

## NOTTINGHAM CITY COUNCIL

### EXECUTIVE BOARD

#### MINUTES of the meeting held at Loxley House on 18 March 2014 from 2.01 pm to 2.13 pm

	<b>Portfolio</b>
✓ Councillor Jon Collins (Chair)	Leader/Strategic Regeneration and Community Safety
✓ Councillor Graham Chapman (Vice Chair)	Deputy Leader/Resources and Neighbourhood Regeneration
✓ Councillor Alan Clark	Energy and Sustainability
✓ Councillor Nicola Heaton	Community Services
✓ Councillor Dave Liversidge	Commissioning and Voluntary Sector
✓ Councillor Nick McDonald	Jobs and Growth
✓ Councillor David Mellen	Children's Services
✓ Councillor Alex Norris	Adults and Health
✓ Councillor David Trimble	Leisure and Culture
✓ Councillor Jane Urquhart	Planning and Transportation

✓ indicates present at meeting

#### Colleagues, partners and others in attendance:

David Bishop	- Corporate Director for Development
Ian Curryer	- Chief Executive
John Kelly	- Corporate Director for Communities
Tracy Laxton	- Business Administration Manager
Alison Michalska	- Corporate Director for Children and Adults
Carole Mills	- Deputy Chief Executive/Corporate Director for Resources
Adam Pickering	- Political Assistant to the Conservative Group
Ceri Walters	- Finance Business Partner, Children and Families
Laura Wilson	- Constitutional Services Officer

#### Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until Monday 31 March 2014.

#### 118 APOLOGIES FOR ABSENCE

None.

#### 119 DECLARATIONS OF INTEREST

None.

#### 120 MINUTES

The Board confirmed the minutes of the meeting held on 25 February 2014 as a correct record and they were signed by the Chair.

**121 PROPOSED EXPANSION OF HEATHFIELD PRIMARY SCHOOL, BASFORD - KEY DECISION**

The Board considered the Portfolio Holder for Children's Services report confirming that no representations were made about the proposal to expand Heathfield Primary School and seeking approval to implement the expansion. The Board had previously discussed this at its meeting on 17 December 2013 (minute 87).

**RESOLVED to approve the expansion of Heathfield Primary School from a 280 place school to a 700 place school from September 2015 at a maximum cost of £4.39 million.**

Reasons for decisions

The response to the consultation to expand the school has been positive and the extra school places are needed in the area. The expansion will predominantly be funded from money allocated to the City Council as part of the Government's Targeted Basic Need Programme.

Other options considered

No other options were considered as school places are needed in the area.

**122 SCHOOLS BUDGET 2014/15 - KEY DECISION**

A revised version of the report was circulated prior to the meeting.

The Board considered the Portfolio Holder for Children's Services report detailing the Schools Budget for 2014/15, which has been prepared inline with parameters agreed at Schools Forum and financial regulations issued by the Department for Education (DfE).

**RESOLVED**

- (1) for the Dedicated School Grant (DSG) to:**
  - (a) note that the value of the 2014/15 DSG schools budget is £228.310 million;**
  - (b) approve the allocation of the Schools and Early Years budget totalling £203.009 million, set out in table 7 of the report:**
  - (c) approve the in-year budget transfers and payments to schools, Private Voluntary Charitable and Independent settings and Academies totalling £193.656 million for the provision of Schools and Early Years;**
  - (d) note that the allocation to the High Needs block will form part of a separate report;**
  - (e) approve any external spend associated with centrally retained expenditure, of which the total allocation is £9.353 million, detailed in table 7 and Appendix B of the report;**

- (f) **note that any unallocated DSG will be transferred to the Statutory Schools Reserve (SSR), as detailed in paragraph 4.5 of the report;**
  - (g) **note that the value of the SSR as at 1 April 2014 is currently estimated to be £4.270 million, as detailed in paragraph 4.9 of the report, with risks valued at £3.916 million, as detailed in paragraph 4.10 of the report;**
  - (h) **note that the procurement of external placements will be in accordance with the financial regulations, gaining approval through the appropriate processes;**
- (2) **for Pupil Premium to:**
- (a) **approve the allocation of Pupil Premium, approximately £19.1 million, to schools in accordance with the grant conditions detailed in paragraph 2.7 of the report;**
  - (b) **approve the allocation of Summer Schools Funding and Year 7 Catch Up Premium Grant to schools, noting that the actual figure will be based on actual activity confirmed by the DfE;**
- (3) **to approve the establishment of a Schools Building Maintenance reserve to manage the maintained schools maintenance requirements, as detailed in paragraph 4.7 of the report;**
- (4) **to approve the transfer of any 2013/14 underspends to the Children's and Families Transition Reserve to mitigate a one year only effect of academisation and the reduction of the Education Services Grant, as detailed in paragraph 4.8 of the report;**
- (5) **to delegate authority to the Portfolio Holder for Children's Services and the Corporate Director for Children and Adults to approve the outcome of the Early Years Single Funding Formula for 2015/16;**
- (6) **to delegate authority to the Portfolio Holder for Children's services and the Corporate Director for Children and Adults to approve any final budget adjustments.**

#### Reasons for decisions

To ensure an understanding of how and on what basis different DfE grants are allocated to the Local Authority and how they are allocated to individual schools to form their annual budget allocations.

The constitution requires approvals to transfer budgets or make payments to the appropriate educational settings and the approvals will ensure that delegated budgets are issued to schools before the statutory deadline of 31 March 2014 so that spend can be undertaken in 2014/15.

Schools Forum has approved central expenditure inline with the Schools and Early Years Financial Regulations 2013 and, where applicable, the values are reflected in the Medium Term Financial Plan and the impact of any new legislation has been adhered to in allocating schools budgets.

The delegation of authority means that the allocation of budgets to High Needs settings is undertaken immediately after the High Needs block is finalised and that, as grants are finalised, budget allocations can be amended and payments/transfers made in a timely manner.

Other options considered

No other options were considered as the recommendations align to the financial regulations issued by the DfE in relation to the allocation of DSG and Pupil Premium.

**123 NOTTINGHAM CITY SECONDARY EDUCATION PARTNERSHIP (NCSEP) INCLUSION STRATEGY UPDATE - KEY DECISION**

The Board considered the Portfolio Holder for Children's Services report detailing the Partnerships outcomes and requesting funding for year 2 to enable the Partnership to continue with its work and implement a longer term strategy. The Board had previously discussed this at its meeting on 18 September 2012 (minute 64).

**RESOLVED to**

- (1) approve the transfer of £0.595 million Dedicated Schools Grant and any unspent 2013/14 Pupil Referral Unit (PRU) top-up to NCSEP to enable the Partnership to implement a longer term strategy, noting that this follows a report presented to Schools Forum on 21 March 2013;**
- (2) note that a final performance report will be presented to the Schools Forum and any unspent 2013/14 PRU top-up will be paid after the closedown process has been completed in May 2014;**
- (2) note that the NCSEP strategy continues to be successful in line with the proposals set out in the September 2012 Board report. Significant improvements include the work done in schools to achieve greater consistency and best practice, the operation of Managed Moves and Fair Access, and the registration and quality of assurance of alternative providers in raising standards. The strategy is continuing to develop these areas, as well as securing continuation of provision outside of schools which meets Nottingham's needs as well as developing the workforce.**

Reasons for decisions

The funding will allow the Partnership to continue the positive work of the Partnership, further embed the work done to date, review the strategy, and actively play a part in shaping future PRU and specialist provision for hard to place pupils.

It will also allow the Partnership to research and implement, where viable, sold services such as Quality Assurance provision, which can be sold to private education providers as well as other local authorities, which will ensure ongoing future income for the Partnership.

Other options considered

Not transferring the money to the Partnership was rejected as it would mean that the positive work could not be continued.

**124 ADMISSION ARRANGEMENTS FOR NOTTINGHAM CITY COMMUNITY AND CONTROLLED SCHOOLS 2015/16 - KEY DECISION**

The Board considered the Portfolio Holder for Children's Services report on the proposed admission arrangements for the 2015/16 school year for community and voluntary controlled schools, following consultation, to ensure fair access to school places and to give priority to local children. The Board had previously discussed this at its meeting on 19 November 2013 (minute 73).

**RESOLVED to**

**(1) approve the Local Authority's admission arrangements for the 2015/16 school year for community and voluntary controlled schools, as set out in Appendix 1 to the report. These include the following changes to the admission arrangements also determined for the 2014/15 school year that the Office of the Schools Adjudicator agreed to vary in December 2013:**

- **the removal of criterion 5 from the infant/primary schools admission criteria (i.e. pupils attending the nursery of the school);**
- **an increase in the period of time the waiting list is kept open for infant, junior and primary schools for year groups Reception to Year 5, from 40 school days from the date of refusal to all-year round. This means the waiting list will be kept open from the date of refusal until the last day of the 2016 summer half term and parents/carers will be contacted on a half-termly basis to ask if they wish their child's name to remain on the waiting list;**
- **amend catchment areas, as set out in Appendix 4b of the report, which have been redrawn from those approved for the 2014/15 school year, to incorporate all currently undesignated areas of the City.**

Reasons for decisions

The Local Authority is the admission authority for community and voluntary controlled schools and is therefore responsible for determining the admission arrangements for these schools.

The majority of respondents agreed with the proposals.

Other options considered

Maintaining the 2013/14 and 2014/15 admission arrangements for the 2015/16 was rejected given the findings of the Office of the Schools Adjudicator that the current admission arrangements may not be fully compliant with the Schools Admissions Code, the impact of the increase in demand for school places, a potential increase in

parents/carers being unable to secure a place for their child at a local school, and the redevelopment of areas within the City.

## **125 IMPLEMENTATION OF MORTUARY SERVICES CONTRACT - KEY DECISION**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report seeking approval to enter into a contract with Nottingham University Hospital Trust (NUHT) to provide mortuary services for the City Council.

**RESOLVED to approve entering into a contract with NUHT, the successful tenderer following a competitive tender exercise, at a cost of £1,619,688 to Nottingham City Council for mortuary services for a 5 year period, with the possible extension of a further 3 years plus 2 years (totalling a maximum of a further 5 year extension) and delegate authority to the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration to authorise the extension of the contract.**

### Reasons for decisions

The contract for mortuary services expired and a full procurement process was undertaken from which NUHT were the successful tenderer.

The service received from NUHT is excellent and employment opportunities remain within the City.

Value for money can be demonstrated as the additional cost is only marginally higher than the original contract cost which was awarded in 2001.

### Other options considered

There are no other options available as this is a statutory service that the Council must provide.

## **126 RISK MANAGEMENT: STRATEGIC RISK REGISTER (SRR) QUARTER 3 2013/14 UPDATE**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report which detailed the progress made in reducing the threat levels for each strategic risk.

**RESOLVED to note the risks contained in the strategic element of the SRR and the progress made in reducing their threat levels, as detailed in Table 1 and Appendix 1 of the report, for Quarter 3 of 2013/14.**

### Reasons for decisions

The Risk Management Framework requires regular review of the strategic element of the SRR by senior management and Councillors.

The latest refresh of the SRR was considered by the Audit Committee on 28 February 2014 and the report brings the strategic risks being managed by the Corporate Leadership Team, their prevailing threat levels and the progress being made in mitigating the risks to the attention of Executive Councillors.

#### Other options considered

No other options were considered as the Risk Management Framework requires regular review of the strategic element of the SRR by senior management and Councillors.

#### **127 REFRESHED NOTTINGHAM PLAN**

This report was withdrawn.

#### **128 EXPANDING THE INSTALLATION PROGRAMME OF SOLAR PANELS ON COMMERCIAL SITES IN NOTTINGHAM - KEY DECISION**

The Board considered the Portfolio Holder for Energy and Sustainability's report recommending extending the solar panel installation programme to additional commercial sites and proposing the installation of a solar panel canopy on the Queens Drive park and ride site.

#### **RESOLVED to**

- (1) approve provision in the capital programme for the schemes detailed in the report with costs detailed in the exempt appendix and delegate authority to the Director of Neighbourhood Services, in consultation with the Portfolio Holder for Energy and Sustainability, to utilise funds from the capital programme for the production of the final business case;**
- (2) approve that the delivery of construction works will be through the Council's in-house teams and through the established Highway Framework for specialist activities and delegate authority to the Director of Neighbourhood Services, in consultation with the Portfolio Holder for Energy and Sustainability, to commence procurement processes and award contracts;**
- (3) approve the procurement of solar photovoltaic solutions through a compliant route, as outlined in site specific business cases, and delegate authority to the Director of Neighbourhood Services, in consultation with the Director of Legal and Democratic Services, the Portfolio Holder for Energy and Sustainability and the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration, to commence the procurement processes and award contracts.**

#### Reasons for decisions

The schemes and procuring the solar photovoltaic solutions provides the following advantages:

- it supports the plan to reduce the Council's carbon emissions by 31% by 2020 which forms part of the Council's Carbon Management Plan;
- it helps to realise the targets set out in the Energy Strategy to have 20% of the City's own energy generated from low or zero carbon sources and a 26% reduction of carbon dioxide emissions against 2005 levels;
- it has been designed to take advantage of the Government's Feed In Tariff, electricity cost savings and export tariff revenue and will generate a long term revenue stream for the Council;
- it will be a regional statement for Nottingham's ambitions and the chosen site is a key gateway to the City which is seen by 81,000 motorists and bus users per day;
- once installed, the site will be the largest urban solar park array in the UK, generating approximately 1.3GWh annually of renewable electricity which will offset 741 tonnes of carbon dioxide;
- it will help reduce the Council's dependency on fossil fuels, reduce utility costs and contribute to energy security;
- it will work in partnership with the electric bus project and provide up to 50% of the buses fuel requirements on site. The park and ride sites will have charging points for the buses where they can quickly charge through the day;
- it will help develop a template for delivery of these types of schemes that can be utilised for future programmes, enabling growth and contributing to the commercialisation agenda;
- the canopy will provide additional shading and shelter for 480,000 park and rider users per annum.

Delivering the construction works through the Council's in-house team and the established Highway Framework provides the following advantages:

- it maximises the Neighbourhood Services teams and utilises their technical resources;
- it enables local green job creation and training opportunities through utilising City Council frameworks and the skilled labour force of Neighbourhood Services operational teams;
- it creates training opportunities, stimulating the local economy, which is demonstrated through up-skilling in-house teams and the recent intake of 50 apprentices.

#### Other options considered

Procuring full design, supply and installation through the existing commercial solar photovoltaic framework was rejected because it would add additional cost to the scheme through procuring a third party contractor for the installation, which would reduce the return on investment and it could possibly reduce the opportunity to create local jobs.

Doing nothing was rejected as it would offer no contribution to Council policy or the Energy Strategy and it would not take advantage of the Feed In Tariff subsidy, export tariff payments and energy savings associated with solar photovoltaic installation.



**129 PROPOSED DEVELOPMENT OF LAND AT CARLTON ROAD, NOTTINGHAM - KEY DECISION**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report detailing the redevelopment plans for the site of the former Albany Works, Co-op Store and Seymour Street on Carlton Road, for a new food store, subject to planning permission.

**RESOLVED to**

- (1) enter into an agreement with Blueprint (Nominees) Ltd to facilitate the redevelopment of land at Carlton Road, as identified on the plan attached to the report, on the terms detailed in the exempt appendix of the report;**
- (2) sell the freehold interest in the site of the former Co-op store, as identified on the plan attached to the report, on the terms detailed in the exempt appendix of the report.**

Reasons for decisions

To enable the delivery of a comprehensive redevelopment of the land for a new food store, subject to planning permission, which will secure a capital receipt for the Council's interest in the land.

Other options considered

Not entering into the agreement with Blueprint and market the Council's property interest for sale to a third party was rejected as it will not consolidate ownership and control of site and is unlikely to deliver a comprehensive redevelopment.

Retaining the Council's interest and marketing independently was rejected as the comprehensive redevelopment of the site requires collaboration of all parties with an interest in the land which an independent approach will not achieve.

**130 EXCLUSION OF THE PUBLIC**

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

**131 EXPANDING THE INSTALLATION PROGRAMME OF SOLAR PANELS ON COMMERCIAL SITES IN NOTTINGHAM - KEY DECISION - EXEMPT APPENDIX**

A revised version of the appendix was circulated prior to the meeting.

The Board considered the exempt appendix to the Portfolio Holder for Energy and Sustainability's report.

Executive Board - 18.03.14

**RESOLVED to note the information contained within the appendix.**

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.

**132 PROPOSED DEVELOPMENT OF LAND AT CARLTON ROAD,  
NOTTINGHAM - KEY DECISION - EXEMPT APPENDIX**

The Board considered the exempt appendix to the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report.

**RESOLVED to note the information contained within the appendix.**

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.