

Public Document Pack



**Nottingham
City Council**

You are hereby summoned to attend a meeting of NOTTINGHAM CITY COUNCIL at the Council House, Nottingham, on Monday 12 May 2014 at 2.00 pm to transact the following business:

- 1 Apologies for absence
- 2 Declarations of interests
- 3 To elect a Lord Mayor and appoint the Sheriff for the ensuing year
- 4 To notify the appointment of the Lord Mayor's Chaplain
- 5 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 9 May 2014

- 6 To confirm the minutes of the last meeting of Council held on 14 April 2014 5 - 24
- 7 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive
- 8 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.
- 9 To consider a report of the Leader on General Amendments to the Constitution. 25 - 40
- 10 To consider a report of the Leader on Executive appointments, remits and first meetings. To Follow
- 11 To consider a report of the Leader on appointments and first meetings of Committees, Board, Panels, Joint Bodies etc 41 - 80

- 12 To consider a report of the Leader on decisions taken under the urgency procedures. 81 - 84
- 13 To consider a report of the Chair of Licensing Committee on the Review of Statement of Licensing Policy. 85 - 88

- 14 To consider motion in the name of Councillor Chapman:

“This Council believes that the government’s economic policies and funding regimes endemically disadvantage cities in the Midlands and North to the benefit of rural and suburban areas in the South.

The Council calls on the government to make fairer the way it allocates funding to Councils by:

- restoring the needs criteria to the grant settlement
- abolishing the new homes bonus and restoring the 'top slice' to the basic rate support grant
- repealing the changes to the Council tax support system
- to urgently re-evaluate business rates

in order to address this unfairness.

It further calls on the government to implement a series of measures in the Heseltine Report and Core Cities report, Competitive Cities, Prosperous People: A Core Cities Prospectus for Growth, including:

- establishing a regional banking system to share the risk of infrastructure investment risk with local authorities and to help investment in small businesses
- in addition to HS2, better transport links between cities with transport budgets devolved to regions
- devolution of powers over funding for infrastructure, skills and economic and business development
- a far less London centric approach to major government project funding

in order to rebalance the economy for the benefit not just of the regions outside of the South East but for the UK as a whole.”

- 15 To agree the following dates for meetings of Council for the ensuing year, unless the City Council should, at any time otherwise, order:

2014	2015
9 June	26 January
14 July	9 March
8 September	13 April
13 October	26 May

**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 the name.

Dated 1 May 2014
Deputy Chief Executive, Corporate Director and Chief Finance Officer

To: All Councillors of Nottingham City Council

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MEETING OF THE MEETING OF THE CITY COUNCIL

held at the Council Chamber – at the Council House

on 14 April 2014 from 14.00 to 16.58

ATTENDANCE

✓ Councillor Merlita Bryan (Lord Mayor)

✓ Councillor Liaqat Ali	✓ Councillor Dave Liversidge
✓ Councillor Cat Arnold	✓ Councillor Sally Longford
✓ Councillor Mohammed Aslam	✓ Councillor Carole McCulloch
Councillor Alex Ball	✓ Councillor Nick McDonald
✓ Councillor Steve Battlemuch	✓ Councillor Ian Malcolm
✓ Councillor Eunice Campbell	Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Thulani Molife
✓ Councillor Azad Choudhry	✓ Councillor Eileen Morley
✓ Councillor Alan Clark	✓ Councillor Jackie Morris
Councillor Jon Collins	Councillor Toby Neal
✓ Councillor Georgina Culley	✓ Councillor Bill Ottewell
Councillor Emma Dewinton	✓ Councillor Jeannie Packer
✓ Councillor Michael Edwards	Councillor Brian Parbutt
Councillor Pat Ferguson	✓ Councillor Ann 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 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

✓ indicates present at meeting

98 APOLOGIES FOR ABSENCE

Councillor Liaqat Ali – non Council business
Councillor Alex Ball – non Council business
Councillor Jon Collins – other Council business
Councillor Emma Dewinton – non Council business
Councillor Pat Ferguson – non Council business
Councillor Sue Johnson – non Council business
Councillor Carole-Ann Jones – non Council business
Councillor Neghat Khan – other Council business
Councillor Toby Neal – non Council business
Councillor David Mellen – other Council business
Councillor Brian Parbutt – illness
Councillor Sarah Piper – non Council business

99 DECLARATIONS OF INTERESTS

No declarations of interests were received.

100 QUESTIONS FROM AND PETITIONS FROM CITIZENS

Questions from citizens

Stonebridge Park Estate

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

The Stonebridge Park Estate is located in St Ann's Ward where the Regeneration Scheme began in January 2006. Phase one was an £11m scheme partly paid for by the Department for Homes & Communities which was completed in January 2013. With a change of government & problems surrounding the credit crunch, it was extremely difficult to obtain kick start funding to allow Keepmoat Homes Ltd to go ahead, and submit a planning application to begin constructing 111 new homes in Jersey Gardens beginning July 2013. I personally wrote to several government ministers highlighting the Stonebridge Park scheme which urgently needed kick start funding at the time.

I am dismayed that Nottingham City Council, which is a Labour run authority, put the Keepmoat Scheme in peril by demanding £12,000 from the contractor under the Parking Levy programme, and made a serious attempt to restrict the number of parking spaces for construction workers to 10. The Regeneration Scheme is already delayed by eight years, and this decision to cream off £12,000 from the contractor will put off future interest from developers wanting to build on the Stonebridge Park estate or other planned housing development projects in the future.

How do you justify your decision to penalise construction companies by making them pay the parking levy, and imposing restrictions on the number of parking spaces they can have for their construction workers, at a time when new social houses are urgently needed to be built here in the city of Nottingham?

Councillor Jane Urquhart replied as follows:

Thank you Lord Mayor and thank you very much to Mr Pearson for this question and for his concern about this important project. Firstly, can I reassure Mr Pearson that the Stonebridge Park scheme is a very important regeneration project to us at Nottingham City Council and the Keepmoat development has received very strong support from the Council in terms of provision of the land, support and obtaining external funding and the additional works the Council are completing through Nottingham City Homes to some of the retained properties adjacent to the development site.

The development itself is raising the overall character of the Stonebridge Estate and supporting the desirability of the new homes being built and sold by Keepmoat. Nottingham City Council have spent a large amount of time supporting Keepmoat both in meeting planning application issues and meeting funding deadlines. I can confirm that the Keepmoat development is progressing well and to the timescales that were originally planned. Officers have spoken to Keepmoat only last week and Keepmoat have described sales at Stonebridge as going extremely well. The development commenced in September to October 2013 and there has already been 12 properties completed and sold with the new owners already moved in. A further 22 properties have been reserved by buyers prior to completion.

This development has built on the success of the earlier redevelopment work by ASRA and Lovell and the complimentary development that ASRA are currently completing in the northern part of the site. The scheme has been truly transformational. I have also confirmed that the other sites at Kingsthorpe Close and Lenton are progressing as is expected at this stage. Additionally, across the city interest in residential developments is strong and in terms of the house building being done by Nottingham City Homes and ourselves, we have a number of contractors who are eager to compete with one another to win the work we are creating in the building of Council houses. All of this indicates that the construction sector in Nottingham is one where firms are keen to come and work here and help us develop our city.

In terms of the Workplace Parking Levy, this is a congestion charging scheme that applies to both private and public sector employees, including schools, contractors, Nottingham City Council ourselves and those who contract with us. The reason it has been introduced is something that has been well rehearsed in this chamber, it has been introduced to enable infrastructure investment which will tackle road traffic congestion which cost the £160 million every year off our roads and the majority of that congestion of course, is caused by commuters travelling to and from work.

So, the WPL is tackling congestion by providing funding for important transport projects like the extensions to the tram network, the redevelopment of Nottingham Railway Station, support for the Link bus services and also by encouraging employers to manage and potentially reduce their workplace parking. How people travel to and from work is a choice that people make, often it can be a choice between convenient and cost, owning a car is often more expensive, but can be more convenience for people. The WPL doesn't change this, but does mean that employers who provide a significant number of workplace parking spaces are required to pay a charge.

All contractors that Nottingham City Council contract with are made aware of their legal obligations under the WPL scheme and the amount of places that an employer licences is entirely a matter for them. Those employers who provide 10 or less workplace parking places are given a 100% discount from the levy, this accounts for around 80% of employers within the Nottingham City Council boundary. In terms of Keepmoat specifically, they first licensed for the WPL on 1 October 2011 for premises on Charles Way in the city and since then they have licensed two further premises, one of those being the St Matthias Road and Jersey Gardens Stonebridge development. A member of the WPL team met with representatives from Keepmoat on 13 January 2014 at their Lenton site. Representatives that our team met were not knowledgeable about the WPL, so the Council team made sure that they fully understood their legal obligations and the exemptions and discounts including the discount for employers providing less than 10 workplace parking places. Following this meeting, Keepmoat decided to licence the St Matthias Road premises for 10 places and this was entirely their own decision. The WPL team do not place pressure on any employers in terms of how many spaces they should license, the legal obligation is upon employers to ensure that they are correctly licensed and that is the message that the team reinforce. On 27 January this year, Keepmoat increased their licence for this location to 30 spaces; again, that was a decision for them to make.

The WPL team have visited the Stonebridge site, both in December, as Keepmoat were then not licensed and therefore not compliant with the scheme and of course, we have an obligation to ensure that all employers within the city boundary are compliant with the scheme; and then twice more before the date on which Keepmoat obtained a licence, but since they licensed on the 13 January we haven't visited anymore because now they are compliant with the WPL scheme and in that way Keepmoat have been treated in exactly the same way as every other employer who is non-compliant and those that then become compliant.

Of course, construction work and construction workers contribute to congestion in just the same way as other motorists and other forms of employment and therefore construction companies are not exempt from the scheme. In fact, the major construction partners on the station and the tram also pay the Workplace Parking Levy for the premises they use and occupy as employers and very significant employers within the city.

The WPL has brought massive investment into our city and without it there would be no NET Phase Two, there would be no redeveloped station, and many of you will by now have seen the improvements to the station following the investment we have put in and almost certainly, over the last few years, our Link bus network would have shrunk considerably given the reduction in other Government funding that this Council has suffered. For every £1 the levy raises it brings in £3 of inward investment and deliver £10 worth of economic benefit to the city.

The improvements the levy makes possible and a reduction in congestion will make the city a more attractive place for inward investment. We know within the Council that inward investment enquiries are currently at their highest for the last few years and that several major employers have moved or are moving into the city. We have had the arrival of the ASDA home distribution centre at Bulwell, VR Corporation moving onto NG2 and Bridgeway Consulting moving onto Riverside Way, both of

these last two of course, benefiting directly from the new tram lines. Because of our investments, Nottingham is a great place to work and a great place to do business and we are also investing in house building ourselves so that people in Nottingham can benefit from better homes. The WPL is not putting a break on this type of investment, in fact, the development made possible by the Levy is increasing the attractiveness of our city to inward investors.

Petitions from Councillors on behalf of citizens

No petitions from citizens were received.

101 MINUTES

The minutes of the meeting held on 3 March 2014 were confirmed as a correct record and signed by the Lord Mayor.

102 OFFICIAL COMMUNICATIONS

City Council by-election

Councillor Patricia Ferguson is the newly elected Labour Councillor for Clifton North following the by-election that was held on 6 March 2014. Unfortunately, Councillor Ferguson was unable to attend the meeting this afternoon because she was having planned surgery.

Energy Services

The City Council's Energy Services team have won a coveted Local Government Chronicle Award, recognising the team's dedication to improving energy efficiency across the city. The Council were presented with the award on 12 March 2014. The winning submission was based around two main themes – the Green Deal external wall insulation project that is expected to reduce energy bills by £400 a year in treated homes and for the work the team has done to improve energy efficiency in the Council's own property portfolio, by providing a range of improved monitoring, lighting, heating and cooling measures.

Museums and Galleries

The Council's Museums and Galleries Service has won two local awards for the Universal Roots project. The schemes which won the universal awards will now be presented to a national announcement for the Tenant Participation Advisory Service Awards on 10 July.

The Volunteer Programme has also been nominated for the National Diversity Awards which will be announced on the 26 September. Universal Roots is funded by the Community Learning Innovation Fund, Nottingham City Council and Arts Council England in partnership with Nottingham City Homes.

103 QUESTIONS

Full employment

Councillor Mohammed Ibrahim asked the following question of the Portfolio Holder for Jobs and Growth:

Given George Osborne's commitment to full employment, what level of employment and what kind of jobs are required to meet full employment in Nottingham, and by how much would Nottingham's economy have to increase to support this?

Councillor Nick McDonald replied as follows:

Thank you Lord Mayor and thank you Councillor Ibrahim for your question. Yes, it was quite interesting to hear the Chancellor make a commitment to creating full employment in his recent speech in Essex and actually Mr Osborne's words were weasel ones, the commitment he made was to secure the fullest possible level of employment. But, he also used the term full employment, what he described as a modern approach to full employment and that approach carries with it a number of important implied commitments that I don't believe this Chancellor has any intention of making. So, let me just explain what I mean by that.

As economists in the room will know, a commitment to full employment has quite a technical definition. It is, what is essentially defined as structural unemployment, sometimes called the non-accelerating inflation rate of unemployment. What that means is that essentially, temporary or cyclical causes of unemployment are cut out. Now, economists from John Maynard Keynes through to Milton Freidman have argued about what that rate is, or should be. William Beveridge put it at 3%, the Office of Economic Co-operation and Development defines it currently at 6.9% but, actually it is not a constant. It is defined by other important economic factors, interest rates, inflation rates, food and commodities prices and this is an important point actually, because what is full employment in technical terms isn't actually what we would understand as being full employment.

So, when you start to un-pick the Chancellor's commitment it starts to melt away. There are no figures to back up what he meant by full employment in his speech, unlike the last Labour government's commitment to 80% employment. It was deliberately vague, deliberately slippery and deliberately evasive and entirely political. For all that, it was also a commitment that I don't believe this Tory-led Government is in a position to make based on its current policies.

So, let me briefly explain what I mean by that. Whatever rate you set full employment at, and is certainly a rate that is considerably higher than the current employment rate in this country because, let's remember, we are not talking about unemployment here, we are talking about employment rates. Whilst unemployment rates have been going down nationally and in Nottingham for the last few years, employment rates, the number of people employed and in work are not going up by an equivalent number. Now, our Nottingham Jobs Plan sets a target employment rate of 75%. There are currently just short of 100,000 adults in the city who don't work, of these around 56,000 are students, retired or on long-term sick. We wouldn't reasonably expect them to be seeking work. That leaves a potential 41,000 workers in the city. That group then in turn breaks down to 21,000 unemployed people who are out of work actively looking for a job, 13,000 who want a job but are perhaps unable to take

one because of childcare responsibilities or temporary sickness and 7,500 people not actively looking for work. What does that mean? For everyone currently searching for a job to get one we would need to create an extra 33,000 jobs in the city, and that patterns is duplicated right across the country. We are well short of a full employment situation in this country, we are a considerable way away from it.

Now, in Nottingham we are developing our industrial strategy, building on our Growth Plan to deliver our Nottingham Plan target and close that jobs gap but be under no illusions, it is an extremely difficult target to meet, and I will tell you why. This Government's policies act against, not in support of that aim. Now, there has been a lot written about this, and all of the sensible economic commentary and here I would reference Paul Krugman who has been very clear about this, all of the sensible economic commentary is saying the same thing: to get employment rate up and to get the levels up, we would need to see an increase in the aggregate amount, and that Lord Mayor, means economic stimulus. We are not seeing economic stimulus from this Government, are we? No, we are seeing the opposite of stimulus. We are seeing fiscal tightening, otherwise known as cuts but cuts don't increase the aggregate amount, they reduce aggregate amount because fiscal tightening means reduced budgets, it means no pay rises, it means worse terms and conditions, it means public sector organisations forced to lay people off. It means private sector organisations cutting costs, it means a cost of living crisis, less research and development, less innovation and that doesn't stimulate the economy, it means it continues to bump along the bottom as it has done for the last few years.

So, not only is the Chancellor's commitment a non-commitment, it is a non-commitment by any sensible definition he cannot keep. I will make a final point on this, the other thing that a commitment to full employment doesn't do, even if the Chancellor was serious about it, is address structural problems in the labour market and I think that this starts to address the elements of the question. What kind of jobs, what hours, what pay and conditions and what levels of skills would be created by the commitment to full employment.

Actually, this is where the attention needs to be because whilst unemployment falls, as much a product of people disappearing off the JSA register as it is a reflection of increasing employment levels, long-term unemployment, particularly long-term youth unemployment is rising and rising fast across the country, creating a lost generation of unemployed and unemployable young people and skill levels that are making our businesses uncompetitive, and I say this constantly in this Chamber, and I will keep saying it because it is important, the Government's response to this crisis is pitiful. The work programme has had zero impact on this issue, I'm hearing reports of work programme caseworkers dealing with 400 claimants each, not surprising that they are not getting people into work, the youth contract has been an abject failure. This Government's policy towards FE funding is a distorted mess and instead of supporting schools to improve employability levels, it is actually taking money away from the sort of activities that will improve them.

Now, here in Nottingham we are doing something about it, Councillor Mellen and myself are leading a drive on employability in schools together with local head teachers as one of the meaningful programmes to tackle youth unemployment and we have increased apprenticeships by over 30% via our Apprenticeship Hub. We are also launching the Nottingham jobs pledge this month to encourage employers to do

more to help improve skill levels in the city and give more young people the chance of a job and help us achieve the clear target that we have set of another 33,000 people in work. A clear contrast then, Lord Mayor. A Chancellor and a Tory-led Government who make idle and vague promises of full employment without any commitment to making them which frankly they don't mean and aren't doing anything to achieve and a Labour Council who are prepared to commit to targets and more importantly are doing something about meeting them.

Wollaton Park children's play area

Councillor Eileen Morley asked the following question of the Portfolio Holder for Leisure and Culture:

Would the Portfolio Holder join me in welcoming the long anticipated start of construction work on the Wollaton Park children's play area which will not only serve the local community but be an asset to Wollaton Park that will be enjoyed by the whole of Nottingham and visitors to the city as well?

Councillor David Trimble replied as follows:

Thank you Lord Mayor and can I thank Councillor Morley for her question. I absolutely welcome the start of construction work on the children's playground. Wollaton Hall and Deer Park is one of the finest Grade One listed Elizabethan mansions in the country and it is a unique asset for this city that will now have a beautiful playground for all to enjoy. Over the last few years we have seen a fantastic improvement in our parks and open spaces with over 50 new playgrounds across the city as well as nature reserves.

We have invested over £20 million, much of it into our most deprived communities. With the vast majority of the funding coming from external sources such as the previous government's pathfinder programme, Landfill tax sources such as Wren and Veolia and the Lottery, among others. Key to this has been Labour councillors allocating section 106 and Area Capital Funding to kick-start and provide match funding in order to maximise projects, something Conservative councillors have consistently not wanted to do. The play area has taken some time to deliver but the Parks team have yet again worked extremely hard to maximise the use of the Council's resources. They have done this by securing over two and half times more external investment that has been used to match against the Council's funding in order to deliver a £255,000 project.

The funding package includes, £70,000 from the City Council including £35,000 of that in Area Capital and £25,000 Parks and Development and £10,000 sourced by the Leader of the Council. £75,000 from Wren which Councillor Grocock is a part of and we can thank him for that, £50,000 from Veolia and a very welcome £60,000 contribution from Eibe Play who are the constructors of the play ground. I would like to thank Councillor Battlemuch too, he has been instrumental in setting up a fantastic new friends' group which has great vitality and energy. I enjoyed meeting Helen Mitcham, the Secretary of the Group, when we were interviewed on site by Radio Nottingham on Friday morning. The Wollaton Park Friends' Group was established in September 2013 and it contains a broad spectrum of the local community and it has already become a very active and very supportive group.

This has enabled us to carry out extensive consultation thereby ensuring that the new design is appropriate for the sensitive historic location that it is in and it is a very beautiful design too. Councillor Battlemuch, I have been doing a little bit of digging and I might have unearthed something that might come as a little bit of a surprise to you. Long before you ever thought of becoming a councillor, the Labour government had a pathfinder programme through which they provided substantial money to build new playgrounds.

On 20 May 2008 the Executive Board accepted the Labour Government's pathfinder funding and it subsequently set aside £50,000 towards a £200,000 new playground at Wollaton Park in year 2 which would have been 2009/10. The Executive Board recommendation went before the Area Committee 11 December 2008 and it was a very different Area Committee than it is now and I have that very report that went to that Area Committee here. Councillor Culley was the Chair of the Area Committee, Councillor Benson was the Vice-Chair and Councillor Morley made up the Wollaton West contingent. Councillors Longford and Webster will remember Councillors Sutton and Oldham, the Wollaton East members of the Committee. I have the minutes of that Committee here with me too. The minutes of that meeting says, "that no indication of support for the proposed year 2 2009/10 works at Wollaton Parks be given to the Portfolio Holder at this time." Councillor Culley and Councillor Morley made that decision. Councillor Culley as the Chair signed that minute.

So, Lord Mayor I welcome the long anticipated start of construction work as a Portfolio Holder and a member of the executive back in 2009, I wish we would have done it well over four years ago, but I am afraid that Conservative councillors were far too short sighted to take that opportunity until Councillor Collins shamed them in this Chamber by offering a £10,000 contribution and Councillor Chapman pointed out that they were sitting on £80,000 capital in their Area Committee that they were refusing to spend on parks.

Community Representatives on Area Committees

Councillor Georgina Culley asked the following question of the Portfolio Holder for Community Services:

Could the Portfolio Holder confirm to the Council whether or not Community Representatives appointed to Area Committees are authorised to participate in voting on non-financial matters?

Councillor Nicola Heaton replied as follows:

Thank you Lord Mayor and thank you Councillor Culley for your question. The short answer to the question is that community representatives do not, in fact, have any formal voting rights on Area Committees. I very much value the large number of people who work hard in their local community and are elected to represent groups on Area Committees. The quality of discussion at Area Committees is usually very high and decisions councillors make are improved by consultation with the communities they represent, both informally and within formal structures, such as Area Committees.

The Executive Board has previously tried to extend voting rights to community representatives, however, a review of the legal position has clarified that in whatever way community representatives are appointed to an Area Committee, cannot have voting rights. The Local Government Act 1972 confers a power to co-opt to certain committees, including Area Committees, but the Local Government and Housing Act 1989 further specifies that non-councillor members of committees and sub-committees do not have voting rights. While there are some exceptions to this rule these are mainly in relation to parish councils or to advisory committees and sub-committees. The City's Area Committees are not advisory bodies but exercise executive and non-executive powers. Therefore, under the 1989 Act, community representatives on Area Committees cannot have any right to vote.

It should also be said that business at Area Committee meetings is generally constructed informally and consensually and formal votes are uncommon, therefore, while we cannot give voting rights to community representatives on Area Committees, full and effective participation by community representatives should not be diminished because of this legal clarification.

Individual Electoral Registration

Councillor Roger Steel asked the following question of the Deputy Leader:

Could the Portfolio Holder update the Council on the arrangements for the forthcoming move to Individual Electoral Registration, and confirm when the first full canvass of the electorate under the new system will commence?

Councillor Graham Chapman replied as follows:

Thank you Lord Mayor and I am sorry that we are now moving away from the Wollaton parish council meeting we have had for the past half an hour, however, onto other matters.

We expect individual registration to come into full effect at the end of 2015 – but we are still not absolutely sure. The arrangements for IER are as follows and there are four points. From the 10 June this year, all new applicants must be individually registered requiring the applicant to provide date of birth and national insurance number.

Secondly, this is the confirmation stage, Electoral Services must compare the City's electoral register with DWP records and local records in order to confirm electors and add them onto a new IER register. The Cabinet Office have given us a provisional date of 16 June.

Thirdly, there is the 'Write Out' stage which will take place simultaneously to all citizens some time in July / August. Where an existing elector's details have been confirmed against DWP or other local records, we will write out to tell them they need do nothing further. This is what will happen to the vast majority of people. Electors whose details don't match will receive 'Invitations to Register' as they will need to register individually. There will also be new ways for doing this, including a government digital portal and at that moment my heart sinks. The Electoral Registration Officer (ERO) is required to actively pursue registrations by sending out

reminder forms and canvassers as part of this stage. This stage concludes with publication of a revised register on 1 December 2014.

Any 'unmatched' electors who haven't confirmed and who haven't responded to an Invitation to Register by the time that IER transition is complete in December 2015, will be removed from the register only at that point. It will therefore, still be possible to vote in the Parliamentary and local elections in May 2015, even if they don't respond. Council will also note, and this is a real change that I think people need to know, that arrangements for absent voters will be different. Specific letters will be issued to unconfirmed electors with absent votes to explain to them that if they do not register individually before 1 December 2014, they will lose their absent vote and have to vote at a polling station.

In the longer term, ensuring that new registrations under IER are maximised across the city will require registration to be integrated and encouraged where possible, at the first points of contact for services. So, what we are going to have to do is make it part of, for example when people sign up for tenancy agreements we will check that they are registered. I suspect that we will be doing the same thing for benefits and I would hope that we would want to do the same thing for libraries because this is the only way we are going to make sure that we do not lose hundreds and hundreds of people from the electoral register, although my suspicion is that this was the Government's intention in the first place – to lose hundreds and hundreds of people from the electoral register because they are the sort of people who might not vote Conservative at the next election but that is just me being a bit conspiratorial and I may be exaggerating.

Municipal art collection

Councillor Malcolm Wood asked the following question of the Portfolio Holder for Leisure and Culture:

The controversial and crass pronouncement by Councillor Culley that the municipal art collection should be flogged off to cushion the savage and draconian cuts to this Authority by her Government has provoked widespread condemnation and derision. In view of her misguided understanding of such a proposal, will the Portfolio Holder enlighten the Leader of the minority party?

Councillor David Trimble replied as follows:

Thank you Lord Mayor and can I thank Councillor Wood for this question. Some people might find Councillor Wood's question a little direct and straight to the point but I find that it's got a little *je ne sais quoi* about it but a *je ne sais quoi* that I agree with. I don't know whether Councillor Culley went out deliberately and sought the headline or rather she just responded to a media enquiry but whatever she did, she got it spectacularly wrong.

Councillor Culley was wrong to state that we don't have proper records, in fact we have quite detailed records of our artworks and our entire collection of oil paintings is accessible online. I have got here, a full collection of quotes from the Post and a Nottingham Post comment, even on the same day of the article says that, "not for sale, city must guard its civic treasures." George Akins Snr, didn't agree with

Councillor Culley by stating that “the collection is an important part of the city’s heritage.” Terrance Sleaford of Sherwood wrote that “Councillor Culley should hang her head in shame” and he agreed with my assessment of the situation. Whilst Steve Wallace from Sherwood agreed that “fine art should not be sold as a quick fix” and Shirley Reid stated that “it would be crazy to sell off art” as well as there be plenty of other comments online about the article.

Even the disgraced ex-Cabinet Minister, Maria Miller in her letter to the Prime Minister disagrees with Councillor Culley. In her letter to the Prime Minister, she wrote that she “was immensely proud in ensuring that art and cultural institutions received the rightful recognition that they deserved in making Britain great.” Definitely not something Councillor Culley claimed that she has done for Nottingham, which Maria Miller claimed that she has done for the country.

When talking about museum collections at our disposal, I am afraid that Councillor Culley completely fails to understand museums, she fails to understand the tangible link between the past, present and future and she doesn’t understand that many of the collections are entrusted to the care of museums. The principle that the Arts Council work to states that,

“... when private persons give property for public purposes the Crown undertakes to see that it is devoted to the purposes intended by the donor, and to no others. When a work of art is given to a museum or gallery for general exhibition, the public thereby acquires rights in the object concerned and these rights cannot be set aside. The authorities of the museum or gallery are not the owners of such an object in the ordinary sense of the word: they are merely responsible, under the authority of the Courts, for carrying out the intentions of the donor. “

Failure to adhere to this principle would put our accreditation with the Arts Council at serious risk with very severe financial penalties for this Council. Breaking this code of conduct would mean that Nottingham’s Museums and Galleries would lose its accredited status and with this the trust of any future donors gifting significant works to the service along with withdrawal of Arts Council funding to the Council.

The Council has, over the last three years, attracted over £1.3 million in revenue support for its Museums and Galleries Service under the Museum’s Strategic Support fund. This type of action would also jeopardise Nottingham Castle redevelopment bid to the Heritage Lottery Fund, as fundamentally our bid builds on our strong and established reputation for being a leading accredited Museum and that would be at risk. We will announce that decision very soon, a decision will be made by 30 April I think, but if that is successful, it would have cost us £12.5 million and I would be absolutely bonkers to put that at risk.

Recently, I am aware that Conservative Croydon Council has pursued the sale of Chinese ceramics to plug a financial gap in another theatre project. As a result of the sale going ahead in contravention to the accreditation standards, the Council has now lost its accreditation status and all grant assistance from the Arts Council England. Even Alan Davey, the Chief Executive of the Arts Council, accused Croydon Council of being “short-sighted” over its pawn shop sale. I’m sure Councillor Culley wouldn’t really want that to happen in Nottingham. Croydon Council has lost its accreditation for a whole 5 years, £1.3 million over 3 years, what would that be

over 5 years? That would mean no external funding from them at all, we would not be allowed to have any temporary exhibitions for 5 years. We would not be able to do the sort of thing we did with the National Silk Exhibition, we would not have been able to borrow it. Our two recent exhibitions from Nottingham artist Paul Waplington and the Turner Prize winner, Jeremy Deller, we would not be able to borrow anything from them or host those exhibitions.

Do you want a Nottingham Castle that has no temporary exhibitions for 5 years? I also understand that the Arts Council have asked the Heritage Lottery Fund to retrospectively claw back a grant already awarded to Croydon. I think Councillor Culley should think more carefully in the future prior to making such announcements that could harm this city's heritage, harm her reputation because we would not want to end up like the Conservative Croydon Council would we?

Debt support for people in Nottingham

Councillor Rosemary Healy asked the following question of the Deputy Leader:

Could the Deputy Leader tell Council what is being done to help support people in debt in the city?

Councillor Graham Chapman replied as follows:

Can I thank Councillor Healy for her question. Nottingham City Council has a commitment to help people in debt in fact, with very little option these days. Our advice services this year have so far helped to manage £4.3m of worth of debt. 30% of demand for the Council's Welfare Rights service is in relation to debt issues. The LGiU has five top tips for what local authorities can do to help people avoid and manage the problem of debt.

Firstly, show people how to manage money. In collaboration with Capital One, we run a Corporate Social Responsibility programme and examples of projects operating in Nottingham include the programme that has been delivered to over 1,000 local students and aims to cover every school in Nottingham by 2014. Capital One has been supporting Bulwell Academy and Big Wood School, in Nottingham for many years. They focus on delivering workshops and include sessions on financial management. Again, through Capital One, local primary schools have been offered one day sessions which cover the basics of financial management, along with an introduction to the world of work.

Secondly, spotting the signs of early intervention. The Employment and Work Support Programme is led by Carole Mills, and I would like to thank Carole because this is not necessarily a part of her job, she has given additional time to this and I am very grateful for what she has achieved. The programme has been created to help households to respond to the risk of financial impact and vulnerability created by the welfare changes. Through this programme, the Council will support people into work and improve the level of financial capability in order to reduce dependency on irresponsible and expensive lenders. With NCH and Nottingham City advice and support there is a protocol whereby any agency will refer debtors in financial difficulty to the Advice Agencies and try to find ways of alleviating debt at an early stage, which brings us on to the next point, referral. Citizens referred to Nottingham City

Council Welfare Rights Service will receive help with debt issues including, preparing financial statements and offering budgeting advice, negotiation payment arrangements with creditors, help with court forms, support for tenants and home owners with arrears and possession proceedings, insolvency options such as Bankruptcy or Debt Relief Orders. Nottingham City Council have invested £900k in city-wide advice services provided by a consortium of debt agencies (Advice Nottingham it is called) providing a service which is free, independent, impartial advice to City residents on a range of matters.

The fourth element is trying to restrict the market in debt. Nottingham City Council believes that pay day loans are detrimental to the health and economic wellbeing of Nottingham's citizens. In order to control and limit the visibility of these types of lenders, from September 2013, all pay day loan company websites were blocked and inaccessible from all Nottingham City Council computers, including public computers in libraries. The Council is also supporting stricter controls over pay day loan companies and premises, stricter regulation of advertising for pay day loan companies and the promotion of Credit Unions which provide a safer loan alternative to vulnerable citizens and can I thank Councillor Sam Webster for the support he has been giving to the Nottingham Credit Union, he has played a very valuable role already.

The City Council are committed to improving access to responsible alternative credit arrangements and have invested approximately £300k in the Nottingham Credit Union, £200k of which is accessible only by residents of Nottingham through a Small Loans Scheme. A report published by the Campaign for Fairer Gambling found almost £1.5 billion was lost in fixed odds terminals across England in 2013. Hackney Council has made a submission to government under the Sustainable Communities Act asking that betting shops be given their own planning class, as with nightclubs and casinos. The submission has received cross-party support for which we are grateful from boroughs across London and 35 councils outside the capital – including Nottingham City Council. This would mean residents and councillors could have a say over every application, and the potential impact a new betting shop may have on an area.

Acting responsibly - From 1 April 2014, Nottingham City Council has increased the rate of the Living Wage to the equivalent of £7.65 per hour for the lowest paid employees, such as cleaners and kitchen assistants. The Living Wage is a good thing that recognises that the amount the Minimum Wage is set, at £6.19 per hour, does not provide enough money for people to make ends meet. For this reason, the Council has made a commitment to pay the higher Living Wage to people on lower pay grades, and to increase it this year to £7.65 per hour.

Now, there will always be debt, there was debt in the Bible, there was debt in Shakespeare and there was debt in Dickens and a great deal of debt. The trouble is is that debt is on the increase and in the recent years it has been due to a culture that promotes easy gratification on credit and we saw that in the last 15 to 20 years. This has been overlaid by the promotion of gambling for which I blame the last government which eased up on restrictions. I wasn't comfortable, I was wondering why I was in the Labour party which was easing restrictions on gambling. However, it did and it was a mistake and I think we should admit it. It has now however, taken a far more worrying turn still with the withdrawal of support for some of the poorest

people in society. For the first two phenomenon I mentioned, borrowing for quick gratification and gambling, we can to some degree put the blame on the individual but we should also put some blame on the industry. For the withdrawal of support for the poor, that is firmly at the door of the Coalition and as with the 'bedroom tax' you can see from all the effort this Council is putting in, not to mention the potential debt write-off down stream that it may well cost more to withdraw the support from the poor then it saves in financial terms but it will cost a hell of lot more in human terms. We may well end up paying enormous financial costs in order to create misery in human terms, that I'm afraid is the current Government for you.

Irresponsible landlords

Councillor Sam Webster asked the following question of the Deputy Leader:

Could the Deputy Leader tell Council what we are doing to encourage people to report irresponsible landlords?

Councillor Graham Chapman replied as follows:

Thank you Councillor Webster. I would also like to say that not all landlords are irresponsible and a lot of tenants are irresponsible, I have seen landlords left with having to face thousands of pounds worth of damage as a consequence of irresponsible tenants. However, we do have the phenomenon of an increasing number of irresponsible landlords. The Council is undertaking a range of work to encourage people to report irresponsible landlords

An irresponsible landlords campaign in bus shelters and customer contact points will start week commencing 22 April 2014. In May 2014 there will be a bus campaign, and for 4 weeks, which encourages people to report a landlord who is being irresponsible. A new Nottingham City Council webpage about the private rented sector including reporting a rogue landlord launched recently and note that, for social media, these are at an early stage and will continue to be improved upon. By the sounds of it the website needs a bit of development.

Social media has gone live and there will be an article in the next Arrow about reporting a rogue landlord and supporting the private rented sector. Leaflets are being sent out to 35,000 homes in the additional licensing designation areas and that is happening this week. By the end of 2013 / 2014 letters to all landlords about HMO licensing and information into neighbourhoods was sent out and there will be attendance promoting the event at community events and there has been a recent radio interview on BBC Radio Nottingham and further one planned with Kemet FM. There will be posters going out into the community from the beginning of May so you can see that it is fairly comprehensive.

104 NOTTINGHAM CITY COUNCIL ACT 2013

The Deputy Leader presented a report, as set out on pages 21 to 23 of the agenda.

RESOLVED to

- (1) agree that the powers and duties contained in the Nottingham City Council Act 2013 be non-executive functions of the Council;**
- (2) delegate the powers and duties under the Nottingham City Council Act 2013 to the Regulatory and Appeals Committee;**
- (3) amend the relevant parts of the Constitution to reflect (1) and (2) above;**
- (4) amend delegation 5 of the Scheme of Delegation to authorise the Markets and Events Service Manager and the Director of Community Protection to serve fixed penalty notices under the 2013 Act.**

105 DECISIONS TAKEN UNDER THE URGENCY PROCEDURES

The Deputy Leader submitted a report, as set out on pages 25 to 28 of the agenda.

RESOLVED to note the urgent decisions taken, as follows:

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

<u>ref</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value</u>	<u>Reasons for urgency</u>
1330	18/02/14	The use of Care and Support Specialised Housing Funding to develop Lenton Independent Living Scheme and bungalows	£980,000	In order to facilitate the signing of the contract by 20/02/2014.
1340	26/02/14	Approval of the costs of an Adult Care Package	Exempt	To allow for a timely implementation of the decision.
1341	27/02/14	Approval of the costs of an Adult Care Package	Exempt	To allow for a timely implementation of the decision.
1343	27/02/14	Redevelopment of Lenton site – Award of Tender	£14.930 million	The Council had been awarded £980,000 grant funding from the Homes and Communities Agency and was required to sign the contract with the HCA by the 03/03/2014.

(2) Key decisions (special urgency procedure)

<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Reasons</u>
19/03/2014	Equal Pay Settlements	Exempt	Leader	The Council had 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.

106 TO CONSIDER MOTION IN THE NAME OF COUNCILLOR CLARK:

Moved by Councillor Alan Clark, seconded by Councillor Thulani Molife:

“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.”

Moved by Councillor Roger Steel by way of an amendment and seconded by Councillor Tim Spencer to:

“In Paragraph 1

DELETE ‘much more difficult by a Government that makes dramatic changes to grant regimes and consult after the event.’

INSERT ‘more difficult by changes to Government grant regimes.’

In Bullet point 4:

DELETE ‘identifies’ INSERT ‘Encourages’

In Bullet point 6:

DELETE 'Engages' INSERT 'Considers'

In Bullet point 7:

After 'Enables training and employment' INSERT 'for local people'

Amended motion to read:

This Council has learnt a lot about solid wall insulation through its experience in Clifton. It has been made more difficult by changes to Government grant regimes.

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
- Encourages a fixed price for works
- Encourages specialist contractors of the highest quality
- Considers local councils as trusted brokers
- Enables training and employment for local people”

After discussion, the amendment was put to the vote and was not carried.

RESOLVED to carry the substantive motion as follows:

“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.”**

COPY OF WRITTEN QUESTION TO BE ASKED BY COUNCILLOR CLARK OF THE CHAIR OF PLANNING COMMITTEE AT THE MEETING OF THE CITY COUNCIL TO BE HELD ON MONDAY 14 APRIL 2014

Following the appearance of a temporary phone mast at Rise Park without the benefit of planning permission or the consultation that would go with such an application, could the Chair of the Planning Committee please explain what permitted development rights the operators have in this situation, what guarantees there are that this solution will, indeed, be temporary and what other powers the City Council can exercise against any nuisance caused?

Councillor Gibson replied as follows:

Many thanks for your question. Mobile phone operators can carry out a wide range of developments without applying for planning permission. They have permitted development rights¹ for, amongst other things:

“the use of land in an emergency for a period not exceeding six months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use”

It also allows:

“development ancillary to radio equipment housing.”

There is no requirement for mobile phone operators to notify the council or carry out any consultation with local residents when exercising these permitted development rights.

The combined temporary mast/generator unit that has been erected at Rise Park is required because the existing permanent mast is being taken out of service pending redevelopment of the site. Removal of the old mast, and loss of signal coverage, constitutes an ‘emergency’ for the purposes of permitted development.

The previous temporary generators providing power to the mast (because of difficulties in obtaining a permanent power supply) do not affect the operator’s right to put up the current mast unit for a new six month period.

The operators have been advised that the current temporary mast unit will need planning permission if retained beyond the six month period. They have also been advised that it is unlikely that permission would be granted for any longer period, and that they need to be seeking permission for an acceptable permanent solution to provide coverage in the area.

¹ Part 24, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended

Planning enforcement officers are monitoring the situation and will take action to secure the removal of the mast unit at the end of the six month period if it is not removed beforehand.

The operator would have a right of appeal against any decision to refuse planning permission, or against any enforcement notice.

The local authority has separate powers under The Environmental Protection Act 1990 to deal with nuisance. If a statutory noise nuisance exists then the local authority has a duty to serve an offending occupier with an abatement notice to cease the nuisance. Contravention of the abatement notice may lead the local authority to take prosecution against the offender. Where the notice is not complied with, the local authority may take reasonable action to abate the nuisance and recover the expenses from the premises occupier.

Pollution Control officers have fully investigated the noise complaints relating to the generator associated with the phone mast and have determined that a statutory noise nuisance does not exist, therefore further action cannot be taken in relation to this matter unless the details of the complaint change.

CITY COUNCIL – 12 MAY 2014

REPORT OF THE LEADER

GENERAL AMENDMENTS TO THE CONSTITUTION

1 SUMMARY

- 1.1 The Local Government Act 2000 requires Council to keep its constitution up to date. Amendments are necessary to ensure the accuracy of the Constitution following a range of updates since December 2013.
- 1.2 Appendix 1 to this report sets out the changes. Non-executive changes require the agreement of Council. Executive changes are reported to Council for information as changes with which I have agreed.
- 1.4 Councillors may wish to make reference to the current constitution, Version 7.10, which can be viewed on line via the following link:
<http://www.nottinghamcity.gov.uk/article/24275/Nottingham-City-Councils-Constitution>. Paper copies have been placed in the political group rooms at Loxley House. Councillors may request a paper copy for their sole use by contacting Constitutional Services on 0115 8764313.

2 RECOMMENDATIONS

- 2.1 It is recommended that the constitutional amendments as set out in Appendix 1 are agreed and noted as appropriate.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 The Local Government Act 2000 requires Council to keep its constitution up to date.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 The Constitution ensures clarity of rights and duties to enable the Council to conduct its business lawfully and in line with Council policy. Not to update the Constitution is therefore not an option.

5 BACKGROUND

- 5.1 The Constitution needs to be updated from time to time to reflect changes in legislation and to ensure clarity of rights and duties. This report is submitted further to a report presented to Council on 9 December 2013.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 There are no direct financial or value for money implications arising from this report.

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

- 7.1 The Council would be in breach of its statutory duty if it did not update its constitution

and it is essential that there is clarity for councillors, colleagues, partners and citizens about rights and duties.

8 EQUALITY IMPACT ASSESSMENT (EIA)

8.1 An equality impact assessment of this proposal is not required as it does not involve new or changing policies, services or functions, or financial decisions which will have an effect on services.

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 version 7.10

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

AGENDA ITEM 9

Nottingham City Council Constitution

APPENDIX 1

**Non-executive changes require Council approval.
Executive changes are reported to Council for information.**

Included in this update:-

- To note the amendment to version 7.8 of the Constitution which contributed to version 7.9 (Executive amendments agreed by the Leader) in relation to delegation 273 in the Scheme of Delegation (Part 2), as detailed below.
- To note that Part 7 of version 7.9 of the Constitution (Members' Allowances Scheme) was amended following agreement by Council on 27 January 2014 of the Independent Review Panel report recommending increasing Members' Allowances in line with increases of pay of employees to contribute to version 7.10.
- To note or agree a range of amendments to version 7.10 of the Constitution which contribute to version 7.11, as detailed below. Version 7.11 will also incorporate the amendments to the terms of reference for the Regulatory and Appeals Committee and the delegations to officers in relation to the Nottingham City Council Act 2013, agreed by Council on 14 April 2014.

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
<p>Amendment to version 7.8</p> <p>To enable more efficient administration of Adult Care Packages and to clarify the scope of the delegation.</p>	<p>Part 2 Section 9 Scheme of Delegation Delegation 273</p>	<p>Executive</p>	<p><u>Personal Budgets and Residential or Nursing Care Placements</u></p> <p>To authorise the purchase and/or direct payment in lieu of purchase and/or direct provision of personal budgets and residential or nursing care placements for individual adults appropriate to their properly assessed needs subject to:</p> <ul style="list-style-type: none"> (i) an overall individual package expenditure limit of £2,500 per week; (ii) all individual packages being commissioned through providers who have been subject of a full and proper procurement exercise either directly by the City Council or through a recognised regional or national framework which remains valid at the time of commissioning; (iii) the appropriate officer keeping full and proper records of all expenditure incurred in respect of each package purchased or provided. <p>Corporate Director for Communities Corporate Director for Children and Adults Director for Adult Social Care Assessment Heads of Service in Adult Assessment Team Managers in Adult Assessment (up to a maximum of £325 per week only)</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			Heads of Locality (North, South and Central) Head of Learning Disability and Mental Health Head of Business Transformation.
Amendments to version 7.10			
To reflect the changes agreed by Council on 14/04/14 in relation to the Nottingham City Council Act 2013.	Part 2 Section 3 Local Choice Functions Section 5 Terms of Reference – Regulatory and Appeals Committee Section 9 Scheme of Delegation Delegation 5	Executive Non- executive Can be either depending on the circumstanc es but this change reflects non- executive powers	1. 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 Regulations or specified within the terms of reference of any non- executive committee. Insert (d) To exercise all powers and duties conferred on Nottingham City Council by the Nottingham City Council Act 2013. <u>Service of Statutory Notices</u> Service of statutory notices, fixed penalty notices, orders and/or arranging for the execution of work consequent on non-compliance with such notices or orders in relation to any matter within their remit, together with any action to recover associated costs and expenses. General function to all Corporate Directors and the Director of Public Health for all matters within their remit Director of Legal and Democratic Services Legal Services Manager(s) Director of Community Protection for matters within

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			his remit and also under the Nottingham City Council Act 2013 Service Manager (Markets and Fairs)
To insert additional text in relation to procedure for Make or Buy procurement decisions	Part 5 Contract Procedure Rules	Executive	<p>Insert after at end of 2. Best Value section:</p> <p>2.8 Make or Buy</p> <p>2.8.1 The National Procurement Strategy for Local Government states: <i>‘Procurement is the process of acquiring goods, services and works. ...It involves options appraisal and the critical ‘make or buy’ decision which may result in the provision of services in-house in appropriate circumstances’.</i> Therefore a joined up, strategic ‘Make or Buy’ decision for all goods and services should be made by the Council.</p> <p>2.8.2 Where the Council has chosen to develop and sustain internal expertise in an area then it is likely that using the internal provision will secure Best Value. As a minimum dialogue should be had between the purchasing section and the internal provider before any decision is made to procure externally.</p> <p>2.8.3 For the majority of services provided in-house, a significant level of their overall costs are fixed or will only change if there is</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>a considerable change in levels of delivery (cost such as supervision/management, investment in ICT, buildings or machinery and their contribution to overheads). Therefore an internal provider is likely to be able to provide a service at a cheaper overall cost to the Council than an external provider.</p> <p>2.8.4 Arrangements for internal provision should be periodically reviewed to ensure that they do not become out-of-date and continue to be the most suitable arrangements, taking into account, for example, that:</p> <ul style="list-style-type: none"> • requirements change over time and may no longer be reflected in the agreed service (eg in terms of quality, quantity or range of options offered); • innovations or alternatives may have been developed since the original agreement; • new entrants to a market could potentially be cheaper than the in-house alternative. <p>The regularity of these reviews will depend upon the degree of change in the market, the degree of change in the requirements and the flexibility of the existing agreement.</p> <p>2.8.5 An externally provided solution may provide better Value for Money for the Council because:</p> <ul style="list-style-type: none"> • the extra cost required to provide the

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>service internally is less than the price available externally (including any potential TUPE costs if currently provided externally, and/or break costs in the terms of PFI contracts);</p> <ul style="list-style-type: none"> • there is insufficient capacity (including any necessary specialism) to provide the service in-house; • the quality that can be offered internally does not meet the needs of the internal customer. <p>2.8.6 Inappropriate reasons for contracting out (or not using internal services) include:</p> <ul style="list-style-type: none"> • unsolved management problems (including issues of ‘long-standing resentment or mistrust of one group of staff by another’); • ability to transfer risk (as this will be built into prices); • a legacy of capital starvation (as prudential borrowing can rectify this). <p>(Standing Guide to the Commissioning of Local Authority Work and Services, CIPFA’s 2013/14)</p> <p>2.8.7 The expectation is that in most cases, the service managers from the customer and provider sections will discuss and agree if any of the criteria in 3.5 are met and thus if it is appropriate to externally procure. If the</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>parties cannot agree it should be referred to the Corporate Procurement Section who will apply and keep updated a specific process and route of escalation for these types of decisions.</p> <p>2.8.8 The Chief Financial Officer is responsible for updating and reviewing procedures and processes for resolving any disputes within the ‘Make or Buy’ process between departments.</p> <p>2.8.9 Corporate Directors are responsible for checking whether in-house provision is an alternative before commencing purchasing or tendering activities.</p> <p>2.8.10 Corporate Directors are responsible for periodically reviewing internal arrangements to ensure that they continue to provide the most suitable solution to meet their requirements.</p>
Amendment to recording of decisions to reflect change to the process for approval of ward councillor decisions.	Part 2 Scheme of Delegation Section 9 Paragraph 4	Executive	Delete para 4(v) (v) Ward Councillor decisions are made by either the Corporate Director for Communities, Director of Neighbourhood Services or the Locality Managers, in consultation with the Ward Councillor(s), and the declaration should be signed by either Director or the relevant Locality Manager;

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>Insert new para</p> <p>(viii) Ward Councillor decisions are made by either the Corporate Director for Communities, Director of Neighbourhood Services, Locality Managers or, for decisions with a value under £1500, Neighbourhood Development Officers, in accordance with the recommendations of the relevant Ward Councillor(s). All Ward Councillor Decisions will be reported to the next meeting of the relevant Area Committee. The financial limits of delegation to officers and portfolio holders specified in paragraph 10 below apply to Ward Councillor decisions.</p>
Amendments to clarify wording in relation to ward councillor decisions to reflect changes to process for approval	Part 2 Scheme of Delegation Section 9 Paragraph 7	Executive	<p>7 <u>Ward Councillor Decisions</u></p> <p>(i) Ward Councillor Budgets are allocated at the start of the financial year to be spent on supporting ward initiatives. Area Committees divide their overall Ward Councillor Budgets between</p> <p>(a) an Area Allocation Budget, Individual Ward Support Budgets, to fund grants to community and voluntary sector organisations and inter-ward initiatives, and</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>individual Ward Support Budgets, to fund other initiatives recommended by the relevant Ward Councillor; and</p> <p>(b) Area Allocation Budget, to fund grants to community and voluntary sector organisations and inter-ward initiatives.</p> <p>(ii) The Corporate Director for Communities, Director of Neighbourhood Services, and Locality Managers and, for decisions with a value of up to £1500, Neighbourhood Development Officers have delegated authority to take expenditure decisions in relation to:</p> <p>(a) Individual Ward Support Budgets, having regard to in accordance with the recommendations of the relevant Ward Councillors(s);</p> <p>(b) Area Allocation Budgets, when the urgent funding request from Ward Councillors is urgent and cannot wait until the next meeting of the Area Committee. In these circumstances, from Area Allocation Budgets, having regard to the outcome of consultation with other relevant Ward Councillors must be consulted. and the reason for urgency;</p> <p>(iii) and where either the Corporate Director, Director of Neighbourhood Services, or Locality Managers or</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			Neighbourhood Development Officers are If any authorised colleague is not prepared to take a decision, in such circumstances, then the proposals will be reported to the Area Committee for decision.
Amendment to clarify when a delegated decision form is required in addition to a report to Executive Board or one of its sub-committees	Part 2 Scheme of Delegation Section 9	Executive	viii) (vii) Only where recommended in a report must a delegated decision form must be completed (as above) for any a decision delegated to a Portfolio Holder or an officer by Executive Board or one of its sub-committees.
Update to Terms of Reference for City Centre Forum to reflect relationship with proposed Strategic Regeneration Committee (City Centre Committee now defunct)	Part 2 Section 5 Terms of Reference	Executive	<p>City Centre Forum Terms of Reference</p> <p>The City Centre Forum aims to support the aspirations within the Nottingham Growth Plan to develop a sustainable, vibrant city centre through a thriving retail and leisure offer. To achieve this objective, and via its relationship to the Executive Board City Centre Committee Strategic Regeneration Committee, the Forum will have an advisory and consultative role on city centre issues at a strategic level and will encourage cross-collaboration between partners. It will influence and steer activities aligned to the City Centre Strategy.</p> <p>The role of the Forum is:</p> <p>(a) to review the implementation of the City Centre Strategy, and Retail Review including the Retail Strategy;</p> <p>(b) to develop a cross partnership forward plan to ensure that City Centre transformation is part of the City Centre Strategy to encourage cross-partnership planning to ensure a joined up approach to</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>transforming the City Centre; (c) to advise the Executive Board City Centre Committee Strategic Regeneration Committee on key issues and policies affecting the City Centre and the appropriate responses to address such issues; (d) to ‘scan the horizon’ and interpret key challenges, strategic issues and national policy to inform future plans and to mitigate against any negative impacts upon the City Centre.</p> <p>Membership Membership will comprise the following voting members:</p> <p>The Portfolio Holders with responsibility for</p> <ul style="list-style-type: none"> • Jobs and Growth (including Tourism); • Regeneration and Community Safety; • Planning and Transportation; • Leisure and Culture; and • Community Services <p>One Councillor from each of the following 5 wards, Arboretum, Bridge, Radford and Park, Dales and St Anns (who is also the Portfolio Holder for Strategic Regeneration and Community Safety) One Councillor from the minority group (if not included as a city centre ward councillor)* The Chair of the Licensing Committee The Chair of the Planning Committee 1 Councillor representing the Bridge Estate (drawn from the Trusts and Charities</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			<p>Committee) The Chair (or their nominee) from the IIN Retail Forum 1 representative from the IIN Retail Forum 1 representative from IIN Retail Forum Intu Properties The Chief Executive (or their nominee) from Experience Nottinghamshire 1 representative from Capital Shopping Centres The Chair of the Nottingham BID 2 representatives from the Nottingham BID 2 representatives from the Invest in Nottingham Club The Deputy Director for Community Protection, Notts Constabulary</p>
To enable Inter-departmental Lettings in specified circumstances	Part 2 Section 9 Scheme of Delegation New Delegation to the Housing Strategy and Partnerships Manager	Executive	<p><u>Inter-departmental Lettings</u> To lease Council owned residential premises to provide residential accommodation for care leavers or for children in care who have a complex learning disability or who are on the autistic spectrum via Inter-departmental Lettings between Development & Growth and Children & Adults (where there are no direct costs to the Housing Revenue Account).</p> <p>Agreements made will be reviewed by Housing Strategy and Partnerships every two years (biannually).</p> <p>If more than five properties are to be let on this basis in any one financial year, the relevant Portfolio Holder must be consulted.</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
			Housing Strategy and Partnerships Manager
To clarify the process for call-in, in relation to call-in of executive decisions made by committee and by whom these decisions are reconsidered	Part 4 Overview & Scrutiny Procedure Rules Paragraph 14	Non- executive	<p>[following the meeting of the Call-in Panel]</p> <p>(g) Implementation of the decision is suspended until the call-in request is determined by the Call-in Panel.</p> <p>(h) The decision-maker will reconsider the decision (if so requested) and give reasons for the (reconsidered) decision at the next meeting of the Call-in Panel.</p> <p>(i) If the decision maker is Executive Board or another committee exercising Executive powers, reconsideration will be carried out by one of the following:</p> <ul style="list-style-type: none"> • the original decision making body (at a specially convened meeting, if necessary); • the Leader of the Council; • an individual Portfolio Holder to whom the Leader has delegated this responsibility. <p>(j) If the decision maker is an Area Committee reconsideration will be carried out at the next meeting of the relevant Area Committee, a specially convened meeting or via a panel of the Chair, Vice Chair, opposition councillor (if represented) and a community representative.</p>

Purpose of amendment	Constitution location	Executive/ Non- executive	Record of amendment made Amendments to wording are shown struck through (deletions) or in bold (additions)
To update all references to posts and departments with new titles following implementation of the first phase of the new operating model (1 April 2014)	Various	--	Amendments made throughout the Constitution.

CITY COUNCIL - 12 MAY 2014

REPORT OF THE LEADER

APPOINTMENTS AND FIRST MEETINGS OF BOARDS, COMMITTEES AND JOINT BODIES ETC 2014-2015

1 SUMMARY

- 1.1 This report sets out the appointments to Boards, Committees and Joint Bodies and their first meetings for 2014-2015.
- 1.2 Appendix 1 sets out the terms of reference and first meeting dates of Council bodies which require appointment by Council, along with all proposed memberships, substitutes and chairing arrangements (where applicable), which will be circulated to all Councillors prior to the meeting.
- 1.3 Appendix 2 sets out, for information, the terms of reference and first meeting dates of Joint Bodies.
- 1.4 Up to six substitutes may be appointed by each group for each Committee, Sub-Committee or Panel etc, with the exception of those for which substitutes are not permitted (these are highlighted in the appendices to this report).

2 RECOMMENDATIONS

It is recommended that Council:

- (a) agrees the membership, terms of reference and first meeting dates of Council bodies, as set out in Appendix 1;
- (b) notes the City Council membership of Joint Bodies, dates of first meetings and terms of reference, as set out in Appendix 2;
- (c) agrees substitutes, where applicable, as set out in the appendices to the report.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 To ensure that the appointments to Boards, Committees and Joint Bodies and their first meetings for 2014-2015 are agreed and that terms of reference reflect legislative requirements.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 None.

5 BACKGROUND

- 5.1 The Council establishes committees and agrees and amends terms of reference, determines their composition and makes appointments to them, unless they are executive committees and delegations which fall within the Leader's remit. After the Council has established the committee structure for the year, the Constitution allows that where in-year changes are required to memberships, either at the

request of the relevant political group or because a member has resigned or ceased to be eligible for membership, the Deputy Chief Executive, Corporate Director and Chief Finance Officer has the authority to action those changes subject to political balance being preserved where applicable, and to the changes made being reported to the next meeting of Council. Details of membership will be updated and published on the Council's website on an ongoing basis.

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 None.

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

APPOINTMENTS TO COUNCIL BODIES

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE (11)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To undertake the appointment process (long listing, short listing and formal interviews) (or to appoint a politically balanced panel to undertake long listing and, short listing) in respect of the Chief Executive, Deputy Chief Executive and Corporate Directors, subject to having ascertained the views of the Executive Board in accordance with Standing Orders, to make recommendations to Council;
- (b) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- (c) to designate proper officers;
- (d) to designate officers as Head of Paid Service, Section 151 Officer and as Monitoring Officer and to ensure the provision of sufficient staff and other resources;
- (e) to exercise any other personnel functions which cannot be the responsibility of the Executive;
- (f) to receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and the Senior Leadership Management Group (SLMG) leaving the employment of the Council where those terms included compensation;
- (g) to determine redundancies, ill health retirements, flexible retirements and terminations of employment by mutual agreement on grounds of business efficiency, under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors subject in the event of a proposed dismissal to relevant notification to the proper officer, and the Executive and relevant consultation with nominated elected members and relevant approval as specified in the Officer Employment Procedure Rules (Part 4);
- (h) to determine flexible retirements and terminations of employment by mutual agreement on the grounds of business efficiency, terminations of employment under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for any employee who is part of the Senior Leadership

Management Group below the level of Director. The Committee also determines terminations of employment by mutual agreement, and following consultation with the appropriate Portfolio Holder(s), on the grounds of business efficiency under the DCR for employees where any proposed compensation payment is in excess of £30,000;

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

NB - "Significant restructuring"

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

The Committee is accountable to Council, has 11 members (politically balanced (one place is reserved for the relevant Portfolio Holder (or their substitute) in relation to matters in respect of the appointment process for the Chief Executive and Corporate Director and the dismissal process for the Chief Executive).

Date of first meeting

3 June 2014 at 2.00 pm

AUDIT COMMITTEE (9)

Membership

9 Councillors to be confirmed in the addendum to the report, with 1 independent member to be advised of in-year.

Terms of reference

(a) The main purposes of the Committee are to:

- (1) provide assurance of the adequacy of the Risk Management Framework and the associated control environment;
- (2) scrutinise 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;
- (3) oversee the financial reporting process;
- (4) approve the Council's Statement of Accounts;

- (5) comment on the scope and nature of external audit;
- (6) oversee proposed and actual changes to the Council's policies and procedures pertaining to governance.

(b) Its functions include the following:

- (1) reviewing the mechanisms for the assessment and management of risk;
- (2) approving the Council's statement of accounts;
- (3) receiving the Council's reports on the Statement on the Annual Governance Statement and recommending their adoption;
- (4) approving Internal Audit's strategy, planning and monitoring performance;
- (5) receiving the Annual Report and other reports on the work of Internal Audit;
- (6) considering the external auditor's annual letter, relevant reports and the report to those charged with governance and the Council's responses to them;
- (7) considering arrangements for and the merits of operating quality assurance and performance management processes;
- (8) considering the exercise of officers' statutory responsibilities and of functions delegated to officers;
- (9) to recommend external audit arrangements for the Council;
- (10) to receive and consider the results of reports from external inspectors, ombudsman and similar bodies and from statutory officers;
- (11) overseeing the Partnership Governance Framework, including annual health checks and the Register of Significant Partnerships.

The Committee is accountable to Council, has 9 non-executive members (politically balanced) plus 1 independent member, and normally has 6 meetings per annum.

Date of first meeting

27 June 2014 at 10.30 am

CITY CENTRE FORUM (13)

Membership

Names to be confirmed in the addendum to the report.

Terms of Reference

The City Centre Forum aims to support the aspirations within the Nottingham Growth Plan to develop a sustainable, vibrant city centre through a thriving retail and leisure offer. To achieve this objective, and via its relationship to the Strategic Regeneration Committee, the Forum will have an advisory and consultative role on city centre issues at a strategic level

and will encourage cross-collaboration between partners. It will influence and steer activities aligned to the City Centre Strategy.

The role of the Forum is:

- (a) to review the implementation of the City Centre Strategy, including the Retail Strategy;
- (b) to encourage cross-partnership planning to ensure a joined up approach to transforming the City Centre;
- (c) to advise the Strategic Regeneration Committee on key issues and policies affecting the City Centre and the appropriate responses to address such issues;
- (d) to 'scan the horizon' and interpret key challenges, strategic issues and national policy to inform future plans and to mitigate against any negative impacts upon the City Centre.

Membership

Membership will comprise the following **voting** members :

The Portfolio Holders with responsibility for:

- Jobs and Growth (including Tourism);
- Regeneration and Community Safety;
- Planning and Transportation;
- Leisure and Culture; and
- Community Services

(it being noted that the provisions regarding attendance at meetings as set out in paragraph 1.3, Section 5, Part 2 of the Constitution do not apply to these Councillors in respect of attendance at this Forum)

One Councillor from each of the following 5 wards, Arboretum, Bridge, Radford and Park, Dales and St Ann's (who is also the Portfolio Holder for Strategic Regeneration and Community Safety)

One Councillor from the minority group (if not included as a city centre ward councillor)*

One Councillor from the minority group (if not included as a city centre ward councillor)*

The Chair of the Licensing Committee

The Chair of the Planning Committee

1 Councillor representing the Bridge Estate (drawn from the Trusts and Charities Committee)

1 representative from Intu Properties

1 The Chief Executive (or their nominee) from Experience Nottinghamshire

The Chair of the Nottingham BID

2 representatives from the Nottingham BID

2 representatives from the Invest in Nottingham Club

The Deputy Director for Community Protection, Notts Constabulary

The Chair will be elected by the Forum from its membership. The Vice-Chair will be elected by the Forum from amongst the business sector members only.

Substitutes are allowed for all members, provided that notice of substitution is provided to Constitutional Services no less than one hour in advance of any meeting.

All co-opted members on the Forum (i.e. all those who are not Councillors of Nottingham City Council) must observe the Council's Code of Conduct and sign the acceptance of office.

*N.B. political balance applies to advisory bodies within the formal governance structure of the Council and membership drawn from minority groups must be reviewed when the political balance on the Council changes.

Meetings

The Forum will meet at least quarterly but the Chair shall have the right, in consultation with the Vice-Chair, to convene additional meetings of the Forum as appropriate.

The quorum will comprise 3 voting members and must include one Councillor and one representative from the business sector.

It is expected that most issues will be agreed by consensus but where this is not possible matters will be decided by a majority of those present and entitled to vote. If there are an equal number of votes for and against, the Chair will have a second or casting vote.

All business of the Forum will be conducted in public in accordance with the provisions of Schedule 12 of the Local Government Act 1972 (as amended).

Date of first meeting

2 June 2014 at 3.30 pm

CORPORATE PARENTING BOARD (9)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To secure Councillor and cross-departmental involvement and commitment throughout the Council to deliver better outcomes for children in our care;
- (b) to ensure that Nottingham City Council enables children in it's care to:
 - have safe and stable care;
 - be well looked after;
 - be prepared for adult life;
 - to grow into emotionally balanced and resilient young people;
- (c) to raise the profile of looked after children and their carers, and act as champions for the needs and rights of looked after children in the Council's various service areas, political groups and settings;
- (d) to invite people other than City Councillors and officers to attend meetings of the Board, on a regular or occasional basis, to act in an advisory role and to feed in the views of children and young people in care;
- (e) to make a commitment to prioritising the needs of looked after children and their carers;
- (f) to report regularly to the Children's Partnership Board (acting as the Children's Trust) on matters relating to partnership;

- (g) to report annually to Full Council on progress and to consider matters referred to it by Full Council and the Executive Board.
- (h) to make recommendations through the Executive Board on potential strategic change required within the Council to embed this agenda;
- (i) to have the ambition to raise the standards of core services to looked after children;
- (j) to promote achievement and help build aspirations;
- (k) to listen to the views of looked after children and young people and their carers and to involve them in the development and assessment of services;
- (l) to encourage looked after children to become active citizens;
- (m) to monitor the Council's provision for looked after children;
- (n) to oversee the provision of work placements and apprenticeships for looked after children by the City Council;
- (o) to identify best practice in other Councils, and to import these ideas as appropriate.

The Board is accountable to the Executive Board, has 9 members (politically balanced, to include the Portfolio Holder for Children's Services (Chair) and the Leader or Deputy Leader), and usually has 6 meetings per annum.

Date of first meeting

19 May 2014 at 2.30 pm

HEALTH SCRUTINY PANEL (10)

Membership

To be confirmed in the addendum to the report.

- (a) To set and manage its work programme to fulfil the overview and scrutiny roles and responsibilities in relation to health and social care matters, including, for matters within its remit, the ability to:
- i. hold local decision-makers, including the Council's Executive, to account for their decisions, action and performance;
 - ii. review policy and contribute to the development of new policy and the strategy of the Council and other local decision-makers where it impacts on Nottingham residents;
 - iii. explore any matters affecting Nottingham and/ or its residents;
 - iv. make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive;

- (b) To exercise the Council's statutory role in scrutinising health services for the City in accordance with National Health Service Act 2006 as amended and associated regulations and guidance;
- (c) To engage with and respond to formal and informal consultations from local health service commissioners and providers;
- (d) To scrutinise the commissioning and delivery of local health and social care services to ensure reduced health inequalities, access to services and the best outcomes for citizens;
- (e) To hold the Health and Wellbeing Board to account for its work to improve the health and wellbeing of the population of Nottingham City and to reduce health inequalities;
- (f) To work with, and consider referrals from the Overview and Scrutiny Committee, to support effective delivery of a co-ordinated overview and scrutiny work programme;
- (g) To respond to referrals from, and make referrals to, Healthwatch Nottingham as appropriate;
- (h) In consultation with the Chair of Overview and Scrutiny, to commission time-limited review panels (no more than 1 major review at any one time) to carry out a review of a matter within its remit. This commissioning includes setting the remit, initial timescale and size of membership to meet the needs of the review being undertaken. Review Panels will be chaired by the Chair of the Health Scrutiny Panel;
- (i) To monitor the effectiveness of its work programme and the impact of outcomes from its scrutiny activity;
- (j) To appoint a lead health scrutiny councillor for the purposes of liaising with stakeholders on behalf of the health scrutiny function, including the Health and Wellbeing Board, Healthwatch Nottingham and the Portfolio Holder with responsibility for health and social care issues;
- (k) To co-opt people from outside the Council to sit on the Panel or any review panels it commissions as relevant to support effective delivery of the overview and scrutiny work programme.

Membership

The Health Scrutiny Panel comprises 10 members. Ordinarily, Overview and Scrutiny Committees / Panels should be politically balanced, but on 23 May 2011 Council made a unanimous resolution that seats may be allocated differently. On this basis, membership for the Health Scrutiny Panel is agreed as follows:

Labour Group:	8
Conservative Group:	2

The Health Scrutiny Panel can also choose to appoint co-opted members to sit on the Panel, in accordance with agreed arrangements governing overview and scrutiny co-

option.

Chairing

The Chair will be a member of the pool of 5 overview and scrutiny chairs. The Vice-Chair will be appointed at the first meeting of the Health Scrutiny Panel from the membership of the Panel.

Date of first meeting

28 May 2014 at 1.30 pm

LICENSING COMMITTEE (15)

Membership

To be confirmed in the addendum to the report.

Terms of reference

To undertake those functions of the Licensing Authority prescribed by the Licensing Act 2003 (and any Regulations or Orders made under that Act), the Gambling Act 2005 (including the power to prescribe fees under section 212), and powers and functions relating to late night levy requirements under Chapter 2 Part 2 of the Police Reform and Social Responsibility Act 2011 (and any Regulations made under that Chapter) other than matters which are specifically reserved to full Council.

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

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

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

Licensing Panels

To determine contested applications under the Licensing Act 2003 and Gambling Act 2005.

Licensing Panels are accountable to the Licensing Committee, have 3 members (derived from the Licensing Committee and not politically balanced), and meet as they are required.

Special Licensing Panels:

- (a) Comprises the three Chairs of the Licensing Panels, with the ability to use one non-Chair substitute to be drawn from the membership of the full Committee;
- (b) meets as required to determine complex or contentious licensing applications and to determine reviews of licences in accordance with the allocation procedure agreed by the Licensing Committee.

Note: The Licensing Officer/Manager is responsible for the referral of applications and reviews to the Special Licensing Panel following consultation with the Chair and Vice-Chair of the Licensing Committee.

Licensing Decision Making – List of Delegated Functions

The Authority, in the majority of cases, follows the table of delegated functions set out below. However, in circumstances where it seems appropriate to the Authority, any particular matter may be dealt with otherwise than is indicated in this table whilst having due regard to statutory requirements. For example, an officer may choose not to exercise their delegated power and refer the matter to the Panel or the Panel itself may choose to refer the matter to the Full Committee.

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
Licensing Act 2003			
Application for personal licence with unspent convictions		All cases where there is a police objection	No objection made
Application for premises licence/club premises certificate	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made
Application for provisional statement	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made
Application to vary premises licence/club premises certificate (<i>other than an application for a</i>	Representation relating to Cumulative Impact other than in a designated saturation zone	Representation made	No representation made

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
<i>Minor Variation)</i>			
<i>Application for Minor variation</i>			All cases
Application to vary designated premises supervisor		Police representation made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		Police representation made	All other cases
Application for interim authority		Police representation made	All other cases
Application to review premises licence/club premises certificate (including summary reviews)		All cases	
Decision on whether a complaint or objection is irrelevant, repetitious, frivolous, vexatious, etc			All cases
Decision to object where Local Authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police representation to a temporary event notice		All cases	
<u>Gambling Act 2005</u>			
Application for premises licence including applications for reinstatement under S195 Gambling Act		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154 (4)(a)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under 	All other cases

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
		default condition should be excluded under S169(1)(b)	
Application to vary premises licence		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154 (4)(b)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under S169 (1)(a) or a default condition should be excluded under S169(1)(b) 	All other cases
Application for transfer of premises licence		Representation made and not withdrawn (S154(4)(c))	All other cases
Application for provisional statement		<ol style="list-style-type: none"> 1. Representation made and not withdrawn (S154 (4)(d)) and/or 2. Where the Licensing Authority considers that a condition should be added to the licence under S169 (1)(a) or a default condition should be excluded under S169(1)(b) 	All other cases
Review of a premises licence		All cases	
Consideration of Temporary Use Notices (including notices modified under section 223)		<ol style="list-style-type: none"> 1. All cases where an objection notice has been received 2. All cases where a counter notice may be required 	All other cases

Matter to be dealt with	Full Licensing Committee	Licensing Panel	Officer Decision*
Application for Club Gaming/Club Machine Permits, renewals and variations (including those leading to cancellation of permit) under Sch12 para 15		<ol style="list-style-type: none"> 1. Objection made and not withdrawn (Sch12 para 28 (2)) 2. Refusal of a permit proposed on the grounds listed in Sch 12 para 6(1)(a)-(d), or para 10(3) as applicable 	All other cases
Cancellation of Club Gaming/Club Machine Permits under Sch 12 para 21		Where a permit holder requests a hearing under para 21(2) or makes representations	All other cases
Cancellation of Club Gaming/Club Machine Permits under Sch 12 para 22 (non payment of annual fee)			All Cases
Applications for other permits registrations and notifications			All cases
Cancellation and variation of Licensed Premises Gaming Machine permits under Sch 13 para 16		Where permit holder requests a hearing under para 16 (2) or makes representations	All other cases
Cancellation of Licensed Premises Gaming Machine permits under Sch 13 para 17 (non payment of annual fee)			All Cases

*These powers are delegated to the Licensing Officer/Manager, the Senior Licensing Officers, the Head of Licensing, Permits and Regulation, Director of Community Protection and Corporate Director for Communities.

Date of first meeting

12 May 2014 at the rising of full Council

OVERVIEW AND SCRUTINY COMMITTEE (16)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To set, manage and co-ordinate the overview and scrutiny work programme to ensure all statutory roles and responsibilities accorded to the overview and scrutiny function, with the exception of health scrutiny, are fulfilled, including the ability to:
 - i. hold local decision-makers, including the Council's Executive, to account for their decisions, action and performance;
 - ii. review policy and contribute to the development of new policy and the strategy of the Council and other local decision-makers where it impacts on Nottingham residents;
 - iii. explore any matters affecting Nottingham and/ or its residents;
 - iv. make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive;
- (b) to maintain an overview of key strategic issues relevant to Nottingham and its residents to inform decisions about the work programme so that it is focused on, and adds value by the examination of, issues of local importance and concern;
- (c) to commission time-limited review panels (no more than 3 major reviews at any one time) to carry out an individual review in accordance with the overview and scrutiny work programme. This commissioning includes setting the remit, initial timescale, size of membership and chair of the panel to meet the needs of the review being undertaken;
- (d) to monitor the effectiveness of the overview and scrutiny work programme and the impact of outcomes from overview and scrutiny activity, including the outcomes of review panels;
- (e) to work with the Health Scrutiny Panel, to support effective delivery of a co-ordinated overview and scrutiny work programme. This may include making referrals of issues for potential scrutiny to the Health Scrutiny Panel;
- (f) to establish a sub-committee known as the Call-In Panel to meet as required to consider call-in requests in accordance with the Council's Call-In Procedure;
- (g) to consider requests for councillor calls for action;
- (h) to receive petitions in accordance with the Council's Petitions Scheme;
- (i) to commission separate policy briefings to inform councillors about current key issues relevant to Nottingham, to aid decisions about the future overview and scrutiny work programme and prepare councillors to undertake overview and scrutiny work that has already been commissioned;
- (j) to co-opt people from outside the Council to sit on any of the overview and scrutiny bodies as relevant to support effective delivery of the overview and scrutiny work programme;

- (k) to establish a pool of no more than 5 scrutiny chairs (the membership of which will include the Chair of the Overview and Scrutiny Committee) who will chair scrutiny review panels and/ or the Call-in Panel as required by the Overview and Scrutiny Committee.

The Committee has 16 members, which includes two individuals co-opted (with voting rights) from outside the Council. Membership must not include members of the Executive Board. The allocation of seats on the Committee between political groups will be determined on a year by year basis.

The Committee has a number of established sub-committees:

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

Scheme of voting rights for co-opted members of the Overview and Scrutiny Committee

In accordance with Paragraph 12 of Schedule 1 to the Local Government Act 2000 (as amended by section 115 of the Local Government Act 2003) Nottingham City Council has agreed that non-statutory co-opted members of overview and scrutiny committees/ panels may be given voting rights at the discretion of the Overview and Scrutiny Committee.

1. The Scheme

1.1 The Council would like to draw on the experience and knowledge of people within Nottingham when undertaking its scrutiny function. While there will be occasions where non-voting co-opted members will add value to the scrutiny process, there are benefits to giving the co-opted members voting rights, including:

- giving a more active voice on behalf of the public in scrutiny;
- improving the quality of decision making by including broader based views;
- giving co-opted members the same status as the rest of Committee and therefore encouraging an equal sense of ownership and involvement;
- promoting a partnership approach to scrutiny

1.2 This Scheme enables the Overview and Scrutiny Committee to give voting rights to non statutory co-opted members of an overview and scrutiny committee/ panel, if it so wishes. It does not mean that all non-statutory co-opted members will automatically be given voting rights.

2 Appointments

2.1 The Overview and Scrutiny Committee will agree the process for selecting and appointing the non-statutory co-opted members.

3 When a Co-optee may vote

3.1 Where co-optees have been appointed by the Overview and Scrutiny Committee as voting co-optees they may exercise a vote in considering items of business on agendas for the overview and scrutiny committee/panel to which they have been appointed.

4 General Principles

- 4.1 This Scheme and arrangements made in accordance with its terms shall be subject to review by Council, including upon recommendation from the Overview and Scrutiny Committee.
- 4.2 Co-opted members will be subject to the Members' Code of Conduct and must sign a declaration of office and complete a Register entry of any relevant interests.
- 4.3 Co-opted members will be entitled to allowances to assist with expenses in accordance with the Council's Members' Allowances Scheme.

Date of first meeting

12 May 2014 at the rising of full Council

PLANNING COMMITTEE (15)

Membership

To be confirmed in the addendum to the report.

Terms of reference

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

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

- (i) No application can be determined by officers where the decisions would
 - result in the granting of planning permission that would be a significant departure from the adopted Development Plan; or
 - Result in the approval of an application for a similar scheme, on the same site, that has been previously refused by the Committee; or
 - Directly conflict with the recommendation of any external statutory consultee unless those concerns will be overcome by condition or planning obligation.

(ii) Any application which gives rise to complex or sensitive issues should be referred to committee for determination. For the purposes of this section, 'complex or sensitive' includes:

- 1) An application that has generated significant public interest that is contrary to the officer recommendation
- 2) A major application on a prominent site, where there are important land-use, design or heritage considerations
- 3) An application for the conversion of family housing to a house in multiple occupation (HMO) in an area where there is already a high concentration of HMOs and where the recommendation would conflict with adopted planning policies
- 4) An application in relation to which a Nottingham City Councillor has submitted a written request (giving valid planning reasons), within the statutory consultation period, for the application to be determined by Committee
- 5) Where an application has been submitted by a Nottingham City Councillor or on behalf of a Nottingham City Councillor
- 6) An application that is recommended for approval, but where any planning obligations are proposed to be waived, or are substantially less than typically required by adopted planning policies.

Date of first meeting

21 May 2014 at 2.30 pm

REGULATORY AND APPEALS COMMITTEE (13)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To deal with applications for local licences and registrations of various kinds including:
 - (i) Those licensing and registration functions and functions relating to health and safety at work which are contained in Schedule 1 of the Functions Regulations and are listed below under I, II and III:
 - (ii) the Nottinghamshire County Council Act 1985
 - (iii) regulation, under the Nottingham City Council Act 2003, of occasional sales and dealers in second-hand goods
 - (iv) but excluding matters which are statutorily the responsibility of the Licensing Committee.
- (b) To deal with all powers relating to smoke free premises listed in paragraph F of Schedule 1 of the Functions Regulations.
- (c) To provide individual case panels selected by the Deputy Chief Executive/Corporate

Director for Resources from a wider group of Regulatory and Appeals Committee members to constitute an Appeals Panel to hear and determine:

- (i) appeals relating to housing rents and homelessness;
 - (ii) appeals relating to the refusal / revocation of registration under the Council's Control Scheme for Houses in Multiple Occupation;
 - (iii) day care and childminding representations;
 - (iv) access to personal files appeals;
 - (v) representations under the Data Protection Act 1998;
 - (vi) Approved Premises (Marriages) Appeals;
 - (vii) statutory complaints concerning education matters.
- (d) Unless specifically catered for elsewhere, the adoption or approval of any plan or strategy relating to the Licensing and Regulatory functions listed in Part B of Schedule 1 of the Functions Regulations 2000

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

I. Licensing and Registration Functions

- 1 Power to issue licences authorising the use of land as a caravan site ("site licences")
- 2 Power to license the use of moveable dwellings and camping sites
- 3 Power to license hackney carriages and private hire vehicles
- 4 Power to license drivers of hackney carriages and private hire vehicles
- 5 Power to license operators of hackney carriages and private hire vehicles
- 6 Power to register pool promoters
- 7 Power to grant track betting licences
- 8 Power to license inter-track betting schemes
- 9 Power to grant permits in respect of premises with amusement machines
- 10 Power to register societies wishing to promote lotteries
- 11 Power to grant permits in respect of premises where amusements with prizes are provided
- 12 Power to license sex shops and sex cinemas, and sexual entertainment venues
- 13 Power to license performances of hypnotism
- 14 Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis
- 15 Power to license pleasure boats and pleasure vessels
- 16 Power to license market and street trading
- 17 Duty to keep list of persons entitled to sell non-medicinal poisons
- 18 Power to license dealers on game and the killing and selling of game
- 19 Power to register and license premises for the preparation of food
- 20 Power to license scrap yards
- 21 Power to issue, amend or replace safety certificates (whether general or special) for sports grounds
- 22 Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds
- 23 Power to license premises for the breeding of dogs
- 24 Power to license pets shops and other establishments where animals are bred or kept for the purposes of carrying on a business
- 25 Power to register animal trainers and exhibitors

- 26 Power to license zoos
- 27 Power to license dangerous wild animals
- 28 Power to license knackers' yards
- 29 Power to license the employment of children
- 30 Power to approve premises for the solemnisation of marriages and civil partnerships
- 33 Power to license persons to collect for charitable and other causes
- 34 Power to grant consent for the operation of a loudspeaker
- 35 Power to license agencies for the supply of nurses
- 36 Power to issue licences for the movement of pigs
- 37 Power to license the sale of pigs
- 38 Power to license collecting centres for the movement of pigs
- 39 Power to issue a licence to move cattle from a market
- 40 Power to sanction use of parts of buildings for storage of celluloid
- 41 Power to approve meat product premises
- 42 Power to approve premises for the production of minced meat or meat preparations
- 43 Power to approve dairy establishments
- 44 Power to approve egg product establishments
- 45 Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods
- 46 Power to approve fish products premises
- 47 Power to approve dispatch of purification centres
- 48 Power to register fishing vessels on board which shrimps or molluscs are cooked
- 49 Power to approve factory vessels and fishery product establishments
- 50 Power to register auction and wholesale markets
- 51 Duty to keep register of food business premises
- 52 Power to register food business premises
- 54 Power to register motor salvage operators
- II. Functions relating to health and safety at work
- 1 Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connections with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer
- III Conditions etc. and Enforcement
- 1 The functions of imposing any conditions, limitation or other restriction on any approval, consent, licence, permission or registration granted in the exercise of any of the above functions and determining any other terms to which any such approval, consent, licence, permission or registration is subject
- 2 The function of determining whether, and in what manner, to enforce:
 - (a) any contravention or failure to comply with an approval, consent, licence, permission or registration granted as mentioned above; or
 - (b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject
- 3 The function of:
 - (a) amending, modifying or varying any such approval, consent, licence, permissions or registration as is mentioned above, or any conditions, limitation or term to which it is subject; or
 - (b) revoking any such approval, consent, licence, permission or registration
- 4 The function of determining:
 - (a) whether a charge should be made for any approval, consent, licence, permit or registration as is mentioned above; and
 - (b) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge
- 5 The power to enforce byelaws.

Date of first meeting

As and when required

TRUSTS AND CHARITIES COMMITTEE (9)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To exercise the administrative powers and duties of Full Council in relation to all trusts for which the Council is sole trustee;
- (b) to exercise the administrative powers of the "Council as Trustee" in accordance with the relevant governing documents of each trust and Charity Commission Scheme(s);
- (c) upon receipt from colleagues, to administer and approve annual reports and accounts;
- (d) approve Charity Commission returns and all other regulatory documents;
- (e) respond to enquiries from Auditors or Independent Examiners;
- (f) inquire of and respond to the Charity Commission and any other regulatory bodies;
- (g) day to day management of any City Trust or Charity with assistance from the Director of Strategic Finance, Director of Legal and Democratic Services and/or Director of Property and/or other relevant colleagues, as appropriate;
- (h) to act as manager for the Trusts and Charities, and be authorised to take all necessary administrative decisions;
- (i) to compile and maintain a comprehensive and up to date list of all City Trusts and Charities;
- (j) to take any other action deemed appropriate or necessary to ensure the proper management and administration of all City Trusts and Charities.

The Trusts and Charities Committee is accountable to Council, has 9 members (politically balanced) and normally has 6 meetings per annum.

Date of first meeting

30 May 2014 at 2.00 pm

AREA COMMITTEES

Area Committees can exercise both executive and non-executive functions delegated to them by the Executive and Full Council accordingly and are also constituted as a consultative body in relation to the provision of housing services by Nottingham City Homes (NCH). The terms of reference of Area Committees 1 to 8 are set out below:

- (a) To approve, ensure the delivery of and monitor ward action plans and other relevant area plans (including those related to NCH services);
- (b) to lead and co-ordinate regeneration and renewal activity at an area level;
- (c) to undertake and co-ordinate consultation within their areas;
- (d) to be consulted on, approve and monitor delivery of the area capital programme and other area based budgets;
- (e) Within budgetary limits, to be empowered to undertake any measures to achieve the following objectives:
 - (i) the promotion or improvement of the economic wellbeing of their area;
 - (ii) the promotion of improvement or improvement of the social wellbeing of their area;
 - (iii) the promotion or improvement of the environmental wellbeing of their area;
- (f) to agree priorities, work programmes, and variations in performance standards, including through Transforming Neighbourhoods processes, for services such as, but not limited to:
 - (i) footpath replacement;
 - (ii) street lighting;
 - (iii) patch maintenance;
 - (iv) grounds maintenance on community parks and playgrounds (excluding heritage sites and Bulwell Hall and Bulwell Forest Golf Courses);
- (g) in respect of services in the local area, and if urgent, via a panel of the Chair, Vice-Chair, an opposition Councillor (if there is one) and a community representative, to approve
 - (i) housing environmental improvements;
 - (ii) highway environmental improvements of a local nature;
 - (iii) minor traffic schemes, diversions and closures under highways and road traffic legislation, of a local nature;
 - (iv) applications for footpath closures on grounds of amenity or development;
 - (v) requests for the making, variation or revocation of gating orders;and to be consulted on proposals for the following services in relation to the local area:
 - (vi) strategic planning applications;
 - (vii) schools re-organisation;
 - (viii) detailed proposals for landscaping, open space provisions, park equipment provision, affordable housing and other local enhancements relating to agreements under Section 106 of the

Town and Country Planning Act 1990 and section 278 of the Highways Act 1980;

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

Area Committees are accountable to Council and the Executive Board and there are usually 4 meetings per annum for each Area Committee.

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

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

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

Community representatives are also appointed to each committee in accordance with a process agreed by the Executive Board on 20 July 2010. Community representatives will include, on each area committee, one person (who must be an NCH tenant) to represent NCH tenants and leaseholders. There will be a regular standing item on the agenda for each area committee for NCH officers and representatives to raise specific NCH issues within the Committee's terms of reference.

Community representatives do not have voting rights (this is prevented by sections 13(1) and (7) of the Local Government and Housing Act 1989).

Area One	Bulwell and Bulwell Forest	North Locality
Area Two	Basford and Bestwood	North Locality
Area Three (known as West Area)	Aspley, Bilborough and Leen Valley	North Locality
Area Four	Arboretum, Dunkirk and Lenton, Radford and Park	Central Locality
Area Five	Berridge and Sherwood	Central Locality
Area Six	Mapperley and St Anns and Dales	South Locality
Area Seven	Wollaton West and Wollaton East and Lenton Abbey	Central Locality
Area Eight	Bridge, Clifton North and Clifton South	South Locality

Membership (no substitutes allowed)

Councillors representing the wards within the area of each Committee.

Bulwell and Bulwell Forest - Area 1

- Councillor Eunice Campbell
- Councillor Alan Clark
- Councillor John Hartshorne
- Councillor Ginny Klein
- Councillor Nick McDonald
- Councillor Jackie Morris

Date of first meeting

21 May 2014 at 5.30 pm

Basford and Bestwood - Area 2

- Councillor Cat Arnold

Councillor Brian Grocock
Councillor Alex Norris
Councillor Bill Ottewell
Councillor David Smith
Councillor Michael Wildgust

Date of first meeting

28 May 2014 at 4.30 pm

West Area (Aspley, Bilborough and Leen Valley) – Area 3

Councillor Graham Chapman
Councillor Glyn Jenkins
Councillor Carole McCulloch
Councillor Mohammed Saghir
Councillor W Smith
Councillor Leon Unczur
Councillor Marcia Watson
Councillor Malcolm Wood

Date of first meeting

14 May 2014 at 5.30 pm

Arboretum, Dunkirk and Lenton, Radford and Park – Area 4

Councillor Liaqat Ali
Councillor Mohammad Aslam
Councillor Merlita Bryan
Councillor Azad Choudhry
Councillor Sarah Piper
Councillor David Trimble
Councillor Anne Peach

Date of first meeting

21 May 2014 at 5.30 pm

Berridge and Sherwood - Area 5

Councillor Alex Ball
Councillor Mohammed Ibrahim
Councillor Carole Ann Jones
Councillor Toby Neal (Chair)
Councillor Brian Parbutt
Councillor Jane Urquhart

Date of first meeting

29 May 2014 at 6.00 pm

Mapperley and St Ann's and Dales – Area 6

Councillor Jon Collins
Councillor Emma Dewinton
Councillor Rosemary Healy
Councillor Sue Johnson

Councillor Gul Khan
Councillor Dave Liversidge
Councillor David Mellen
Councillor Thulani Molife
Councillor Neghat Khan

Date of first meeting

13 May 2014 at 7.00 pm

Wollaton West and Wollaton East and Lenton Abbey - Area 7

Councillor Georgina Culley
Councillor Sally Longford
Councillor Eileen Morley
Councillor Sam Webster
Councillor Steve Battlemuch

Date of first meeting

2 June 2014 at 5.00 pm

Bridge, Clifton North and South – Area 8

Councillor Michael Edwards
Councillor Chris Gibson
Councillor Nicola Heaton
Councillor Pat Ferguson
Councillor Ian Malcolm
Councillor Jeannie Packer
Councillor Timothy Spencer
Councillor Roger Steel

Date of first meeting

14 May 2014 at 7.00 pm

JOINT BODIES

GREATER NOTTINGHAM LIGHT RAPID TRANSIT ADVISORY COMMITTEE (5)

Membership

Names of City Councillors to be confirmed in the addendum to the report.

Terms of reference

The Committee advises on issues relating to the operation of the Nottingham Express Transit system.

The Committee is accountable to Council and usually has 4 meetings per annum.

The membership comprises 5 City Councillors, 5 County Councillors and the following independent representatives:

- PEDALS
- Nottinghamshire Chamber of Commerce and Industry
- Midlands Rail Passenger Committee
- Nottingham Trent University
- Nottinghamshire Transport 2000
- Nottingham Transport Partnership

Date of first meeting

10 June 2014 at 2.00 pm

HEALTH AND WELLBEING BOARD (4)

Membership

Names to be confirmed in the addendum to the report.

Terms of reference

The Nottingham City Health and Wellbeing Board will lead and advise on work to improve the health and wellbeing of the population of Nottingham City and specifically to reduce health inequalities. It will support the development of improved and joined up health and social care services. In support of these aims the role of the Board is:

- (a) to identify health and wellbeing needs and inequalities, and agree priorities across the city;
- (b) to encourage commissioners of health and social care services to work in an integrated manner and, where appropriate, work closely with each other, commissioners of health-related services and the Health and Wellbeing Board;

- (c) to oversee, where appropriate, the use of relevant public sector resources across a wide spectrum of services and interventions to ensure outcomes from health care, social care and public health interventions;
- (d) to prepare and publish a Joint Health and Wellbeing Strategy, supported by all stakeholders, for approval by the Council's Executive, and the NHS Nottingham City Clinical Commissioning Group to provide a strategic framework for commissioning of health care, social care and public health to meet the needs (identified in a Joint Strategic Needs Assessment) and to identify local priorities for health improvement in Nottingham City;
- (e) to publish and refresh the Joint Strategic Needs Assessment (JSNA), including the Pharmaceutical Needs Assessment, so that future commissioning and policy decisions and priorities are based on evidence;
- (f) to oversee joint commissioning and joined up provision for citizens, patients, social care service users and carers, including social care, public health and NHS services with aspects of the wider local authority agenda that also impact on health and wellbeing, such as housing, education and the environment;
- (g) to consider local commissioning plans to ensure that they are in line with the Joint Health and Wellbeing Strategy;
- (h) to promote public involvement in the development of the JSNA and the Joint Health and Wellbeing Strategy;
- (i) to consider the NHS Nottingham City Clinical Commissioning Group's commissioning plans to ensure they are in line with the Joint Health and Wellbeing Strategy and to provide an opinion for publication;
- (j) to liaise with the NHS Commissioning Board as necessary on the NHS Nottingham City Clinical Commissioning Group's annual assessment;
- (k) to be one of the theme partnerships within the One Nottingham partnership family, lead on the Nottingham Plan to 2020 strategic priority Healthy Nottingham - for the improvement of health and wellbeing in Nottingham City and to appoint a representative to the One Nottingham Board;
- (l) to be responsible for specific targets within the Nottingham Plan to 2020 relating to Health and Wellbeing and to be the monitoring and reporting route for those areas within the Nottingham Plan that fall within the remit of the Health and Wellbeing Board;
- (m) to receive 6 monthly updates from the appropriate lead organisation on progress towards Joint Health and Wellbeing Strategy priorities;
- (n) to receive updates from the Children's Partnership Board and the Crime and Drugs Partnership on the delivery of those aspects of the Nottingham Plan to 2020, the Joint Health and Wellbeing Strategy, the Children and Young People's Plan and other priorities relevant to the Health and Wellbeing Board for which they are accountable;
- (o) to receive reports from members of the Board and/ or relevant partners on matters of interest to the Board, as set out in the Board's Ways of Working document;

- (p) to establish any sub-committees that the Health and Wellbeing Board considers appropriate, to carry out any functions of the Health and Wellbeing Board delegated to it by the Board, setting terms of reference, membership and timescales as necessary;
- (q) to delegate any of its functions that the Health and Wellbeing Board considers appropriate to an officer, ensuring that this is reflected in the Council's scheme of delegation as necessary;
- (r) to establish time limited task and finish groups to carry out work on behalf of the Board.

In the interests of public accountability and transparency the Board is subject to overview and scrutiny by the Council's existing structures for the statutory scrutiny of local authority and health functions. All Board partner organisations agree to provide the relevant overview and scrutiny committee of the City Council with such information about the planning, provision and operation of services within their area as the committee may reasonably require to discharge its scrutiny functions. Partners will not, however, be required to give:

- Confidential information which relates to and identifies an individual unless the information is disclosed in a form ensuring that individuals' identities cannot be ascertained, or an individual consents to disclosure;
- Any information, the disclosure of which is prohibited by or under any enactment;
- Any information, the disclosure of which would breach commercial confidentiality.

Board members agree that their representatives will attend and answer such questions as appear to the committee to be necessary for discharging its functions. The committee will give the members concerned reasonable notice of the intended date of his / her appearance.

Membership

Voting Members:

The Leader of the Council
 City Council Portfolio Holder for Adults and Health
 City Council Portfolio Holder for Children's Services
 City Council Portfolio Holder for Commissioning and Voluntary Sector
 Three representatives from the NHS Nottingham City Clinical Commissioning Group's Board
 Chief Operating Officer of the NHS Nottingham City Clinical Commissioning Group
 City Council Statutory Director of Children's Services
 City Council Statutory Director of Adult Social Services
 Director of Public Health
 One representative of the Board of Healthwatch Nottingham
 One representative from the NHS Commissioning Board

Non-voting Members:

City Council Director for Adult Provision and Health Integration
 City Council Director for Family Community Teams
 One representative of Nottingham University Hospitals NHS Trust

One representative of Nottinghamshire Healthcare NHS Trust
One representative of Nottingham CityCare Partnership
One representative of Nottingham City Homes
One representative of the Nottingham Third Sector Health and Wellbeing Provider Forum
One representative of the Nottinghamshire Police (Nottingham City Division)
One representative of Nottingham Jobcentre Plus
One representative of Nottingham Crime and Drugs Partnership

- (a) It is the role of the HealthWatch representative to ensure that the diversity of the Nottingham City's patient, public and carer population is represented at meetings of the Board.
- (b) It is the role of the Nottingham Third Sector Health and Wellbeing Provider Forum representative to represent and be accountable to all providers within this sector at meetings of the Board.
- (c) Political proportionality does not apply to membership of the Health and Wellbeing Board.
- (d) Substitutes for voting members are allowed for any of the voting members, providing that notice of substitution is given at least one hour in advance of a meeting date.
- (e) Substitutes for non-voting members are allowed, providing that they are empowered by the organisation they are representing to make decisions in line with the terms of reference of the Board and providing that notice of substitution is given at least one hour in advance of a meeting date.
- (f) All members of the Board are accountable to the organisation / sector which appointed them and employees of partner organisations are accountable to their respective employers. Each member has a responsibility and a role to play in the communication of the Board's business and progress through their respective organisation's mechanisms. They should be of sufficient seniority to represent the views of their organisation sector and to commit resources to the Board's business. It will be the responsibility of each partner agency to determine what those arrangements are.
- (g) The Board may, with agreement of Full Council, co-opt additional voting or non voting members as relevant to support effective delivery of its responsibilities.

Chairing / Voting arrangements:

- (a) the Chair of the Board shall be appointed by the Executive Board and shall be one of the councillor members.
- (b) the Vice Chair of the Board shall be appointed by the Board and shall be one of the Clinical Commissioning Group members.
- (c) it is expected that most items will be agreed by consensus but, where this is not the case, then only those members listed as voting members may vote;
- (d) In Nottingham City Council, the statutory roles of Director of Children's Services and Director of Adult Social Services are held by the same post holder who will, therefore, have two votes.

- (e) the Chair of the Board shall have a second or casting vote;
- (f) voting on all issues shall be by show of hands, subject to any legal requirements;

With regard to meetings:

- (a) the Board shall meet every other month on a programme of meetings to be determined at the first full meeting of the Board each municipal year;
- (b) the Chair of the Board shall have the right to convene, in consultation with the Vice Chair, special meetings of the Board as appropriate;
- (c) all business of the Board shall be conducted in public in accordance with section 100A of the Local Government Act 1972 (as amended);
- (d) the quorum for meetings shall be three voting members and must include at least one councillor and one representative of the Clinical Commissioning Group;
- (e) the conduct of all members of the Board shall be governed by the Nottingham City Council Code of Conduct, in addition to any codes of conduct or professional standards of their respective organisations and/or profession; and members shall behave with courtesy and respect towards others and shall say nothing which might bring the Board into disrepute or disrupt the business of the Board, the City Council, or the NHS Nottingham City Clinical Commissioning Group.
- (f) Where a decision is required before the next Board meeting is convened, the Chair may act on recommendations of officers in consultation with the Vice Chair through the following process:
 - (i) circulation of details of the proposed decision to all Board members for consultation; and
 - (ii) there being clear reasons why the decision could not have waited until the next full Board meeting. The decision will be recorded and reported to the next full Board meeting.

With regard to the agenda and reports:

- (a) the summons to attend a meeting of the Board and all reports referred to in the summons shall be sent to members of the Board at least five clear working days before the meeting concerned;
- (b) reports accompanying the agenda must be received by the Constitutional Services Officer two clear days prior to the despatch of the agenda summons;

Date of first meeting

25 June 2014 at 1.30 pm

JOINT CITY AND COUNTY HEALTH SCRUTINY COMMITTEE (8)

Membership

To be confirmed in the addendum to the report.

Terms of reference

- (a) To scrutinise health matters which impact on the Greater Nottingham area (i.e. the Nottingham City Council area and the Broxtowe, Gedling, Hucknall and Rushcliffe areas of Nottinghamshire) to include the statutory health scrutiny role in relation to those health services which serve the conurbation of Greater Nottingham;
- (b) where a relevant health service provider operates in an area wider than the Greater Nottingham area, to scrutinise any health matter that affects the Greater Nottingham area and the wider area (as far as the County boundary) but the Joint Committee will defer to the relevant City or County Health Scrutiny Committee if requested by that health scrutiny committee;
- (c) the Joint Committee is accountable to Council, has 8 City Councillors (who cannot be members of the Executive Board) and 8 County Councillors (also non-executive);
- (d) the Chair and Vice-Chair will be appointed in alternate years by each authority. The Chair will always be appointed by the authority providing secretariat services for that municipal year and the Vice-Chair will always be appointed by the authority not holding the Chair.

Meetings:

- (a) The Joint Committee will meet at least 2 times per year and usually has 11 meetings per year;
- (b) notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements will follow the Standing Orders of the authority which holds the Chair, or such Standing Orders which may be approved by the parent authorities. Meetings will be open to citizens;
- (c) the secretariat of the Joint Committee will alternate annually between the two authorities with the Chair. The costs of operating the Joint Committee will be met by the Council providing the secretariat services.

Date of first meeting

13 May 2014 at 10.15 am

JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT (4)

Membership

The Joint Committee will be composed of four Councillors from each authority.

Names of City Councillors to be confirmed in the addendum to the report.

Terms of reference

In April 1998 Nottinghamshire County Council and Nottingham City Council established a Joint Committee between the two Authorities to advise on strategic planning and transport

matters in Greater Nottingham.

The protocol agreed between the two Authorities on the establishment and operation of the Joint Committee (agreed February 2000) required a two yearly review, to ensure it remained relevant to the needs of the Joint Committee.

The terms of reference for the Joint Committee are:

- (a) the role of the Joint Committee is to advise the County Council and City Council on strategic planning and transport matters taking account of the best interests of the whole of Greater Nottingham;
- (b) the Joint Committee will be responsible for providing advice on regional, sub-regional and strategic planning and on transport matters including the following:
 - (i) preparation, review, modification and monitoring of strategic planning advice to the Regional Planning Body;
 - (ii) conformity of Local Development Documents, as agreed with the Regional Planning Body, and strategic planning and transport comments on Draft Development Plans prepared by other Local Planning Authorities;
 - (iii) the implementation of the Greater Nottingham elements of the 3 Cities and 3 Counties Growth point, including the preparing of bids for funding, agreeing programmes for implementation and keeping the implementation of the Growth Point under review;
 - (iv) co-ordination of policies and management for minerals and waste matters, including joint Local Development Documents;
 - (v) Greater Nottingham Local Transport Plan;
 - (vi) strategic issues arising from the management of the Traffic Control Centre;
 - (vii) strategic issues arising from Public Transport operations, including Bus Quality Partnerships and the development of the Nottingham Express Transit;
 - (viii) Greater Nottingham Rail Development Plan;
 - (ix) Regional Spatial Strategies, relevant sub-regional studies, Regional Transport Strategy, the Integrated Regional Strategy and any other regional/sub-regional consultation/ consultant studies insofar as the impact upon Greater Nottingham;
 - (x) strategic issues arising from the District Council air quality review and assessment;
- (c) to assist the Joint Committee in carrying out the responsibilities in (b) above, they shall be entitled to receive information and to comment where they deem appropriate on other relevant matters including:
 - (i) Development Plan policies and strategy for the rest of the County;

- (ii) Local Transport Plan for the rest of the County;
 - (iii) planning applications within Greater Nottingham subject to the statutory timetable;
 - (iv) wider aspects of Regional Spatial Strategies and Sub-Regional Studies;
 - (v) major development proposals in areas surrounding Greater Nottingham;
 - (vi) significant development in the highway and transport networks;
 - (vii) major strategic initiatives of either Authority in Greater Nottingham e.g. tackling climate change;
 - (viii) economic strategies for Greater Nottingham;
 - (ix) government legislation, regulations and guidance affecting strategic planning and transport matters;
- (d) the Joint Committee will be responsible for advising on strategic planning and transport matters across the Nottinghamshire Part of the 3 Cities Sub Area as defined by the East Midlands Regional Strategy. This area will be known as Greater Nottingham. In undertaking the responsibilities for Growth Point in paragraph (b)(iii) above, the area will also include Erewash Borough, to coincide with the boundaries of the Nottingham Core Housing Market Area element of the 3 Cities and 3 Counties Growth Point;
- (e) the views of the Joint Committee will be communicated to the appropriate executive or other body or bodies of the County and City Councils as soon as possible following a resolution by the Joint Committee. Where the Joint Committee has expressed a view on a particular matter that is the subject of a report to any of the parent executive bodies, the recommendation of the Joint Committee will be included in the report.

Membership:

- (a) the Joint Committee will be composed of four Councillors from each Authority;
- (b) with the agreement of the Chair and Vice-Chair, other members may be co-opted onto the Committee from time to time to assist the Joint Committee in carrying out the responsibilities in paragraphs (b) to (d) above. Such members will not have voting rights;
- (c) the appropriateness of co-opted members will be reviewed in accordance with review paragraph below;
- (d) the Chair and Vice-Chair will be appointed in alternate years by each authority. The Vice-Chair will always be appointed by the authority not holding the Chair.

Meetings:

- (a) the Joint Committee will meet at least 4 times a year;

- (b) notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements will follow the Standing Orders of the authority which holds the Chair, or such Standing Orders which may be approved by the parent authorities. Meetings will be open to citizens;
- (c) the secretariat of the Joint Committee will alternate annually between the two authorities with the Chair. The costs of operating the Joint Committee will be met by the Council providing the secretariat services. The work of the Joint Committee will be serviced by a Joint Officer Steering Group which will assist the Chair and Vice-Chair in setting agendas and brief them prior to meetings. They will also be responsible for communicating the views of the Joint Committee.

Disagreement between the two authorities:

- (a) where the members of the Joint Committee cannot arrive at a view on a particular issue which enjoys the support of the majority of members, that issue should be referred back to the relevant executive bodies of the two Councils;
- (b) participation in the Joint Committee will not deter either authority from expressing a dissenting opinion on any specific issue. The right to make representations at a formal deposit stage, at the Examination in Public, at a Public Local Inquiry or at any consultation stage in the formal development plan making process, will not in any way be curtailed by membership of the Joint Committee.

Review:

The role and operation of the Joint Committee will be kept under review, with a further complete review of its responsibilities and workings not later than two years from the adoption of this revised protocol.

Date of first meeting

27 June 2014 at 10.00 am

NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY (6)

Membership

To be confirmed in the addendum to the report.

Date of first meeting

23 May 2014 at 10.30 am

NOTTINGHAMSHIRE POLICE AND CRIME PANEL (4)

Membership

To be confirmed in the addendum to the report.

Terms of Reference

Functions of the Police and Crime Panel

The terms of reference of the Panel are as follows:

1. To review and submit a report or recommendation on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner.
2. To review the annual report and put questions regarding the report to the Police and Crime Commissioner at a public meeting, and submit a report or recommendation as necessary.
3. To hold a confirmation hearing and review, submit a report, and recommendation as necessary in respect of proposed senior appointments made by the Police and Crime Commissioner (Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner).
4. To review and submit a report and recommendation as necessary on the proposed precept.
5. To review or scrutinise decisions made or other action taken by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions.
6. To submit reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the Commissioner's functions.
7. To support the effective exercise of the functions of the Police and Crime Commissioner.
8. To fulfil functions in relation to complaints in accordance with the Panel's responsibilities under the Police Reform and Social Responsibility Act 2011 (the Act).
9. To appoint an Acting Police and Crime Commissioner if necessary.
10. To suspend the Police and Crime Commissioner if it appears to the Panel that the Commissioner has been charged with a relevant offence.
11. To exercise any other functions delegated to police and crime panels under the Police Reform and Social Responsibility Act 2011 as required.

Operating Arrangements

12. The Panel is a joint committee of the county, city, borough and district councils in Nottinghamshire.
13. Nottinghamshire County Council will be the Host Authority in establishing and maintaining the Panel and will arrange the administrative, secretarial and professional support necessary to enable the Panel to fulfil its functions.
14. The Panel will be comprised of 10 councillors and a minimum of two co-opted independent members. Councillor membership can be increased by co-opting additional members with the unanimous agreement of the Panel, and any proposal for an increase in membership would be subject to the approval of the Secretary of State.
15. All Members of the Panel may vote in proceedings.

16. The local authorities will co-operate to provide the Panel with additional officer support for research, training and development, or where particular expertise would be of assistance.
17. The local authorities will co-operate to ensure that the role of the Panel is promoted internally and externally and that members and officers involved in the work of the Panel are given support and guidance in relation to the Panel's functions.
18. The Panel must have regard to the Policing Protocol issued by the Home Secretary in carrying out its functions.

Financial Arrangements

19. The funding provided by the Home Office to support the work of the Panel will be received by the County Council as Host Authority. The Panel will seek to operate within the limit of the Home Office funding.
20. The Home Office funding includes a specified sum per member per annum to cover their expenses. Each local authority will be allocated the appropriate sum and will pay the expenses of its own representatives.
21. Each authority has discretion to pay its representatives an allowance including any special responsibility allowance if they are appointed Chairman or Vice Chairman.

Membership – Appointed Members

22. Appointment of elected members to the Panel will be made by each local authority at its annual meeting or as soon as possible afterwards, in accordance with its procedures. Appointments will be made with a view to ensuring that the "balanced appointment objective" is met so far as is reasonably practicable, i.e. to:
 - a. represent all parts of the police area;
 - b. represent the political make-up of the relevant authorities and the Police Force area overall
 - c. have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively
23. The Panel's membership will be one councillor appointed by each authority plus one additional councillor appointed by Nottingham City Council and two co-optees from Nottingham City Council, who shall be Councillors.
24. It is for each council to decide whether to appoint executive or non executive members (if applicable), however where there is an executive mayor they must be nominated as an authority's representative (although they are not under a duty to accept the nomination).
25. The Panel will review at its annual meeting whether or not the balanced appointment objective is being met and if it concludes that it is not, the Panel will determine what action is needed to meet the objective.

Membership – Co-opted Members

26. The Panel will co-opt two independent members in accordance with the eligibility criteria set out in the Act.

27. The Panel will invite nominations and will make arrangements for appointment.
28. Independent members will be appointed for a term of 2 years. There will be no restriction on the overall time period that an independent member can serve on the Panel.

Conduct of Panel Members

29. Members appointed by authorities will be subject to their own authority's code of conduct. Independent co-optees will be subject to the Host Local Authority's code of conduct.

Vacancies

30. Each council will fill vacancies for elected members in accordance with the arrangements in its constitution. Vacancies for independent members will be filled in accordance with the selection process agreed by the Panel.

Resignation of Members

31. Members of the Panel who wish to resign should do so in writing to their appointing council (as applicable) who will in turn notify the Host Local Authority as soon as possible.

Removal of Appointed Members

32. Each local authority will have the right to change its appointed member at any time but must give notice to the Host Local Authority and ensure that replacement does not affect the political balance requirement.

Removal of Independent Members

33. An independent member may only be removed from office if an appointed member has given notice to the Host Local Authority at least 10 working days prior to a meeting of the Panel, of their intention to propose a motion that an independent member's co-option be terminated. At the subsequent meeting, termination will only be confirmed if at least two-thirds of the persons who are members of the Panel at the time when the decision is made vote in favour of termination.

Amendments to Panel Arrangements

34. Changes to the Panel Arrangements can only be made with the unanimous approval of all the local authorities in the Nottinghamshire Force area. The only exception to this requirement is that the Panel can decide to increase the number of co-opted members, subject to Secretary of State approval. Any councillor co-options also require the agreement of all the members of the Panel.

Promotion of the Panel

35. The Panel Arrangements will be promoted by:
 - a. the establishment and maintenance by the Host Local Authority of a webpage;
 - b. all the local authorities including information about the Panel on their websites;
 - c. appropriate support and guidance will be provided to members and officers of the local authorities in relation to the functions of the Panel.

Date of first meeting

To meet as required.

CITY COUNCIL – 12 MAY 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 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>
1383	19/03/2014	Equal Pay Settlements	Exempt	Leader	Chair of Overview and Scrutiny Committee	Any delay would seriously prejudice the Council's interest.
1406	31/03/2014	Transfer of music service to become Nottingham Music Service Charitable Incorporated Organisation (CIO)	£134,000	Portfolio Holder for Leisure and Culture	Chair of Overview and Scrutiny Committee	The delay caused by call-in would seriously disadvantage the Council's or the public's interest.
1430	11/04/2014	Green Deal Communities Funding	Exempt	Deputy Leader	Vice-Chair of Overview and Scrutiny Committee	The Council is obliged to accept the funding by 14 April 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>
11/04/2014	Green Deal Communities Funding	Exempt	Leader	The decision could not be delayed because the Council had to return the paperwork to accept the funding by 14 April 2014.

CITY COUNCIL - 12 MAY 2014

REPORT OF THE CHAIR OF THE LICENSING COMMITTEE

REVIEW OF STATEMENT OF LICENSING POLICY

1 SUMMARY

- 1.1 As a Licensing Authority for the purposes of the Licensing Act 2003 (the Act), the Council is required to produce and publish a Statement of Licensing Policy (the Statement). The Statement was reviewed last year and a new Statement came into effect from 7 January 2014 for a 5 year period. However, following further consideration of that part of the Statement relating to the City Centre Saturation Zone Council is asked to consider proposed revisions to that part of the Statement and to approve their release for public consultation.
- 1.2 The proposed revisions were presented to Licensing Committee on 25th April 2014 which supported this proposal. Since then however the revisions have been amended slightly to reflect the fact that the Time and Place Plan is now adopted, rather than draft, Council Policy.

2 RECOMMENDATIONS

It is recommended that Council:

- 2.1 approve the draft revisions to the Statement of Licensing Policy relating to the City Centre Saturation Zone and policy for release for public consultation

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 It is a statutory requirement that the Council has a Statement of Licensing Policy and any proposed amendments to that Statement are required to go through a process of public consultation.
- 3.2 The proposed revisions (facilitating the amendment of the City Centre Saturation Zone boundary to include two additional areas) are felt to be appropriate in order to promote the licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance. The proposals also help to align the Statement with other Council policies.
- 3.3 The outcome of the consultation will be reported back to a further meeting of Council to consider whether the proposed revisions should be adopted.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 Not amending the City Centre Saturation Zone and Policy – this was rejected as evidence tends to suggest that the effect of cumulative impact has spread beyond the existing designated area.

5 BACKGROUND

- 5.1 As a Licensing Authority for the purposes of the Licensing Act 2003 (the Act), the Council is required to produce and publish a Statement of Licensing Policy (the Statement). The purpose of the Statement is to inform those making and considering

applications for licences and other notifications under the Act of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and Statutory Guidance issued by the Home Office. Such Statements remain in force for a period of 5 years but must be kept under review and revised at such times as the Licensing Authority considers appropriate.

- 5.2 Please note that hard copies of supplementary documents are available in members' group rooms and accessible electronically via the Nottingham City Council website and the Mod.Gov app.
- 5.3 The Statement was reviewed last year with a new Statement adopted by Council on 9th December 2013. This Statement came into effect from 7 January 2014 for a five year period. A number of comments were received during the public consultation on that Statement which related to the City Centre Saturation Zone. Comments were also received from the Director of Planning and Transport suggesting a potential redrawing of the boundary of the Zone to align more closely with other Council policies. Given the need to have a Policy adopted and in place by January 2014 Council, at that time, felt it appropriate to retain its existing approach. However it was indicated that further consideration would be given to City Centre Saturation Zone and policy in the new year. A formal request to re-consider the boundaries of the City Centre Saturation Zone was received from the Director of Planning and Transport in January 2014 (Appendix 1). This request suggested a potential expansion of the City Centre Saturation Zone to the west and a removal of part of the Saturation Zone to the south.
- 5.4 As a result of this request and other concerns about alcohol related crime which have been emerging to the east of the City Centre further consideration has been given to the appropriateness of the existing City Centre Saturation Policy and Saturation Zone boundaries. The main evidence in support of the current policy (primarily the statement of Sergeant Richard Shaw which was presented to Council in December 2013) is felt to remain applicable and is supported by a more recent report from the Crime and Drugs Partnership (Appendix 2). The removal of the canal side area to the south of the existing Zone is not supported as alcohol related crime and disorder levels remain high in this area and have in fact increased. It is therefore felt appropriate that all of the existing designated area be retained within the scope of the Policy.
- 5.5 The Report of the Crime and Drugs Partnership and a statement from Jennifer Guiste, Principal Enforcement Officer, (Appendix 3) do however identify further concerns that the effect of cumulative impact has spread beyond the existing designated area. Council is therefore asked to consider the addition of two areas to the City Centre Saturation Zone. These areas are identified as SZ1 and SZ2 in Appendices 2 and 3. It is proposed that revisions be made to paragraphs 6.32-33 and Appendices B and C of the Statement to reflect these additions and to address the issue of cumulative impact within them (Appendix 4). The addition of SZ2 also helps to align the Statement with other Council Policies such as the emerging Land and Planning Policies Document and the Time and Place Plan.
- 5.6 Before determining any amendment to its Statement of Policy, the Authority must consult with:
 - The chief officer of police for the Authority's area
 - The fire and rescue authority for that area
 - Each Local Health Board for an area any part of which is in the licensing authority's area,
 - Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any

part of which is in the licensing authority's area

- Such persons as the Authority considers to be representative of holders of premises licences issued by the Authority
- Such persons as the Authority considers to be representative of holders of club premises certificates issued by the Authority
- Such persons as the Authority considers to be representative of holders of personal licences issued by the Authority
- Such other persons as the Licensing Authority considers to be representative of businesses and residents in its area

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

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

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

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

7.1 In devising its Licensing Policy the Licensing Authority must have regard to the four licensing objectives and the Statutory Guidance. In relation to Saturation Policies the Guidance indicates that these should be evidence based arising from a concern about crime and disorder, public safety, public nuisance or the protection of children from harm which is being caused by the customers of licensed premises in the area identified or where the risk of cumulative impact in that area is imminent.

7.2 It is a statutory requirement that any proposed revisions to the Statement of Licensing Policy be the subject of consultation with prescribed bodies and individuals prior to final consideration by full Council. As with any Council policy, if the revisions to the Statement are adopted they will be open to challenge by way of judicial review though it is unlikely that any formal challenge would be made on the basis of the consultative draft currently before Council.

7.3 The Statement of Licensing Policy has been prepared to enable fairness to all parties in relation to Equality & Diversity issues.

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

8.1 Evidence supporting the existing City Centre Saturation Zone and boundary Statement of Sergeant Richard Shaw dated 27 March 2013 including

- Item RS/1 – Pub, Club, Off-Licence density in the East Midlands
- Item RS/2 – Violence – City Division
- Item RS/3 – Alcohol Report February 2013

8.2 • Time & Place Plan April 2014

8.3 • Draft Land and Planning Policies Document

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Licensing Act 2003

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

**COUNCILLOR BRIAN GROCOCK
CHAIR OF THE LICENSING COMMITTEE**