

MINUTES OF THE MEETING OF THE CITY COUNCIL

held at the Council Chamber - at the Council House

on 8 May 2017 from 2.00 pm - 3.57 pm

ATTENDANCES:

✓ Councillor Mohammed Saghir (Lord Mayor)	
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✓ 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 Steve Battlemuch	✓ Councillor Carole McCulloch
✓ Councillor Merlita Bryan	✓ 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 Brian Grocock	✓ Councillor Wendy Smith
✓ Councillor Chris Gibson	✓ 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 Adele Williams
Councillor Corall Jenkins	Councillor Michael Wildgust
✓ Councillor Glyn Jenkins	✓ Councillor Malcolm Wood
✓ Councillor Sue Johnson	✓ Councillor Linda Woodings
✓ Councillor Carole-Ann Jones	✓ Councillor Steve Young

✓ Indicates present at meeting

1 APOLOGIES FOR ABSENCE

Councillor Azad Choudhry - personal
Councillor Alan Clark - personal
Councillor Corall Jenkins - personal
Councillor Alex Norris - non-Council business

2 DECLARATIONS OF INTERESTS

None

3 TO ELECT THE LORD MAYOR AND APPOINT THE SHERIFF

RESOLVED to:

- 1) elect Councillor Michael Edwards as the Lord Mayor of the City of Nottingham until the next annual meeting of the City Council, as nominated by Councillor Brian Parbutt and seconded by Councillor Eunice Campbell;
- 2) appoint Councillor Glyn Jenkins as Sheriff of the City of Nottingham until the next annual meeting of the City Council, as nominated by Councillor Jackie Morris and seconded by Councillor Chris Gibson.

4 TO APPOINT THE LORD MAYOR'S CHAPLAIN

The Lord Mayor informed Council of the appointment of Bishop James Stapleton of the Open Christian Fellowship as the Lord Mayor's Chaplain.

5 QUESTIONS FROM CITIZENS

None.

6 PETITIONS FROM COUNCILLORS ON BEHALF OF CITIZENS

None.

7 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL HELD ON 6 MARCH 2017

The minutes of the meeting held on 6 March 2017 were confirmed as a correct record and signed by the Chair.

8 TO RECEIVE OFFICIAL COMMUNICATIONS AND ANNOUNCEMENTS FROM THE LEADER OF THE COUNCIL AND/OR THE CHIEF EXECUTIVE

The Chief Executive reported the following:

Councillor Adele Williams

I would like to welcome Councillor Adele Williams, the newly elected Labour Councillor for Sherwood to the Council, following a by-election held on Thursday 4 May 2017.

Hearts for the Arts Award 2017

I am delighted to welcome 3 very special guests who are here to present the Hearts for the Arts Award 2017 to the Nottingham Performing Arts Library Service (NPALS). We are incredibly proud that NPALS has been named the country's best local authority arts initiative 2017, for its innovative work to provide music and drama groups with an outstanding, cost-effective regional loans service for music scores and play scripts.

NPALS is part of Nottingham City Libraries Service, many of whom are here in the gallery today, and is the culmination of a project between Nottingham and Leicester city councils. The authorities worked together to transform two subsidised music and drama library services into a single sustainable unit supporting amateur groups across both areas. We are particularly pleased that a number of other councils have expressed an interest in adopting the model for their performing arts library services. We hope in the future that it will form the basis of a new regional or even national way of working, showing that Nottingham is once again in the vanguard of change and innovation in the field of arts and culture.

Our esteemed guests today are, Samuel West, BAFTA nominated actor, director and chair of the judging Panel for the Award, Howard Goodall (CBE) BAFTA award-winning composer of choral music, stage musicals, film and TV scores and David Brownlee from the Results Group for the Arts which supports arts and cultural professionals. It now gives me great pleasure to invite Samuel West and Howard Goodall to say a few words and present the Award to Councillor Dave Trimble.

UK Housing Awards 2017

Nottingham City Council was named Outstanding Strategic Local Authority of the Year at the UK Housing Awards at the awards ceremony on 26 April 2017. The awards are jointly organised by the Chartered Institute of Housing and Inside Housing magazine. They are regarded as the most prestigious awards in the social housing sector.

Jean Case

Finally and exceptionally at full Council in relation to a member of staff, it's with sadness that I report to Council the passing of Jean Case who worked as a Youth and Play Co-ordinator, having joined the Council in June 2005. Many of our councillors will have known Jean from her prominent role in our neighbourhoods as part of the Family Community Team.

Councillor David Mellen spoke in tribute to Jean Case and a minutes' silence was held.

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

None.

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

Regeneration of Clifton retail centre

Councillor Andrew Rule asked the following question of the Deputy Leader:

As part of the wider regeneration of the retail centre in Clifton, and in support of the new retail development on the former Fairham House site, will the Deputy Leader acknowledge that removing speed humps from arterial roads in Clifton will increase the appeal and ultimately the patronage of shops from neighbouring areas like Ruddington, Silverdale, Wilford and Gotham amongst others, which will in turn enhance the success of the final regeneration scheme?

Councillor Graham Chapman replied as follows:

Thank you Lord Mayor. It may sound like a frivolous point on the part of Councillor Rule to think that the removal of road humps will be the salvation of Clifton's shopping centre, but I do believe that road humps in some cases can be a deterrent to shopping in Clifton. A further disadvantage of road humps is that they increase emissions of nitrous dioxide, as vehicles slow down. So, they are not universally a good thing and it would be lovely to live without them.

On the other hand, you do have to weigh up the advantages against the disadvantages and the disadvantages do not just tip the balance, they weigh overwhelmingly in favour of road humps, which is the reason why they were installed in the first place – such as reducing injuries and deaths. I would remind Council that traffic calming measures were introduced in Clifton at the behest of residents and businesses because of the number of accidents and fatalities on Clifton's roads.

In the five years after the introduction of the measures, this was in the early 2000s, I am told that there was a 72% reduction in serious accidents. So, weighing up between deaths/accidents and the marginal benefits to the shopping centres there is no case to answer. On top of that, we have no money for it and I do not need to explain to the councillors opposite why we have no money for that sort of scheme. This leaves us with the issue of shopping in Clifton. What we are doing is taking a whole set of other measures and will be investing £500,000 in the shopping centre, simply to upgrade it, which is being matched by finance from elsewhere. We have developed the Cornerstone in Clifton, which was no coincidence that it was located in Clifton as we felt that Clifton was the place to start. We have developed the tram, which was largely developed to help Clifton, as well as other areas.

There will be a new shopping offer of Lidl, we are upgrading the market and not only are we upgrading Clifton, it is part of a wider strategy where there will be 3000 houses along the boundary built soon and if we do not do something about upgrading the Clifton Shopping Centre those people will not shop in Clifton, they will shop elsewhere. This is one of the reasons why we have liaised with Rushcliffe about leaving room for a further spur of the tram network so that we can encourage people directly into the Clifton Shopping Centre.

The way forward for Clifton, is not by the removal of road humps but by attracting investment which is far more likely to deliver results. So, I am afraid Councillor Rule, although you have part of a case, it is a very weak case compared to the consequences of removing road humps. I'll leave you with one final thought, if you were to remove the road humps and then suffer a child death I wouldn't like to take responsibility for it.

Bestwood and Bulwell Foodbanks

Councillor Steve Battlemuch asked the following question of the Deputy Leader:

Would the Deputy Leader comment on the report from the Bestwood and Bulwell Foodbank on the 25th April that stated 3251 emergency food supplies were given to local people by them in the past year, a record number – why is this issue arising and what is the council doing to help?

Councillor Graham Chapman replied as follows:

Thank you Lord Mayor and I really welcome this question. There are four to five indicators of a Conservative government. One is decline in the NHS, second is a decline in the state of roads and paths, three is a decline in investment into schools and further education and four is a rise in homelessness. The final indicator is the general impoverishment of the already poor of which food banks are the best indicator. It happened in the 1980s and 1990s after the Conservatives had been in power for a long period and it took the Labour government almost 15 years to get some of the investment recovery into schools. I'll remind people just as a matter of interest, when I was Leader of the Council we took over schools in 1997 and we had £500,000 to invest in the whole of the schools physical infrastructure. By the time the Labour government left in 2010 we were talking about £30 million a year.

People will also remember the famous saying by Sir George Young that, "the homeless are the people you step over when going to the opera." That is an indicator of the Conservative government and the increase in the number of food banks is entirely down to government policy. There are 13 food banks in the city and in 2010, there were none. In Bulwell, the number of people using a foodbank has gone up 15% during 2016/17. The number of food parcels for children has gone up 20% and this increase is reflected in every other food bank in the city. The reasons are down to benefit delays and sanctions, benefit changes, benefit cuts, people on low incomes or on zero hours where the benefit is unstable. More specifically, out of work benefits were frozen in April 2016, there are blockages on PIP assessments were are becoming more restrictive. I had a case during the week of somebody who has had a leg amputated, they are being reassessed for PIP, and they are now on less money, after that reassessment, after that amputation than they were before.

There are more children in low income households than there used to be. This means that benefits and income is going down and there is more poverty amongst the children because the income from work is less than they were on before. That is not rewarding work – that is penalising people as they go into work. With regards to homelessness, there were 276 cases in 2013/14 and 461 in 2016/17. None of this has happened by coincidence, they are acts of government. As for the use of foodbanks, this is likely to get worse for a number of reasons. From this month new ESA claimants will receive £29 a week less than current claimants. Universal Credit is being rolled out which means direct payments of rent – we know what happens when rent goes directly to the tenants, we know that there are many other calls for that income and the chances are that rent will not always get paid. Therefore, you end up with more homelessness and a greater demand on food banks. Payments will now be paid monthly and in arrears to people who usually have no money in the bank yet they are expected to survive the whole month without any income.

There is also the expectation under Universal Credit that they will have a bank account but you try getting a bank account if you've got no income, it is extremely difficult and a major issue. So, what has the Council been doing? Well, we are trying to support people getting bank accounts and I will be looking to have a much broader advertising campaign to encourage that, as well as working with the voluntary sector to do so. We have kept the Advice Sector funding, unlike other councils our Advice Sector has not been hit by cuts, we've tried to protect it. Our own Advice Division has dealt with 1,245 issues over the last year. Two thousand cases of debt or benefit advice in this calendar year already. Through good budgeting, we are one of the few councils still providing top-up payments to discretionary housing payments and support with the 'Bedroom Tax.' We have also provided an extra £500,000 to combat homelessness, again, through good budget management and some other councils have been unable to respond.

Unlike the government, apart from being cruel, we know that as people are driven into poverty the social cost elsewhere rises, child protection costs rise, homelessness costs rise, the long-term costs in education rise, it divides society, it undermines the economy by taking independence away from people and lowers aspiration. In fact, it cuts across everything the government says it wants to promote. In the end, making the poor pay for austerity is motivated by one thing alone and it is not economics, it is malice. Theresa May was right, the Conservatives are the nasty party and the point is, they're actually getting nastier by the day. As for food banks, I can only say how grateful this Council is to all the volunteers who run them and all those who give up their time to support food banks. However, we should never forget that they are not the solution. The one thing we should be working towards, in this Council, is the day when we do not have food banks.

Air Quality Strategy

In Councillor Clark's absence, a written response has been appended to the minutes in response to Councillor John Hartshorne's question:

Does the Portfolio Holder think the government has been straightforward in its publication of an air quality strategy?

Transitional Grants

Councillor Chris Gibson asked the following question to the Deputy Leader:

Could the Deputy Leader inform Council on progress that's been made in his attempt to persuade the DCLG to release information about the basis on which transitional grants are distributed?

Councillor Graham Chapman replied as follows:

Can I thank Councillor Gibson for his question. This is about the misallocated of millions of public finance to mainly Conservative authorities at the rate of 80%. In April 2016, the Government handed out an extra £300million over two years in funding through their Transitional Grant scheme. This additional money went particularly to more affluent councils in the south of the country who, over the austerity years have escaped serious funding cuts that places like Nottingham have

had. At the same time, more northerly places like Nottingham, Derby and Leicester who have borne the brunt of severe funding cuts from Government received no additional money, so we asked why. We found that no such detail was available for the Transitional Grant.

In fact, I've submitted two Freedom of Information requests and have pursued this through several written Parliamentary Questions and when the government refused to provide the information I put in an appeal to the Information Commissioner. All this was met with a brick wall. Despite the DCLG confirming they held the detailed information on the basis on which the grant was distributed, they would not provide it. On one occasion they said that "it is not in the public interest to disclose this information at this time". On another they said that "the public interest served by disclosure of the information we hold would be minimal beyond a small number of interested parties". When I appealed against this they used a different reason stating that it was exempt from disclosure because Government policy formulation relating to the 2017/18 Transition Grant was still active. So, I've had three justifications for not giving the information as to why £300 million was distributed to a load of Conservative authorities.

I then took my appeal to the Information Commissioner who disappointingly agreed with the DCLG's somewhat creative reasoning that Transition Grant was still an active policy matter. So, it seemed clear to us that the next step was to wait until February this year when the allocation of the second and final round Transitional Grant funding had been announced. At this point the requested information should no longer be exempt as any policy formation would be over and done with and any policy activity would have ceased and we expected to get an answer. As such, I submitted a fresh FOI in February and received a response from the DCLG in March this year. Rather than the providing the information, given that the policy was now over, the DCLG asked for an additional 20 working days to consider using an exemption – something they are entitled to do under the FOI guidelines. Interestingly, they revealed they were considering using a new exemption to block the release of the information I have requested.

After the further 20 working days had expired, I chased the response only to be told that the DCLG wanted another time extension to continue to look at their exemption. I took advice and believe this to be contrary to the FOI guidelines so I lodged an immediate objection with the Information Commissioner to which I am currently awaiting a response. So, there we have it – a year after our original request to know why Sussex got £22 million and we got nothing, all we've got is obfuscation. And of course, all this has real implication. It's not just that we have lost money but other councils have. Other councils who are desperate like Liverpool, Birmingham and Newcastle have not had any additional money. We're talking about millions of pounds of public money for vital services which has been dished out to better off councils while poorer, needier councils have received nothing.

Recently, the National Audit Office has investigated the Transition Funding Scheme and they have come to the conclusion that:

".... the overall reductions in spending power experienced by authorities either in this or previous settlements were not involved in the design of the grant. The level of need or demand for local services was also not considered."

This distribution was nothing to do with the need or the demand of local services. You can only conclude that because 80% went to Conservative authorities that it was a bung. The National Audit Office was also unable to identify where the funding had come from, actually, I think I know where it has come from – it came from the top sliced Local Government Grant which the government does not redistribute all of. To summarise, £300 million has been handed out, to mainly better off councils, mainly in the south and mainly Conservative. We know that the DCLG has the information on the Transitional Grant Scheme as well as its distribution. They are still refusing to disclose this information, despite FOI requests and the National Audit Office have confirmed that the levels of need or demand were not a consideration.

In my view, it is a misuse of public funds for political purposes and that's enough to convince me that I need to continue to press the government on this matter and I intend to do so. I smell a rat and I smell a Conservative rat.

11 EXECUTIVE APPOINTMENTS, REMITS AND FIRST MEETINGS 2017-18

The Leader submitted a report on Executive appointments, remits and first meetings 2017/18, as set out on pages 23 – 24 of the agenda, and 3-34 of the Executive Appointments supplementary agenda.

RESOLVED to:

- (1) note the appointment of Councillor Graham Chapman as Deputy Leader;**
- (2) note the appointments of the Portfolio Holders, their Executive Assistants, and their remits as below and in appendix 1 to the report, and their responsibilities and remits as detailed in appendix 2 to the report;**

PORTFOLIO HOLDER NAME	PORTFOLIO
Jon Collins	Portfolio Holder for Strategic Infrastructure
Graham Chapman	Portfolio Holder for Resources and Neighbourhood Regeneration
Alan Clark	Portfolio Holder for Energy and Sustainability
Sally Longford	Portfolio Holder for Neighbourhood Services
Toby Neal	Portfolio Holder for Community and Customer Services
David Mellen	Portfolio Holder for Early Intervention and Early Years Adults and Health (Interim)
David Trimble	Portfolio Holder for Leisure and Culture
Jane Urquhart	Portfolio Holder for Planning, Housing and Heritage
Sam Webster	Portfolio Holder for Business, Education and Skills
Vacancy	Vacant Position

EXECUTIVE ASSISTANT NAME	REMIT
Marcia Watson	Local Transport
Rosemary Healy	Neighbourhoods
Neghat Khan	Housing and Flooding
Leslie Ayoola	Business and Employment
Linda Woodings	Communications

- (3) note the appointments and first meeting dates of Executive meetings, as detailed in appendix 3 to the report;
- (4) note the terms of reference for Executive committees and agree the related changes to the Constitution, as detailed in appendix 4 to the report.

12 APPOINTMENTS AND FIRST MEETINGS OF COMMITTEES AND JOINT BODIES 2017-18

The Leader submitted a report on appointments and first meetings of committees and joint bodies 2017/18, as set out on pages 25-68 of the agenda and 3-16 of the Appointments and first meetings supplementary agenda.

RESOLVED to:

- (1) agree the first meeting dates of Council bodies and Joint Bodies as set out in appendix 1 to the report;
- (2) agree the terms of reference of Council bodies and Joint bodies, and any related changes to the Constitution, as set out in appendix 2 to the report;
- (3) agree the membership of Council bodies and the City Council membership of Joint Bodies, as set out in appendix 3 to the report;
- (4) agree substitutes, where applicable, as set out in appendix 3 to the report.

13 AMENDMENTS TO THE CONSTITUTION AND APPOINTMENT OF INDEPENDENT PERSON FOR STANDARDS

The Leader submitted a report on Amendments to the Constitution and the appointment of an Independent Person for Standards, as set out on pages 69-84 of the agenda.

Councillors Georgina Culley, Jim Armstrong and Andrew Rule all requested that their vote against the recommendation 2.1 in the report and (1) listed below.

RESOLVED to:

- (1) agree the changes in the operation of Overview and Scrutiny, as outlined in paragraphs 5.1, 5.2, 5.3 and 5.4 of the report;

- (2) agree the changes to the operation of Licensing and Regulatory and Appeals Committees, as outlined in paragraph 5.5 of the report;
- (3) note the amendments to the Health and Wellbeing Board Commissioning Sub Committee terms of reference, as outlined in paragraph 5.6 of the report;
- (4) approve the amendments to Part 2 and Part 4 of the Constitution required by the above changes;
- (5) appoint an Independent Person to perform the following roles:
 - to assist the Council in investigations into Member conduct;
 - to be invited to act as an Independent Person in cases of possible dismissal of the Chief Executive, Monitoring Officer or Chief Finance Officer, as outlined in paragraphs 3.4 and 5.7-5.9 of the report.

14 DECISIONS TAKEN UNDER URGENCY PROCEDURES

The Leader submitted a report on decision taken under urgency procedures, as set out on pages 85 to 90 of the agenda.

RESOLVED to note the urgent decisions taken, as follows:

1) urgent decisions (exempt from call-in):

<u>Ref no</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Reasons for urgency</u>
2770	08/03/17	Keeping the balance – DCLG funding	£3,000,000	The bidding process had strict deadlines and urgent approval was required in order to accept the funding from the DCLG.
2773	13/03/17	Planning Applications fees: Increase in nationally set planning fees	£200,000	The government provided a short timescale for the City Council to respond and confirm its decision. The decision had to be communicated by 13/03/17.

<u>Ref no</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Reasons for urgency</u>
2800	30/03/17	Department for Communities and Local Government: Infrastructure Funding Capital Grant	£1,250,000	The funding needed to be drawn down by 31 March 2017.
2809	11/04/17	Investment Acquisition – Project Wellington	Exempt	The call-in period would seriously prejudice the Council's ability to meet the timescales proposed by the vendor which could result in the loss of the investment and result in abortive costs.

2) **key decisions (taken under special urgency procedures):**

<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Reasons for special urgency</u>
08/03/17	Keeping the balance – DCLG funding	£3,000,000	Leader of the Council	The decision is urgent and the business cannot be deferred because a delay could seriously jeopardise the Council's receipt of substantial funding from the DCLG.

15 **DATES OF FUTURE MEETINGS**

RESOLVED to hold meetings of Council at 2pm on the following dates:

- 10 July 2017
- 11 September 2017
- 13 November 2017
- 22 January 2018
- 5 March 2018