



You are hereby summoned to attend a meeting of **CITY COUNCIL**

In the Council Chamber - at the Council House on Monday, 12 September 2016 at 2.00 pm to transact the following business

<b><u>AGENDA</u></b>	<b><u>Pages</u></b>
<b>1 APOLOGIES FOR ABSENCE</b>	
<b>2 DECLARATIONS OF INTERESTS</b>	
<b>3 QUESTIONS FROM CITIZENS</b>	To Follow
<b>4 PETITIONS FROM COUNCILLORS ON BEHALF OF CITIZENS</b>	Verbal
<b>5 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL AND THE LAST EXTRAORDINARY MEETING OF COUNCIL HELD ON 11 JULY 2016</b>	5 - 22
<b>6 TO RECEIVE OFFICIAL COMMUNICATIONS AND ANNOUNCEMENTS FROM THE LEADER OF THE COUNCIL AND/OR THE CHIEF EXECUTIVE</b>	Verbal
<b>7 QUESTIONS FROM COUNCILLORS - TO THE CITY COUNCIL'S LEAD COUNCILLOR ON THE NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY</b>	To Follow
<b>8 QUESTIONS FROM COUNCILLORS - TO A MEMBER OF EXECUTIVE BOARD, THE CHAIR OF A COMMITTEE AND THE CHAIR OF ANY OTHER CITY COUNCIL BODY</b>	To Follow
<b>9 DECISIONS TAKEN UNDER URGENCY PROCEDURES</b> Report of the Leader	23 - 28
<b>10 AMENDMENTS TO THE CONSTITUTION</b> Report of the Leader	29 - 42
<b>11 MOTION</b> Motion in the name of Councillor Wendy Smith:	

“This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age with lack of appropriate notification.

This Council notes the damage caused to the lives of these approximate 11,900 women across Nottingham who were born between 1951 and 1959 and face a changed future as a consequence”

## **12 MOTION**

Motion in the name of Councillor Jackie Morris:

“This Council notes that Female Genital Mutilation represents a risk to physical health, mental health and quality of life for young women across the whole of the United Kingdom. It is believed over 60,000 people are at risk of this abuse in this country alone.

The City Council stands against Female Genital Mutilation (FGM) and resolves to:

- Make Nottingham a “Zero Tolerance” City in respect to Female Genital Mutilation.
- Work to end the procedure within the city by working closely with survivors, affected communities and other agencies with a responsibility to safeguard and protect.
- Provide training for staff to help spot the signs associated with Female Genital Mutilation.
- Work closely with grassroot organisations, survivors and communities to prevent children being removed from the city to experience Female Genital Mutilation.
- Help support potential survivors of Female Genital Mutilation to say no and raise awareness amongst their peers and communities.
- Help with raising awareness and keep the subject on the agenda while showcasing the successes of Nottingham.
- Support the establishment of a referral pathway for the City”

## **13 MOTION**

Motion in the name of Councillor Andrew Rule:

“Nottingham City Council recognises the achievements of Team GB during the Rio 2016 Olympic Games, and takes particular pride in the 2 gold medals that the county of Nottinghamshire itself delivered during the most successful Games for British athletes ever, which saw Team GB finish second in the medal table.

The Council also proudly acknowledges the achievements of Nottingham and Nottinghamshire’s Paralympians.

The Council also acknowledges the foresight of Sir John Major’s government in setting up the National Lottery in 1994, and the role played by the National Lottery in funding sports development in the UK ever since.

This Council pledges to continue to do its part to ensure that the children of Nottingham have the opportunity to participate in sport and go on to represent Great Britain in the future, by promoting sport in schools and supporting the volunteer organisations in local communities. The Council supports the Conservative Government’s ‘Sporting Future’ strategy, published in December 2015, to encourage more participation

in sport across the board, with a particular focus on raising engagement levels amongst sections within the community with lower participation rates. Prime Minister Theresa May's commitment to continue to encourage increased participation in sport is therefore welcomed by the Council"

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT [zena.west@nottinghamcity.gov.uk](mailto:zena.west@nottinghamcity.gov.uk), IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT [WWW.NOTTINGHAMCITY.GOV.UK](http://WWW.NOTTINGHAMCITY.GOV.UK). INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.



Dated 02 September 2016  
Corporate Director for Resilience  
**To: All Councillors of Nottingham City Council**

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE CITY COUNCIL**

held at the Council Chamber - at the Council House

on 11 July 2016 from 14.00 - 16.14

**ATTENDANCES:**

---

✓ Councillor Mohammed Saghir (Lord Mayor)

---

✓ Councillor Merlita Bryan	✓ Councillor Carole-Ann Jones
✓ Councillor Liaqat Ali	✓ Councillor Gul Nawaz Khan
✓ Councillor Jim Armstrong	✓ Councillor Neghat Nawaz Khan
✓ Councillor Cat Arnold	✓ Councillor Ginny Klein
✓ Councillor Leslie Ayoola	Councillor Dave Liversidge
Councillor Ilyas Aziz	✓ Councillor Sally Longford
Councillor Alex Ball	✓ Councillor Carole McCulloch
✓ Councillor Steve Battlemuch	✓ Councillor Nick McDonald
✓ Councillor Eunice Campbell	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Jackie Morris
✓ Councillor Azad Choudhry	✓ Councillor Toby Neal
✓ Councillor Alan Clark	Councillor Alex Norris
✓ Councillor Jon Collins	✓ Councillor Brian Parbutt
✓ Councillor Josh Cook	✓ Councillor Anne Peach
✓ Councillor Georgina Culley	✓ Councillor Sarah Piper
✓ Councillor Michael Edwards	Councillor Andrew Rule
✓ Councillor Pat Ferguson	Councillor David Smith
✓ Councillor Chris Gibson	✓ Councillor Wendy Smith
✓ Councillor Brian Grocock	✓ Councillor Chris Tansley
✓ Councillor John Hartshorne	✓ Councillor Dave Trimble
✓ Councillor Rosemary Healy	✓ Councillor Jane Urquhart
✓ Councillor Nicola Heaton	✓ Councillor Marcia Watson
✓ Councillor Mohammed Ibrahim	✓ Councillor Sam Webster
✓ Councillor Patience Uloma Ifediora	Councillor Michael Wildgust
✓ Councillor Corall Jenkins	✓ Councillor Malcolm Wood
✓ Councillor Glyn Jenkins	✓ Councillor Linda Woodings
Councillor Sue Johnson	✓ Councillor Steve Young

---

✓ Indicates present at meeting

## **18 APOLOGIES FOR ABSENCE**

Councillor Sue Johnson – other Council business  
Councillor Dave Liversidge – personal  
Councillor Alex Norris – annual leave  
Councillor Andrew Rule – personal  
Councillor David Smith - unwell  
Councillor Mick Wildgust – unwell

## **19 DECLARATIONS OF INTERESTS**

None.

## **20 QUESTIONS FROM CITIZENS**

None.

## **21 PETITIONS FROM COUNCILLORS ON BEHALF OF CITIZENS**

Councillor Rosemary Healy presented a petition on behalf of residents of Blythe Street, Staples Street and Querneby Street, requesting the enforcement of 20 mile per hour speed limits, which are not being adhered to, and the erection of bollards on Blythe Street and Staples Street to prevent vehicles travelling at high speeds and using the area as a cut-through.

## **22 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL HELD ON 9 MAY 2016**

The minutes of the meeting held on 9 May 2016 were confirmed as a correct record and signed by the Chair.

## **23 TO RECEIVE OFFICIAL COMMUNICATIONS AND ANNOUNCEMENTS FROM THE LEADER OF THE COUNCIL AND/OR THE CHIEF EXECUTIVE**

The Chief Executive reported the following official communications:

Alison Challenger has been appointed to the role of Director of Public Health, following an external recruitment process.

The results of a national passenger survey, undertaken by Passenger Focus in Autumn 2015, have now been released. The tramways satisfaction survey was carried out in six cities, with NET achieving the highest overall satisfaction scores in the UK of 98%, an increase from 96% in 2014. The average satisfaction score for all networks was 92%.

The Nottingham City Council Heritage Strategy has won the Excellence in Planning for Built Heritage Award at the National Royal Town Planning Institute Awards Ceremony in May 2016. The judges commented that The Nottingham Heritage Strategy is a good practical exemplar with wider application potential. It shows that

Heritage can be at the heart of place making and can combine with economic growth principles.

The death was reported of County Councillor, former City Councillor, and Honorary Alderman Martin Suthers, OBE. Councillor Suthers died on Saturday 21 May 2016 from an inoperable tumour on his lung after a short six week illness. He had represented the Bingham ward on the County Council since 2000, and was also deputy leader of the Conservative Group at the County Council. Councillor Suthers was a Nottingham City Councillor from 1967-69 and again from 1976-95, and was Lord Mayor of Nottingham in 1988-89.

Councillors Chris Gibson and Georgina Culley spoke in tribute to Martin Suthers, and a minute's silence was held.

**24 QUESTIONS FROM COUNCILLORS - TO THE CITY COUNCIL'S LEAD COUNCILLOR ON THE NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY**

None.

**25 QUESTIONS FROM COUNCILLORS - TO A MEMBER OF EXECUTIVE BOARD, THE CHAIR OF A COMMITTEE AND THE CHAIR OF ANY OTHER CITY COUNCIL BODY**

Process for appointment of Honorary Aldermen

Councillor Georgina Culley asked the Leader:

Could the Leader of the Council explain to me why the procedure and qualifying criteria for nominating Honorary Aldermen has changed for this municipal year?

Councillor Jon Collins replied as follows:

Thank you Lord Mayor. It hasn't.

---

Strike action by teachers

Councillor Jim Armstrong asked the following question of the Portfolio Holder for Education, Employment and Skills:

Does the Portfolio Holder for Education support the recent strike action by teachers in Nottingham, action which has stolen a day's education from the children of this city?

Councillor Sam Webster replied as follows:

Thank you Lord Mayor, and I'm grateful to Councillor Armstrong for his question. There was strike action by the National Union of Teachers nationwide, last Tuesday 5 July. The strike had an impact in Nottingham schools and on Nottingham children, and this is regrettable. It's a shame to see that the relationship between education

professionals and the government has broken down to such an extent that 92% of NUT members who voted in the strike ballot voted in favour of strike action. It's a worrying trend that we have increasing levels of dispute between the government, trade unions, and professional bodies; including junior doctors and teachers.

However, to give an idea of the impact in Nottingham of this particular strike, I can report that only 10% of schools were completely closed, and a large majority of schools were open to all pupils. I fully recognise that loss of learning, even for one day, isn't what any of us would want, and the disruption caused to parents and carers is also regrettable. My view is that strike action that impacts on children's education should only be used as a last resort. However, it's important for us to understand why exactly teachers up and down the country chose this course of action. And with a 92% vote in favour of a strike, it would be foolish to dismiss out of hand the genuine concerns of some teachers.

So I'll try to give some context to Councillor Armstrong's question. In a letter written to Nicky Morgan on 28 June, the NUT highlighted reasons for striking, stating that the note was a last appeal before action was taken. Kevin Courtney, the Acting General Secretary of the NUT, warned that the funding situation in schools would get progressively worse unless government changed course. He argued that the funding cuts could have negative implications, including an increase in class sizes, fewer subject choices for children, and cuts in support and teaching staff, all of which could affect standards overall.

The strike took place due to concerns about funding. Funding to ensure the profession attracts and retains the best teachers, funding that ensures class sizes remain static and do not rise, funding to ensure that schools are properly equipped and resourced, funding to ensure that valuable aspects of children's education such as the arts and music are retained, funding to ensure redundancies in schools are avoided.

For those of us interested in education funding, breadth of curriculum, and quality of teaching, it's sensible to listen to the concerns of the profession. In fact, we should all be extremely concerned about government education policies and continued Tory austerity measures. We should all be aware, and we should make sure that parents are aware, of the funding cuts that our schools now face. The Institute for Fiscal Studies indicates that per pupil funding will fall by 8% between 2014/15 and 2019/20. Post 16 funding has fallen by 14% over the last parliament, and will not in future be protected in real terms.

The proposed cut to the Education Services Grant of £600,000,000 announced in last year's spending review is yet another financial pressure which will, in the coming months and years, have huge implications for schools directly and indirectly. This cut will have a major effect on education services currently provided to schools by local authorities. So I'm concerned that the government is freezing funding per pupil, whilst at the same time imposing higher national insurance and pension costs on schools. Additionally, I'm worried that the proposed national funding formula could take money away from around half of all schools, and this has to be seen in the context of DfE data which predicts 900,000 extra pupils at England's schools over the next decade, which will clearly increase costs as well as create additional recruitment and retention pressures.



So, at the heart of this dispute are our expectations as a society and for us here in Nottingham as a city about the importance of adequate funding to schools, about our commitment to the highest possible standards for every child, and whether we are serious about ensuring all children are given the fullest opportunity to realise and make the most of their potential. We shouldn't take adequate education funding for granted.

I'm proud to belong to a party that, when last in government, significantly increased spending on educating children in this country and in this city. Under Labour, spending by schools per pupil rose by about 5% per year in real terms between 1997 and 2010, and we saw the result of that in much improved outcomes for young people over that period. Yet, under Conservative governments, we've seen and continue to see falling spend per child in real terms, and reductions as a percentage of national income. These are the biggest falls in education spending since the 1950s. So it's imperative that we note the NUT's concern, and it's imperative that once again, education becomes a central plank of Labour's campaigns and Labour's policies. The failed economic plan of the Conservative government must not be allowed to fail the next generation.

I do urge Councillor Armstrong to join me in calling for a reversal in cuts to school budgets. A government that stops seeing spending on education as anything other than an investment in the future really has lost its way. Thank you.

---

#### Early intervention support for children with English as an additional language

Councillor Georgina Culley asked the following question of the Portfolio Holder for Early Intervention and Early Years:

The council is providing support through training to teachers in schools where a significant proportion of children do not have English as their first language, but could the Portfolio Holder explain what the council is doing to support those children before they enter into the education system, so they are not at a significant disadvantage from their first day in primary school?

Councillor Mellen replied as follows:

Thank you Lord Mayor, and can I thank Councillor Culley for her question, I am grateful to her for this opportunity to share with Council today the valuable work that's being done with under 5s across the city, both those with English as their first language, and those whose first language is something other than English. Of course, many children attend school nurseries or other nursery provision in the city before they reach statutory school age. This vital provision helps all children to develop their language and communication skills, as well as learning many other early skills; preparing children for full time school. The fact is, this Labour council has extended nursery provision by enlarging many nurseries, including introducing one at Fernwood School in your ward Councillor Culley, where we've recently opened a nursery that is benefitting the families in Wollaton.

But early learning does not just start when children are at nursery. It starts at birth; in fact, arguably before, and the Health Visitors service which is now commissioned by the council, do much valuable work with all babies and their mums on early development progress, attachment between mother and child, as well as all the necessary medical checks. Then many different professionals involved in working with young children and their parents across the city; despite government cutbacks, we retain 18 children's Sure Start children's centres across the city. These centres offer universal services to all children, and in areas where there are high levels of children with English as a second language, such as Hyson Green and Forest Fields, the children's centre provides and facilitates family law advice sessions and translation services in many languages to initially engage the parents in the children's centre services, and then allow family support workers to assess the needs of the children and engage in open access and targeted provision to support their communication and language.

Children's centres have trained 26 colleagues across the city in the PEEP programme (Parents as Early Educational Practitioners). This is an initiative delivered by the children's centres for parents and their children. It is delivered in age bands, and provides parents with tools and resources to support their child's development. These are delivered in all the 18 children's centres across the city, and where English is a second language parents are encouraged to attend the specific groups to develop the children's communication skills and spoken English.

Joint working is undertaken between the Family Information Service and the children's centres to promote the early learning programme for 2 year olds, and engage children on this programme. This includes a systematic approach of calling all parents whose children are approaching the next cohort of eligibility, and families who have maybe registered on the programme but not yet taken up a place. Those calls are to identify eligibility and the barriers to attending, and support families in overcoming those barriers, so that as many as possible 2 year olds take up the 15 hours of nursery provision that is available.

The City Council's Early Year's team have successfully run the "talking twos" programme, within private and voluntary nursery and childcare settings to support practitioners in their ability to develop speech and communication skills in the early years. This is supplemented by the provision of ongoing training for all early years practitioners by a qualified speech and language therapist, in order to support speech and language development. The needs of children with English as an additional language are addressed through the programme and training of the parents. The Early Years team are also introducing in the forthcoming academic years a new core strategy for EAL in the early years that specifically addresses the needs of these children. It will focus on providing early years workers to be able to work in partnership with parents and to provide children with English as an additional language with experiences that allow them to develop and enhance their English language acquisition, whilst continuing to build upon and celebrate their own home language and culture. It will be delivered by the local authority's Early Years consultants.

So, much is going on, but despite the resources being systematically reduced in this city by government cuts, we are looking for creative ways to supplement what we already do. So we bid 2 years ago to the Big Lottery Fund, one of 150 authorities

across the country, and we were one of only 5 authorities to gain the £45,000,000 to work with under 4 year olds in 4 wards of our city, in innovative and consistent practice over a 10 year period. They already have developing programmes for parenting, early communication, nutrition, and developing a new workforce of parent-peer mentors, who have already started working in Bulwell and Aspley, and in the autumn, will start working in Arboretum and St Anns. Extra money has been brought to this city by this Labour council, working in partnership with other organisations in the city, despite the cuts from the government.

Equally, we believe that we want to get more books into the hands of young children, so 3 years ago the council got involved in the Dolly Parton Imagination Library scheme, which delivers a good children's book to children from birth to the age of 5, through the letterbox, through the post, for the cost of a cup of coffee really. It only costs £2 to get those books to those children. We haven't got the money for it, so we've been working in partnership with the Rotary Club, with groups like Castle Cavendish, and with sponsorship from individuals and businesses, to be able to now get to the stage where 2,500 of under 5 years olds are getting a book through their letterbox, and then our libraries and children's centres are working with those parents to develop those early skills. There's a lot more to do, and if Councillors are not already involved in that scheme and want to sponsor a child, it's only £2 per month, and I would very happily give you a standing order form!

Finally, I think the last thing to say in my experience as a primary school teacher, is that actually, having English as an additional language, we need to look at that positively; it's an extra skill for children, and children are often much better at languages when they have at a very early age had to communicate in 2 languages. And although they might take a little bit of time when they first get into school, or when they're first mixing with other children, young children learn very very quickly, and they are soon up to scratch with the other children. It's more difficult when children perhaps arrive with English as an additional language when they're 13, 14 or 15, and there is more catching up to do there, but for young children I don't see this as a difficulty, and as a teacher it was never a problem. Thank you.

---

### Statement on public finances

Councillor Michael Edwards asked the following question of the Deputy Leader:

Can the Deputy Leader advise on the impact on Nottingham of recent statements on public finances by the government?

Councillor Graham Chapman replied as follows:

Yes thank you Lord Mayor, and I thank Councillor Edwards for his question. The most recent government statements, and by government I include the Bank of England, have not, surprisingly, been in response to Brexit. They have, I think, 4 major statements. First, the announcement that balancing the government current account will be extended as a target for a further 2 years. This is something I will remind people that was promised in the last government to balance the books, it then promised again the budget to balance the books, and it's now extended for another 2

years. Second, the expectation from the Bank of England that there will be a further 3% reduction in GDP as a result of Brexit. Then thirdly, there is an announcement of the possible reduction in Corporation Tax. And then, fourth, an announcement that the Bank of England is ready to release £250,000,000,000, although I did also read in the Financial Times it was £150,000,000,000, but what's £100,000,000,000 between friends? So this was released into the economy, so those 4 things.

Let's take the first one, which is balancing the books. George Osborne was never going to balance the books in the timescale that he gave. The original announcement was full of bluster, I identified that at the time, and Brexit is now being used as cover for a U-turn he would have had to make anyway. It is not Brexit that is causing that U-turn, and I'm someone that voted for staying in Europe, and we need to be honest about it. For Nottingham, this means that the additional, and I stress 'additional', pressure on our already-impossible budget may well be relieved for a couple of years. It will be small comfort, because the budget is under enormous pressure, but there may well be some relief, and that is good news. It may, on the other hand, be the beginning of an admission of what we in this group and this party have known all along, that the degree of austerity we've been undergoing is neither necessary, nor is it working. And that would be better news still for the city.

Second, the expectation of a 3% drop in GDP as a result of Brexit. If the Bank of England is right, then the loss of tax take will be double the net amount we make on saving on our contributions, which will wipe out any hope of contributions to the NHS, making up for the money we lose from Europe which is £50,000,000 in this city, and anything else that the Brexiters promised. It will be double, the loss will be double what they promised. This will severely affect public finances; it will put more pressure on the NHS, on social care and other services, unless there are substantial tax rises. As a city with a number of vulnerable people, and a net consumer of services, the prospects do not look good. On top of the cuts the council is already going to have to make. It is therefore up to us as a council to do our utmost to mitigate what damage we can. But it will be impossible to mitigate all damage, but that is a discussion for another day. Brexit also requires the government to have an economic plan, and at the moment that is totally absent.

Third, a further reduction in Corporation Tax. This, in my view, is a panicked proposal, and I have no idea what the Chancellor wants to achieve. The organisations most hit by Brexit in the short term are the banks. The banks are not making profits; therefore they are not paying corporation tax. So it's not necessarily going to help the banks. One advantage of Brexit is the effect of the fall of the pound on export goods, and making them more competitive. But if you were wanting to take long term advantage for, say manufacturing, you should not be reducing corporation tax, which affects all companies; you should be increasing capital allowances, which encourages long term investment. The effect on Nottingham would be to reduce further the tax take, and put pressure on public services. Not a good use of public money, not part of a strategy, it is a silly thing to do.

Fourth, the announcement that £150,000,000,000, or I don't know, £250,000,000,000 could well be released through quantitative easing. This could be an enormous opportunity, if the money is used not like it was last time to shore up the banks, because that will be a wasted opportunity. It should be converted into bonds to release capital into the economy, and this capital should be geared towards long term

investment, which should improve our national productivity. We are told our economy is bouncing along, but what bounce there is, is on the basis of consumption and not production. It is on the basis of high imports; we have a really serious balance of trade problem that nobody seems to be addressing, and it is critical that it is addressed. Also, our growth has been on the basis of population growth. It has certainly not been on the basis of productivity. We've got 2 economic problems in this country, 1 is the balance of trade, and the other is productivity. We have increased production because the population is increasing; we have not increased unit productivity, which makes us uncompetitive. Nottingham has a really serious problem. The productivity in the city is one of the weakest of the core cities. So it is absolutely critical that this quantitative easing is put into longer term investment, but my worry is that will not happen, it will go as usual back into bank balances, and it will filter its way into the consumption economy, pushing up house prices. That is my worry.

But in the end, none of this adds up to a strategy, or even a coherent set of tactics. This country is at the moment economically rudderless. There is no one on the bridge and the waters are turbulent. So it is up to us as a city to do what we can in our leadership of this city, which is why I welcome the strategy we are developing for outer areas, which I've got a question on some of that later, but also the partnership we are forging with Derby through the Metro strategy. That has a coherent approach, which if we can get the government to be equally coherent, we can start dealing with some of the damage which has been roped by government policy and Brexit. Thank you.

---

### Electric buses announcement

Councillor Anne Peach asked the following question of the Portfolio Holder for Business, Growth and Transport:

Would the Portfolio Holder please inform the chamber on how the recent announcement regarding electric buses in Nottingham will help improve the air quality of our City?

Councillor Nick McDonald replied as follows:

Thank you Lord Mayor, and thank you Councillor Peach for your question. There are a number of UK cities that are under scrutiny in terms of their air quality, and rightly so, I think air quality is something that we should care about in urban areas, and we do in Nottingham. As Councillor Peach's question rightly highlights, actually our transport strategy in particular is entirely consistent with a desire to see air quality improve in the city, and some of the things that we're doing are things that I think will make a major difference. One of these is the introduction of larger numbers of electric buses in the city. Zero emission electric buses will soon be replacing the current diesel buses operating for the council tendered park and ride routes to the city centre, and a planned Eco-expressway will now give these vehicles priority on their journey into the city centre. These council-owned zero emission vehicles will contribute to the council ambitions to provide zero emission transport interchanges throughout the city, they will improve air quality, and they will also contribute to sustainability targets to

reduce CO2 emissions by 26%, to 2005 levels, by 2020. We will be replacing vehicles of Euro 3 and Euro 4 engine emission standards. It is therefore estimated that CO2 emissions will be reduced by 300 tonnes per annum when compared with the buses that are already operating these routes, whilst nitrogen oxide emission reductions will be in the order of 6 tonnes per annum. Levels of PM10: particles of 10 microns and below, and I won't pretend to know what that means, but I think we all know that it's something that we don't want to see in the air in the city, will reduce by 25 kilograms per annum.

So I think we should be proud of what we're doing in Nottingham, in terms of our sustainable transport strategy. We all talk about the tram and the way in which the city is being progressive and forward-thinking, not just in terms of creating mass public transport, but also in creating green transport. What we're doing with electric buses, is also something that I think is quite bold. We're ahead of other cities in the UK, and it's testament to the clarity of the strategy that we've had for many years in this city that we're making that kind of progress. Thank you.

---

### Support for Nottingham towns

Councillor Corall Jenkins asked the following question of the Portfolio Holder for Neighbourhood Regeneration

Will the Portfolio Holder please tell us what the City Council is doing to support the towns in Nottingham such as Bulwell and Clifton?

Councillor Graham Chapman replied as follows:

Yes, thank you Lord Mayor and can I thank Councillor Jenkins for her question. Clifton and Bulwell are to receive £1,000,000 from the City Council, to help make them better places to shop, work, and just to be. A budget of £500,000 per area has been set aside for the improvements. These include practical local ideas for improving shopping facilities, improving the outdoor markets, which are operated in both places by the council, and are key to both centres.

Plans for Clifton will complement improvements undertaken as part of the developing tram network, and will include better pavements in the shopping area, better street furniture, better signage, and better shop fronts. They also include investing in options for developing a range of shopping and leisure facilities in the area.

Unlike Clifton, which is a post-war development, Bulwell is a traditional market town. Bulwell has a distinctive identity, with buildings of character and architectural history. We are working with local representatives and businesses, and we aim to make the most of this heritage; there is strength in what Bulwell already has to offer. The funding will provide a boost to what is a very popular market as I've said, and the funding will also help improve pavements in Bulwell, landscaping, street furniture, and play equipment. In addition, the council will use some of the investment to regenerate Bulwell's nearby industrial sites and some of the outlying areas.

This funding, in the scheme of things, is small. Let's not exaggerate, £500,000 per area is not an enormous amount, but we are in hard times. However, the philosophy behind it is to use the money as an incentive for greater private sector investment, and to cash in on the benefits of the tram. For example, we are working on getting the New Crown Vauxhall garage site in Bulwell, which has been derelict for years, and there is now a potential developer in Lidl. In Clifton, we have been involved in the possible redevelopment of the Fairham House site, which we intend to go for retail and housing, to reinforce the retail offer of the area.

This initiative is also a way of recognising that although the city centre in Nottingham is important, so are our neighbourhoods. We will, for example, soon be announcing further, albeit modest, investment in other out-of-town city shopping areas, to build on some of the investment we've already made. So what we are doing in Clifton and Bulwell will be complemented in other areas, but in addition we have also announced allocation of £50,000 to Alfreton Road, again, this is pump priming in order to improve, and I fully expect the Councillors to use that money wisely, and they have promised they will do.

Finally, I would actually like to say something about Clifton in particular. I've always felt that Clifton is under-developed as a shopping area. When you go there, and you look at the potential of Clifton, and then you look at the quality of the shops, there's a dislocation and a dysfunction. Clifton should, looking at the demography, be having better shops than it has.

Moreover, there will be a new development of 3,000 houses in Rushcliffe, on the fringe of Clifton. We have an agreement with Rushcliffe Council to help capture some of the jobs from the development for Clifton residents, and that should increase the incomes and turnover, and that is a very good thing. But there is a risk to this development and the risk is this, that where it is located does not link directly to Clifton centre. The link is mainly through the A453, which bypasses that centre. And so from my point of view, there are 3 absolutely essential things for Clifton. First, we do upgrade the shopping offer, to make it attractive for people from that development to want to go to Clifton and not elsewhere. Second, we rather hope that we're not going to get a shopping development within those 3,000 homes. There will have to be some shops, but not major shops, and that is something that we're going to have to keep an eye on as a council. And thirdly, we really need to link the two up.

Now we have looked at the degree to which we can link this new development to the centre, and actually if you look at Clifton there's almost a wall of housing in between, so without destroying a large number of houses, you can't actually run a road through, and even then the cost of running that road would be rebarbative. So what we need to be doing is looking to see the degree to which we can encourage a further spur of the tram, and in the plans for the new development, there will be a corridor which will allow a new tram development. And I am looking at you Councillor McDonald, and I'm asking you to try and sort an extra spur of the tram out for Clifton, that is your duty, alright?

So these are our plans. We do have long term vision for the areas which are these town centres outside, in addition to our own city centre. Thank you.

## Transitional grant arrangements

Councillor Toby Neal asked the following question of the Deputy Leader:

Would the Deputy Leader please comment on the seeming unfairness of the transitional grant arrangements in light of the Government refusing to answer his Freedom of Information request on how the £300 million came to be distributed?

Councillor Graham Chapman replied as follows:

Can I thank the Councillor for the question, particularly this Councillor, because he's got a history with this question. It is very complicated, so I will try to put it as clearly as possible. If you can just follow the first couple of sentences, I know you all fall asleep after that, but if you can just try to follow it for that long. For the 2016/17 settlement, almost, and I stress almost, every council received a cut. Every council received a cut. However, the councils which have received most cuts since 2011, once again had the highest cuts. However, those with the lowest cuts since 2011 received compensation. Those with the highest cuts protested, and received no compensation, those with the lowest cuts protested, and received compensation. That is how fair the system is!

The result was, that those councils which had received the lowest cuts, which have also received the lowest cuts since 2011, and even then had done better in the first place, got compensation, and those councils were overwhelmingly from better off areas, and overwhelmingly Conservative. Conversely, those receiving the highest cuts, which had also received the highest cuts since 2011, and even then though they'd done worse in the first place, got no compensation. So all the better off places got compensation, all the worse off places got no compensation. Needless to say, the ones that got no compensation were also Labour, so the ones that got compensation were mainly Tory, the ones that got no compensation were mainly Labour.

I'll read out the list of the winners: Surrey – one of the lowest cuts, Hampshire, Hertfordshire, Essex, West Sussex, Kent, Buckinghamshire, Oxfordshire, Leicestershire. Political control of those Councils? I'll go down the list: Conservative, Conservative, Conservative, Conservative, Conservative, Conservative, Conservative, no overall control but the biggest party is Conservative in Oxfordshire, and Leicestershire is Conservative.

So the ones with the biggest cuts: Sunderland, Newcastle-on-Tyne, Bolton, Rochdale, Birmingham, Durham, Kingston-on-Hull, Stoke-on-Trent, Northeast Lincolnshire – which is basically Grimsby, Blackpool. Labour, Labour, Labour, Labour, Labour, Labour, Labour, no overall control but Labour is the largest party, no overall control but Labour is the largest party, and Labour.

This is not abstract money. It actually affects people and services. There are implications per household. For example, Buckinghamshire households lost £8 per year. In Rutland the households gained £41 per year. Birmingham, they lost £98 per year. And in Nottingham? £71 – every one of our households lost £71 per year. On this basis, I put in a freedom of information request for the formula, and for the model. The first response was "there is a delay", and they said they needed to work out



whether the release of information was in the public interest. I then had to wait, and they eventually released the formula. Now the formula was an abstraction, because I'd also asked for the workings, but they refused to release the workings. So I put in a second request for the workings, and I also asked for any correspondence as to why they had refused, as I was interested to know whether Ministers had been involved in the refusal. The response I got was "it is not in the public interest to disclose this information at this time". Well I would ask at what time is it going to be appropriate?

The DCLG also stated that the public interest served by disclosure of the information would be minimal beyond a small number of interested parties. Given the number of households in areas which did not receive compensation, I think we are talking about 30,000,000 people. So this is a small number of interested parties, 30,000,000? Only the Chinese government could possibly make a claim that 30,000,000 people was a small interested party. So what I've done again, is I've appealed. I've appealed because I believe that this is a political fix, I believe that it is an overt abuse of the system, and it is not only Nottingham that has picked up on this, but so, fortunately, have the Audit Commission.

But I'll leave you with one point. Irrespective of the technicalities, irrespective of the lack of transparency and the apparent subterfuge, there is a moral obscenity about a system which has resulted in Nottingham citizens losing £71 per household, when Nottingham is currently the 8<sup>th</sup> poorest out of 152 councils, whereas Rutland, the 4<sup>th</sup> richest council in the country, has received an increase of £41 for every household. Not only that, but for the first time ever, households in Rutland are funded to a higher degree by the government than households in Nottingham. The subsidy to Rutland per household has overtaken the subsidy to Nottingham. Nottingham with all our problems, of the elderly, of child protection, of our roads that we've got to maintain, the influx of people coming in to work, all the costs of maintaining a major city, and we are getting less per household than Rutland. My view is that this is verging on the corrupt, and I'm going to pursue it, and I'm going to pursue it, and I'm going to pursue it, until I find out what was the justification for this allocation of funding. Thank you.

## **26 DECISIONS TAKEN UNDER URGENCY PROCEDURES**

The Leader submitted a report on decisions taken under urgency procedures, as set out on pages 21 to 24 of the agenda.

### **RESOLVED to note the urgent decisions (exempt from call-in) taken:**

<b><u>Ref no</u></b>	<b><u>Date of decision</u></b>	<b><u>Subject</u></b>	<b><u>Value of decision</u></b>	<b><u>Reasons for urgency</u></b>
2461	12/05/16	Procurement of Provider for Health and Employment Support Service	£147,000	The contract for the current service expires in August, hence the need to go out to tender as soon as possible to allow for TUPE arrangements and set up time.
2472	18/05/16	6 & 6A Knights Close	Exempt	The purchase of the property must complete by Thursday 19 May 2016.

<u>Ref no</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Reasons for urgency</u>
2486	20/05/16	Approval of procurement of electricity supply for Nottingham City Council	£24,000,000	To enable an immediate tender to be placed.
2490	02/06/16	Improvements to Ridge Adventure Playground	£300,000	Due to timeline for placing work order.
2492	06/06/16	Meals at Home food supply contract	£800,000	To meet tight timescales.

## **27 CHANGES TO THE CONSTITUTION**

The Leader submitted a report on changes to the constitution, as set out on pages 25 to 26 of the agenda.

### **RESOLVED to:**

- 1) **approve the proposed changes to the membership and voting arrangements for the Health and Wellbeing Board as outlined in paragraph 5.2 of the report, subject to agreement by the Health and Wellbeing Board at its meeting on 27 July 2016, and the resulting changes to the Constitution;**
- 2) **approve the changes to Health Scrutiny terms of reference to reflect the new membership number of 10.**

## **28 APPOINTMENT OF HONORARY RECORDER**

The Leader submitted a report on the appointment of the Honorary Recorder, as set out on pages 27 to 28 of the agenda.

**RESOLVED to appoint His Honour Judge Dickinson QC as Honorary Recorder for the City of Nottingham under the powers in the Courts Act 1971, with the appointment starting from 8 August 2016.**

## **29 THE CRIME AND DRUGS PARTNERSHIP PLAN 2015 TO 2020 (2016/17 REFRESH)**

The Portfolio Holder for Community Services submitted a report on the Crime and Drugs Partnership Plan refresh, as set out on pages 29 to 42 of the agenda.

**RESOLVED to approve the Partnership Plan 2015 to 2020 (2016/17 refresh), as set out in appendix 1 of the report.**

### **30** **MOTION**

Moved by Councillor Nicola Heaton, seconded by Councillor Linda Woodings:

“This City Council is proud of the work it did to introduce a City Police Division in August 2003. Following the introduction of the City Police Division, crime in the City has fallen by half, anti-social behaviour has reduced and Nottingham people feel safer.

This City Council believes that the removal of the City Police Division, announced by the Chief Constable, following inadequate consultation with both partners and the public, will damage policing in Nottingham.

The City Council therefore calls for:

- the City Division to be reinstated based on the current city boundaries
- the appointment of a Divisional Commander
- the appointment of a Chief Constable committed to delivering these changes”

**RESOLVED to carry the motion.**

### **31** **MOTION**

Moved by Councillor Glyn Jenkins, seconded by Councillor Brian Grocock:

“This City Council believes that we all owe a debt to those who serve or have served in the Armed Forces.

It is concerned that local authorities, national government, charities and other service providers are not yet fully able to meet the needs of our Armed Forces community as accurate information about this group just isn't currently available. We don't actually know exactly how many veterans, reservists and dependents there are in the United Kingdom - let alone our local community - or what their needs might be.

The only way that comprehensive information of this kind could be achieved would be through the inclusion of questions about the Armed Forces community in the next national census. This Council therefore supports the Royal British Legion's call for the UK, Scottish and Northern Ireland governments to commit to this modest addition to the census.

The Office for National Statistics, National Records Scotland and the Northern Ireland Statistics and Research Agency have already begun consulting on the content of the next census. This council supports the inclusion of questions on the Armed Forces community as the next census is trialled and developed in the coming months and years.”

**RESOLVED to carry the motion.**

**32 IN-YEAR MEMBERSHIP CHANGES**

**RESOLVED to note the following changes to Committee memberships:**

<b>Health Scrutiny Committee</b>	<b>Carole Jones and Patience Uloma Ifediora to be added as members</b>
<b>Joint Health Scrutiny Committee</b>	<b>Marcia Watson to be added as a member, Corall Jenkins to be removed as a member</b>
<b>Commissioning and Procurement Sub- Committee</b>	<b>Nick McDonald to be removed as a member</b>
<b>Corporate Parenting Board</b>	<b>Patience Uloma Ifediora to be added as a substitute member</b>

## MINUTES OF THE MEETING OF THE CITY COUNCIL (EXTRAORDINARY)

held at the Council Chamber - at the Council House

on 11 July 2016 from 16.23 - 17.00

### ATTENDANCES:

---

✓ Councillor Mohammed Saghir (Lord Mayor)

---

✓ Councillor Jackie Morris	Councillor Sue Johnson
✓ Councillor Liaqat Ali	✓ Councillor Carole-Ann Jones
Councillor Jim Armstrong	✓ Councillor Gul Nawaz Khan
✓ Councillor Cat Arnold	✓ Councillor Neghat Nawaz Khan
✓ Councillor Leslie Ayoola	✓ Councillor Ginny Klein
Councillor Ilyas Aziz	Councillor Dave Liversidge
Councillor Alex Ball	✓ Councillor Sally Longford
✓ Councillor Steve Battlemuch	✓ Councillor Carole McCulloch
✓ Councillor Merlita Bryan	Councillor Nick McDonald
✓ Councillor Eunice Campbell	✓ Councillor David Mellen
✓ Councillor Graham Chapman	Councillor Toby Neal
✓ Councillor Azad Choudhry	Councillor Alex Norris
✓ Councillor Alan Clark	✓ Councillor Brian Parbutt
Councillor Jon Collins	✓ Councillor Anne Peach
✓ Councillor Josh Cook	✓ Councillor Sarah Piper
Councillor Georgina Culley	Councillor Andrew Rule
✓ Councillor Michael Edwards	Councillor David Smith
✓ Councillor Pat Ferguson	✓ Councillor Wendy Smith
✓ Councillor Chris Gibson	✓ Councillor Chris Tansley
✓ Councillor Brian Grocock	✓ Councillor Dave Trimble
✓ Councillor John Hartshorne	✓ Councillor Jane Urquhart
✓ Councillor Rosemary Healy	✓ Councillor Marcia Watson
Councillor Nicola Heaton	✓ Councillor Sam Webster
✓ Councillor Mohammed Ibrahim	Councillor Michael Wildgust
✓ Councillor Patience Uloma Ifediora	✓ Councillor Malcolm Wood
✓ Councillor Corall Jenkins	✓ Councillor Linda Woodings
✓ Councillor Glyn Jenkins	✓ Councillor Steve Young

---

✓ Indicates present at meeting

## **1 APOLOGIES**

Councillor Jon Collins – other Council business  
Councillor Sue Johnson – other Council business  
Councillor Dave Liversidge – personal  
Councillor Alex Norris – annual leave  
Councillor Andrew Rule – personal  
Councillor David Smith - unwell  
Councillor Mick Wildgust – unwell

## **2 DECLARATIONS OF INTEREST**

None.

## **3 APPOINTMENT OF HONORARY ALDERMEN**

The Deputy Leader submitted a report on the appointment of Honorary Aldermen, as set out on pages 3 to 10 of the agenda.

Councillor Mohammed Ibrahim spoke in support of former Councillor Mohammad Aslam. Councillor Chris Gibson spoke in support of former Councillors Brent Charlesworth and Ian Malcolm. Councillor Brian Grocock spoke in support of former Councillor Timothy Spencer. Councillor Brian Parbutt spoke in support of former Councillor Leon Unczur.

The former Councillors accepted their nominations and were presented with certificates and the sashes of office, and signed the roll to become Honorary Aldermen for Nottingham City Council.

**RESOLVED to appoint former Councillors Mohammad Aslam, Brent Charlesworth, Ian Malcolm, Timothy Spencer and Leon Unczur as Honorary Aldermen, and to add their names to the roll of Honorary Aldermen.**

**CITY COUNCIL – 12 SEPTEMBER 2016**

**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 To note the urgent decisions taken, as detailed in the appendices.

**3 REASONS FOR RECOMMENDATIONS**

- 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 (INCLUDING OUTCOMES OF CONSULTATION)**

- 5.1 Call-in and Urgency (Overview and Scrutiny) Procedure Rules: Councillors 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 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: 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;
- 5.3 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;

- 5.4 In addition the procedure requires that the Leader submits at least 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). Details of key decisions taken under the special urgency procedures are set out in appendix 2.

## **6 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY)**

- 6.1 None.

## **7 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT 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 City Council's Constitution;
- 10.2 The delegated decisions and committee reports detailed in the appendices to this report, as published on the City Council's website.

**COUNCILLOR JON COLLINS**

**LEADER OF THE COUNCIL**



**URGENT DECISIONS (EXEMPT FROM CALL-IN)**

<b><u>Decision reference number</u></b>	<b><u>Date of decision</u></b>	<b><u>Subject</u></b>	<b><u>Value of decision</u></b>	<b><u>Decision Taker</u></b>	<b><u>Consultee on urgency</u></b>	<b><u>Reasons for urgency</u></b>
2519	29/06/16	Island Site - consultancy fees to support CPO business case	£190,000	Leader of the Council	Chair of Overview and Scrutiny	To bring forward development of the site
2520	30/06/16	Lease of Land at Hoewood Road, Bulwell, Nottingham	Nil	Leader of the Council	Chair of Overview and Scrutiny	There is a need for the lease to be entered in to as soon as possible and it was agreed that the call-in period could be waived in this instance to facilitate this.
2534	21/07/16	Procuring four videos to promote the Midlands Engine	up to £60,000	Leader of the Council	Chair of Overview and Scrutiny	The videos (which aren't being funded by the council) are required by the Midlands Engine urgently
Page 25 2535*	21/07/16	Broadmarsh Shopping Centre Redevelopment - approval of further development funding	Exempt	Leader of the Council	Chair of Overview and Scrutiny	To enable works to take place within the tight timescales
2552	02/08/16	Property Investment Acquisition	£2,443,980	Leader of the Council	Chair of Overview and Scrutiny	A delay in this decision would prejudice the Council's interests in making the purchase
2553	02/08/16	Property Investment Acquisition - Nottingham	Exempt	Leader of the Council	Chair of Overview and Scrutiny	Call-in would delay the exchange of contracts
2554	02/08/16	Property Investment Acquisition - Birmingham	£4,634,925	Leader of the Council	Chair of Overview and Scrutiny	Time constraints that call-in may provide
2567	18/08/16	Homecare price increase 2016/17	Exempt	Portfolio Holder for Adults and Health	Chair of Overview and Scrutiny	Urgent need to implement the decision
2580	26/08/16	Funding of legal support in relation to employment matters	Exempt	Deputy Leader of the Council	Chair of Overview and Scrutiny	Urgent decision required for funding to be pursued

\*Also referenced in appendix 2

This page is intentionally left blank

**KEY DECISIONS – SPECIAL URGENCY PROCEDURE**

<b><u>Date of decision</u></b>	<b><u>Subject</u></b>	<b><u>Value of decision</u></b>	<b><u>Decision Taker</u></b>	<b><u>Reasons for special urgency</u></b>
22/07/2016	Broadmarsh Shopping Centre Redevelopment - Approval of further development funding	Exempt	Leader of the Council	The decision is urgent and the business cannot be deferred to enable the detailed design work to continue and adhere to the timescale for development.
26/07/2016	Commercial Opportunity for Trading Operations	£1.587m revenue expenditure over 5 years	Leader of the Council	The decision is urgent and cannot be deferred because should Nottingham City Council be successful in its tender, it would need to sign and enter into a contract.

This page is intentionally left blank

**CITY COUNCIL – 12 SEPTEMBER 2016**

**REPORT OF THE LEADER**

**AMENDMENTS TO THE CONSTITUTION**

**1 SUMMARY**

- 1.1 The Local Government Act 2000 requires Council to keep its constitution up to date. Amendments to be reported and/ or agreed are outlined below.
- 1.2 Councillors may wish to make reference to the current constitution, Version 7.20, which can be viewed on line via the following link:  
<http://www.nottinghamcity.gov.uk/about-the-council/nottingham-city-councils-constitution/>. If you have any difficulty accessing the Constitution, please contact Constitutional Services on 0115 876 4312.

**2 RECOMMENDATIONS**

- 2.1 To note the addition of the designation of Assets of Community Value to the responsibilities of the Portfolio Holder for Planning and Housing as agreed by the Leader of the Council and outlined in paragraph 5.2;
- 2.2 To note the new/ revised executive delegations as agreed by the Leader of the Council outlined in paragraph 5.3 and Appendix One;
- 2.3 To agree the new/ revised non-executive delegations outlined in paragraphs 5.4 and Appendix One;
- 2.4 To agree the revisions to the terms of reference for the Health and Wellbeing Board Commissioning Sub-Committee outlined in paragraph 5.5;
- 2.5 To agree the revised terms of reference for the Health and Wellbeing Board as outlined at Appendix Two;
- 2.6 To approve the amendments of the Constitution required by the above changes.

**3 REASONS FOR RECOMMENDATIONS**

- 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 (INCLUDING OUTCOMES OF CONSULTATION)**

- 5.1 The Constitution needs to be updated regularly to reflect changes in legislation and to ensure clarity of rights and duties. This report is submitted further to reports

presented to Council in November 2015 and March 2016, together with the revisions presented at the Annual meeting of the Council in May.

## 5.2 **Assets of community value**

In order to support the timely processing of decisions to designate Assets of Community Value, authority to approve such decisions has been added to the portfolio responsibilities of the Portfolio Holder for Planning and Housing as outlined in paragraph 16 of section 7 of Part 2 of the Constitution. Council is asked to note this change.

## 5.3 **Amendments to the table of delegations (Executive)**

The Leader of the Council has agreed changes to a number of delegations for clarification and new delegations to provide officers with the necessary powers to meet existing duties and/ or the duties of new legislation. The agreed changes relate to:

- a) the agreement of the level of the penalty to be charged in relation to fixed penalty notices added as a new delegation 4a;
- b) approval of the reasons for councillor absence from meetings added as a new delegation number 33a;
- c) various delegations related to Highways included in delegations 123-125, 127, 129-130, 223 and 225 have been amended to clarify authorisation routes and powers held;
- d) Amendment of delegation 240, Council owned Land and Property – Notice and Review, increasing the rental value of a property where a lease renewal can be approved by a colleague to £100,000 per year, in line with approval levels for granting of new leases.

These are all listed at Appendix 1 for Council to note.

## 5.4 **Amendments to the table of delegations (Non-Executive)**

The delegations referred to in points 5.3 a) and c) above contain both Executive and Non-Executive elements. Council is asked to approve the amendments to the non-executive elements of the amended delegations (also contained within Appendix 1).

## 5.5 **Health and Wellbeing Board Commissioning Sub Committee Terms of Reference (Non-Executive)**

In order to reflect changes in colleague responsibilities the following amendments are proposed to the membership of the Sub Committee for Council to agree:

### Voting Members

Replace Strategic Director for Strategy and Commissioning/ Assistant Chief Executive (City Council) with Director of Commissioning and Procurement (City Council)

### Non-Voting Members

Replace Director for Procurement & Children's Commissioning (City Council) with Head of Commissioning (City Council)

Remove Director of the Crime and Drugs Partnership

- 5.6 To reflect the above change to membership (if approved) the following amendment is proposed to the charring arrangements for Council to agree (deletion struck through, addition in bold):

The meeting will be chaired in rotation by the ~~Strategic Director for Strategy and Commissioning / Assistant Chief~~ **Director of Commissioning and Procurement** and the Director of Primary Care and Service Integration. In the absence of both of these members, the Chair will pass to the voting member present from the body next due to chair the meeting.

#### **5.7 Health and Wellbeing Board Terms of Reference**

In order to reflect changes in the role of the Board and new ways of working a revised terms of reference for the Board is attached at Appendix Two for Council to agree. The amendments include the removal of the Nottingham City Council Assistant Chief Executive/ Strategic Director for Strategy and Commissioning from the non-voting membership of the Board.

#### **6 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY)**

6.1 The proposals in this report have no significant financial implications for the Council.

#### **7 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT 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 needed 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 7.20

**COUNCILLOR JON COLLINS  
LEADER OF THE COUNCIL**

This page is intentionally left blank



**New and amended executive delegations which have been agreed by the Leader**

**New and amended non-executive delegations for approval by Council**

(Struck through – to be deleted/ Bold – to be added)

**Fixed Penalty Notices (Executive and Non-Executive)**

New delegation.

No	Description	Legislation	Executive or Non-Executive	Officer(s) to whom function delegated
4a	<p><b><u>Fixed Penalty Notices</u></b>  <b>Subject to any statutory provision and/or any specific provision made elsewhere in this Constitution, to agree, in consultation with the appropriate Chair (for non- executive functions) or Portfolio Holder (for executive functions), the level of the penalty to be charged in relation to fixed penalty notices for all matters within their remit where a power to issue a fixed penalty notice exists.</b></p>	Various	Can be either depending on the circumstances	General function to Corporate Directors, the Director for Public Health and the Director for Community Protection for all matters within their remit.

**Councillor Absence (Executive)**

New delegation

No	Description	Legislation	Executive or Non-Executive	Officer(s) to whom function delegated
33a	<b><u>Councillor Absence</u></b> Power to approve reasons for a councillor's non-attendance at meetings prior to that councillor reaching six consecutive months without attending a meeting.	Section 85 of the Local Government Act 1972	Executive	Chief Executive, in consultation with the Director of HR

**Highways Delegations (Executive and Non-Executive)**

Amended to ensure clarity and accuracy, alongside some changes to reflect where responsibility lies in the current officer staffing structure.

No	Description	Legislation	Executive or Non-Executive	Officer(s) to whom function delegated
123	<u>Deposit of builders' skips on the highway</u> Power to permit deposit of builders' skips on the highway.	Highways Act 1980 – Section 139	Non-Executive	<del>Corporate Director for Community Services</del>  <b>Corporate Director for Development and Growth</b>
124	<u>Control scaffolding or other structures which obstruct the highway</u> Power to control scaffolding or other structures which obstruct the highway	Highways Act 1980 – Section 169	Non-Executive	<del>Corporate Director for Community Services</del>  <b>Corporate Director for Development and Growth</b>
125	<u>Dispense with obligation to erect hoarding or fence</u> Power to dispense with obligation to erect hoarding or fence	Highways Act 1980 – Section 172	Non-Executive	<del>Corporate Director for Community Services</del>

				<b>Corporate Director for Development and Growth</b>
127	<p>Community Protection – Various Environmental Protection delegations The power to exercise the Public and Community Protection functions within the remit of the Corporate Director for Community Services, including:-</p> <ul style="list-style-type: none"> <li>• Environmental Health</li> <li>• Trading Standards</li> <li>• Food Safety and Standards</li> <li>• Health and Safety enforcement</li> <li>• Noise and Pollution Control</li> <li>• Statutory Nuisance</li> <li>• Public Health</li> <li>• Tobacco Control and Strategy</li> <li>• Student Strategy</li> <li>• Houses in Multiple occupation</li> <li>• Housing strategy</li> <li>• Infectious disease control</li> <li>• Dog and pest control</li> <li>• Licensing Registration and Permits</li> <li>• Parking <b>enforcement</b></li> <li>• CCTV</li> <li>• Licensing permits and regulation</li> <li>• Prevention of terrorism</li> <li>• Community safety</li> <li>• Abandoned and untaxed vehicles</li> <li>• Enviro-crime, crime and anti-social behaviour (including litter, high hedges, graffiti and relevant functions of the Council as Local Planning Authority such as enforcement powers relating to the amenity of land, advertisement control etc).</li> </ul> <p>The delegations granted are of the complete functions within their</p>	Various	Executive or Non-Executive depending on the circumstances	<p>Corporate Director of Community Services</p> <p>Director of Community Protection</p>

	remit including the exercise of all relevant duties and powers under any legislation or at Common Law. This includes the power to do anything which is calculated to facilitate, or is conducive, or incidental to the discharge of those functions including those things cited by way of example in delegation 1 above.			
129	<u>Traffic Regulation Orders</u> To approve the making of permanent and experimental traffic regulation orders, speed limits and on <b>and off</b> street parking places orders and their implementation including associated engineering measures	Road Traffic Regulation Act 1984 Sections 1, 9, 32, <b>45</b> & 84	Executive	Corporate Director for Development and Growth  Director for Planning and Transport
130	<u>Temporary Traffic Regulation Orders and Notices</u> To make temporary traffic regulation orders and issue temporary notices under the Road Traffic Regulation Act 1984 and to make Orders under the Town Police Clauses Act 1847 and to carry out associated works.	Road Traffic Regulation Act 1984 – Section 14, <b>16</b>		Corporate Director for Development and Growth  Director for Planning and Transportation
223	<u>On/off Street Parking</u> To discharge the functions of the Council <b>other than the making of the relevant orders</b> relating to on street and off-street parking, including without prejudice to the generality of the foregoing the administration of parking within the Council's remit and dealing with the misuse of permits and badges on vehicles, including disabled persons' badges.	--	Executive	<del>Corporate Director for Development and Growth</del>  <b>Corporate Director for Communities</b>  <b>Director of Community Protection</b>
225	<u><del>CCTV Traffic</del> Bus Lane Enforcement</u> To discharge the Council's functions relating to bus lane, <b>and parking</b> enforcement, <b>via the use of an approved device</b> , including prosecution if necessary, subject to the Director of Legal and Democratic Services being satisfied with the evidence.			<del>Corporate Director for Community Services</del>  <b>Corporate Director for Development and Growth</b>

**Council Owned Land and Property – Notice and Review (Executive)**

Amended to bring approval levels in line with other similar delegations.

No	Description	Legislation	Executive or Non-Executive	Officer(s) to whom function delegated
240.	<u>Council owned Land and Property – Notice and Review</u> To authorise service of appropriate notices to determine tenancies and leases to initiate possession, rent review and lease renewal or where there has been a breach of covenant and to settle rents on review and renewal <b>where rent does not exceed £100,000 per annum.</b>	--	Executive	Corporate Director for Development and Growth  Director for Strategic Asset and Property Management

This page is intentionally left blank

## Health and Wellbeing Board Terms of Reference

The Nottingham City Health and Wellbeing Board brings together key local leaders to improve the health and wellbeing of the population of Nottingham and reduce health inequalities through:

- Developing a shared understanding of the health and wellbeing needs of its communities from pre-birth to end of life including the health inequalities within and between communities
  - Providing system leadership to secure collaboration to meet these needs more effectively
  - Having strategic influence over commissioning decisions across health, public health and social care encouraging integration where appropriate
  - Recognising the impact of the wider determinants of health on health and wellbeing
  - Involving patient and service user representatives and councillors in commissioning decisions.
- 
- a) Publish and refresh the Joint Strategic Needs Assessment, including the Pharmaceutical Needs Assessment to provide an evidence base for future policy and commissioning decisions
  - b) Produce a Joint Health and Wellbeing Strategy to identify priorities and provide a strategic framework for future commissioning
  - c) Consider local commissioning plans to ensure that they are in line with the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy; and specifically to consider the NHS Nottingham City Clinical Commissioning Group's commissioning plans to ensure that they are in line with the Joint Health and Wellbeing Strategy and to provide an opinion for publication
  - d) Liaise with NHS England as necessary on the NHS Nottingham City Clinical Commissioning Group's annual assessment
  - e) Encourage integrated working between health and social care commissioners including, where appropriate, supporting the development of arrangements for pooled budgets, joint commissioning and integrated delivery under Section 75 of the National Health Service Act 2006
  - f) Oversee the Better Care Fund<sup>1</sup>
  - g) Encourage close working between health and social care commissioners and the Board itself

---

<sup>1</sup> Given that some members of the Board represent provider organisations, strategic funding decisions relating to the Better Care Fund are delegated to the Health and Wellbeing Board Commissioning Sub-Committee which is a commissioner-only body

- h) Encourage close working between health and social care commissioners and those responsible for the commissioning and delivery of services related to the wider determinants of health
- i) Establish one or more sub-committees to carry out any functions delegated to it by the Board
- j) Delegate any of its functions to an officer
- k) Establish one or more time limited task and finish groups to carry out work on behalf of the Board
- l) Carry out any other functions delegated to it by Nottingham City Council under Section 196(2) of the Health and Social Care Act 2012

In the interests of public accountability and transparency the Board is subject to the statutory overview and scrutiny function of Nottingham City Council. All Board partner organisations agree to provide information to; attend meetings of; and answer questions from the relevant City Council overview and scrutiny committee about the planning, provision and operation of services within their area as required by the committee to carry out its statutory 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.

The committee will give reasonable notice of the request for information and/or attendance at a meeting.

## **Membership**

### Voting members

Nottingham City Council Portfolio Holder with a remit covering health

Nottingham City Council Portfolio Holder with a remit covering children's services

Two further City Councillors

Three representatives from NHS Nottingham City Clinical Commissioning Group's Governing Body

NHS Nottingham City Clinical Commissioning Group Chief Officer

Nottingham City Council Corporate Director for Children and Adults (Director of Children's Services vote)

Nottingham City Council Director of Adult Social Care (Director of Adult Social Services vote)

Nottingham City Council Director of Public Health

One representative of the Healthwatch Nottingham Board

One representative of NHS England

### Non-voting members

One representative of Nottingham University Hospitals NHS Trust

One representative of Nottinghamshire Healthcare NHS Foundation Trust

One representative of Nottingham CityCare Partnership



One representative of Nottingham City Homes  
One representative of Nottinghamshire Police  
One representative of Department for Work and Pensions  
One representative of Nottingham Universities  
One representative of Nottinghamshire Fire and Rescue Service  
Up to two individuals representing the interests of the Third Sector

Political proportionality does not apply to membership of the Board.

All members of the Board are accountable to the organisation/ sector which appointed them. Each member has a responsibility to communicate the Board's business through their respective organisation/ sector's own communication mechanisms.

Each Board member can nominate up to 3 substitutes and any one of those named substitutes can attend a Board meeting in their place. Substitutes must be from the same organisation/ sector as the Board member and be of sufficient seniority and empowered by the relevant organisation/ sector to represent its views; to contribute to decision making in line with the Board's Terms of Reference and to commit resources to the Board's business.

If a member of the Board misses 3 consecutive meetings without giving apologies, their continued membership of the Board will be reviewed with the organisation that they represent.

The Board may, with agreement of Nottingham City Council's Full Council, add additional voting or non-voting members to support effective delivery of its responsibilities.

## **Chairing**

The Chair of the Board will be the Nottingham City Council Portfolio Holder with a remit covering health.

The Vice Chair of the Board is appointed by the Board and shall be one of the NHS Nottingham City Clinical Commissioning Group members.

## **Voting arrangements**

It is expected that most decisions will be agreed by consensus but, where this is not the case, then only those members listed as voting members may vote. Voting on all issues will be by show of hands.

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. Therefore the Director of Adult Social Services vote will be held by the City Council Director of Adult Social Care.

The Chair of the Board shall have a second or casting vote.

## **Meeting arrangements**

The Board meets every other month. The Chair of the Board, in consultation with the Vice Chair, can convene special meetings of the Board as appropriate.

All business of the Board shall be conducted in public in accordance with Section 100A of the Local Government Act 1972 (as amended). When the Board considers exempt information and/or confidential information is provided to Board members in their capacity as members of the Board all Board members agree to respect the confidentiality of the information received and not disclose it to third parties unless required to do so by law or where there is a clear and over-riding public interest in doing so.

The quorum for meetings shall be three voting members and must include at least one Nottingham City Council councillor and one representative of the Clinical Commissioning Group.

Where a decision is required before the next Board meeting, 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.

All voting members of the Board are governed by the Nottingham City Council Code of Conduct. In addition, all Board members may also be bound by a code of conduct/ professional standards of the organisation/ sector that they represent.