

Nottingham City Council

Executive Board

**Minutes of the meeting held at Loxley House, Nottingham on 11 February 2025
from 2.00 pm - 2.56 pm**

Membership

Present

Absent

Councillor Neghat Khan (Chair)
Councillor Ethan Radford (Vice Chair)
Councillor Cheryl Barnard
Councillor Kevin Clarke
Councillor Jay Hayes
Councillor Corall Jenkins
Councillor Sam Lux
Councillor Linda Woodings

Colleagues, partners and others in attendance:

Beth Brown	- Interim Director of Legal and Governance
Tony McArdle	- Lead Commissioner
Stuart Fair	- Interim Corporate Director for Finance and Resources
Nicki Jenkins	- Interim Corporate Director for Growth and City Development
Lucy Lee	- Strategic Director for Transformation and Change
Sarah Nardone	- Interim Director of Children's Integrated Services
Colin Parr	- Corporate Director for Community, Environment and Resident Services
Sajeeda Rose	- Chief Executive
Phil Wye	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 19 February 2025. Decisions cannot be implemented until the working day after this date.

92 Apologies for Absence

Vicky Murphy

93 Declarations of Interests

None.

94 Minutes

Subject to recording that Councillor Andrew Rule was in attendance as a substitute for Councillor Kevin Clarke, the minutes of the meeting held on 21 January 2025 were confirmed as a correct record and they were signed by the Chair.

95 Budget Monitoring Period 9 (2024/25)

Councillor Linda Woodings, Executive Member for Finance and Resources, presented the report provides the Council's 2024-25 forecast outturn for the General Fund, Housing Revenue Account and Capital Programme, based on activity to the end of the Period 9 (31 December 2024).

The Council is forecasting a General Fund overspend of £12.984m which has been mitigated through £11.907m of management actions reducing the overspend to £1.077m (0.3%) at Period 9. The approved budget for the 2024-25 financial year included £41 million in Exceptional Financial Support (ESF) to balance the budget, the budget pressures reported of £12.984m before mitigating actions are in addition to the £41m of ESF. The Council's comprehensive Savings Programme, which is currently in its third year, is projected to achieve significant budgetary efficiencies, with 2024-25 savings totalling £38.877m (79.7%) are either delivered or on track to be delivered in 2024-25. The Housing Revenue Account (HRA) forecast at Period 9 for 2024-25 is reporting a net underspend of £0.296m. This will increase the contribution to HRA reserves to £8.827m. The revised Capital Programme is reporting an underspend of £19.370m.

Resolved to

- (1) note the General Fund forecast gross overspend for 2024-25 at Period 9 of £12.984m reduced by £11.907m following application of mitigating actions reducing the net overspend to £1.077m against approved budget of £356.800m and the risks set out in Section 9 of the report;**
- (2) note that the Corporate Leadership Team in consultation with the Section 151 Officer has developed a mitigation strategy and plan to bring the forecasted spend back in line with approved budget;**
- (3) note the General Fund budget includes the Exceptional Financial Support flexibility of £41.024m for 2024-25, which will be deployed through a combination of capital receipts and short-term borrowing;**
- (4) note the progress of the approved savings over the Medium-Term Financial Plan (2024-25 to 2027-28) period of £88.335m, with £65.176m (73.8%) either delivered or on track to be delivered of which:**
 - £3.072m relate to undelivered 2023-24 savings brought forward**
 - £35.805m relate to 2024-25 savings**
 - £26.299m relate to savings over the MTFP period 2025-26 to 2027-28;**
- (5) note the HRA forecast net underspend for 2024-25 at Period 9 of (£0.296);**
- (6) approve the 2024-25 Capital Programme net slippage of (£19.180m) and net underspend of (£0.190m) with regards to the following, as approved by Executive Board in February:**
 - General Fund (£16.511m), HRA (£1.198m) and Accountable Body (£0.751m) net slippage to be carried forward and reprofiled across the medium-term financial plan;**

Note (£0.190m) net underspend, for which budget amendments will be incepted into the capital programme.

(7) approve net departmental General Fund net budget changes as summarised in paragraph 5.4 and Appendix 3 of the report.

Reasons for decisions:

- This report forms a key part of formal General Fund Revenue, Capital and HRA monitoring against the 2024/25 budget.
- As set out in the Financial Regulations and Financial Accountabilities Framework, the Chief Finance Officer is responsible for reporting the performance of the budget to Executive Board.
- Budget reporting to councillors is essential for informed decision-making, transparency, and effective governance in local authorities, ensuring accountability and sound financial management.

Other options considered:

- This is a monitoring report required by Financial Regulations and the Financial Accountabilities Framework which supports informed decision making, transparency and effective governance and therefore no other options were considered.

96 2025/26 Budget and Medium Term Financial Plan 2025/6 - 2028/29

Councillor Linda Woodings, Executive Member for Finance and Resources, presented the report presenting an update in the Council's budget planning process, seeking to refresh the future budget gaps the Council is likely to be facing based on the latest available information including the provisional settlement announced in December 2024 and will be further refined when the final settlement is received in early February 2025. This includes likely recurring budget issues identified as part of forecast in-year budget monitoring and expert external advice on possible settlement and related funding.

The working assumptions underpinning the Medium Term Financial Plan (MTFP) previously assumed in March 2024 and reiterated in June 2024 have been refreshed with the 2025-26 gap reducing from £69.0m to the latest projection of £23.3m. A core assumption in setting the base for 2025-26 includes successfully managing demand related cost pressures within the current financial year 2024-25 and sustaining this position over the medium term. Closing the structural deficit is foundational to the medium- and longer-term financial stability of the Council. Successful delivery of transformational change and efficiency savings will be fundamental to the elimination of the embedded structural deficit. It is therefore critical that the savings programme, including new and those savings approved in March 2024, are delivered in full during 2025-26 and future financial years of the MTFP.

The General Fund Budget will be balanced in 2025-26 only by taking all available saving options tabled within this report and the use of EFS. The MTFP sets out the current budget shortfall across the period against the forecasted available resources of the Council. This strategy aligns with good financial practice and reflects a prudent

approach to rebuild the Council's financial resilience over the period of the MTFP within a challenging environment. Combined with the total value of savings and income plans of £48.5m over the 4-year period of the MTFP, this does, however present a significant challenge to the organisation. Members and officers alike will need to be unwavering in exercising robust financial management discipline and committed to the timely delivery of approved savings in order for the MTFP to remain in financial balance and the Council to operate within its financial means.

Resolved to

- (1) General Fund Revenue Medium Term Financial Plan 2025-26 to 2028-29:**
- a) note that the Council has a projected budget gap of £23.3m in 2025-26 and cumulative £55.5m over the MTFP period;**
 - b) note the Council's request for Exceptional Financial Support (capitalisation direction) from the Department of Levelling Up, Housing and Communities of up to a combined £35m for 2025-26 and 2026-27;**
 - c) recommend to City Council the approval of the proposed General Fund revenue budget for 2025-26 with a net draft budget of £355.1m;**
 - d) note and recommend for City Council to approve the officer recommended budget with the 2025-26 budget gap of £23.3m to be funded from EFS and with approval for officers to continue identifying savings through the year to reduce the in-year budget gap;**
 - e) recommend for City Council to approve the total General Fund savings of £48.5m over the MTFP period 2025-26 to 2028-29, submitted as part of the 2025-26 budget review process;**
 - f) authorise the Corporate Director and/or Director with responsibility for each saving proposal to:
 - i) carry out all steps required in relation to each proposal, including carrying out any further targeted consultations;**
 - ii) consider any consultation outcomes and other detailed implications;**
 - iii) complete and consider the implications of any updated equalities impact assessment required;**
 - iv) following completion of f(i), d(ii) and d(iii) above:
 - determine whether to amend any proposal prior to implementation;
 - determine whether a further report needs to be considered by the Executive Board;
 - or the relevant officer or portfolio holder before a final decision is taken
 - on implementation; and
 - where a decision is taken not to proceed with any proposal then alternative proposal(s) will be brought forward for consideration.****
 - g) in relation to savings proposals that are significantly cross cutting across more than one service, authorise the Corporate Director or Director with primary responsibility for the savings proposal to complete any required equalities analysis assessments and to consider the outcome, and any other crosscutting implications, following consultation with the Corporate Directors or Directors of the other services significantly impacted by the proposals, prior to taking any decisions to implement such proposals;**
 - h) note the latest Medium-Term Financial Plan for 2025-26 to 2028-29;**

- i) note the £20.0m revenue service growth and £22.8m inflation for 2025-26
 - j) note the following additional statutory instructions from the Finance and Resources Board flowing directly from the existing instructions, '2.1, Approval of wholly realistic plans and budgets' and '2.2, Establish and Maintain a sound and prudent reserves policy and practice':
 - k) delegate authority to the Section 151 Officer to approve and make arrangement for processing of budget virements associated with allocation of expenditure and/or income included within the General Fund revenue budget for 2025-26.
- (2) **Budget Consultation:**
- a) note and consider the findings of the consultation in agreeing the MTFP recommendations to full Council;
 - b) note that the insight and learning gained through the extensive consultation process will be used to inform the Equality Impact Assessments, design phase and/or mitigate impact where possible in the implementation of proposals;
 - c) note that additional and targeted consultation will be required on some of the proposals based on more detailed proposed delivery models.
- (3) **Financial Reserves:**
- a) note the forecasted balances on General Fund reserves for end of 31 March 2025 of:
 - Available General Fund reserves £63.9m
 - Earmarked reserves £149.5m
- (4) **Fees and Charges**
- a) note the schedule of fees and charges arising from the application of the approved policy for 2024-25.
- (5) **Council Tax**
- a) note the Council Taxbase for 2025-26 of 71,062;
 - b) consider and recommend to City Council an increase of 2% for the Social Care Precept and an increase of 2.99% for Council Tax in 2025-25, endorsing proposals to set a Council Tax level (Band D) of £2,262.88;
 - c) note the revised Council Tax Support Scheme for implementation in 2025-26.
- (6) **Collection Fund**
- a) note the estimated Council Tax Collection Fund surplus for 2024-25 of £2.7m, to be shared as below:
 - Nottingham City Council £2.3m;
 - Nottinghamshire Police & Crime Commissioner £0.3m;
 - Nottinghamshire Fire Authority £0.1m;
 - b) note the estimated Business Rates Collection Fund surplus for 2024-25 of £2.9m, of which £1.4m is Nottingham City Council's share.

(7) Capital Budget and Strategy

- a) approve the Capital Strategy and its appendices, paying particular attention to the:
 - Voluntary Debt Reduction Policy;
 - Flexible Use of Capital Receipt Policy;
 - Non-Treasury Investment Strategy, and;
 - Prioritisation criteria for Capital Receipts.
- b) approve the Capital Budget of £771.886m and associated funding, including the capital programme additions of £105.625m;
- c) note the inclusion of the Exceptional Financial Support of £35.0m to cover the projected budget gap for 2025-26 and 2026-27 and associated funding within the proposed Capital Budget;
- d) note the register of pipeline schemes.

(8) Treasury Management Strategy

- a) to approve the Treasury Management Strategy 2025-26, paying particular attention to:
 - the approach to borrowing;
 - Voluntary Debt Reduction Policy;
 - the Treasury Investment Strategy;
 - Prudential Indicators.
- b) approve the Prudential Indicators for the year 2025-26. In particular:
 - the authorised limit for borrowing of £936.4m which sets a statutory limit for borrowing that the council cannot exceed in 2025-26;
 - The operational boundary for debt of £906.4m, a lower limit than the authorised boundary, which acts as an early warning mechanism for council borrowing.
- c) note the council has repaid £15m of long-term market loans early during the year 2024-25 which has been authorised under the Section 151 Officers delegated treasury authority. Further details will be published in the Treasury Outturn report 2024-25;
- d) note the scope of the voluntary debt reduction policy continues to allow for borrowing in exceptional financial circumstances for a short-term period.

(9) Schools Budgets

- a) approve the in-year budget transfers and payments associated with the grant funding and the use of the reserve included in this report. This will not exceed the grant value;
- b) delegate the authority to the Executive Member for Finance & Resources and the Section 151 Officer to approve any final budget adjustments in conjunction with the Executive Member for Children, Young People & Education, and the Corporate Director for Children & Education Services.

(10) Housing Revenue Account (HRA) budget 2025-26

- a) **note the HRA revenue budget for 2025-26, as presented to the Executive Board at the same meeting.**

(11) Robustness of the Medium-Term Financial Plan and Adequacy of Reserves

- a) **note the report of the Council's Section 151 Officer in respect of the robustness of the estimates within the budget and the adequacy of reserves;**
- b) **in accordance with recommended guidelines, the Section 151 Officer recommends a transfer is made into the General Fund balance of £40.2m as of 31 March 2025 from reclassifying previously earmarked General Fund reserves.**

Reasons for decisions:

- This report seeks Executive approval of the proposed 2025-26 to 2028-29 MTFP with a following recommendation of the proposed MTFP to the City Council on 3 March 2025.
- This MTFP covers a 4-year period to meet its objective of the corporate plan agreeing a longer-term financial planning framework within which value for money decisions relating to services can be taken.
- The report sets out a cumulative budget gap of £55.5m, of which £23.3m is provisionally proposed to be funded from EFS in 2025-26 which the council has received approval for.
- The savings programme is the Council's key strategy for achieving long term service reform and financial sustainability and is critical to delivering a balanced Medium Term Financial Plan. The investment to deliver the savings programme is to be funded primarily from general fund base budget and reserves. It is essential that the Council's Strategic Plan is aligned to the available resource within the MTFP.

Other options considered:

- None. As a result of the financial challenge faced by the Council in 2025-26 and beyond the Council needs to set a budget strategy providing a strategic financial framework and direction of travel for the Council to work within.

97 Housing Revenue Account (HRA) Business Plan 2025-2054, Medium Term Financial Plan (MTFP) 2025 to 2029, HRA Budget 2025/26 including Rent Setting, and Housing Capital Programme 2025/26 to 2028/29

Councillor Linda Woodings, Executive Member for Finance and Resources, presented the report providing an update on key economic indicators and forecasts, an overview of key developments in national and local housing policy, the draft HRA Budget 2025-26 including rent setting proposals, the draft 4-year HRA Medium Term Financial Plan (MTFP), the current 30-year HRA Business Plan 2025-2054, and the proposed Housing capital programme 2025-26 to 2028-29.

Resolved to recommend to Full Council to approve the following:

- a) **an average 2.7% rent increase per dwelling in line with the Government's current rent policy with effect from 7th April 2025;**

- b) an average 2% increase in tenants and service charges with effect from 7th April 2025 and the fees and charges schedule;**
- c) a 5% increase in garage rents with effect from Monday 7th April 2025;**
- d) the £9.540m in revenue growth proposal in 2025-26, noting that over the life of the MTFP the net increase is £5.891m;**
- e) the £3.657m in planned capital growth for new-build schemes in 2025-26, noting that over the life of the MTFP total costs of £10.257m;**
- f) the £16.665m in planned capital growth for other projects in 2025-26, noting that over the life of the MTFP total cost is £45.924m;**
- g) the £94.981m capital programme for 2025-26, and noting that over the life of the MTFP the total programme is £281.497m;**
- h) the setting of a £12.000m minimum working balance.**

Reasons for decisions:

- The Housing Revenue Account (HRA) is a landlord account and records all income and expenditure relating to the Councils housing stock. It is requirement of the Local Government and Housing Act 1989 (the 1989 Act) that the account is ringfenced from the General Fund and remains in balance using its reserves. All HRA expenditure is financed by rents and service charges and increases are necessary to ensure the long-term stability of the account.
- Capital expenditure is required to replace stock sold under Right to Buy as well as continue the investment to ensure that the existing stock remains in good repair and complies with all new decent homes and regulatory legislation.
- Section 25 of the Local Government Act 2003 places a duty on the Section 151 Officer to report on the adequacy of general and earmarked reserves including the minimum working balance

Other options considered:

- To not set an HRA budget. Local housing authorities are required by Section 74 of the Local Government & Housing Act 1989 (the 1989 Act) to keep an HRA. The HRA reflects the statutory obligations to account separately for local authority housing provision.
- To not increase rent and service charges. The rent and service charge increases are necessary to ensure the long-term sustainability of the HRA budget and the investment needed to maintain properties to required regulatory standards.

98 UK Shared Prosperity Fund

Councillor Ethan Radford, Executive Member for Skills, Growth and Economic Development, presented the report. The UK Shared Prosperity Fund (UK SPF) is the Government's successor programme to the previous European Structural Investment Fund (ESIF), a programme that integrated five main funding streams, each supporting economic prosperity.

Resolved to

- (1) accept the allocation of £4.6m UKSPF funding for the 2025-26 Financial Year to Nottingham City Council, and enter into any associated funding agreement with EMCCA for receipt of funding;**

(2) delegate authority to the Corporate Director for Growth and City Development to use and allocate the funds for the delivery of the UKSPF projects in accordance with compliant processes under the Contract Procedure Rules (through a combination of an open call grant competition to public or private organisations, the procurement of contracts, and in-house delivery provision, including the use of funding for the internal administration and management of the project);

(3) delegate authority to the Corporate Director for Growth and City Development to award and sign contracts and grant agreements associated with the project delivery.

Reasons for decisions:

- Whilst there have been recent improvements in areas such as digital connectivity and some skill levels at higher tiers, Nottingham is still experiencing ongoing challenges related to deprivation and inequality.
- The Nottingham Economic Plan published in July 2024, is a ten-year strategy designed to boost the city's economy through sustainable and inclusive growth. Created by Nottingham City Council in partnership with various stakeholders, the plan aims to address economic challenges while leveraging the city's strengths in creative industries, digital innovation, life sciences, and its cultural and educational assets.
- Nottingham's current UKSPF programme is actively funding projects and initiatives that align with the plan's core themes, enhancing the economic prosperity of individuals, communities, and businesses, while driving improvements to the City Centre and its neighbourhoods. Notably, the programme has already delivered significant outcomes, including the improvement of over 19,000m² of commercial space, supporting 1,900 individuals in job-search activities, and providing business growth advice and support to 1,100 businesses. The extension of the UKSPF funding will enable the continuation and expansion of these impactful activities.
- The themes of Inclusion, Productivity and Carbon Neutrality run through the heart of the existing Nottingham's UKSPF programme and will retain prominence in the extended programme.

Other options considered:

- Rejecting the UKSPF allocation from EMCCA was considered, but this option was declined. It was determined that forfeiting local management of these funds—along with the best practices established during the delivery of the existing UKSPF programme—would significantly diminish the effectiveness of the additional year's funding, negatively impacting the residents, communities, and businesses of the City.

99 Development of Site of United Reform Church for Social Housing

Councillor Jay Hayes, Executive Member for Housing and Planning, presented the report on the development of the site of United Reform Church in Clifton East by Nottingham City Council for social housing. The site is in the Housing Revenue Account and the development will be accounted for in the Housing Revenue Account (HRA), the scheme funded by a combination of Right to Buy Replacement Fund Receipts (RTB RF) and HRA revenue contribution if required. The scheme

capitalises on the recently enhanced accessibility of RTB RF to entirely fund new social housing and would deliver 35 homes assisting in address of NCC's 10,000 plus waiting list and homelessness pressures to the General Fund.

Resolved to

- (1) approve the development of site of united reform church for 35 units of social housing and this be reflected in the capital programme;**
- (2) approve the use of RTB Replacement receipt and HRA resource to fund the capital expenditure on this scheme;**
- (3) approve the tender of the construction phase of this scheme, and appointment of contractors thereafter, subject to a compliant procurement route;**
- (4) delegate approval to appoint and enter into contracts resulting from the compliant procurement process, to the Corporate Director for Growth and City Development.**

Reasons for decisions:

- NCC currently has over 10,000 households on its housing register and faces significant general fund pressures from homelessness regarding the use of nightly paid temporary and emergency accommodation. Increasing the housing stock will allow for the allocation of both secure tenancies and temporary accommodation, creating throughput in established temporary accommodation and therefore reducing use on nightly paid accommodation from the private sector (e.g. Hotels). The scheme has been redesigned to include 35 flats as this will maximise the units we can deliver, considering site constraints.
- Increasing the HRA housing stock will help secure the necessary rental income over the medium to long term which is vital for replenishment of the repairs reserves.
- Changes to the RTB RF retention agreement allowing schemes to now be 100% funded by these receipts are in place until 31st March 2026 until review, therefore maximum benefit is gained from assigning and spending in this period.

Other options considered:

- To sell the site (Rejected): The site is accounted for (owned by) the Housing Revenue Account, which has far less pressing requirement to generate capital receipts at present. The land is viable for development and to use any receipt to purchase an equivalent would not present better value for money. The financial means are available to deliver this site for social housing, which present the best over all value to the council in meeting its housing needs and reducing pressures on homelessness accommodation.
- To retain the vacant site (Rejected): To leave the site as is, and undeveloped, would waste the potential of the site to deliver to meet NCC's need at time when development expenditure is most readily met through RTB RF.

Councillor Neghat Khan, Leader of the Council, presented the report. Our Council Plan aims to inform residents, partners and stakeholders of the council's core missions and priorities from 2025 until 2029. The previous Strategic Council Plan (SCP) was refreshed in March 2024 following Local Elections in May 2023 to align the SCP with the Medium-Term Financial Plan (MTFP). The council's August 2024 Improvement Plan committed the council to a more fundamental refresh of the Council Plan. The new 'Our Council Plan' sets out a clear purpose and direction for the council that is deliverable, responds to need, is measurable and sets the framework for the rest of the Council's business planning and the 'golden thread'

Resolved to

- (1) agree and endorse the draft Our Council Plan and its vision of a renewed council, that delivers for local people and leads Nottingham forward;**
- (2) recommend approval of Our Council Plan to Full Council at the meeting of Full Council on 3 March 2025;**
- (3) note that the Corporate Leadership Team will develop and recommend to the Executive a new annual Performance and Delivery Plan which will complement Our Council Plan with further detail around delivery targets and how we will measure our performance against our new Core Missions and Priorities.**

Reasons for decisions:

- An authority's corporate plan forms a key part of every council's governance as it sets out the high-level objectives that the council is trying to achieve.
- At Nottingham City Council, our existing Strategic Council Plan sets out our overall vision, objectives and priorities for both the Council and Nottingham. It aims to clearly communicate to citizens and other stakeholders our context, purpose and intent. Acting as our corporate plan, it is a central component of the council's business planning architecture, shaping and directing the policy framework of the council over the period in which it operates. If approved by Full Council, Our Council Plan will replace the existing Strategic Council Plan.
- On 22 February 2024, the Secretary of State for Levelling Up, Housing and Communities made Directions in relation to Nottingham City Council under section 15(5) of the Local Government Act 1999. These Directions required the Council to develop and agree an Improvement Plan to the satisfaction of the Commissioners. The Improvement Plan was approved in August 2024 and activity 1.5 requires that by March 2025 the council: "Refresh [the] Strategic Council Plan - driven by the strategic statement of intent (1.1) to reflect new priorities and context, ways of working, aligned with the budget and medium-term financial plan and informed by stakeholder engagement, elected Member priorities and statutory requirements".
- The constitution makes clear that it is the role of Councillors to make policy and set budgets: "It is a generally accepted convention in local government that the officer leadership of the Council and its Executive Councillors will have support from officers in developing policy for the leadership and its administrative regime".

Other options considered:

- None. Best Value authorities are required to have a council or corporate plan and the council's 2024 Improvement Plan committed the council to a more fundamental refresh.

101 Child Friendly Nottingham 12 Month Progress Review Update

Councillor Cheryl Barnard, Executive Member for Children, Young People and Education, presented the report providing an interim update on the progress of the Child Friendly Nottingham (CFN) programme following the second scheduled six-monthly progress review by UNICEF UK, conducted at the 12-month mark.

Resolved to

- (1) note the progress of the CFN Programme;**
- (2) commit to the active promotion of child-friendly approaches among Nottingham citizens, businesses, and broader partnerships across the public, private, and voluntary sectors, within city wards and council departments. This includes participation in Children's Rights Training with UNICEF UK to support the CFN Action Plan;**
- (3) foster child-friendly initiatives and methods of communication and collaboration as outlined in the Action Plan;**
- (4) continue to receive periodic performance reports on the CFN programme.**

Reason for decisions:

- Nottingham City Council is the lead and accountable partner for UNICEF UK (UUK) in the effort for Nottingham to achieve global recognition as a UNICEF Child Friendly City. To realise this ambition, the City Council must formally adopt and support the UUK endorsed CFN Action Plan.

Other options considered:

- No action. If this activity is not undertaken, Nottingham will be unable to achieve its ambition of gaining recognition as a Child Friendly City.

102 East Midlands Combined County Authority (EMCCA) - Approval of Draft Adult Educations Functions Regulations 2025

Councillor Neghat Khan, Leader of the Council, presented the report providing information relating to the content of the Draft Regulations so the meeting is aware of what they are providing consent for. The EMCCA will take a report to their Board Meeting on 10 February 2025 and other Constituent Councils are also seeking approval of the principles contained within the Draft Regulations which are set out in this report. Approval of any technical changes to the Regulations will be delegated to the Chief Executive in consultation with the Leader of the Council, subject to agreement with the Managing Director\Chief Executives of each of the 4 Constituent Councils and the Mayor of the EMCCA.

Resolved to

- (1) consent to the proposed content of the East Midlands Combined County Authority (Adult Education Functions) Regulations 2025 as described in the report to include the conferral of the powers contained within S.100(1B) of the Apprenticeship, Skills, Children and Learning Act 2009;**
- (2) delegates authority to the Chief Executive to approve any additional technical amendments, which the Managing Director and Chief Executives of the other three Constituent Councils and the Mayor of EMCCA also agree to. This delegation is to be exercised in consultation with the Leader of the Council and in light of further legal advice from the Director of Legal and Governance.**

Reasons for decisions:

- The Regulations are to be made under section 19 of the Levelling Up and Regeneration Act 2023, which requires the agreement of the EMCCA and each of its Constituent Councils to any elements which were not included within their original Proposal to create EMCCA. By approving the Draft Regulations in early 2025, it will enable the Regulations to complete its Parliamentary passage in time to enable the EMCCA to fund new, high-quality technical qualifications from the start of August 2025, in time for the new academic year.
- The delegation to the Chief Executive is necessary for the reasons given above and in case of any further technical amendments which may be required between this point in time and when the final version has been through the parliamentary counsel process and is laid before Parliament. This is consistent with the delegation which was given to the Chief Executives\Managing Director in connection with previous EMCCA Regulations.

Other options considered:

- Members could decide not to consent to the matters contained within the Draft Regulations but this would mean that the Regulations are not passed and would be likely to prevent the EMCCA operating to its optimal extent for the benefit of the inhabitants of the Area. In particular it would mean that it could not use the Adult Skills Fund to fund the new technical qualifications from the 2025/26 academic year.
- The recent government consultation referred to above also said that “Without this transfer, there could be significant regional differences in access to these qualifications, which could undermine national policy and limit opportunities for adult learners in certain areas. If the powers are not delegated, Combined Authorities may not be able to fund these qualifications, or they could still be funded by central government. However, this could create a lack of cohesion in the local adult education offer, as these qualifications wouldn’t be part of the broader regional strategy.”

103 Exclusion of the Public

Resolved to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, Paragraphs 3 and 5, on the basis that, having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

Executive Board - 11.02.25

104 Development of Site of United Reform Church for Social Housing - Exempt Appendices

Councillor Jay Hayes, Executive Member for Housing and Planning, presented the exempt appendix which was noted by the Board.