

## MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council House, Old Market Square

on 9 November 2015 from 14.00 - 16.43

### ATTENDANCES:

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✓ Councillor Jackie Morris (Lord Mayor)	
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✓ 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 Mohammed Saghir
✓ 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 Ifediora	✓ Councillor Michael Wildgust
✓ Councillor Corall Jenkins	✓ Councillor Malcolm Wood
✓ Councillor Glyn Jenkins	✓ Councillor Linda Woodings
✓ Councillor Sue Johnson	✓ Councillor Steve Young

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✓ Indicates present at meeting

## **42 APOLOGIES FOR ABSENCE**

Councillor Jim Armstrong - illness  
Councillor Merlita Bryan – illness  
Councillor Eunice Campbell – annual leave  
Councillor Alan Clark – annual leave  
Councillor Joshua Cook – other business  
Councillor David Mellen – other Council business  
Councillor Marcia Watson – illness

## **43 DECLARATIONS OF INTERESTS**

Councillors Brian Parbutt, Alex Norris and Coral Jenkins declared interests in agenda item 13, motion in the name of Councillor Rosemary Healy, as they are employed by Trade Unions. They left the chamber for consideration of this item.

## **44 QUESTIONS FROM CITIZENS**

### Traffic outside Fernwood School

M.R. asked the following question of the Portfolio Holder for Jobs, Growth and Transport:

The traffic on Arleston Drive outside Fernwood Schools at school drop off and pick up times is massively problematic. There are too many cars and too many children and no enforcement of yellow lines. How do the council propose to keep our children safe if the school increases in size, as is proposed?

Councillor Nick McDonald provided the following response:

Thank you Lord Mayor, the response is as follows. Fernwood Primary and Nursery School is a large primary situated on Arleston Drive with approximately 870 pupils. Their secondary counterpart is in close proximity off Arleston Drive on Goodwood Road with approximately 1000 pupils. With the proposed increased size of these educational establishments we will have a capacity for 2050 plus pupils; inevitably there will be a large increase in vehicle usage at peak times, drop off times.

There are currently School Entrance Clearways, which to the untrained eye are school zig zags, on Arleston Drive and these are designated by Traffic Regulation Orders which means that they can be enforced at present. The impacts of changes will be monitored to ensure these remain appropriate for this location. In addition the Council works with Fernwood Primary and Nursey School and offers a full road safety education package and programmes to encourage alterative travel modes along with enforcement outside schools.

The dispersal time for school traffic is around 9 minutes in the morning and 15 minutes in the afternoons. Although congestion can cause frustrations for motorists, and we do know this, it actually provides a natural traffic calming effect on the area. Slow moving traffic will not prevent accidents but the severity is significantly less, consequently there has not been any history of reported injury or accidents on this section of Arleston Drive.

## Cycling Safety

S.B. asked the following question of the Portfolio Holder for Jobs, Growth and Transport:

I am aware that Nottingham City Council has had a long term commitment to dissuading people from using their cars unnecessarily, through the raising of parking fees and improving our NCT service (which I feel is excellent), and other measures such as the tram/park and ride systems. Part of this commitment, alongside, no doubt a push to improve the health of citizens, is the more recent support in cycling and cyclist. May I say, I totally support these approaches and ideologies (though I did wonder about the tram system), but as a pedestrian and someone who chooses to exercise by walking, ideally in country parks and the embankment where I can enjoy the beauty of nature, I have a problem with some cyclist.

Largely speaking, the offenders are those who, I would guess, may compete and use cycling as a hard form of exercise (almost like the most extreme forms of gym use), who see pedestrians as an obstacle to aggressively get round or move out of the way. These individuals never use a bell to warn pedestrians that they are approaching, and have no problem with startling people or even brushing by them, to ensure that their route and speed is not affected. Any response of protest is treated with disdain and an equally aggressive response.

May I say, you may think I am making too much of this. However, when you know that I know someone who was killed by one of these fanatical cyclist, perhaps you will take this more seriously. They frighten me and others I walk with, and they are also an embarrassment to more considerate cyclist-one who used his bell, slowed down as he approached us, and said "I'm not one of those who would mow you down". Like myself and the people I walk with, the cyclist's attitude was that there is room for all to enjoy their pastime safely with a bit of acceptance that paths shared by pedestrians as well as cyclists are for all. I have even heard parents, out cycling with their young children and teaching their children to be considerate and a safe cyclist around pedestrians express the view that these fanatics undermine what they are trying to instil in their children, particularly as they get older.

May I say, for people like myself, this is a serious issue. Our enjoyment of the footpaths is being ruined by a constant nervousness about the prospect of encountering cyclists, and if a cyclist approaches, whether they will share the path and accept we have a right to be there too, or scowl at our presence (and us), and make it clear that we get out of the way (often with no forewarning) or they will cycle through us. These fanatics are dangerous. If they wish to test out their speed and skills, there are facilities where they can do this without endangering or ruining the enjoyment of others.

Increasingly, people are cycling on pavements in and out of towns - even in indoor shopping malls. When is something going to be done? It is getting to the point where being a pedestrian cannot walk with ease anywhere; and, as a driver, I know how much they pose a danger to themselves (though any decent driver fears hitting someone without the protection of a car around them) by not sticking to rules of the

road. At the most extreme, I have seen cyclist riding down the wrong side of Parliament Street in the rush hour.

I am sure there is a code of practice for safe cycling, as with any other form of transport. However, these people know that such a code is difficult to police, and I am sure the Council promotion of cycling as an activity and mode of transport in the Nottingham area increases the more irresponsible cyclist to feel on top of the world and get away with anything.

I am sure, as a Council, this is not the spirit in which you are supporting cycling-any more than it is "admired" by the responsible and considerate cyclist I and my friends encounter as we, quietly, attempt to continue to enjoy our healthy pastime. I am sure it is only a matter of time before another fatality/serious injury (if it has not already occurred) happens again. I am sure that, as a Council, this is not what you intended to support. However, I would like to know what you as a Council who has shown support to cycling, is prepared to do about the rest of us, who want to safely and considerately enjoy walking/shopping and generally go about our business in Nottingham safely?

The fact that some of the crazy cyclist (as opposed to the fanatical keep fit lot) put themselves in danger on roads is a matter from them; however, when they decide to ride on pavements, that becomes a matter for others. With consideration and respect for the rights of all to share space, there is no problem. However, this is not the view shared by all, and as a Council who has, and increasingly is, supporting cycling, I would like to know what you are prepared to do for the rest of us?

Councillor Nick McDonald provided the following response:

Thank you again Lord Mayor. So in response to the question, which is a long question, I don't know whether you all have a copy of it in front of you. If you do, it says a number of different things, and the response is as follows. Firstly, thank you for your email and I am deeply sorry to hear about a pedestrian you knew being killed by a cyclist. Fortunately this is a rare occurrence, with pedestrians and cyclists being at far greater risk from motor vehicles than the other way round.

At Nottingham City Council we recognise that all modes of transport have a part to play and we want to ensure that we enable people to make choices about sustainable transport so far as possible we want them to feel safe when travelling around the City.

We want to enable people to cycle as part of the day to day business of the city and for it to be seen by everyone as more than just a pastime. We recognise in order to do this, we need to provide high quality cycle facilities, which give cyclists and pedestrians sufficient space and allow cyclists to feel safe around motor traffic. There is also a need for mutual respect between all types of transport user including pedestrians. We are currently talking to partners from a range of groups with various transport interests in order to develop a road user protocol supported by a campaign around respect for all users of all forms of transport.

We are also currently embarking on a major investment programme to update, upgrade and construct new cycle facilities. In doing so we are looking to provide

cycle facilities which also encourage less confident cyclists, not just those who cycle all the time, we want all people in the city to be able to cycle and feel safe. We are also very keen that these facilities allow cyclists and pedestrians to have their own space in areas where cyclists are looking to travel at speed. Although there will always be locations where we authorise cyclists to share the footway with pedestrians to provide a safe and convenient route, we do want to see segregated cycle ways in addition. In doing so, we want to ensure both cyclists and pedestrians feel safe and are safe. The key here is to make the paths wide enough for the volume of pedestrians and cyclists. In relation to this we have worked up and are consulting on a Nottingham Cycle Design Guide, this includes sections on wide paths, shared use and segregation. My team developing the Guide would welcome any comments you have on these elements in the draft.

If there is a particular location where you feel there is a problem with dangerous cycling, we always want to hear that, we always want to know. In the short term one of my officers will speak to the Police and arrange for a PCSO to monitor the area and speak to cyclists who are cycling illegally and dangerously, and deal with those issues where they're spotted. I am aware that the Police gave out fixed penalty notices recently to cyclists on London Road. We have undertaken this in other areas of the City as well, and whilst we recognise that some cyclists are intimidated by road conditions, it does help to emphasise that they also have the same effect on pedestrians. We will also consider the locations of unauthorised pavement cycling for future investment to see what measures we can implement to create a better environment for both cyclists and pedestrians.

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

Councillor Gul Khan presented a petition signed by 41 citizens, requesting a new bus stop near Nottingham Academy's main entrance on Greenwood Road.

Councillor Pat Ferguson presented a petition signed by 300 citizens, requesting that the Council do not close Laura Chambers Lodge.

#### **46 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL HELD ON 14 SEPTEMBER 2015**

The minutes of the meeting held on 14 September 2015 were confirmed as a correct record and signed by the Lord Mayor.

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

The Deputy Chief Executive reported the following official communications:

I am pleased to report that the SCORE project won the Public Sector Environmental Initiative of the Year Award at the Nottingham Post Environment Awards. The SCORE project offers all schools and community groups across Nottingham the opportunity to receive expert support, advice and finance to deliver behavioural change and energy efficiency measures.

Secondly, our school attendance gig competition – the Get In:involved campaign – also won a Gold Award at the Media Week Awards 2015 in London. These are the leading awards for creative media. Global Media (Capital FM) were shortlisted with us in the category ‘Best Owner Media Idea (under £250k)’... we were up against Top Shop, Coca Cola, Cancer Research UK and Sainsbury’s! This adds to the Municipal Journal Award presented to the campaign in June this year. Congratulations to all teams involved and thank you for your part in raising the profile of Nottingham City Council nationally.

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

None.

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

Robin Hood Energy

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

What impact on this Council’s finances and future services will the introduction and continuance of Robin Hood Energy have?

Councillor Graham Chapman replied as follows:

Can I thank councillor Culley for her question. Executive Board on 17 March 2015 agreed a loan facility of up to £11,000,000 for Robin Hood Energy, to fund the set up and early running costs. The loan was on commercial terms, to be repaid within 10 years. The modelled loan repayments to the Council would mean repayments of £407,000 in 2016/17, and £1,630,000 per annum in subsequent years. This is a much higher rate than anything we would get on the open market, and it isn't because we're exploiting Robin Hood Energy, it is because it is a market rate which is dictated by the EU.

In addition to this, support staff are being provided to Robin Hood Energy by the Council, and they are being recharged. Robin Hood Energy is a not-for-profit company however, and the Council will not be receiving any dividends from the firm. In terms of liability, most of the loan is issued for the refurbishment of a City Council premise, for IT equipment, and for the purchase of energy, all of which are fairly easily redeemable in the unlikely event of liquidation. Perhaps less so for the IT equipment.

So I appreciate her concerns, and I know they are genuine, and I don't want to sound too optimistic, but at the moment my view is that this is a good deal for the city. It is a good deal for the Council tax payers because we're getting a rate of return, and it's an even better deal for the consumers of the city, and particularly as we have created a firm which has got a national reputation which is taking on the oligopoly of the big 6,

which it is about time it should do, and is doing it for the benefit of Nottingham citizens and some of the least well off Nottingham citizens.

### School Performance

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

Given the poor performance of our schools in the league tables, does the Portfolio Holder recognise the need for our junior and infant schools under this Council's control to significantly improve their standards in order to improve their children's chances in secondary school?

Councillor Sam Webster replied as follows:

Lord Mayor, can I thank Councillor Culley for her question. I must point out however that primary education in Nottingham City is no longer separated into infant and junior schools as she describes. All infant and junior schools in Nottingham have merged in recent years to become through primary schools. The last schools to go through this transition were Fernwood infant and junior schools, in her own ward, following the consultation, of which she was notified. I would have hoped that the opposition group leader would have been aware of this significant change across the city, and especially in the local schools that serve her residents.

However, the questions gives me the opportunity to draw her attention to the fact that in most cases our primary schools are effective in ensuring that children are well equipped to achieve in secondary school. Of course there are several ways to monitor the effectiveness of schools, including inspection ratings, examination and test outcomes, and the progress that children make. My view is that we can do better, and all our efforts are focused on securing the best possible outcomes for every Nottingham child in all phases of education. If we look beyond the simple headline figure that league tables tell, we can see that Nottingham primary schools are in fact very effective in ensuring that children make good progress between entering primary school at 4 and leaving at age 11. Their learning progresses at a rate that is at least as good as the national average and often better than that of children in other Local Authority areas.

If we look at the league table for the progress pupils make between the age of 7 and the age of 11, we see that in writing 94% of Nottingham pupils made the expected progress; and in maths 90%, which is line with national averages. This ranks the city as 74<sup>th</sup> out of 152 Local Authority areas for writing and 69<sup>th</sup> out of 152 for maths. On these measures Nottingham sits in the top half of the national league tables. Whilst I would argue that of course Nottingham should sit higher still in all of the education league table, it is also important that we do recognise and praise the excellent job city primary schools are doing in increasing the life chances of children; many of whom live in families that are dealing with very challenging economic and social circumstances. In the same time that our primary schools have been increasing both overall attainment and the progress made the proportion of disadvantaged pupils living in the city has also increased. It is 11% above the national average. The number of pupils eligible for pupil premium funding has gone up by 603 over the last

2 years. Primary free school meal eligibility in 2015 was 26% of the pupil population compared with a national average of 15.6%.

I also want to recognise and praise the massive increase in attainment that our very youngest children have demonstrated this year. The percentage of pupils in the Early Years Foundation Stage, that is at age 5, assessed to be gaining a good level of development improved significantly this year, from 46% in 2014 to 58% in 2015. A renewed focus on the foundation stage and prioritising improvement programmes such as 'Getting to Good' has helped schools to secure these improvements. I expect this improvement to be sustained and reflected in 2016.

Of course we must continue to expect and demand the very best for our early years and primary age pupils. And that is why we have made a commitment to ensure that every city child is educated in a school graded good or outstanding by Ofsted. We currently stand at 78.9% of pupils doing so, which is well above the East Midlands average, but the Council will support and challenge when necessary all schools and academies to ensure we reach our target during the life of this Council. The Council has commissioned a team of 5 outstanding primary phase improvement advisors, linked to every LA maintained primary school and primary academy in the city, to ensure that our commitment is met and that children are fully prepared to excel at secondary school and beyond.

#### Laura Chambers Lodge

Councillor Andrew Rule asked the following question of the Portfolio Holder for Adults, Health and the Community Sector:

In light of the objective in the Adults, Health and Community Plan for the forthcoming year to "make life better for the 35,000 older persons in the City enabling choice and confidence in the care they receive" would the Portfolio Holder update the Chamber on the outcome of the recent consultation regarding the closure of the Laura Chambers Lodge and what decision has been made on the suggestion that rather than closing Laura Chambers outright it incorporates a unit catering for needs of those with adult learning difficulties alongside the excellent care it currently delivers for those who currently reside in it and in doing so avoiding the resulting upheaval for current residents and their families in finding alternative care elsewhere if it is closed outright?

Councillor Alex Norris replied as follows:

Thank you Lord Mayor, and can I thank Councillor Rule for his question. Scouring my records as I did over the weekend, I think that this is my 3<sup>rd</sup> year of leading for Council on Adults issues, and this is the first time I've been asked a question by the opposition group about older people. So I very much welcome their belated interest, even if it does somewhat make me suspicious. We haven't actually agreed the objectives in the aforementioned plan, and won't do until later in the agenda, but nevertheless, it does bear talking about, and I will go into detail a little bit more about the vision and where it comes from. But suffice to say, that we'll be asking Council to commit to redefining our relationship with our community of older people, to do as they've asked us, and said to multiple times; a complete shift from defining them in terms of the services they receive from us, as if that's all they do, they take from the

state, which we know to not be the case. They outlined to us very strongly that it's not the case. But instead, to focus our effort to ensuring they have choice in their life, they have control over their life and their outcomes, they live independently, and that they get proper engagement and are listened to on issues that affect them, and on other issues also. I'm proud of that vision, and as I say I will commend it to Council later.

This issue, however, has involved consultation. Consultation of a different kind, and of a much more difficult consultation. There's a proposal that came through, passed in our budget in March, around the re-designation of Laura Chambers Lodge, and we've seen a petition at this meeting already, so members will be well aware of it, but again I think the background is important for those who might not be; perhaps those in the gallery.

We're struggling to meet a need at the moment around adults with learning disabilities in this city. I certainly don't believe our facility at Oakdene is fit for purpose, and we're also struggling in terms of capacity. Oakdene isn't big enough, so we end up placing people in expensive single placements, often out of the city which isn't fair on them or on their families. So then, we need to change something, we have to adapt, modify, in order to meet this growing need happily; a growing need as medical science improves, and as life expectancy improves also.

If we were properly funded as an organisation, we'd set about developing either a new facility at Oakdene, depending on the current facility and the grounds, or we'd find another suitable site. However, due to incredibly tight finances that we've discussed in this chamber at length, we've instead come to the proposal that we have to find somewhere within our current estate to develop, because that way we can make the finances stack up. So we had to look at something that we already owned, and that was in a community that we felt the needs of current residents could be met nearby. That's why, with the available options in Clifton, Laura Chambers has been the option that has been presented. So we believe that the current need can be met there, and that we can re-designate Laura Chambers for adults with learning disabilities, to develop an improved and an enlarged scheme.

This has been an incredibly, enormously difficult proposal to make. I am very clear, having read all the consultation responses and having attended a very fiery public meeting, of the strength of feeling. I've had that in no uncertain terms. But this is the territory that the government has forced us into; choosing between needy groups is just not what any of us came to do and not what we should be doing as public services. It's like being asked: which hand do you want to punch yourself with? And it has felt impossible at times, and has been enormously difficult. The consultation is now closed, a decision is imminent, however I am not in a position to share that here until we've shared it properly with the residents, their families, and their carers. That seems to me to be the right way to do it.

What is really unwelcome here is opposition members trying to make political capital out of this. This first came to the attention of this chamber in March, as part of the budget proposals. There was no amendment to that; there wasn't a follow up question, or even a question in the pre-consultation in December when it was out then as well to say what this would mean. There were no further questions in this chamber about it. Similarly, we've just closed a consultation that lasted for several

weeks, was extended because there was a request to do so, so that the strength of feeling was properly displayed. But I've had no response to that consultation on behalf of opposition members.

The first thing we see is today, for the first time, an alternative articulated. One that could have been shared with Officers, and we could have had a proper pounds and pence analysis of. So that leaves me to conclude that this is here today not because it's of interest for residents of that community, but because it's here for narrow political advantage. And I think even by their standards, that's pretty feeble. They cry crocodile tears, and pretend they think the state should run services like care services, all the while they cheerlead their government, who think we should be doing the exact opposite of that, who are desperate to squeeze us out of anything the private sector might be able to do. Conservative Councils up and down the country have quit this field years ago, and we're supposed to believe that actually they think that we should do this? Well they've never said that before, they obviously don't think we should be running energy companies, clearly from the previous question they don't think we should be running schools! So I find it revelatory, and I find it illustrative, that today they pretend that they think that we ought to be running care services. Well I look forward to you articulating that to your ministers, to your Prime Minister, and making sure that funding reflects that. However, I shall not wait holding my breath.

In contrast, Labour members have met with me multiple times over the last year, asking searching questions, offering alternatives. I don't think it's breaking a great omelette to say that there are many who are very unhappy with this proposal. But I will take that from them, and I will take the personal criticism from them, because they've earned the right to do it, because they've done it properly. But what I won't do is be preached to by opposition members who haven't cared before, and only do now because they think it will help them win an election.

#### Forced Sale of High Value Council Houses

Councillor Gul Khan asked the following question of the Portfolio Holder for Planning and Housing:

Will the Portfolio Holder for Planning and Housing please tell us of the implications of forcibly selling High Value council properties as proposed by the Government?

Councillor Jane Urquhart replied as follows:

Thank you Lord Mayor, and thank you Councillor Khan for your question. I was just reflecting there as Councillor Norris answered his question about the willingness with which Conservative government seem to like the notion of the private sector running things; how relevant that is to this policy too. Because of course, the forced sale of high value Council housing in order to pay for the Right to Buy in Housing Associations is another example of a massive privatisation of assets. It is a transfer of publicly held assets, or assets that have been built by charitable donation for the benefit of many, into the hands of those few who can afford to buy them, and potentially, eventually into the hands of those few private landlords who may well end up being their owners.

That is likely to affect the social mix and diversity of communities on our remaining social housing estates, increase ghettoization of our Council areas, and of course the forced sale of high value Council assets affects councils who have retained their housing stock as we have in this city. Some transferred their stock some time ago to Housing Associations, and therefore of course places such as Nottingham, councils like ours who have not done that, will not only be contributing to replace monies for Housing Associations for the houses that they need to rebuild here, but also paying our share, as it's seen by the government, to replace stock in other places too.

From the legislation of course, and again this is a feature of the whole of the Housing and Planning Bill, it's not yet clear what the definition of "high value" might be. We've got some information, we've got some indication of what it might be, of what kind of values we might be looking at across our city, but that's not yet clear. It's also not yet absolutely clear whether we will actually be forced to sell those properties, or whether there'll be a formula, whereby Local Government, that's us, our council, will be required to pay a levy to central government; an annual contribution based on a formula about theoretically how many vacant high value properties we might or might not have. Of course if it's a formula approach, we know what formula approaches do, and again, Councillor Norris has just outlined that for us. We know what this government's approach to a formula will mean for us. We also know that if there is a formula approach, and we're required to give a certain amount per annum, that does of course give us a choice: ooh great, we don't therefore have to sell the stock, do we? We could retain it. But guess what? We'll still have to pay the money to government, and we know what's happened to our finances over the last few years. So, it will put greater pressure on our already over-pressurised revenue budgets.

So this policy reduced our housing stock, further privatises housing, and squeezes our budgets even more, in order that those living in Housing Association properties can have the Right to Buy, and in order that the government doesn't have to legislate for the Housing Associations to sell those properties; it's been able to do it by agreement with the Housing Associations, by promising them the money to rebuild 1 for 1, and it's getting that money from us.

### Education Outcomes

Councillor Rosemary Healy asked the following question of the Portfolio Holder for Schools:

Despite the backdrop of Government education policy can the Portfolio Holder for Schools tell us what the Council is doing to improve education outcomes for children in Nottingham?

Councillor Sam Webster replied as follows:

Can I thank Councillor Healy for her question. I must begin by stating my view that the current and previous governments' education policies have not, to date, served the interests of Nottingham children.

There are significant issues facing the education sector currently, not least the national teacher recruitment crisis, which the government has failed to tackle. Sadly,

the government is obsessively focused on a quest of mass enforced academisation, rather than dealing with such issues; a quest that isn't backed by evidence of improved standards or better outcomes for children, rather it's purely ideologically driven. Worse still, evidence points in the opposite direction, with Ofsted figures showing 17,000 more children attend academies or free schools deemed to be inadequate, than local authority maintained schools. The focus on schools' structures, rather than standards is misplaced.

As government policy has reduced the ability of councils to intervene in failing and underperforming schools, we've seen exam results for Nottingham children fall. The correlation is stark. In 2012, prior to government reforms, over 80% of Nottingham children achieved 5 good GCSEs or equivalent. Now on provisional data that level has dropped to around 50%. We now have a fragmented education system, featuring aggressive competition, ballooning bureaucracy, and a lack of proper local democratic oversight. Qualification and examination reform has also been detrimental for Nottingham pupils, with vocational subjects side-lined in favour of traditional academic qualifications that don't necessarily provide the best preparation for working life, and don't necessarily suit the learning style of vast swathes of young people.

When the previous government acted on the recommendations of the Wolf Review, it swept aside the views of the teaching profession, the unions that represent teaching staff, and business leaders. The Confederation of British Industry's Director General has said "for too long, the education debate has been a battle between 2 opposing camps; false choices between academic achievement or vocational skill, between the right marks or the right mentality. A false choice that we've allowed to determine the course of the education debate. I want a system that doesn't just work for some young people, but for all of them.

I think you're spot on; I agree that current education policy is only serving to widen inequality. I'd go so far as to say that the government is failing in its duty to offer an education system that serves all young people. They've put ideology before evidence, and have been determined to reduce local authority influence and resources, to the extent that the Council is working with 1 arm tied behind its back. Despite this backdrop, I will reiterate now: this Council has an absolute focus and determination to improve education outcomes for Nottingham children, working with schools, not against them. We seek to have the strongest possible relationships with all Nottingham schools, whether they be maintained, academies, or free.

A huge amount of work is underway to ensure that exam results return to a trajectory of positive improvement year on year as soon as possible. As a Labour Council, we have been and always will be the champions for Nottingham children; supporting schools to improve, challenging them when it's needed. Nottingham's Education Improvement Board has been instigated, facilitated, and resourced by the Council. It's chaired by the University of Nottingham's Vice-Chancellor, and includes education experts and Head teachers. The board recently launched a document for public consultation called "Ambition 2015: the 10 year programme". The board believes a long-term vision and plan is required for Nottingham to deliver a world-class education service. The document outlines the first three priorities which are teacher retention and recruitment, mathematics as a driver for improved outcomes, and improved transition from primary to secondary school.

The Council alongside all partners delivering education in the city has a key role to ensure that these priorities are met. So for example, in terms of the priority to improve maths, Local Authority officers have developed a programme working with primary and secondary maths teachers to ensure that there is better transition when children move up to secondary school and that the good progress being demonstrated at primary level is accelerated and not lost at secondary level.

We are fully committed to ensuring that we attract and retain the best teachers, as we recognise that high quality teaching and school leaders are the single most important way of improving outcomes. Our ability as a Council to offer incentives for housing and transport, and in offering as a city opportunities for career and professional development are all being explored as part of a comprehensive recruitment and retention package.

In recent months the Council has introduced a Governors' Academy, to better train and prepare school governors for their vital role. We've introduced a city-wide behaviour charter, setting out rights and responsibilities of teachers, children and parents. We've invested in improving work readiness and employability skills by launching Aspire, the Nottingham education business partnership, and this week we will launch a new employability strategy known as "education is everyone's business", with the ambition of achieving 10 employer related interventions for every young person during their education.

In addition, the Council commissioned a review of special educational needs provision, and a review of alternative provision, both of which will lead to citywide changes. Our focus is clearly on improving outcomes for all Nottingham children, and there are many areas of improvement to be proud of, and which set a solid foundation for future sustainable success. Improvements such as school attendance, where we have seen huge strides forward, I think we'd all welcome the fact that Nottingham city currently has the most improved rate of school attendance. Only by being in school every day can our children achieve to their full potential. We've also made great progress with Ofsted inspection ratings recently, and our rate of success for supporting schools out of the "requires improvement" category, and into a good rating is currently the best in the East Midlands.

We continue to invest in upgrading school buildings, and expanding school place numbers to keep pace with population growth. Our local schools are popular, and to meet local need we're partway through a £33,000,000 investment programme.

So there are challenges. Challenges that we can only overcome by working collaboratively and in partnership. Improving education outcomes is a challenge to the city, and all who live, work and do business here. But we're also seeing progress, and we have real areas of success to build on. Our focus is on a long term plan, with a clear goal: a good school. Close to home, for every Nottingham child.

#### Cut to the Public Sector Health Grant

Councillor Ginny Klein asked the following question of the Portfolio Holder for Adults, Health and the Community Sector:

Could the Portfolio Holder for Adults, Health and Community Sector comment on the proposed in year cut to the Public Health Grant?

Councillor Alex Norris replied as follows:

Thanks Lord Mayor, and I thank Councillor Klein for her question. I think I mentioned this the last time I was in this chamber, that it was floating around almost immediately after the general election that the government intended to make an in-year cut to the public health grant that we receive as a public authority, that everyone else does, and our concern there. Well those concerns have been borne out, and the dismal reality has been dropped on us that they intend to cut about £2,000,000 from us in-year, which represents a 6.2% reduction; a flat reduction up and down the country, for once actually.

It's been dressed up as a non-NHS, non-frontline cut. This however, is patently untrue. So, non-NHS; well this money is almost completely tied up in contracts, which I'll get to shortly. But the great deal of them are with NHS providers. A good example, the single biggest chunk, goes on sexual health services that are provided by Nottingham Universities Hospitals Trust. I don't think you get much more NHS than that. These are very close to home, and anything that doesn't go directly to NHS providers probably goes to GPs. So these are very much cuts to the NHS. Supposedly protected, obviously not.

So is it perhaps not frontline? Are these some secondary functions that maybe we could live without in these very challenging times? Well no, it's not that either. These are critical services that prevent escalating health needs. Whether that's sexual health, whether it's smoking cessation, health visiting, breast feeding support services, or maintaining a healthy weight.

I would very much commend to people reading The Five Year Forward View, by the Chief Executive of NHS England, Simon Stevens. His great tome, and you know he's not without fault, this is his great tome on how we can have a viable NHS, which is very much within our political choices, very much within our control, and what we'd do, how we'd engineer that system. And one of the major planks in there is around having proper preventative services, to say that we can't spend all of our lives, as we spend so much time doing, saying "how can we make everything cost 5% less?" "How can we make everything cost 10% less?" Eventually you have to say; well it's not about making the ambulance 5% cheaper, it's about having a 5%, 10%, or 15% fewer people coming to hospital. If you can put those early interventions in place, then you can really make that difference down the line, and that's what public health is for, that's what this money is for, that's what we're being expected in-year to stop. You don't have to take my commendation for The Five Year Forward View; Jeremy Hunt was doing victory laps with it, saying what a wonderful vision for the service. So once again, we see that they talk out of one side of their mouth, and then out of the other, and the money never matches up with the rhetoric.

In terms of the flat cut, 6.2%; it's based on some notional calculation someone has done, it could only have been done in the finest traditions on a fag packet, to say how much they think that this grant is somehow underspent across the country. And then they've levied that as a flat cut, to say "well you mustn't need this money in the

system, as it wasn't spent". Well first of all, how you can do a flat cut to deal with pockets of underspend? That's bizarre, it makes no sense at all, it's Early Learning Centre mathematics. Also it gets away from, and it's incredible that these people run multiple billion pound departments, because we know from running multiple million pound departments that it doesn't always, these are big sums of money, but also big needs to meet, they fluctuate. So what you spend in 1 year does not necessarily match up to what you need, and sometimes rather than say "oh I'd better spend it all or some wise Etonian will come along and take it later" if you say "well you know what, we want to hold off, because we haven't quite had the demand, but we want to pump prime another project that we think will be even more preventative, even more effective for the system". That's how grown-ups run organisations, and this is the most infantile cut you'd ever hope to see, and the fact it's a flat cut is incredible.

So, that's putting aside putting the politics into it, and there will be people who sit there thinking they don't actually think this works, they don't think that should be the role, maybe even some people who think we shouldn't have an NHS. I mean, unbelievable, but some people do hold that view across the political spectrum. So putting aside that politics element; in-year cuts, how does it work? Well we're now at the beginning of November, the financial year starts at the beginning on April, so we're well over half way through this year, so actually when they say they want us to take this money from your annual budget, they mean they want to take it from less than half a year's budget, which means that actually in real terms it's more than doubled in its impact. These are in contracts, signed in some cases multiple years ago, but in the best case before Christmas. Signed contracts where we said to providers that this is the money that we have for these services, and can they please plan their staffing cohort, can they please plan their buildings, and can they please plan their activities to make sure that they meet this need over the next year? And then we've got to call them up in November and say "well back then we said we had that much money, Jeremy Hunt now says we don't, so if you could possibly get in your time machine and not make those decisions, that would be great". You can't run a bath on that basis; it is beyond the pale to think that that is a reasonable thing.

We are put under incredibly unreasonable pressure around budgets, but to try and do this is genuinely miracle-maker sort of stuff. So I asked Officers what the mechanics of this was, and they forwarded it to me, as I thought how does someone do this with the money that comes in the grant? Well our grant comes in payments, and they simply won't make the last payment. They'll just say "well you haven't got the money so you'll have to do it!" I mean it's incredible. I get it, it highlights the contrast. And this is why we see DCLG get clobbered again, because Eric Pickles gets a knighthood for his service tenure at DCLG because they said "what a great job he did! Eric made all these cuts, whereas all these other departments said they'd make their cuts, but they didn't make them all, and we didn't make our cuts projection by almost a half, but Eric? He can do it". That's because Eric just went "well these are the cuts I have to make" and then handed on to the competent people in local councils, who have to make the budgets balance. Because they gave the work to someone who hasn't got a choice but to make it work, and there were knighthoods all round, backslaps down the private clubs. And it was absolutely incredible.

But as if you needed anymore grist to the mill that this is Through the Looking Glass stuff, I'll give you a final really sad example, something that if you proposed it for Yes Minister or The Thick of It, they'd rule it out for being too bizarre to be a viable

storyline. And you might have seen me looking at Councillor Chapman when I said £2,000,000 is 6.2%, because I think he was doing the maths, thinking “that’s more than the £27,000,000 Public Health grant we get?” Well that’s because on 1 October, over 5 weeks ago, we were given control over the £5,000,000 budget for Health Visitors and general competence over commissioning for 0-5 year olds. This was very good, we own the rest of the system, so it makes sense that we have this final piece so that we can commission and integrated service. This is the very Health Visiting service that in 2008, David Cameron as part of his nice-guy shtick, talked about doubling the number. He didn’t get there, but at least he tried. When in government, this was his attempt to show they were the compassionate Conservatives, they believe in Health Visiting, Early Intervention, helping everyone out. And not only would they do that, but they’d give it to local government, so they’ve boosted the numbers, done the press releases, handed it to local government; because we said that whatever these cuts are, they certainly won’t relate to Health Visiting, because we’ll only have had them 5 weeks, we didn’t even commission the contracts! There’s no way we’d be expected to be asked the question. So what’s the expectation with Health Visiting? It’s the same. Cut 6.2% out of it. So they’ve spent the last 5 years desperately trying to boost the numbers, handed it over to us, and said “can you now cut them?” Again, I’ve used the running a bath metaphor, which usually gets 1 laugh, not 2, but I find it incredible, it’s sad. And we know where this goes, this is an in-year cut, but we know that they’ll then say “oh you managed the in-year cut, because somehow you’ll have to, well next year you’ve got the 6.2% cut as well, as well as the other cuts you’re making”. We know where this goes. This is a government with no interest in the NHS, and it’s the same conclusion I draw every time I talk about it, whether in here or elsewhere: They want the National Health Service to fail. The idea that we would come together collectively to meet our population’s needs, they want that idea to fail. So they just keep, by a thousand little whittles, on the hope that it’ll all collapse and they’ll say “well we tried so hard on the National Health Service, now it’s going to have to be delivered for you by private providers, get your insurance now. And if you haven’t got it, well good luck!”

## **50 TO CONSIDER A REPORT OF THE LEADER ON DECISIONS TAKEN UNDER THE URGENCY PROCEDURES**

The Leader submitted a report on decisions taken under urgency procedures, as set out on pages 19 to 24 of the agenda.

**RESOLVED to note the urgent decisions taken:**

<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>Reasons for urgency</u></b>
<b>2159</b>	<b>09/09/2015</b>	<b>Cost of child in care placement</b>	<b>Exempt</b>	<b>To allow for a timely implementation of the decision.</b>
<b>2160</b>	<b>09/09/2015</b>	<b>Cost of child in care placement</b>	<b>Exempt</b>	<b>To allow for a timely implementation of the decision.</b>
<b>2161</b>	<b>09/09/2015</b>	<b>Cost of adult in care placement</b>	<b>Exempt</b>	<b>To allow for a timely implementation of the decision.</b>

<u>Decision reference number</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Reasons for urgency</u>
2166	14/09/2015	Cost of child in care placement	Exempt	To allow for a timely implementation of the decision.
2167	14/09/2015	Cost of child in care placement	Exempt	To allow for a timely implementation of the decision.
2177	22/09/2015	Sale of Houses in Multiple Occupation Properties to Nottingham City Homes	£588,500	Any delay would impact the delivery of the scheme.
2180	22/09/2015	24 Hour Domestic and Sexual Violence Helpline	£50,000	To allow for the urgent release of funding.
2183	24/09/2015	Electoral Registration Software - Mobile Canvassing Application	£39,667	Due to the time constraints for starting the annual canvass.
2197	08/10/2015	Sale of freehold interests in 47 and 49 Gwenbrook Avenue, 51 Fletcher Road and 136 Cator Lane, Beeston Nottingham	Exempt	The residential property market at auction is changing at present and there is a concern of receiving a lesser sale price if there is a delay, plus the potential issue
2199	08/10/2015	Cost of child in care placement	Exempt	To allow for a timely implementation of the decision.
2203	08/10/2015	Units 9 and 9A Poulton Drive Nottingham, NG2 4BN	£24,718	Contractors are already onsite and to ask them to leave and return would incur more costs
2208	14/10/2015	Cost of adult in care placement	Exempt	To allow for a timely implementation of the decision.
2215	08/10/2015	Direct Contract Award for Metropolitan Briarwood Supported Living Scheme	Exempt	The service is already being delivered at the revised rates and under the implied new contract, for this reason we require exemption from call-in.

<u>Decision reference number</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Reasons for urgency</u>
2218	22/10/2015	Cost of adult in care placement	Exempt	To allow for a timely implementation of the decision.
2220	22/10/2015	Cost of adult in care placement	Exempt	To allow for a timely implementation of the decision.
2223	23/10/2015	Cost of child in care placement	Exempt	To allow for a timely implementation of the decision.

## **51 TO CONSIDER A REPORT OF THE LEADER ON AMENDMENTS TO THE CONSTITUTION**

The Leader submitted a report on amendments to the constitution, as set out on pages 25 to 40 of the agenda.

### **RESOLVED to:**

- (1) note the amendments to the financial limits relating to executive delegated decision making as outlined in paragraph 5.2 of the report;**
- (2) approve the amendments to the financial limits relating to non-executive delegated decision making as outlined in paragraph 5.3 of the report;**
- (3) approve revisions to the Overview and Scrutiny Procedure Rules, revising the decisions to which the Call-in Procedure applies as outlined in paragraph 5.4 of the report;**
- (4) note that the Appointments and Conditions of Service Committee agreed changes to the senior officer structure in September 2015 and approve the replacement of the old senior management structure in Part Three of the Constitution with the current one;**
- (5) note the changes to delegations relating to non-executive and executive delegated decision making to reflect the recently agreed senior officer structure and to approve changes to the constitution to reflect these, as outlined in paragraph 5.5 of the report;**
- (6) approve changes to the terms of reference for the Health and Wellbeing Board and the Planning Committee, as outlined in paragraphs 5.6 and 5.7 of the report;**
- (7) note the changes to Executive Portfolio responsibilities, as outlined in paragraph 5.8 of the report;**
- (8) approve amendments to Standing Orders to reflect the revised procedure and deadlines relating to council questions in Part Four of the Constitution, as outlined in paragraphs 5.9 and 5.10 of the report;**

- (9) delegate authority to the Corporate Director of Resilience to agree the changes to the wording of the Constitution necessary to implement the above;
- (10) approve the revised Employment Procedure Rules as outlined in paragraph 5.11 and Appendix 1 of the report, and to replace the existing Employment Procedure Rules in Part Four of the Constitution.

**52 TO CONSIDER A REPORT OF THE LEADER ON THE NOTTINGHAM CITY COUNCIL PLAN 2015-19**

The Leader submitted a report on the Nottingham City Council Plan 2015-19, as set out on pages 41 to 74 of the agenda.

**RESOLVED to approve the Council Plan, as detailed in appendix 2 of the report.**

**53 TO CONSIDER A REPORT OF THE CHAIR OF THE LICENSING COMMITTEE ON THE REVIEW OF NOTTINGHAM CITY COUNCIL STATEMENT OF GAMBLING POLICY**

The Chair of the Licensing Committee submitted a report on the review of Nottingham City Council statement of gambling policy, as set out on pages 75 to 136 of the agenda.

**RESOLVED to**

- (1) renew the Council's previous "No Casino" resolution pursuant to S166 of the Act so, that with effect from 31 January 2016, no casino licences will be issued within the administrative area of the City of Nottingham;
- (2) adopt the Statement of Gambling Policy in Appendix 1;
- (3) authorise the Corporate Director of Commercial and Operations to comply with the relevant statutory requirements in respect of the advertisement and publication of the Statement.

**54 TO CONSIDER A MOTION IN THE NAME OF COUNCILLOR ROSEMARY HEALY**

Moved by Councillor Rosemary Healy, seconded by Councillor Steve Battlemuch:

"This Council opposes the Governments attempts to undermine Public Sector industrial relations through the Trade Union bill. Nottingham City Council works closely with its recognised Trade Unions and has not seen strike action not linked to a national dispute in over a decade. Council therefore resolves to:

Lobby Central Government to challenge the Key elements of the bill that will undermine the relationship this council has with its staff and their recognised Trade Unions and work with the recognised Trade Unions to maintain subscriptions through

salary, more commonly referred to as “Check off” or “DOCAS”, as an option for staff employed by Nottingham City Council for as long as possible.”

**RESOLVED to carry the motion.**

**55 TO CONSIDER A MOTION IN THE NAME OF COUNCILLOR GRAHAM CHAPMAN**

Moved by Councillor Graham Chapman, seconded by Councillor Linda Woodings:

“This council believes it is in the best interests of business, residents and the whole city of Nottingham for the UK to continue its membership of the European Union, while seeking reform on a number of key issues.”

**RESOLVED to carry the motion.**

**56 TO CONSIDER CHANGING THE DATE OF THE JANUARY 2016 MEETING OF COUNCIL FROM MONDAY 11 JANUARY 2016 TO MONDAY 25 JANUARY 2016**

Councillor did not reach agreement during discussion to change the date of the January meeting to 25 January 2016. An alternate date of 188 January 2016 was suggested.

**RESOLVED to agree a new date for the next meeting of Council, by agreement of the group whips, and to send an update to all attendees and interested parties.**