

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD

MINUTES of the meeting held at Loxley House on 18 November 2014 from 2.03 pm - 2.20 pm

Membership

Present

Councillor Jon Collins (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Nicola Heaton
Councillor Dave Liversidge
Councillor David Mellen
Councillor Alex Norris
Councillor Dave Trimble
Councillor Jane Urquhart

Absent

Councillor Alan Clark
Councillor Nick McDonald

Colleagues, partners and others in attendance:

David Bishop - Deputy Chief Executive/Corporate Director for Development and Growth
Ian Curryer - Chief Executive
John Kelly - Corporate Director for Community Services
Stuart Knight - Director of Strategic Asset and Property Management
Alison Michalska - Corporate Director for Children and Adults
Glen O'Connell - Acting Corporate Director for Resources
Keri Usherwood - Marketing and Communications Manager
Laura Wilson - Governance 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 27 November 2014.

50 APOLOGIES FOR ABSENCE

Councillor Alan Clark
Councillor Nick McDonald (other Council business)

51 DECLARATIONS OF INTEREST

None

52 MINUTES

The Board confirmed the minutes of the meeting held on 21 October 2014 as a correct record and they were signed by the Chair.

53 WASTE RECYCLING ENVIRONMENTAL NETWORK (WREN)/FOMENTO DE CONSTRUCCIONES CONTRATAS (FCC) BUILDING COMMUNITIES FUND PROGRAMME PRIORITY - KEY DECISION

The Board considered the Portfolio Holder for Leisure and Culture's report seeking approval to accept the £750,000 external funding from the WREN/FCC Building Communities Fund Programme and setting out a summary of the priority projects.

The aim of the programme is to:

- help people to make their community areas better places to live in now and in the future by consulting with them and identifying, financing and delivering priority amenity projects that will enhance their overall quality of life;
- bring about real improvements to communities and to the lives of people most in need;
- target up to nine disadvantaged community areas in England situated within a 10 mile radius of an eligible landfill site.

The projects are:

- Bulwell Hall Park Master Plan improvements;
- Hoewood Road Grow Wild project;
- Hucknall Road Gateway improvements;
- Lenton Abbey Park improvements;
- Ridgeway Adventure Centre multi-use games area;
- Harvey Hadden landscape works;
- Melbourne Park pavilion refurbishment;
- Forest Recreation Ground Sports Zone multi-use games areas;
- Radford Recreation Ground improvements;
- King Edwards Park landscape improvements;
- Victoria Embankment cricket pavilion.

RESOLVED to

- (1) accept the WREN/FCC Building Communities Fund Programme funding of £750,000 and approve the priority projects listed above and detailed in Appendix 1;**
- (2) delegate authority to the Director of Sport, Culture and Parks to prepare and submit individual bids to draw down the WREN/FCC funding for each of the 11 priority projects;**
- (3) delegate authority to the Director of Sports, Culture and Parks, subject to the confirmation of each of the priority projects, to develop working designs and go out to tender and, subject to tenders being within the available financial envelope detailed in section 4 of the report, to enter into contracts relating to the delivery of the 11 priority projects;**
- (4) amend the Capital Programme to reflect the expenditure on the projects, detailed in section 4 of the report;**

(5) approve the revenue third party contributions and potential capital match funding:

WREN	£750,000
English Cricket Board	£150,000
Section 106 funding	£50,000
Ridgeway Adventure Centre	£30,000
Radford and Park Ward	£84,000
Area Capital Fund	£82,500
TOTAL	£1,152,000

Reasons for decisions

To secure the funding and agree the delivery of the projects which have been identified and developed in partnership with local community groups, and in consultation with Ward Councillors.

Other options considered

Not accepting the funding was rejected as it would mean that the Council can't deliver the projects and will not be able to improve the quality of local amenities.

54 ACCEPTANCE OF THE HOMES AND COMMUNITIES AGENCY (HCA) AFFORDABLE HOMES PROGRAMME 2015-2018 GRANT AND APPROVAL TO PROCEED WITH THE DECOMMISSIONING OF SITES, THE TENDERING OF DEMOLITION CONTRACTS AND THE TENDERING OF NEW BUILD CONTRACTS - KEY DECISION

The Board considered the Portfolio Holder for Community Safety, Housing and Voluntary Sector's report recommending the acceptance of the HCA Affordable Homes Programme 2015-2018 Grant of £3.333 million to support the delivery of new affordable rented homes by the Council and/or Nottingham City Homes, which supports the Councils priority to continue to build Council homes and bring all social housing up to the Decent Homes standard.

The 15 regeneration sites which will benefit from the grant are:

- Ragdale Road, Bulwell;
- Meadowvale Crescent, Clifton South;
- Amber Hill, Bestwood;
- Aslockton Drive, Basford;
- Colesbourne, Clifton North;
- Colwick Wood, Dales;
- Gautries Close, Bestwood;
- Hazel Hill Crescent, Bestwood;
- Hopedale Close, Radford and Park;
- Middlefell Way, Clifton South;
- Trinstead Way, Bestwood;
- Church Square, Dunkirk and Lenton;
- Morley School, Mapperley;
- Cranwell Road, Aspley;

- Meadows Q Blocks, Bridge.

RESOLVED to

- (1) accept the HCA Affordable Homes Programme 2015-2018 Grant of £3.333 million towards the new builds on the 5 sites listed above and detailed in Appendix A of the report;**
- (2) approve the commencement of payments from the Housing Revenue Account, estimated at £72,000, to extinguish the rights of way at 10 existing properties and 2 private garages, including the purchase of the garages, and delegate authority to the Director of Strategic Asset and Property Management to agree terms with the 10 private property owners and 2 private garage owners to allow the vacant sites to be developed;**
- (3) approve the commencement of the tendering process for both the demolition of existing properties and the new build replacement of residential properties at 12 sites, noting that a report on the contracts for the demolition and new builds will be submitted to Executive Board for approval, and also noting that approvals to develop the Meadows Q Blocks, Cranwell Road and Morley School site have previously been approved by Executive Board.**

Reasons for decisions

The grant will complement the existing Affordable Homes delivery programme and enable the Council to realise its ambition to provide high quality housing and actively regenerate neighbourhoods.

The commencement of the tendering will allow the new homes to be delivered within the timescales dictated within the HCA grant conditions.

Other options considered

Not redeveloping the sites or selling the sites for market housing development were rejected because of the Council's ambition to provide high quality council housing and regenerate neighbourhoods.

Disposing of all the sites to a Registered Provider partner for a reduced receipt in order for them to provide new affordable housing was rejected because the sites are not marketable.

55 DEFERRED PAYMENTS FOR ADULT RESIDENTIAL CARE FOLLOWING THE INTRODUCTION OF THE CARE ACT - KEY DECISION

The Board considered the Portfolio Holder for Adults, Commissioning and Health's report detailing the need for the Council to have a deferred payments scheme ready for January 2015. This is because from April 2015, the Care Act 2014 introduces the universal deferred payment scheme so that people won't be forced to sell their home, in their lifetime, to pay for their care. A Deferred Payment Agreement means a person can delay paying for their care and support until a later date.

RESOLVED to

- (1) approve charging interest on any amount deferred under a Deferred Payment Agreement, at a rate to be determined, but which must not exceed the nationally set maximum rate, and delegate authority to the Portfolio Holder for Adults, Commissioning and Health to determine the final figure;**
- (2) approve that an administration fee will be charged to recoup the administrative costs associated with Deferred Payment Agreements, including legal and ongoing running costs, likely to be in the region of £400-£500, and delegate authority to the Portfolio Holder for Adults, Commissioning and Health to determine the final figure;**
- (3) delegate authority to the Portfolio Holder for Adults, Commissioning and Health to decide on policy and procedure for areas of discretion.**

Reasons for decisions

In order to cover the cost of lending and the associated risks, the regulations stipulate that local authorities can charge interest on any amount deferred. The rate determined will be on a cost-neutral basis.

The administration fee has to be reasonable and reflect the actual costs incurred by the Council. It will also be cost neutral and guidance is expected on how to construct the administration fee by the end of November 2014.

Delegated authority will enable timely decisions relating to Council policy for the elements where local procedures, policy or discretion is required.

Other options considered

Not charging interest or administration fees was rejected as the scheme is intended to be cost neutral and not applying the fees would make it costly for the Council.

56 LOCAL SUSTAINABLE TRANSPORT FUND 2015/16 PROGRAMME - KEY DECISION

The Board considered the Portfolio Holder for Planning and Transportation's report detailing the continuation of revenue funding from the Department for Transport (DfT) through its Local Sustainable Transport Fund (LSTF) 2015/16 which the Council's LSTF sustainable access to employment skills and training programme was successful in receiving £1.180 million revenue funding from. The programme is targeted towards helping local people, particularly 18-24 year olds, access good jobs, support local economic growth and reduce carbon impacts of transport to maintain Nottingham's position as one of the least car dependent cities in the UK.

RESOLVED to

- (1) accept the external LSTF continuation funding of £1.180 million for the delivery of the sustainable access to employment, skills and training transport programme 2015/16 awarded by the DfT;**
- (2) approve the funding allocations to the LSTF programme 2015/16 set out in Table 1 of Appendix A of the report, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth and Portfolio Holder for Planning and Transportation to make variations to the programme;**
- (3) grant dispensation from Contract Procedure Rules 5.1.1 and 5.1.2 in accordance with Financial Regulation 3.29 to renew or extend the contracts in Appendix B of the report and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth to agree and sign the renewals or extensions through the procurement routes detailed in Appendix B of the report.**

Reasons for decisions

Accepting the funding, extending project operations for a further year and renewing contracts will achieve satisfactory spend and delivery of projects within the programme.

Delivery of the initiatives in 2015/16 offer a timely opportunity to realise the full potential of large-scale capital investments, such as the completion of the NET tram expansion and the £6 million Cycle City Ambition package.

The 2015/16 programme will take forward the strongest elements of the existing programme and continuation with existing suppliers will help save time and commissioning costs as teams are already established that have the knowledge, expertise and contacts necessary to deliver effective outcomes, which would be hard to replicate for alternative providers and could result in additional costs to the project.

Other options considered

Not accepting the continuation of funding was rejected as it would mean all of the current LSTF projects would end at the end of March 2015 resulting in the loss of a number of project staff employed by the Council and local service providers, and potentially adversely affecting the Council's reputation as a leader in local transport delivery.

57 TREASURY MANAGEMENT 2014/15 HALF YEARLY UPDATE

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report setting out the details of treasury management actions and performance from 1 April to 30 September 2014, including:

- no new long-term borrowing or debt rescheduling was undertaken;
- the average return on investments was 0.640%;
- there has been compliance with Prudential Indicators;

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- the Housing Revenue Account fixed £19.161 million of internal borrowing for 30 years at 4.31%.

RESOLVED to note the treasury management actions taken in 2014/15 to date detailed in the report.

Reasons for decisions

The currently adopted Treasury Management Code of Practice requires the Chief Finance Officer to submit at least three reports on treasury management each year and also requires that the reports are considered by relevant scrutiny or executive committees.

Other options considered

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

58 CONCESSION AGREEMENT TO MAKE THE COUNCIL'S DUCTING ASSETS AVAILABLE TO A TELECOMS OPERATOR - KEY DECISION

The Board considered the Portfolio Holder for Jobs and Growth's report detailing the proposals to offer exclusive use of the Council's 20km of ducting along the new tram route and in the City Centre to a telecoms operator interested in establishing an 'open access' fibre network which, as well as generating revenue for the Council, could transform connectivity for Small and Medium enterprises.

RESOLVED to approve an open procurement process to offer a concession for exclusive use of the ducting assets and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth to select the preferred bidder and award the contract based on the most economically advantageous tender.

Reasons for decisions

To ensure the efficient operation of an 'open access' network it is necessary to offer exclusive rights over the ducting to a single operator to construct and operate the fibre network and then make it available to customers and service providers on a commercial basis.

Tendering for the operator will meet EU procurement law and the Council's own financial regulations and as part of awarding the contract the Council will consider wider benefits including the quality of the solution proposed by each tenderer.

Other options considered

Disposing of the assets through outright sale was rejected as it would not offer any significant advantages over a concession approach and would exclude the Council from any future interest in development of the asset.

Setting up a joint venture with a private operator was rejected as, currently, there are no examples of joint ventures between councils and telecoms operators and there seems to be little interest from the market.

59 EXCLUSION OF THE PUBLIC

The Board decided to exclude the public from the meeting during consideration of the remaining agenda 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 information.

60 CONCESSION AGREEMENT TO MAKE THE COUNCIL'S DUCTING ASSETS AVAILABLE TO A TELECOMS OPERATOR - KEY DECISION - EXEMPT APPENDICES

The Board considered the exempt appendices to the Portfolio Holder for Jobs and Growth's report.

RESOLVED to note the information contained within the exempt appendices.

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.

61 CITY CENTRE OFFICE INVESTMENT - KEY DECISION

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

Recommendation 3 was amended at the meeting to note the figures and delegate authority to the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration to approve the final figures and agree the payments.

RESOLVED to approve the recommendations in the report as amended at the meeting.

Reasons for decisions

As detailed in the report.

Other options considered

As detailed in the report.