



**MINUTES**

**COUNCIL**

**7.30pm – 9.35pm**

**24 September 2013**

**Present:** Councillors Driver (Lord Mayor), Arthur, Barker, Blunt, Boswell, Bradford, Bremner, Brociek-Coulton, Button, Carlo, Galvin, Gayton, Gihawi, Grahame, Grenville, Harris, Haynes, Henderson, Howard, Jackson, Kendrick, Little, Lubbock, Macdonald, Manning, Maxwell, Neale, Price, Sands(M), Sands(S), Stammers, Stephenson, Stonard, Storie, Waters and Wright

**Apologies:** Mr John Jennings (Sheriff) and Councillors Ackroyd, Brimblecombe and Thomas

**1. LORD MAYOR'S ANNOUNCEMENTS**

The Lord Mayor said that since the last meeting he had presided over the Battle of Britain parade and attended the Battle of Britain remembrance service. He had received greetings from the mayors of Koblenz and Novi Sad and undertaken a walk on glass in aid of the civic charity.

The Lord Mayor invited Councillor Brociek-Coulton to update council on Norwich in Bloom's success at the recent Anglia in Bloom awards. Councillor Brociek-Coulton said that yet again the city had received exceptional results in the Anglia in Bloom competition. The city had received a gold award and was the category winner; Mancroft ward received a gold and was category winner in the urban community section. Three silver gilt awards and two silvers were also achieved. The University of East Anglia also received a best environmental quality award. The category winners would go forward to the Britain in Bloom awards.

The Lord Mayor announced that, since the last meeting, Mr George Richards a former Lord Mayor and Sheriff had passed away. There was a moment's silence in his memory.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 3. QUESTIONS FROM THE PUBLIC

The Lord Mayor said that two questions had been received from members of the public.

#### Question 1

**Jessica Goldfinch to ask the cabinet member for environment, development and transport:**

It is noted that Norwich City Council is committed to its 'Equality & Diversity Strategy' under the Equalities Act 2010 and 'It will be at the heart of all decision making and service planning at Norwich City Council'. Norwich City Council states, amongst other commitments, to "promote positive images to counter discrimination"

With this in mind would the cabinet member like to explain its decision in allowing Norwich City Council licensed Hackney Cabs to advertise 'Sugar and Spice' sex entertainment venue and explicit sex entertainment venue street advertising, and explain how this supports equality, (particularly for women and children), in the city of Norwich? The 'Sugar and Spice' logo displays an arched writhing woman's body with nipple clearly displayed.

**Councillor Stonard, cabinet member for environment, development and transport replied:-**

The advertisement for this venue is contained on one hackney carriage licensed by Norwich city council. Approval for the advertisement was given a number of years ago by officers. At that time the original advertisement application was rejected because it contained a full colour image of a dancer which was considered inappropriate. A revised application was submitted in which the dancer was depicted as a silhouette, which addressed the original concerns raised with the applicant.

When considering applications to advertise on licensed hackney carriages, the council balances the rights of local businesses to advertise against the suitability of those designs submitted.

To assist with consideration of advertising relating to this particular type of venue, reference is made to the national Home Office guidance in respect of sexual entertainment venues (SEV's) which states that objections to SEV licence applications *"should not be based on moral grounds/values and local authorities should not consider objections that are not relevant"*.

In regards to street advertising even where express consent is needed of the council as the planning authority, under government regulations, the council can only consider amenity and public safety in determining any application. The regulations state "The content, subject or design of an advertisement cannot be controlled under the Regulations unless it appears to the local planning authority to be required in the interests of "amenity" or "public safety". Express consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public

morals. The Advertising Standards Authority is responsible for dealing with such issues.

**Jessica Goldfinch** said that it was incumbent upon councillors to ensure that what they say they are going to do matches what they actually do. She asked, as a supplementary question, if the cabinet member considered it appropriate for such signs to be displayed considering the claims made in the council's equality and diversity strategy. **Councillor Stonard** said that regulation and national guidance only allowed the council to deal with planning issues in respect of signage and taste and decency was a matter for the advertising standards agency. If the agency's national guidance changed the council would review its procedures accordingly.

## Question 2

### **Richard Edwards to ask the cabinet member for housing:**

Could the council tell me and the other residents of Mile Cross estate what is happening about the Mile Cross sub council offices on Hansard Close. It has been boarded up for the last few months and has been closed to residents for the last few years and it is an eye-sore. Other councillors complain about the old Kings Arms pub up the road being an eye-sore which they can't do much about, but as the council owns this property they could pull it down and rebuild council houses there. Yes I said and MEAN council houses, not housing association homes. Use some of that £20M that council was given to build council houses - none of which has been spent in Mile Cross estate yet. So what is happening to old sub council offices in Mile Cross?

### **Councillor Bremner, cabinet member for housing replied:-**

Nice to see you Richard and a warm welcome to the Council Chamber. Like all local authorities the Council is facing significant pressure on its budgets and one way we are seeking to reduce our costs is to be more efficient in the use of our office space. Staff at the Hansard Road offices have moved to City Hall and this has provided us with the opportunity to reuse this site for housing.

The Hansard Close offices closed in May and I am pleased to confirm that we have been considering options to bring forward housing on the site in discussion with local members. In the autumn we plan to consult the local community on such possible options to enable the council to be in a position to take forward an agreed scheme to planning in the new year. So you can see that local residents will be consulted, and you can make your individual voice heard. I see you are very pleased with the Labour council's decision to go for council housing but I know many people in Norwich are very happy with their housing association properties let at social rents which are far lower than those in the private sector.

I am not sure what you mean by "some of that £20M that the council was given to build council houses". The council has not been given such funding, although it is true that with the re-financing of the Housing Revenue Account an additional £30 million of expenditure is now available to the council to invest in its housing stock, over and above the £157 million being invested to provide the Norwich standard across the city. The additional headroom will allow the council to build badly needed new council homes as

well as help deliver other priorities. Decisions on where the council spends all of the £30 million, including investment at Hansard Close, however, have yet to be made.

In the meantime can I draw your attention to the investment already being made in Mile Cross; in new houses, new schools, new windows. You will see a community that is on the up. Have you not seen all the investment in cladding on so many homes, which makes the homes so much more energy efficient and can cut fuel bills by over half and make those homes the best in the street? If you don't believe me just go and visit Parr Road, Pinder Road, and Blomefield Road to give just three examples. They are great - and even better, the residents who live there are thrilled. They know the city Labour council has invested in Mile Cross!

Finally in answering this question I would like to point out that if you want to know more about what the Council is doing or plans to do in the Mile cross area then you can contact me direct as you know me, as so many Mile Cross residents do. You could have also contacted your local City councillors who represent the Mile Cross estate and who are also involved with discussions about the Hansard Road offices.

#### **4. PETITIONS**

The Lord Mayor said that one petition had been received from Mr Shan Barclay.

Mr Barclay introduced and presented a petition containing over 350 signatures as follows –

“We the undersigned endorse the Mayors for Peace initiative and petition Norwich City Council to consider adopting the initiative of other cities by officially designating in future the Lord Mayor of this city as being a Mayor for Peace”.

Councillor Arthur, leader of the council responded –

Thank you for your petition although I am rather surprised to receive this. I thought I had already assured you that Norwich is a member of the Mayors for Peace movement and has been since we signed the declaration in 2003. However, let me set your mind at rest again and reiterate that our lord mayors do not choose whether they participate. All our lord mayors are Mayors for Peace.

#### **5. MINUTES**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 23 July 2013.

#### **6. QUESTIONS TO CABINET MEMBERS/COMMITTEE CHAIRS**

The Lord Mayor advised that 12 questions had been received from members of the council to cabinet members and committee chairs, of which notice had been received in accordance with the provisions of appendix 1 of the council's constitution, and the questions were as follows –

**Question 1**                      Councillor Boswell to the leader of the council on Norfolk County Council's briefing note to DEFRA.

- Question 2** Councillor Jackson to the cabinet member for housing on council home works priorities.
- Question 3** Councillor Haynes to the cabinet member for neighbourhoods and community safety on fixed penalty notices for bins.
- Question 4** Councillor Neale to the cabinet member for customer services on disabled access to commercial properties.
- Question 5** Councillor Stephenson to the cabinet member for resources on the impact of the closure of the Child Support Agency.
- Question 6** Councillor Little to the cabinet member for resources on 'bedroom tax' eligibility.
- Question 7** Councillor Lubbock to the cabinet member for neighbourhoods and community safety on the Vauxhall Street post office.
- Question 8** Councillor Gayton to the cabinet member for resources on the impact of the 'bedroom tax'.
- Question 9** Councillor Button to the cabinet member for neighbourhood and community safety on burial space.
- Question 10** Councillor Brociek-Coulton to the cabinet member for environment, development and transport on fuel poverty.
- Question 11** Councillor Wright to the cabinet member for resources on zero hours contracts.
- Question 12** Councillor Ackroyd to the cabinet member for environment, development and transport on a carrier bag levy.

(Details of the questions and replies, together with any supplementary questions and replies, are attached as Appendix A to these minutes.)

## **7. TREASURY MANAGEMENT ANNUAL REPORT 2012-13**

Councillor Waters moved and Councillor Maxwell seconded the recommendations in the report.

**RESOLVED**, unanimously, to note the treasury management performance for the year to 31 March 2013 and the treasury activity.

## **8. CAPITAL PROGRAMME AND PLAN – PUSH THE PEDALWAYS**

Councillor Waters moved, and Councillor Stonard seconded, the recommendations in the report.

**RESOLVED**, unanimously, to approve the inclusion of £1,664,000, £3,667,000 and £222,000 into the capital plan for 2013-14, 2014-15 and 2015-16 respectively and the inclusion of £1,664,000 into the capital programme for 2013-14.

## 9. MOTION – NORFOLK PENSION FUND

Councillor Wright moved, and Councillor Lubbock seconded the following motion –

“A Norfolk pension fund, of which Norwich City Council is a member, has investments totalling nearly £2.1billion (latest published figures as at 31/03/12).

The investment strategy is diverse and based on latest published information includes investments in a wide variety of companies including Imperial Tobacco.”

Council resolves to –

- (1) recognise the importance of a Norfolk pension fund as a potential source of investment in the local economy; particularly for encouraging house building, when bringing forward derelict brownfield sites for development in Norwich; giving emphasis to the positive impact of local house building on employment and training opportunities, creating local jobs and providing work for local companies in Norwich;
- (2) ask Councillor Waters, as vice chair of the Pensions Committee of the Norfolk Pension Fund, to call on the fund to cease investments in companies such as Imperial Tobacco where the business activity is counter to the objectives of promoting health and wellbeing.

**RESOLVED**, with 15 voting in favour, 20 against and one abstention for paragraph (1) above and with 16 voting for, 20 against and no abstentions for paragraph (2) above, the motion was declared lost.

## 10.MOTION – PAYDAY LOAN COMPANIES

Councillor Jackson moved and Councillor Henderson seconded the motion as set out on the agenda.

**RESOLVED**, unanimously, to ask the cabinet, where the law so allows, not to –

- (1) permit council assets or facilities to be used for advertising by ‘payday loan’ companies; or
- (2) use external facilities where ‘payday loan’ companies are advertised, for council services or events.

(With two hours having passed since the start of the meeting the Lord Mayor asked if any of the remaining items could be taken as unopposed business. Councillor Stammers indicated that she was happy to accept the additional recommendation 3) for item 12, which had been circulated, as an amendment. With no member indicating that they wished to oppose the remaining items, including the amendment, they were both taken as unopposed business.)

Cont'd

## **11. MOTION – SHALE GAS EXTRACTION**

**RESOLVED**, unopposed, that –

There are potential environmental and health-related concerns associated with the extraction of shale gas by the process of hydraulic fracturing, or ‘fracking’. The process of ‘fracking’ itself contributes to climate change from intensive energy use under a lease of methane. Although the extraction of shale gas within Norwich is unlikely to happen in the near future, the potential impact of ‘fracking’ upon Norwich residents and their environment could be considerable.

Council, therefore, resolves to ask the cabinet to adopt a policy of lodging objections to any applications for shale gas extraction in the area surrounding Norwich, where it could have a significant impact on the environment, water supply and/or amenity of Norwich residents.

## **12. MOTION – COMMUNITY PUBLIC HOUSES**

(Councillor Stammers had earlier indicated that she was happy to accept the additional recommendation 3 as an amendment)

**RESOLVED**, unopposed, that –

Norwich has lost a number of community pubs in recent years. It is possible through the Sustainable Communities Act for the council to be given more power to determine if pubs should be demolished or converted into other uses and this could save many valued community pubs.

Council resolves to ask cabinet to –

- (1) submit a proposal to the government under the Sustainable Communities Act that the Secretary of State help protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets, payday loans, stores or other uses, or are allowed to be demolished; and
- (2) work together with local works and the Campaign for Real Ale to gain support for the proposal from other councils in the region and across the country;
- (3) include in its response to the government’s consultation on greater flexibilities in planning regulations a request for controls to prevent pub buildings being transferred to shops and banks and then to residential use with no requirement for planning permission.

CHAIR

**Question 1****Councillor Boswell to Councillor Arthur, leader of the council:-**

On January 12 2012, Norfolk County Council submitted, by email, a briefing note to senior DEFRA officials with regards to the letter to DEFRA from the Leader of Norwich City Council dated 9 January 2012. Further emails indicate that the briefing note was intended for the then Secretary of State, Caroline Spelman, and her Principal Private Secretary. The note purports to explain the City Council's position on the West Norfolk incinerator. Did the City Council sign it off before Norfolk County Council sent the note to central Government, and if so, who was responsible for this signing-off?

**Councillor Arthur's response:-**

The City Council neither saw nor signed off the email submitted to senior DEFRA officials and Caroline Spelman by the then Conservative administration and officers working on its behalf.

**Councillor Boswell** said that in respect of the relationship between the two councils was unprecedented for an officer of one council to write to government about policy matters of another. It raises the concerns of appropriateness and legality. He asked, as a supplementary question, if the leader of the council would write to the Secretary of State for environment, food and rural affairs, expressing her concern that the council's position might have been misrepresented by Norfolk County Council. **Councillor Arthur** said that it appeared that the way the city council's position had been reported to DEFRA by officers representing the former administration at the county council had at best been selective and at worse been "out and out" fiction. The new administration at Norfolk County Council was investigating the issue and was awaiting the outcome of the planning enquiry. The city council would be taking the matter up with Norfolk County Council and she would then take a view on what to do after that.

**Question 2****Councillor Jackson to Councillor Bremner, cabinet member for housing**

I am aware that some housing properties within my ward never had promised work carried out as part of the short-lived Connaught decent homes programme. Some of these properties were prioritised very highly for the Connaught programme but are now ranked as lower priority, with the result that tenants may still have to wait for a number of years for work that was promised a few years ago. This situation causes great disappointment to these residents. I would like to find out the extent of this problem. Could the cabinet member please tell me how many properties across Norwich and within each ward, have experienced, or are expected to experience, delays as a result of the post-Connaught rescheduling of over:

a) one year;

- b) three years; and,
- c) five years?

**Councillor Bremner's response:-**

The council does not currently have a backlog of any repairs or improvements, including kitchen upgrades. Clearly following the collapse of our main contractor in September 2010, a backlog of planned work did develop in the short term due to the fact that it was not possible to award an emergency contract to continue with the improvement work and comply with European procurement regulations. Therefore a new procurement process was necessary to appoint an interim contractor to complete the programme for that particular financial year and the following year 2011/12.

All kitchens planned to be upgraded were completed under this interim contract which also enabled the council to meet the minimum Decent Homes Standard by the required date of 31 March 2011.

As all members will be aware the council has been able to develop, in conjunction with tenants, a new and improved upgrade standard called the 'Norwich Standard' and this is currently on programme to be completed within the five year target (2017/18).

All council homes have been surveyed at least once as part of the rolling stock condition survey, which then informs the future investment plans, but if councillors are aware of tenants who have any concerns about the condition of their kitchen and the need for an upgrade because it would have failed the Decent Homes Standard, it would be appropriate for the address of the property to be passed to officers at NPS Norwich Ltd for investigation.

Previous councillors have suggested a back log before but when asked did not provide with the addresses etc to help check. You have been asked to provide the same information, as you have put in your question quite clearly "I am aware that some housing properties within my ward never had promised work carried out as part of the short-lived Connaught decent homes programme." As I have not received any details of homes from you within Mancroft Ward, or any other part of Norwich, that "...never had promised work carried out as part of the short-lived Connaught decent homes programme" I can only assume that the question is not based on any facts in your possession.

But as you suggest you have knowledge of homes which "...never had promised work carried out as part of the short-lived Connaught decent homes programme" I repeat that you must tell us of the properties, so we can check. As good councillors, I would have expected details of these properties to have been sent in to City Hall immediately residents told you about them, because we would want the best for all tenants, and if there was a problem, to get it sorted. Have you and your fellow councillors sent them in? What was the reply? Did you follow it up with the appropriate Cabinet member if not satisfied?

**Councillor Jackson** said that he did have examples including a situation in Horns Lane and the matter has been raised at shadow portfolio holder meetings. He asked, as a supplementary question, why the work was delayed. **Councillor Bremner** said that he

had asked Councillor Jackson to provide him with a list of such matters but this had not been provided. Pull the list together and speak to me about it. What is clear is that the council did not have a backlog of work.

### **Question 3**

#### **Councillor Haynes to Councillor Kendrick, cabinet member for neighbourhoods and community safety**

How many people have been fined since fixed penalty fines for leaving bins on Streets outside the Council's agreed times were introduced?

#### **Councillor Kendrick's response:-**

The city council has never issued a fixed penalty notice to a resident for leaving their bins on the pavement. I recognise that bins left on the street for a long period can cause frustration and annoyance at a local level. In seeking to address this, the council, like most other local authorities, has adopted the approach of working with local residents to find a solution. This task is undertaken by the neighbourhood teams and our focus is on education before formal enforcement.

Members may be interested to note that the council is currently trialling neighbourhood agreements with our residents in the Arlington area of the city. "Bins on streets" was one of the major topics that was highlighted as an area of concern. By working with our residents and our waste collection contractor, early indications are that we have significantly reduced the amount of bins being left permanently on the streets. We will continue to monitor over the next few weeks and where there are persistent issues officers will follow up and encourage residents to take in their bins after collection.

**Councillor Haynes** said that a previous cabinet member had told her that the council had no plans to issue fixed penalty notices and asked, as a supplementary question, what Councillor Kendrick's view was. **Councillor Kendrick** said that preferably it wouldn't be necessary to issue any fixed penalty notices and everything would be done to encourage people to act in a way that meant that they did not need to be issued.

### **Question 4**

#### **Councillor Neale to Councillor Sands, cabinet member for customer services**

Can the portfolio holder tell me what the city council policy is for providing disabled access to their leasehold commercial properties?

#### **Councillor Sands' response:-**

The council's policy on disabled access is to work within the existing legislation. Under the prevailing Equality Act 2010, the council, as landlord of a leased commercial premises, has a duty not to withhold consent to an application made by a tenant for reasonable adjustments to provide disabled access. The question of who pays for the alterations will depend on the scale of the works and the individual circumstances of each case. Therefore, if any member has a specific issue with a council owned commercial

property I would more than happy for them to pass details to me for investigation and consideration.

**Councillor Neale** asked, as a supplementary question, if the cabinet member considered that as a responsible council we should include this provision in all council properties before leasing them. **Councillor Sands** said that many premises were not suitable for adaption and he had not had his attention drawn to any properties that required adaption. However, if Councillor Neale had specific examples he would be happy to visit these properties with him.

## **Question 5**

### **Councillor Stephenson to Councillor Waters, cabinet member for resources**

The Government has announced that the Child Support Agency will be closed by the end of 2013. What will be the impact on the city and on council services?

#### **Councillor Waters' response:-**

In making this answer I am indebted to information on the Gingerbread website, an organisation which campaigns on behalf of single parent families. However it is clear that changes are being implemented piecemeal and are likely subject to change and possible delay. It is also not possible to say with any certainty what the impacts will be locally.

Changes to the CSA commenced in December 2012 for separated parents where four or more children (with the same parents) were involved. It is replaced by a new Child Maintenance Service (CMS) which will initially take cases involving two or more children (again with the same parent). Eventually this will roll out to all new claims (probably from 2014). Existing CSA cases will, we believe, be closed over a three year period to 2017 with six months' notice of the case closure.

A government impact assessment in 2012 suggested that the policy aim was to encourage "family-based assessments" without recourse to a statutory agency such as the CSA. There should be a "gateway conversation" between parents before using any statutory service and, furthermore, there will be charges for using that service. The presumption is that both arrangements and direct payments between parents should be the preferred option with government bodies being involved only where this fails. A new web service has been established to help parents make this happen

Where these arrangements happen and both parents pay and receive suitable amounts to support children without additional pressure on relationships or the risk of domestic abuse then the interests of all parties would appear to be served. However we do know that the following will apply where this is not the case:

- Where family based arrangements break down or payments are not made there appears to be no recourse for the collection of arrears (other than, perhaps, existing civil law sanctions)
- There will be an upfront £20 fee (probably paid by the parent looking after the child) to access the statutory service (CMS). There are exemptions for this in

cases of domestic abuse. Such cases would also likely be fast tracked through any gateway process

- The parent not living with the child most of the time is expected to pay any agreed sum direct to the other parent. However if this does not happen and the CMS has to collect the money itself then paying parent will face a 20% surcharge and the receiving parent a 4% reduction. For example on £100 pw the paying parent will be deducted £120 and the receiving parent will get £96. It appears at present that there be **no** exemptions in cases of domestic abuse.
- Assessments on what is to be paid will be based upon gross rather than net income (allowing for deductions for pension payments but not tax and national insurance) and will apply to those with weekly gross incomes of between £200 and £800 per week. Parents on benefits liable to pay support will, we think, be limited to £7pw and those above £800pw subject to other arrangements. For the cases between the figures appear to be set at 12% for one child, 16% for two children and 19% for three or more

The government impact assessment suggests there are 2.5 million separated families nationally of which 1.1 million fall broadly within the statutory (CSA) process and 1.4 million outside it. Of this latter group it estimated that 600,000 have no arrangements in place at all for payment between parents and a further 100,000 of the family based arrangements are not working effectively. It estimates that of 1.1 million CSA cases 873,000 have a liability to pay of which 80% are compliant. It also estimates that 900,000 of the 1.1 million cases will be closed over the period and that of these 63% will apply under the new scheme. Of the estimated 330,000 not applying the assessment says “up to 100,000 are likely to have been positively assessed in the CSA and not make family-based arrangements following case closure” i.e. possibly lose out on what may have been paid under CSA

Census 2011 data suggest that in Norwich there are about 4,500 lone parent households with dependant children and a further 1,800 with non-dependant children. We do not of course know how many of these are separated parents or how many are lone parents due, for example, to the death of the other parent. It is likely that it will primarily be those with dependant children who will be affected. DWP data show that at June 2013 there were 3,080 live CSA cases in Norwich of which 2,330 had maintenance due and in the previous 12 months £2.62M had been collected.

With so many changes and unknown numbers of parents using a variety of payment methods (CSA, court orders, voluntary etc.) it is impossible to predict with any certainty the financial implications on those parents both receiving and making payments, any subsequent impact on ability to pay for council services for example or indeed the wider economy. If the national estimated “drop out” of cases (about 10%) in the transition from CSA to CSM is replicated locally then over the three year transition period there **may** be a total loss to lone parents of around £260,000 per annum once all those cases have been closed by the CSA. However that figure makes a lot of assumptions. It is impossible to predict what the pattern of family based arrangements may be or if these will increase or decrease payments otherwise enforced by CSA / CMS.

On the other side we cannot predict what the impacts may be upon parents with liabilities and if, for example, family based arrangements would increase or decrease their payments and total disposable income.

We do know, however, that councils are one of the bodies able to support an application for the exemption of the upfront £20 charge to the CMS where we have been notified of domestic abuse. We will need to fully understand how we can discharge that function and how notifications will work.

The government impact assessment also assumed that with a reduction in statutory cases, the use of HMRC data and the need to reassess cases where there are income changes of 25% there will be savings to employers subject to Deductions from Earnings Orders (DEOs). However this is relatively small nationally so may have only minor positive impact locally on reducing business costs

In conclusion, therefore, it is safe to say that this is a complex and changing picture. It is very possible that some separated parents will see a reduction in their support income. However it may be that voluntary arrangements, free of the charges imposed by the new CMS, may encourage mutually beneficial settlements. There may be an overall reduction in incomes for some separated parents over time which may affect their ability to support their children as well as pay for other services and contribute to the local economy

**Councillor Stephenson** asked, as a supplementary question, if the cabinet member could assure council that these issues would be taken into account and work with relevant agencies in future. **Councillor Waters** said he was happy to give that assurance and said he knew that councillors were aware of all the good work the council was doing in respect of financial inclusion and anti-poverty.

## **Question 6**

### **Councillor Little to Councillor Waters, cabinet member for resources**

Will the Council publicly clarify the minimum size of room which makes tenants eligible for the bedroom tax?

#### **Councillor Waters' response:-**

Within the new benefit regulations there is no definition as to what constitutes a bedroom. This is a landlord decision. In Norwich the number of bedrooms in a council property is based on the original design specification. For example if the property was designed as a two-bedroom property, it is currently classified as having two bedrooms.

When trying to define a bedroom there are a variety of pieces of legislation which could apply. Most refer to what constitutes overcrowding etc but these tend to refer to the size or number of rooms in a property as a whole rather than to individual room specifications. The 1985 Housing Act counts living rooms, not just bedrooms, as available for sleeping. Section 326 of the 1985 Act requires that a room that is to be occupied by two persons be at least 110 sq ft in area (10.22 sq m). However, for this purpose children under ten count only as "half persons" and babies under the age of one are disregarded.

In response to the change in benefit regulations, a number of housing authorities have sought to declassify rooms as bedrooms. However, the Government has stated

that any declassification of bedrooms by social landlords with the express purpose of avoiding the spare room subsidy rules' bedroom tax will be subject to scrutiny and probably withdrawal of benefits subsidy. This was the message from Lord David Freud a DWP Minister who has threatened to withdraw or restrict housing benefit subsidy to councils which 'inappropriately' reclassify properties for bedroom tax purposes'. '.

However, there have been a number of legal challenges seeking to determine whether rooms of a certain design were ever intended to be used as bedrooms, including whether or not there should be a minimum size for a bedroom. The outcomes have not established any precedent and it is understood that the DWP is considering issuing fresh guidance to councils and tribunals on this matter. Should any guidance be issued, the council will of course give this consideration

What we also have to be aware of with this perverse and inhumane piece of legislation is if a decision is made to reclassify bedrooms, this would result in a loss of rental income from all tenants of that property type which could impact on the council's housing investment strategy.

To try and address some of the issues around the consequences of the bedroom tax and what does and does not constitute a bedroom, the council is carrying out a review of bedroom sizes by stock type across our whole stock of 15,500 homes; information not previously required, which should be completed by the end of November 2013. An analysis will then take place, taking into account further awaited guidance from the DWP and actual case law.

In the meantime the council is offering full support to those affected by these regulations as outlined in the response to question 8.

**Councillor Little** said that there was still some confusion and asked, as a supplementary question, if the council had any outstanding cases of disputes and whether the review of bed sizes would take into account disabled people. **Councillor Waters** said that the council worked with all people wherever possible to try to get their benefits restored. In his reply he had highlighted the Department of Work and Pensions' warning regarding possible action against unjustified re-classifications. The council would do whatever it could to mitigate the circumstances people found themselves in as a result of this unpleasant tax.

## **Question 7**

### **Councillor Lubbock to Councillor Kendrick, cabinet member for neighbourhoods and community safety**

What support has the city council given to retain a Post Office in Vauxhall Street?

#### **Councillor Kendrick's response:-**

Council officers have been made aware from coverage in the media, of plans by the Post Office to relocate the Vauxhall Street branch. Officers are also aware that following a public gathering outside the post office a public meeting was held with attendance from Post Office staff.

No request has been received by council or NPS officers either from the current sub-postmaster or from local residents to support the retention of a post office at this location. I am sure all members would agree that having a strong local network across the city is important. However it has to be recognised that a decision to relocate this facility is a commercial decision over which the council has limited influence.

While the powers of the city council are limited in this matter the majority Labour group on this council remain committed to supporting the retention of this and other post offices within the city.

The effect upon the post office is one of the reasons that we oppose privatisation of the Royal Mail as Ian Murray the shadow minister said "The post office network is reliant not only on government subsidy but also the commercial relationship with the Royal Mail which allows its postal products and services to be sold through the post office network. There are legitimate concerns that a privatised Royal Mail responsible only to shareholders would seek to sever this relationship in line with its commercial interests. This would have a disastrous effect on the entire post office network".

Therefore I hope that the Liberal Democrat group on this Council will join with us to oppose the proposed privatisation of the Royal Mail.

**Councillor Lubbock** asked, as a supplementary question, if the council could have provided advice if it had received an approach for help earlier in the process.

**Councillor Kendrick** said that the council's powers were limited. The council would always try to help wherever possible but officers were extremely busy due to the cuts imposed by the "ConDem" government.

## **Question 8**

### **Councillor Gayton to Councillor Waters, cabinet member for resources**

Could the portfolio holder update the council once again regarding the impact upon Norwich families and individuals of the 'bedroom tax'? What steps are being taken to support those afflicted by this vicious tax and is there any truth that a tenant has been evicted by the city council due to this tax?

### **Councillor Waters' response:-**

A future Labour government is committed to abolishing bedroom tax and I and my Labour colleagues are thrilled with that commitment. The bedroom tax is "a symbol of an out-of-touch, uncaring government standing up for the interests of the privileged few." Nationally two-thirds of the 66,000 people affected are disabled, and say that the vast majority do not have the option of moving into smaller accommodation. I expect our local Liberal Democrat MPs to support abolition after its own party conference also called for the scrapping of the bedroom tax.

But that is for the future and I have to report about now - and yet again I have to report that the situation facing a number of council tenants is getting worse because of the terrible attack on them by the Conservative & Lib-Dem Coalition Government.

As expected there is an increase in the number of council tenants facing significant financial challenges as a result of benefit changes and as a consequence many are in rent arrears.

As of the end of Aug 2013 (wk 22) 2362 (15%) council tenant households are having weekly deduction from their housing benefit in respect of the bedroom tax.

- 2022 have had a 1 bedroom deduction, average benefit loss £11.02 (14 % of their eligible rent) per week. Total average annual benefit loss per household is £551.
- 340 have had a 2 bedroom or more deduction, average benefit loss of £20.71 (25 % of their eligible rent) per week. Total average annual benefit loss per household is £1036.

The estimated total benefit loss is £25K per week = £1.289m per year

The experience of the first five months is that 27% of tenants facing a benefit loss, who did not have rent arrears at the beginning of April, now have rent arrears. 150 tenants have seen their rent arrears increase by an amount equal to or more than the amount of benefit loss.

No tenant has been evicted our stock due to bedroom tax arrears alone

Since April 2013 :

- 35 tenancies have ended, where action for rent arrears was in train.
- 8 abandoned
- 18 abandoned prior to eviction
- 9 evicted

Some of these have had bedroom tax deductions since April 2013 but all had possession orders obtained **prior to** April 2013. Bedroom tax has not caused these tenancies to fail but the subsequent reduction in housing benefit will have been a contributory factor in some instances.

The following is being done to address the situation:

- The income team are continuing to offer appropriate support to all those in rent arrears and following up the good work started in February this year when all those potentially affected by these changes were contacted and where possible interviewed about how the change would affect them and how they would cope with it
- Two additional temporary income officers have been employed for three months (Aug – Oct) dealing with low level arrears cases freeing up more experienced staff to concentrate on support and recovery for cases with higher arrears. In the first month they have been trained and made 2477

contacts, had 346 responses, receipted 76 payments over the phone totalling £10k.

- Two budget advisors have been recruited to assist tenants, and support income officers, who need budgeting advice. The post holders start work during September.
- Following the successful welfare reform event in April and subsequent market stall drop in further targeted events are being considered to provide support to those affected.

But the city's tenants and all on benefits face more attacks.

Work has also begun to prepare for the implementation of universal credit whereby most tenants in receipt of housing benefit will receive these payments direct monthly in arrears rather than paid direct to the council as at present, that is why we are making financial inclusion and the reduction of poverty one of our Labour priorities for the coming year through a range of initiatives including 'Switch and Save' and working with other agencies to offer sound timely advice and information.

## **Question 9**

### **Councillor Button to Councillor Kendrick, cabinet member for neighbours and community safety**

A resident in Bowthorpe Ward recently contacted me concerning reports he had received that the City of Norwich cemeteries would shortly run out of space for burials. Can the cabinet member for neighbourhoods and community safety advise council as to whether the city still has adequate space for burials?

### **Councillor Kendrick's response:-**

I can reassure members that the council is not running out of burial space in its cemeteries.

The primary burial site in the city is Earlham cemetery and since 2010 the bereavement services team have been actively pursuing measures to ensure that all the available burial space is identified and used to its full potential. More recently this work has been enhanced by the memorial safety team who are surveying each and every grave.

At present, most burials involve the re-opening of family graves and therefore the requirement for new burial plots is always far less than the total number of burials. Currently around 92 new burial plots are required each year and this figure has remained constant since 2010. At the end of August this year, 3,580 new burial plots had been identified within Earlham cemetery, so assuming that current burial rates remain constant, there is a minimum of 38 years of new burial plots currently known to be available.

Added to this, there are thousands of common graves within the cemetery - these are graves which have not been purchased. Most of these graves were originally dug

to a depth of nine feet and can therefore accommodate up to four body burials. Many of these have only ever been used for one or two burials and therefore a considerable amount of burial space is also available in these graves. These burial spaces can be purchased and, with many of them located within conservation areas in the original Victorian part of the cemetery, they are particularly suitable for 'natural' or 'woodland' burials. The latest count of available burial spaces in common graves is over 32,000!

Therefore, from the above information, I am sure Members will appreciate that Earlham cemetery will continue to provide for the burial needs of Norwich for many years to come.

## **Question 10**

### **Councillor Brociek-Coulton to Councillor Stonard, cabinet member for environment, development and support**

Is the member for environment, development and transport shocked that under this Tory government, at the same time as ordinary households have seen their energy bills increase by more than £300 a year, the big six energy companies have enjoyed an uplift – on top of the profits they were already making – of £3.3 billion? What steps is the city council taking to combat fuel poverty in Norwich?

### **Councillor Stonard's response:-**

Thank you for your timely question. With winter fast approaching our citizens will be thinking about energy bills and considering their affordability. Thankfully we continue to carry out a large range of work to help combat fuel poverty as part of the councils affordable warmth strategy.

The council organised this month a multi agency networking event called 'winter wellbeing' which brought together a plethora of organisations providing advice and services to people to help them stay warm and well. The aim of the event was to increase awareness of the help that is offered whilst also providing training on the effects and signs of cold living conditions. A practical workshop on our new project to provide low level insulation measures that voluntary organisations can help people to access concluded the event.

Other steps we have taken include the successful Norwich Big Switch and Save. As you will be aware we were the first city in the country to implement a collective energy switching service to help citizens get a better deal for their gas and energy supply. We have helped hundreds of households so far under this scheme and we are now offering a service to SME's.

We work with partners to support the rollout of the NHS Warm and Well campaign in Norwich in the lead up to each winter to ensure people have information and advice on affordable warmth and that vulnerable people receive Warm and Well packs with practical products to help them during the coldest months (including information on the flu vaccination programme).

We are continuing to improve the energy efficiency of the council's housing stock through the rollout of the Norwich standard and in October a report will be coming to cabinet with a proposed role for the council in the Green Deal which we hope can particularly help to improve energy efficiency in private accommodation.

The council also identifies private homes with excess cold hazards and takes steps to remove the hazard through our private sector housing work including enforcement activities where necessary.

The council provides temporary alternative methods of heating if you are faced with an urgent need in addition to offering free boiler repairs.

In June the Cabinet agreed to award a 3 year contract to Foster Property Maintenance Ltd for ECO funded insulation works to council housing properties.

We help Norwich residents maximise their income, to ensure they are getting the financial support that they need.

I hope all members will note the programmes outlined so that if they come in contact with citizens who may benefit from them they are able to do so.

**Councillor Brociek-Coulton** asked, as a supplementary question, if the cabinet member was aware of the county council's fuel poverty sub group. **Councillor Stonard** said he was aware of this group and looked forward to working closely with it.

## **Question 11**

### **Councillor Wright to Councillor Waters, cabinet member for resources**

Could the deputy leader please advise me of the figure for number of people employed to carry out services on behalf of the council on a 'zero hours' contract basis within the last 2 years? I am interested in a figure for those directly employed, employed through shared services partners (such as LGSS), or by contractors (such as those responsible for refuse collection and property maintenance).

### **Councillor Waters' response:-**

Thank you for your question on a topical issue. Zero hours contracts have been used within the council as an effective way to manage fluctuations in demand and in areas where 24/7 service is required, to cover for planned and unexpected absence. This type of contract has not been used within the council as a way to avoid people accruing employment rights or to erode terms and conditions of employment.

The number of people employed on zero hours contracts has kept at a steady state over the last 4 years (and more recently reduced). There has not been any increase as a result of the introduction of the Agency Workers Regulations in 2010 or as a result of savings requirements that have impacted on staffing.

Two years ago the council directly employed 13 employees on a zero hours basis. The council currently directly employs six employees on a zero hours basis. These are in two separate service areas.

Generally, those employed on zero hours contracts have worked with the council over a number of years. They have included people who have substantive contracts with the council and those who previously worked for the council and have voluntarily left substantive roles but have wished to continue working with the council on a casual basis.

Both service areas referred to above are currently subject to organisational or operational change proposals, which will necessitate formal employee consultation exercises. As a consequence of the proposals, the council will be completely moving away from the use of zero hours contracts of employment in both areas.

In regards to the arrangements for council contractors and shared service partners we are currently gathering the detailed information and I will supply that to you separately as soon as that has been collated.

## **Question 12**

### **Councillor Ackroyd to Councillor Stonard, cabinet member for environment, development and transport**

I am sure that this council would join with me in welcoming the news from the Deputy Prime Minister, Nick Clegg, that from 2015 there will be a levy introduced on plastic bags in order to reduce their use, reduce litter and improve the environment for animals.

Would this council take steps to encourage more Norwich shops to be 'ahead of the game' and prepare for 2015? - by working with the Norwich Business Improvement District (BID) in promoting reusable bags with ideas such as: photographs in the Citizen magazine for those who are spotted with them, best reusable bag, highlighting those shops which have made changes.

### **Councillor Stonard's response:-**

Thank you for your question.

No council in Norfolk is doing more than Norwich to increase recycling rates and reduce the amount of waste sent to landfill. In 2005/06 Norwich City Council's recycling rate was 16% - the worst in Norfolk and the worst amongst its national "family group" of comparable councils. Over the course of the following six years, Norwich achieved the fastest improving recycling rate, increasing it to 40%.

Similarly, over the same period, Norwich's levels of residual household waste sent to landfill moved from worst to best in both the county and amongst our national "family group" of councils.

These are spectacular achievements which build on previous initiatives, which had already put Norwich 'ahead of the game' on recycling and waste reduction. For example, some six years ago, Norwich City Council helped launch the Norwich Carbon Reduction Trust which, as its first initiative, promoted a "No Plastic Bags"

event across the City, engaging large retailers like John Lewis and Marks and Spencer to smaller shops on the Norwich Lanes. Many retailers now encourage the use of “bags for life” bags made out of recycled or recyclable materials and over recent years it has not been uncommon for them to charge a small fee for plastic bags or to reward the re-use of such bags.

So, the city council has been at the forefront of moves to reduce plastic bag usage and continues to support that objective. I am very pleased to note that Nick Clegg seems to understand the importance of such initiatives, but fear Norwich remains ahead of the game and ahead of Mr. Clegg. In 2013 the biggest challenge is to reduce the amount of unnecessary packaging that is used by manufacturers and supermarkets, especially of food products. A much more important and effective campaign would be for the government to consider how to encourage or demand significant reductions in unnecessary packaging - this would deal with a significant part of the waste problem at source.