

NOTTINGHAM CITY COUNCIL

held at the Council Chamber – at the Council House

on 8 September 2014 from 2.00 pm – 4.58 pm

ATTENDANCE

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

38 APOLOGIES FOR ABSENCE

Councillor Eunice Campbell – non-council business
Councillor Carole McCulloch – non-council business
Councillor Thulani Molife – non-Council business

39 DECLARATIONS OF INTERESTS

None.

40 QUESTIONS AND PETITIONS FROM CITIZENS

Questions from citizens

No questions from citizens were received.

Petitions from Councillors on behalf of citizens

No petitions from Councillors were received.

41 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL HELD ON 14 JULY 2014

The minutes of the meeting held on 14 July 2014 were confirmed as a correct record and signed by the Lord Mayor.

42 OFFICIAL COMMUNICATIONS

Honorary Alderman Roy Greensmith

The death of Alderman Roy Greensmith, who passed away on Monday 25 August was reported to Council. Born in the Meadows in 1929, Roy joined the army in 1947, serving in Egypt before returning to work for British Rail, where he remained for 47 years. An active member of both the trade union movement and the Labour Party, Roy was elected to the City Council in October 1992, representing Clifton East. Roy was appointed Sheriff of Nottingham in 1995 and served as Lord Mayor in 1997/98 and 2001/02. His funeral will take place on Friday 19th September at 2pm at Holy Trinity Church in Clifton.

The Lord Mayor, Councillors Georgina Culley, Michael Edwards and Chris Gibson spoke in tribute to Honorary Alderman Roy Greensmith. The Council stood in silent tribute to his memory.

43 QUESTIONS

Findings of the Rotherham report

Councillor Roger Steel asked the following question of the Portfolio Holder for Children's Services:

In the light of the findings of the Rotherham report, can the Portfolio Holder assure the Council that all appropriate steps have been taken to avoid similar circumstances within Nottingham, and what action has been taken following these terrible findings to make sure all of Nottingham's children have been safeguarded from abuse of this nature?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Steel for his question. The report on the findings of the Jay Independent Inquiry highlights terrible abuse and shocking failing of children and young people by officers at Rotherham Council and South Yorkshire Police. Since the publication of the report last week, I have sought reassurances from officers that our current arrangements protect Nottingham's young people from child sexual exploitation and that there are no uninvestigated incidents of this kind in the past.

In Nottingham we have a tradition of taking allegations of child abuse very seriously and investigate any historical concerns fully. Councillors will be aware that we have been undertaking an inquiry jointly with Nottinghamshire County Council and Nottinghamshire Police into historical allegations of abuse in care homes, dating back beyond the 1970's in some cases. Whilst these alleged incidents occurred when the law and frameworks for care were very different, abuse is never acceptable and we will always endeavour to bring to justice any perpetrators.

In terms of child sexual exploitation I am please to report that we have robust arrangements in place and that we have very strong links to Nottinghamshire Police's Sexual Exploitation Investigation Unit. Partners share relevant intelligence that enables us to work jointly to protect vulnerable young people from crimes of this nature. Where concerns have been identified in Nottingham City we have acted promptly and proactively to safeguard the young women involved and bring the perpetrators to justice.

The Local Safeguarding Children's Board, which has an independent chair, has a dedicated sub-group which brings together partners to look at issues around child sexual exploitation in the city. There is a strong strategy in place to ensure that all partners are aware of their responsibilities and we have multi-agency training available to all practitioners to help them identify the signs of child sexual exploitation and the appropriate steps to take to protect children who may be at risk. One hundred and seventeen city based staff have so far undertaken this training.

It has been identified nationally that children who are in care and who go missing from care are particularly vulnerable. Nottingham City has invested in a specialist Children in Care Police Officer who works proactively with our children in care to identify any potential issues of this nature. She also chairs a Child Sexual Exploitation Concerns Forum for front-line practitioners across partner agencies to ensure that they are able to access specialist advice and guidance if they have concerns that a child may be being sexually exploited.

We have also established a dedicated team who ensure that all children who go missing are safeguarded and supported robustly. For those children who have been the victims of child sexual exploitation or who are at risk we work closely with the

NSPCC on their Protect and Respect initiative. This initiative supports young people between the ages of 11 and 19 who are or have been at risk of child sexual exploitation undertaking direct work to ensure that vulnerable young people are able to identify the warning signs if they are at risk and gives them support to access services including housing advice and counselling. This Council also adopted the Barnardo's 'Set them free' campaign, aimed at reducing sexual exploitation of children following a debate in this chamber in June 2012.

Following our recent Ofsted inspection of services for children in need of help and protection, children in care and care leavers earlier this year we also have an independent view of our safeguarding services which said that: "Children who go missing from home, care and/or education, and those at risk of sexual exploitation are identified and tracked, to ensure that they receive appropriate service to reduce risks." Although we can never be complacent, it is reassuring to know that a thorough four week inspection involving examination of over 200 cases concluded that our work in this area is robust. Since the publication of the report we have taken steps to ensure front-line workers, schools and others know how to escalate any concerns they have to senior officers where they feel that they are not being listened to.

The local Safeguarding Children's Board will be leading a formal review of the implications from the Jay report to ensure that our local practice and procedure comply fully with the recommendations made.

Civics in ceremonial regalia

Councillor Georgina Culley asked the following question of the Leader of the Council:

Would the Leader of the Council state why Nottingham's civics have been allowed to wear full ceremonial regalia at political campaign events and in associated publicity? Could he state whether advice was taken on this and, if so, what advice was received? Does he agree with me that these actions undermine the impartiality of the civic roles and could he apologise to the electorate for the highly inappropriate use and detail what steps he will take to ensure it does not happen again?

Councillor Jon Collins replied as follows:

Thank you Lord Mayor, I have absolutely no idea what event Councillor Culley is talking about but I am confident that the use of ceremonial regalia by the civics has on all occasions been appropriate.

Fines issued on Station Street

Councillor Eileen Morley asked the following question of the Portfolio Holder for Planning and Transportation:

Considering the huge number of fines issued on Station Street, why did the Council let it go so far without investigating why so many people were being unwittingly caught out? Is this scheme not tantamount to entrapment?

Councillor Jane Urquhart replied as follows:

Thank you Lord Mayor and thank you Councillor Morley for your question, of course, this issue has recently featured in the Nottingham Post so I had somewhat been expecting it. The bus gate on Station Street was originally introduced to support the Nottingham Station closure that people will recall took place last summer. At that time, we couldn't have trains from the west entering the Station and only a limited service from the east, therefore considerable alternative transport provision had to be made.

We know that people travelling to the station have a very strong 'mental map' of the way they get there, so it was important to change the public's perceptions of access quite some way in advance of the works starting. So, the traffic routes were changed well in advance and were signed extensively with a mixture of large mobile variable message signs, they're not very pretty temporary signs, they're bright yellow, have variable messages on them and sit on junctions. They don't look fabulous but they serve a purpose in giving people a message that is different to the usual. So, there were large variable message signs, there were temporary signs and there were permanent signs. There were 22 signs in total.

The Council also widely communicated and promoted the bus gate in conjunction with Network Rail, Midland Trains, the Evening Post and the businesses along Station Street itself. I think I was interviewed twice on local radio and did at least one, if not two interviews on local television as well at the time the changes were made.

For the first 3 weeks of the restriction, warning notices were issued that did not incur a penalty to anyone. We issued 1,292 notices which gave motorists clear notice of the change without incurring any financial penalty at all. Now, clearly a Council only intent on making money or intent on entrapment wouldn't have taken such a step to warn when we had the power to issue notices right from the beginning but we chose not to because of course, our aim was to set up a traffic system which ensured that traffic could flow appropriately and sensibly around the station area to enable the station works themselves and those altered patterns of public transport that we were seeing at that time.

So, given the very large extent of the advance publicity, the on-site signage, the signage on the approach routes, both at BBC Island and at London Road, it could possibly be said, Councillor Morley, that people would have to be lacking in wit to fail to notice all of that.

The bus gate remained as works to extend the tram progressed and there was clearly, still, a good deal of work going on in the Station Street area until, ultimately, the bus gate was replaced by the road closure we can see today because of the nature of the works currently going on at Station Street. So, we issued over 17,000 Penalty Charge notices during the time that the gate was in operation and of those, there were 91 that were appealed against and went to the Adjudication Service. What we saw during the bus gate being in operation, and as with most new traffic regulation was that, initially, after the bus gate was in operation the number of violations was considerably higher than over the succeeding months. As is usual, you get higher levels of violation at first, and then once people get used to the new arrangements those levels start to decline.

So, 91 appeals out of 17,000 which represent an appeal rate of 0.56%. Our average across the city is 0.57%, so Station Street is no different to any of the other places in the city where we issue. So, if anybody is wondering if Nottingham's appeal rate is unusually high, perhaps people appeal more because perhaps all across the city our traffic regulation we are issuing tickets in too harsh a way, I can tell you that across the country again, that rate is about average. Rates vary from about 1% of tickets in some places to lower, at the lowest end 0.14%; we are about at the mid-point nationally as well.

The appeals process is one which is independently administered by the Traffic Penalty Tribunal through their parking adjudicators. Of those cases that have been to appeal the Council has won 25, lost 10 and we are awaiting the result on 5 cases. Of the remaining ones, 23, we did not contest as an authority and some of those were because of mitigating circumstances such as medical reasons for need for access, particularly to the NHS reception on Station Street, which emerged through the process of the appeal, as happens. Some of those that we didn't contest were actually people that were entitled to go through the gate and had mistakenly been sent tickets, so for example, Hackney taxis and even buses. The remainder that weren't contested, as is consistent with other traffic penalties from time to time, include a wide variety of reasons and those cases followed correspondence with the Traffic Penalty Tribunal about what we should do, and ultimately, there are far too many specific individual cases to describe here.

It is my view that in relation to the recently publicised cases, which may well have prompted the question, which the particular adjudicator has perhaps overlooked important evidence we supplied and we are taking that issue up with the Traffic Penalty Tribunal. I am satisfied that the Council has acted reasonably and fairly to the motoring public in terms of this particular junction, as we do with all changes to traffic regulations, in the amount of warning, in the amount of signage, in the amount of notice we gave to accommodate our station's transformation and the tram construction. So no, I don't think that we should have acted more quickly or sooner, I think we acted in the way that we should and of course, people who don't manage to take notice of the extensive signage in a range of places are liable to get penalty notices. That is the way that the traffic regulation process works, it is about keeping our traffic flowing appropriately and it is about making changes that we need to make from time to time to change the flow of traffic where we have particular circumstances to respond to.

Tragic revelations in Rotherham

Councillor Malcolm Wood asked the following question of the Portfolio Holder for Children's Services:

Given the tragic and disturbing revelations in Rotherham, will the Portfolio Holder for Children's Services assure Council that child protection issues are taken extremely seriously here in Nottingham and further, is he confident that there are robust scrutiny mechanisms in place to protect vulnerable young people?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Wood for his question. Nottingham City Council takes its responsibilities to safeguard and protect the most vulnerable children and young people very seriously. The Council has continued to invest in our front-line child protection resource, protecting them as far as is possible in the face of considerable cuts to our funding from central government. Unfortunately, due to the current government's policies on welfare reform we are seeing more families under stress and requiring our help. Demand for services that support these families has never been higher.

My previous response to Councillor Steel's question regarding child sexual exploitation should reassure the Council that we have strong arrangements in place with our key partners to identify and respond when we have concerns of this nature. I am equally reassured that our broader response to child protection issues is just as robust and concerns are taken just as seriously. Our recent Ofsted inspection of services for children in need of help and protection, children in care and care leavers found that Nottingham children were safe. The inspectors commended the work of our front-line social work colleagues in identifying and responding to concerns raised by the public and our partners. Scrutiny of these arrangements is led by our Local Safeguarding Children's Board and its sub-groups. The Board oversees the work of all our key partners to protect and safeguard our most vulnerable children. I am pleased to say that we have very strong engagement from our partners which enables the Board to effectively challenge where organisations could be doing more to fulfil their duties to protect Nottingham citizens. The Board is chaired independently of the Local Authority to ensure that scrutiny is robust.

Our Independent Chair has strong links into the Local Authority to enable him to raise any concerns with senior officers and councillors. He reports annually to the Children's Partnership Board, Health and Wellbeing Board and attends a quarterly Safeguarding Assurance Forum that includes other key individuals with a role in safeguarding children in the city. All of these opportunities ensure that scrutiny and independent challenge are well embedded in the city to ensure we are all doing all we can to protect our vulnerable young people.

Our own Overview and Scrutiny Committee has considered work in this area. In 2013, the Committee received a presentation and report relating to the work taking place by the Council and its partners to tackle Child Sexual Exploitation. On 12 November 2014, the Committee will be scrutinising the Nottingham City Safeguarding Children Board Annual Report 2012-13 and the action plan following the Ofsted inspection report published in May this year. Any recommendations relating to future scrutiny of this area of work can be included in the work programme for Overview and Scrutiny and its Scrutiny Review Panel.

Our residential homes are closely monitored by Ofsted annually and unannounced Regulation 33 internal visits to homes take place monthly. Lord Mayor, I take part in these visits on a regular basis and find them both informative but challenging for the staff. They involve conversations with young people without staff present and with their birth parents encouraging real dialogue. Young people in our care are also given independent advocates with whom they can discuss concerns or make complaints as well as with their social workers and carers.

I would say finally, that whilst we are confident that we have established a proactive system, we are not complacent and know that dangerous and unpleasant people can find ways to target vulnerable young people. We will always take any new concerns seriously but can only investigate what is reported. We would urge anyone who has concerns about child safety always to ensure that those concerns are reported to the City Council.

Green Flag awards in Nottingham

Councillor Neghat Nawaz Khan asked the following question of the Portfolio Holder for Leisure and Culture:

Could the Portfolio Holder for Leisure and Culture update Council on the progress of Green Flags in Nottingham's Parks and Open spaces?

Councillor Dave Trimble replied as follows:

Thank you Lord Mayor and can I thank Councillor Neghat Khan for her question. Our Parks and Open Spaces team have won the Association of Public Sector Excellence Awards for the National Best Parks Team of the year for the last two years and three times in the last five years. It has been short-listed again for the Award on Thursday.

The Green Flag Award Scheme recognises and rewards the best Parks and Green Spaces in the country and it is the only nationally recognised quality standards for Parks and Green Spaces in the entire country. In 2014, a record number of awards were made nationally with 1,476 parks and green spaces currently flying a Green Flag or Green Flag Community Award.

In Nottingham our award winning Parks Team has continued to drive forward a multi million pound improvement programme the vast majority of which has been externally funded. This, combined with active community involvement and improving maintenance standards, has enabled many of the city's parks to achieve the national standard again this year. My predecessor, Councillor Unczur started the policy of Green Flags and achieved four Green Flags early on. In the last seven years, that number has increased from four Green Flags to twenty this year. If you take all of the categories of Green Flags, the improvements in Nottingham's Parks and Open Spaces, this year has resulted in a very impressive thirty seven Green Flag Awards in total. Of this total, 20 are Nottingham City Council Green Flags including 3 new awards at Colwick Woods Local Nature Reserve, Harrison's Plantation Local Nature Reserve and Bulwell Forest Park. Plus another two special awards for Nottingham City Council called Heritage Green Flags, awarded to the Forest and the Arboretum. The universities have three Green Flags, two for the University of Nottingham and one for Nottingham Trent and there are twelve Green Flag Community Awards which are led by the Community such as Arkwright Meadows Community Gardens. We do work in partnership with the community and the initiatives are led by the communities.

The Green Flags the City Council has place us above all local authorities in the midlands, the best of all the core cities and at a national level, we are the third highest for Green Flags in the country and the fourth highest in UK behind the London Borough of Hillingdon, Edinburgh and Westminster City Councils, all of which are more cash rich than Nottingham and will have a much higher Council tax base

than we have here in Nottingham, and percentage wise, will have suffered much lower cuts than we have had to manage over the years.

Lord Mayor, we may not have the financial advantage of Westminster, Kensington and Chelsea or Richmond Borough, we don't have their advantage of having royal parks which are opened by the Queen and paid for by the government but, we do have a lot of parks in Nottingham that we can rightly be proud of. So, I am sure that you will agree with me that our Parks team deserve congratulations for all their hard work and entrepreneurial approach in securing millions of pounds in external funding. They deserve congratulations on their partnership working and the community engagement they carry out too. Our Labour councillors deserve congratulations for prioritising their ward budgets to improve local parks, without which any of these or previous awards would have been possible. Lord Mayor, we have made great progress in having lots of our parks recognised as amongst some of the best parks in the country, but I don't want Nottingham to be just the best in the east midlands or of the core cities, I want Nottingham to be the best in the country and we intend to secure even more Green Flags in the future in order to do that.

Lord Mayor, our parks are really important to Nottingham people and I hope that they are important to us. Of course, the more local members prioritise their parks with more match-funding, the better we will get and the quicker we will get there in being the best in the country for our parks.

Government's pledge on a 'family test'

Councillor Mohammed Saghir asked the following question of the Portfolio Holder for Children's Services:

Could the Portfolio Holder for Children's Services comment on Cameron's recent pledge to make sure all government policy passes a family test, and does he agree with me that Cameron's policies thus far would have failed his own test?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Saghir for his question. In August, David Cameron gave a speech stating that from October, all government policies would have to pass a 'family test' with every new policy examined for its impact on the family, helping families 'come together and stay together.' On the face of it laudable aims. In an attempt to show some 'real impact' he announced additional funding for the Troubled Families' Initiative and adoption, as well as more money for relationship counselling. Whilst we welcome addition time-limited funding to address the issues that workless families, living at or below the poverty line, face, and, whilst any additional help that enables us to find permanent families for children in our care is always a good thing, I believe that these initiatives are tacking the symptom and not the cause.

After four years of policy that has done anything but support families, especially those who are the most vulnerable, after a programme that appears to many as showing somewhere between wilful disregard and callous vindictiveness towards poorer families, David Cameron's announcement, I fear, is more based on polling data

showing that not enough voters see the Conservative party as family friendly and that his party is less popular with women.

Many of the coalition's own policies have had a significantly adverse affect on families in this city and would, indeed, fail their own family test. A recent report produced by the Advice Nottingham consortium presented a stark evaluation of the effects of the welfare reforms on children in Nottingham. The report states that families deemed to be under occupying their accommodation are experiencing financial hardship and face either increased costs or potentially moving home and losing social support networks. Children have to change schools or travel further to get to school if their families are forced to move. Whilst it may be thought that the bedroom tax mainly affects those whose children have left home, the facts show that in Nottingham, over 1500 households where children live have been affected by the bedroom tax – that's 35% of the total number of affected household. How would this policy fare against the Prime Minister's family test? Lord Mayor, I believe that it would fail the test.

The report also cites many parents who have been subject to the pernicious benefit sanctions system relying almost entirely on food banks to feed their children. So far 273 families with children have been beneficiaries of the Emergency Hardship Scheme. We know from national surveys of teachers that more children are coming to school hungry, without the right uniform and ill-prepared to learn due to their home circumstances. Demand for our services that support vulnerable children and families in the city has never been higher and reports across the country are of parents going without meals themselves to feed their children. This is happening in one of the world's richest countries. How has the government done in the family test exam? Lord Mayor, it has clearly failed.

Those losses can be added to if you look at policies outside those affecting the income parents are receiving. One of this government's first decisions was to scrap the Education Maintenance Allowance, a grant that supported 16-18 years old from low income families with travel and equipment costs for further education. These costs are now added to the family outgoings unless the young person can secure a bursary from their college. Funding for local authorities to facilitate work experience for 15 and 16 year olds was ended by the coalition government in April 2011. This has meant that whether a young person gets the benefit of a work placement is now a post code lottery; more policy changes not supporting young people and their parents, leading to worse preparation for the world of work, not passing the family test, but once again failing it.

Even those families in the city who are not facing severe poverty are experiencing the effects of the government's ill-conceived and poorly delivered policies. In Nottingham, we experienced the situation whereby a primary free school trust received government approval to open and began actively recruiting pupils. Premises (which the Council felt were inappropriate for a primary school – being a former Victorian industrial building with limited outdoor space) were secured, but, barely four months before the school was due to open, the same government that had approved the school opening pulled the plug on it, without ever revealing very convincing reasons for doing so. This left fifty or so children and their families confused, uncertain and clearly without a school place and the Council having to support them to find suitable places at very short notice.

As Council will be aware, this is during a time when there is city wide pressure for school places and very limited central government financial support to rectify it. The free school policy comes on top of the earlier decision to scrap the promised Building Schools for the Future funding thus leaving many of our secondary pupils' learning in buildings that badly need renovation.

So, to conclude, in the absence of a 'family test' to date the government has failed to protect vulnerable families and has only increased the burden on those who are only just coping. It has failed to deliver on its own policies to support parental choice and help families stay together. If the 'family test' in the future works to block such ill-conceived, ideologically-driven rather than evidence based decisions, I would support it whole-heartedly. My fear, however, is that this is merely a cynical attempt to bring those families this government has already failed so badly, back on board in the run up to a General Election in 2015.

GP services in the Meadows

Councillor Michael Edwards asked the following question of the Portfolio Holder for Adults, Commissioning and Health:

What matters does the Council need to consider in the light of the plan to change the provision of GP services in the Meadows?

Councillor Alex Norris replied as follows:

Thank you Lord Mayor and I thank Councillor Edwards for his question. I would like to take this opportunity to recognise Councillor Edwards' hard and swift work when he found out about planned changes to GP provision in his ward. I think without that they would not have been put quite firmly on the agenda as they might have been so I would like to take the chance to recognise that.

Councillor Edwards and I were both on the receiving end of a crash course in GP provision and precisely what GP surgeries might mean to us but actually what they mean in the law and in our communities. I think before this, we would consider GP surgeries to be community assets, things that sit in the heart of our communities that are much loved, much used and much needed in the way that we would other Council facilities. Similarly, recently there were proposed changes to a fire station in my ward and I, along with my colleagues, raised a community campaign to say that we didn't think these things were the right things to do and I think we would expect to do the same thing in respect of changes to the provision of GP services.

It is worth the chamber understanding that GP provision doesn't actually work this way and that is what this Council has learnt from this matter. I spoke to a GP colleague of mine who I work with on the Health and Wellbeing Board and we talked this through, he said, "Alex, you're looking at this the wrong way, you're thinking of them as community assets like fire stations but actually you need to think of them as small businesses, like the local corner shop." Actually, should that proprietor decide that he doesn't want to trade from those premises anymore and wishes to trade somewhere else or join with a colleague he is very much free to do so. It has happened in the Meadows and we are learning from that. Just before I go on to how

we are going to prepare ourselves for that in the future, it is very important that all members in the chamber that all our wards are very aware that there is a lot more of this to come.

The demography of our GPs, the nature of their practices and what we call 'single-handed' practices are increasingly less fashionable and as a result, we may see more practices merge and we need to be aware of that and ahead of those trends in our wards to make sure services do not suffer.

As part of that exercise, I have spoken to NHS England who are responsible for the commissioning of primary care to ensure that people in our city have access to the right GP surgeries and I have secured a number of commitments that they will be ensuring - whatever specific and individual changes there might be, that patients safety and access to the services they might need will always be protected and paramount, that the premises used will be fit for purpose, especially with regard to disability access but also local transport access which we know is very important to people in our communities. We use mergers in our communities as an opportunity to improve the range of services offered and extend access for appointments where possible and that critically, patients are involved in the process at an early stage so that they know what is happening and they can make sure the merger works for them, not just the individuals in charge.

I think we consider from the episode in the Meadows over the last couple of weeks that the consultation didn't take that form, and that the timeliness and the sequence of events meant that those who had a direct interest, whether it is local councillors or a patient group, didn't feel that they had an opportunity to actually shape the outcomes of the merger so that, certainly, is a keen learning point. So, from this, what I am currently developing from Councillor Edwards' very detailed notes, is a protocol that places scrutiny of this organisation's role within the Health and Wellbeing Board, so that we can be assured that the services delivered are meeting the test that NHS England have pledged to us, and I will be seeking to agree that with NHS England so that we know then, not just on an episode by episode basis, that we can be assured that quality provision is available.

There will always be a function for us, and something that we need to be aware of is to make sure that the quality of provision, either at existing practices or new/emerged practices, is that the quality of provision is there. Working through this exercise has certainly given me greater awareness of just how much information we can get from NHS England about the quality of our practices and I very much ask you to consider that in the course of your work.

44 REPORT OF THE LEADER ON RECORDING AND REPORTING ON PUBLIC MEETINGS

The Leader submitted a report on the Policy on recording and reporting on public meetings, as set out on pages 25 to 32 of the agenda.

RESOLVED to adopt the policy recording and reporting on public meetings.

45 REPORT OF THE LEADER ON GENERAL AMENDMENTS TO THE CONSTITUTION

The Leader submitted a report on general amendments to the constitution, as set out pages 33 to 50 of the agenda.

RESOLVED to agree and note the constitutional amendments as set out in Appendix 1 to the report.

46 REPORT OF THE LEADER ON DECISIONS TAKEN UNDER URGENCY PROCEDURES

The Leader submitted a report on decisions taken under the urgency procedures, as set out on pages 51 to 56 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>
1542	03/07/14	Approval of costs for a child in care	Exempt	To allow for a timely implementation of the decision.
1543	03/07/14	Approval of costs for a adult care package	Exempt	To allow for a timely implementation of the decision.
1544	03/07/14	Approval of costs for a adult care package	Exempt	To allow for a timely implementation of the decision.
1547	03/07/14	Building Foundations for Growth – Enterprise Zone Capital Grant Fund – Accountable Body	£5,500,000	In order for funding to be released, the City Council needed to have Accountable Body status, and the Department of Communities and Local Government wished to release the funding immediately.
1551	08/07/14	Approval of the costs of a placement for a Child in Care	Exempt	To allow for a timely implementation of the decision.

<u>ref</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value</u>	<u>Reasons for urgency</u>
1552	08/07/14	Approval of the costs of a placement for a Child in Care	Exempt	To allow for a timely implementation of the decision.
1557	11/07/14	2 year old children – Expansion programme	£805,000	Funding which dates back to a 2012/13 DfE grant allocation has not yet been approved, and a Primary school requires funding to pay a local builder for work that has already been completed.
1574	22/07/14	Approval of the costs of a placement for a child in care	Exempt	To allow for a timely implementation of the decision.
1575	22/07/14	Approval of the costs of an Adults care package	Exempt	To allow for a timely implementation of the decision.
1576	22/07/14	Approval of the costs of an Adults care package	Exempt	To allow for a timely implementation of the decision.
1580	24/07/14	IT Contract	Exempt	To extend current contracts to enable the Council to align and merge all telecommunication contracts under a single future contract.
1601	07/08/14	Approval of a business case, allocation of funding and procurement of a contractor in relation to the expansion of Djanogly Northgate at Sherwood Rise	£999,950	So that works can begin during the summer holiday to enable Year 1 children to attend the school in September this year.
1602	07/08/14	Approval of the costs of a placement for a child in care	Exempt	To allow for a timely implementation of the decision.

<u>ref</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value</u>	<u>Reasons for urgency</u>
1603	07/08/14	Approval of the costs of a placement for a child in care	Exempt	To allow for a timely implementation of the decision.
1604	07/08/14	Approval of the costs of an Adults Care Package	Exempt	To allow for a timely implementation of the decision.
1610	13/08/14	Purchase of Electoral Management Software	Exempt	To allow for a timely implementation of the decision.
1622	18/08/14	Retaining wall at the former Douglas School, Seely Road, Radford	Exempt	To allow for a timely implementation of the decision.

(2) Key decisions (special urgency procedure)

<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Reasons for special urgency</u>
03/07/14	Building Foundations for Growth – Enterprise Zone Capital Grant Fund – Accountable Body	£5,500,000	Leader	In order for funding to be released, the City Council needed to have Accountable Body status, and the Department of Communities and Local Government wished to release the funding immediately.
11/07/14	Review of Voluntary Sector Infrastructure Support	Exempt	Leader	There was an urgent need to sign the contract due to potentially tight timescales for any future contract negotiations.

47 REPORT OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION ON THE BROXTOWE BOROUGH, GEDLING BOROUGH AND NOTTINGHAM CITY ALIGNED CORE STRATEGY

Councillor Jane Urquhart submitted a report on the Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategy Adoption, as set out on pages 57 to 84 of the agenda. Reference was made to an letter received from a planning consultant acting on behalf of some parish councils in Greater Nottingham, and advice received thereon.

RESOLVED to

- (1) adopt the Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategy;**
- (2) delete the policies in the Adopted Local Plan identified in Appendix E of the Core Strategy;**
- (3) delegate authority to the Portfolio Holder for Planning and Transportation to make any final minor changes required to correct typographical or other errors.**

48 MOTION IN THE NAME OF COUNCILLOR ALEX NORRIS

Following a vote, Council agreed to vary the order of business under Part 4 of the Constitution, Standing Order 5, to consider the motion as item 11 on the agenda.

Moved by Councillor Alex Norris, seconded by Councillor Ginny Klein:

“This Council understands the impact of smoking in our communities.

This Council believes that reducing smoking in our communities will improve health outcomes, help households tackle the cost of living crisis and benefit our local economy.

This Council recognises that illicit and counterfeit tobacco trade funds serious organised crime and increases children’s access to tobacco.

This Council will:

- Endorse and support the principles set out in the Local Government Declaration on Tobacco Control
- Call on partners and other relevant organisations in the city to sign up to the Declaration.
- Maximise the powers held by the Council to tackle illicit and counterfeit cigarettes
- Work with local traders to explore a way to ensure under-age sales are prevented – such as implementing a Challenge 25 scheme.
- Continue to work in partnership with colleagues and citizens to reduce smoking prevalence and prevent the uptake of smoking amongst children and young people
- Build on the successful prohibition of smoking at playgrounds, and, where local people want it, use new legislation to designate further smoke-free public places.
- Lobby government to:
 - support the introduction of standardised packaging
 - consider further legislation to protect our young people from the harmful effects of tobacco
 - ring-fence a proportion of duty from cigarettes for prevention activity in communities.”

RESOLVED to carry the motion.

49 TO CONSIDER A REPORT OF THE PORTFOLIO HOLDER FOR ADULTS, HEALTH AND COMMISSIONING ON THE LOCAL GOVERNMENT DECLARATION ON TOBACCO CONTROL

Councillor Alex Norris submitted a report on the Local Government Declaration on Tobacco Control, as set out on pages 85 to 90 of the agenda.

RESOLVED to become a signatory to the Local Government Declaration on Tobacco Control.

COPY OF WRITTEN QUESTION TO BE ASKED BY COUNCILLOR TIM SPENCER OF THE PORTFOLIO HOLDER COMMUNITY SAFETY, HOUSING AND VOLUNTARY SECTOR AT THE MEETING OF THE CITY COUNCIL TO BE HELD ON MONDAY 8 SEPTEMBER 2014

The Portfolio Holder will be aware that a joint tenancy will automatically be passed on to a surviving partner when a tenant dies, and that as a tenancy can only be inherited once, for example, any remaining child residing at the property would have no right to succession in the event of their remaining parent passing away. Nottingham City Homes' website confirms this, stating that "succession can only happen once, so an adult child cannot take over the tenancy if succession has already taken place." However, this continues "They would have to ask if the tenancy could be assigned to them as long as certain conditions are met."

There has recently been a couple of instances in my ward where Housing Officers have refused a tenancy to pass down to a child where the second parent has died after themselves inheriting the tenancy. If, as the NCH information suggests, there is some discretion that can be taken, can the Portfolio Holder inform me whether or not in cases where, for example, the surviving tenant has a severe disability, there is anything we can do for vulnerable tenants at such a traumatic time?

Councillor Dave Liversidge replied as follows:

Thank you for your question regarding the succession of tenancies. As you rightly point out in law there is only one automatic right to succeed to a tenancy on the death of a tenant. This legal right is to succeed to a tenancy and not necessarily the property.

However, it is the policy of Nottingham City Homes (NCH) to take a sensitive approach in cases where there are other people residing with a tenant in the event of a tenants death. If there is a remaining resident who has lived at the property for at least 12 months and would normally qualify for succession, as a spouse/partner, qualifying family member or qualifying unpaid carer, should there not have already been a succession, NCH do consider what is known as a 'second succession'. Please note we will only consider a second succession in these cases where:

- the prospective tenant is eligible for a social housing tenancy,
- the tenancy has been conducted satisfactorily, particularly in relation to anti-social behaviour, and
- if the prospective tenant does not owe former tenancy arrears or has no history of anti-social behaviour.

As pointed out above, second successions are only to a tenancy and not necessarily a property. Generally NCH would only allow applicants to stay in a property if the prospective tenant and their household would qualify for the tenancy in terms of size and facilities and any specific occupancy/eligibility criteria, in line with the NCC allocation policy. In circumstances where the prospective tenant does not meet the

criteria to remain in a property, NCH would however offer an alternative property, which is suitable to the prospective tenant's household needs.

I should like to reassure you that NCH take an extremely sensitive approach in these sad circumstances. All cases, whether or not there is a right to succession in law, are treated sensitively with the Housing Patch managers adopting a supporting role for surviving relatives during this emotional and unsettling time. A home visit will be carried out to advise and support remaining residents according to their individual circumstances. If remaining residents do not qualify for a 'second succession' the Housing Patch manager will advise about alternative housing options. The Housing Patch manager will also consider whether there may be exceptional circumstances which would support the need for a non-qualifying resident to be offered a tenancy. If this is the case a report will be presented to the Allocation and Tenancy Manager panel to consider whether the circumstances are such that there is an urgent need to offer the remaining resident a tenancy with NCH. No remaining resident will be asked to leave before 3 months has elapsed, unless they expressly request otherwise.

In relation to the specific cases you have raised in your enquiry, please let me have the specific details i.e. names and addresses and I will get the relevant Tenancy and Estate Manager to look into the cases to ensure that both the cases were handled sensitively and correctly. I will then provide an update to you on the current position. It may be that the remaining residents in these cases did not qualify to remain in the tenancy as opposed to the resident not qualifying for a tenancy. If this is the case the remaining resident should have been supported and advised of alternative housing options as detailed above.

I would again like to assure you that cases are treated with sensitivity. NCH prides itself in our understanding of the diverse needs of vulnerable customer and providing a service which takes account of those needs. I hope this clarifies the general process in relation to second successions. Please do not hesitate to contact me if you require any further advice in this matter.