



**THE CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC PROSPERITY
COMMITTEE**

Date: Friday 21 March 2014

Time: 10.00 am

Place: Reception Room - Gedling Borough Council, Civic Centre, NG5 6LU

Councillors are requested to attend the above meeting to transact the following business

**Glen O'Connell, Director of Legal and Democratic Services, Nottingham City Council
Secretary**

**Constitutional Services Officer: Rav Kalsi
Direct Dial: 0115 8763759**

AGENDA

Pages

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| 1 | APOLOGIES FOR ABSENCE | |
| 2 | DECLARATIONS OF INTERESTS | |
| 3 | MINUTES
Last meeting held on 21 February 2014 for confirmation | 3 - 10 |
| 4 | BETTER BROADBAND FOR NOTTINGHAMSHIRE (BBFN)
PROGRAMME UPDATE AND SUPERFAST EXTENSION
PROGRAMME (SEP)
Report of Mick Burrows, Chief Executive of Nottinghamshire County
Council | 11 - 14 |
| 5 | TO CONSIDER EXCLUDING THE PUBLIC FROM THE MEETING
DURING CONSIDERATION OF THE REMAINING ITEM(S) 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 | |

6 N2'S PRIORITY PROJECTS AND OUR PRIORITIES FOR THE STRATEGIC ECONOMIC DEVELOPMENT PLAN (SEP)
Presentation by Nottingham City Council and Nottinghamshire County Council

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

THE CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE

MINUTES of the meeting held at Carriage Court, Kelham Hall, Newark and Sherwood District Council on 21 February 2014 from 10.00 am to 11.55 am

- ✓ Councillor Chris Baron (Ashfield)
 - ✓ Councillor Roger Blaney (Newark and Sherwood)
 - ✓ Councillor Graham Chapman (Nottingham) (Chair)
 - ✓ Councillor John Clarke (Gedling)
 - ✓ Councillor J Neil Clarke (Rushcliffe)
 - ✓ Mayor Tony Egginton (Mansfield) (Vice-Chair)
 - ✓ Councillor Pat Lally (Broxtowe) (as substitute for Councillor Milan Radulovic MBE)
 - Councillor Milan Radulovic MBE (Broxtowe)
 - ✓ Councillor Alan Rhodes (Nottinghamshire)
- ✓ indicates present at meeting

Colleagues, partners and others in attendance:

- Councillor Simon Greaves - Leader of Bassetlaw District Council
- Philip Marshall - Chief Executive, Ashfield District Council
- Neil Taylor - Chief Executive, Bassetlaw District Council
- Ruth Hyde OBE - Chief Executive, Broxtowe Borough Council
- Ruth Marlow - Managing Director, Mansfield District Council
- John Robinson - Chief Executive, Gedling Borough Council
- Kirsty Cole - Deputy Chief Executive, Newark and Sherwood District Council
- Mick Burrows - Chief Executive, Nottinghamshire County Council
- Allen Graham - Chief Executive, Rushcliffe Borough Council
- David Bishop - Corporate Director for Development, Nottingham City Council
- Glen O'Connell - Director of Legal and Democratic Service, Nottingham City Council
- David Ralph - Chief Executive, D2N2
- Rav Kalsi - Constitutional Services Officer, Nottingham City Council

1 APPOINTMENT OF CHAIR

RESOLVED to appoint Councillor Graham Chapman as Chair until May 2015.

2 APPOINTMENT OF VICE-CHAIR

RESOLVED to appoint Mayor Tony Egginton as Vice-Chair until May 2015.

3 WELCOME AND APOLOGIES FOR ABSENCE

The Chair welcomed everyone to the meeting. No apologies were submitted.

4 DECLARATIONS OF INTERESTS

None.

5 CONSTITUTION (TERMS OF REFERENCE, MEMBERSHIP AND PROCEDURES)

Glen O'Connell, Director of Legal and Democratic Services, Nottingham City Council, presented the report clarifying key decision levels and proposing a further report on scrutiny arrangements for the Committee.

RESOLVED to

- (1) note the Committee's constitution (Terms of Reference, Membership and Procedures);**
- (2) agree that a key decision should be defined for the purposes of the conduct of the business of the Economic Prosperity Committee as a decision which is likely:**
 - (a) to result in the Constituent authorities, either jointly or severally, incurring expenditure or making income or savings of £1,000,000 or more revenue, taking account of the overall impact of the decisions: or £1,000,000 or more capital; or**
 - (b) to be significant in terms of its effects on communities living or working in an area consisting of two or more wards or electoral divisions that fall with the boundaries of any of the constituent authorities of the Committee;**
- (3) agree that, at the next scheduled meeting, the Secretary submit for approval a call-in procedure to underpin item 15 of the constitution in relation to scrutiny of executive decisions taken by the Committee.**

Reasons for decisions

The Committee's terms of reference, although formally approved by constituent authorities is a live document and alterations can only be achieved by resolution of all constituent authorities. There are two aspects of the Committee's constitutional arrangements, key decision levels and scrutiny arrangements, which require clarification.

There is a presumption that Nottingham City Council's key decision levels would apply both as the host authority and as the largest authority exercising executive governance arrangements.

Each constituent authority exercising executive arrangements will be able to scrutinise the decisions of the Committee in accordance with the constituent

authority's overview and scrutiny arrangements. In the event that an executive decision of the Committee was called-in, a procedure would be required to underpin this within the Constitution to efficiently manage the call-in process ensuring the unnecessary duplication of the scrutiny of decisions.

Other options considered

No other options have been considered. For the efficient and transparent conduct of the Committee's business clarity is required about key decision levels and call-in procedures.

6 ECONOMIC PROSPERITY COMMITTEE - WORK PROGRAMME

Mick Burrows, Chief Executive for Nottinghamshire County Council and David Bishop, Corporate Director for Development, Nottingham City Council, delivered a presentation on the role of the N2 Economic Prosperity Committee in shaping the Strategic Economic Development Plan (SEP), highlighting the following:

- (a) the purpose of the Committee is to deliver the SEP and support economic growth in the N2 area. The D2N2 Local Enterprise Partnership (LEP) has submitted a draft Strategic Economic Plan (SEP) to Government and will consider its final draft at the LEP meeting on 25 March 2014. The final draft will be submitted by 31 March 2014;
- (b) the D2N2 LEP's submission will be in competition with other LEP submissions and the overall deliverability and quality will influence the final scale of the Growth Deal, which will be agreed between the Government and the LEP in the summer;
- (c) the Committee might want to consider its status and whether to become an Economic Prosperity Board which will provide greater power and responsibility;
- (d) negotiations are ongoing in terms of what the Committee should seek to 'control' and what it should 'influence' – the Committee will seek to control the local work programme in terms of employment, skills and apprenticeships. The Committee will also provide intensive business support for the growth of businesses and site preparation in terms of economic infrastructure;
- (e) the Committee will seek to use its influence to negotiate 'Opt-ins' with SFA, DWP and Big Lottery. The Committee will also influence 'pan-LEP' loan schemes and major transport programmes where it can with the help of industry collaboration;
- (f) N2 will play a critical role at each stage of delivery of programmes under their control and the Committee will coordinate proposals from N2 councils and organisations, prioritising and agreeing projects. The Committee will make recommendations to D2N2 on priorities for inclusion in the SEP and influence the outcome of the Growth Deal. Where possible, the Committee will seek to drive programme delivery and review performance delivery;

- (g) there are demands emerging for funds in each of the programme areas, for example within Economic Infrastructure there is a demand for major transport programmes and access to and preparation of housing and employment sites;
- (h) capital and revenue funds potentially available within the SEP for 2015/16 – 2017/18 identifies £150m for Economic Infrastructure, £55m for Business Support and A2F, £44m for Innovation and £123m for Employment and Skills. There is potentially, a total of £124m equivalent funding per annum available within D2N2 and based on a 50% allocation per annum, there is potentially £62m available to meet the Committee's emerging demands;
- (i) work has already started with officers in assessing potential projects. The proposed assessment criteria includes:- the deliverability and impact of schemes, the contribution to unlocking economic growth and additional funding and the track record of the organisation of both delivering and spending allocated money;
- (j) on 25 March, the LEP Board will sign off the Strategic Economic Development Plan (SEP) and submit it to Government on 31 March. The Committee will then input into Growth Deals as negotiations formally begin on 1 April;
- (k) officers from constituent authorities will now work to pull together a list of initial priorities. It would, therefore, be beneficial for the Committee to meet before the March LEP meeting.

Following questions and comments from the Committee, the following information was provided:

- (l) Within the LEP, to secure funding and, to achieve the best outcome from N2 this Committee must find a consensus before competing for funds nationwide;
- (m) officers are working at the N2 constituent authorities to present detailed proposals to the Committee to identify 5 or 6 major projects for 2015/16. Andrew Muter, Chief Executive of Newark and Sherwood District Council, has offered to lead on a list of district projects;
- (n) Nottingham City Council is working in parallel with Nottinghamshire County Council in prioritising a list of large scale projects that are likely to be both deliverable outside of N2 and win the approval of the LEP and Government. Nottingham City Council will continue to engage with the business sector, the Growth Board and representatives on the LEP to deliver a consensus.

RESOLVED to

- (1) thank Mick Burrows and David Bishop for their informative presentation and note the contents;**
- (2) agree to hold an informal working session on 14 March 2014 in advance of the Economic Prosperity Committee meeting on 21 March 2014.**

7 D2N2'S STRATEGIC ECONOMIC PLAN (SEP)

David Ralph, Chief Executive of D2N2, delivered the presentation on the role and objectives of D2N2, highlighting the following:

- (a) the Committee is faced with two tasks - firstly, producing a business case for a number of projects for 2015/16. If schemes are not ready for submission by 31 March they will not be considered. Secondly, in the next 10 years the public sector will spend £2.1 billion on economic development in D2N2 and there will need to be a drive to devolve funding to the local level;
- (b) the objectives of the LEP include a step change in skills across the area and a growth in the business base. A further objective of creating an extra 55,000 jobs in the area by 2023 is proposed to be stretched to 77,000, to reflect greater ambition;
- (c) D2N2's vision is for a more prosperous, better connected, increasingly resilient and competitive economy. To achieve this vision, D2N2 will invest in the following four strategic priorities: infrastructure for economic growth, business support and access to finance, innovation and employment and skills;
- (d) D2N2's priority sectors include, transport, equipment and manufacturing, medicine / bio-science, construction, food and drink manufacturing, visitor economy and low carbon goods and services;
- (e) LEP funding includes the Local Growth Fund, mostly via the Department for Transport, EU Structural and Investment Funds – with £104.4m from the European Regional Development Fund (ERDF) and £97.7m from the European Social Fund (ESF), all available from Autumn 2014. Additional funding will be provided via improved performance with Enterprise Zones (EZ);
- (f) there is a focus on the following four areas within the D2N2 Growth Deal: skills deal, leveraging key Original Equipment Manufacturers (OEMs) and key sectors, accelerating delivery of stalled development and High Speed 2 Rail (HS2) at Toton. There are a further two issues connected to the implementation of HS2. Firstly, how to get there, both in terms of light and heavy rail and secondly, ensuring that development opportunities are maximised around a major rail hub. Work will continue with Roxhill Developments and East Midlands Airport (EMA) with a view to maximising development opportunities there;
- (g) there is an increasing expectation to address the challenge of providing adequate and affordable housing. This will form part of the focus for D2N2. Other priorities include business support for D2N2 Growth Hubs, access to finance programmes, a rural programme, social inclusion schemes (with Big Lottery) and improvements to broadband connectivity. Projects will go live in January 2015 and will oversee a move from plan making to scheme implementation.

Following questions and comments from members, the following information was provided:

- (h) the projects that will form part of the submission to the LEP will be well known to authorities and progressed to a good degree. The 15 or 16 schemes put forward will be strong and deliverable;
- (i) if there is a scheme not already included in the list which is considered appropriate for inclusion then Newark and Sherwood District Council's Chief Executive, Andrew Muter, will coordinate this;
- (j) improvements to transport infrastructure is needed to facilitate housing regeneration on a large scale. Given the timescales involved in submitting schemes for 2015/16, projects on other infrastructure such as energy and sewage would probably not join the list of approved schemes for 2015/16.

RESOLVED to thank David Ralph from D2N2 for his informative presentation and note the contents.

8 BUSINESS AND THIRD SECTOR ENGAGEMENT WITH THE EPC

Mick Burrows, Chief Executive of Nottinghamshire County Council, presented the report seeking approval to secure business and third sector advisors to the Economic Prosperity Committee. David Ralph from D2N2 was invited to comment on the options and supported the use of existing D2N2 representation.

RESOLVED to

- (1) invite existing D2N2 Board members, Trevor Fletcher and Peter Gadsby, representing the Nottingham and Nottinghamshire business community, as advisors to the Economic Prosperity Committee, or nominate one business representative each;**
- (2) approve that Network Action for Voluntary Organisations be asked to nominate a third sector advisor to the Committee.**

Reasons for decisions

Under the Committee's Constitution co-options are not permitted; however, feedback from the Department for Communities and Local Government (DCLG) and the Department for Business, Innovation and Skills (BIS) suggest that business and third sector input into the work of the Committee should be secured.

Other options considered

Two other options were considered. Firstly, the representative model – whereby a nominated advisor would be requested from either the Chamber of Commerce and

the Federation of Small Businesses or Nottingham Growth Board and Nottinghamshire Business Engagement Group.

The second option considered was the selective model where Committee members are asked to consider and nominate a business leader from their networks who could be invited to act as advisor to the Committee however, further consideration of a short-list would be required with this option.

9 FREQUENCY OF CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE MEETINGS

Councillor Graham Chapman, Deputy Leader of Nottingham City Council, presented the report seeking to establish how frequently the Committee would like to meet and whether to continue with existing joint working arrangements such as the meeting of the Nottinghamshire Leaders' Group.

RESOLVED to

(1) meet at 10.00 am on the following dates:

2014

**14 March (informal working session)
21 March
16 May
20 June
25 July
19 September
21 November
19 December**

2015

**20 February
20 March**

(2) precede each meeting of the Economic Prosperity Committee with a 30 minute pre-meeting.

Reasons for decisions

In light of the Committee's work programme and its ambitious set of actions, eight formal meetings a year would allow sufficient time for members to fully and regularly consider developments. To allow members of the Committee to stay abreast of latest economic developments a short pre-meeting will provide necessary updates.

Other options considered

No other options were considered.

10 RESOURCING THE ECONOMIC PROSPERITY COMMITTEE

Councillor Graham Chapman, Deputy Leader of Nottingham City Council updated the Committee on proposals to resource the Economic Prosperity Committee.

RESOLVED to

- (1) present a viable solution to resource the Economic Prosperity Committee and present it to a future Committee;**
- (2) distribute a cross party press-release highlighting the scope of the Committee's work programme, with particular reference to jobs, growth and housing regeneration.**

**CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE ECONOMIC
PROSPERITY COMMITTEE– 21 MARCH 2014**

Subject:	Better Broadband for Nottinghamshire (BBfN) Programme update and Superfast Extension Programme (SEP)		
Presenting authority / representative):	Mick Burrows, Chief Executive, Nottinghamshire County Council		
Report author and contact details:	Matt Lockley & Nicola M ^c Coy-Brown, 0115 977 2580 nicola.mccoymbrown@nottscc.gov.uk		
Key Decision <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Subject to call-in <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Value of decision: Not applicable			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Authorities affected: Nottinghamshire local authorities	Date of consultation with relevant authorities: N/A		
Summary of issues (including benefits to citizens/constituent authorities):			
<p>a) Currently 5.2% of Nottinghamshire premises have been excluded from both the Better Broadband for Nottinghamshire (BBfN) programme and the commercial telecommunications companies' rollout plans. In spite of the BBfN programme delivering close to 95% coverage across the County, there are discrepancies within this figure with some Districts only receiving coverage of between 80-85%.</p> <p>b) Broadband Delivery UK (BDUK) announced on 25 February 2014 the long-awaited indicative allocations from the £250m of government funding that had been promised for the expansion of superfast broadband. The objective of the Superfast Extension Programme (SEP) is to extend fibre broadband beyond 95% which will require additional costs to tackle the most isolated communities.</p> <p>c) This could mark the second major wave of the BBfN programme and complements the more innovative solutions to maximise commercial investment.</p> <p>d) Nottinghamshire's allocation (which includes the City) is £2.63m. This needs to be matched from local sources, with the money then used to help secure further private sector investment via a telecommunications supplier. SEP funds will come on stream relatively quickly as the Government's ambition is to hit the 95% target by 2017.</p> <p>e) As a matter of urgency, the County Council now needs to establish from BDUK the methodology behind the allocation and its constraints.</p> <p>f) In order to access the grant, the existing co-investment local authority partnership (in advance of a full application required by 30 June 2014) now needs to consider the collective ability to provide the match funding from local public sector sources. If partners were minded to progress with a full application, a minimum requirement would be an underwriting commitment whilst the County Council actively seeks other sources of funding (such as EU and LEP funds).</p> <p>g) The current BBfN programme runs to March 2016 and the Superfast Extension Programme would take the broadband programme to 2017.</p>			
Exempt information: None			
Recommendation(s):			
a) The Economic Prosperity Committee notes the progress update on the Better Broadband for Nottinghamshire Programme			
b) The existing co-investment local authority partnership (in advance of any full application required by 30 June 2014) considers the collective ability to provide the conditional match funding from local public money			
c) The existing co-investment local authority partnership (in advance of any full application required by 30 June 2014) considers the collective ability to underwrite the £2.63m allocation whilst the County Council actively seeks other sources of funding (such as EU and LEP funds).			

d) Nottinghamshire County Council actively pursues all external and other funding opportunities (such as EU, LEP and New Homes Bonus) with a view to sourcing the requisite £ for £ £2.63m

1 REASONS FOR RECOMMENDATIONS

1.1 The announcement of an extra £2.63million funding from the Superfast Extension Programme is positive news for Nottinghamshire and will help achieve our ambition of providing as much fibre-based broadband as possible. But the funding being made available to improve broadband speeds across Nottinghamshire could be under threat if the existing co-investment partnership of councils cannot afford to match fund it. A decision needs to be taken by the Joint Economic Prosperity Committee as the County Council requires financial support from various sources to get the necessary match funding to draw down this additional investment and realise the opportunity it gives to get Nottinghamshire better connected to faster fibre-based broadband, help narrow the digital divide and boost local growth.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

BBfN Progress Update

- 2.1 The existing £19.8m (capital and revenue) co-investment partnership builds on BT's own commercial plans (as well as the on-going commercial fibre roll-out from other telecommunication infrastructure providers) which has already made fibre-based broadband available to 226,000 Nottinghamshire homes and businesses. When this existing commercial fibre-based broadband rollout plan is combined with the Better Broadband for Nottinghamshire (BBfN) Programme, over 94.8% of Nottinghamshire's homes and businesses are expected to be able to access a superfast broadband network.
- 2.2 The BBfN programme involves a very large and technically complex rollout. The programme build will involve laying over 1million metres of fibre optic cable, installing over 2,500 fibre distribution points and more than 92,000 hours of construction time. We are only at the beginning of an intensive programme of work, which under the current contract, will run until 2016. In order for the County Council to achieve its stated universal goal of a minimum of 2 Megabits per second (2Mbps) by 2016, once the BBfN programme has achieved as much of the fibre rollout as it can for the investment funding available, it will implement the most effective 'in-fill' broadband technology available at the time (currently these will be solutions such as advanced copper broadband or satellite, which are capable of supporting a minimum of 2 Mbps broadband service).
- 2.3 The BBfN programme is on track but the scale and complexity of the rollout has meant that an earlier start is now unlikely, although the County Council continues to press BT for a speedier rollout. A total of 111 site surveys will be complete by the end of May. Announcements will be made in April regarding the phase one locations.
- 2.4 The contract commits BT to providing access to better broadband for at least 10,959 homes and businesses during this phase. Therefore, by summer 2014, these first exchange area locations (funded through the BBfN programme) will be able to connect to fibre-based broadband.

Superfast Extension Programme (SEP)

- 2.5 The Government announced local allocations from its 'Superfast Extension Programme' on 25th February. The objectives of the programme are to extend fibre broadband coverage beyond 95%, which will require additional costs to tackle the most isolated communities. Nottinghamshire's allocation (which includes an allocation for Nottingham City of £800,000) is £2.63 million.
- 2.6 The County Council has requested further detail from the Government as to how this figure was arrived at particularly as Nottinghamshire's existing programme will deliver close to 95% coverage for the County. However there are discrepancies within this figure, with some Districts only receiving coverage of between 80-85%.
- 2.7 The Government allocation needs to be matched locally on a £ for £ basis. The County Council are considering potential sources of match funding (i.e. D2N2, EU funds, New Homes Bonus).
- 2.8 The County Council's Economic Development Committee approved the submission of a non-committal Expression of Interest for the Superfast Extension Programme to BDUK by 25th March. This does not commit the Council (or co-investors to the existing BBfN programme) to any financial involvement at this stage.
- 2.9 Full applications have to be submitted to BDUK by 30th June.
- 2.10 The current BBfN programme runs to March 2016, and the Superfast Extension would run through to 2017.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing option – the existing BBfN programme already almost achieves the government coverage targets. However, this has been discounted at this stage. The Expression of Interest stage requires no financial commitment and the submission of the full application not being required until the end of June 2014 gives the co-investment partnership sufficient time to explore all funding avenues.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 £2.63m of match funding required. The illustrative total superfast extension programme funding package is expected to be:

BDUK	£2.63m
Local £ for £ Match	£2.63m
Private Sector telecommunications supplier match	£2.63m
TOTAL INVESTMENT IN THE NOTTS SEP	£7.89m

- 4.2 Any appointed telecommunications supplier will deliver value for money via the BDUK process in addition to various auditing measures to ensure that this is the case.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

5.1 Nottinghamshire County Council will be leading the tendering and/or extending the existing contract and will be acting as lead authority should the superfast extension programme come to fruition.

5.2 The County Council will be asking co-investment partners to sign a collaboration agreement – committing to a proportion of the required grant match.

6 SOCIAL VALUE CONSIDERATIONS

6.1 The County Council is likely to utilise the BDUK Framework for any additional funds secured. This process considers the economic, environmental and social benefits of any approach to procurement.

7 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

8 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

N/A

9 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- Nottinghamshire County Council [Economic Development Committee Report](#) on the Superfast Extension Programme [11 March 2014]
- BDUK Superfast Extension Programme Funding Guidance

10 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

N/A