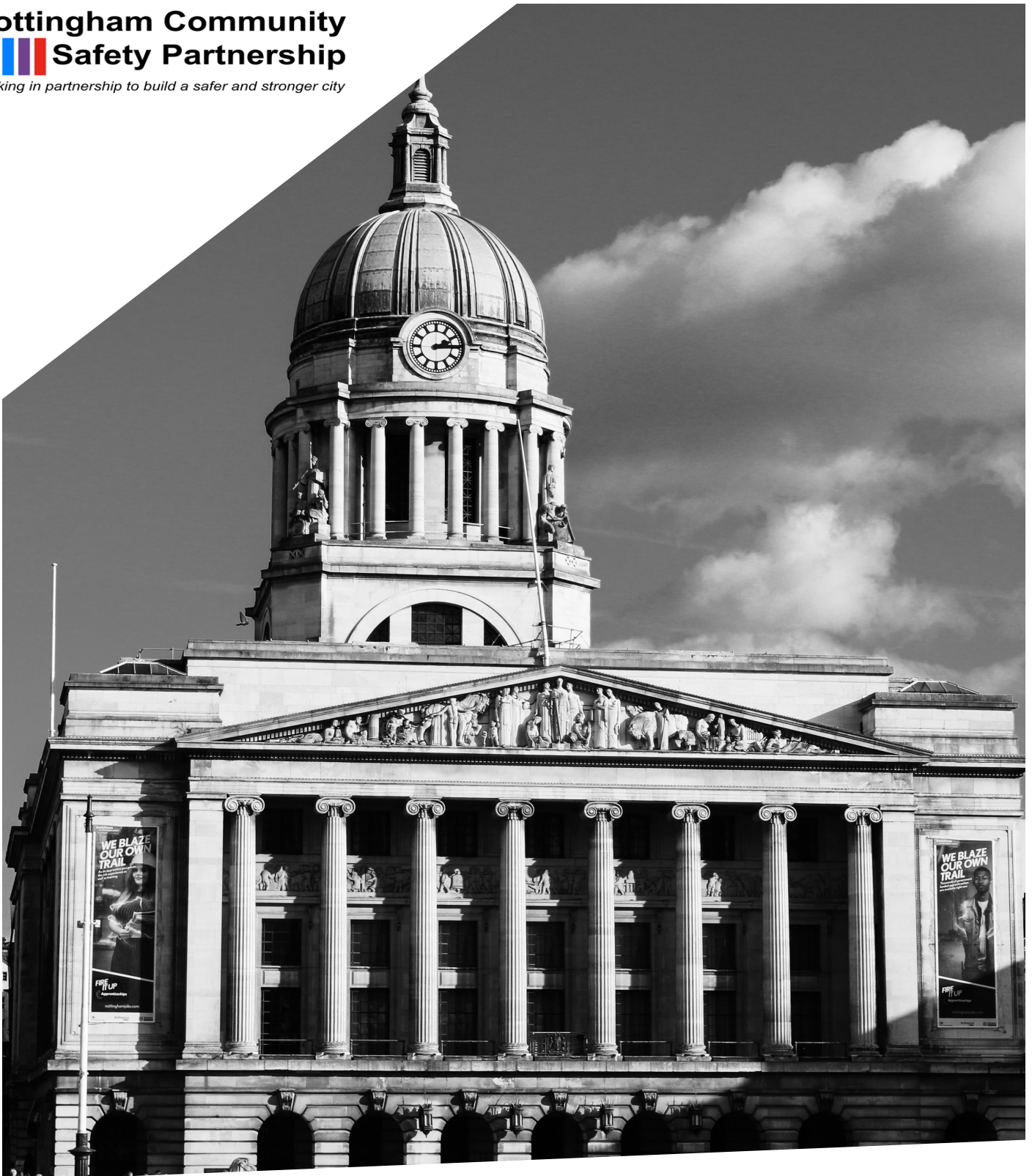
Theme	Recommendations	Agency
Anti-Social Behaviour	Maintain support and focus on youth ASB, particularly in the Bestwood area of the city.	Notts Fire & Rescue
	Explore sustainable, long term solutions to dissuade begging in Nottingham, including a diverted giving scheme that is accompanied by a visible campaign to raise awareness amongst the public.	Notts Police
Collaboration	Work across the partnership to minimise the likelihood of an increase in theft offences over the coming year. This should include wider partners such as Nottingham BID and retailers in order to create an impactful partnership approach.	Notts Police
	Explore current and future opportunities for more advanced collaborative working to reduce duplication and expenditure.	Public Health
Domestic & Sexual Violence & Abuse	Nottinghamshire Police to share with partners the results of the Operation Soteria pilot project to ascertain its potential impact in rape cases.	Notts Police
	Assess whether the findings from Operation Soteria could enhance the current approach to sexual violence offences.	Notts Police
	Examine levels and patterns of domestic abuse in the Aspley ward and consider whether more targeted work could be implemented to reduce the risk in this area.	Notts Police
	Partnership to identify a sponsor from the CSP Board to assist with implementing and monitoring the required changes to MARAC	Integrated Care Board
	Monitor the number of agency referrals to MARAC and ensure any appropriate action is taken.	Integrated Care
Housing & Homelessness	Partners to provide evidence to support the continuation of housing licensing schemes, in order to ensure that the wider impacts on community safety are considered.	Nottingham City Council
	Explore the possibility of working collectively to pool resources, powers and knowledge in relation to housing related issues, in particular slavery & exploitation.	Nottingham City Council
	The CSP should explore how it links with the housing forum and take any action required to ensure decisions around planning and housing are scrutinised from a community safety perspective.	Nottingham City Council
Preventing Radicalisation & Violent Extremism	Identify key voluntary sector partners and build relationships to ensure maximum effectiveness of delivery in respect of prevent duty.	Nottingham City Council
	Prepare ahead of time for the upcoming protect duty to ensure the partnership is in a good position ahead of any assessments or benchmarking due to take place.	Nottingham City Council
Serious Violence	Implement the requirements of the Serious Violence Duty by ensuring that adequate resources are committed and actions shared in order to ensure full participation by all agencies	OPCC
Victims, Vulnerability & Exploitation	Explore whether there are any barriers to recording ethnicity, in particular where victims are reporting crime or seeking help, and encourage accurate data recording to allow for more effective analysis.	Notts Police
	The partnership should commission work to understand why positive outcomes for crime are declining	Notts Police
	Explore the impact of court backlogs in Nottingham and how these can be effectively mitigated.	Notts Police
	Explore how the partnership can work with victims of crime to support prosecutions.	Notts Police
	Explore why positive outcomes for hate crime have decreased and identify any actions that could be taken to reverse the trend.	Notts Police
	Ensure that resources are identified to support the continued delivery of the Hate Crime Strategy.	Nottingham City
	Review the strategic governance of hate crime in Nottingham and make and implement appropriate recommendations	Nottingham City Council
	Explore the impact of disproportionality on reoffending rates in Nottingham and take appropriate action.	Nottingham City Council
Support the Nottingham City Safeguarding Adults Board in implementing a transitional safeguarding approach in the city.	Nottingham City Council	

PERFORMANCE & OUTCOMES FRAMEWORK

Thematic Area	Measure	Source
Crime & Safety	Victim-Based Crime	Nottinghamshire Police
	Experience of Crime	Office of the PCC
	Feeling of Safety: City Centre	Nottingham City Council
	Feelings of Safety: Neighbourhood	Nottingham City Council
	Volume of Hate Crime	Nottinghamshire Police
	% of Hate Crime Victims that are Repeats	Nottinghamshire Police
Reoffending	Binary Offending Rate	Probation Service
	Frequency of Offending	Probation Service
	% of Offenders Housed 3 Months from Release from Prison	Probation Service
	% of Offenders in Employment 3 Months from Release from Prison	Probation Service
	% of Offenders Successfully Completing ATR or DRR	Probation Service
Slavery & Exploitation	In development	In development
Domestic & Sexual Violence & Abuse	Number of Repeat Victims of Domestic Abuse	Nottinghamshire Police
	Volume of MARAC Referrals	Nottingham City Council
	Volume of Calls to DSVVA Helpline	Nottingham City Council
	% Accessing Safe Accommodation	Nottingham City Council
Preventing Radicalisation & Violent Extremism	Number of Channel Referrals	Nottingham City Council
	Number of Channel Cases	Nottingham City Council
	Proportion of Channel Cases Closed with a Positive Outcome	Nottingham City Council
Serious Violence	Hospital Admissions (sharp object violent injury)	Integrated Care Board
	Hospital Admissions (any violent injury)	Integrated Care Board
	Serious Violence	Nottinghamshire Police
	Knife Crime	Nottinghamshire Police
Substance Use	Numbers in Treatment (young people)	Public Health
	Numbers in Treatment (adult)	Public Health
	Substantial Progress on Recovery Outcomes (adults)	Public Health
Anti-Social Behaviour	Volume of ASB Reported to NCC	Nottingham City Council
	Volume of ASB Reported to Police	Nottinghamshire Police
	Experience of ASB	Office of the PCC
	Number of Repeat Victims of ASB	Nottinghamshire Police
	Satisfaction with Response to Reported ASB	Nottingham City Council
	Volume of Secondary Fires	Notts Fire & Rescue Service

Nottingham Community Safety Partnership

Working in partnership to build a safer and stronger city



City Council - 13 November 2023

Report of Chair of Licensing Committee

Corporate Director/ Director:

Colin Parr, Corporate Director for Communities, Environment and Resident Services

Report Author and Contact Details:

Nick Burns, Licensing and Policy Manager

nick.burns@nottinghamcity.gov.uk

Title: Review of Statement of Licensing Policy

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input checked="" type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input checked="" type="checkbox"/>
Child-Friendly Nottingham	<input checked="" type="checkbox"/>
Living Well in our Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input checked="" type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 This report seeks approval to adopt a new Statement of Licensing Policy (Appendix 1). Two responses have been received and a summary of them is attached at Appendix 2, including the officer assessment and any subsequent amendment.
- 1.2 The purpose of the Statement is to inform individuals making applications for licences of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and approved guidance issued by the Home Office in accordance with s182 of the Act.

2. Recommendations

- 2.1 That the Council, as the Licensing Authority for Nottingham, adopt the Statement of Licensing Policy at Appendix 1 with effect from 7 January 2024.

3. Reasons for recommendations

- 3.1 It is a statutory requirement that a new Statement of Licensing Policy be adopted with effect from 7 January 2024.

4. Other options considered in making recommendations

4.1 None. It is a statutory requirement that a new Statement of Licensing Policy be adopted with effect from 7 January 2024.

5. Consideration of Risk

5.1 It is a statutory requirement of the Authority to publish a Statement of Licensing Policy. The ultimate adoption of the policy could be challenged, however the policy is felt to comply with the legislation and guidance mitigating any potential risk.

6. Best Value Considerations

6.1 None, as it is a statutory requirement to produce a Statement of Licensing Policy, however the policy sets out clear expectations to lead to a more effective and efficient licensing process.

7. Background (including outcomes of consultation)

7.1 The Council is a Licensing Authority for the purpose of the Licensing Act 2003 (the Act).

7.2 A consultation draft Statement of Licensing Policy was approved by Council on 10th July 2023 following which consultation took place between 27th July 2023 and 20th September 2023 with both the public and statutory consultees. Two responses were received and a summary of them is attached at Appendix 2, including the officer assessment and any amendment subsequently made to the Policy as a result of them.

7.3 As with previous Statements there has been liaison with neighbouring Licensing Authorities whilst preparing the Statement of Licensing policy. 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.

7.4 Revised statutory guidance was released in July 2023, after the draft Statement of Licensing Policy had already been released for consultation. Considerations have been made to those changes within this Statement of Licensing Policy inclusive of Counter Terrorism considerations.

8. Finance colleague comments (including implications and value for money)

8.1 The statutory fees, levied from the licencing regime, are intended to cover the costs of the review of the statement of licencing policy.

Sohaib Chaudhry – Senior Commercial Business Partner (24 October 2023)

9. Legal colleague comments

9.1 It is a statutory requirement a Statement of Policy be approved to come into effect on 7 January 2024. The Policy will remain in force for a period of 5 years unless reviewed sooner.

9.2 Approval of the Statement of Policy is a Council function and, as with any policy, once adopted the Statement will potentially become open to challenge by way of Judicial Review on standard public law grounds. However, as indicated in the report the Statement of Policy is felt to comply with the legislation and guidance thus mitigating any potential risk

Ann Barrett, Team Leader, Legal Services 20 October 2023

10. **Other relevant comments**

10.1 None

11. **Crime and Disorder Implications (If Applicable)**

11.1 There are no foreseen implications for crime and disorder due to the minimal changes to the policy.

12. **Social value considerations (If Applicable)**

12.1 There will be no considerations outlined in the report.

13. **Regard to the NHS Constitution (If Applicable)**

13.1 Not applicable

14. **Equality Impact Assessment (EIA)**

14.1 Has the equality impact of the proposals in this report been assessed

Yes



Attached as Appendix 4, and due regard will be given to any implications identified in it.

15. **Data Protection Impact Assessment (DPIA)**

15.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the policy does not contain sensitive information within the policy.

16. **Carbon Impact Assessment (CIA)**

16.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the policy does not have a carbon impact.

17. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

17.1 None

18. **Published documents referred to in this report**

18.1 Equality Act 2010

Licensing Act 2003

Guidance issued under s182 of the Licensing Act 2003, December 2022, July 2023

Criminal Justice and Police Act 2001

Councillor Audrey Dinnall
Chair of Licensing Committee

Nottingham City Council

Statement of Licensing Policy

Effective from 7 January 2024



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Appendix A	Promoting the Licensing Objectives	

Our Vision

To promote Nottingham as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the City's residents and visitors

The statement of licensing policy is underpinned by four core objectives

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1 INTRODUCTION

- 1.1 Nottingham City Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing authorities prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the period to which the Policy Statement applies. The Statement of Licensing Policy can be reviewed and revised by the authority at any time.
- 1.2 As a major provider itself, the City Council welcomes the diversity of leisure and entertainment opportunities available in Nottingham and recognises that the licensed leisure and entertainment industry has a major role to play in helping to keep Nottingham the success that it is. Businesses licensed by the Authority provide social and community spaces, facilities for residents and corporate groups and are a vital support infrastructure for related sectors such as retail, tourism and opportunity to improve people's mental health, wellbeing and reduce loneliness within the city. As well as promoting restaurants, the Council is keen to encourage a diverse range of premises catering for a wide range of age groups and uses. However, the Authority also recognises the problems that can be caused if licensed activities are not properly managed and premises well run.
- 1.3 Nottingham City Council licenses over 1,300 licensed premises of all types including over 1000 premises licensed to serve alcohol and some 750 venues providing entertainment. This includes 380 off licenses and 43 member's clubs. Additionally there are around 135 premises licensed to supply late night refreshment. The COVID-19 Pandemic affected the licensed business and hospitality industry quite significantly and we have a desire to rebuild and encourage growth within the economy in the city of Nottingham, as long as businesses comply with the requirements of the Licensing Act 2003 and meet the listed objectives within it. The entertainment industry brings cultural and financial benefits to the City and additional businesses operating in both the daytime and night time economies support that industry. The City Council believes that good management of its vibrant entertainment, alcohol and late night refreshment industries, and of the street environment within which they operate, is essential to the continued success of Nottingham and to attracting the wide range of people who want to come here to work, to study, to visit and to live. However, the predominantly urban nature of the City, the high density of licensed premises in some areas, and the significantly large proportion of young residents, high levels of hospital admissions associated with alcohol and means that issues such as:

- striking an appropriate balance between the needs of residents and the needs of businesses, (particularly during night-time hours when residents may expect that their sleep should not be unduly disturbed)
- the control of underage drinking, and
- the management of young and potentially immature drinkers, are matters which are particularly relevant to the exercise of the Authority's licensing functions and ones which applicants and existing licensees also need to consider.

1.4 This Policy Statement seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues such as anti-social behaviour, crime and disorder, irresponsible promotions, noise and other nuisance, the negative impact alcohol can have on physical and mental health, underage sales and poor licensing practices that arise from licensable activities.

This will be achieved by:

- Establishing and building upon best practice within the industry;
- Recognising and facilitating the role of partners and stakeholders;
- Encouraging self-regulation by licensees and managers;
- Providing a clear basis for the determination of licence applications;
- Supporting related policies and strategies of the Council: and
- An inspection and enforcement regime targeted at premises that present a high risk e.g. premises that have a track record of non-compliance.

1.5 The Authority is committed to working with its licensing partners and stakeholders in delivering the licensing function. This Policy Statement therefore seeks to provide information on the general approach that the Authority will take in carrying out its licensing functions.

1.6 In preparing and publishing this Policy Statement due regard has been given to the guidance issued by the Secretary of State under section 182 of the Act, and to good practice advice issued by approved government advisory bodies. In particular the Authority has consulted those persons and bodies as required by the guidance and given proper weight to their views. Partnership working between licensing authorities in Nottinghamshire has enhanced the production of this Policy Statement and will help ensure consistency in terms of both policy and enforcement

where licensing boundaries meet.

- 1.7 This Policy Statement works alongside existing Council strategies and priorities in relation to crime prevention, regeneration, planning, transport, tourism, health, race equality and culture.
- 1.8 In so far as there is no conflict with the Licensing Objectives this Policy Statement will also support the Strategic City Council Plan which outlines our ambitions for the city and in particular makes reference to our high-level outcomes for Nottingham:
- Child-Friendly Nottingham
 - Living Well in Our Communities
 - Green, Clean and Connected Communities
 - Safer Nottingham
 - Keeping Nottingham Working
 - Improve the City Centre
 - Serving People Well

Underpinning these priorities are commitments to:-

- Develop a rolling programme to introduce “alcohol – free zones” to tackle street drinking in communities that want it (subject to meeting the relevant statutory tests) by way of a Public Spaces Protection Order
- To support an annual programme of popular events including Splendour, Goose Fair, Nottingham Beach, The Winter Wonderland and the Riverside Festival to ensure a safe and well regulated environment

In addition:

To support residents expectations that their sleep will not be unduly disturbed between the hours of 23:00 and 07:00

- 1.9 This Policy Statement also supports the work carried on by the Nottingham Business Improvement District to raise the standards for customers and businesses.
- 1.10 Nothing in this Policy Statement should be regarded or interpreted as an indication that any requirement of law may be overridden; each application will be considered and treated on its own merits. No restrictive controls will be introduced or imposed

unless they are felt to be necessary and appropriate.

- 1.11 There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example the Authority is not entitled to take the issue of the “need” for further licensed premises into account when determining licence applications.
- 1.12 On the other hand the effect of a proliferation of licensed premises on the promotion of the Licensing Objectives where properly evidenced is a matter that can be properly considered by the Authority.
- 1.13 Nothing in this Statement of Policy prevents any one person or body applying for a variety of current permissions under the Act. Nor does it override the right of any Responsible Authority, other person or business to make representations or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2 THE LICENSING OBJECTIVES & LICENSABLE ACTIVITIES

- 2.1 In exercising their functions under the Licensing Act 2003, Licensing Authorities must have regard to the Licensing Objectives as set out in section 4 of the Act.

The licensing objectives are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

- 2.2 Guidance on the licensing objectives is available on the Government’s website at: <http://www.culture.gov.uk>
- 2.3 Licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act.

2.4 The Act only covers certain 'licensable activities' namely:

- (a) the sale by retail of alcohol;
- (b) the supply of alcohol by or on behalf of a club to a member;
- (c) the provision of 'regulated entertainment' and
- (d) the provision of late night refreshment.

The definition of what constitutes 'regulated entertainment' is complex and has been (and remains) the subject of Government deregulation. Whilst 'regulated entertainment' potentially covers live or recorded music, dancing, plays, films and certain types of sporting activities, the Act itself provides various exemptions and restrictions on the types of activities subject to licensing. Other legislation such as the Live Music Act 2012 has removed the ability of the Licensing Authority to regulate live music at certain times and in certain circumstances and there has been, deregulation of certain other forms of regulated entertainment primarily between the hours of 8.00am and 11.00pm and where that entertainment takes place before an audience of a prescribed size. It cannot be assumed therefore that a licence is required for all forms of entertainment or, even if a licence is required, that the Licensing Authority will necessarily have the power to impose restrictions or conditions on such entertainment.

2.5 Where an activity is licensable, the promotion of the licensing objectives is the paramount consideration for the Authority. In the absence of valid representations from Responsible Authorities or other persons all applications must be granted subject only to any prescribed mandatory conditions and such other conditions which are consistent with the Operating Schedule provided by the applicant. Where valid representations are received and maintained the application will normally be determined at a hearing before the Licensing Committee or one of its Panels. The Committee or Panel will then assess whether the application would result in the Licensing Objectives being undermined to such an extent that the application should be refused or, whether it would be possible to grant the licence subject to such conditions as are felt appropriate by the Authority. Conditions will be tailored to the size, style, characteristics and activities taking place at the premises concerned and will be focused on matters that are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being "in the vicinity" of licensed premises or places, is ultimately a matter of fact to be decided by the courts in cases of dispute. In addressing such matters consideration will primarily focus on the direct impact of the activities taking place

at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The imposition of standardised conditions is prohibited as being disproportionate and burdensome. It should be noted, however, that the Authority is permitted to establish pools of conditions from which appropriate and proportionate conditions may be drawn. Further details regarding such conditions can be obtained from the Licensing Team.

2.6 **PREVENTION OF CRIME AND DISORDER**

2.7 In all applications relating to premises licences and club premises certificates the Licensing Authority encourages applicants to specify methods by which they will promote the four licensing objectives in their operating schedules.

2.8 The Council is committed to reducing crime and disorder across the city and ensuring that Nottingham is a safe place to live and that it is a vibrant part of the country that people wish to visit. The Council's vision is to reduce crime and the fear of crime across the city by working together with partners and the communities we serve. The Licensing Authority encourages relevant businesses to participate in local Pub Watch schemes or similar forums where they are set up, and where this helps secure and / or promotes the licensing objectives.

2.9 National and local crime statistics and research indicate that the consumption of alcohol can be a significant contributory factor to levels of crime and disorder. The Licensing Authority recognises that licensed premises has differing impacts according to their style and characteristics. Large venues, high volume vertical drinking establishments, and premises that promote irresponsible drinking can disproportionately contribute to crime and disorder.

2.10 The Licensing Authority endorses sensible drinking which may more often be achieved at premises which offer a range of licensable activities such as theatres, live music venues and venues that provide food and drink in a seated environment. Good management, best practice and procedures in licensed premises can make an important difference to the level of alcohol-related crime in the vicinity of the premises. However, the licensing process can only seek to control those measures within the control of the licensee and in the vicinity of a premises. Some potential risks and possible solutions under this objective are addressed in Appendix A.

2.11 **PUBLIC SAFETY**

2.12 The carrying on of licensable activities may involve potential risks to the safety of the public and to persons working at the premises. Additionally, crime and disorder both inside and outside the premises may also compromise public safety. The Licensing Authority is committed to ensuring the safety of persons visiting and working in licensed premises. Accordingly, where other legislation fails to make suitable provision to ensure public safety and the Licensing Authority's discretion is engaged, the Licensing Authority will exercise its licensing functions to secure the safety of members of the public and staff.

2.13 The steps required to ensure public safety vary according to the individual style and characteristics of the premises, the nature of the proposed licensable activities/regulated entertainment to be provided at the premises and the anticipated number of persons attending the premises. Some potential risks and possible solutions under this objective are addressed in Appendix A.

2.14 **PUBLIC NUISANCE**

2.15 The Licensing Authority is committed to ensuring that the operation of licensed premises does not unreasonably interfere with the personal comfort or amenity of immediate neighbours or the nearby community. The Guidance to the Act indicates that public nuisance is not narrowly defined within the Act and whilst it retains its broad common law meaning it may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises as well as major disturbance affecting the whole community.

2.16 In recent years the impact of increasing night-time activity has seriously concerned some residential and business communities in the City. Licensing law can address problems arising from the carrying on of licensable activities at licensed premises. However, the licensing process can only seek to control those measures within the control of the licensee and in the immediate vicinity of the premises. Some potential risks and possible solutions under this objective are addressed in Appendix A.

2.17 **PROTECTION OF CHILDREN FROM HARM**

2.18 Activities associated with premises that sell alcohol or provide regulated entertainment may, in certain circumstances, give rise to concerns for the health and welfare of children (a child for the purpose of this Policy is any person under the age of 18).

- 2.19 The Council is committed to the safeguarding of children and vulnerable persons. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.
- 2.20 The Licensing Authority in partnership with the Police and partners work closely with licensed premises in order build an awareness across the industry as to how those who work in such establishments may better recognise the “indicators” of children and vulnerable persons who may be subject to or at risk of abuse, exploitation, and trafficking; and to whom to report any concerns that those licence holders and their staff may have should they identify someone who is / may be at risk.
- 2.21 As part of this process the Licensing Authority carries out regular enforcement/compliance checks across all of the premises licensed in our area, in order to build good working relationships with licence holders and designated premises supervisors, and providing them with advice as to how they and their staff can help safeguard children and vulnerable persons across the region.
- 2.22 When considering applications for new licences and variations to existing licences, the Licensing Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable persons within the Operating Schedule of the application.’
- 2.23 The Licensing Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee. The Licensing Authority is committed to protecting children from harm and applicants will therefore need to demonstrate how they will promote this licensing objective. Where appropriate, conditions preventing or restricting the admission of children will be imposed. The Licensing Authority will not however impose any condition that requires the admission of children to licensed premises. Some potential risks and possible solutions under this objective are addressed in Appendix A.

3 STRATEGIC LINKS AND OTHER REGULATORY REGIMES

- 3.1 There is a range of strategic influences and statutory controls which affect the licensing regime in terms of policy formulation, administration and enforcement activities. Examples of these strategies can be found in the S182 Guidance. The Authority will seek to have an active involvement in the development and review of these and all other related Council strategies by ensuring an appropriate exchange of dialogue between the Licensing Authority and other relevant regimes. Such involvement may result in the imposition of conditions and formulation of policies supporting the relevant strategies where appropriate.

- 3.2 This Policy also supports the Council's City Land and Policies Plan. This Plan sets out a long term vision for the future of the City Centre. Food, drink and entertainment uses form an important part of the City Centre leisure offer and provide a key element of the City Centre economy. As well as being an attraction in their own right, restaurants, bars and entertainment venues make a significant contribution towards extending the dwell time of those persons visiting the City Centre for other purposes such as shopping, business or work reasons, and reinforcing the social dimension of the City Centre. Regeneration forms part of the LAPP identifying quarters with distinctive characteristics and uses during the day and evening. The Canal Quarter has been highlighted as an area where it is important to host food and drink and entertainment uses close to the canal, building on the success of existing leisure and entertainment uses. The Castle Quarter is focused on enhancing existing restaurant and leisure offers. The Royal Quarter is focused on entertainment uses and further enhancement of high quality venues to serve a wide range of users inclusive of families, will be encouraged.

- 3.3 The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the Licensing Objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.

- 3.4 The Director of Public Health is a Responsible Authority and a consultee to the Statement of Licensing Policy. While Public Health is not a licensing objective, the Director of Public Health can make representations and contribute against any of the four licensing objectives, drawing on data and evidence to inform these representations. This will include drawing attention to the association between the

provision of alcohol, alcohol consumption, and health harms including hospital admissions and death. Overall alcohol use is a contributory factor for 10% of the burden of illnesses in the UK. A higher density of alcohol outlets is associated with increased rates of alcohol-related hospital admissions and with increased rates of alcohol-related disease and mortality.

- 3.5 A joint strategic needs assessment for Nottingham on substance use including alcohol data was published in June 2022 which describes local needs in the city⁶. There is published evidence to indicate that alcohol consumption patterns have changed nationally during the COVID-19 pandemic, with research indicating increased numbers of higher risk drinkers. Local data is kept under review as there is a lag in official statistics. However Nottingham has had consistently high levels of alcohol harm over many years. In 2021 the rate of alcohol-related deaths was 44.5 per 100,000 deaths in Nottingham. This was significantly higher than the England average of alcohol-related deaths (38.5 per 100,000 deaths). Nottingham has among the highest alcohol-related hospital admissions in England (a total of 709 per 100,000 admissions 2021-22), noting the England average of 494 per 100,000 admissions.
- 3.6 Whilst maintaining an impartial role, the Authority will secure the integration of its' licensing function with other strategies by supporting partnership working with other agencies and Council services, and by establishing working protocols as required.

4 DELIVERING LICENSING SERVICES

- 4.1 Delivery of the licensing regime will be in accordance with the Equality & Community Relations requirements of the Council together with the Equality and Diversity Action Plan. The use of an Impact Needs Assessment process will inform service delivery and will be subject to on-going monitoring and customer / stakeholder consultation during the life of this Policy with the framework of the regime. Relevant matters that come to light as a result of monitoring and consultation may result in changes to service delivery and where necessary may result in changes to City Council licensing policy.
- 4.2 Advice and guidance will be made available in English which is the most common language of customers and stakeholders. Guidance documents issued by the Licensing Service will include advice about translation and access to information about services, however, it is recognised that local communities will normally have access to alternative translation and advice services. The City Council will also

signpost customers to other providers of guidance and information relevant to the regime but are not responsible for the accuracy of such information.

4.3 The Authority will make guidance available and such further resources as required by law to enable engagement with the licensing process. Such guidance and resources may be accessed through Nottingham City Council's website (www.nottinghamcity.gov.uk) or by contacting the Licensing Authority direct

4.4 The Licensing Authority will maintain an impartial role in service delivery and cannot act in favour of one party over another. The Licensing Authority may, in certain circumstances, act as a Responsible Authority. However, this will only be done in exceptional circumstances and the Licensing Authority will not normally take over the role of other Responsible Authorities or parties.

4.5 **MEETING THE NEEDS OF LOCAL COMMUNITIES**

4.6 Licensed premises are an important part of our communities. They provide a place for people to get together, relax and enjoy themselves. However, there can be problems if licensees do not take sufficient action to minimise any problems that may occur. It is important that licensees, local residents and other businesses, as well as bodies such as Police, Fire Service, Licensing, Environmental Health, Public Health, Trading Standards, Planning and Safeguarding Children Board work together.

4.7 If local residents and businesses do experience problems, it is important that they contact / write to the licensee, outlining the problems experienced and giving them the opportunity to address these concerns. They could also inform the Licensing Authority or Responsible Authorities. Reporting the problem is the first step towards resolving the problem.

4.8 Where the Licensing Authority receive applications for new premises or significant changes to existing premises (variation), local residents and businesses have 28 days to have their say. Details of these applications are available to view at the Licensing Office or on the Licensing website www.nottinghamcity.gov.uk

5 **HOW THIS STATEMENT OF POLICY WORKS**

5.1 The purpose of the Statement of Licensing Policy is to:

- provide a clear basis for determining licence applications

- provide a clear framework for licensing strategies
- support wider strategies of the City

5.2 The text of this Statement of Policy **in bold type** indicates the **Policies** with the reason for each policy shown immediately after *in bold italics*.

5.3 This Statement of Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their operating schedules, they may find that responsible authorities and other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the application is not found to sufficiently promote the licensing objectives and meet this Policy. On appeal the Court is also obliged to have regard to the terms and requirements of this Policy and can only depart from it if it has good reason.

5.4 In this Statement of Policy any reference made to the imposition of conditions refers to conditions imposed in accordance with the requirements of the Act outlined in paragraph 2.5 above (see also paragraph 6.27 and 6.28 below).

6 GENERAL PRINCIPLES

6.1 In determining a licensing application, the overriding principle will be that each application will be determined on its own merit, having regard to the need to promote the four licensing objectives and taking into account this licensing policy and the guidance issued under Section 182 of the Act. Where it is necessary to depart from the guidance or this policy the council will give clear and cogent reasons for doing so.

6.2 EQUALITY ACT 2010

6.3 The council is committed to eliminating unlawful discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations within and between our communities.

6.4 It is recommended that licensees make themselves familiar with the requirements of this Act for the access and provision of services for persons within the protected groups identified by the legislation. The Act makes it unlawful to discriminate against anyone because of

- Age

- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

6.5 In order to promote equality, and to fulfil its statutory duties under the Equality Act 2010, the council asks that applicants aim to achieve inclusive access to their venues and events. For example, discrimination will be experienced if access to the venue is denied due to lack of a ramp or if the venue does not provide means for someone to book a ticket who cannot speak. Further guidance is available at <https://www.gov.uk/guidance/equality-act-2010-guidance>

6.6 **COUNTER TERRORISM.**

6.7 The licensing authority expects that:

The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:

- Evacuation/Invacuation/Lockdown
- RUN/HIDE/TELL principles
- How customers will be safeguarded.

6.8 Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:

- the current terrorist threat level
- what that level means in relation to the possibility of an attack.
- Have undertaken the Action Counters Terrorism (ACT) e.learning course within the last 12 months. See note below.

6.9 Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. .

6.10 Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.

6.11 All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.

6.12 Measures to alert staff and visitors of any immediate threat or incident.

6.13 **Action Counters Terrorism (ACT) training**

Further details, updates and to register for the ACT e-learning training course please visit: <https://www.protectuk.police.uk/>

7 APPLICATIONS, NOTIFICATIONS AND THEIR CONSIDERATION

7.1 The procedure and documentation required for the various applications and notices is prescribed by the Act and Regulations and further advice on these processes is available on the Council's website or on request from the Licensing Service. Failure to comply with the statutory requirements may result in your application or notice being invalid. This section of the Policy Statement gives basic guidance on how those applications and notifications will be considered.

7.2 REPRESENTATIONS - THE POWER TO 'HAVE YOUR SAY'

7.3 Having your say in licensing terms is called 'making a representation' but not everyone has the right to have their say in respect of all applications/notifications. There is a prescribed period from the time the Licensing Authority receive the application for representations to be received. This is usually 28 days but varies depending on the type of application under consideration. Representations can include positive / supportive representations as well as "objections".

7.4 "Responsible Authorities" (certain statutory bodies defined by the Act,) and other persons, can have their say whenever the Licensing Authority receive an application for a new licensed premise, for a full variation to an existing authorisation or an application for a review. In addition, certain Responsible Authorities (but not other persons) can also make representations on other types of applications and notifications such as applications for personal licences or notifications for temporary events. If no representations are received then the application must be granted as applied for (including where appropriate any conditions volunteered by the applicant,) and events and/or activities become authorised.

7.5 Guidance on making a representation is available from the Licensing Service website or by contacting the Licensing Service. A preferred form is available from the Licensing Service for individuals or groups to make their representations.

Alternatively, representations may be made electronically by way of e-mail or in writing to the Licensing Service. Representations received outside the statutory period for making such representations will be invalid and will not be taken into consideration when the application is determined.

7.6 The matters which can be taken into account once the Licensing Authority's discretion has been engaged vary dependant on the type of application/notification

concerned. These matters are discussed in more detail below in relation to the following types of authorisation:-

- A. Premises Licences and Club Premises Certificates – Paragraphs 7.7 – 7.15 below
- B. Personal Licences – Paragraphs 7.53 – 7.54 below
- C. Temporary Event Notices – Paragraphs 7.59 – 7.65 below

Applications where only the Police have a right to make representations on limited grounds (eg transfer of licences, transfer of DPS etc) are not covered by this Policy Statement but will be determined on their own individual facts

7.7 A. CONSIDERATION OF MATTERS RELATING TO PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

7.8 The process of applying for new premises licences and “full variations” of current premises licences are dealt with in same way and involve serving the application on all responsible authorities and advertising the application in the prescribed way. If representations are received (and are not subsequently withdrawn following negotiation) the matter will be heard by a Licensing Panel. The fee for such applications depends on the size of the premises. All applicants are encouraged to use the gov.uk site to submit online applications.

7.9 The process for a “minor variation” to a current premises licence is different. Minor variations are those which should not have a material effect on the way in which the premises are operated. For example, minor variations can be applied for to vary times of activities (but not to increase the hours when alcohol can be sold), to make minor structural alterations to the premises (which are to be reflected by an amendment to the Licence Plan,) and to add or remove conditions from the licence. There is one prescribed fee for such applications. The granting of a minor variation is determined at officer level after consultation with those responsible authorities affected. If the application is refused the applicant can still apply to make the same changes under the full variation process.

7.10 In order for a representation to be accepted and considered by the Licensing Authority, it must also be “relevant”, that is it should be positively tied or linked by a causal connection to the application premises and should relate to one or more of the Licensing Objectives.

7.11 Representations which are not relevant will not be accepted by the Licensing

Authority. The Authority also has the power to refuse to accept a representation if it determines that it is frivolous or vexatious. The Authority will determine this on the basis of what might ordinarily be considered to be frivolous or vexatious. Whilst Regulations allow for further information to be put forward at any subsequent hearing, that material must relate to the initial representation and cannot include additional areas of representation. It is therefore vitally important that as much detail and evidence as possible is included at the time the representation is made. Representations made without supporting detail and evidence may be viewed as frivolous or vexatious and disregarded, however, there are mechanisms in place to handle anonymous representations in certain circumstances and further information about this is available from the Licensing Officer.

- 7.12 Where appropriate the Authority will seek to facilitate mediation between licensees, relevant agencies, other persons and businesses where significant issues have arisen relating to an existing authorisation. This will not override the right of any, person or business from making an application for the review of a licence. However, where possible and appropriate, the Council expects Responsible Authorities, other persons and businesses to give early notice to licence holders of any concerns about problems identified at a premise and of the need for improvement. It is expected that requests for a review of any authorisation will be sought only if such notice has failed to resolve the matter or problem.
- 7.13 Where representations are received the characteristics of an area and the impact that the premises may have upon that area in terms of the promotion of the licensing objectives will be a fundamental consideration in determining whether a licence should be granted and, if so, what conditions should be attached to it. Conditions will be focused on matters that are within the control of individual licensees and others in possession of relevant authorisations. Consideration will primarily be given to the direct impact of the licensed activity on those who live, work or are engaged in business or other activities in the area concerned.
- 7.14 The Act creates a presumption that applications will be granted unless a valid representation is raised. An application will then be determined by the Licensing Committee/Panel unless the issue that lead to the representation can be negotiated to an agreed conclusion between the parties.
- 7.15 The Authority considers the effective and responsible management of the premises, the instruction, training and supervision of staff, and the adoption of best practice (which may include participation in such schemes as Best Bar None, Purple Flag or Business Improvement Districts (BIDs)) to be amongst the most important control

measures for the achievement of all of the Licensing Objectives. These matters are dealt with in more detail in the Authority's 'Guidance to Applicants'.

7.16 Policy: 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, the effective instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule

REASON: To ensure the promotion of the Licensing Objectives.

7.17 Licensing law is not the primary mechanism for the general control of the anti-social behaviour of patrons once they have left the vicinity of the licensed premises rather it is part of a holistic approach to the management of the City.

7.18 Where appropriate, the Authority will seek to identify mechanisms that are available for addressing the potential impact of anti-social behaviour arising both in respect of the management and operation of licensed premises themselves and that arising once patrons leave the licensed premises. Regard will be had to the S182 Guidance in this respect and the following may be employed, to address such behaviour and the potential for Cumulative Impact, (see below):-

- Planning controls.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the Local Authority
- The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols
- Powers of Local Authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly.
- The confiscation of alcohol from adults and children in designated areas.
- Enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of Fixed Penalty Notices
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)
- Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance
- The power of the police, other Responsible Authorities or other persons to seek a review of a licence or a certificate.
- Early Morning Alcohol Restrictions Orders (EMROs)
- Cumulative Impact Assessments
- Any other local initiatives that similarly address these problems.

7.19 Policy: 2

When preparing or considering applications, Applicants, Responsible Authorities, other persons businesses and the Licensing Authority should, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of, any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.**
- (ii) Potential for Cumulative impact to arise**
- (iii) Any measures proposed by the applicant as outlined in the Operating Schedule**
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.**
- (v) Means of access to and exit from the premises.**
- (vi) Noise arising from patrons leaving the premises**
- (viii) The precise nature, type and frequency of the proposed activities.**
- (ix) Other means and resources available to mitigate any impact.**
- (x) Such other matters as may be relevant to the application.**

REASON: To ensure that all relevant matters are taken into consideration during the application process.

7.20 Levels of noise from licensed premises, which may be acceptable at certain times of day, may not be acceptable later in the evening or at night when ambient noise levels are much lower. The impact of customers arriving, queuing and leaving should be confined to principal pedestrian routes as far as possible. The impact of noise arising from patrons that are temporarily outside the premises (e.g. smoking) must be recognised and mitigated against

7.21 Applicants should carefully consider the hours that they will wish to operate for each licensable activity and when to close their premises for the entry of customers and to require them to leave. They should consider each licensable activity separately and carefully, and reflect this in their operating schedule. Shops, stores and supermarkets will normally be permitted to sell alcohol and/or late night refreshment at any time when they are open for shopping unless there are good reasons related to the promotion of the licensing objectives for restricting these hours. Applicants applying for new "off-licences" in residential areas should carefully consider the hours that they are applying for and, the Licensing Authority encourages and expects applicants to limit their terminal hour 2300 hrs in such circumstances so as

to reduce the impact of noise and anti-social behaviour on the community.

- 7.22 Applicants should consider the benefits of stopping serving alcohol before other licensable activities stop and a suitable time before the premises close and customers must leave. In noise sensitive areas operators should consider ceasing the playing of dance music and switching to quieter, slower tempo music with a less pronounced beat for a period prior to the closure of the premises.
- 7.23 Applicants should also consider making arrangements with local transport operators to provide information to customers to ensure they can access public transport and leave the vicinity of the premises quickly by the most appropriate route.
- 7.24 The Authority is mindful of the responsibilities that licence holders have for preventing antisocial behaviour on their premises and within the vicinity. The Authority must, however, also bear in mind its statutory duty under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the District. Where appropriate conditions will be imposed which reflect local Crime Prevention Strategies.
- 7.25 Applicants are expected to have carried out the relevant risk assessments under other legislation (e.g. fire precautions, health and safety at work, etc) prior to submitting their applications. These risk assessments should be used to identify particular issues which may need to be addressed in the Operating Schedule in order to ensure that the Objectives will not be undermined. Suggested methods of addressing Policy 2 may be outlined in more detail in any guidance issued by the Authority or the Responsible Authorities.
- 7.26 In some cases, it may be helpful for applicants and / or their advisors to discuss the draft Operating Schedule with council officers and representatives of Responsible Authorities, before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise to concern.
- 7.27 Any condition attached to a licence or certificate should be:
- Clear
 - Enforceable
 - Evidenced
 - Proportionate
 - Relevant
 - Expressed in plain language capable of being understood by those expected to comply

- Appropriate in all the circumstances of the case

Applicants and those making representations should bear these principles in mind when suggesting conditions to be attached to a licence. Further advice is available from the Licensing Office upon request.

7.28 As a general rule the Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

7.29 **CUMULATIVE IMPACT**

7.30 In some areas the number, type or density of licensed premises is high or exceptional and the impact on surrounding areas of the behaviour of the customers of all premises taken together is or will be greater than the impact of the customers of the individual premises.

7.31 Cumulative Impact is the potential impact on the promotion of the Licensing Objectives of a number of licensed premises concentrated in one area. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications. Subject to their being sufficient evidence and compliance with certain statutory procedures, Licensing Authorities have the power to publish Cumulative Impact Assessments (CIAs) for areas which they believe to be suffering from Cumulative Impact. These set down a strong statement of intent about how an application may be viewed. Whilst no CIAs are currently in force within the district the absence of a Cumulative Impact Assessment does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact which should include evidence to show boundaries of the area which is alleged to be suffering from cumulative impact and that it is the customers of licensed premises that are causing the problems alleged.

7.32 **ADULT ENTERTAINMENT**

7.33 The potential for the provision of adult entertainment to impact on the licensing

objectives is recognised in the prescribed application form and all applicants are required by the prescribed form to indicate in their operating schedules whether they intend to provide any such entertainment which may give rise to concerns in respect of children.

- 7.34 The Policing and Crime Act 2009 potentially provides an additional licensing requirement for operators who provide “sexual entertainment venues” to licence them as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982. These are essentially premises which provide live entertainment or performances to a live audience which either involves nudity (such as lap or pole dancing establishments,) or which are for the purpose of sexually stimulating any member of the audience. Whilst these licensing provisions are adoptive and do not necessarily apply in every Licensing Authority’s district, Nottingham City Council adopted these provisions with effect from 1st September 2010 and subsequently revisited the document in January 2010 and June 2018 where it was considered that no changes needed to be made to the document.
- 7.35 Where a business wishes to operate as a sexual entertainment venue it may still need to be licensed under the Licensing Act for the sale of alcohol and the provision of regulated entertainment. The provision of sexual entertainment will however be regulated under the terms of any sex establishment licence which may be granted under the 1982 Act. The Licensing Act licence will then continue to regulate any other licensable activities.
- 7.36 Certain forms of adult entertainment are excluded from requiring sex establishment licences and these will still be regulated under the terms of the Licensing Act 2003.
- 7.37 The provision of adult entertainment on premises may necessarily mean that access by children will not be permitted during periods when such entertainment is taking place. Where such entertainment is to be provided under the terms of a Premises Licence or Club Premises Certificate the Authority expects applicants in to include arrangements for restricting children from viewing any adult entertainment in their Operating Schedule. The Authority expects licensees to ensure that any age restrictions for shows or entertainment of an adult or sexual nature are properly complied with. In addition it may be appropriate to impose age restrictions for persons working in the premises, and applicants are advised to also consider the wider crime and disorder issues which can be associated with such forms of entertainment such as issues relating to drugs and prostitution.
- 7.38 Responsible authorities are likely to continue to consider all applications involving

adult entertainment very carefully with regard to the promotion of the licensing objectives within the vicinity in which the premises are located.

7.39 **CHILDREN**

7.40 Where there are concerns over the potential for harm to children the Authority recognises the following body as competent to advise on matters relating to the protection of children from harm:

- The Nottingham City Safeguarding Children Board (Nottingham City Council)

Applications should therefore be copied to this body in its capacity as a 'Responsible Authority'.

7.41 Examples of matters which may give rise to concerns in respect of children include those:

- Where there have been convictions for serving alcohol to minors
- Where there is a reputation for underage drinking
- Where there is a known association for drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided

However, other issues such as the potential for sexual exploitation, grooming and alcohol related violence may also raise safeguarding concerns which may be taken into account when the Board considers applications and operating schedules.

7.42 Nottingham City Council is committed to both the safeguarding of children and other vulnerable persons. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

7.43 The Licensing Authority in partnership with the Police, the Nottingham City Safeguarding Board, and local Community Safety Partnerships works closely with licensed premises in order build an awareness across the industry as to how those who work in such establishments may better recognise the "indicators" of children and vulnerable persons who may be subject to or at risk of abuse, exploitation, and trafficking; and to whom to report any concerns that those licence holders and their staff may have should they identify someone who is / may be at risk. As part of this process the Authority carries out regular enforcement/compliance checks

across all of the premises licensed in our area, in order to build good working relationships with licence holders and designated premises supervisors, and providing them with advice as to how they and their staff can help safeguard children and vulnerable persons across the wider Nottinghamshire region.

7.44 When considering applications for new licences and variations to existing licences, the Authority will seek to be assured that applicants have considered the safeguarding of children (and ideally other vulnerable persons) within the Operating Schedule of the application. Where premises are used for film exhibitions, the Authority will impose the mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Authority itself.

7.45 The Authority expects applicants to include any arrangements for restricting under-age children from viewing age-restricted films in their Operating Schedule. The Authority expects that licensees will ensure that any age restrictions for cinema exhibitions are properly complied with.

7.46 It is recommended that all alcohol licensed premises follow the Portman Group Code of Practice, in particular that relating to particular appeal to under-18s.

www.portmangroup.org.uk

7.47 **Policy: 3**

Where representations have raised concerns in respect of individual premises and it is felt that access of children should be restricted, the Authority will consider imposing conditions which may include the following:

- (i) Limitations on the hours when children may be present.**
- (ii) Age limitations for persons under 18.**
- (iii) Limitations or exclusion when certain activities are taking place.**
- (iv) Full exclusion of persons under 18 when certain licensable activities are taking place.**
- (v) Limitations of access to certain parts of the premises for persons under 18.**
- (vi) A requirement for an accompanying adult to be present.**

REASON: to protect children from harm

7.48 **REVIEWS AND SUSPENSION**

7.49 At any stage following the grant of a premises licence or club premises certificate a

Responsible Authority, other person or business may ask for a review. Evidence will however be required to show that a specific concern exists relating to one or more of the Licensing Objectives.

7.50 Where a review hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and not that of the individual licence/certificate holder. Whilst the financial circumstances of the licence/certificate holder will be a consideration for the Licensing Authority the promotion of the Licensing Objectives will be the Authority's primary concern. In some circumstances e.g. the use of premises for the purchase and consumption of alcohol by minors, the use of the premises for illegal activities or for employing persons who are disqualified from work by reason of their immigration status revocation may be considered an appropriate course of action even in the first instance.

7.51 Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence.

7.52 **LICENCE SUSPENSION**

7.53 In addition to being a power available on the review of a licence the Licensing Act 2003 requires Licensing Authorities to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due unless an administrative error or dispute has been notified to the Licensing Authority. In such cases there will be a grace period of 21 days to allow the matter to be resolved. If the matter is not resolved within grace period the licence must be suspended.

7.54 Where such a suspension takes place the Licensing Authority must give a minimum of two days notice and may inform the police and other responsible authorities of the suspension. All licensable activities must cease when the suspension takes effect. The suspension will only cease on payment of the outstanding fee irrespective of any transfer or hearing which may take place.

7.55 **CLOSURE NOTICE**

7.56 Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity

was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.

7.57 The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if unauthorised alcohol sales continue, an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.

7.58 Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behavior on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.

7.59 **B. CONSIDERATION OF MATTERS RELATING TO PERSONAL LICENCES**

7.60 In most cases the Authority is under a duty to grant a Personal Licence so long as the applicant meets the criteria prescribed in section 120 of the Act. Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the Act,) or, has been required to pay an immigration penalty the Authority is obliged to notify the police, and in the case of immigration offences and penalties, the Secretary of State. In these cases, a licence will still be granted unless an objection is received within the prescribed period. Where an applicant is convicted of a relevant offence, foreign offence, or is required to pay an immigration penalty during the application period and this only comes to light after the licence has been granted then the Authority must notify the Chief Officer of Police/ Secretary of State (as appropriate). Where objection notices are received they will be considered at a hearing of the Licensing Panel.

7.61 **Policy: 4**

When considering an objection notice or immigration objection notice the Authority will take the following matters into consideration:

- (i) The circumstances in which the offences were committed or the immigration penalty imposed;**
- (ii) The period that has elapsed since the offence(s) were committed or**

the immigration penalty imposed;

- (iii) Whether the offences/ immigration penalty reveal a pattern of offending or were a one off occurrence; and**
- (iv) Any mitigating circumstances.**

In relation to the consideration of an objection notice the Authority will reject the application/revoke the licence where it feels it appropriate to do so in order to promote the Crime Prevention Objective.

In relation to the consideration of an immigration objection notice the Authority will reject the application/revoke the licence where it feels it appropriate to do so for the prevention of illegal working in licensed premises.

REASON: Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Authority under the Crime and Disorder Act 1998. Granting a licence to a person with relevant convictions will in many cases undermine rather than promote the crime prevention objective. Similarly granting a licence to a person convicted of an immigration offence or who has paid an immigration penalty will in many cases undermine the prevention of illegal working in licensed premises which itself is a crime.

7.62 Where the holder of a Personal Licence is subsequently charged with a relevant offence they are under a duty to notify the Court. If convicted the Court may order that the licence be forfeit or suspended. In most cases Personal Licence holders are under a duty, to notify the Authority if they are convicted of a relevant offence, foreign offence or required to pay an immigration penalty and a failure to do so is also a criminal offence.

7.63 Where the Authority is aware that a Personal Licence holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty it may suspend the licence for a period not exceeding 6 months or revoke the licence. Before doing so the Authority will serve a notice on the personal licence holder inviting them to make representations within 28 days regarding:-

- The offence/penalty
- Any decision a court made regarding the licence at the time of the conviction
- Any other relevant information (including the holders personal circumstances)

After the 28 day period has elapsed the authority will make a decision as to what action it will take based on the information provided to it. In circumstances where the Authority does not propose to revoke the licence notice must be given to the

Chief Officer of Police inviting representations as to whether the licence should be suspended or revoked. **The Act does not require a hearing to be held at any stage during this process.** Licence holders (and the Police) will be notified of the Authority's decision in writing along with their right of appeal.

7.64 All individual applicants applying for a "Premises Licence", or a "Personal Licence" with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK).

7.65 A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK
- is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity

7.66 Any licence issued in respect of an application made on or after 6th April 2017, will become invalid if the holder ceases to be entitled to work in the UK.

7.67 Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

7.68 They do this in one of two ways:

1. By providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance
2. By providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)

7.69 Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.

7.70 To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at [Prove your right to work to an employer: get a share code \(GOV.UK\)](#)) which, along with the applicant's date of

birth, will allow the Licensing Authority to carry out the check

7.71 **C. CONSIDERATION OF TEMPORARY EVENT NOTICES**

7.72 There are two types of types of Temporary Event Notice (TEN),

- A Standard TEN, and
- A Late TEN

A standard TEN must be served no later than ten working days before the event to which it relates and this does not include the day it is given or the day of the event, and a late TEN is served no more than nine and not less than five working days before the event to which it relates.

7.73 Temporary event notices are subject to various limitations. These are concerned with:

- the number of times a premises user may give a TEN – 50 times in a calendar year for a personal licence holder and five times in a calendar year for other people);
- the number of times a TEN may be given for any particular premises (15 times in a calendar year);
- the maximum duration of an event authorised by a TEN is 168 hours (seven days);
- the maximum total duration of the events authorised by TENs in relation to individual premises (21 days in a calendar year);
- the maximum number of people attending at any one time (fewer than 500); and
- the minimum period between events authorised under separate TENs in relation to the same premises (not including withdrawn TENs) by the same premises' user (24 hours).

Whilst it is correct at the point of publication of this Statement of Licensing Policy applicants are advised to check that they fall within the legislative requirements or seek advice in advance of their TEN submission as the conditions are subject to change or reviewed at any given point in time.

7.74 Whilst the Council recognises that a Temporary Event Notice may be served at least ten clear working days prior to the commencement of a Permitted Temporary Activity (the event), the current Guidance issued under the Act encourages a locally established preferred period of notice. There is a case for not serving such Notices too early as this could make it difficult for a sensible assessment to be made of the implications of such an event on the Crime and Disorder and Prevention of Public

Nuisance objective's. The Council considers that a reasonable period of notice for the service of a Temporary Event Notice is 28 days.

7.75 Persons serving Temporary Event Notices must also serve a copy notice on the police and the responsible authority for Environmental Health functions (i.e. the Councils Environmental Health section), except where served electronically.

7.76 Only the Police and Environmental Health Officer have the right to make representations in respect of TENs and in the event of representations being received the Licensing Authority's powers in respect of such matters are limited to either allowing the event to proceed as notified, serving a counter notice to render the event unauthorised, or, in cases where the notification relates to premises which are already licensed, to applying any relevant conditions on the licence to the event. Further information regarding Temporary Event Notices is contained on the Councils web pages.

7.77 There is no scope for hearings or appeals in respect of late TENs and if objections are raised by the police or EHO in relation to a late TEN, a counter notice will be issued to the applicant to advise that the event is not permitted to take place. A copy of the notice is issued to all parties. Further information regarding Temporary Event Notices is contained on the Councils web pages.

8 GENERAL ENFORCEMENT STATEMENT

8.1 The Licensing Authority has delegated several of its functions to its Licensing Committee, Sub-committees and Officers. Further information on these delegations can be obtained from the Licensing Officer. All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance and the enforcement policy of the City Council.

8.2 The Authority has established and maintains enforcement protocols with the Police and other relevant enforcement agencies. If you have a complaint regarding licensed premises and are unsure who is the relevant enforcement agency, please contact the Licensing Officer for further guidance.

9 MONITORING AND REVIEW OF THIS STATEMENT OF LICENSING POLICY

- 9.1 This Statement of Licensing Policy will be reviewed within legislative timescales and as and when appropriate. In preparing the succeeding Statement of Licensing policy regard will be had to data and information collated over the operating period of the current policy together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.

CONTACT DETAILS & FURTHER INFORMATION AVAILABLE FROM:

WEBSITE: www.nottinghamcity.gov.uk

E:MAIL: general.licensing@nottinghamcity.gov.uk

PROMOTING THE LICENSING OBJECTIVES

The Licensing Authority recognises that licensed premises come in different shapes and sizes and provide different activities. A venue's operation may be geared to alcohol, entertainment, late night refreshment or a combination of two or more of these activities. Venues may be large or small, with high occupancy or low occupancy, in urban or suburban areas, with a predominantly young clientele or a mix of all ages.

How operators of different licensed premises promote the licensing objectives varies from premises to premises. For example:-

- Premises that supply alcohol will have different demands on them than those that do not.
- High occupancy premises will have different issues to consider particularly in the areas of public nuisance, public safety and crime and disorder than low occupancy premises.
- Premises with a predominantly young clientele will have different issues to consider than those frequented by a mixed age group.

There is no definitive list of control measures that could (or should) be introduced by all premises. Licensed premises are assessed according to the activities they provide and the manner of their provision. Steps should be in place to proportionately address the individual risks of each premises' activity.

Preventing crime, disorder, public nuisance, ensuring public safety and protecting children (those aged under 18) from harm are ongoing responsibilities for all licence holders. Premises operators should address the risks relating to the activities their premises provides. Failure to do so may result in the licence being reviewed and subsequently suspended or revoked.

The Licensing Authority does not want premises to lose their licences, it wants to see well managed premises that benefit from being able to provide the hours and the activities their customers and communities want. This means licensees should regularly consult with their local communities to inform them of the hours and activities they provide, gauging their concerns and addressing these.

Licensees are encouraged to be both imaginative and proactive, seeking advice from Responsible Authorities and other local organisations that have professional advice

to offer.

The Licensing Authority recommends that operators:

1. Read this Licensing Policy carefully – reading it indicates that you are taking the promotion of the licensing objectives seriously.
2. Think about the activities you provide, the risks from those activities and the appropriate steps to tackle them.
3. Consult local residents and local businesses and the Responsible Authorities. How do they feel about your operation? Are they currently experiencing problems?
4. Undertake appropriate risk assessments and take appropriate steps to address any risks.
5. Take action to put steps in place that will address risks and meet the concerns of your community.
6. Consider whether you need to apply to vary your licence to ensure that you have all necessary measures in place to meet the four licensing objectives. This can reassure local residents and businesses and the Responsible Authorities that you take your responsibilities seriously and are a valuable asset to the community.

Licensed premises will be continually monitored on how they impact on their local communities. Where operators fail to adequately address the concerns of local residents / businesses with respect to the licensing objectives, their premises may have its licence reviewed at any time.

Potential risks to the Promotion of the Licensing Objectives and Possible Solutions

The Prevention of Crime and Disorder

1. What measures will you put in place to prevent disorderly and potentially violent behaviour both on and in the vicinity of your premises?
 - We will use CCTV
 - We will use text and radio pager systems to report incidents to the police and keep in contact with other venues (especially important in town and city centres with a high concentration of licensed premises).
 - We will determine sensible occupancy limits according to the nature of the premises and activities being carried out.
 - We will train staff to handle potential troublemakers and defuse difficult situations.
 - We will seek further advice from local Police, PubWatch and Responsible Authorities.
2. What measures will you put in place to prevent drunkenness on your premises?

- We will train staff to recognise those who are drunk and be vigilant in not serving those who are drunk or passing on alcohol to those who are drunk.
- We will ensure sufficient staffing and managerial support to make the identification and non-service of those passing on drinks practicable.
- We will refuse entry to those who have had too much to drink.
- We will ensure that staff training is carried out regularly and includes knowledge testing and that all training is documented.
- We will promote the availability of free tap water to customers where it is reasonably available.
- We will provide and promote low-alcohol and alcohol-free alternatives.

3. How will you prevent drug dealing on and around your premises?

How will you prevent offensive weapons being brought on to your premises?

How will you prevent the sale of contraband or stolen goods?

- We will install strategically located closed-circuit TV cameras inside and outside premises to deter/monitor illegal activity (footage can be used as evidence).
- We will provide accredited staff training on these issues and ensure staff are on the look out for suspicious behaviour.
- We will ban known offenders and share information with the police and licensed premises in the area.
- We will consult our local police crime reduction adviser.

4. How will you reduce the risk of glasses and bottles being used as weapons and causing accidents?

- We will ensure glasses and bottles are collected on an on-going and frequent basis, make regular inspections for broken glass and clear up glass and any spillages immediately.
- We will, at those times where there is a risk of incident, use safety glass.
- We will ensure drinks containers are not taken from the premises.
- We will have a no glass policy.

5. How will you prevent toilets from being a magnet for sexual assault, accidents and conflict within your premise?

- We will ensure that sufficient toilets are available, with an appropriate number of male/female toilets as per British Standards.
- We will ensure sufficient lighting levels.
- We will keep toilets clean, well stocked; clearing spillages promptly to avoid accident.
- We will install toilet attendants if problems occur.
- We will promote the 'Ask for Angela' scheme and provide training for all staff members including security staff, where possible.

Further examples of risks that could undermine this licensing objective are:

6. Late night refreshment – Applicants in respect of late-night takeaways should demonstrate that they have assessed the risk of persons congregating in large numbers in the vicinity of their premises. Where appropriate, applicants should demonstrate suitable measures to address this problem.

7. Toughened / Safety Glass Policy

Licensed venues that provide the sale of alcohol for consumption on the premises should consider the introduction of toughened / safety glass. This toughened / safety glass policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context. For example in facilities for hotel residents and their guests it is not expected that a toughened / safety glass policy need operate and nor would it be necessary in premises which operate primarily as a restaurant where the bar is primarily provided for restaurant customers). The toughened / safety glass policy also applies where outside areas are provided for consumption of alcohol, particularly where the area is constructed of hard material and also where the outside area is in or adjacent to a public place.

8 Glass Bottle Policy

The Licensing Authority considers it necessary for the promotion of the licensing objectives to prevent the passing of a glass bottle over the bar of premises licensed to supply alcohol for consumption on the premises where there is a poor history of crime and disorder. This expectation may be considered as a result of relevant representations having been received on an application. Like other conditions set out in this Licensing Policy it may also be considered at a hearing following an application for review of an authorisation.

Public Safety

1. How will you avoid overcrowding?

- We will determine sensible occupancy limits according to the nature of the premises and activities being carried out.

- We will use clickers to monitor and manage occupancy levels.
2. How will you prevent drug taking on your premises and protect customers from harm?
 - We will make customers aware of the risk of drink-spiking.
 - We will train staff in drug awareness issues.
 - Ensure sufficient staffing and managerial support to make identification and handling/response of incidents practicable.
 - Commit to best practice guidance in harm reduction inclusive of drug and drink spiking.
 3. What measures will you put in place to clear away broken glass promptly and effectively?
 - We will ensure that broken glass is removed as soon as practicably possible.
 4. What measures will you put in place to reduce harm to people who are drinking alcohol on your premise?
 - Providing and promoting alcohol-free and low alcohol alternatives
 - Encouraged to display posters/leaflets of services who support people who are drinking at high or increasing levels of risk
 - Displaying Drinkaware resources throughout your premise.
 - Encouraged to display posters/leaflets about the risk of drinking alcohol when pregnant.
 - Encouraged to sign up to best practice schemes such as Best Bar None that provide training and accreditation packages to premises.

Further examples of risks that could undermine this licensing objective are:

5. Emergencies – issues in relation to fires, emergency management, evacuation and overcrowding.
6. Environment – issues concerning cooling and heating and access to drinking water.

In considering what steps may be necessary, applicants will be expected to have particular regard to:

- The premises itself (are there for example any inherent hazards such as steps, open fires, use of shared areas, etc.).
- The neighbouring area (are there for example particular problems with crime and disorder, is it a primarily residential area, etc.).
- The types of regulated entertainment they wish to provide and any hazards.
- The type of persons that may be using the premises or place (e.g. persons who are very old or very young, disabled, possibly impaired through drink or drugs,

etc.).

- The situation and circumstances of use (e.g. low lighting levels, loud noise, crowds, use of special effects, etc.).

Applicants must set out the steps they propose to promote public safety. The following are examples of the adequate steps regarding this that the Licensing Authority expects in premises where particular risks may arise.

Where public safety may be compromised by an excessive number of customers, applicants are expected to propose capacity limits. This is especially important for premises where regulated entertainment (within the meaning of the Act) is being provided at nightclubs, cinemas and theatres. Other appropriate measures may include the use of door staff, CCTV, staff training, etc.

Where the public needs to be protected from potentially dangerous sources of electricity expected measures may include:

- An assurance that any alterations to the existing system will be made in line with the Electrical Equipment of Buildings issued by the institution of Electrical Engineers (BS 7671) or as amended.
- The use of residual current devices (RCDs) on high-risk circuits, such as those which may be used by entertainers for plugging in musical equipment or used for plugging in equipment to be used outdoors.
- Other appropriate measures may include portable appliance and fixed appliance testing.

The physical layout of the premises may present particular risks and in some situations (such as those in which vulnerable persons may be especially at risk) applicants will be expected to advance steps accordingly. For example:

- Applicants whose premises have stairs should consider whether it is necessary for appropriate handrails to be fitted together with contrasting nosings to the steps.
- In respect of premises which have uneven flooring, applicants are expected to set out the steps they propose to minimise risks.
- In respect of premises with outdoor areas that may be accessed by customers or the public (whether or not those areas form part of the place that is licensed) applicants should consider whether it is necessary to provide appropriate lighting of these areas, use of toughened glasses and the provision of customer bins.
- Steps expected for premises with working fireplaces include guarding or similar; this is especially important where children may be permitted on the premises.
- Applicants with premises which will be relying on the usage of shared areas, such as escape routes, are expected to advance measures that will ensure the usage of these areas will not create any risks to the public.

Applicants are also expected to consider how the proposed activities may impact upon public safety / public nuisance and put forward steps accordingly. For example:

- Premises that are of high capacity or whose regulated entertainment may give rise to an increased risk of injuries occurring are expected to advance steps regarding first aid provision.
- Premises that plan to use special effects (such as fireworks / foam / lasers / etc.) will be expected to propose measures that will ensure this will not create any safety risks. Where proposed licensable activity includes the consumption of alcohol or provision of late night refreshments on the premises, it is expected that applicants should advance steps regarding the provision of adequate and well managed toilet and hand washing facilities.

The Prevention of Public Nuisance

1. How will you prevent the noise nuisance from outside drinking?

- We will limit the number of people using outside areas.
- We will ensure that drinkers remain seated and that they do not drift from the seated area (e.g. using barriers at those times where this is identified as a problem).
- We will advise noisy customers to keep the noise down and ask them to leave if they disregard our advice.
- We will determine a closing time on the use of outdoor areas in consultation with local residents.

2. How will you prevent flyers becoming a source of litter?

- Where we distribute flyers, we will ensure we have the necessary consent and take responsibility for picking up dropped flyers in the vicinity.

3. How will you prevent disturbance to local residents from customers arriving and leaving your premises late at night?

- We will consult local residents on their preferred closing time and come to an agreement.
- We will display telephone numbers for taxi firms in a prominent location and provide a facility for customers to order cabs or operate a taxi call back service.
- We will implement a 'winding down period' during the last hour of service.
- We will ensure signs are in place asking customers to leave quietly.
- We will ensure signage and staff remind customers to keep noise down as they leave.
- We will hand out lollipops to customers as they leave.
- Ensure that people do not congregate / queue outside premises.
- We will have a detailed dispersal policy in place and train all relevant staff in its

4. What steps can you take to reduce the impact that sales of alcohol from your premises may have on the community around you?
 - We will implement a bottle marking scheme
 - We will take part in the Voluntary Code for Off-Licences or similar initiatives
 - We will ensure that sales are not made to people who already appear drunk
 - We will ensure sales are not made to known street drinkers
 - We will not sell beer, lager and/or cider with an ABV of 5.6 or above

5. What measures will you put in place to ensure that local residents and local businesses are not upset by loud or persistent noise?
 - We will consult local residents on what noises disturb them and take steps to remedy these issues.
 - We will avoid emptying bins into skips, especially if they contain glass after 9pm and before 9am (10am on weekends).
 - We will instruct suppliers not to make deliveries after 9pm and before 9am (10am on weekends).
 - We will avoid refuse collections after 9pm and before 9am (10am on weekends).
 - We will ensure that noise from regulated entertainment is kept to a level that does not cause disturbance to local residents.

Further examples of risks (particular with the increased use of smoking shelters) that could undermine this licensing objective are:

6. Lighting – Excessive artificial lighting in the vicinity of licensed premises.

7. Litter / waste – Litter and waste generated by the carrying out of licensable activities. For example, food wrappers, fly posting and cigarette butts.

Measures to prevent litter may include
 - Providing litter bins
 - Sweeping up rubbish and clearing the vicinity

8. Smoking - The Council acknowledges that smoking is not a licensing matter. However as an enforcement authority under the Health Act 2006, it recognises the significant changes to all licensed premises brought about by the implementation of the Smoke Free legislation on 1st July 2007.

The Council also recognises the effect that the smoking ban has had on issues around public nuisance including noise and litter across the city. The Council expects that licensees will be able to manage those issues effectively.

It must be noted that there is no legal requirement for licensed premises to provide an outdoor smoking area.

9. Environmental issues - noise, litter and disturbance from customers

Steps taken or proposed to be taken to prevent noise and disturbance from customers causing nuisance. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers arriving, leaving or queuing outside a premises.

Consideration has to be given to the potential for public nuisance arising from outside areas following the implementation of smoke free laws in July 2007. Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. This will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 10pm and 7am. However, it must be noted that noise and disturbance from customers out of doors can cause public nuisance outside of these times.

Measures to prevent nuisance may include the:

- Use of time restrictions on certain areas;
- The end of the use of certain areas;
- Supervision of outdoor areas;
- Suitable signage;
- Restriction on the times that food or drinks can be consumed or sold to be consumed outside the premises;
- In some cases the hours at which premises are open to the public will also be considered.

10. Noise from plant and equipment

Steps taken or proposed to be taken to prevent noise and vibration from plant or equipment causing nuisance. This includes noise and vibration from ventilation, air conditioning and refrigeration equipment.

Measures to prevent nuisance may include the:

- Installation of acoustic enclosures;
- Sound proofing, timing device;

- Relocation or replacing equipment;
- Provision and regular emptying of litter bins;
- Provision for the disposal of cigarette litter at entrances as well as where people are most likely to congregate;
- Regular monitoring and cleaning of areas;
- Reduction in the amount of packaging passed onto customer;
- Provision of posters asking customers not to drop litter.

11. Fly posting, flyers and graffiti

Steps taken to prevent fly posting and the distribution of flyers advertising the premises or events at the premises.

Steps taken by the applicant to remove graffiti and fly posting from their surfaces as soon as it appears.

The Protection of Children from Harm

1. What measures will you put in place to prevent underage drinking on and around your premises?

- We will adopt a well-publicised Challenge 25 policy; asking those who appear to be under 25 to produce appropriate ID proving they are over 18 before considering serving them;
- We will refuse service to those we believe to be passing on alcohol to under 18s (except where over 18s are buying beer, wine or cider for 16 or 17 year olds for consumption with a table meal);
- We will display of prominent warning notices about the supply of alcohol to minors
- We will give all relevant staff appropriate accredited training on the law relating to alcohol and those aged under 18 (e.g. a 'Responsible Retailing' course);
- We will ensure sufficient staffing and managerial support to monitor outside areas and make the identification and non service of those passing on drinks to under 18s practicable;
- We will report those who pass on drinks to under 18s to the police;
- We will use a 'refusal book' to record details of instances where staff have refused a customer thought to be under age;
- We will use CCTV.
- We will identify a child safeguarding lead.

2. It is an offence to allow unaccompanied under 16s into primarily drinking venues. However, family friendly premises typically experience fewer problems of crime, disorder and public nuisance. What measures will you put in place to create a safe,

child-friendly environment?

- We will ensure vigilance re. the sale of alcohol to under 18s, to those who are drunk and to those passing on drinks to under 18s / those who are drunk;
- We will ensure those who are drunk do not gain entry to the premises and those who become drunk on the premises are asked to leave (N.B. it is an offence to serve those who are drunk);
- We will specify areas, activities and times that are suitable for children instead of merely placing restrictions on access to those areas, activities and during those times that are appropriate.
- Provide training to staff to enable them to identify hidden harm around parental alcohol use.

Further examples of risks that could undermine this licensing objective are:

3. Adult only entertainment – Where entertainment or services of an adult or sexual nature are commonly provided, ensuring that underage persons cannot enter the premises. There shall be no display of photographs or visual images advertising such entertainment outside the premises.

Nottingham City Council

Responses to consultation on Statement of Licensing Policy (2024)

Chapter 1 – Introduction

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority’s Response with regard to Statement of Policy
1	Lucy Hubber, Public Health	1.4	The removal of “potential” from “the potential negative impact alcohol can have on physical and mental health.... “	Acceptable comment and the Licensing Policy amended to that affect.	“Potential” has been removed at 1.4

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Chapter 2 – Licensing Objectives & Licensable Activities

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority’s Response with regard to Statement of Policy

Chapter 3 – Strategic Links & Other Regulatory Regimes

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority’s Response with regard to Statement of Policy

1	Lucy Hubber, Public Health	3.4	Suggested rephrasing and amendment of paragraph 3.4	Acceptable comment and the Licensing Policy amended to that affect.	Rephrased paragraph 3.4 to reflect the comments made by Public Health.
1	Lucy Hubber Public Health	3.5	Suggested rephrasing and amendment of paragraph 3.5	Acceptable comment and the Licensing Policy amended to that affect.	Amended paragraph 3.5 to reflect the comments made by Public Health.

Chapter 4 – Delivering Licensing Services

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	Lucy Hubber, Public Health	4.6	Public Health to be added to list of bodies in paragraph 4.6	Acceptable comment and the Licensing Policy amended to that affect.	Added Public Health to the scripted list of bodies within paragraph 4.6

Chapter 5 – How this Policy Works

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

Chapter 6 – General Principles

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

Chapter 7 – Applications, notifications and their considerations

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

Chapter 8 - General Enforcement Statement

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

Chapter 9 – Monitoring & Review

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

Appendix A – Promoting the Licensing Objectives

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy

General Comments

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
2	John Kent Solicitors		Requested the removal of Cumulative Impact policies and for Panel Hearings to go back to in person meetings	There were no Cumulative Impact policies within the draft Statement of Licensing Policy. The issue of how the Council conducts it's hearings did not form part of the draft statement of Policy or consultation	No change required.

Nottingham City Council

Responses to consultation on Statement of Licensing Policy – 2019-2024

Ref No.	Name of Respondent
1	Lucy Hubber, Public Health
2	John Kent Solicitors

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Equality Impact Assessment Form**Appendix 4****screeintip-sectionA****1. Document Control****Control Details:**

Title: If this is a budget EIA please ensure the title is the same as the title used within the budget booklet	Statement of Licensing Policy
Author:	Nick Burns
Director:	Colin Wilderspin
Department:	Communities, Environment & Resident Services
Service Area:	Licensing
Contact details:	Nick Burns nick.burns@nottinghamcity.gov.uk Tel: 07519604521
Strategic Budget EIA: Y/N (Does this EIA have an impact on the budget) If yes, please include the reference number	N Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its Licensing Policy, reviewed 5 yearly. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the Licensing Act 2003. The policy sets out the general approach to make licensing decisions whilst remaining consistent with provisions of the Licensing Act 2003 . The purpose of the request is to approve the Statement of Licensing Policy for the forthcoming period of 7 January 2024 to 6 January 2029.
Exempt from publication: Y/N (All EIA's are published on Nottingham Insight for public viewing unless specified. Exemption criteria is available on the EIA section on the Intranet)	N

2. Document Amendment Record:

Version	Author	Date	Approved
V.2	Nick Burns	12 October 2023	

3. Contributors/Reviewers (Anyone who has contributed to this document will need to be named):

Name	Position	Date
Nasreen Miah	Equality and Employability Consultant	12/10/2023

4. Glossary of Terms

Term	Description
ACT	Action Counters Terrorism
BID	Business Improvement Districts
TEN	Temporary Event Notice
CCTV	Close Circuit Television
CIA	Cumulative Impact Assessment
UK	United Kingdom

5. Summary

(Please provide a brief description of proposal / policy / service being assessed)

Nottingham City Council currently has in place a Statement of Licensing Policy that will lapse on the 6 January 2024. It is a requirement under the Licensing Act 2003 for Licensing Authorities to have in place a Statement of Licensing Policy.

The policy statement acts as the main vehicle for setting out the Licensing authorities approach to regulation. It aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises.

The licensing objectives are set out in the Act and are:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance
- The protection of children from harm

Which

A statutory consultation has taken place between the dates of 24 July 2023 to the 20 September to enable consultation responses to be generated and received to the draft Statement of Licensing Policy in public circulation. Details of the consultation can be found below.

The purpose of the Statement of Licensing Policy is to promote Nottingham as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the City's residents and visitors.

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[screenip-sectionC](#)

6. Information used to analyse the effects on equality:

(Please include information about how you have consulted/ have data from the impacted groups)

The proposed Statement of Licensing Policy will be presented to the Full Council for approval on 13th November 2023. Consultation has taken place with:

- The chief officer of police for the area;
- The fire and rescue authority for the area;
- All responsible authorities as defined by the Licensing Act 2003
- Each local authority's Director of Public Health in England;

- Persons/bodies representative of local premises licence holders;
- Persons/bodies representative of local club premises certificate holders;
- Persons/bodies representative of businesses and residents in its area.

We have consulted with over 1800 licensed premises directly, as well as all of the listed responsible authorities and various other interested parties, the consultation was also uploaded and accessible on Nottingham City Councils consultation page as well as being situated on our own Nottingham City Council licensing webpage. We received 2 responses that can be found attached on appendix B.

The results of the consultation will be brought back to Full Council in October 2023 for a decision to be made to adopt the draft Statement of Licensing Policy to ensure that the Licensing Authority continues to comply with the Licensing Act 2003.

Page 7. Impacts and Actions:

Screen tip-section D	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	X	<input type="checkbox"/>
Men	X	<input type="checkbox"/>
Women	X	<input type="checkbox"/>
Trans	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input type="checkbox"/>	<input type="checkbox"/>

<p>Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).</p> <p><i>Please underline the group(s) /issue more adversely affected or which benefits.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
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<p style="text-align: right;"><u>screeentip-sectionE</u></p> <p>How different groups could be affected (Summary of impacts)</p>	<p style="text-align: right;"><u>screeentip-sectionF</u></p> <p>Details of actions to mitigate, remove or justify negative impact or increase positive impact (or why action isn't possible)</p>
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>Note: the level of detail should be proportionate to the potential impact of the proposal / policy / service. Continue on separate sheet if needed (click and type to delete this note)</p> <p>Having conducted a full consultation process over an 8 week period, no impacts or benefits have been highlighted during this process.</p> <p>The Licensing Act 2003 has four licensing objectives</p> <ul style="list-style-type: none"> • The prevention of crime and disorder • Public safety • The prevention of public nuisance • The protection of children from harm 	<p>There are no negative impacts on any group with protected characteristics.</p> <p>The proposed Statement of Licensing Policy will affect anyone regardless of protected characteristics or not that wishes to apply for a new premises licence in the Nottingham City Council area.</p>

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<p>The benefits through the policy regardless of protected characteristics will ensure that we as the licensing authority aims to control operators of licensed premises within the local area to help protect the community, i.e. children and relevant vulnerable groups, and to guide those Operators as to how the Council wishes them to run their premises.</p>	
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8. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Should a decision be made by Full Council to agree that the draft Statement of Licensing Policy should be implemented this will remain in place from the 7 January 2024 to 6 January 2029. However, the Policy can be reviewed at any time during this period should there be a need to do so. If guidance or legislation changes we as an authority could review our policy and make necessary amendments, Elected members and stakeholders could request a review if it is deemed necessary, Licensees may request a review if they feel the policy is unfair, outdated or negatively affecting their business or industry, Community organisations and groups could request a review if the policy is not adequately addressing concerns or if they have evidence that suggest change is required, and members of the public who are directly affected by the licensing policy or hold a legitimate interest in the matter may request a review.

9. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

10. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.</p>	<p>Date sent for advice: 05/10/2023 Send document or Link to: equalities@nottinghamcity.gov.uk</p>
<p>Approving Manager Signature: Nick Burns, Licensing and Policy Manager</p> 	<p>Date of final approval: 17/10/2023</p>

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<p>Before you send your EIA to the Equality and Employability Team for advice, have you:</p> <ol style="list-style-type: none">1. Read the guidance and good practice EIA's http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc2. Clearly summarised your proposal/ policy/ service to be assessed.3. Hyperlinked to the appropriate documents.4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).5. Included appropriate data.6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.7. Clearly cross-referenced your impacts with SMART actions.

PLEASE NOTE: FINAL VERSION MUST BE SENT TO EQUALITIES OTHERWISE RECORDS WILL REMAIN INCOMPLETE.

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City Council – 13 November 2023

Report of the Chair of the Housing and City Development Scrutiny Committee

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author:

Nancy Barnard, Head of Governance

nancy.barnard@nottinghamcity.gov.uk

Title: Amendments to the Constitution

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

1.1 The Local Government Act 2000 requires the Council to keep its Constitution up to date. Following the passing of the Social Housing Regulation Act 2023, local authorities with housing management and maintenance responsibilities have to provide assurance and oversight of the Council’s regulatory compliance and tenant satisfaction. This report recommends building this requirement into the terms of reference for the Housing and City Development Scrutiny Committee to contribute to the delivery of this requirement.

2. Recommendations

2.1 To add the following wording to the “Purpose” section of the Housing and City Development Scrutiny Committee’s Terms of Reference:

“regarding housing, contribute towards providing assurance and oversight of the Council’s statutory responsibilities in the context of regulatory compliance and tenant satisfaction.”

3. Reasons for recommendations

3.1 To ensure the Council's Constitution remains up to date and in line with relevant legislation.

4. Other options considered in making recommendations

4.1 Not to amend the terms of reference. This option was rejected as it would not support the delivery of the requirements of the Act.

5. Consideration of Risk

5.1 Inclusion of this responsibility in the Committee's terms of reference reduces the risk that the Council will not deliver the requirements of the Act.

6. Best Value Considerations

6.1 The recommendation proposes a response to a statutory requirement and the amendment to the Constitution does not, in itself, have any cost implications.

7. Background (including outcomes of consultation)

7.1 Following the passing of the Social Housing Regulation Act 2023, local authorities with housing management and maintenance responsibilities have to provide assurance and oversight of the Council's regulatory compliance and tenant satisfaction. As a committee with a key role in the oversight of housing services it is important that the Housing and City Development Scrutiny Committee plays a role in this. It is therefore proposed that this responsibility is incorporated into the Committee's terms of reference. A revised copy of the terms of reference, with the amended point highlighted, is attached.

7.2 Further consideration is being given as to how the Council's governance arrangements for housing can support the delivery of the requirements of the Act, including the appointment of co-optees to the Housing and City Development Scrutiny Committee. Provision for this is already made in Article 11 of the Council's Constitution. Further amendments to the Committee's Terms of Reference and other sections of the Constitution may be proposed in due course as discussions about oversight and governance progress.

7.3 The proposal was approved for recommendation to Council by the Housing and City Development Scrutiny Committee at its September meeting.

8. Finance colleague comments (including implications and value for money)

8.1 This report summarises the work undertaken by the Governance Team to amend the Nottingham City Council Constitution. The work is funded by their allocated budget within the Medium-Term Financial Plan for 2023-24. There is no additional financial implication as a direct or indirect result of this work.

Alfred Ansong, Strategic Finance Business Partner 17/10/2023

9. Legal colleague comments

9.1 The Council has a requirement to keep its constitution up to date in accordance with The Local Government Act 2000. This report seeks to bring the Constitution, as

adopted in September 2021 up to date to ensure that we are meeting the legislative requirements as set out in the body of the report.

Beth Brown, Head of Legal, 18 October 2023

10. Crime and Disorder Implications (If Applicable)

10.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

11. Social value considerations (If Applicable)

11.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

12. Regard to the NHS Constitution (If Applicable)

12.1 Any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee.

13. Equality Impact Assessment (EIA)

13.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

14. Data Protection Impact Assessment (DPIA)

14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because any relevant matters will be considered as part of the Scrutiny activity carried out by the Committee. Amending the Constitution will not have any direct impacts.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

Social Housing Regulation Act 2023
Reports to and Minutes of the Housing and City Development Scrutiny Committee
held on 18 September 2023
Nottingham City Council's Constitution

Councillor Sam Harris
Chair of the Housing and City Development Scrutiny Committee

Housing and City Development Scrutiny Committee

Terms of Reference

Description

The Housing and City Development Scrutiny Committee (the Committee) is a politically balanced Non-Executive Committee of Council. It is established to discharge functions conferred by the Localism Act 2011 and other relevant legislation in relation to matters relating to housing and city development including economic development, employment and skills, business growth and inward investment, property and asset management, housing, transport, traffic and parking. The Committee is accountable to Council and will report annually to Council on its activities during the previous year.

The Committee will offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance.

Purpose

The purpose of the Housing and City Development Scrutiny Committee is to carry out the following roles for matters relating to housing and city development:

- (a) hold local decision-makers, including the Council's Executive and relevant Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- (b) review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (c) contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (d) explore any matters affecting Nottingham and/ or its citizens
- (e) make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- (f) review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure
- (g) regarding housing, contribute towards providing assurance and oversight of the council's statutory responsibilities in the context of regulatory compliance and tenant satisfaction.

Objectives

The Housing and City Development Scrutiny Committee will:

- (a) develop and manage a work programme to ensure all statutory and other roles and responsibilities are fulfilled for matters relating to housing and city development to the required standard and which covers review and development of key strategic issues, policies and strategies relevant to Nottingham and its residents, and which adds value through the examination of issues of local importance and concern, in accordance with the scope and approach set out in Article 11 – Overview and Scrutiny
- (b) to work with the other scrutiny committees to support effective delivery of a co-ordinated overview and scrutiny work programme
- (c) monitor the effectiveness of its work programme and the impact of outcomes from overview and scrutiny activity

- (d) regularly review the decisions, actions and performance of the Council's Executive and other relevant local decision makers, including the Council's group of companies, in order to fulfil its role in holding those decision makers to account. Where relevant this role will be co-ordinated with those of the Audit Committee and the Companies Governance Executive Committee
- (e) receive petitions in accordance with the Council's Petitions Scheme
- (f) consider any relevant matter referred to it by any of its members and consider any relevant local government matter referred to it by any Nottingham City Councillor.

The Housing and City Development Scrutiny Committee has no decision making powers but has the power to:

- (a) require members of the Council's Executive, and certain other local decision makers, to: provide information to the Committee, to attend meetings, and answer questions posed by the Committee in relation to their Executive role
- (b) invite other persons to attend meetings of the Committee to provide information and/ or answer questions
- (c) make recommendations and provide reports to relevant decision makers, and in particular the Council's Executive, on matters within their remits. The Council's Executive and other relevant decision makers have a duty to respond in writing to such recommendations within two months of receipt.

Further detail on the rules and procedures relating to Overview and Scrutiny, including the Call-in Procedure, can be found in Article 11 – Overview and Scrutiny.

Membership and Chairing

The Housing and City Development Scrutiny Committee has 8 members.

Members of the Executive are excluded from membership of the Committee.

Executive Assistants responsible for assisting on a Portfolio within the remit of this Committee are excluded from membership of the Committee.

The Chair of the Committee will be appointed by Full Council at its Annual General Meeting. The Chair cannot be a Chair of the Board of a company in the Council's Group of companies that relates to matters within the Committee's remit.

The Housing and City Development Scrutiny Committee may choose to appoint co-opted members to the Committee. Voting arrangements for co-optees will be in accordance with the scheme of voting rights for co-opted members of overview and scrutiny committees set out in Article 11 – Overview and Scrutiny.

Substitutes

Substitute members are permitted for this committee.

Quorum

The standard quorum for Council committees applies to this committee.

Frequency of Meetings

The Housing and City Development Scrutiny Committee will meet six times per year.

Duration

There is no limit on the lifespan of the Housing and City Development Scrutiny Committee.

City Council – 13 November 2023

Report of the Chair of the Corporate Scrutiny Committee

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author and Contact Details:

Nancy Barnard, Statutory Scrutiny Officer

nancy.barnard@nottinghamcity.gov.uk

Title: Overview and Scrutiny Annual Report 2022/23

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

1.1 The Overview and Scrutiny Annual Report provides an overview of the activity undertaken by the Council's scrutiny committees during municipal year 2022/23 to fulfil their terms of reference, and the outputs and impact of that work.

2. Recommendations

2.1 To accept the Overview and Scrutiny Annual Report 2022/23.

3. Reasons for recommendations

3.1 Article 11 – Overview and Scrutiny – of the Constitution requires an annual report to Council on the activity and achievements of overview and scrutiny.

4. Other options considered in making recommendations

4.1 None as the Constitution requires an annual report to Council on the activity and achievements of overview and scrutiny.

5. Consideration of Risk

5.1 The statutory scrutiny function is a key component of the Council's decision making and governance arrangements and there are risks if this fails to operate in an efficient and effective way.

6. **Best Value Considerations**

6.1 In 2021 the Centre for Governance and Scrutiny carried out a review of the Council's overview and scrutiny function. This included consideration of application of good practice and comparison with other local authorities to ensure that the function is fulfilling its statutory duties, contributing effectively to the Council's recovery and improvement and operating efficiently. The review made a number of recommendations for improvement, which were subsequently accepted by Council and have been implemented.

7. **Background (including outcomes of consultation)**

7.1 The role of Overview and Scrutiny within the Council's governance arrangements is to contribute to policy development and to ensure that the Council's Executive, and certain other partners, are publicly held to account for their decisions and actions. Overview and Scrutiny has wide remit to explore how the Council and its partners could improve services for the people of Nottingham. Article 11 – Overview and Scrutiny – of the Council's Constitution sets out how the overview and scrutiny function operates.

7.2 During municipal year 2022/23 the overview and scrutiny role was carried out by an Overview and Scrutiny Committee, a Call-In Sub Committee, a Children and Young People Scrutiny Committee and a Health and Adult Social Care Scrutiny Committee. Their terms of reference were set out in the Council's Constitution for that period.

7.3 The Annual Report summarises the activity of those committees and gives examples of the work they undertook to fulfil their terms of reference during 2022/23, and the impact of that activity. The Annual Report also sets out the improvement activity that took place to continue to develop and improve the overview and scrutiny function to ensure that it can effectively contribute to good governance of the Council.

8. **Finance colleague comments (including implications and value for money)**

This report summarises the work undertaken by the Council's scrutiny committees during municipal year 2022/23. The activity is funded by the allocated budgets for Governance Services within the 2023-24 Medium-Term Financial Plan. There is no additional financial implication as a direct or indirect result of this work.

Alfred Ansong, Strategic Finance Business Partner 23/10/2023

9. **Legal colleague comments**

The requirement for a local authority operating executive arrangements to have scrutiny committees is set out in the Local Government Act 2000. Overview and Scrutiny is a fundamental part of the democratic process and of corporate governance.

This annual report to full Council is made in accordance with Article 9 of the City Council's Constitution.

10. **Other relevant comments**

10.1 None

11. **Crime and Disorder Implications (If Applicable)**

11.1 Not applicable

12. **Social value considerations (If Applicable)**

12.1 Not applicable

13. **Regard to the NHS Constitution (If Applicable)**

13.1 Not applicable

14. **Equality Impact Assessment (EIA)**

14.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the Annual Report outlines work that has already taken place and does not contain any proposals for new or changing policies or services. Where consideration has been given to equality impact as part of overview and scrutiny activity this will be reflected in the reports to, and minutes of the relevant committee meetings.

15. **Data Protection Impact Assessment (DPIA)**

15.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the Annual Report outlines work that has already taken place and does not contain any proposals for new or changing policies or services. Where consideration has been given to data protection as part of overview and scrutiny activity this will be reflected in the reports to, and minutes of the relevant committee meetings.

16. **Carbon Impact Assessment (CIA)**

16.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the Annual Report outlines work that has already taken place and does not contain any proposals for new or changing policies or services. Where consideration has been given to carbon impact as part of overview and scrutiny activity this will be reflected in the reports to, and minutes of the relevant committee meetings.

17. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

17.1 None

18. Published documents referred to in this report

18.1 Nottingham City Council Constitution

18.2 Agendas and minutes of meetings of the Overview and Scrutiny Committee, Children and Young People Scrutiny Committee and Health and Adult Social Care Scrutiny Committee during municipal year 2022/23.

18.3 Report of the Review of the Scrutiny Function carried out by the Centre for Governance and Scrutiny

Councillor Leslie Ayoola
Chair of the Corporate Scrutiny Committee

Overview and Scrutiny Annual Report 2022/23

Introduction

Overview and scrutiny is a statutory function which supports good governance and decision making and helps to improve public services for the benefit of local people. It ensures that the Council's Executive is publicly held to account for its decisions and actions and promotes open and transparent decision-making and democratic accountability. It also has a wide remit to explore how the Council and partner organisations could improve services for the people of Nottingham by offering constructive review, feedback and challenge on decisions, actions, policy, strategy and performance. Its purpose is to:

- hold local decision-makers, including the Council's Executive and the Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- explore any matters affecting Nottingham and/ or its citizens
- make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure.

During 2022/23 overview and scrutiny work was carried out by:

- an Overview and Scrutiny Committee chaired by Councillor Sam Gardiner, which took an overview of key strategic issues relevant to Nottingham, ensuring decision-makers were held to account for their decisions and actions;
- a Call-in Sub-Committee which meets as and when required to consider requests to 'call-in' Executive decisions that had been made but not yet implemented. There were no call-in requests submitted during 2022/23 for the Sub-Committee to consider;
- a Children and Young People Scrutiny Committee chaired by Councillor Carole McCulloch, which focused on the scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people in the City; and
- a Health and Adult Social Care Scrutiny Committee to carry out the statutory roles to review and scrutinise matters relating to health in the Council's area, with powers to make reports and recommendations to National Health Service commissioners and providers, and to scrutinise Adult Social Care to ensure the wellbeing and safeguarding of adults in receipt of support. The Committee was chaired by Councillor Georgia Power.

The function was supported by the Statutory Scrutiny Officer, two Senior Governance Officers (as part of their wider role), with support from other colleagues in Governance Services.

As part of developing its evidence base, the overview and scrutiny committees often invited individuals and organisations to attend meetings and provide information about their work, experience or expertise. We would like to take this opportunity to thank all those who contributed to the work of overview and scrutiny during 2022/23.

Scrutiny Development

Across the scrutiny function, the major focus for 2022/23 was to continue the scrutiny improvement activity already underway to ensure that improvement was sustained and embedded. All three scrutiny committees took a robust approach to planning their work programmes for the year ahead, ensuring that they continued to have a strong focus on the Council's recovery and improvement. The Chair of the Overview and Scrutiny Committee and Statutory Scrutiny Officer met frequently with the Leader of the Council and Chief Executive to scan the horizon of decisions coming to the Executive, and the Chairs of other scrutiny committees met regularly with relevant Portfolio Holders, Corporate Directors and Directors to identify and discuss key emerging issues to help with alignment of the forward plans for overview and scrutiny. This more rigorous approach to ensuring appropriate and relevant focus for scrutiny activity, with potential to add value was supported by a training session on work programming delivered by the Centre for Governance and Scrutiny.

A suite of training on overview and scrutiny knowledge and skills took place in the early part of the year, and covered core scrutiny skills, work programming and financial and budget scrutiny. While this training was targeted towards scrutiny councillors, it was open to all councillors to attend. The Scrutiny Chairs, Executive Councillors and Scrutiny Officers also benefitted from bespoke training and mentoring.

The Overview and Scrutiny Committee implemented a new recommendation tracker, which is a publicly available document evidencing the recommendations made by the Committee, the responses to those recommendations and progress on implementation of accepted recommendations. It has been an effective tool in ensuring appropriate follow-up to recommendations made by the Committee, particular when responses were contrary to the expectations of the Committee.

During the course of the year, work took place to identify the learning and development that would be required for new councillors following local elections in May 2023, and progress against the Scrutiny Improvement Action Plan was monitored by the Overview and Scrutiny Committee.

Overview and Scrutiny Committee

In 2022/23 the Overview and Scrutiny Committee aimed to offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance in order to ensure that the services delivered by the Council were fit for purpose.

The Committee continued its focus on recovery and improvement, as well as considering a number of specific topics.

Below are some examples of the work carried out throughout the year.

Together for Nottingham Plan and Statement of Requirements Progress

The Committee was keen to maintain its focus on the Council's planned recovery and improvement under the guidance of the Improvement and Assurance Board (IAB). The Committee heard from the Leader at every other meeting about the progress made in implementing the Council's Together for Nottingham Plan. The Leader also communicated key messages from the IAB at relevant points, as well as updates on the Statement of Requirements. All three types of update provided by the Leader helped inform the Committee's work programme throughout the year.

Transformation Programme

The Transformation Programme was first presented to the Committee in October 2021 and, at the meeting, it was agreed that the Committee would be regularly updated on progress at relevant points. An overall update was provided at the April 2022 meeting, and the Committee then scheduled specific programmes throughout the year:

- at the May meeting the Committee reviewed the work carried out to date on the Customer First Transformation Programme. The Committee heard that the transformation work was well underway and was on track to be completed within its deadlines. The main challenge was lack of buy-in from staff and customers who were reluctant for change, but work was ongoing to address this. The Committee welcomed the progress made.
- at the June meeting the Committee reviewed the effectiveness of the work being undertaken in the Asset Rationalisation Programme to review the Council's property portfolio with a view to selling some buildings and changing leases on others to manage them more effectively and raise capital funds. The Committee heard that the programme was making good progress and that a Community Asset Policy was being developed, which the Committee requested to see the draft of prior to be it being adopted at Executive Board.
- in July the Committee was involved in pre-decision scrutiny on the Libraries Transformation Programme. It considered the robustness of the consultation carried out and made recommendations for the Executive Board to consider before the final decision was made. The Committee felt that the consultation could have been more thorough, that further effort could have been made to engage under-represented groups, and made a number of recommendations for the Portfolio Holder to consider prior to taking the proposals to Executive Board.

Public Sculptures and Monuments Policy Development

In July the Committee considered the draft policy and application form for statues, monuments and public artworks in parks, open spaces and the public realm owned by Nottingham City Council, which was another opportunity for the Committee to be involved in pre-decision scrutiny. The Committee heard that street art would be subject to a separate policy, which it requested to look at in the future. The

Committee recommended that Ward Councillor consultation was included in the proposed policy.

Selective Licensing Scheme Proposals

In October the Committee considered whether the consultation on the Selective Licensing proposals had been fair, transparent and robust, and how the consultation responses would influence the final proposals presented to Executive Board. This pre-decision scrutiny exercise reviewed the robustness of the consultation carried out and the Committee made recommendations to the Executive Board on the proposed Scheme. The Committee welcomed the Scheme but expressed concern that there could be a negative impact on areas being removed from the Scheme, and those not covered by the Scheme, and that work needed to be done to ensure standards are maintained/met in those areas.

Municipal Resources and Waste Strategy

At its November meeting the Committee provided views on the draft Municipal Resources and Waste Strategy while it was out to public consultation, as well as considering the robustness of the consultation that was underway at the time. The Committee commended the number of responses received at the time of the meeting and made a number of recommendations in relation to the Strategy which were accepted by the Portfolio Holder.

At its February meeting the Committee considered the analysis of the consultation findings and the proposed way forward in relation to the Municipal Resources and Waste Strategy prior to a decision being taken by Executive Board in March. The Committee was supportive of the Strategy but highlighted that the education of residents around the proposals were a crucial element in the success of the Strategy.

Community Asset Policy

Further to the request at the June meeting when the Asset Rationalisation Programme was considered, the December meeting included the Committee considering the draft Community Asset Policy and whether the consultation had been fair, transparent and robust, and how the consultation responses would influence the final proposals presented to Executive Board. The Committee welcomed the Policy and made a number of recommendations which were considered by the Portfolio Holder prior to it being considered by Executive Board.

Crime and Drugs Partnership (CDP)

The Overview and Scrutiny Committee has a statutory duty to scrutinise the work and progress against targets of the CDP under the Police and Justice Act 2006. Representatives from the CDP and the Portfolio Holder were in attendance at the January meeting to discuss the CDP Plan and performance. The Committee was concerned with a lack of consistency in responding to anti-social behaviour issues and requested that work was done to improve this.

The Budget

In January the Committee heard from the Portfolio Holder for Finance and Resources, and the Corporate Director for Finance and Resources on the Council's budget. The meeting focussed on scrutinising the budget proposals for 2023/24 –

2026/27 with the Committee acting as a consultee. The budget proposals involving children, adults and health were scrutinised by the Children and Young People Scrutiny Committee and the Health and Adult Social Care Scrutiny Committee respectively. The Committee expressed disappointment that the consultation period had not taken place earlier as in previous years and recommended that the Portfolio Holder ensure that the consultation was brought to the December meeting going forward. The Portfolio Holder accepted the recommendation.

At the February meeting the Committee noted the responses to the budget consultation from the Overview and Scrutiny Committee, the Health and Adult Social Care Scrutiny Committee and the Children and Young People Scrutiny Committee, for submission to Executive Board later that month.

Carbon Neutral Policy

In March the Committee considered performance against the Council's Carbon Neutral Action Plan in the delivery of priorities to enable Nottingham to be the first UK city to be carbon neutral by 2028. The Committee welcomed the progress made to date and made a number of recommendations in relation to improving engagement and communication which were accepted by the Portfolio Holder.

Children and Young People Scrutiny Committee

For 2022/23 the remit of the Children and Young People Scrutiny Committee was to hold decision makers to account for their decisions, actions, performance and management of risk; to review policy and strategy; and to contribute to the development of new policies and strategies where they impact on Nottingham's children and young people. The Committee met six times across the year to fulfil this role and covered a range of issues including children's social care, changes to early help and intervention, child exploitation and the provision of activities and support for children and young people during holiday periods.

Children's Social Care Improvement

Provision of children's social care services involves some of the most important statutory responsibilities and duties held by the Council and is subject to a robust and rigorous regulatory regime. In July 2022 the Council was subject to an inspection of its children's services by Ofsted which found the Council to be 'requires improvement to be good' in the domains of the impact of leaders on social work practice with children and families, the experiences and progress of children in care and care leavers; and 'inadequate' in the domain of experiences and progress of children who need help and protection. The overall outcome from the inspection was 'inadequate'. The Committee had been aware of the need for significant improvement in children's services for some time and in previous years had heard from the Portfolio Holder for Children, Young People and Schools, the Corporate Director for People and the Director for Children's Integrated Services about work taking place to make the changes required. The Committee had also reviewed feedback from Ofsted focused visits. The Portfolio Holder had previously assured the Committee that, coming out of the Covid pandemic and following changes to senior leadership, the Service was on the right track for making the improvements necessary. The Committee was therefore disappointed that work to, for example make changes to the 'front door' of services being done with support from Essex

County Council, had not been as successful as it needed to be by the time of the inspection.

In early November, the Committee dedicated an entire meeting to understanding the implications of the inspection findings and scrutinising plans for addressing the issues identified for improvement. The Committee heard from the Portfolio Holder, Corporate Director, Director and Head of Strategy and Improvement about their assessment of Ofsted's findings, which recognised the progress that had been made and areas of strong practice to be built upon and identified eight key areas where improvement was required. They acknowledged to the Committee that substantial improvement was required at a quickened pace. They explained that the existing Improvement Plan was being reviewed to reflect the areas identified for improvement but, in the meantime, action had already started to be taken. The Committee was pleased to note the positive comments in the Ofsted report about the commitment and loyalty of frontline staff and the existence of good social work practice. Highlighting the importance of staff being well supported, the Committee welcomed the new emphasis on proactively communicating with staff at all levels of the Service, including in identifying areas for improvement and helping to shape those changes. The Committee also encouraged an openness in sharing information about improvement. The Committee subsequently reviewed the updated Improvement Plan and welcomed the approach of dovetailing it with the existing transformation programme and wider service improvements, to have a co-ordinated and coherent approach to improvement articulated through the Changing Lives Changing Futures Strategy. While it was disappointing that this meant there was some delay to the commencement of the transformation programme, the Committee concluded that this made sense for the benefit of improvement in its totality.

The Committee spoke with Lou Williams, Independent Advisor and Chair of the Children at the Heart Improvement Board about his role, the role of the Improvement Board and his assessment of the Council's position. He informed the Committee that, in his view, the Corporate Director, Director and Portfolio Holder had a real grip of the issues that needed addressing and, as at January 2023, a lot of work had already taken place to improve the 'front door' to services. He echoed comments in the Ofsted report about confidence in a senior leadership that promotes good culture and is open to challenge. While there had been progress, he advised that there is a lot more to do and, based on experiences of other local authorities, it will take 18-24 months to deliver sustained improvements.

The Committee continued to receive verbal updates on progress against the Improvement Plan from the Portfolio Holder at each meeting who, at the request of the Committee, committed to also sharing letters arising from the Ofsted monitoring visits. Conscious that the first monitoring visit was likely to focus on the Multi-Agency Safeguarding Hub (MASH) and the 'front door' to services, in January the Committee received a more detailed update on progress in this area from the Director. The Committee found this update to be well-evidenced and reassuring.

Throughout its scrutiny of improvement, both in response to the Ofsted inspection and from transformation, the Committee has been concerned about the capacity to deliver change at the pace required. This view was reinforced by information from senior officers that the most significant risk to delivery of improvement is workforce.

In January, the Committee reviewed budget proposals relating to services for children, young people, and families. The Committee was comfortable that the proposals supported getting children the right support at the right time but flagged a concern about capacity and capability to deliver savings, transformation, and wider improvement alongside delivery of a complex, high risk service. The Committee spoke to the Children's Services Transformation Delivery Lead about progress across the transformation projects and how the Service is assuring itself that sustainably improved outcomes are achieved. The Committee recognised the potential for transformation to manage demand and better meet need within available resources. It suggested that it would be beneficial to have a clearer articulation of how the voice and feedback from children, young people, families, carers and former service users is heard, understood and reflected in transformation and recommended that the Programme joins up with other strategies and services e.g. Housing Aid to take full account of the whole context affecting children's lives. While acknowledging the need for the Council to operate within existing resources, the Committee raised a question about whether the impact of changes to early help services conflicts with desired outcomes from transformation. It heard that the Council is taking a strengths-based approach to supporting families and redesigning early help services. It will review development of the new Early Help Strategy in 2023/24.

Child Exploitation

At its meeting in March the Committee reviewed the activity of the Council and its partners in identifying, safeguarding and supporting children who have gone missing from home and are at risk of exploitation. The Committee heard that a new Strategy was being developed and recommended that the Strategy was co-produced with partners and seeks to embed trauma-informed practice and, in recognition that safeguarding is everybody's responsibility, engagement with all frontline workers who may have contact with children and young people, not just those in social work or community protection professions. The Committee decided to review implementation of the new Strategy, and that has been scheduled in its work programme for 2023/24.

Future Work

Looking ahead to 2023/24, the Committee is receiving support from the LGA, as part of a wider improvement support package, to explore what good scrutiny of children's services looks like, how it can effectively engage with the Ofsted inspection process and how scrutiny committees can add value following a judgement of 'inadequate'. Learning from this will be used to inform development of the Committee's work programme for the next few years as it looks to provide constructive support and challenge as the Council seeks to move its children's services to being rated as 'good'. Having prioritised scrutiny of improvement of children's services during 2022/23, the Committee now intends to rebalance its work programme with a greater emphasis on education issues. Nottingham has been designated as an Education Investment Area and the Committee will be exploring what this means for the City and how it can effectively hold partners to account for delivery of the agreed action plan for improvement. The Committee also intends to focus on the support for children and young people with special educational needs and disabilities and their families. In 2021 Ofsted and the Care Quality Commission undertook an inspection of how well the City carries out its statutory duties in this area. While the findings

were largely positive, the Committee looked at how the Council and NHS commissioners responded to areas identified for improvement. During 2023/24 the Committee will be checking back to see what changes have actually been made and the impact that has had on outcomes for children and young people.

Health and Adult Social Care Scrutiny Committee

The Health and Adult Social Care Scrutiny Committee was responsible for carrying out the overview and scrutiny functions in relation to adult social care and health during 2022/23. In addition to the powers held by all of the overview and scrutiny committees, the Committee also held the additional powers and rights of a health scrutiny committee to require information and attendance at meetings from organisations that commission and provide NHS and public health funded services; and to make reports and recommendations to those organisations and expect a response. Health scrutiny committees also have a statutory role to consider proposals to substantially develop or vary health services to ensure that the views of patients and the public have been taken into account when making significant changes, as well as ensuring that such changes are in the best interests of local health services.

For 2022/23, the Committee's work programme was a combination of a continuation of ongoing scrutiny activity and new issues that emerged during the course of the year, some of which will continue to be a focus for the Committee in the year ahead. In order to carry out its role, the Committee engaged with a broad range of individuals and organisations including councillors, senior officers, NHS commissioners, NHS providers, Healthwatch Nottingham and Nottinghamshire, voluntary and community sector providers and interested local stakeholders and citizens through formal committee meetings, informal evidence gathering sessions and submissions of information to the Committee. Set out below is a snapshot of work carried out, the outputs from that work and what has happened as a result.

Adult Social Care Services

The Adult Social Care Transformation Programme was established to address the challenges of increasing demand, workforce retention and financial pressures, with the aim to improve service quality, provide better outcomes and deliver financial savings, which are integral to the Council's Medium Term Financial Plan. As a significant programme of change integral to the Council's recovery and improvement activity and a key priority for the Council, the Committee has prioritised delivery of transformation as a focus for its work programme for the duration of the Programme. Building on work in the previous year, during 2022/23 the Committee reviewed progress of the Programme and looked in more detail at the progress of the Supported Living and Strengths Based projects. The Committee encouraged an approach of co-production with citizens and staff and welcomed evidence of work taking place in this regard. Based on the evidence available to it, the Committee supported the expansion of the initial projects and the development of new projects as increasing the independence of citizens, enabling them to live in their own homes with appropriate support, and consequently improving outcomes for them alongside being more financially efficient.

How local authorities deliver their functions under the Care Act will soon be subject to independent review and assessment by the Care Quality Commission. To receive reassurance that the Council is aware of, and addressing its vulnerabilities in relation to this, the Committee reviewed the findings of the Adult Social Care Self-Assessment, which was carried out as part of the Council's involvement in a pilot inspection process. The Committee intends to consider how the Council responds to any areas identified for improvement by the pilot inspection when the report is available in a few months time.

Mindful that winter is one of the most challenging periods for the health and care system, in January the Committee reviewed the mid-winter position for delivery of the Adult Social Care Winter Plan within the context of the wider system. It received evidence from the Portfolio Holder for Adults and Health, Director for Adult Health and Care and the Nottingham and Nottinghamshire Integrated Care Board's System Delivery Director for Urgent Care. The Committee was pleased to hear from both organisations about positive partnership working and that, despite significant challenges, their assessment was that the local picture at that time was relatively good. However, the Committee was concerned that the non-recurrent short-term funding made available to local authorities won't support a sustainable health and care system and encouraged the Portfolio Holder to lobby the Government on this matter and the need for a strategic national approach to recruitment and retention of care workers.

Maternity Services

In December 2020 the Care Quality Commission (CQC) published a report which re-rated Nottingham University Hospitals Trust (NUH) maternity services from Requires Improvement to Inadequate, along with the issuing of a warning notice. Since then, the Committee has taken steps to try and understanding the circumstances, encourage and support improvement and publicly hold the Trust to account for the quality and safety of services and for patient experience of those services.

During 2022/23 the Committee built upon its considerable work during 2021/22 to ensure that the issue continues to have the profile and attention that it warrants and that all partners are playing their respective part in improvement. This included meeting with the new Trust Chair and Chief Executive to understand their intentions towards ensuring the outstanding issues are addressed at pace and in a sustainable way, and the Committee also heard how the Trust Board was responding to subsequent inspections of the Service by the CQC. The Committee explored the oversight and assurance arrangements in place across the local and regional health system through the consideration of written information and discussion at a meeting with the NHS England Midlands Region Medical Director and the Nottingham and Nottinghamshire Integrated Care Board (ICB)'s Chief Nurse. In addition to explaining the oversight and assurance arrangements in place, they gave the Committee their perspective on NUH's progress. This was helpful for the Committee in triangulating evidence provided by NUH and the Committee decided that it would be helpful to have a representative of the Improvement Oversight and Assurance Group at future meetings when the Committee is speaking with NUH about its provision of maternity services. The Committee welcomed the changes that had been made in involving and listening to frontline staff, which had previously been an area of concern for the Committee and was pleased to note the ICB Deputy Chief

Nurse's view that there had been a shift in culture with increasing engagement of families and staff and a focus on Board to Ward. Finally, the Committee met with representatives of trade unions representing staff employed by NUH to get their perspective on progress.

In April and June 2023 the CQC carried out further inspections of maternity services (report published in September) and the Committee has invited the Trust and ICB to attend a meeting to discuss how the Trust is responding to the findings from that inspection and the findings coming out of the ongoing Ockenden Review.

Support for People with Co-Existing Mental Health and Substance Misuse Issues

As a new issue for 2022/23, the Committee decided to look at support for people with co-existing substance misuse and mental health issues, and specifically whether the issues raised in the Prevention of Future Death Reports published in recent years relating to care for people with co-existing issues in Nottinghamshire had been addressed and to seek assurance that appropriate support had been commissioned and was being provided. The Committee considered written information from the pathway development group and spoke with members of the group including NHS commissioners, Nottinghamshire Healthcare Trust, Framework, Double Impact and Change, Grow, Live. The Committee heard about the recent introduction of a new service model, including challenges such as recruitment and funding, and plans for evaluation of this approach and ongoing development.

Based on the evidence available to it, the Committee supported the introduction of the new model of support including the involvement of peer support workers with lived experience, but commented that it appeared to be very adult-centric. This was acknowledged by the partnership group, and the Committee recommended that the partnership develop the model to ensure equivalent support is available for young people, including the development of links with Child and Adolescent Mental Health Services and young people's drug and alcohol services. The Committee also noted that GPs have reported difficulties in supporting people in primary care and to access services that are better placed to provide support, and that this was a potential gap in provision. The Committee recommended that the model is also extended to include primary care to ensure that GPs are equipped to support their patients where appropriate and able to refer to other services when necessary. Both of these recommendations were accepted and the Committee will be reviewing whether this has been done as part of its work programme for 2023/24.

Mental Health Service Transformation

The Committee continued its focus on access to Step 4 Psychological Therapies and Adult Eating Disorders services, both provided by Nottinghamshire Healthcare NHS Foundation Trust. The Committee had had concern about the length of wait for assessment and treatment and wanted assurance about the support for people while waiting. In both cases the Trust highlighted that staffing shortages had contributed to longer than ideal waiting times. The Committee had welcomed plans to improve access to both of these services and decided to review progress in a year's time. The Committee was disappointed that, despite assurance from the Trust in October 2021 that work was taking place to develop the Eating Disorder Service and improve accessibility, waiting times for assessment and treatment had increased in the 12

months since then, with increasing demand and recruitment cited as the main challenges. The Trust could not give an indication of when the situation was likely to improve. As part of the reviews, the Committee heard about the progress of the wider severe mental health transformation programme, which includes Step 4 Psychological Therapies and Adult Eating Disorders services. While recognising the benefits of transformation that had taken place in Nottinghamshire County areas, the Committee was disappointed that these new services were not available for City residents to access and that gaps in service continued to exist for City residents. The Committee recommended that, where possible, future changes to service should be made on an Integrated Care System basis rather than by specific geographical area in order to provide equity in access. Mindful that implementation in the City is due to take place in 2023/24 (year 3), the Committee resolved to review the impact of transformation in the City in April 2024.

Towards the end of the municipal year the Committee spoke with representatives of the ICB, as commissioners, and Nottinghamshire Healthcare Trust, as the main provider, of mental health services in the City about commissioning services for need. This was based on a theme that had arisen several times in the Committee's work which had led to a perception by Committee members of gaps in provision for people who are too unwell for one pathway or service but not unwell enough to be admitted to others. The Committee heard again about the potential for transformation to address existing gaps in provision. To inform future commissioning, the Committee recommended that the ICB look into ways to proactively gain feedback from non-users of services and those citizens who have sought support but have not been able to access mental health services.

Dental Care

Following anecdotal reports of difficulties in accessing dental services in the City, the Committee decided to explore current access to NHS dental services, including its recovery from the Covid pandemic. At that time dental services were commissioned regionally by NHS England (NHSE) under a national dental contract. The Committee received evidence from the Nottinghamshire and Derbyshire Local Dental Networks Chairs, senior commissioners from NHSE and the Council's Public Health Consultant leading on oral health. The Committee also received insight from Healthwatch about its findings on dental access. The Committee heard about the current context for dental provision, how the pandemic had exacerbated issues with access that already existed and that recruitment is a significant challenge (largely due to the current dental contract). NHSE outlined action it had taken to try and improve access, but the scheme commissioned for the City had had a limited uptake by the general dental practices in the City; and plans for the future such as contributing to national discussions on contract reform and local plans to improve access for vulnerable groups by, for example, piloting a mobile dental service for those with severe multiple disadvantage. The Committee was informed that, at the time of the meeting in November 2022, all 38 general dental practices were open but NHSE was aware that some practices had been saying that they weren't accepting new patients. NHSE assured the Committee that where they are aware of this happening, they investigate and make sure that practices are aware of their contractual obligations. They welcomed feedback from councillors on where this is happening so that it can be addressed and also inform future commissioning

intentions. A Committee member cited the 'Find my Dentist' website as also saying that there were no dentists accepting patients in their area.

Based on the evidence available to it, the Committee welcomed the intentions to improve access to dental care in the City, especially for vulnerable populations and those already experiencing barriers in accessing healthcare but expressed concerns about the scale of what it had been possible to achieve so far. The Committee recommended NHS England ensure its website contains up-to-date information on dental practices; that it reviews pathways for the Community Dental Service to ensure that patients are not 'off-rolled' after a course of treatment has finished; and, notwithstanding challenges presented by the current national dental contract, make a concerted effort to increase recruitment of dental practitioners in the City. Having heard that there are particular issues around access to dental care by looked after children as a result of challenges in maintaining contact and ensuring attendance by those who move frequently and in communication with previous dentists about past care and treatment, the Committee also suggested to the Council's Corporate Parenting Board that it explore the issues looked after children face in accessing dental treatment. Responsibility for commissioning of dental services transferred to the ICB in April 2023 and the Committee decided to review how more local commissioning can better meet local need going forward.

The Committee also discussed the lack of fluoridation of water in the City and recent changes to the decision-making process for approving the addition of fluoride, which it was hoped would make it easier to achieve. The Committee recommended that NHSE and the Council work together to identify what can be done to progress the fluoridation of Nottingham's water and in September 2023, following a debate which cited evidence presented to the Committee, Council reaffirmed its commitment to improving dental health including advocating for a local water fluoridation scheme and delegated authority to the Portfolio Holder and Director of Public Health to work with partners and ask the Secretary of State to conduct a more detailed exploration of a water fluoridation scheme to benefit the City's residents.

Changes to Health Services

As the Council's designated health scrutiny committee, the Committee had a role to consider proposals to substantially develop or vary health services to ensure that the views of patients and the public have been taken into account when making significant changes, as well as ensuring that such changes are in the best interests of local health services.

During 2021/22 the Committee considered proposals relating to the configuration of acute stroke services and neonatal services, both provided by Nottingham University Hospitals NHS Trust (NUH). While, based on the evidence available to it, the Committee did not have significant concerns about either of these proposals for change it supported further targeted engagement being carried out. In October 2022 the Committee reviewed the findings of engagement undertaken in relation to both of these proposals and, in both cases, did not identify any concerns to be raised with commissioners.

During the last year, Committee also considered proposals from the ICB for the transfer of colorectal and hepatobiliary services provided by NUH from the Trust's

Queens Medical Centre site to the City Hospital Campus, including the details of the proposed change, the context and case for change and anticipated impacts. The Committee was informed that the change would enable the capacity to be 'ringfenced' to reduce waiting times for patients and therefore support work to clear the backlog of patients waiting for elective care. The Committee sought specific reassurance about engagement with staff and trade unions and the impact on those with protected characteristics. Based on the information available to it, the Committee supported the proposal and the proposed approach to patient engagement.

The Committee became aware from stakeholders of concerns about access to neurology services provided by NUH, specifically about referrals from GPs being turned down and patients potentially unable to access the service. The Chair raised the issue with the ICB and wrote to the Trust to highlight these concerns and seek greater understanding of the situation. The Trust's Medical Director, Head of Neurology and a local GP subsequently attended a meeting to discuss the situation. The Committee heard that changes had been made to the Service with the aim of ensuring that specialist neurologists are able to offer the best value to the patients who would benefit most. So when GPs referred patients the referrals were reviewed to identify those with greatest service need, those most appropriate for the service and those who would benefit most from early treatment. NUH assured the Committee that the changes had been audited and they were confident that patients requiring it are treated within Neurology or referred on to the service that they need. However there had been an increase in patients referred back to their GP, usually with advice and guidance on the appropriate treatment pathway or suggesting the patient is referred to another specialist service. The Committee was concerned about the impact on patients, including timeliness of care, and on GP workload. NUH said that it did not consider the impact to be substantive but that, following feedback, it was now considering whether Neurology could refer patients to other services directly. The Committee raised concern that it did not appear that the changes had been widely consulted on before introduction and the Trust accepted there had probably been insufficient engagement and consultation with GPs regarding the changes to how referrals are triaged and managed. The Committee recommended that primary care partners, including GPs, patients and, where substantial, the Committee are consulted and engaged with as part of the development of future changes to service. The Committee has subsequently been informed that lessons have been learnt from this and was pleased to hear that interface groups between primary care and NUH have now been established to facilitate clinician to clinician discussion about significant changes to ensure that both sides are aware of what is happening and that ideally no changes should be implemented without robust discussion.

Provider Quality Accounts

As it does every year, the Committee reviewed the draft Quality Accounts 2022/23 of the following major providers of health services to City residents: Nottingham University Hospitals NHS Trust, Nottinghamshire Healthcare NHS Foundation Trust, East Midlands Ambulance Service NHS Trust and CityCare Partnership. Based on

the evidence available to it, the Committee submitted Comments for inclusion in the published Quality Accounts of all four providers.

Future Work

Looking ahead to 2023/24, the Committee will be continuing its focus on areas such as mental health transformation, transformation of adult social care, support for people with co-existing mental health and substance misuse issues and maternity services to check that commissioners and providers have done what they said they were going to do and to see whether intended outcomes have been achieved. The 'Tomorrow's NUH' programme, which the Committee has been informed about and given feedback on the development of for several years, now has a Pre-Consultation Business Case with assurance from NHS England and is potentially moving towards public consultation. The Committee will be reviewing plans for consultation as part of its statutory role to ensure that the views of patients and the public are taken into account and that the substantial changes being proposed are in the best interests of local health services. The Committee has also identified other issues, such as waiting times for support for people who have experienced sexual violence, reform of adult social care and impact of the Joint Health and Wellbeing Strategy, that it intends to explore.

Looking ahead

To continue responding to the recommendations made in the review of scrutiny carried out by the Centre for Governance and Scrutiny (CfGS) in 2021, work will continue to improve the scrutiny function and increase the resources available to support it within the Governance Team through:

- increasing the number of scrutiny committees and aligning them with the Directorates, which will provide the opportunity for members to develop more detailed specialist knowledge in subject areas outside of children/ health/ adult social care, and enable committees to work programme more effectively by the Chair having regular meetings with the relevant Corporate Director and Portfolio Holder to be made aware of upcoming issues;
- having call-in requests dealt with by each Committee rather than a Call-In Sub-Committee;
- addressing the additional resources required to support scrutiny by recruiting 3 Scrutiny and Audit Support Officers;
- using the summer period of the 2023/24 municipal year to hold informal training/ development/ briefing sessions for scrutiny councillors, to include:
 - introduction to the role and function scrutiny
 - scrutiny skills and ways of working
 - committee specific briefing(s) on relevant Council services, partners, legislation
 - work programming and specific committee work programme, and only schedule a formal meeting in June or July if there is a specific issue that scrutiny needs to react to.

Contact Information

For further information about this report, and anything else related to overview and scrutiny, please contact the Council's Statutory Scrutiny Officer (Nancy Barnard), or one of the Scrutiny and Audit Support Officers (Damon Stanton, Adrian Mann and Kate Morris) at constitutional.services@nottinghamcity.gov.uk

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City Council - 13 November 2023

Report of the Chair of Audit Committee

Corporate Director/ Director:

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Report Author and Contact Details:

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Title: Audit Committee Annual Report 2022/ 2023

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

1.1 This report summarises the work undertaken by the Audit Committee over the year 2022/ 23 and explains how the Committee has filled its designated role within the Constitution and how this work relates to its core responsibilities. The report set out in Appendix 1 was approved by Audit Committee at its meeting on 29 September 2023.

2. Recommendations

2.1 To note the work undertaken by the Audit Committee during 2022/23.

2.2 To accept the Audit Committee Annual Report 2022/23, as set out at Appendix 1.

3. Reasons for recommendations

3.1 In a local authority the Full Council is the body charged with governance. Full Council has delegated to Audit Committee the role of ensuring that there is sufficient assurance over governance, risk and control. It is accountable to Council for this role in accordance with Article 9 of the Constitution, and in compliance with CIPFA guidance on reporting Audit Committee performance. The report set out at Appendix 1 reflects the work undertaken by the Audit Committee in 2022/23 to fulfil its delegated role.

3.2 The work undertaken by Audit Committee throughout year supports its assessment of the internal control and risk environment. This, in turn, will inform the Committee's consideration and approval of the statutory Statement of Accounts and Annual Governance Statement.

4. Other options considered in making recommendations

4.1 None. The report is required as set out in the Constitution.

5. Consideration of Risk

5.1 The purpose of the Audit Committee is explained further in Appendix 1, but includes to:

- provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment;
- provide independent review of the Council's governance, risk management and control frameworks; and
- consider related assurances.

6. Best Value Considerations

6.1 The recommendations do not include any financial commitments by Nottingham City Council.

6.2 To improve its effectiveness during 2023 /24 the Audit Committee aims to set out an improvement plan with the support of the Scrutiny and Audit Support Officer and make progress towards the plan's actions and goals.

6.3 An effective Audit Committee contributes to corporate best value through its focus on improvements to the internal control environment, arrangements for managing risk and ethical governance.

7. Background (including outcomes of consultation)

7.1 The overall aim of good governance is to ensure that:

- resources are directed in accordance with agreed policy and according to priorities
- there is sound and inclusive decision making
- there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

7.2 The Committee is a key component of corporate governance. CIPFA guidance for audit committees states that:

'Audit committees are a key component of an authority's governance framework. Their purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

In a local authority the full council is the body charged with governance. The audit committee may be delegated some governance responsibilities but will be accountable to full council.

The committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.'

Meaning that taking actions towards this purpose helps fulfil the statutory obligations of the Council under the Accounts and Audit Regulations 2015 and section 151 of the Local Government Act 1972 and supports compliance with the Local Audit and Accountability Act 2014.

- 7.3 The Audit Committee should play a key role in supporting the discharge of those responsibilities by providing oversight of
- a range of core governance and accountability arrangements,
 - responses to the recommendations of assurance providers
- and helping to ensure robust arrangements are maintained
- 7.4 The organisation's leadership team should establish arrangements to provide itself with assurance in such a way that there is a framework of assurance for the organisation.
- 7.5 The Audit Committee has supported development and endorsed a corporate strategy, clear frameworks and processes for managing risk.
- 7.6 Good governance maintains and increases public confidence in the objectivity and fairness of financial and other reporting, and service planning, delivery, and improvement. It is important that local authorities have independent assurance about the mechanisms underpinning these aspects of governance.
- 7.7 An effective Audit Committee both supports and challenges, and in doing so helps to raise the profile and effectiveness of internal control, risk management and financial reporting within the Council and should enhance public trust and confidence in the governance of the Council.
- 7.8 In order to demonstrate the effectiveness of the Committee and develop public trust, the Chair has produced this annual report in respect of its activities in 2022/ 23. It aims to develop the Council's commitment to improving corporate governance.
- 7.9 The report at Appendix 1 summarises the work undertaken by the Committee during 2022/ 23, shows the topics it discussed and uses its Terms of Reference to demonstrate how it met its objectives and responsibilities. The report recognises the positive contributions of councillors and colleagues in the deliberations of the Committee and the positive effect the Committee has had on the Council's governance arrangements. The report categorises the work under the broad themes below:
- External Audit, Inspection and Assurance;
 - Performance Management and Value for Money;
 - Assurance Statements and Governance;
 - Risk Management;
 - Prioritisation and alignment with best practice;
 - Internal Audit and Counter Fraud; and
 - Financial Reporting.

It also comments on the Committee's:

- independence; and
- training and development.

7.10 The work undertaken is crosscutting, however, and the work covered in each theme is complimentary to that reported in the other themes.

7.11 CIPFA Guidance referred to in this paper and its Appendix is the current guidance. CIPFA published a new position statement on Audit Committees in May 2022 and published revised Guidance in October 2022. The Audit Committee will give due regard to the new guidance in carrying out its role in 2023/24.

8. **Finance colleague comments (including implications and value for money)**

This report summarises the work undertaken by the Audit Committee over the year 2022/23. The work undertaken by the Audit Committee is funded by their allocated budgets each year within the Medium-Term Financial Plan. There is no additional financial implication as a direct or indirect result of this work.

Alfred Ansong, Strategic Finance Business Partner 12/10/2023

9. **Legal colleague comments**

The Audit Committee is a key component of corporate governance.

It provides a high-level focus on assurance and the organisation's arrangements for governance, managing risk, maintaining an effective control environment, and reporting on financial and non-financial performance.

The Local Government Act 1972 and the Accounts and Audit Regulations 2015 require the Council to make arrangements for the proper administration of their financial affairs.

The authority must ensure that it has a sound system of internal control which—

- (a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;
- (b) ensures that the financial and operational management of the authority is effective;
- (c) includes effective arrangements for the management of risk.

The Audit Committee is a committee of Council. The Committee terms of reference are set out at Article 9 of the Council Constitution. This report fulfils the requirement to report annually to Council on the work of the Committee.

Beth Brown, Head of Legal and Governance 13/10/2023

10. **Other relevant comments**

10.1 Not Applicable

11. **Crime and Disorder Implications (If Applicable)**

11.1 Not Applicable

12. **Social value considerations (If Applicable)**

12.1 Not Applicable

13. Regard to the NHS Constitution (If Applicable)

13.1 Not Applicable

14. Equality Impact Assessment (EIA)

14.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because no proposals are made in this report and no equalities or diversity issues arise from the report.

15. Data Protection Impact Assessment (DPIA)

15.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because no proposals are made in this report and no personal data has been used in preparing the report.

16. Carbon Impact Assessment (CIA)

16.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because no proposals are made in this report.

17. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

17.1 None

18. Published documents referred to in this report

Accounts and Audit Regulations 2015

CIPFA Audit Committees Practical Guidance for Local Authorities and Police 2022

CIPFA Delivering Good Governance In Local Government – Guidance Notes for English Authorities 2016 Edition

Nottingham City Council Constitution Version 8.2

**Councillor Samuel Gardiner
Chair of Audit Committee**

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Audit Committee

Annual Report

2022/23

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Foreword by the Chair

I am pleased to provide the Audit Committee's Annual Report for the municipal year 2022/2023. The Council is requested to take note of the work conducted by the Audit Committee in improving and enhancing the governance arrangements throughout the Council.



The report illustrates how the Audit Committee makes a positive contribution to the Council's governance, risk and control environments. These cover all aspects, such as internal control; risk management; internal audit; anti-fraud; external audit; and financial reporting and assurance over improvement programmes.

The Committee is supported by officers through reports and presentations, and the committee make recommendations for officers to take on suggestions to ensure the benefits of this Committee are passed onto our citizens through improvements to the governance, risk and control environment.

I would like to thank Councillor Sajid Mohammed for chairing the Committee during 2022/23, and the Internal Audit and the External Audit teams for their input. I should also like to thank all the officers, and all fellow Committee members who have contributed and supported the work of the Committee throughout the past year. Audit Committee Members have supported and challenged officers to ensure our governance, risk, and control processes are effective, open, and transparent.

Key highlights of the Committee's work in 2022/23 included

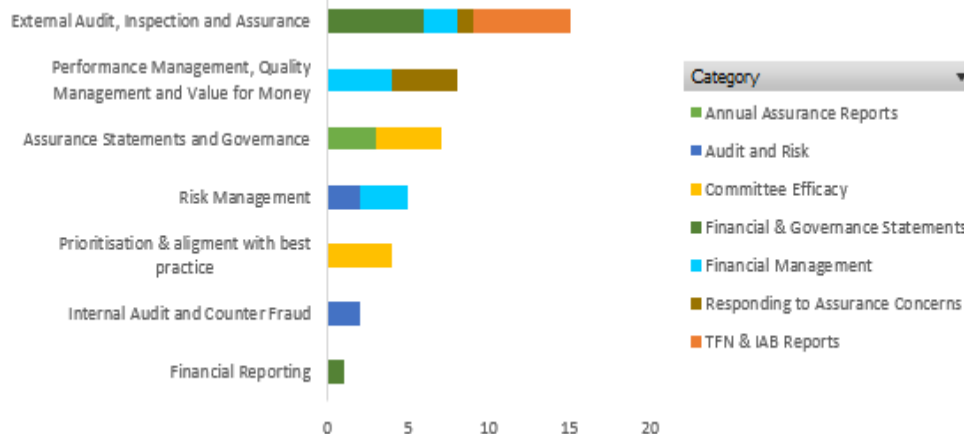
- Reports from theme leads on progress, governance, risk and control in the Together for Nottingham Plan and in Improvement and Assurance Board requirements
- Recognising the issues developing from the S151 Officers S114 report and activity to build improvement in financial controls
- Progress towards production of Financial Statements and in the statutory audit
- Improvement plans and progress resulting from Limited Assurance Internal Audit Reports and external assurance provider reports
- Successful procurement of external audit for 2023/24 to 2027/28 financial statements

For 2023/24, as Audit Committee Chair I look forward to continuing to support the Council by ensuring that the Committee

- continues to recognise issues that require its focus
- prioritises the most significant corporate risks and issues
- seeks to gain assurance and challenge weaknesses in
 - governance,
 - risk management, and
 - control
- improves its efficacy, following best practice, being proactive and forward thinking

Introduction

This report summarises the work performed over the year 2022/2023



There has been a fall in financial reporting activity due to the delay in production and audit of yearly financial statements and an increase in performance management activity which reflects the requirement to review exemptions from Contract Procedure Rules and service responses to Internal Audit reports and committee concerns. The committee has contributed to the effectiveness of the Council by the work it has done including 38 reports as follows:

7

Reports

Assurance Statements and Governance

- Monitoring and approving the Annual Governance Statement and associated activity
- Considering governance, risk and control arrangements for
 - high level financial strategy and reserves
 - governance risks connected to asset realisation
 - governance of capital programme and projects
 - value for money and delivering objectives
 - governance of linked incorporated bodies (and in particular our wholly owned Companies)
- Receiving and making recommendations in respect of Annual Assurance Reports from key corporate specialisms
- Scrutinising non-executive amendments to the Constitution

5

Reports

Risk Management

- Reviewing the mechanisms for the assessment and management of risk and thereby developing the Council's ability to respond to known and emerging risks and considering key risks
- Overseeing the Council's Treasury Management arrangements

8

Reports

Performance Management, Quality Management and Value for Money

- Reviewing assurances provided including in respect of Exemption from Contract Procedure Rules
- Reviewing actions taken by services as a result of Limited Assurance Internal Audit Reports
- Receiving a response to concerns raised by the Committee

15

Reports

External Audit, Inspection and Assurance

- Managing a good working relationship with the external auditor, ensuring appropriate action is taken on its recommendations
- Receiving cross-cutting external inspections and assurance reports, ensuring appropriate action is taken on their recommendations

2
Reports

Internal Audit and Counter Fraud

- Approving arrangements and monitoring performance of Internal Audit and Counter Fraud
- Ensuring internal audit independence and that findings are actioned by managers and consequently help to improve the Council's effectiveness and governance arrangements;

1
Report

Financial Reporting

- Monitoring of, and contribution to, the development of the Council's Statement of Accounts

In addition, the committee maintains prioritisation and alignment to best practice of its work through regular reviews of its work programme by tracking its recommendations.

The Purpose of Audit Committees

The Audit Committee operates in accordance with the "Audit Committees, Practical Guidance for Local Authorities" produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) in 2022. The Guidance suggests the purpose of an Audit Committee as follows:

1. To provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to the Council that those arrangements are effective.
2. The committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

Terms of Reference

The Council reviewed and updated the Audit Committee's terms of reference in 2021 as required by the Report in the Public Interest. As part of this process, CIPFA was engaged to review these terms of reference and suggest improvements. CIPFA provided the committee with assurance that the terms continued to be appropriate and more extensive than comparator authorities, including detailed functions within them to support compliance with the Public Sector Internal Audit Standards. The Council has delegated some of its non-executive functions to the Audit Committee. These are defined in the committee's terms of reference.

A review of terms of reference is planned this year to confirm to the new CIPFA guidance issued in 2022 is included within its TOR.

Good governance is ultimately the responsibility of those charged with governance, as well as those with leadership roles and statutory responsibilities in the organisation, including the Chief Executive, Corporate Directors, the Chief Financial Officer and the Monitoring Officer. The Audit Committee plays a key role in supporting the discharge of those responsibilities by providing a high-level focus on audit, assurance and risk management and financial reporting.

The Council exhibits good corporate governance if it undertakes its functions with integrity and in a way that is accountable to the people of Nottingham, transparent, effective and inclusive. My role as the Chair of the Audit Committee is to drive forward improvements to impact on the quality of governance, risk management and internal

control at the Council and identify the contribution made by the committee. This means I must:

- Consider the reports of external audit and inspection agencies;
- Seek assurances that action is being taken on risk-related issues identified by auditors and inspectors and gain assurance that recommended improvements meet the needs identified and are being delivered to an appropriate timescale;
- Support the committee in reviewing the financial statements, external auditor's opinion and reports to councillors, and monitor management action in response to the issues raised by external audit;
- Support the committee in reviewing the Council's integrated planning and performance framework;
- Support consideration of the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements;
- Lead the committee to be satisfied that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve;
- Lead approval of Internal Audit's strategy, plan and monitor performance.
- Support Internal Audit and contribute to Peer Review
- Support the review of the summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary;
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted; and
- Lead the Audit committee in procuring external audit if required.

Committee Aims

In summary, the committee's role is to challenge, assess and gather assurance from within the Council and from external agencies, on the level and quality of the internal control and risk management processes in place to ensure that Council objectives are met. As part of this role it approves Audit Plans, the Statement of Accounts, and Annual Governance Statement and monitors the robustness of performance management systems. The benefits gained from operating an effective committee are that it:

- contributes to the development of an effective control environment including arrangements for management of risk;
- increases stakeholder confidence in the objectivity and fairness of financial and other reporting by promoting transparency and accountability;
- reinforces the importance and independence of internal and external audit and any other similar review process (e.g. providing a view on the AGS) and the implementation of audit recommendations;
- advises on the adequacy of the assurance framework and considers whether assurance is deployed efficiently and effectively to give assurance that Council objectives are met;
- helps the authority to implement the values of ethical governance, including effective arrangements for countering risks of fraud and corruption

Membership

The Audit Committee was made up of 9 non-executive councillors appointed to reflect the political balance of the Council. The members of the committee for the municipal year 2022/2023 were:

Councillor Sajid Mohammed (Chair)
Councillor AJ Matsiko (Vice-Chair)
Councillor Graham Chapman
Councillor Michael Edwards
Councillor Jane Lakey
Councillor Nayab Patel
Councillor Ethan Radford
Councillor Andrew Rule

Work Undertaken

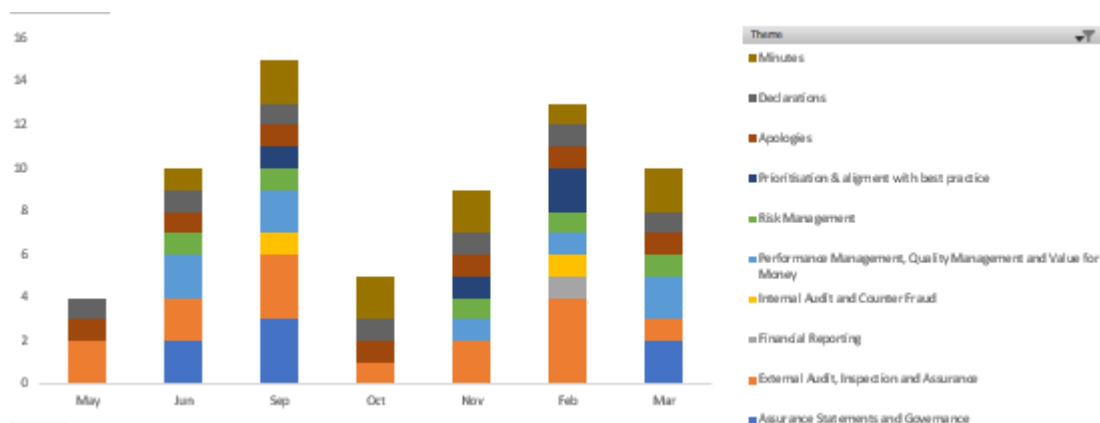
During 2020/21, the Council received two very significant reports which continued to impact the committee's activity during 2022/23:

- The external auditor's Report in the Public Interest.
- The Non-Statutory Review by Max Caller which was commissioned by the Secretary of State.

As a result of these reports a programme of improvement actions was undertaken one strand of which led in 2021/22, followed by further significant reports in 2022/23:

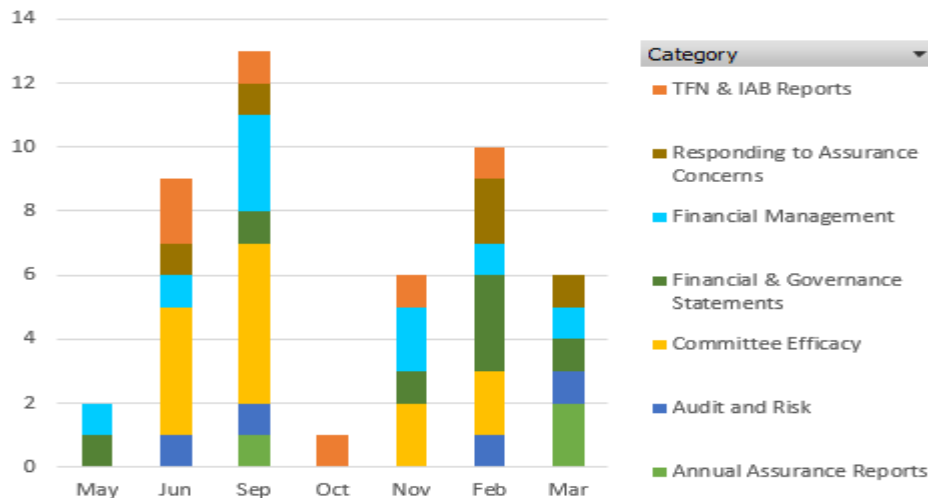
- The Section 114 report by the Chief Financial Officer regarding illegal transactions connected to the Housing Revenue Account
- The External Review of Housing Financial Management
- Improvement & Assurance Board Statement of Requirements and Statutory Directions

The committee has sought to gain assurances across the Council's improvement plan and to understand the outcomes of the Chief Financial Officer's attempts to gain assurance in relation to financial controls. As a result in 2023/24 the committee is receiving progress updates on financial statement audits and completion, and also on the Finance Improvement Plan.



2022/2023 continued to test all Councils with a focus on transformation and good management of the resources available becoming more important. Audit Committee has seen the impact of its activities with several services reporting on activity to respond to concerns raised by Internal Audit or by the Committee. Also there has been

a broader focus in Directorates on compliance with our framework of rules, and on completing actions arising from assurance reports. I expect to see further improvements as 2023 progresses.



The work is reflective of the committee’s terms of reference shown at **Appendix A** which is addressed via an annual work programme endorsed by the committee and cross-referenced to the elements of the annual work programme. The analyses above has been derived from the reports and presentations set before the committee in the period, which are shown in **Appendix B**.

Assurance Statements and Governance

The Audit Committee Work Programme shown in **Appendix A** reflects the many subject areas and sources of information that the committee considers in its deliberations about corporate governance. The information assimilated allows members of the committee to understand governance issues and determine their opinion about the overall state of corporate governance in the Council. In addition the Audit Committee had formed informal working groups to help the committee to better understand and consider the following areas:

- Capital
- Companies
- Fraud (Anti-fraud, anti-bribery, and anti-corruption)
- Risk & Assurance

Having gained this understanding, in future these groups will focus only on specific tasks.

Reports on the following areas were considered by the committee during the year:

- The Together for Nottingham Plan and the directions issued by the Improvement and Assurance Board including
 - Companies Governance
 - MTFs and Council Plan
 - Asset Management
- Emerging Financial Issues
 - Housing Financial Management
 - HRA and other emerging risks
- Statements of Accounts
 - External Audit Reports including Value for Money report
 - External Audit and CFO updates and statement progress monitoring

- Accounting Policies
- Appointment of External Auditor for 2023/24 to 2027/28
- Financial Management
 - Control over Procurement Exemptions
 - Treasury Management
- Annual Assurance Reports
 - Information Compliance and Information Security
 - Health and safety within the council
 - Complaints & Local Government Ombudsman Annual Letter
- Responding to assurance concerns
 - Contract Management and Procurement
 - ICT Procurement
 - Selective Licensing Scheme (external auditor report)
 - Corporate Recruitment Challenges
 - Business Rates
- Risk Management and Corporate Risk and Assurance Register
- Internal Audit
- Role of the Audit Committee, Annual Work Programme & Performance

The Committee considered these reports and made resolutions in respect of each as set out in Appendix C.

Looking Forward

The Audit Committee will amongst other activities

- review the terms of reference
- seek to strengthen its membership with the appointment of additional external independent member(s)
- self-assess its knowledge and skills via CIPFA Self Assessments
- continue to seek assurance on the implementation of the Improvement and Assurance Board directions and Together for Nottingham Plan including theme milestones and outcomes
- monitor progress in bringing the Council's external audits up to date and ensuring future external audit cycles progress smoothly and on time
- monitor progress on the Financial Improvement Programme
- seek assurance that a corporate assurance framework is owned and managed by the executive and senior management, is fit for purpose and incorporates mapped controls with regular monitoring and appropriate escalation
- seek assurance that the ethical governance framework for councillors and officers is effective
- have oversight of the Corporate Risk Register and associated management assurance frameworks including examination of key risks as needed
- provide challenge to the executive and senior officers to encourage implementation of improvements and delivering best value

Independence

The key criterion in assessing the independence of the committee is that its members are non-executives and their conduct on the committee is independent of political allegiances. Councillors have sought advice from legal and governance officers to achieve this requirement, and have made declarations or have left the

meeting where a conflict of interest was apparent, as is appropriate. We accept the observations of the external auditor about the conflicts of interest that arise when councillors act as directors on council owned companies. The Council's Constitution now precludes Directors of any of the Council's Group of companies being a member of the Audit Committee. The Audit Committee terms of reference now allow for 2 independent members. The opposition member has an open invite to join any chair of audit briefings and any pre-meetings the committee holds.

Training & Development

Training has been provided to committee members during the year on:

- the Role of the Audit Committee and its members (CIPFA – March 2021)
- Constitution eLearning (available October 2021;)
- Risk management (Zurich – March 2021; July 2023)
- Treasury Management (Link Asset Management – December 2021; July 2023)

In addition committee members have been able to understand key areas of the authority's risk and control environment better through the working groups.

Conclusion

In assessing compliance with the CIPFA Position Statement: Audit Committees in Local Authorities and Police 2022, for the financial year 2022/23, I have considered

- the available guidance in Appendices E & F of the CIPFA guidance on audit committees (attached as Appendix D & E to this report),
- the terms of reference and duties of the Audit Committee (Appendix A), and
- the work undertaken over the period since the last annual report (shown in Appendices B & C).

My view on compliance with the Position Statement is that overall, the committee has carried out its role effectively during 2022/23. The audit committee does comply with minor areas of improvements to be addressed and evidenced during this municipal year. The committee has and will continue to proactively seek assurances over the key indicators. Whilst the total number of reports show a slight decrease from 45 down to 38, this demonstrates the committee giving more focus to the corporate priorities. The committee will remain focused yet agile in its work programming; as the corporate pressures and priorities evolve, so will the focus of the committee to seek the assurances it requires. The audit committee is independent and will challenge the executive members where necessary. The recommendations arising from the committee are taken seriously and the recommendation tracker will be a vital tool of the committee going forwards. The committee has the desire to self-reflect and improve its effectiveness during 2023/24.

To support this aim the Audit Committee will benefit from the appointment of an Audit & Scrutiny Officer in the Governance Team, and will set out an audit committee improvement plan

Appendix A - Analysis of Audit Committee Work Programme

Description	Report	Meeting			
Purposes:					
a. The Audit Committee is a key component of Nottingham City Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.	Annual Audit Committee Report			SEP	
b. Provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment.	External Audit reports, Annual Audit Committee Report, Annual Governance Statement (AGS) reports	MAY		SEP	
		NOV	FEB	MAR	
c. Provide independent review of the Council's governance, risk management and control frameworks.	AGS, Risk Management & External Audit reports	MAY	JUN	SEP	
		NOV		MAR	
d. Oversee the financial reporting and annual governance processes.	Budget, Statement of Accounts, Accounting Policies & AGS reports	MAY		SEP	
		NOV	FEB	MAR	
e. Oversee internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.	Annual IA Plan and updates & EA Updates	MAY		SEP	
		NOV	FEB	MAR	
f. Consider assurance of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment including emphasis on: <ul style="list-style-type: none"> Governance risks around high level financial strategy and reserves Governance risks connected to asset realisation Governance of Capital Programme and projects Value for Money and Delivering Objectives Governance of linked incorporated bodies Excel	Budget, Statement of Accounts, EA Updates, IAB, OFSTED, Ombudsman, Companies, Assurance & Corporate Risk reports and presentations	MAY	JUN	SEP	OCT
		NOV	FEB	MAR	

Description	Report	Meeting			
g. Oversee proposed and actual changes to the Council's policies and procedures pertaining to governance.	Audit Committee Terms of Reference, Public Interest Report, IAB, Companies Governance, Non-Statutory Review and Recovery & Improvement Plan, Interim AGS & Governance Updates connected to Action Plans	MAY	JUN	SEP	OCT
		NOV	FEB		
Objectives:					
Governance, Risk & Control					
a. Review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.	AGS reports	There were no AGS reports published during 2022/23 as no financial statements were drafted or finalised during the year. Multiple AGS reports should be brought in 2023/24			
b. Review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account Internal Audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.	AGS				
c. Consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.	Annual Audit Letter & VfM Report		FEB		
d. Consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.	Assurance Reports (H&S, ITG, Complaints, HR)			SEP	
				MAR	
e. Receive and consider the results of reports from external inspectors, Ombudsman and similar bodies and from statutory officers.	Budget, Annual summary of External Assurances, IAB, OFSTED, Complaints & LG Ombudsman,	MAY		SEP	OCT
			FEB		

Description	Report	Meeting			
f. Monitor the effective development and operation of risk management in the Council.	Risk Management Reports, Brexit, Covid-19 & Emergency Planning		JUN		
g. Monitor progress in addressing risk-related issues reported to the committee.	IAB, Ofsted, Budget, Risk Management Updates, External Audit updates, Corporate Action Plans, Companies & Brexit	MAY	JUN	SEP	NOV
h. Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.	IA Progress Updates & Service presentations, Companies reports	MAY	JUL	SEP	OCT
i. Review the assessment of fraud risks and potential harm to the Council from fraud and corruption.	Annual IA Report & Annual Audit Letter			SEP	
j. Monitor the counter fraud strategy, actions and resources.	Annual IA Report & progress update			SEP	
k. Review the governance and assurance arrangements for significant partnerships or collaborations, including the Partnership Governance Framework, annual health checks and the Register of Significant Partnerships.	Audit Committee Terms of Reference	NOV	JUN		
l. Commission work from internal and external audit.	Not applicable in 2022/23				
m. Consider arrangements for and the merits of operating quality assurance and performance management processes.	Customer Experience, EMSS, Council Plan and Corporate Performance Assurance		FEB	SEP	
n. Consider the exercise of officers' statutory responsibilities and of functions delegated to officers.	e.g. S114A & S5A reports	MAY		SEP	

Description	Report	Meeting			
o. Effectively scrutinise, review and monitor treasury management strategies and policies in accordance with guidance issued to local authorities, and make appropriate recommendations to the responsible body.	TM 2019/20 Annual Report, TM Strategy and Capital Strategy, TM Half-Yearly update			SEP	
p. Consider any appeals made by an employee against decisions made by the Appointments and Conditions of Service Committee relating to a grievance made against the Chief Executive. Members involved in considering these will not be able to participate in any further consideration of the matter at other committees.	[Audit Committee will be advised by officers if/when it is required to carry out this role]	NOV	FEB		
Financial Reporting					
q. Review the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.	Statement of Accounts	None completed in 2022/23			
r. Consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.	Audit Findings Report, Auditor's Report to members of NCC (both with Statement of Accounts), Public Interest Report	None completed in 2022/23			
s. Approve the Council's Statement of Accounts and associated governance and accounting policy documents	Accounting Policies, Statement of Accounts, external audit outcome and Public Interest reports & Annual Governance reports				
			FEB		
External Audit					
t. Support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.	Annual Audit Letter	Not applicable for reports and updates in 2022/23			

Description	Report	Meeting			
u. Consider the external auditor's annual letter, relevant reports and the report to those charged with governance.	Annual Audit Letter, VFM report, Selective Licensing report				
v. Consider specific reports as agreed with the external auditor.	Public Interest Report	Not applicable in 2021/22			
w. Comment on the scope and depth of external audit work and to ensure it gives value for money.	EA reports	MAY		SEP	
x. Advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.	Annual Audit Committee Report	NOV	FEB	MAR	
				SEP	
Internal Audit					
y. Undertake the duties of the Board mandated by PSIAS as identified in Appendix 2.	PSIAS duties are listed below			SEP	
z. Consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services, and the head of internal audit's annual report.	IA Progress Reports		FEB	MAR	
aa. Consider summaries of specific internal audit reports as requested.	Annual IA Report, IT Procurement, Business Rates Planned Improvements		JUN	SEP	
PSIAS Duty of the Board					
1000 Approve the Internal Audit Charter	Annual IA Report			SEP	
1110 Approve the risk-based internal audit plan, including internal audit's resource requirements, including any significant changes, the approach to using other sources of assurance and any work required to place reliance upon those other sources.	Annual IA Report			SEP	

Description	Report	Meeting			
1110 Approve decisions relating to the appointment and removal of the Chief Audit Executive	[If required the S151 Officer will provide a report]	Not applicable in 2022/23			
1110 Receive an annual confirmation from the Chief Audit Executive with regard to the organisational independence of the internal audit activity	Annual IA Report			SEP	
1110 Make appropriate enquiries of the management and the Chief Audit Executive to determine whether there are inappropriate scope or resource limitations	Annual IA Report			SEP	
1110 The Chair to provide feedback for the Chief Audit Executive's performance appraisal	Annual Audit Committee Report			SEP	
1111 Provide free and unfettered access to the Audit Committee Chair for the head of internal audit, including the opportunity for a private meeting with the committee.	Annual IA Report			SEP	
1112 Consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.	Annual IA Report			SEP	
1130 Approve significant additional consulting services agreed during the year and not already included in the audit plan, before the engagement is accepted	IA Progress Reports		FEB		
1312 Contribute to the QAIP and in particular, to oversee the external quality assessment of internal audit that takes place at least once every five years.	Annual IA Report			SEP	
1320 Receive the results of the Quality Assurance and Improvement Programme from the Chief Audit Executive	Annual IA Report			SEP	
2020 & 2030 Receive communications from the Chief Audit Executive on internal audit's audit plan and resource requirements including the approach to using other sources of assurance, the impact of any resource limitations and other matters	Annual IA Report			SEP	
2060 Receive communications from the Chief Audit Executive on the internal audit activity's purpose, authority, responsibility and performance relative to its plan. Reporting must also include significant risk exposures and control issues, including fraud risks, governance issues and other matters needed or requested by senior management and the board.	Annual IA Report			SEP	

Description	Report	Meeting			
2600 Receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.	Annual IA Report, Internal Audit Progress Report			SEP	
			FEB		

Appendix B – List of Reports to Audit Committee by Date

6 May 2022

Audit Progress Report and Sector Update
Report of the External Auditor

External Review of Housing Financial Management and Council Response
Report of the Interim Director of Housing

24 Jun 2022

Update from Working Groups
Verbal update on the work of the Working Groups

Audit Committee Annual Work Programme
Report of the Interim Corporate Director of Finance & Resources

Together for Nottingham Theme Two: Asset Management
Report of the Corporate Director of Growth and City Development

Exemption from Contract Procedure Rules quarter four 2021/22
Report of the Interim Corporate Director of Finance & Resources

ICT Procurement Audit
Report of the Interim Corporate Director of Finance & Resources

Corporate Risk and Assurance Update Report
Report of the Interim Corporate Director of Finance & Resources

Together for Nottingham Theme 3 - Companies Update – Exempt Report
Report of the Interim Corporate Director of Finance & Resources

30 Sep 2022

Working Group Update

Proposed work programme

Exemption from Contract Procedure Rules quarter one 2022/23
Report of the Interim Corporate Director of Finance & Resources

Complaints and Ombudsman Annual Assurance Report
Report of the Interim Corporate Director of Finance & Resources

Treasury Management Annual Report
Report of the Interim Corporate Director of Finance & Resources and Section
151 Officer

External Audit Update Verbal Update
Verbal update

Audit Committee Annual Report
Report of the Audit Committee Chair

Internal Audit Annual Report
Report of the Interim Corporate Director of Finance & Resources

Business Rates Limited Assurance Internal Audit report 20-21 - Planned
Improvements

Joint report of the Interim Corporate Director for Finance & Resources and
the Interim Director of Finance and Head of Customer Services

Housing Revenue Account and emerging risks update
Verbal Update by the Interim Corporate Director of Finance & Resources

Improvement and Assurance Board - Statement of Requirements
Report of the Interim Corporate Director of Finance & Resources

28 Oct 2022

Improvement and Assurance Board - Statement of Requirements
Report of the Interim Corporate Director of Finance & Resources

25 Nov 2022

External Audit - update
Verbal update by external auditors

Treasury Management 2022/23 half-yearly report
Report of the Interim Corporate Director of Finance and Resources

Exemption from Contract Procedure Rules: Q2 2022-23
Report of the Interim Corporate Director of Finance & Resources

Companies Governance Executive Committee - update on 'Together for Nottingham: Theme 3
Report of the Interim Corporate Director of Finance & Resources

Work plan

24 Feb 2023

Together for Nottingham Plan update including Theme 1 (MTFS) & Theme 8 (Council Plan)
Report of the Corporate Director for Finance and Resources

Selective Licensing Scheme - External Audit
Report of the External Auditor

Interim Value or Money report
Report of the External Auditor

Treasury Management & Capital Strategy 2023/24
Report of the Corporate Director for Finance and Resources

24 Feb 2023(ctd)

Review of Accounting Policies 2022/23
Report of the Corporate Director for Finance and Resources

Internal Audit Progress
Report of the Corporate Director for Finance and Resources

Appointment of External Auditor
Report of the Corporate Director for Finance and Resources

Work Programme

Recommendation Tracker

Corporate Recruitment Challenges and NCC response
Report of the Director for HR and EDI

31 Mar 2023

Regular monitoring of previous years' statements of accounts
Verbal update from the External Auditor

Exemption from Contract Procedure Rules Quarter three 2022/23
Report of the Corporate Director for Finance and Resources

Contract Management and Procurement Audits Update
Report of the Corporate Director for Finance and Resources

Annual Report of Health and Safety within the Council
Report of the Director of Legal and Governance

Corporate Risk and Assurance Register Update
Report of the Corporate Director for Finance and Resources

Information Compliance and Information Security Annual Assurance
Report of the Corporate Director for Finance and Resources

Appendix C – Resolutions Made by Audit Committee

6 May 2022

Audit Progress Report and Sector Update

The Committee noted the update

External Review of Housing Financial Management and Council Response

The Committee noted the update and agreed to have further reports back to future meetings when appropriate

24 Jun 2022

Update from Working Groups

Audit Committee Annual Work Programme

The Committee noted the work programme

Together for Nottingham Theme Two: Asset Management

Resolved to record the Committee's appreciation and significant recognition of the progress made on the Asset Rationalisation Programme, whilst still acknowledging the challenges that remain.

Exemption from Contract Procedure Rules quarter four 2021/22

Resolved to

- (1) Note the number of exemptions from Contract Procedure Rules during quarter four of 2021/22**
- (2) Note the actions being taken to ensure that contracts are awarded in line with contract Procedure rules**

ICT Procurement Audit

Resolved to

- (1) Note the actions completed and planned as detailed in the published report;**
- (2) Note the plans to implement further ICT procurement actions through the Procurement Transformation programme;**
- (3) Agree that future reports on ICT procurement are reported as part of a wider report on Procurement including Audit and Compliance updates.**

Corporate Risk and Assurance Update Report

Resolved to:

- (1) Note the annual report and progress made to review existing processes and further embed Risk Management across the Council;**
- (2) Note the Corporate Risk and Assurance Register.**
- (3) Resolved to approve recommendations as set out in the exempt minutes**

Together for Nottingham Theme 3 - Companies Update – Exempt Report
Resolved to approve recommendations as set out in the exempt minutes

30 Sep 2022

Exemption from Contract Procedure Rules quarter one 2022/23

Resolved to:

- (1) note the number of exemptions from Contract Procedure Rules during Quarter 1 2022/23; and**
- (2) note the actions being taken to ensure that contracts are awarded in line with Contract Procedure Rules and that exemptions only occur where there is a sound rationale for approving the exemption.**

Complaints and Ombudsman Annual Assurance Report

Resolved to note the Complaints and Ombudsman Annual Assurance report.

Treasury Management Annual Report

Resolved to note the treasury management performance for 2021/22.

External Audit Update Verbal Update

Resolved to request that in the event that the External Auditor is unable to attend a future meeting of the Committee then a written update be provided instead.

Audit Committee Annual Report

Resolved to update the Audit Committee Annual Report 2021/22, where appropriate.

Internal Audit Annual Report

Resolved to:

- (1) note the audit work completed during 2021/22, including the use of other sources of assurance and reliance upon those sources;**
- (2) note the Head of Audit and Risk's Annual Opinion;**
- (3) note the parameters for the proposed Audit Plan for 2022/23;**
- (4) note the results of the recent external assessment of Internal Audit by Sheffield City Council;**
- (5) note the progress reported in respect of high priority recommendations;**
- (6) approve the Internal Audit Charter; and**
- (7) endorse the Counter Fraud Strategy**

Business Rates Limited Assurance Internal Audit report 20-21 - Planned Improvements

Resolved to note the progress made in addressing the Internal Audit recommendations and plans to stabilise the service and develop plans to establish a robust, efficient and cost-effective service.

Resolved to note the information contained in the exempt appendix.

Housing Revenue Account and emerging risks update

Improvement and Assurance Board - Statement of Requirements

Resolved to approve recommendations as set out in the exempt minutes

28 Oct 2022

Improvement and Assurance Board - Statement of Requirements

Resolved to approve recommendations as set out in the exempt minutes

25 Nov 2022

External Audit - update

Resolved to:

- (1) request that the External Auditor circulate a copy of the Value for Money report to Committee members in advance of the February meeting;**
- (2) request that the External Auditor share a copy of the letter sent to the Chief Executive detailing concerns about the approach to the review of management override of controls with the Chair of the Audit Committee; and**
- (3) request that a report on how the Council is responding to recruitment challenges and managing risks associated with this, with detail of how many posts in Finance and IT teams are a) filled with interim staff and b) unfilled is brought to the next meeting of the Committee.**

Treasury Management 2022/23 half-yearly report

Resolved to:

- (1) note the treasury management actions taken in 2022/23 to 30 September 2022; and**
- (2) request that future treasury management reports include information on debt servicing costs and the debt redemption profile**

Exemption from Contract Procedure Rules: Q2 2022-23

Resolved to note:

- (1) the number of exemptions from Contract Procedure Rules during Quarter 2 of 2022/23 and the exemptions since October 2021; and**
- (2) the actions that continue to be taken to ensure that contracts are awarded in line with Contract Procedure Rules and that exemptions only occur where there is a sound rationale for approving the exemption.**

Companies Governance Executive Committee - update on 'Together for Nottingham: Theme 3

Work plan

Resolved to amend the work plan to add an item to the agenda for the February meeting to look at how the Council is responding to recruitment challenges and managing risks associated with this, with detail of how many posts in Finance and IT teams are a) filled with interim staff and b) unfilled.

24 Feb 2023

Together for Nottingham Plan update including Theme 1 (MTFS) & Theme 8 (Council Plan)

Resolved to:

- (1) Note the process undertaken in constructing the MTFP for 2023/24 to 2026/27;**
- (2) Note the progress made on the Council's new Performance Management Framework (PMF) to date and improvements in performance reporting across the Council;**
- (3) Note the progress on developing the new Strategic Council Plan and alignment with the MTFP through Divisional Business Planning.**

Selective Licensing Scheme - External Audit

Resolved to:

- 1) Note the report of the External Auditor on the Selective Licensing Scheme 2019/20;**
- 2) Note that Licensing officers accept the report and have started to implement solutions to issues identified.**

Interim Value or Money report

Resolved:

- 1) To Request the Corporate Director of Finance and Resources to follow up with the Monitoring Officer about the outstanding enquiry;**
- 2) For the Chair of Audit to send a letter to the Chief Executive requesting a response on the issue.**

Treasury Management & Capital Strategy 2023/24

Resolved to:

- 1) Note the Treasury Management Strategy for 2023/23, and in particular:**
 - a. the strategy in relation to debt repayment (Minimum Revenue Provision Statement) in 2023/23;**
 - b. the Borrowing Strategy for 2023/24;**
 - c. the Investment Strategy for 2023/24;**
 - d. the Prudential Indicators and Limits for 2023/24 to 2025/26;**
 - e. the current Treasury Management Policy Statement;**
- 2) Note the Capital Strategy 2023/24 and in particular:**
 - a. the Voluntary Debt Reduction policy;**
 - b. the Flexible Use of Capital Receipt policy 2022/23;**
 - c. the Flexible Use of Capital Receipt policy 2023/24.**

Review of Accounting Policies 2022/23

Resolved to:

- 1) Agree the Statement of Accounting Policies for inclusion in the 2022/23 annual accounts (within appendix 1);
- 2) Agree the proposals where International Financial Reporting Standards (IFRS) allow a degree of choice;
- 3) Agree that the Council is not voluntarily adopting IFRS 16 in advance of mandatory implementation in 2024/25.

Internal Audit Progress

Resolved to:

- 1) Note the progress reported in respect of high priority recommendations;
- 2) Note the areas marked as Limited Assurance;
- 3) Note the progress made on the Internal Audit Plan 2022/23.

Appointment of External Auditor

Resolved to note the appointment by Public Sector Audit Appointments Ltd (PSAA) of Grant Thornton to continue as the external auditor for the Council for five financial years from 2023/24 to 2027/28, and that notice of the appointment has been published on the Council's website as required.

Work Programme

Resolved to:

- 1) Amend the Work Programme to include an agenda item for the meeting on 31 March 2023 or a separate meeting, to reflect on the year's activity, seek feedback from outgoing Members, and discuss the possible direction of the Committee over the forthcoming year;
- 2) Amend the Work Programme to include an agenda item to present and discuss the third party review of the management override of controls by Ernst and Young, once the report is finalised.

Recommendation Tracker

Corporate Recruitment Challenges and NCC response

Resolved to approve recommendations as set out in the exempt minutes

31 Mar 2023

Regular monitoring of previous years' statements of accounts

Resolved to make this item a standing verbal update for future committee

Exemption from Contract Procedure Rules Quarter three 2022/23

Resolved to note the number of exemptions from Contract Procedure Rules during quarter three of 2022/23, and the actions being taken to ensure that contracts were awarded in line with Contract Procedure Rules, and exemptions only occurred where there was a sound rationale for approving that exemption.

Contract Management and Procurement Audits Update

Resolved to:

**note the actions already completed and the impact of these actions;
agree actions planned and being implemented, noting the planned impact of these actions.**

Annual Report of Health and Safety within the Council

Resolved to:

- 1. request that the Head of Resilience contact all Corporate Directors to ensure the following:**
 - a. their directorate colleagues can demonstrate up to date training in the mandatory health and safety courses, and, where appropriate, asbestos management, by Friday 7 July 2023 and;**
 - b. all outstanding Accident/Violence/Audit recommendations are completed and recorded on the corporate system by Friday 7 July 2023;**
- 2. note the absence of any HSE intervention in the council in the past three years;**
- 3. include statistics and trends within future reports.**

Corporate Risk and Assurance Register Update

Resolved to approve recommendations as set out in the exempt minutes

Information Compliance and Information Security Annual Assurance

Resolved to approve recommendations as set out in the exempt minutes