

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	2968
Author:	Richard Campbell
Department:	Development and Growth
Contact:	Richard Campbell (Job Title: Flood Mitigation Manager, Email: richard.campbell@nottinghamcity.gov.uk, Phone: 0115 8765188)
Subject:	ERDF Derby Nottingham Metro Environmental Improvement Projects
Total Value:	£260,000.00 (Type: Capital)
Decision Being Taken:	<p>1) To approve acceptance of a grant for £260,000 from the Environment Agency to fund a feasibility study for the above project that will improve urban open spaces within, and on the fringes of Derby and Nottingham to restore and connect green/blue spaces across two cities, enriching biodiversity including Local Biodiversity Action Plan.</p> <p>2) To delegate authority to the Head of Parks and Open Spaces to procure and award a contract to a contractor to deliver the said feasibility study, in consultation with the Portfolio Holder for Planning, Housing and Heritage and ward councillors.</p>
Reasons for the Decision(s)	<p>The project aims to improve biodiversity along the River Leen and Day Brook corridors, including carrying out natural overflow mitigation works. This will have a positive impact on the locality by joining up existing green areas/routes. There is not the expertise within Nottingham City Council to carry out all of the processes needed to deliver it including initial feasibility studies.</p> <p>The scheme is anticipated to deliver the following benefits: Improve health and wellbeing of residents, reduce flood risk to properties in the locality, assist with regeneration and in turn provide employment space and help address local housing need.</p> <p>Subject to the final solution delivering the reportable benefits, funding for the full scheme is available from Central Government (Grant in Aid), the Environment Agency (Local Levy), ERDF and a local contribution through the Flood Risk Management Reserves to ensure flood risk is considered and mitigated. As of September 2017 the reserve held in excess of £577,000.</p> <p>Implementation of this scheme supports the Nottingham City Council's Local Flood Risk Management Strategy.</p>

**Other Options Considered:**

**1, Do Nothing:** There is no statutory duty to undertake this work, but the Council does have a duty to manage flood risk from local sources (surface water, groundwater and ordinary watercourses) and has a number of key strategies that support environmental improvements (Nottingham City Council Biodiversity Checklist; Nottingham City Council's Biodiversity position statement 2011-2020 'Ambitious for Wildlife', Nottingham City Local Flood Risk Management Strategy, Breathing Space - Revitalising Nottingham's Open and Green Spaces 2010-2020, Nottingham Transport Plan: Strategy 2011-26). To compliment the above, the Council's Local Flood Risk Management Strategy included an action to assist those citizens at greatest risk of localised flooding. Therefore, the do nothing option would not support this approved strategy. The funding from Local Levy has been subject to detailed scrutiny and has been allocated to this specific project.

**2, Capital scheme to implement Property Level Resilient products on the affected properties:** This option was rejected as this approach would not provide a sustainable solution which would deliver the intended multiple benefits (i.e. environmental enhancements).

**Background Papers:**

None

**Published Works:**

Nottingham City Council Local Flood Risk Management Strategy.

**Affected Wards:**

Basford, Bulwell, Leen Valley, Radford and Park, Sherwood

**Colleague / Councillor Interests:**

None

**Consultations:**

**Date:** 16/05/2017

**Ward Councillors:** Cat Arnold, Glyn Jenkins, Mohammed Saghir, Linda Woodings

Cllr Woodings has responded confirming that she is often asked questions from her constituents regarding flooding in this area and has asked for further information. Cllr Jenkins has responded and recommended a targeted area for public engagement.

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

There are no perceived crime and disorder implications for the proposals.

**Equality:**

EIA not required. Reasons: The criteria for identifying the areas relates to those areas through the River Leen and Day Brook traverse; and sub areas where in particular biodiversity improvement and associated benefits (e.g. flood risk reduction) are important. The decision does not relate to a new or changing policy or service so an EIA is not required.

<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	23/10/2017
<b>Advice Sought:</b>	Legal, Finance, Procurement
<b>Legal Advice:</b>	<b>This report raises no significant legal issues. The City Council must ensure it can comply with the terms of the grant funding agreement with the EA (and ERDF which provides the matched funding) and should pass through to the contractor any relevant grant conditions. It is understood from discussions with the report author that the contractor for the works will be appointed following a competitive tender. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 20/09/2017.</b>
<b>Finance Advice:</b>	<p><b>This decision seeks approval to receive and spend £0.260m on initial feasibility studies related to improving the biodiversity along the River Leen and Daybrook.</b></p> <p><b>The feasibility costs will be funded entirely by grant, which has been awarded by the Local Levy. There isn't any budget to meet any overspends, therefore the project will need to be carefully monitored and controlled to ensure overspending does not occur.</b></p> <p><b>If the full project goes ahead, the total project costs £6.187m will be funded by the Flood Defence Grant in Aid (FDGiA), Local Levy, Department for Communities and Local Government (DCLG) as well as £0.150m NCC match funding which has been identified to be funded from the Flood Mitigation reserve, if required, Approval for the remaining project spend may need to be sought at a later date once the outcome of the feasibility studies are known.</b></p> <p><b>If the project is abandoned the authority is not required to return any funds spent on feasibility, therefore the financial risk to the authority is minimal.</b></p> <p><b>Advice provided by Chanelle Poyser (Commercial Business Partner) on 28/09/2017.</b></p>
<b>Procurement Advice:</b>	<b>Procurement will support the client team to ensure that any procurement required is undertaken in compliance with Council policy &amp; procedures and national legislation. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 05/06/2017.</b>
<b>Signatures</b>	<b>Jane Urquhart (PH for Planning, Housing and Heritage)</b> <b>SIGNED and Dated: 16/10/2017</b> <b>David Bishop (Deputy CE, CD for Development and Growth)</b> <b>SIGNED and Dated: 05/10/2017</b>