

# NOTTINGHAM CITY COUNCIL

## EXECUTIVE BOARD

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 20 November 2018 from 2.02 pm - 2.48 pm**

### Membership

#### Present

Councillor Graham Chapman (Vice Chair)  
Councillor Dave Liversidge  
Councillor Sally Longford  
Councillor David Mellen  
Councillor Dave Trimble  
Councillor Sam Webster  
Councillor Linda Woodings

#### Absent

Councillor Jon Collins (Chair)  
Councillor Neghat Khan  
Councillor Toby Neal

### Colleagues, partners and others in attendance:

Councillor Andrew Rule

Councillor Jim Armstrong  
David Bishop

Candida Brudenell

Helen Carlin

James Dymond  
Chris Henning

Rebecca Langton  
Alison Michalska  
Colin Monckton  
Craig Stanley  
Steve Thorne  
Catherine Underwood  
Keri Usherwood  
Andy Vaughan

Adele Wearing

Jane Garrard

- Deputy Chief Executive and Strategic Director for Development
- Corporate Director for Strategy and Resources
- Transformation Programme Manager, Adult Social Care
- Parks Development Manager
- Corporate Director for Development and Growth
- Executive Officer to the Leader of the Council
- Corporate Director for Children and Adults
- Director of Strategy and Policy
- Political Assistant to the Labour Group
- Communications and Marketing Manager
- Director for Adult Social Care
- Portfolio Communications Manager
- Corporate Director for Commercial and Operations
- Smart Card Team Leader Public Transport Projects
- Senior Governance Officer

### Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 29 November 2018. Decisions cannot be implemented until the working day after this date.

#### **40     APOLOGIES FOR ABSENCE**

Councillor Jon Collins – Leave  
Councillor Toby Neal – Other Council Business

Ian Curryer - Leave

In the absence of Councillor Collins, the meeting was chaired by the Vice Chair Councillor Chapman.

#### **41     DECLARATIONS OF INTERESTS**

Councillor Sam Webster declared an interest in Agenda Items 9 and 13 'Loan to NCH Registered Provider for Affordable Housing Acquisition' because he is a Nottingham City Homes Board member and did not speak or vote on the issue.

Councillor Linda Woodings declared an interest in Agenda Items 10 and 14 'Public Transport Contactless Payment Delivery Strategy' because she is a Non-Executive Board Member of Nottingham City Transport and did not speak or vote on the issue.

#### **42     MINUTES**

The minutes of the meeting held on 16 October 2018 were confirmed as an accurate record and signed by the Chair.

#### **43     TREASURY MANAGEMENT 2018/19 HALF YEARLY UPDATE**

The Board considered a report of the Portfolio Holder for Finance, Resources and Commercial Services detailing the treasury management actions and performance from 1 April 2018 to 30 September 2018.

**RESOLVED to note the treasury management actions taken in 2018/19 to 30 September 2018.**

##### Reasons for decision

To ensure that councillors are kept informed of the actions taken by the Chief Finance Officer under delegated authority. The currently adopted Treasury Management Code of Practice requires the Chief Finance Officer to submit at least three reports on treasury management each year: a policy and strategy statement for the ensuing financial year, a 6 monthly progress report and an outturn report after the end of the financial year. The Code also requires that the reports are considered by relevant scrutiny or executive committees, and that the City Council approves any treasury management strategy decisions.

##### Other options considered

No other options were considered as the report is required by the Treasury Management Code of Practice.

#### **44     BETTER LIVES BETTER OUTCOMES: A NEW STRATEGY FOR SUSTAINABLE ADULT SOCIAL CARE IN NOTTINGHAM**

The Board considered a report of the Portfolio Holder for Adult Social Care and Health seeking approval of Better Lives Better Outcomes: a new strategy for sustainable adult social care in Nottingham.

The strategy sets out a sustainable approach for adult social care, outlining ambitions to change the way the Council works with citizens, communities and partners to achieve good outcomes within the resources available. Extensive consultation and stakeholder engagement was carried out to inform development of the strategy.

**RESOLVED to approve the new adult social care strategy: Better Lives Better Outcomes.**

Reasons for the decision

The strategy sets out the future approach of Nottingham City Council to delivering social care services to citizens in Nottingham. It represents a significant change to current policy and is about having a sustainable social care system due to cuts in government funding and increasing demand for services.

In July 2018 the Board approved going out to consultation on the draft strategy and the strategy was revised following feedback received during the consultation.

Other options considered

None

#### **45     ICS CITY COUNCIL POSITION**

The Board considered a report of the Portfolio Holder for Adult Social Care and Health proposing that the Council suspends its role in the Integrated Care System for a period of up to 6 months and use that time to negotiate with partners to make improvements and address the Council's concerns about current arrangements.

**RESOLVED to**

- (1) suspend the Council's role in the Integrated Care System for up to 6 months, with immediate effect, and delegate responsibility to the Chief Executive to write to health partners formally to inform them of the decision;**
- (2) work with all local health partners within the Integrated Care System to agree key principles for the way in which social care in the City is taken forwards within the Integrated Care System; and**
- (3) review the position after 6 months, or before.**

Reasons for the decision

To seek to agree changes to the way in which the Integrated Care System (ICS) operates and develops for the benefit of the City and its residents. The Council would like to see changes to the governance of the ICS to include greater levels of democratic involvement and more robust and meaningful engagement with citizens and stakeholders. The Council would like to agree the shared adoption of key

principles in line with Council Plan priorities such as the development of local jobs, training and development of local people and a preference for investment in public services, local businesses, small and medium enterprises (SMEs) and voluntary sector organisations. The ICS should play a critical role in tackling health inequalities in communities and therefore, as the democratically elected body and the strongest advocate of community development in the City, the Council is seeking a stronger leadership role across the partnership to represent community health and care services for the City area.

The funding differences between health, which receives more funding, and adult social care, where funding is unable to keep up with demand, have presented significant problems in working in partnership. The underfunding of social care, and the inherent imbalance between health and care, is holding back the development of the ICS.

The agreement of changes will benefit the development of health and social care integration in order to better serve the needs of the population within the City and wider ICS area.

#### Other options considered

To remain fully within the Integrated Care System (ICS). This option was rejected because the Council has a number of issues with the way the ICS is developing and believes it is better to be open and honest about them with partners rather than proceeding with implied consent to the plans.

To formally notify NHS partners that the Council does not wish to have any part in the development of the ICS in its current form and remove its name from the partnership. This option was rejected because the Council is committed to the integration of health and social care and would wish to continue to strive towards closer integration where there are benefits to citizens of doing so. The ICS will continue without the local authority if it left now, and the Council would rather seek to influence changes to the ICS before any decision is taken to leave. In the event that changes are not able to be made, and the Council remains concerned about the way in which it is developing, then it is possible that the review of the suspension could result in the Council formally leaving at a later date.

## **46     ALLOTMENT RENTS**

The Board considered a report of the Portfolio Holder for Leisure and Localities proposing an increase in allotment rents over a 3 year period, setting fees and charges for tenancy administration to encourage good management of allotment plots by tenants, and setting up new allotment association leases on an individual site by site basis. The additional income generated by the proposed rent increases will be reinvested in the City's allotments to improve quality and bring derelict plots back into use to the benefit of the current waiting list which contains over 800 applicants.

### **RESOLVED to**

- (1) approve the increase of allotment rents to direct-let tenants to 46p per square metre over a 3 year period from 2019/20 to 2021/22;**

- (2) delegate authority to the Director of Neighbourhood Services to sign new allotment association leases that include a new rent rate mechanism on a site by site basis;**
- (3) approve the following fees and charges to direct-let allotment tenants**
- a minimum plot charge to cover tenancy administration costs where all tenants are charged for at least a 125m<sup>2</sup> plot even if they rent a smaller plot
  - a £50 charge for tenants who don't surrender their plots properly and necessitate forced entry, a change of locks and/or new site keys
  - a £20 charge for the issue of notices to tenants who breach their tenancy regulations for a second time
- (4) approve establishing an earmarked reserve to hold additional income generated which will be reinvested for site improvements.**

Reasons for the decision

Allotment rents in Nottingham have historically been very low and comparison with other Core Cities shows that Nottingham is currently 2<sup>nd</sup> cheapest out of 7 cities. At present Nottingham offers concessions of 25% for those over 65 years and 50% for those eligible for low income benefits or disability benefits.

The extra income generated from the increase in rents will be reinvested into the City's allotments in order to improve quality, access and security.

Funding will also be used to bring derelict plots/ sites back into use as the current waiting list contains over 800 applicants.

Consultation with direct-let tenants, allotment associations and the general public showed that there are mixed views on raising rents in order to invest into site improvements. As a result, the proposed rent increase has been set at 46p per m<sup>2</sup> rather than the 56p per m<sup>2</sup> originally proposed.

Other options considered

The principle alternative option is not to raise allotment rents. This would mean that most sites remain in their current condition or potentially decline if future budgets are unable to meet the demand for maintenance and repairs. Funding would also be very limited or not available for bringing derelict plots back into use. Therefore this option was rejected.

**47     THE DEVELOPMENT OF A REGIONAL ADOPTION AGENCY**

The Board considered a report of the Portfolio Holder for Early Intervention and Early Years proposing that the Council join a Regional Adoption Agency as part of a partnership with other D2N2 local authorities.

**RESOLVED to**

- (1) approve joining a Regional Adoption Agency as part of a partnership with other D2N2 local authorities;**

- (2) agree the final business case (as set out in the exempt appendix);**
- (3) agree to Nottinghamshire County Council being the 'host' local authority;**
- (4) note that there will be a workforce transfer to the host authority with effect from 1 April 2019 under the provisions of TUPE (Transfer of Undertakings, Protection of Employment) Regulations, subject to the outcome of formal consultation;**
- (5) delegate authority to the Chief Finance Officer to determine the allocation of the pension deficit within the organisation;**
- (6) delegate authority to the Director of Children's Services in consultation with the Portfolio Holder for Early Intervention and Early Years to negotiate and agree the terms of the Inter-Agency Agreement to establish the East Midlands Regional Adoption Agency (EMRAA); and**
- (7) approve the budget allocation of £1,169,586 per year for three years associated with the Regional Adoption Agency.**

Reasons for the decision

As outlined in the report to Executive Board on 22 May 2018, the Government has stated its intention that all individual local authority adoption agencies combine into regional adoption agencies by 2020. The rationale is that, with 180 adoption agencies placing children in England, the system is too fragmented, and this has led to delays for children. Regionalisation should improve outcomes for children, adopters and adoptive families.

The principles of regional adoption agencies are to:

- provide all children with an adoptive family that meets their needs;
- ensure that those affected by adoption receive the information, support and advice that they need to understand their adoption journey; and
- ensure that families are well prepared, enabled and supported to care for the children with plans for adoption.

The aims of regional adoption agencies are to ensure:

- early identification of children for whom adoption is the right option;
- timely placement of children including sibling groups and older children;
- sustainable placements with timely and appropriate support as needed;
- a sufficient range and number of adopters to meet children's needs;
- a range of different adoption placement types e.g. foster to adopt; and
- a well performing and improving service, evidenced in the adoption scorecard, productivity and timeliness.

Seven local authorities (Lincolnshire, Leicestershire (who also provide adoption services for Rutland), Leicester, Derbyshire, Derby, Nottinghamshire and Nottingham) began participation in the Department for Education funded Regional Adoption Agency programme in October 2015. The partnership also includes two voluntary adoption agencies (Faith in Families and Coram). Lincolnshire, Leicester, Leicestershire and Rutland will not be joining the partnership at present.

East Midlands Regional Adoption Agency has made good progress in developing adoption functions which draw on excellent and innovative practice. Developments include the setting up of permanence teams in many of the partner local authorities and in establishing the D2N2 pilot for Derbyshire, Derby, Nottinghamshire and Nottingham. Good progress continues to be made in aligning ways of working in respect of adopter recruitment, matching and adoption support across the footprint.

BDO financial consultants engaged by the East Midlands Regional Adoption Agency reviewed the local authorities' spend on adoption activity. This work provided the basis to set out the business case for the D2N2 local authorities to unite as an adoption agency in East Midlands Regional Adoption Agency.

One of the key principles of the D2N2 model is that it will be delivered at no additional cost to the authorities involved, although management costs and pension strain considerations remain under review.

#### Other options considered

The Department for Education has stated that there is now a national expectation that all local authorities will form a Regional Adoption Agency by 2020. A range of models have been considered with the one proposed appearing to offer the best potential to meet local need.

Alternative options may include joining a different Regional Adoption Agency but this would add further distance to visiting and supporting children in placement and the money that has been provided by the Department for Education to help with project management costs was provided to the East Midlands local authorities to work together. Therefore this option was rejected.

Consideration has been given to not joining the Regional Adoption Agency but that would leave the Council vulnerable to being compelled to join a Regional Adoption Agency perhaps not of the Council's choice in the near future. Therefore this option was rejected.

#### **48     LOAN TO NCH REGISTERED PROVIDER FOR AFFORDABLE HOUSING ACQUISITION**

The Board considered a joint report of the Portfolio Holder for Planning and Housing and the Portfolio Holder for Finance, Resources and Commercial Services regarding the arrangement of a loan facility to Nottingham City Homes Registered Provider to acquire 14 affordable housing units, which are being provided under a Section 106 agreement at Radford Bridge allotments. The homes will be let out by Nottingham City Homes Registered Provider for social or affordable rents and via the Homelink housing waiting list system. The homes will be exempt from Right to Buy.

#### **RESOLVED to**

- (1) delegate authority to the Director of Finance to approve loan drawdowns subject to due diligence as detailed in the finance comments set out in the exempt appendix to the report; and**

- (2) ensure that the loan facility is adequate to repay the 10% deposit which was paid to the developer at point of exchange by the City Council.**

Reasons for the decision

To support Nottingham City Homes Registered Provider by providing a loan for the purchase of 14 affordable housing units at Radford Bridge allotments, subject to Chief Finance Officer approval following receipt of a satisfactory business case demonstrating the ability to repay the loan, supporting documentation and loan security.

Other options considered

The Council could have purchased the affordable housing at Radford Bridge allotments. That option was rejected because this is an opportunity for Nottingham City Homes Registered Provider to increase its stock and asset base.

**49     PUBLIC TRANSPORT CONTACTLESS PAYMENT DELIVERY STRATEGY**

The Board considered a report of the Portfolio Holder for Transport and HR regarding the development of contactless payment on public transport in the City. The Council has been awarded £2.4m from the Department of Transport National Productivity Fund and the report was seeking approval for phase 1 of the contactless payment approach and approval to award grant funding to Nottingham City Transport, Nottingham Express Transit and trentbarton.

**RESOLVED to**

- (1) agree the phase 1 contactless payment approach which will deliver multi-operator fares with capping will on Nottingham City Transport, Nottingham Express Transit and CT4N services initially, with other operators joining in phase 2 of the programme once the Midland Connect Regional Brokerage system or a locally developed solution has been implemented; and**
- (2) delegate authority to the Corporate Director for Development and Growth to approve grant funding to Nottingham City Transport as the lead contractor for the required back office system, with Nottingham Express Transit, Nottingham City Transport and trentbarton also grant funded to purchase the required contactless payment reader hardware, subject to appropriate governance and contract arrangements which protect the Council being established.**

Reasons for the decision

The Council has been working with local transport operators via the Robin Hood partnership (the existing smart ticketing governance and development partnership) to establish the technological solution that will be taken forward to deliver the move to account based ticketing and contactless payment for public transport in Nottingham. Nottingham City Transport and Nottingham Express Transit have selected INIT as their preferred ticketing supplier with trentbarton currently undecided on the supplier they would like to commission for their delivery of contactless payment. Other local operators have not expressed an interest to participate in the rollout of contactless payment as part of this project and therefore are not included in phase 1.

Midlands Connect, the new sub-national transport body for the West and East Midlands is developing a regional brokerage system that will support the local approach to smart ticketing that Nottingham's operators, through the Robin Hood partnership, would like to take forward. The regional brokerage system being developed by Midlands Connect will be able to process payments between different ticketing technology suppliers, which fits ambitions locally for multi-operator integration and meets the needs of our local operators in terms of them being able to make individual decisions on individual ticketing suppliers.

The implementation of phases 1 and 2 of Nottingham's contactless payment approach will incrementally deliver full multi-operator fares across Nottingham and eventually lead to integration with public transport operators across the Midlands region.

Phase 1 will see Nottingham City Transport, Nottingham Express Transit and Nottingham City Council supported bus services currently operated by CT4N grant funded in order to achieve the delivery of contactless payment for multi-operator fares and individual operator fares across the local network. Trentbarton will also receive funding to support the delivering of contactless payment for their individual operator fares during this phase on the proviso that as part of phase 2 of the project they can demonstrate that their chosen ticketing supplier will be able to work in tandem with the INIT system chosen by Nottingham City Transport and Nottingham Express Transit. Trentbarton integration into the Nottingham contactless multi-operator fare structure is expected to be achieved via the Midlands Connect backed regional brokerage system or a locally developed solution has been implemented. An additional fall back option is full integration of other ticketing systems with the INIT system to create a full Nottingham contactless system if the regional brokerage system is delayed or not funded by central government.

In the interim and in lieu of the delivery of the Midland Connect regional brokerage system multi-operator fares on contactless will be delivered on Nottingham City Transport, Nottingham Express Transit and our own contracted bus services. This represents approximately 85% of the local public transport market. This strategy will further enhance the integration of public transport locally. Whilst also facilitating the payment of single operator fares through contactless, a development which will be welcomed positively by regular, casual and new public transport users.

The existing Robin Hood Scheme will be retained for both season ticket and Pay As You Go passengers, providing an option for those passengers who do not have access to contactless payment, or those who wish to continue to benefit from multi-operator fares across Nottingham City Transport, Nottingham Express Transit, trentbarton and CT4N bus and tram services. Cash fares will also be retained.

#### Other options considered

Postpone the delivery of phase 1 of the contactless payment project and wait until the Midlands Connect Regional Brokerage System has been implemented so that full multi-operator contactless payment can be delivered across different ticketing systems. This has been rejected as timescales for the delivery of the Regional Brokerage System have not been finalised and are outside the scope of the National Productivity Investment Fund funding award.

**50     EXCLUSION OF THE PUBLIC**

**RESOLVED** to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the exemption.

**51     THE DEVELOPMENT OF A REGIONAL ADOPTION AGENCY - EXEMPT APPENDICES**

The Board considered the exempt appendices to the Portfolio Holder for Early Intervention and Early Years' report.

**RESOLVED** to approve the exempt appendices to the report.

Reasons for the decision  
As set out in the report.

Other options considered  
As set out in the report.

**52     LOAN TO NCH REGISTERED PROVIDER FOR AFFORDABLE HOUSING ACQUISITIONS - EXEMPT APPENDICES**

The Board considered the exempt appendices to the Portfolio Holder for Planning and Housing and the Portfolio Holder for Finance, Resources and Commercial Services' joint report.

**RESOLVED** to approve the exempt appendices to the report.

Reasons for the decision  
As set out in the report.

Other options considered  
As set out in the report.

**53     PUBLIC TRANSPORT CONTACTLESS PAYMENT DELIVERY STRATEGY - EXEMPT APPENDIX**

The Board considered the exempt appendix to the Portfolio Holder for Transport and HR's report.

**RESOLVED** to approve the exempt appendix to the report.

Reasons for the decision  
As set out in the report

Other options considered  
As set out in the report

**54     BLUEPRINT BUSINESS PLANNING**

The Board considered an exempt report of the Portfolio Holder for Finance, Resources and Commercial Services.

**RESOLVED to agree the recommendations as set out in the exempt report.**

Reasons for the decision

As set out in the exempt report.

Other options considered

As set out in the exempt report.