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**Nottingham
City Council**

You are hereby summoned to attend a meeting of NOTTINGHAM CITY COUNCIL at the Council House, Nottingham, on Monday 14 April 2014 at 2.00 pm to transact the following business:

- 1 Apologies for absence
- 2 Declarations of interests

3 To receive:

- (a) questions from citizens;
- (b) petitions from Councillors on behalf of citizens.

Please note that questions to Council are received after the agenda has been published. Questions will be uploaded to this agenda by 5pm on Friday 11 April 2014

4 To confirm the minutes of the last meeting of Council held on 3 March 2014 3 – 20

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

6 To receive:

- (a) answers from the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority to questions on the discharge of that authority's functions;
- (b) answers from a Councillor from the Executive Board, the Chair of a Committee and the Chair of any other City Council body to questions on any matter within their remit.

7 To consider a report of the Leader on the Nottingham City Council Act 2013. 21 - 24

8 To consider a report of the Leader on decisions taken under urgency procedures. 25 - 28

9 To consider motion in the name of Councillor Clark:

“This Council has learnt a lot about solid wall insulation through its experience in Clifton. It has been made much more difficult by a Government that makes dramatic changes to grant regimes and consults after the event.

This Council believes that the human impact on the environment will most affect those who are poorly housed.

It therefore calls for a stable national funding regime for a five year programme to make a significant difference for residents living in solid wall properties that:

- Tackles the issue on an area by area basis
- Applies to all tenures equally
- Pays for Green Deal assessments
- Identifies a fixed price for works
- Encourages specialist contractors of the highest quality
- Engages local councils as trusted brokers
- Enables training and employment.”

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ABOVE, PLEASE CONTACT CONSTITUTIONAL SERVICES ON 0115 876 3759, IF POSSIBLE BEFORE THE DAY OF THE MEETING.

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

Dated 4 April 2014
Deputy Chief Executive, Corporate Director and Chief Finance Officer

To: All Councillors of Nottingham City Council

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council Chamber - at the Council House

on 3 March 2014 from 14.00 to 17.13

ATTENDANCES:

✓ Councillor Merlita Bryan (Lord Mayor)

✓ Councillor Liaqat Ali	✓ Councillor Sally Longford
✓ Councillor Cat Arnold	✓ Councillor Carole McCulloch
✓ Councillor Mohammed Aslam	✓ Councillor Nick McDonald
✓ Councillor Alex Ball	✓ Councillor Ian Malcolm
✓ Councillor Steve Battlemuch	✓ Councillor David Mellen
✓ Councillor Eunice Campbell	✓ Councillor Thulani Molife
✓ Councillor Graham Chapman	✓ Councillor Eileen Morley
✓ Councillor Azad Choudhry	✓ Councillor Jackie Morris
✓ Councillor Alan Clark	✓ Councillor Toby Neal
✓ Councillor Jon Collins	✓ Councillor Bill Ottewell
✓ Councillor Georgina Culley	✓ Councillor Jeannie Packer
✓ Councillor Emma Dewinton	✓ Councillor Brian Parbutt
✓ Councillor Michael Edwards	✓ Councillor Anne Peach
✓ Councillor Chris Gibson	✓ Councillor Sarah Piper
✓ Councillor Brian Grocock	✓ Councillor Mohammed Saghir
✓ Councillor John Hartshorne	✓ Councillor David Smith
✓ Councillor Rosemary Healy	✓ Councillor Wendy Smith
✓ Councillor Nicola Heaton	✓ Councillor Timothy Spencer
✓ Councillor Mohammed Ibrahim	✓ Councillor Roger Steel
✓ Councillor Glyn Jenkins	✓ Councillor Dave Trimble
✓ Councillor Sue Johnson	✓ Councillor Leon Unczur
✓ Councillor Carole-Ann Jones	✓ Councillor Jane Urquhart
✓ Councillor Alex Norris	✓ Councillor Marcia Watson
✓ Councillor Gul Nawaz Khan	✓ Councillor Sam Webster
✓ Councillor Neghat Nawaz Khan	✓ Councillor Michael Wildgust
✓ Councillor Ginny Klein	✓ Councillor Malcolm Wood
✓ Councillor Dave Liversidge	

✓ Indicates present at meeting

89 APOLOGIES FOR ABSENCE

Councillor Azad Choudhry – leave

Councillor Emma Dewinton – notified the meeting she had to leave at 4pm for another commitment

Councillor Eileen Morley – non-Council business

Councillor Jackie Morris – personal

Councillor Marcia Watson – non-Council business

90 DECLARATIONS OF INTERESTS

Councillor Brian Parbutt declared an interest under section 12 of the Local Government and Housing Act 1989 in item 8, the report of the Deputy Leader on the Pay Policy Statement 2014/15, as an employee of a local government trade union, and withdrew from the meeting for the duration of the item.

Councillor Sam Webster declared a discloseable interest in item 10, the report of the Deputy Leader on the Budget 2014/15, as an employee of Nottinghamshire Futures. Councillor Webster would not be involved in any discussion or vote specifically relating to this organisation therefore he remained in the Chamber for the duration of this item.

91 QUESTIONS AND PETITIONS FROM CITIZENS

Questions from citizens

No questions from citizens were received.

Petitions from councillors on behalf of citizens

Councillor Wendy Smith submitted a petition on behalf of 760 signatories supporting the development of a discount supermarket in Bilborough.

92 MINUTES

The minutes of the meeting held on 27 January 2014 were confirmed as a correct record and signed by the Lord Mayor.

93 OFFICIAL COMMUNICATIONS

The Chief Executive reported the following:

LGC Awards

Nottingham City Council has been shortlisted for a Local Government Chronicle Award for its work on 'Innovation in Commissioning.' The winner will be announced on 12 March in London.

Jim Taylor

The death of Jim Taylor, who passed away on 21 February, aged 65. Jim joined the Authority in the late 1960s as a Town Planner, rising through the ranks to become Director of Development.

During his time as Director, Jim led the department through some of the largest regeneration projects the city has seen, such as the NET scheme, the redevelopment of Old Market Square and the renaissance of the Lace Market. More recently, in retirement he was involved with the Forest Recreation Masterplan redevelopment.

Although Jim retired aged 49 following ill health, he continued to be active in the community helping set up Nottingham Ambassadors, and promoting Nottingham nationally and internationally, particularly with our twin city of Karlsruhe. His funeral will take place on Wednesday 5 March at St Mary's Church at 2pm.

The Lord Mayor, Councillors Trimble, Malcolm and Culley spoke in tribute to Jim Taylor. The Council stood in silent tribute to Jim Taylor.

94 QUESTIONS

Free or discount tram travel

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

What discussions, negotiations and agreements have been made with Tramlink regarding free or discounted travel for people affected by tram works?

Councillor Jane Urquhart replied as follows:

Thank you Lord Mayor and thank you Councillor Steel for your question. In previous Council meetings I know that some on our benches have sometimes indicated that we think that Conservatives' questions come perhaps from the Nottingham Post – something is a headline one week then a question the next. Now, of course in the case of this question, that pattern is followed again but with a bit of a twist and that twist of course is that it was the Labour candidate in the Clifton by-election who has pledged to campaign for concessions to be offered to people affected by tram works.

It was the current Labour councillor, our Sheriff, Councillor Ian Malcolm who, at the tram briefing in late January, made clear that he was already taking practical steps to try and secure such concessions. These things were picked up by the Nottingham Post who reported the candidate, Pat Ferguson's pledge and reported on that meeting so, it is really good to see that the Conservatives are catching up, following where positive Labour politics has led. It is a very sensible pledge to help people not only in Clifton, but in other areas affected by tram works, to campaign, to do our best and to secure something for those people in terms of their use of the tram once it is built.

That is why I support the idea and that is why Councillor Malcolm who, standing up for his residents, took practical steps in suggesting that he might use some of his

ward budget to match any offers from Tramlink. He is a person who is making real progress here. That is an example of a councillor working positively in his ward and being willing to use his ward budget to achieve something very worthwhile. In Councillor Malcolm, I know I have a staunch supporter of the whole tram project.

Councillor Steel was also at the tram briefing in January and will recall Councillor Malcolm's question about offers for local people and the very positive response which was given by Tramlink at that meeting and that response of course, is the one that is important, because, and again I'm sure that Councillor Steel is aware of this, the NET contract passes operational risk to Tramlink who are responsible for setting of fares and marketing the tram system. Tramlink of course, will be keen to ensure that people in areas served by the new lines who have experienced disruption while the works have been taking place will be able to recognise the benefits the tram will bring to their area and I'm sure Tramlink will want to incentivise them to use this new high quality transport system in their area.

It is fully anticipated that Tramlink will undertake a wide variety of marketing initiatives and introductory offers and we are discussing those with Tramlink as we move towards the exciting operational phase of the tram. Of course, there would be no tram offers for Clifton if the Conservatives had their way because there would be no tram. There would not be those 1,200 people employed on the project and working now in our city. There would not be the £20 million of contracts for our local firms. There would not be the young people undertaking apprenticeships on the scheme. However, it is always pleasing to welcome converts to the cause and I know that despite city Conservatives' opposition that has never really gone away, you are still happy to use the tram and of course, your Government is a keen supporter so perhaps their views are filtering through at last.

As Councillor Steel will be aware significant progress is being made on all sections of the new tram lines to Clifton, Beeston and Chilwell. Over 90% of utility diversions are now complete and construction of the track is well under way with 5 kilometres now laid. The main structures at the Station, Queen's Medical Centre, the University, across the Trent at Wilford and at Fairham Brook are complete and 8 new trams are being delivered. Testing and commissioning of new lines is expected to start shortly and in fact, the first trams for testing purposes are expected to travel over the station and into the Meadows and Councillor Steel's ward at Wilford in the early summer. With this level of progress, this level of investment and this level of employment created I am proud that we are building the tram.

I am of course, at the same time aware of the disturbance that construction causes to people living and working, not only in Clifton, but Wilford, the Meadows, parts of Dunkirk and Lenton and Beeston and Chilwell. I will also continue to apologise for the disturbance that is caused. As we move towards the operational phase of the new lines, I will also continue to work with Tramlink to enable as many people as possible affected by the new tram lines to really feel its benefits and to use it from day one. Those conversations have begun and I know that myself and Councillor Malcolm are willing to take practical action to make those positive offers a reality and I know that the Labour candidate in Clifton North will, if elected, work hard on this too.

It might be harder for the Conservatives to secure such benefits though because they would first have to find the money to carry on building the tram because they have

continued to say that they would get rid of the Workplace Parking Levy, which would leave a very big hole in their finances and would cost all of those people in the whole of the city, those affected by the tram works and those not affected, approximately £150 each in additional Council tax.

So, yes there are discussions ongoing, yes, I support the idea of special tram travel offers being made to those that have experienced at close hand the disruption of the construction phase and yes, I will work hard to achieve that with positive dialogue with Tramlink whose responsibility it will be to set fares and make ticketing arrangements. I will do that from a standpoint of whole-hearted support for the tram project, the economic and employment boost it gives our city and because it is the right thing to do. I am glad that the Conservatives are catching up with Labour policies, that they are reading our material, and even the Post, for their inspiration.

Nottingham Greener Housing Scheme

Councillor Wendy Smith asked the following question of the Portfolio Holder for Energy and Sustainability:

British Gas recently pulled out of the Nottingham Greener Housing Scheme to provide cladding for up to 5000 homes in Clifton. Other areas, including my own ward of Bilborough, were hoping to benefit from this scheme, which helps to reduce energy bills as well as improving the outward appearance of our homes. Can the Portfolio Holder for Energy and Sustainability give us any hope that this worthwhile and much needed scheme will continue?

Councillor Alan Clark responded as follows:

Thank you Lord Mayor and I thank Councillor Smith for her question. Unfortunately at this stage we cannot say with any certainty that the scheme will continue. The proposed change in Energy Company Obligation (ECO) has left doubts over many schemes for which we had or were about to secure ECO funding. This is particularly the case for Solid Wall Insulation.

The Government changes in December have opened up the ability to fund cheaper carbon measures such as loft and cavity wall insulation and this guarantees a drop in solid wall insulations. We had confidence in the previous Government scheme that Clifton would be the first phase in a citywide project on a street by street basis and we had shared the outline of our approach with Government. This was all outlined in the Executive Board report last July.

Our case for the street by street approach was that you could have a stable price in each scheme with similar property types, that different specialist contractors are needed in each area and that localised projects give an area a lift in a way that we have not seen since the Housing Action Areas and General Improvement Areas of the early 1980's.

I would like to stress that we are doing all we can to look at alternative solutions for delivery. We currently have a £9.92 million Community Green Deal bid being considered by DECC (Department of Energy and Climate Change). If we were to be successful, this would allow us to insulate a further 2,370 properties, which would

include Bilborough. DECC are also looking to promote a £4000 Green Deal cashback. The detail around this offer is still to be confirmed, but it will provide some financial assistance towards solid wall insulation, but not where ECO money has been used.

On a final note, I would also like to add that we are in continuous discussion with a number of utilities about ECO funding and we are hopeful that Nottingham with our track record in area based delivery programmes will be successful in securing ECO on future schemes.

Portland Leisure Centre

Councillor Toby Neal asked the following question of the Portfolio Holder for Leisure and Culture:

Could the Portfolio Holder for Leisure and Culture give Council the latest on the handover of Portland Leisure Centre to community organisations, and remind Council of the financial savings this will have for Council?

Councillor Dave Trimble replied as follows:

Thank you Lord Mayor and can I start by thanking Councillor Neal for his question.

Exactly two years ago as part of the budget process we took the difficult decision to seek to transfer Portland Leisure Centre to a third party organisation. As a result, we took an expression of interest process with two very clear Council objectives: firstly, to ensure the long term sustainability of sport and leisure provision for the Meadows community in the Portland building and secondly, to release the Council from future financing and continued subsidy. Much easier said than done.

So, I am delighted to say that just last month after considerable efforts and energy by both Council officers and the Notts County Football in the Community Trust we were able to confirm a transfer agreement and the papers were signed.

In fact, I can confirm that today, Notts County Football in the Community along with their partner - The Lenton Centre, will take over the operations at the centre in a shadowing arrangement with Council staff. We will relocate the Council staff to other leisure centres at the end of this month and the new operators will take sole control. A new Portland website has gone live and we are confident that we have planned the smoothest possible of transfers we can to ensure minimal disruption to existing users.

This is great news, but it has taken nearly 2 years of intensive work to develop a plan that allows both organisations a real chance to develop a new offer for the site and with a sustainable business plan for future operations. We have worked very closely with Notts County in the Community in order to help attract significant external funding. Over £1.1 million has been secured with grant awards coming from the Premier League Facility Fund, Sport England as well as BIFFA and this investment will help support the exciting plans that the trust have for the centre in the coming years.

In the near future, this finance will be used for refurbishment of the site including significant energy efficiency measures in order to make it sustainable. Returning to the original objectives that we set for the transfer process, I can therefore confirm that as a result of this successful agreement the Council will be able to deliver its financial saving of £207,000 a year and we also believe that it will also deliver a long term sport and leisure offer to the local community for the future. Lord Mayor, I would like to put my thanks on record. An asset transfer of this size was a pretty tough task indeed, especially as it was to charitable and community organisations. I would also like to thank both organisations for their commitment to the Meadows community and their commitment to delivering affordable sport in this city. Thank you.

Events in Nottingham

Councillor Sarah Piper asked the following question of the Portfolio Holder for Leisure and Culture:

Would the Portfolio Holder for Leisure and Culture update Council on the wide breadth of recent events in Nottingham, including securing two world class tennis tournaments?

Councillor Dave Trimble replied as follows:

Thank you Lord Mayor and can I thank Councillor Piper for her question. Nottingham has a strong history of attracting and hosting major sporting and cultural events but they are becoming ever more difficult as budgets tighten. Nevertheless, over the next couple of years we have got some mouth watering events for the city residents and visitors to both watch and participate in.

Looking back we have had the Torch Relay and the Queen's visit brought massive crowds to Old Market Square which is exactly what it was designed for, large events. Last year, we hosted the National Armed Forces Day and the eyes of the world were on Nottingham for the Ashes Test Match at Trent Bridge. This year we are delighted again to be hosting the Milk Race around the city centre on 24/25 May and we helped last year to bring the event back after 20 years when it didn't happen at all. This event will have an elite men's and women's race on the same day alongside a full festival of cycling for all the family to enjoy with races for different age groups going around the exact same route that the professionals will ride down later on. Last year 70,000 spectators saw Olympic Gold Medallist Dani King win the women's event and Felix English the men's race.

We again have international cricket coming in July with Trent Bridge, the first Test Match against India, who will then return at the end of August to complete in a One Day International. Just nine days ago, the Leader and I went to the English National Cross Country Championships at Wollaton Park, held there for the first time. It was an amazing sight to see over 10,000 athletes and spectators enjoy the fabulous park and with 10 races, seeing over 1,700 runners which is the most we have ever had, breaking records galore.

If you haven't yet seen the exhibition at Nottingham Castle by Jeremy Deller, a Turner Prize winner, then do get down to see it. He is on until 10 April and I think it is a great exhibition. On Friday night we had Light Night which was fantastic value for

money with over 30 music, dancing and community groups giving their time commitment and passion, completely free of charge.

What is really fantastic though is the exciting calendar of international events that are being developed for 2015 and 2016. Last month I was able to announce that we will be hosting the Men's ATP 250 tournament and the Women's WTA international tournament at the Nottingham Tennis Centre; two highly prestigious grass court tournaments in which the Lawn Tennis Association will invest somewhere around £2 million into Nottingham. I would like to personally thank Paul Hutchins, the ex-Davis Cup captain for his support in delivering this to Nottingham.

Players from the world's top 50 men and women tennis players will compete between the French Open and Wimbledon here in Nottingham in order to get grass court practice. The \$250,000 prize money for the Women's competition will attract some of the world's very best players. These are world class events that will provide an international profile for Nottingham. They will also provide a fantastic spectacle for local people and we will work closely with the LTA and other partners to develop a significant 'Festival of Tennis' programme where we can take hundreds of Nottingham young people in Nottingham through to play tennis and actually go and see the tournaments themselves.

The Ashes and the Aussies will return again in 2015 and having staged the National Archery Championships in 2013 we have been successful in our bid to host the 2016 World Archery Europe Outdoor Target Championship. We are planning to have the heats out at Highfields and for the final we are planning on putting an amphitheatre straight down in the middle of Old Market Square with seats along the side, which will prove a fantastic spectacle. I have no doubt that our own Robin Hood will have a part to play there as well.

Finally, whilst it is premature to announce anything further at this stage, I can confirm that we are actively in negotiations for a number of additional organisers of additional world class events that will ensure that Nottingham maintains its reputation as a great city for events and sport.

95 DECISIONS TAKEN UNDER URGENCY PROCEDURES

The Leader submitted a report, as set out on pages 21 to 24 of the agenda.

RESOLVED to note the urgent decisions taken, as follows:

(1) Urgent decisions (exempt from call-in)

Ref	Date of decision	Subject	Value	Reasons for urgency
1254	09/01/14	Adults Care Package (with continuing care contribution)	Exempt	To allow for a timely implementation of the decision.
1261	09/01/14	Dispose freehold of property at Gervase Gardens, Clifton	Exempt	To allow for a timely disposal of the freehold property.

Ref	Date of decision	Subject	Value	Reasons for urgency
1264	24/01/14	Grant option over Base 51 and associated land	Exempt	To allow for a timely conclusion to the option over Base 51
1279	29/01/14	Approval of the costs of an Adults Care Package	Exempt	To allow for a timely implementation of the decision.
1280	29/01/14	Approval of the costs of an Adults Care Package	Exempt	To allow for a timely implementation of the decision.
1281	29/01/14	Approval of the costs of an Adults Care Package	Exempt	To allow for a timely implementation of the decision.
1305	10/02/14	Funding to tackle rogue Landlords	£124,000	Due to time constraints, the Council may be in danger of being unable to start the project and losing the money.
1314	14/02/14	Approval of the costs of a placement for a child in care	Exempt	To allow for a timely implementation of the decision.

96 PAY POLICY STATEMENT 2014/15

The Deputy Leader submitted a report, as set out on pages 25 to 86 of the agenda. The Deputy Leader reported that, since the publication of the agenda, the Appointments and Conditions of Service Committee agreed to increase the Living Wage supplement to £7.65 per hour.

RESOLVED to

- (1) approve and endorse the Council's Pay Policy Statement for 2014/15, subject to the increase in the Living Wage supplement to £7.65 per hour;**
- (2) note that the statement may need to be amended in-year for any necessary changes the Council may wish to adopt;**
- (3) present any such changes to Council for approval.**

97 TREASURY MANAGEMENT 2014/15 STRATEGY

The Deputy Leader submitted a report, as set out on pages 87 to 120 of the agenda.

RESOLVED to

- (1) approve the 2014/15 Treasury Management Strategy document, including the strategy for debt repayment and the investment strategy, as detailed in Appendix 1 (Annex 1);**

- (2) approve the Prudential Indicators and limits from 2013/14 to 2016/17, as detailed in Appendix 1 (Annex 1).

98 BUDGET 2014/15

The Deputy Leader submitted a report, as set out on pages 121 to 141 of the agenda.

Moved by Councillor Georgina Culley by way of an amendment and seconded by Councillor Roger Steel that:

In recommendation 2.1 (1) add after “the revenue budget for 2014/15”

“subject to the following:-

	Net 2014/15 £
The proposed Marketing & Communications budget is reduced by:	
• the removal of the corporate, internal and one-off funding budgets delivering a part year saving of £149,908 (full year saving of £275,108)	-218,742
• a reduction of 10% in the departmental communications and marketing budget delivering a part year saving of £68,834 (full year saving of £91,779)	
The cessation of payments for Trade Unions delivering a part year saving of £154,987 (full year saving of £309,974)	-154,987
The number of Portfolio Holders is reduced by 2 delivering a full year saving of £36,261	-36,261
Following the recalling of the Independent Remuneration Panel to consider the proposal, the removal of the Special Responsibility Allowance for Executive Assistants delivering a full year saving of £29,243	-29,243
The proposed Annual Events budgets, other than for Goose Fair and Old Market Square, are reviewed to ensure all events are delivered on a self financing basis with a consequent part year saving of £128,662 (full year saving of £171,550)	-128,662
Proposing a 0% council tax increase and accepting the Government’s offer of a council tax freeze grant equivalent to a 1.0% increase for 2014/15	-1,073,808
TOTAL NET FINANCIAL IMPACT	<u>1,641,703</u>

And amend the following recommendations as indicated:

- In recommendation 2.1 (3) (a) substitute £949,726,369 for £950,524,607;
- In recommendation 2.1 (3) (b) substitute £865,532,795 for £864,689,330;
- In recommendation 2.1 (3) (c) substitute £84,193,574 for £85,835,277;

- In recommendation 2.1 (4) substitute £1,404.42 for £1,431.80
- In recommendation 2.1 (6) amend Members' Allowance Scheme for 2014/15 by removing the Special Responsibility Allowance for Executive Assistants

And amend the following sections as indicated:

- In section 5.2 substitute £84,193,574 for £85,835,277 and £1,404.42 for £1,431.80
- In section 5.3 and 5.6 substitute the following basic amounts of council tax for the ones shown in the report:

Band	Basic Amount of Council Tax
A	£936.28
B	£1,092.33
C	£1,248.37
D	£1,404.42
E	£1,716.51
F	£2,028.61
G	£2,340.70
H	£2,808.84

- In section 5.6 substitute the following aggregate council taxes for those shown in the report:

Band	Aggregate
A	£1,098.97
B	£1,282.13
C	£1,465.29
D	£1,648.45
E	£2,014.77
F	£2,381.10
G	£2,747.42
H	£3,296.90

After a discussion, the amendment was put to a recorded vote, as detailed below and not carried:

	For	Agst	Abst		For	Agst	Abst
Councillor Bryan (Lord Mayor)		✓		Councillor Longford		✓	
Councillor Ali		✓		Councillor McCulloch		✓	
Councillor Arnold		✓		Councillor McDonald		✓	
Councillor Aslam		✓		Councillor Malcolm		✓	
Councillor Ball		✓		Councillor Mellen		✓	
Councillor Battlemuch		✓		Councillor Molife		✓	

Councillor Campbell	✓	Councillor Morley	
Councillor Chapman	✓	Councillor Morris	
Councillor Choudhry		Councillor Neal	✓
Councillor Clark	✓	Councillor Norris	✓
Councillor Collins	✓	Councillor Ottewell	✓
Councillor Culley	✓	Councillor Packer	
Councillor Dewinton	✓	Councillor Parbutt	✓
Councillor Edwards	✓	Councillor Peach	✓
Councillor Gibson	✓	Councillor Piper	✓
Councillor Grocock	✓	Councillor Saghir	✓
Councillor Hartshorne	✓	Councillor D Smith	✓
Councillor Healy	✓	Councillor W Smith	✓
Councillor Heaton	✓	Councillor Spencer	✓
Councillor Ibrahim	✓	Councillor Steel	✓
Councillor Jenkins	✓	Councillor Trimble	✓
Councillor Johnson	✓	Councillor Unczur	✓
Councillor Jones	✓	Councillor Urquhart	✓
Councillor G Khan	✓	Councillor Watson	
Councillor N Khan	✓	Councillor Webster	✓
Councillor Klein	✓	Councillor Wildgust	✓
Councillor Liversidge	✓	Councillor Wood	✓

Following a discussion, the report of the Deputy Leader was put to a recorded vote, as follows:

	For	Agst	Abst		For	Agst	Abst
Councillor Bryan (Lord Mayor)	✓			Councillor Longford	✓		
Councillor Ali	✓			Councillor McCulloch	✓		
Councillor Arnold	✓			Councillor McDonald	✓		
Councillor Aslam	✓			Councillor Malcolm	✓		
Councillor Ball	✓			Councillor Mellen	✓		
Councillor Battlemuch	✓			Councillor Molife	✓		
Councillor Campbell				Councillor Morley			
Councillor Chapman	✓			Councillor Morris			
Councillor Choudhry				Councillor Neal	✓		
Councillor Clark	✓			Councillor Norris	✓		
Councillor Collins	✓			Councillor Ottewell	✓		
Councillor Culley		✓		Councillor Packer			
Councillor Dewinton				Councillor Parbutt	✓		
Councillor Edwards	✓			Councillor Peach	✓		
Councillor Gibson	✓			Councillor Piper	✓		
Councillor Grocock	✓			Councillor Saghir	✓		
Councillor Hartshorne	✓			Councillor D Smith	✓		
Councillor Healy	✓			Councillor W Smith	✓		
Councillor Heaton	✓			Councillor Spencer		✓	
Councillor Ibrahim	✓			Councillor Steel		✓	
Councillor Jenkins	✓			Councillor Trimble	✓		
Councillor Johnson	✓			Councillor Unczur	✓		
Councillor Jones	✓			Councillor Urquhart	✓		

Councillor G Khan ✓
Councillor N Khan ✓
Councillor Klein ✓
Councillor Liversidge ✓

Councillor Watson ✓
Councillor Webster ✓
Councillor Wildgust ✓
Councillor Wood ✓

RESOLVED to:

(1) approve the following:

- (a) the revenue budget for 2014/15, including:**
 - (i) the recommendations of the Chief Finance Officer in respect of the robustness of the estimates made for the purpose of the budget calculations and the adequacy of reserves;**
 - (ii) the delegation of authority to the Deputy Chief Executive/Corporate Director for Resources, in consultation with the Deputy Leader, to finalise the MTFP for publication;**
 - (iii) the delegation of authority to the appropriate Directors to implement saving proposals after undertaking the appropriate consultation;**
- (b) the capital programme for 2013/14 – 2018/19;**
- (c) a council tax requirement of £85,835,277, including the calculations required by Sections 30 to 36 of the Local Government Finance Act 1992 (“the Act”), as set out below:**
 - (i) £950,524,607 being the aggregate of the expenditure, allowances, reserves and amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act;**
 - (ii) £864,689,330 being the aggregate of the income and amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act;**
 - (iii) £85,835,277 being the amount by which the aggregate at (1)(c)(i) above exceeds the aggregate at (1)(c)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year;**
- (d) a City Council Band D basic amount of council tax for 2014/15 of £1,431.80 being the amount at (1)(c)(iii) divided by the amount at (2)(c) below, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year (as set out in section 5 of the report);**
- (e) the setting of the amounts of council tax for 2014/15 at the levels described in section 5.6 of the report;**

- (f) the making of the Members' Allowances Scheme for 2014/15 in the terms of the previously adopted and amended scheme, save for adjustments to mirror nationally determined rates for travel and subsistence (as applicable to officers) and for carers' allowances.**
- (2) note the following:**

 - (a) a Nottinghamshire and City of Nottingham Fire and Rescue Authority precept at Band D for 2014/15 of £71.05;**
 - (b) a Nottinghamshire Police and Crime Commissioner precept at Band D for 2014/15 of £172.98;**
 - (c) in January 2014, the City Council calculated the amount of 59,949 as its council tax base for the year 2014/15 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012.**

COPY OF WRITTEN QUESTION TO BE ASKED BY COUNCILLOR MORRIS OF THE DEPUTY LEADER AT THE MEETING OF THE CITY COUNCIL HELD ON MONDAY 3 MARCH 2014

Could the Deputy Leader explain to Council what is happening with the Emergency Hardship Fund, and why even more houses are being forced to pay the bedroom tax?

Councillor Chapman replied as follows:

May I start by thanking you for your question as detailed above.

In April 2013, the Government abolished the part of the DWP's Social Fund that gave out Crisis Loans (CLs) and Community Care Grants (CCGs). They transferred the funding to local authorities instead and asked them to put local schemes in place to help vulnerable people who are in hardship. At that time (2013) the Government announced 2 years' worth of money to be given to local authorities – they have now confirmed (in the Local Government Settlement) that they will not continue this funding (called Local Welfare Provision Grant) in 2015/16.

Nottingham City developed its hardship scheme in partnership with the voluntary and advice sectors. We worked closely with them to shape the scheme and focus the sort of help it would give, decide how much help it should give and who should be the priority for receiving that help. The DWP data suggested that local authorities would be overwhelmed by demand and so we were careful to ensure that the scheme was designed so that we didn't run out of money in the first few months. Councillors were very supportive of the scheme and made clear in their decisions that the funding given to Nottingham City Council from the Government to address hardship should and would be used for that purpose.

The Scheme went live on 1 April 2013 and originally focussed on helping people who needed help due to an unavoidable emergency or disaster (usually help was given in the form of cash / fuel vouchers) and also in helping people with household goods, either for resettlement reasons, or if they needed replacement goods, such as a bed or a cooker. The scheme supplies the goods. Since the scheme was introduced, we have kept a close eye on it, to see how demand was, to see if there were budget pressures or not and to see if it was working properly in supporting households at point of emergency need and/or crisis. We also asked service users and the advice sector for their views on how it was working.

We have made quite a lot of changes to the original design of the scheme – these changes have made it more flexible in terms of who can use it (changes to the eligibility criteria), they have made it more generous and they have taken the focus off just providing emergency help, to make it more responsive to hardship caused by a range of reasons.

Quarter 1 - amended to make it clearer about providing help to people in certain circumstances including those fleeing domestic violence and those who have applied for out of work benefits and are awaiting payment.

Quarter 2 review outcome – amended to provide more generous awards of household items including fridges for people with children or who are required to store medication.

Quarter 3 review outcome - amended to become the Hardship Support Scheme. It will respond more flexibly to hardship and place less emphasis on the need to demonstrate emergency and/or crisis, to better meet the needs of households experiencing hardship in Nottingham.

Quarter 3 amendments include:

- An increase of up to 3 awards for hardship support in a 12 month period (was previously 1 award only), and 1 award of household support;
- Awards for financial support have been extended from the current 3 days, up to 7 days for both food and utility supplies (gas and electricity);
- Financial support for gas and electric levels will increase during winter months to reflect the increased need;
- Eligibility now includes households that are in receipt of “in work” benefits such as working tax credit;
- Access to the scheme has been extended, enabling a direct ‘fast track’ referral route to the scheme from recognised agencies and professionals.

We are also talking to foodbanks to see how we may be able to help them.

Spend includes approx £500k in 2013/14. We committed to ring fencing the whole £1.8 million budget to help people in Nottingham. We have an underspend, however this was the first year of our new scheme and we have responded by changing the scheme when we have needed to do so. This means that we now have a much better understanding of need which places us in a good position to spread the available funding across a number of years and continue to help those most in need.

Future years

Given that there is only 2 years’ worth of funding from Government for the hardship work, we think it is prudent to use what we have learnt so far and what our service users and partners are telling us, to think about how we can make the hardship support scheme available past the end of 2014/15. The Council will not be able to supplement this money as our budget pressures are too great but it seems to us that there will still be a need to help households in hardship in 2015/16 and beyond, so we are scoping options for how we can best use the 2 years’ worth of money from Government to achieve this.

‘Bedroom Tax’ “loophole”

This affects working age tenants in social housing who have occupied the same home continuously since 1996. An oversight by the Department for Work and

Pensions (DWP) when drafting the legislation means that the housing benefit regulations dating from 1996 were not updated when the coalition legislated for the 'bedroom tax'. This means that thousands of people have been wrongly identified as liable for the bedroom tax, including some who have moved to a smaller property. Nationally, an estimated 40,000 people could be affected by the loophole. The DWP estimates 5,000 households are affected.

Implications for Nottingham

As at 12 February 2014 there are 3843 Nottingham City Homes (NCH) and 1028 Registered Social Landlord tenancies currently affected by the Bedroom Tax. NCH have manually checked records and have identified 834 households who have been in continuous receipt of HB since pre-1 January 1996. Of these 834 households, approximately 25% have been wrongly identified as liable for the 'bedroom tax', approximately 200 cases. A similar exercise is underway with the 1028 Registered Social Landlord cases, the problem here being a lack of data on tenancy commencement dates. Using the findings of the NCH data analysis it is possible to estimate that 50-60 cases potentially qualifying for the removal of the 'bedroom tax'.

The DWP have now amended legislation and closed the "loophole" effective from 3 March 2014. This means that from 3 March 2014 those households who would not have been liable for the 'bedroom tax' between 1 April 2013 and 2 March 2014 will have their Housing Benefit reduced from 3 March 2014 if they are still under occupying their home. Some tenants may have moved (downsized) as a result of the 'bedroom tax' and will no longer be affected. Work continues to identify affected cases with the aim of amending awards before the end of March 2014.

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CITY COUNCIL – 14 APRIL 2014

REPORT OF THE LEADER

NOTTINGHAM CITY COUNCIL ACT 2013

1 SUMMARY

- 1.1 The Nottingham City Council Act 2013 (“the 2013 Act”) received Royal Assent in February 2013. The Act confers powers on Nottingham City Council ‘for the better control of street trading in the city of Nottingham’. The Council needs to make arrangements for delegating the powers and duties conferred by the Act.

2 RECOMMENDATIONS

It is recommended that

- (a) Council agrees that the powers and duties contained in the Nottingham City Council Act 2013 be non-executive functions of Council.
- (b) the powers and duties under the Nottingham City Council Act 2013 be delegated to the Regulatory and Appeals Committee
- (c) that the relevant parts of the Constitution be amended to reflect (a) and (b) above and delegation 5 of the Scheme of delegation be amended to authorise the Markets and Events Service Manager and the Director of Community Protection to serve fixed penalty notices under the 2013 Act.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

To enable the Council to fulfil its responsibilities under the Nottingham City Council Act 2013 it needs to agree where these should be delegated.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

No other options have been considered.

5 BACKGROUND

- 5.1 Following the resolution of Council Nottingham City Council introduced a Bill to Parliament in 2007 to amend the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) to allow the Council to better regulate street trading, alter the exemptions for Pedlars, allow the seizure of goods, and to serve fixed penalty notices. Similar Bills were promoted by Canterbury City Council, Leeds City Council and Reading Borough Council.
- 5.2 The Nottingham City Council Bill progressed through the Commons without amendment but in the 2010/2012 Parliamentary session the Nottingham City Council Bill and the other similar Bills were considered by a House of Lords Select Committee and they decided that the Bills should only be allowed to proceed with substantial amendments. The amendments were designed to ensure that the impact of the Bill was proportionate and that pedlars acting within the law are not prevented from carrying on their trade. Notably, the seizure and forfeiture provisions which were contained in the Bill were

deleted and are not in the Act.

5.3 The Nottingham City Council Act 2013 (“the 2013 Act”) received Royal Assent in February 2013 and the main provisions of the 2013 Act are:

- The definition of street trading is extended to include ‘the purchasing of or offering to purchase any ticket for gain or reward’.
- Pedlars still benefit from the exemption under paragraph 1(2)(a) of schedule 4 to the 1982 Act, although in ‘designated areas’ of the city there are additional provisions.
- The ‘designated areas’ will have to be advertised in a similar manner to the designation of streets for street trading purposes but only if there is reason to believe that it is necessary to do so to ensure road safety or to prevent obstruction of the highway.
- An authorised officer of the Council may offer a person who he has reason to believe may have committed an offence a fixed penalty in discharge of any liability to conviction for the offence.
- The level of fixed penalty notice must be set by the Council to take account of reasonable cost incurred in connection with the administration and enforcement of the 1982 Act. The Council must notify the Secretary of State of the level of the fixed penalty who, if he objects to the level, may make regulations setting the level of the fixed penalty.
- There is an obligation on the council to keep an account of income and expenditure in respect of the administration and enforcement of fixed penalties.
- The Council shall publish on its website the provisions of the 1982 Act as amended by the 2013 Act and its policies as to enforcement of these provisions.
- The Council may only authorise an officer to act for the purposes of the 2013 Act if they have received adequate training ensuring that those people trading lawfully in accordance with the 1982 Act are not prevented from doing so.

5.4 The Regulatory and Appeals Committee is currently responsible for street trading so would be the most appropriate body to designate areas where the amended definition of pedlar should apply and to set the level of fixed penalty notices. This requires an amendment to the terms of reference for the Committee.

5.5 The Scheme of Delegation in the Constitution already gives the Corporate Director for Communities the power to authorise officers to issue fixed penalty notices for offences which fall within his remit. It is proposed in addition to amend the scheme of delegations to give this power in relation to fixed penalties for offences under the 2013 Act to the Director of Community Protection and the Markets and Events Service Manager.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 There are no direct financial implications to the amendments proposed to the Council’s Constitution.

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

The Local Choice Functions table in the City Council’s Constitution states that any function under a local Act other than a function specified or referred to in Regulation 2

or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 is an executive function. The Regulatory and Appeals Committee is currently responsible for street trading and therefore appears to be the most appropriate Committee to be responsible for the powers and duties contained in the 2013 Act. However, this would require an amendment to the City Council's table of Local Choice Functions. The report therefore recommends that the powers and duties contained in the 2013 Act be non-executive functions of Council and that the table of Local Choice Functions be amended accordingly.

8 EQUALITY IMPACT ASSESSMENT (EIA)

8.1 Has an EIA been carried out? ~~Yes~~/No

The report proposes an amendment to the Council's Constitution to make arrangements for delegating the powers and duties conferred by the Act and not the carrying out of those powers and duties.

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

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 The Nottingham City Council Act 2013

10.2 The Council's Constitution version 7.10

10.3 Council Reports 4 February 2008, 15 October 2007

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

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CITY COUNCIL – 14 APRIL 2014

REPORT OF THE LEADER

DECISIONS TAKEN UNDER URGENCY PROCEDURES

1 SUMMARY

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

2 RECOMMENDATIONS

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

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

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

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 None.

5 BACKGROUND

5.1 Call-in and Urgency (Overview and Scrutiny) Procedure Rules

- 5.1 Council will be aware that the call-in procedure does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. Part 4, paragraph 15, of the Constitution requires that where a decision is taken under the urgency procedure, that decision needs to be reported to the next available meeting of Council, together with the reasons for urgency. The urgency procedure requires that the Chair of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and that it should be treated as a matter of urgency. In the absence of the Chair, the Vice-Chair's consent is required. In the absence of both, the Chief Executive or his nominee's consent is required. Details of the decisions made where the call-in procedure has not applied due to urgency are set out in Appendix 1.

5.2 Special Urgency – Access to Information Procedure Rules

- 5.3 The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 introduced a requirement for meetings and 28 clear days public notice to be given of all proposed key decisions. Where it is not possible to give the full 28 days notice, but there is time to give at least 5 clear days notice, then the General Exception procedure (as set out in Part 4 of the Constitution, paragraph 13 of the Access to Information Procedure Rules) applies. Where 5 clear days notice is also not possible, the above regulations provide for a Special Urgency Procedure (Part 4 of the Constitution, paragraph 14).

- 5.4 An urgent key decision may only be taken under the Special Urgency procedure where the decision taker has obtained agreement that the decision is urgent and cannot reasonably be deferred from:
- (i) the Chair of the Overview and Scrutiny Committee or
 - (ii) if there is no such person, or if the Chair of the Overview and Scrutiny Committee is unable to act, the Lord Mayor (as Chair of the Council) or
 - (iii) where there is no Chair of either the Overview and Scrutiny Committee or Lord Mayor, the Sheriff (as Vice Chair of Council).

Once agreement has been sought and as soon as reasonably practicable, the decision maker must publish a notice at the Council's offices and on the Council's website that the decision is urgent and cannot reasonably be deferred.

In addition the procedure requires that the Leader submits quarterly reports to Council containing details of each executive decision taken during the period since the last report where the making of the decision was agreed as a case of special urgency (paragraph 16.2, Part 4 of the Constitution).

- 5.5 Details of key decisions taken under the special urgency procedures are set out in appendix 2.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 None.

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

- 7.1 None.

8. EQUALITY IMPACT ASSESSMENT (EIA)

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

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

- 9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 The Council's Constitution
- 10.2 The delegated decisions and committee reports detailed in the appendix to this report.

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

URGENT DECISIONS (EXEMPT FROM CALL-IN)

<u>Decision reference number</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Consultee on urgency</u>	<u>Reasons for urgency</u>
1330	18/02/2014	The use of Care and Support Specialised Housing Funding to develop Lenton Independent Living Scheme and bungalows	£980,000	Portfolio Holder for Commissioning and Voluntary Sector	Chair of Overview and Scrutiny Committee	In order to facilitate the signing of the contract by 20/02/2014.
1340	26/02/2014	Approval of the costs of an Adult Care Package	Exempt	Corporate Director for Children and Adults	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1341	27/02/2014	Approval of the costs of an Adult Care Package	Exempt	Corporate Director for Children and Adults	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1343	27/02/2014	Redevelopment of Lenton site – Award of Tender	£14.930 million	Portfolio Holder for Commissioning and Voluntary Sector	Chair of Overview and Scrutiny Committee	The Council has been awarded £980,000 grant funding from the Homes and Communities Agency and is required to sign the contract with the HCA by the 03/03/2014.

KEY DECISIONS – SPECIAL URGENCY PROCEDURE

<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Reasons for special urgency</u>
19/03/2014	Equal Pay Settlements	Exempt	Leader	The Council has only recently become aware of the school moving to academy status from 1 April 2014/delay to the decision would delay the school moving to academy status.