



**NOTTINGHAM CITY COUNCIL**  
**OVERVIEW AND SCRUTINY COMMITTEE**

**Date:** Wednesday, 5 July 2017

**Time:** 2.00 pm

**Place:** Ground Floor Committee Room - Loxley House, Station Street, Nottingham,  
NG2 3NG

**Councillors are requested to attend the above meeting to transact the following business**

**Corporate Director for Strategy and Resources**

**Senior Governance Officer:** Laura Wilson **Direct Dial:** 0115 8764301

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|----------|--|-----------|
| <b>1</b> | <b>APOLOGIES FOR ABSENCE</b>   |           |
| <b>2</b> | <b>DECLARATIONS OF INTERESTS</b>   |           |
| <b>3</b> | <b>MINUTES</b><br>To confirm the minutes of the meeting held on 14 June 2017   | To Follow |
| <b>4</b> | <b>DISCUSSION WITH THE LEADER/PORTFOLIO HOLDER FOR STRATEGIC INFRASTRUCTURE AND COMMUNICATIONS</b><br>Report of Head of Legal and Governance | 3 - 4     |
| <b>5</b> | <b>BROADMARSH DEVELOPMENT</b><br>Report of Head of Legal and Governance  | 5 - 12    |
| <b>6</b> | <b>WORK PROGRAMME</b><br>Report of Head of Legal and Governance  | 13 - 16   |

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

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

<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>5 JULY 2017</b>
<b>DISCUSSION WITH THE LEADER/PORTFOLIO HOLDER FOR STRATEGIC INFRASTRUCTURE AND COMMUNICATIONS</b>
<b>REPORT OF HEAD OF LEGAL AND GOVERNANCE</b>

**1 Purpose**

- 1.1 To hear from the Leader/Portfolio Holder for Strategic Infrastructure and Communications on his red and amber Council Plan priorities, and budget challenges.

**2 Action required**

- 2.1 To use the information received at the meeting from Councillor Jon Collins, Leader/Portfolio Holder for Strategic Infrastructure and Communications, to inform questioning and identify potential areas for future scrutiny.

**3 Background information**

- 3.1 On 9 November 2015, the Council Plan was formally approved by Full Council, and guides the Council's services and approach to support the delivery of its key priorities for the city until 2019.
- 3.2 The Council Plan 2015-19 identifies the following for Councillor Jon Collins:
- aims over the 4 years covered by the Plan:
    - continue to drive Nottingham as a leading retail and business city by delivering investment in the main shopping centres;
    - maximise the city's potential by driving regeneration and improvements across the city;
  - the key things that will be done are:
    - create a world class entrance to the south of the city centre by capitalising on the benefits of the tram and station interchange and Intu's plans to refurbish Broadmarsh;
    - aim to develop a world class conference centre as part of the Ice Stadium complex and develop the Guildhall site to complement the Nottingham Trent University conferencing facilities and the Royal Concert Hall;
    - start the development of the Island site;
    - plan, encourage and develop the Waterside between Trent Bridge and Colwick Park for housing and other complementary uses.

**4 List of attached information**

- 4.1 None.

**5 Background papers, other than published works or those disclosing exempt or confidential information**

5.1 None.

**6 Published documents referred to in compiling this report**

6.1 Council Plan 2015-19.

**7 Wards affected**

7.1 All.

**8 Contact information**

8.1 Laura Wilson  
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<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>5 JULY 2017</b>
<b>BROADMARSH DEVELOPMENT</b>
<b>REPORT OF HEAD OF LEGAL AND GOVERNANCE</b>

**1 Purpose**

- 1.1 To consider the information provided on the development of the Broadmarsh Shopping Centre and Car Park.

**2 Action required**

- 2.1 To use the information received to inform questioning and identify potential areas for future scrutiny.

**3 Background information**

- 3.1 Nottingham City Council has plans to transform and regenerate the Broadmarsh area of Nottingham city centre.
- 3.2 For the transformation a £250 million programme of works is underway to update the entrance into the south of the city centre with improved shopping, leisure and restaurant facilities.
- 3.3 The plans include:
- redevelopment of the Broadmarsh Shopping Centre to create a modern destination for customers to shop, eat, relax and socialise throughout the day and evening, including a new cinema;
  - the demolishing and rebuilding of Broadmarsh Car Park and Bus Station to modernise parking facilities, the bus station and create new cafés and retail opportunities which spill out onto Collin Street and Carrington Street;
  - creation of a new public space on Collin Street by pedestrianising the street;
  - the pedestrianisation of (upper) Carrington Street, between the new public space on Collin Street and Canal Street;
  - changing Canal Street to a pedestrian friendly area, with reduced traffic;
  - the creation of a brand new Skills Hub for the city by New College Nottingham and Central College Nottingham to the east of Middle Hill;
  - linking this part of the city to Nottingham Castle.
- 3.4 Timescales for the redevelopment are:

- work to transform the Broadmarsh area started in January 2016 and will be delivered through a co-ordinated and staged programme of improvements, estimated to take around four years to complete;
- demolition of the Car Park and Bus Station is due to start in July 2017 and will take around six months to complete. Rebuilding the Car Park and Bus Station will begin in early 2018, with the new facility opening towards the end of 2019;
- work on intu Broadmarsh will begin at the beginning of 2018 and are expected to be complete in mid-2020;
- Road changes, including works on Greyfriar Gate, Canal Street, Middle Hill and Collin Street will happen in phases from 2017 to 2020;
- work on the new Skills Hub is expected to start in summer 2018, ready to open for the beginning of the new school year in September 2020.

3.5 Information on the development can be found here:  
<https://www.nottinghamcity.gov.uk/transport-parking-and-streets/broadmarsh/>

#### **4 List of attached information**

4.1 Briefing note from Development and Growth.

#### **5 Background papers, other than published works or those disclosing exempt or confidential information**

5.1 None.

#### **6 Published documents referred to in compiling this report**

6.1 None.

#### **7 Wards affected**

7.1 Bridge

#### **8 Contact information**

8.1 Laura Wilson  
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## Overview and Scrutiny Committee – 5 July 2017

### Broadmarsh Shopping Centre/Car Park and Bus Station and associated matters

Intu, in partnership with the Council, are making good progress towards delivering a major redevelopment of the Broadmarsh Shopping Centre, with full construction commencement anticipated at the end of the year. In parallel the Council is bringing forward significant schemes for the Broadmarsh Car Park, Bus Station, surrounding roads, and public realm, as part of its comprehensive plan for transformation of the Southern City Centre.

A report was considered at Executive Board on 1 June seeking approval for all the necessary decisions at this stage to enable these projects to successfully progress. The recommendations and information from that report is detailed below:

<b>Recommendation(s):</b>	
1	To note the latest financial analysis for the Broadmarsh Shopping Centre scheme and endorse the continued development of the scheme to full design and tender, incurring the costs identified, with the expectation of a further comprehensive report prior to full approval later this year.
2	To approve the progression of shopping centre enabling works at risk via intu's contractors, with a Council contribution, and approve the revised agreement for lease and capital contribution for key Tanners Walk units, subject to the Council making clear to intu that this does not mean that unconditionality has been achieved on the main development agreement.
3	To note the latest financial projection and scope of the Broadmarsh Car Park replacement scheme, and to endorse the continued design development of this option to enable receipt of formal tenders for the works, incurring the fees identified. A further comprehensive report will be presented prior to final approval later this year.
4	To endorse the Road Network improvements and Communication measures being taken to mitigate disruption to the travelling public.
5	To approve the draft Heads of Terms and ensuing legal document, for further negotiation with intu, to address additional risks arising from rebuilding rather than refurbishing the Car Park, and delegate authority to the Deputy Chief Executive/Corporate Director of Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Infrastructure, Director of Major Projects and Director of Legal Services, to finalise these documents.
6	To approve the decant of the existing car park and progression of car park demolition works, subject to satisfactory progress with road network preparation, communication strategy implementation, temporary car parks and bus facilities. Full demolition not to be committed until the Legal Agreement is executed.
7	To endorse the temporary car parking and bus stop proposals, together with the arrangements for affected staff car parking.
8	To endorse the resourcing of the above works.
9	To approve the use of the consultant team for these works.
10	To approve the proposals.

## **1 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 1.1 For some time, as part of its wider Growth Plan, the Council has been aiming to achieve a comprehensive regeneration of the Southern City Centre, to maximise the positive economic impact on the local economy, bringing new jobs and greater prosperity to the City. Following on from the completion of the Transport Hub at the railway station, the new Tram Lines arriving there, transformation of Station Street, and more public/private investment in Carrington Street, the next major phase of progress is imminent.
- 1.2 Proposals for a new Skills Hub and transformation of the Castle are progressing well, but the next major projects to commence look set to be the transformation of the Broadmarsh Car Park/Bus Station starting this summer, the Shopping Centre at the end of the year, and the continued changes to roadspace and public realm around them in parallel.
- 1.3 In combination the positive impact of these measures (total investment £250m) is forecast to be a very significant return for the local economy – 3000 jobs, £10 billion GVA uplift over 10 years, circa 3 million new visitors per year, with restored city centre profile and reputation.
- 1.4 At the centre of these ambitious plans, the shopping centre and car park schemes are crucially important, and major decisions about them and associated matters now need to be progressed. Significant enabling works (and cost) to allow the Shopping Centre project to progress towards a full commitment later this year need to be authorised as do the full scale demolition and rebuild of the car park.
- 1.5 It is important to recognise however, the short term disruption these projects will have during their execution, and the Council is fully intending to be proactive with its efforts to mitigate these impacts. On the other hand any delay or inaction would lead to growing problems with the condition of the Car Park, and have a further negative impact on the vibrancy of the City Centre as confidence would be undermined.

## **2. REASONS FOR RECOMMENDATIONS**

### **2.1 Shopping Centre enabling works**

Full scale approval of the Shopping Centre scheme will not take place until the Council's Executive Board and Intu Board give the scheme the final green light, later this year, when full tendering of the main construction contract and latest letting information is available. At this point the Conditional Development Agreement (CDA) between Intu and the Council would go unconditional.

- 2.2 In advance of that however Intu are making significant progress with key lettings into the newly transformed Shopping Centre, in particular the main cinema. In order for timetable milestones for the cinema operator to be met by early 2020, enabling works are necessary ahead of unconditionality, to move other occupiers out of the way and allow prompt start on the cinema work later in the year.

- 2.3 Separate tenders have been obtained for these enabling works and Intu are seeking agreement to progress with them with the Council funding one third, as per the development agreement. In turn these works are predicated on a new lease and deal being secured with the present occupiers of the space who need to move now.



- 2.4 It would be unwise for the Council to support these proposals if the Council felt there were a significant risk of the Shopping Centre project not progressing. Despite the fact that market conditions have become more challenging since 2013 when the CDA was agreed the Council is confident that the business case for investment in the Shopping Centre will be made and that unconditionality will be achieved and that these proposals should be agreed at risk.
- 2.5 For the avoidance of doubt however it is important for the council to make clear that agreement at this stage is not agreement to the full scheme. The Council will consider the business case for the full scheme on its merits when full scheme preparation is completed later this year, and could choose to not go ahead in certain circumstances.
- 2.6 To progress the full scheme to unconditionality there are also further design and development costs that need to be incurred by intu, and therefore ourselves (one third contribution).
- 2.7 **Car Park Demolition and Rebuild**  
It has always been the aspiration of the Council and intu to transform the Broadmarsh car park to complement the Shopping Centre redevelopment scheme, at the same time, and indeed to do so is a requirement of the CDA.
- 2.8 The physical condition of the car park continues to deteriorate as a result of a combination of physical factors, mostly the result of corrosion of the steel in the reinforced concrete, and this means continuous and ever more expensive repair by the Council to keep it open. In reality the car park needs fundamental attention, regardless of whether or not the Shopping Centre scheme progresses.
- 2.9 The Council has therefore undertaken significant investigation of this situation over time and what the options are based on the realities of cost versus benefit assessment. A report to Executive Board in February 2017 led to the decision to progress towards the demolition and rebuild option, with final decisions later in the year once certain risk mitigation and financial matters were clearer. This report brings forward many of the answers to those questions, and seeks permission to accept tenders and enter into contract to demolish now, and to further progress design, development and tendering of a new build scheme, leading to final decisions on the new car park at the end of the year aligned to final decision making on the shopping centre.
- 2.10 Demolition preparations have been underway since the February report, with service diversions, vacant possession, and alternative bus station and car parking arrangements being planned and set in train. **A new car park to dovetail with the transformed shopping centre** will need to provide the same number of spaces, the same degree of accessibility and proximity, and should complement the Shopping Centre specification and design style. The design team is working to bring forward proposals accordingly, in careful discussion with Planning.
- 2.11 Despite being more cost effective and viable than the refurbishment option, the new build option is still very expensive. The new build option does however allow much more cost effective design and build (as opposed to retrofitting) and the possibility of

**additional aspects** that not only add to the attractiveness and vibrancy of the finished product, but income too. Solar panels, digital advertising, and complementary retail are all included in the emerging option accordingly. The possibility of new homes on top of the Car Park is also being explored, although the financial viability of this idea is still to be confirmed.

- 2.12 To address the funding challenge that the new car park presents, not only are construction cost reduction and income generation being pursued, but also a great deal of progress has been made with securing grants. The Government through the Local Enterprise Partnership, have agreed to provide a significant proportion of Local Growth Fund, and this adds to earlier monies secured for the Bus Station upgrade. The new Car Park is of course expected to attract many more visitors than presently when the area transformation is complete with more rapid turnover of spaces (retail and leisure, as opposed to commuter), leading to higher car park income than today. The combination of **grant, income uplift, and new income**, has enabled a **realistic financial funding solution** for this project to be put forward.
- 2.13 The move away from Car Park Refurbishment to Car Park demolition and New Build is of course a major change bringing with it **new risks**. Potentially greater loss of income from the Shopping Centre, and Car Park during the rebuild period for example. On the other hand the delivery of a clean new Car Park should be more manageable and less risky than the refurbishment option with all the complexity associated with keeping the existing Car Park open and safe whilst working on it. In February, Executive Board were concerned to ensure that all these new risks were worked through in detail with **intu**, and **agreement** reached on their implications. Such an agreement is nearly finalised. It is proposed that works to demolish the Car Park are not committed until this agreement is completed.
- 2.14 Of course the Shopping Centre remains open during the Car Park demolition and rebuild, and the biggest challenge is therefore to ensure the visitors to it are as unaffected as possible – **business as usual being our aim**. A great deal of work has been undertaken to ensure **bus users** can still **access** the shopping centre and city centre from the south, and discussions have taken place with all the main operators. **Temporary arrangements** are being progressed, and will be further improved ahead of demolition commencement. The same is true for **car parking** users with temporary nearby sites being secured as appropriate. The proposals will change over time, and key to success will be effective communication of **up to date information**.
- 2.15 Demolition of the existing car park clearly also requires the agreement of temporary displacement arrangements with certain facilities and business in the direct vicinity. Work is underway to secure such agreements.
- 2.16 **Demolition tenders** have been secured through the SCAPE framework, and are broadly in line with earlier estimates, and endorsement is sought to the proposal to commence demolition utilising the contractor identified, once the necessary preparations to manage the impact and risks, as per recommendation 6, have been made.

## 2.17 Roadworks, Communications and Other Matters

The physical extent of the car park demolition site, the access/egress to new temporary car parks, and temporary arrangements for pedestrian routes and accessing new bus stops all mean considerable **change to the existing road system** and associated public realm. A lot of work has been undertaken, and continues to ensure new arrangements are made that allow facility users and visitors safe and easy access, whilst still enabling the travelling public to go about their business safely and expeditiously. The Canal Street area will be particularly disrupted, and so **measures are being taken to encourage and enable traffic to flow easier** around the southern side of the railway station during the next three years.

2.18 The Council is particularly focussed on two things, enabling shoppers and visitors to still access easily the Shopping Centre and Southern City Centre and at the same time keeping the travelling public moving safely and speedily. To achieve this **information and communication** will be key, with appropriate well signed advance warnings, timely notification, accurate information, and real time updates crucial. A comprehensive effort to achieve these objectives will be undertaken. The demolition works will not be commenced until the roadworks enabling measures are substantially in place, and the public have been made fully aware of what is to be expected.

2.19 The work to deliver all the elements of activity described in this report are being delivered by a wide team of internal Council officers, contractors and consultants. Procurement of this team is being carried out in adherence to the Council's rules and procedures. Approval is sought to confirm the appointment of the **Consultants team** for the next stages of the project.

## 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 To not progress the Shopping Centre scheme as a result of less positive financials than when the CDA was agreed in 2014, and public sector austerity. Rejected –this would be a mistake given the strategic importance of this project to the city economy and reputation, and an unnecessary step as we are confident the business case for investment will be made.
- 3.2 To not progress enabling works and key occupier leases in the Shopping Centre until the CDA has gone unconditional. Rejected – this would prejudice the key letting to a quality cinema operator, which would in turn undermine the redevelopment offer the developer is set on achieving, to complement their Victoria Centre offer. It would also mean an extended construction period when the Shopping Centre scheme did commence.
- 3.3 To not progress the car park demolition and rebuild option, but to revert to a boiled down scheme based upon refurbishment. Rejected – A basic scheme would undermine the ambitious transformation the City is seeking to achieve through complementary projects in this part of the City. It is extremely doubtful that any comprehensive refurbishment scheme could ever be delivered cost effectively, as all contractor assessments have highlighted the complexity of the work, safety ramifications, and the need for ongoing repairs over the years as highlighted in the previous report.

- 3.4 To not progress the car park demolition until the Shopping Centre project has been fully committed. Rejected – such an approach would mean the new car park would not be available until well after the Shopping Centre scheme was complete, which would lead to the Council incurring compensation liabilities. It would also mean further wasted cost on temporary repairs.
- 3.5 To close Canal Street completely west bound whilst the Car Park demolition and rebuild are underway. This option might be appropriate for phases of the work further down the line, but in the short term this seems counter productive, as it would interfere with the bus and taxi services, and take out more car capacity than necessary early on.

## **5 PROCUREMENT ADVICE**

The Procurement Team will continue to support Major Programmes on the redevelopment of the Broadmarsh Car Park. Major Programmes should ensure that they engage with Procurement at the earliest possible opportunity on any procurement activity required, to ensure that the project outcomes are delivered in a manner that is compliant with Nottingham City Council's Procedure Rules and national legislation; achieves value for money; and drives Council policies in areas such as local spend and employment. The Procurement Team are unable to comment on the development of the Shopping Centre.

## **6 SOCIAL VALUE CONSIDERATIONS**

- 6.1 The merits of these proposals for the City are clear, offering the prospect of more jobs, prosperity, and better quality of life for citizens.

## **7. RISK MANAGEMENT**

- 7.1 There are a number of major risks associated with the proposals contained in this report, and these are addressed within the different elements of the report, and in the Risk Register.

## **8 EQUALITY IMPACT ASSESSMENT (EIA)**

- 8.1 Has the equality impact of the proposals in this report been assessed?  
Yes ✓

## **9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)**

- 9.1 Executive Board Reports - 19<sup>th</sup> November 2013  
- 21<sup>st</sup> February 2017

<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>5 JULY 2017</b>
<b>WORK PROGRAMME</b>
<b>REPORT OF HEAD OF LEGAL AND GOVERNANCE</b>

**1 Purpose**

1.1 To consider the Committee's work programme for 2017/18.

**2 Action required**

2.1 To note the work that is currently planned for the remainder of the 2017/18 municipal year, and make amendments to the programme as appropriate.

**3 Background information**

3.1 The Committee is responsible for setting and managing its own work programme.

3.2 In setting a programme for scrutiny activity, the Committee should aim for an outcome-focused work programme that has clear priorities and a clear link to its roles and responsibilities. The work programme needs to be flexible so that issues which arise as the year progresses can be considered appropriately.

3.3 Where there are a number of potential items that could be scrutinised in a given year, consideration of what represents the highest priority or area of risk will assist with work programme planning. Changes and/or additions to the work programme will need to take account of the resources available to the Committee.

**4 List of attached information**

4.1 Overview and Scrutiny Committee 2017/18 Work Programme.

**5 Background papers, other than published works or those disclosing exempt or confidential information**

5.1 None.

**6 Published documents referred to in compiling this report**

6.1 None.

**7 Wards affected**

7.1 All

## **8 Contact information**

- 8.1 Laura Wilson  
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DATE	ITEMS
6 September 2017	<p><b>Discussion with the Portfolio Holder for Community and Customer Services</b> To consider and update from the Portfolio Holder on red and amber Council Plan priorities and budget pressures (Councillor Toby Neal)</p> <p><b>Fly-tipping in Nottingham</b> To review how the Council's waste services work together to combat flytipping – evidence gathering (Commercial and Domestic Waste, Commercial and Operations)</p> <p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
4 October 2017	<p><b>Discussion with the Portfolio Holder for Neighbourhood Services and Local Transport</b> To consider and update from the Portfolio Holder on red and amber Council Plan priorities and budget pressures (Councillor Sally Longford)</p> <p><b>Fly-tipping in Nottingham</b> To review how the Council's waste services work together to combat flytipping – evidence gathering (Commercial and Domestic Waste, Commercial and Operations)</p> <p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
8 November 2017	<p><b>Discussion with the Portfolio Holder for Business, Education and Skills</b> To consider and update from the Portfolio Holder on red and amber Business and Growth Council Plan priorities and budget pressures (Councillor Sam Webster)</p> <p><b>Fly-tipping in Nottingham</b> Agreeing recommendations</p> <p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
6 December 2017	<p><b>Discussion with the Portfolio Holder for Leisure and Culture</b> To consider and update from the Portfolio Holder on red and amber Council Plan priorities and budget pressures (Councillor Dave Trimble)</p>

	<p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
3 January 2018	<p><b>Discussion with the Portfolio Holder for Planning, Housing and Heritage</b> To consider and update from the Portfolio Holder on red and amber Council Plan priorities and budget pressures (Councillor Jane Urquhart)</p> <p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
7 February 2018	<p><b>Discussion with the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration</b> To consider and update from the Portfolio Holder on red and amber Council Plan priorities and budget pressures (Councillor Graham Chapman)</p> <p><b>Fly-tipping in Nottingham</b> Response to recommendations</p> <p><b>Work Programme</b> To agree the work programme for the remainder of the 2017/18 municipal year</p>
7 March 2018	<p><b>Work Programme 2018/19 Development</b> To discuss the work programme for 2018/19</p>
4 April 2018	<p><b>Work Programme</b> To agree the work programme for the 2018/19 municipal year</p>