Questions from Councillors

Responses to questions requiring a written response

WQ1

Written question asked by Councillor Clarke of the Portfolio Holder for Leisure, Culture and IT at the meeting of the City Council held on 11 January 2021

Can the Portfolio Holder please inform us whether or not there were financial implications to Nottingham City Council in the decision to close Nottingham Christmas Market after one day, and if so how much these totalled?

Councillor Dave Trimble replied as follows:

No costs were incurred by the Council following the decision to close the Christmas market. Charges for mains power and waste management have been met in full by the market organiser.

WQ2

Written question asked by Councillor Rule of the Portfolio Holder for Housing, Planning and Heritage at the meeting of the City Council held on 11 January 2021

Could the Portfolio Holder provide a breakdown of the number of complaints in relation to construction related traffic from ongoing developments and how many of those related in enforcement action being taken against developers?

Councillor Linda Woodings replied as follows:

For major developments the Planning Authority normally seek Construction Traffic Management Plans as a means to require a developer to plan ahead and encourage good practice. Enforcement of the conditions within these plans, given they relate in the main to the public highway outside of site boundaries, is most appropriate under highways legislation where powers exist to respond directly and effectively to address complaints.

When complaints are received relating to construction traffic the general approach taken is for Highway Authority colleagues to investigate the complaint and work with the developer and their contractor to respond promptly to the complaint and put in place actions to resolve them. Given time and cost implications formal enforcement action would normally only be considered if the developer failed to comply and put in place the remedial action necessary.

In the last twelve-month period the number of recorded complaints relating to construction traffic from developments is 2. A breakdown is as follows:

- January 2021 – domestic development in Wilford Village where complaint received was about a contractor's vehicles blocking driveways in a residential area. Highways staff visited the site and addressed the issues with the contractor.
- February 2020 – major City Centre development where a complaint was received about a construction vehicle parked on Collin Street blocking a lane. Highways staff attended site, dealt with the contractor and resolved the issues.

On both occasions the complaints were resolved by giving the developer and their contractors directions, advice and guidance. Formal enforcement action using statutory legal powers was not deemed appropriate.

WQ3

Written question asked by Councillor Rule of the Portfolio Holder for Finance, Growth and the City Centre at the meeting of the City Council held on 11 January 2021

Can the Portfolio Holder confirm how many citizens were subject to enforcement action for council tax arrears and housing benefit overpayment for the period 1 April 2020 to 31 December 2020 compared to the period 1 April 2019 to 31 December 2019; and can he confirm on average how much the costs of such enforcement action add to the initial debt?

Councillor Sam Webster replied as follows:

Number of citizens subject to enforcement action for council tax arrears and housing benefit overpayment for the period 1 April 2020 to 31 December 2020 compared to the period 1 April 2019 to 31 December 2019

	1 April 2019 to 31 December 2019		1 April 2020 to 31 December 2020	
	Council Tax Arrears – No of citizens	Housing benefit Over Payment – no of citizens	Council Tax Arrears – No of citizens	Housing benefit Over Payment – no of citizens
Summons	22,613	N/A	10,388	N/A
Liability Orders	21,771	N/A	10,125	N/A

For Housing Benefit Overpayment reclaim there is no enforcement or charge, debt is recovered from either on-going housing benefit payments or through a collection agency (with no cost to the citizen) but no summons or court orders are issued.

The average costs of such enforcement action add to the initial debt is as follows:

For Council Tax it is: There is not an average cost, the enforcement action and associated cost is dependent on the value of the debt. For both date ranges:

The summons costs are:

- for debt lower than £285 - £20
- for debt higher than £285 - £47.50

The liability order costs are:

- for debt lower than £285 - £0
- for debt higher than £285 - £20.00 on top of the summons cost

WQ4

Written question asked by Councillor Rule of the Portfolio Holder for Communities, Highways and Strategic Transport at the meeting of the City Council held on 11 January 2021

Can the Portfolio Holder provide a breakdown of the number of Fixed Penalty Notices (FPN) and Penalty Charge Notices (PCN) which required formal enforcement action for the periods 1 April 2020 to 31 December 2020 compared to the period 1 April 2019 to 31 December 2019; and can she confirm on average how much the costs of such enforcement action add to the initial debt?

Councillor Rebecca Langton replied as follows:

FPN/PCN	**April 2019-Dec 2019**	**April 2020-Dec 2020**
FPNs issued	2436	1351
FPN taken to court	9	0
Penalty Charge Notices issued	49437	35040
Cases exported to the Enforcement agents	13046	9903

<u>Fixed Penalty Notices (FPN)</u>

As FPNs are a criminal matter, they are taken to the Magistrates Court in the event of non-payment.

Our procedure from the back office end is that we pass on the case to our Legal Department once we have selected the case for prosecution. Our Legal Team review the case and it is then heard at the Magistrates Court. Once the case is heard and we receive correspondence from Legal with information on whether the defendant was found guilty and how much they have to pay, we amend our system to reflect this. The debt is then written off from our end.

<u>Penalty Charge Notices (PCNs)</u>

Penalty Charge Notices are at a value of £83 or £113 depending on the contravention when we instruct the Enforcement agents to commence enforcement due to non-payment of the notice.

Nottingham City Council does not receive any additional fees added by the agents, they will only pay the original value of the Penalty Charge Notice to us. If they are unable to collect any fees then the warrant will be returned to us and the Penalty Charge Notice is written off.

Enforcement Agents are in old money Bailiffs. Approximately 20% of cases are referred to Enforcement Agents, of those 20% approximately 10% are written off due to not being able to trace the owner of the vehicle.

We only proceed to Enforcement Agent when all other avenues to trace the owner have been exhausted or there is no response to the Notice to Owner (NTO) which is sent if the PCN isn't paid.

The Enforcement fees are below:

Stage of process	Fixed fee
Writing to you about your debt (called 'compliance')	£75
Visiting your home (called 'enforcement')	£235
Taking and selling your belongings (called 'sale')	£110

WQ5

Written question asked by Councillor Rule of the Portfolio Holder for Finance, Growth and the City Centre at the meeting of the City Council held on 11 January 2021

Will the Portfolio Holder provide a breakdown of lending to all Council owned companies, showing its current level, any increase or decrease over the last year, the annual interest received and the date the lending is due to be repaid by?

Councillor Sam Webster replied as follows:

Schedule of loans to NCC group companies as at 31 December 2020

Schedule of Loans to NCC companies	balance 31.03.20 £m	New Drawdown in 2020/21 £m	Loan Repayments in 2020/21 £m	Current balance 31.12.20 £m	Interest Rate %	Forecast Interest 2020/21 £m	Maturity Year

NCH loans - Lenton 1	1.443	-	-0.007	**1.436**	3.71%	0.053	2065
NCH loans - Radford 1	5.817	-	-0.025	**5.792**	3.65%	0.212	2066
NCH loans - Lenton 2	5.210	-	-0.023	**5.187**	3.19%	0.166	2068
NCH loans - Radford 2	0.517	-	-0.002	**0.515**	3.19%	0.016	2068
NCH loan - Homelessness 1	4.547	-	-0.051	**4.496**	3.12%	0.141	2048
NCH loan - Radford Allotmts (Martins Reach)	1.115	-	-0.004	**1.111**	3.35%	0.037	2070
NCH loan - Church square	2.212	-	-0.009	**2.203**	3.21%	0.071	2069
NCH loan - Vehicles	0.679	-	-0.337	**0.342**	2.77%	0.014	2021
NCH loan - Homelessness 2	5.221	-	-0.057	**5.164**	2.87%	0.149	2049
NCH loan - Homelessness 3	0.000	4.810	-	**4.810**	3.03%	0.067	2060
NCH EL loan - Arkwright Walk	0.000	1.992	-	**1.992**	4.94%	0.041	2060
NCH EL loan - Market Rent Properties	0.000	9.142	-	**9.142**	4.94%	0.189	2060
NCH EL loan - Clifton Triangle	0.000	3.228	-	**3.228**	4.94%	0.067	2060
Robin Hood Energy loan 1 **	7.099	-	-	**7.099**	11%	0.000	TBC
Robin Hood Energy loan 2 **	4.539	-	-	**4.539**	7.54%	0.000	TBC
Robin Hood Energy loan 3	5.563	-	-	**5.563**	7.54%	0.000	TBC
Robin Hood Energy loan 4	3.000	-	-	**3.000**	7.54%	0.000	TBC
Robin Hood Energy loan 5	9.436	-	-	**9.435**	7.54%	0.000	TBC
Robin Hood Energy loan 6	2.700	-	-	**2.700**	7.54%	0.000	TBC
NIC flexible loan facility	2.385	4.999	-	**7.384**	4%	0.267	2035
Bridge Estate	2.344	-	-0.181	**2.163**	2.70%	0.061	2033
Blueprint 2	0.000	1.661	-	**1.661**	4%	0.049	2024
TOTAL	**63.827**	**25.832**	**-0.696**	**88.962**		**1.601**	

The following table shows the equity in Nottingham City Council group companies as at 31 December 2020. The £7.5m shares for Robin Hood Energy were impaired to nil in the 2018/19 accounts.

Equity in NCC companies	**balance 31.03.20**	**New equity in 2020/21**	**Repayments in 2020/21**	**Current balance 31.12.20**
	£m	**£m**	**£m**	**£m**
Nottingham City Transport	4.532	0.000	0.000	**4.532**
Robin Hood Energy (*1 - Impaired to nil)	0.000	0.000	0.000	**0.000**
BluePrint (shares)	7.550	0.000	0.000	**7.550**
Blueprint (Loan notes)	0.000	0.802	0.000	**0.802**
Thomas Bow	6.671	0.000	0.000	**6.671**
TOTAL - at 31 December 2020	**18.753**	**0.802**	**0.000**	**19.555**