

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD

MINUTES of the meeting held at Loxley House on 16 September 2014 from 2.00 pm – 2.32 pm

Membership

Present

Councillor Jon Collins (Chair)
Councillor Graham Chapman (Vice-Chair)
Councillor Alan Clark
Councillor Dave Liversidge
Councillor Nick McDonald
Councillor David Mellen
Councillor Dave Trimble
Councillor Jane Urquhart

Absent

Councillor Nicola Heaton
Councillor Alex Norris

Colleagues, partners and others in attendance:

David Bishop - Deputy Chief Executive/Corporate Director for Development and Growth
Candida Brudenell - Strategic Director for Early Intervention
Martin Cooke - Team Leader, Environmental Health
John Kelly - Corporate Director for Community Services
Alex Moczarski - City Energy Manager
Glen O'Connell - Acting Corporate Director for Resources
Keri Usherwood - Marketing and Communications Manager
Andy Vaughan - Strategic Director for Commercial and Neighbourhood Services
Geoff Walker - Acting Director of Strategic Finance
Laura Wilson - Constitutional Services Officer
Rebecca Wilson - Political Assistant to the Labour Group

Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until Thursday 25 September 2014.

34 APOLOGIES FOR ABSENCE

Councillor Nicola Heaton
Councillor Alex Norris

Ian Curryer
Alison Michalska

35 DECLARATIONS OF INTERESTS

None

36 MINUTES

The Board confirmed the minutes of the meeting held on 22 July 2014 as a correct record and they were signed by the Chair.

37 REVIEW OF 2014/15 REVENUE AND CAPITAL BUDGETS AT 30 JUNE 2014 (QUARTER 1)

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report providing an up to date assessment of the Council's current and forecast year end financial position, showing only minor variations from approved budgets, for the General Fund revenue account, Capital Programme and the Housing Revenue Account based on activity until the end of June 2014.

RESOLVED to

- (1) note:**
 - (a) the overall current (medium case) forecast net overspend of £0.640 million, as set out paragraph 2.2 and Appendix A of the report;**
 - (b) the management action being taken to control the identified cost pressure across services, as set out in Appendix B of the report;**
 - (c) the progress on the implementation of cost reduction, invest to saves, pressures and income generation, as set out in paragraph 2.5 of the report;**
 - (d) the forecast working balance of £4.000 million on the Housing Revenue Account, as set out in paragraph 2.7 of the report;**
 - (e) the forecast position on the Capital Programme, as set out in paragraph 2.9 of the report;**
 - (f) the Capital Programme projections at Quarter 1, as set out in paragraph 2.9 of the report;**
 - (g) the additions to the Capital Programme listed in Appendix E of the report;**
 - (h) the variations to the Capital Programme listed in Appendix F of the report;**
 - (i) the refreshed Capital Programme, including schemes in development, and the unallocated resources of £8.262 million, as set out in tables 7, 8 and 9 in paragraph 2.9 of the report;**
- (2) approve the movements of resources set out in paragraph 2.6 and Appendix D of the report;**
- (3) note and endorse the allocations from the corporate contingency as set out in paragraph 2.4 of the report.**

Reasons for decisions

To enable formal monitoring of the progress against the 2014/15 budget and the impact of actual and planned management action.

To comply with corporate financial procedures which require approval for virements of budgets.

Other options considered

No other options were considered as the Council is required to ensure that expenditure and income are kept within approved budget levels.

38 NOTTINGHAM CARBON PERFORMANCE REPORT AND PLAN 2014

The Board considered the Portfolio Holder for Energy and Sustainability's report recommending that a new target for reducing carbon dioxide (CO₂) emissions by 42% by 2020 is set to continue the drive to lower the City Council's emissions and this will result in a Carbon Management Plan being published to formulate a robust governance structure to ensure the target and the actions proposed are delivered.

RESOLVED to

- (1) note the carbon performance of the City and Council;**
- (2) approve a new carbon reduction target for the City Council of a 42% CO₂ reduction by 2020 from a 2007/08 baseline, noting that this will result in a Carbon Management Plan being published to formulate a robust governance structure to ensure the target and the actions proposed are delivered.**

Reasons for decisions

The Council's target of reducing CO₂ emissions by 31% by 2016 has nearly expired and the new target will maintain focus on energy efficiency activity. Continuing the focus will secure the savings that have already been achieved, continue to build on these and improve the year on year mitigation of commodity price rises.

Other options considered

No other options were considered as measuring performance against CO₂ reduction targets is either statutory or necessary due to the public nature of the targets.

39 RISK MANAGEMENT: STRATEGIC RISK REGISTER QUARTER 1 2014/15 UPDATE AND 2013/14 ANNUAL REVIEW

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 1 of 2014/15 and for the year 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, with a summary of progress during 2013/14 was considered by the Audit Committee on 25 July 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.

40 HOUSING ENFORCEMENT ACTION - CAVENDISH COURT, WOODBOROUGH ROAD

The Board considered the Portfolio Holder for Community Safety, Housing and Voluntary Sector's report detailing the results of the statutory consultation undertaken by the City Council in relation to the proposed declaration of a Clearance Area and recommending that this is the most appropriate course of enforcement action under section 5 of the Housing Act 2004.

RESOLVED to

- (1) confirm, that in light of its consideration of the Neighbourhood Renewal Assessment (NRA), contained in exempt Appendix 3 of the report, and the representations received under section 289 of the Housing Act 1985:**
 - (a) it is satisfied that the premises situate and known as Cavendish Court, Woodborough Road, Nottingham comprise residential buildings containing two or more flats, two or more which contain category one hazards, and that the garages associated with those premises are dangerous or harmful to the health and safety of the inhabitants of the area;**
 - (b) it remains satisfied that the declaration of a Clearance Areas is the most appropriate course of enforcement action to take in respect of the premises;**
 - (c) it is satisfied that the Authority can provide, or secure the provision of, suitable accommodation for such persons who will be displaced by the clearance of the area in so far as such accommodation does not already exist; and**
 - (d) the resources of the authority are sufficient to carry these resolutions into effect;**
- (2) declare the area shown edged in red on that map at Appendix of the report as the Nottingham City Council (Cavendish Court) Clearance Area 2014;**

- (3) delegate authority to the Director of Legal and Democratic Services and Director of Strategic Asset and Property Management to:**

 - (a) make any minor or technical amendments to the boundaries of the Clearance Area shown in Appendix 2 of the report as may become necessary; and**
 - (b) purchase the land comprised in the Clearance Area by agreement or, if necessary, by the making and confirmation of a Compulsory Purchase Order under section 290 of the Housing Act 1985 and the Acquisition of Land Act 1981 in order to facilitate the clearance of buildings within the Clearance Area, within the budget of £520,000;**
- (4) delegate authority to the Corporate Director for Community Services, Corporate Director for Development and Growth, the Director of Legal and Democratic Services, and the Director of Strategic asset and Property Management to take all necessary steps to secure the implementation of the Clearance Area, including the publication and service of all statutory notices and advertisements, the subsequent demolition of residential buildings and garages included in the Clearance Area, and the satisfactory development, use or sale of the cleared area, within the budget of £520,000;**
- (5) delegate authority to the Head of Housing Solutions to secure the provision of suitable accommodation in accordance with statutory requirement for such persons who will be displaced by the declaration of the Clearance Area in so far as such accommodation does not already exist;**
- (6) approve that Relocation Assistance and relevant compensation, as detailed in paragraph 14.1.4, page 44, of exempt Appendix 3 of the report, is made available according to statutory requirements to qualifying parties and in line with relevant Nottingham City Council policy.**

Reasons for decisions

The City Council has been involved with enforcement at this complex for a number of years. During this time the owners of the flats have taken no discernible action to address the serious structural disrepair and have made limited attempts to address other health and safety hazards.

The Council is under a statutory duty to assess the most appropriate course of enforcement action under the Housing Act 2004 to ensure that the residents and other parties are protected. Government guidance recommends that this be done by way of an NRA which addresses various conditions relating to an area including housing, environmental and socio-economic factors.

An NRA has been produced by a multi-disciplinary team and has identified Clearance under section 289 of the Housing Act 2985 as the most appropriate course of action for this property.

Other options considered

Hazard Awareness Notice, Prohibition Notice, Improvement Notice and Demolition Order are the other legal remedies that have been considered in the NRA but are not felt, on balance, to be as appropriate as the declaration of a Clearance Area.

41 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.

42 HOUSING ENFORCEMENT ACTION - CAVENDISH COURT, WOODBOROUGH ROAD - EXEMPT APPENDIX

The Board considered the exempt appendix to the Portfolio Holder for Community Safety, Housing and Voluntary Sector'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.

43 SETTING UP AN ENERGY SUPPLY COMPANY - FINAL BUSINESS CASE - KEY DECISION

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

RESOLVED to approve the recommendations in the report.

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.

44 EXPANSION OF NOTTINGHAM CITY COUNCIL'S DOMESTIC SOLAR PHOTOVOLTAIC (PV) INSTALLATION PROGRAMME - KEY DECISION

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

RESOLVED to approve the recommendations in the report.

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.