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## NOTTINGHAM CITY COUNCIL EXECUTIVE BOARD

**Date:** Tuesday, 19 January 2016

**Time:** 2.00 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,

NG2 3NG

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

**Corporate Director for Resilience** 

Governance Officer: Laura Wilson, Constitutional Services Direct Dial: 0115 8764301

AGEN	<u>IDA</u>	<u>Pages</u>
1	APOLOGIES FOR ABSENCE	
2	DECLARATIONS OF INTERESTS	
3	MINUTES Last meeting held on 22 December 2015 (for confirmation)	3 - 14
4	COUNCIL TAX - DETERMINATION OF THE 2016/17 TAX BASE - KEY DECISION Report of the Deputy Leader/ Portfolio Holder for Resources and Neighbourhood Regeneration	15 - 22
5	STRATEGIC ALLIANCE - ACTIVITY FUNDING - KEY DECISION Report of the Portfolio Holder for Schools	23 - 26
6	2015/16 ALTERNATIVE PROVISION ARRANGEMENTS - KEY DECISION Report of the Portfolio Holder for Schools	27 - 34

### 7 SALE OF THE FORMER PADSTOW SCHOOL FIELD, RIDGEWAY, 35 - 40 TOP VALLEY - KEY DECISION

Report of the Leader/ Portfolio Holder for Strategic Regeneration and Development

#### 8 EXCLUSION OF THE PUBLIC

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 in the public interest in disclosing the information

9 SALE OF THE FORMER PADSTOW SCHOOL FIELD, RIDGEWAY, TOP VALLEY - KEY DECISION - EXEMPT APPENDIX

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

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#### **NOTTINGHAM CITY COUNCIL**

#### **EXECUTIVE BOARD**

## MINUTES of the meeting held at Loxley House on 22 December 2015 from 2.01 pm - 2.48 pm

#### Membership

<u>Present</u> <u>Absent</u>

Councillor Graham Chapman (Vice Chair) Councillor Alan Clark

Councillor Jon Collins (Chair)

Councillor Nicola Heaton

Councillor Nick McDonald

Councillor David Mellen

Councillor Alex Norris

Councillor Dave Trimble

Councillor Jane Urquhart

Councillor Sam Webster

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

David Bishop - Deputy Chief Executive/Corporate Director for Development

and Growth

Sue Flack - Director of Planning and Transport

Dean Goodburn - Policy Officer

Matt Gregory - Growth Point Planning and Planning Policy Manager

Alison Michalska - Corporate Director for Children and Adults
Colin Monckton - Director of Commissioning Policy and Insight

Glen O'Connell - Corporate Director for Resilience
Nathan Oswin - Political Assistant to the Labour Group
Keri Usherwood - Marketing and Communications Manager

Andy Vaughan - Corporate Director for Commercial and Operations

Geoff Walker - Strategic Director for Finance

Laura Wilson - Governance Officer

#### Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until Tuesday 5 January 2016

#### 52 APOLOGIES FOR ABSENCE

Councillor Alan Clark – unwell

Candida Brudenell

#### 53 DECLARATIONS OF INTERESTS

None

#### 54 MINUTES

The Board confirmed the minutes of the meeting held on 17 November 2015 as a correct record and they were signed by the Chair.

#### 55 NOTTINGHAM PLAN ANNUAL REPORT 14/15 (YEAR 5)

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development, and Portfolio Holder for Early Intervention and Early Years report, presenting the Nottingham Plan annual report for year 5, which details the progress made against Nottingham Plan targets for 2014/15.

The Nottingham Plan to 2020 sets out a 10 year journey to help the City Council and partners achieve the vision of what Nottingham should look like by 2030.

RESOLVED to approve the Nottingham Plan Annual Report Year 5, and note the progress against Nottingham Plan targets for 2014/15 (Year 5).

#### Reasons for decisions

To ensure that the Council continues to publicly report the performance of Nottingham Plan to 2020 targets and priorities to local citizens and partners.

#### Other options considered

No other options were considered as it has been agreed that annual performance of the plan is considered by the One Nottingham Board and the City Council.

#### 56 ISLAND SITE SUPPLEMENTARY PLANNING DOCUMENT

The Board considered the Portfolio Holder for Planning and Housing's report detailing the Island Site Supplementary Planning Document that will provide guidance of the development of the Island Site in Nottingham's Creative Quarter.

#### **RESOLVED** to

- (1) approve the draft Island Site Supplementary Planning Document for a period of public consultation;
- (2) delegate authority to the Portfolio Holder for Planning and Housing to approve any minor changes required prior to public consultation.

#### Reasons for decisions

The Supplementary Planning Document will help to ensure that development delivered on the site meets the Council's aspirations for the site in terms of nature and disposition of uses and phasing of development.

#### Other options considered

Not producing the Supplementary Planning Document was rejected as it would not give any assurance that the Council's aspirations for the development of the site could be met.

#### 57 TREASURY MANAGEMENT 2015/16 HALF YEARLY UPDATE

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report setting out the treasury management actions and performance from 1 April to 30 September 2015, which includes:

- no new long term borrowing was undertaken;
- no debt rescheduling was undertaken;
- the average return on investments was 0.664% against a benchmark rate of 0.460%:
- compliance with Prudential Indicators.

### RESOLVED to note the treasury management actions taken in 2015/16 to date, detailed in the report.

#### Reasons for decisions

To ensure that Councillors are kept informed of the actions taken by the Chief Finance Officer.

The Treasury Management Code of Practice requires that at least 3 reports on treasury management each year – a policy and strategy statement for the ensuing financial year, a 6 monthly progress report, and an outturn report after the end of the financial year.

#### Other options considered

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

#### 58 BUDGET CONSULTATION 2016/17

This decision is not subject to call-in as Councillor Brian Parbutt, Chair of the Overview and Scrutiny Committee, has agreed that the decision is reasonable in all the circumstances and should be treated as a matter of urgency as any delay will impact on the public consultation period.

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report detailing the draft proposals for the revenue element of the Council's Medium Term Financial Plan (MTFP) for 2016/17 to 2018/19. The headlines include:

- there is continued disproportionate Government funding cuts with the expectation that the Revenue Support Grant will have more than halves since 2013/14;
- local services will be increasingly funded by local tax payers as Central Government funding continues to cut local government funding;

#### Executive Board - 22.12.15

- there is increased demand for services such as Adult Social Care and Children in Care;
- consultation covers £19.766m savings in 2016/17, subject to outcomes of the provisional settlement, following savings of £152m previously found over the last 5 years;
- savings seek to minimise the impact of service reductions and changes on vulnerable citizens;
- commercialisation opportunities are underway that will generate income and help offset the impact of Central Government grant reductions;
- savings include transforming Adult Social Care to achieve sustainable health care services in partnership with the NHS;
- the budget assumes a City Council increase in Council Tax of 1.95%, and the introduction of the additional 2% Social Care precept on Council Tax, as assumed by Central Government;
- there is a remaining budget gap in 2018/19 of a further £26.987m, with an expectation that the settlement will increase this gap further.

RESOLVED to endorse and release the MTFP proposals, as set out in paragraph 2.6 and Table 3 of the report, for formal public consultation, noting that further details relating to individual savings are contained in Appendix 1a-j of the report.

#### Reasons for decisions

To enable public consultation to take place on the draft savings proposals for 2016/17 to 2018/19.

#### Other options considered

Throughout the budget process a range of different options are considered including various levels of Council Tax, investment and cost reductions, which is a complex process with many iterations and possibilities. The proposals detailed in the report seek to balance levels of investment, income, cost reductions, and an appropriate level of Council Tax.

#### 59 <u>REVIEW OF 2015/16 REVENUE AND CAPITAL BUDGETS AT 30</u> SEPTEMBER 2015 (QUARTER 2) - KEY DECISION

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 for the General Fund revenue account, Capital Programme and Housing Revenue Account (HRA), based on activity to the end of September 2015.

#### **RESOLVED** to

- (1) note:
  - (a) the overall current (medium case) forecast net underspend of £1.788m, as set out in paragraph 2.2 and Appendix A of the report;
  - (b) the management action being taken to control the identified cost pressures across services, as set out on Appendix B of the report;

- (c) the progress on the implementation of cost reductions and pressures, as set out in paragraph 2.5 of the report;
- (d) the forecast working balance of £4.006m on the HRA, 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 2, as set out in paragraph 2.9 (table 6) 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, as set out in paragraph 2.9 (tables 7, 8 and 9) of the report;

#### (2) approve:

- (a) the movements of resources, as set out in paragraph 2.6 and Appendix D of the report;
- (b) the extension and re-profile for the rolling programme of works at Eastcroft Incinerator, as set out on paragraph 2.9 (table 7) of the report;
- (c) an additional £0.098m of demolition costs for Stepney Court, as detailed in section 2.9 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 progress against the 2015/16 budget, and the impact of actual and planned management action.

The approval of virements of budgets is required by corporate financial procedures.

#### 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.

## 60 PROPOSED EXPANSION OF FERNWOOD PRIMARY SCHOOL, WOLLATON

The Board considered the Portfolio Holder for Schools' report updating the Board on the outcomes of the consultation to expand the school which took place between 21 September and 18 October 2015 with parents, carers, staff, governors, and community members.

The number of objections to the proposal exceeded the number in support, but these have been balanced against the long term need for school places, so moving to the next stage of the consultation process is recommended.

RESOLVED to approve the move to the next stage of consultation, which is the issuing of Statutory Notices and a four week representation period.

#### Reasons for decisions

One of the 5 key objectives of the new Council Plan is to ensure that every child in Nottingham is taught in a school that is judged good or outstanding by Ofsted.

The proposal supports the Council priorities of access to a good school close to home for every young person in Nottingham, and to guarantee a choice of places for every child at a local primary school.

Parents/carers expect their children to be offered a school place in their catchment area, and the case is strong for expanding a school which delivers a quality provision in an area where there are insufficient school places.

Although the number of objections exceeded the number in support, this needs to be balanced against the long term need for school places, and the views expressed will be considered in terms of prioritising mitigating actions to make the proposal work if it is approved.

#### Other options considered

Adding a single bulge year was rejected as it would not address the longer term issue of pupil growth in the area.

Expanding Middleton Primary School is not possible at this point as the viability of expansion needs to be assessed. The Council has identified that two additional forms of entry are required to meet the needs in the area, so regardless of whether Middleton Primary expansion progresses, the additional places are still required at Fernwood Primary.

Setting up a new free school in Wollaton was rejected as no suitable site is identifiable.

Doing nothing was rejected as it would not address the place pressure in the area, and it would not meet the needs of the local community.

#### 61 SPECIAL SCHOOLS EXPANSION - KEY DECISION

The Board considered the Portfolio Holder for Schools' report detailing the needs for additional special school places in the city and seeking approval for Phase 1 of the Special School expansion programme, the expansion of Westbury School.

#### **RESOLVED** to

- (1) approve the allocation of funding totalling £4.75m, as detailed in section 4 of the report, towards the expansion of Westbury School;
- (2) approve the procurement of a design team to develop and deliver the Westbury School project using the EMPAii framework, and approve the use of consultants;
- (3) delegate authority to the Head of Legal Services to appoint the design team following the procurement process, subject to the project being within the agreed budget figures:
- (4) approve the procurement of the expansion works, as set out in the Business Case at Appendix A of the report, and delegate authority to the Head of Legal Services to enter into contract to deliver the construction works for the expansion, subject to the project being within the agreed budget figures.

#### Reasons for decisions

Local authorities must ensure that there are school places available in areas of need, promote diversity, and increase parental choice, which includes special school places for pupils.

The demand for specialist maintained provision across a range of special educational needs is increasing, and now the requirement for places exceeds the number of places available. The need is increasing every year, and without expansion, the City Council will have to purchase additional places from outside the city boundary.

A full options appraisal has been undertaken to consider which special schools require expansion, and which design solution is preferred.

#### Other options considered

Doing nothing was rejected as the City Council has a duty to provide suitable places for children.

#### 62 <u>SOUTHSIDE TRANSPORT STRATEGY CAPITAL PROGRAMME</u> SPENDING APPROVAL - KEY DECISION

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report detailing the funding already in place, and requesting £3.683m match funding, for the Southside Transport Strategy which includes improvements in the City Centre highway infrastructure, and public realm referred to as the Broadmarsh Environs Roadspace Transformation Programme (RTP).

Recommendation 3 was amended at the meeting to reflect that it was subject to recommendation 5.

#### **RESOLVED** to

- (1) approve expenditure totalling £13.425m to deliver the Broadmarsh Environs RTP, subject to acceptance of the final business case for an allocation from D2N2 Local Economic Partnership (LEP) fund;
- (2) accept the D2N2 grant, and allocate £2.300m from the Nottingham Better Bus Area Fund in accordance with the bid approved by the Department for Transport, and £1.383m from the Local Transport Plan funding allocation, towards the schemes for the period 2015/16 to 2017/18;
- (3) approve the first stage of the Broadmarsh Environs RTP, as set out in paragraph 2.4 of the report, subject to resolutions 1 and 2 above, and the formal public consultation identified in resolution 5 below, where appropriate;
- (4) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, and the Portfolio Holder for Jobs, Growth and Transport, to develop and approve further stages of the Broadmarsh Environs RTP, subject to the availability of funding;
- (5) approve the commencement of formal public consultation on the Broadmarsh Environs RTP, including advertisement of Traffic Regulation Orders for individual schemes, as necessary.

#### Reasons for decisions

The approval to commit expenditure is necessary to support the detailed business case being submitted to the LEP, and considered by its Infrastructure Investment Board in December 2015.

The infrastructure investment was recognised as a key feature in the Growth Deal because it supports the redevelopment on the INTU Broadmarsh Centre, and the redevelopment and enhancement of the areas around the Centre, including Nottingham Skills Hub and the Railway Station, leading to economic growth and the creation of jobs.

#### Other options considered

Not accepting the funding was rejected as the delivery of the elements of the Broadmarsh Environs RTP funding package are priorities for the City Council, and funding is not available within other transport budgets to support this level of investment in the city's highway infrastructure and public realm. It could also damage the City Council's reputation for being able to deliver high profile transport schemes, which would significantly impact on the Council's ability to attract this level and nature of funding in the future.

## 63 <u>AWARD OF CONTRACT FOR CITYLINK1+2, WORKLINK 4, CENTRELINK BUS SERVICES - KEY DECISION</u>

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report requesting approval to undertake a tender process to provide the Citylink 1 and 2, Worklink4, and Centrelink bus services, which provide access to key employment sites in the city, provide a service to two of the city's main bus based park and ride sites, and link the two shopping centres in the city. The Centrelink service is already operating with electric buses, and it is anticipated that the Citylink and Worklink services will also be run by fully electric buses on retender.

#### **RESOLVED**

- (1) to authorise the procurement process for the Citylink 1 and 2, Worklink 4 and Centrelink bus services, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth to award and sign the necessary contract(s) for the operation of these services for up to 5 years, on a 3+1+1 basis, at the Council's sole discretion with respect to any extension, using electric buses or an alternative agreed with the Council, subject to contract costs being within £5.5m (£1.1m per year);
- (2) in the event that there is any delay in the implementation of the new electric buses resulting in a delay in the commencement of the new contract(s), to grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to extend the existing contract for these services for a temporary period of up to one month, at a cost of no more than £0.1m, until the electric buses are available for use on the routes, or alternative arrangement are agreed with the preferred operator.

#### Reasons for decisions

To enable the continued operation of these important services without any disruption for customers, and also enable the services to be procured in a more cost effective manner.

There is a need to make savings from the operation of these services as part of the Public Transport Big Ticker which can be done by their change to electric vehicles, and further network integration.

#### Other options considered

Continuing with the current arrangements was rejected as the existing contract is due to expire in 2016, and the services may require alterations in their routing and timetable to take account of changes in customer requirements, and the future layout of the City Centre road network.

Withdrawing the services was rejected as there is a considerable demand for them to enable citizens to access employment which is not being met by the current commercial network, and whilst the commercial sector might deliver some elements of these services commercially, this could result in additional costs to the Council.

#### 64 SALE OF LAND OFF COLLEGE WAY, BILBOROUGH - KEY DECISION

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development's report seeking permission to sell the site to enable development that will contribute towards the city's housing requirements.

#### **RESOLVED** to

- (1) agree the principle of selling the Council's freehold or long leasehold interest in this site, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to agree the method of sale;
- (2) delegate authority to the Leader/Portfolio Holder for Strategic Regeneration and Development to approve the sale terms for the site, including the price;
- (3) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve any instructions and associated expenditure required prior to sale. Such expenditure may include, but is not limited to, the sourcing or site and ground investigations, appointment of experts or specialists in development and planning matters to obtain and planning consent prior to sale.

#### Reasons for decisions

The Playing Pitch Strategy recognises this site as surplus to the sports and recreational needs of the city. The nature of site provides a development opportunity to contribute to the city's housing need, whilst also enabling the Council to achieve a capital receipt.

The sire has been identified by Property as suitable for residential development, and is a proposed residential allocation within the emerging Local Plan Part 2: Land and Planning Policies document.

#### Other options considered

Not selling the site was rejected as it would be a missed opportunity for the City Council to contribute towards the city's housing need by enabling development, and would mean foregoing the capital receipt that will be achieved on sale.

#### 65 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining item 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.

## 66 SALE OF LAND OFF COLLEGE WAY, BILBOROUGH - KEY DECISION - EXEMPT APPENDIX

The Board considered the exempt appendix to the Leader/Portfolio Holder for Strategic Regeneration and Development's report.

RESOLVED to note the information contained within the exempt appendix.

Reasons for decisions

As detailed in minute 64.

Other options considered

As detailed in minute 64.



### EXECUTIVE BOARD - 19 JANUARY 2096 nda Item 4

Subject:	Council Tax – Determination of the 2016/17 Tax Base					
Corporate	Geoff Walker, Director of	Geoff Walker, Director of Strategic Finance				
Director(s)/		,				
Director(s):						
Portfolio Holder(s):	Councillor Graham Chapm	nan, Deputy Leader/Po	rtfolio Holder for			
	Resources and Neighbour	rhood Regeneration				
Report author and	Antony Snape, Team Lead	der, Revenues and Bei	nefits Business Support			
contact details:	0115 876 3890 antony.sr	nape@nottinghamcity.g	gov.uk			
Key Decision	⊠Yes □ No	Subject to call-in	∑ Yes ☐ No			
Reasons: Expend	iture 🗌 Income 🗌 Savings	s of £1,000,000 or	Revenue Capital			
	of the overall impact of the o		☐ Revende ☐ Capital			
Significant impact on	communities living or worki	ng in two or more	⊠ Yes □ No			
wards in the City						
Total value of the de	cision: Nil					
Wards affected: All		Date of consultation Holder(s): 23/12/15	with Portfolio			
Relevant Council Pla	an Key Theme:					
Strategic Regeneration	n and Development					
Schools	·					
Planning and Housing	)					
Community Services						
Energy, Sustainability	and Customer					
Jobs, Growth and Tra	nsport					
Adults, Health and Co	mmunity Sector					
Children, Early Interve	ention and Early Years					
Leisure and Culture	•					
Resources and Neigh	bourhood Regeneration					
Summary of issues	(including benefits to citiz	zens/service users):				
This report sets out th	e process and calculations	to determine the Cour	icil Tax base for 2016/17			
in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012.						
The Council Tax base is used in the calculation of the Council Tax which provides resources for						
delivery of the Council's vision, values and objectives. Council Tax revenue funds service						
delivery.						
Exempt information:						
None .						
Recommendation(s):						
1 To approve a tax ba	ase of 62,091 for 2016/17.					
2 To agree that a collection rate of 96.4% be used in the determination of the 2016/17 tax base.						

### 1 REASONS FOR RECOMMENDATIONS

1.1 To enable the Council to estimate future changes to the current tax base during 2016/17 and apply an appropriate anticipated collection rate for the period, which takes into account collection trends and the prevailing economic environment so that the tax base figure can be set and used by the City Council and the precepting authorities (i.e. Police and Fire Authorities) in their budget processes in February 2016 to determine the level of Council Tax for 2016/17.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Nottingham City Council is a "billing authority" for Council Tax purposes. The Local Page 15

Government Finance Act 1992 requires the billing authority to determine the Council Tax base to be used in the calculation of the level of Council Tax. The tax base must be calculated in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 and be determined between 1 December and 31 January. The stages in the calculation of the tax base are as follows (all references in italics refer to paragraph 2.5 of this report):

- for each of the eight council tax valuation bands a 'relevant amount' is calculated.
  This is the number of dwellings in each valuation band adjusted to take account of
  the effect of exemptions and discounts and disabled relief. This figure is expressed
  as the equivalent number of band D dwellings and reflects the situation at 5 October
  2015 (figure 1);
- this amount is then adjusted to reflect any estimated increases or decreases in the number of dwellings, exemptions and discounts throughout the year ahead (figure 2). An additional adjustment has also been made for the Council Tax Support scheme (CTSS) which replaced Council Tax benefit from 1 April 2013 as a Council Tax discount (figure 3). These adjustments are detailed in Appendix 2;
- the revised amount is expressed as the equivalent number of band D dwellings (figure 4). It is then multiplied by our estimated collection rate for the year (figure 5);
- any contribution paid in lieu in respect of Ministry of Defence (MoD) properties, which are exempt from the Council Tax, is added (figure 6);
- the result is the tax base for the authority (figure 7).
- 2.2 For Revenue Support Grant purposes a CTB1 tax base return was submitted to the Department for Communities and Local Government (DCLG) in October 2015 showing the total number of band D equivalent properties subject to Council Tax at that time. At 5 October 2015 this was 81,856 (figure 1). An extract is at Appendix 1 and this figure is shown on line 23, column 10.
- 2.3 Potential changes that may affect the number of chargeable dwellings and the size of the tax base over time include:
  - new properties and properties changing to domestic use;
  - demolitions, mergers and properties changing to commercial use;
  - increases or decreases in the number of discounts;
  - increases or decreases in the number of exemptions:
  - successful appeals against banding levels and the 'knock on' effect of appeals on surrounding properties;
  - Council Tax Support.
- 2.4 In determining the tax base for 2015/16 a collection rate of 96.25% was used. For 2016/17 this collection rate has been increased to reflect estimated collection levels associated with CTSS. This establishes the tax base at 62,091 (*figure 5*). There are no properties owned by the MoD for which contributions in lieu are made. Additional information on how the tax base has been calculated is provided in the supplementary notes in Appendix 3.
- 2.5 In summary, a tax base figure of 62,091 is recommended, calculated as follows:

	Figure	2016/17	2015/16	
Number of chargeable dwellings	1	81,856	80,969	
Add adjustment to chargeable dwellings for discounts and exemptions	2	(845)	(594)	
Less adjustments for Council Tax Support	3	(16,601)	(16,950)	
Adjusted number of chargeable dwellings	4	64,410	63,425	_

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Council Tax Base	7	62.091	61.047
MoD Contributions	6	0	0
Multiplied by collection rate (96.4% 2016/17; 96.25% 2015/16)	5	62,091	61047

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 None, as the council is legally required to set a Council Tax base using objective calculations.

## 4 <u>FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)</u>

- 4.1 The tax base of 62,091 has increased in 2016/17 from 61,047 last year. This is mainly due to a rise in the anticipated number of new properties and a revised estimate of CTSS due to reduced caseload. These changes will increase the amount of Council Tax raised.
- 4.2 The overall collection rate is estimated to be 96.4% reflecting a marginal improvement following the impact of the introduction of the CTSS in 2013.
- 4.3 The tax base is a key element in setting the level of Council Tax. Value for money is assessed in all areas of service provision.
- 5 LEGAL AND PROCUREMENT COMMENTS (INLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)
- 5.1 If the overall actual collection rate is lower than the assumed rate used here, this could result in a Collection Fund deficit, requiring an increase in the following year's Council Tax. A higher collection rate would increase the surplus and could potentially marginally reduce the following year's Council Tax level. The collection rate of 96.4% reflects an analysis of arrears recovery, past trends and forecasting and the increased collection risk associated with the CTSS. The setting of the tax base by 31 January 2016 is a legal requirement.
- 6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)
- 6.1 Not applicable
- 7 SOCIAL VALUE CONSIDERATIONS
- 7.1 Not applicable
- 8 REGARD TO THE NHS CONSTITUTION
- 8.1 Not applicable
- 9 EQUALITY IMPACT ASSESSMENT (EIA)
- 9.1 Has the equality impact of the proposals in this report been assessed?

No 🖂

An EIA is not required because this report does not set out changes to policies, services or functions. Any decision on Council Tax rates will be the subject of a subsequent report setting out the Council's proposed budget and this will incorporate a detailed equality impact assessment.

- 10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)
- 10.1 None
- 11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT
- 11.1 None
- 12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT
- 12.1 Theresa Channell, Head of Corporate Finance (0115) 8763649 theresa.channell@nottinghamcity.gov.uk

	Disabled in					_				
DWELLINGS SHOWN ON THE VALUATION LIST	BAND A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTA
FOR THE AUTHORITY ON 14 SEPTEMBER 2015	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7	COLUMN 8	COLUMN 9	COLUMN 1
Total number of dwellings on Valuation List		85581	22231	15785	6600	2362	1006	695	110	13437
<ol> <li>Number of dwellings on Valuation List exempt on 5 October 2015 (class B &amp; D to W exemptions)</li> </ol>		4851	3242	2418	737	163	46	19	17	1149
3. Number of demolished dwellings and dwellings outside area of Authority on 5 October 2015		1	2	0	0	0	0	0	0	:
4. Number of chargeable dwellings on 5 October 2015 (Lines 1-2-3)		80729	18987	13367	5863	2199	960	676	93	12287
5. Number of chargeable dwellings in line 4										
subject to disabled reduction on 5 October 2015		218	127	107	54	29	17	26	14	59
<ol><li>Number of dwellings effectively subject to council tax for this band by virtue of Disabled Relief (line 5 after reduction)</li></ol>	218	127	107	54	29	17	26	14		59
7. Number of chargeable dwellings adjusted in										
accordance with lines 5 & 6 (lines 4-5+6 or for column 1, line 6)	218	80638	18967	13314	5838	2187	969	664	79	12287
8. Number of dwellings in line 7 entitled to a single adult household										
25% discount on 5 October 2015	58	39950	7265	4012	1472	468	210	99	5	5353
<ol> <li>Number of dwellings in line 7 entitled to a 25% discount on 5 October 2015</li> <li>due to all but one resident being disregarded for council tax purposes</li> </ol>	11	661	254	185	104	23	11	2	1	125
0. Number of dwellings in line 7 entitled to a 50% discount on 5 October 2015 due to all residents being disregarded	0	73	40	24	26	14	14	27	15	23
61. Number of dwellings in line 7 classed as second homes on 5 October 2015		213	83	55	39	11	9	7	0	41
12.Number of dwellings in line 7 classed as empty and receiving a zero% Discount on 5 October 2015		1913	464	318	166	60	17	16	4	295
13. Number of dwellings in line 7 classed as empty and receiving a discount on 5 October 2015 other than zero%		0	0	0	0	0	0	0	0	
14. Number of dwellings in line 7 classed as empty and being charged the Empty Homes Premium on 5 October 2015		389	62	21	16	6	2	1	2	49
15. Total number of dwellings in line 7 classed as empty on 5 October 2015 (lines 12,13 & 14)		2302	526	339	182	66	19	17	6	345
16. Number of dwellings in line 7 where there is liability to pay 100% council Tax before Family Annexe Discount	149	39561	11345	9071	4219	1676	732	535	56	6734
17 Number of dwellings in line 7 that are assumed to be subject to a discount or a premium before Family Annexe Discount	69	41077	7622	4243	1619	511	237	129	23	5553
18. Reduction in taxbase as a result of Family Annex discount	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.
Number of dwellings equivalents after applying discounts and Premiums to calculate taxbase	200.8	70640.3	17097.8	12262.8	5438.5	2060.3	907.8	625.8	71.0	109304.
20. Ratio to Band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
21. Number of Band D equivalents (to 1 decimal place) (line 19 x line 20)	111.5	47093.5	13298.3	10900.2	5438.5	2518.1	1311.2	1042.9	142.0	81856.
22. Number of Band D equivalents of contributions in lieu (in respect of Class 0	exempt dwe	llings) in 2015	i/16 (to 1 deci	mal place)				•		0.
23. Tax base (to 1 decimal place) (line 21 col 10 + line 22)	•	<del> </del>	,	• •						81856.2

### **APPENDIX 2**

# ADJUSTMENTS TO NUMBER OF CHARGEABLE DWELLINGS

	Disabled in BAND A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
Number of band D equivalent										
dwellings on CTB1 Return (Line 21)	111.5	47093.5	13298.3	10900.2	5438.5	2518.1	1311.2	1042.9	142	81856.2
<u>ADJUSTMENTS</u>										
New properties (note 1)		446	116	82	34	12	5	4	1	700
Deletions (note 2)		-162	-22	-10	-2	-2	-2	0	0	-200
Discounts (note 3)		-205	-37	-21	-8	-2	-1	-1	0	-275
Exemptions (note 4)		-550	-367	-274	-83	-18	-5	-2	-1	-1300
Appeals - reductions (note 5)			-23	-16	-7	-2	-1	-1	0	-50
Appeals - increases (note 6)		23	16	7	2	1	1	0		50
nock On Effect - reductions (note 7)			-45	-32	-14	-6	-2	-1	0	-100
<b>Φ</b> N≝nock On Effect - increases (note 8)		45	32	14	6	2	1	0		100
Council Tax Support (note 9)		-20929	-2312	-696	-179	-29	-8	-3	0	-24156
TOTAL ADJUSTMENTS		-21332	-2642	-946	-251	-44	-12	-4	0	-25231
Ratio	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
BAND D EQUIV OF ADJUSTMENTS		-14221.3	-2054.9	-840.9	-251.0	-53.8	-17.3	-6.7	0.0	-17446
TOTAL BAND D EQUIVALENT DWELLINGS	111.5	32872.2	11243.4	10059.3	5187.5	2464.3	1293.9	1036.2	142.0	64410.2

#### COUNCIL TAXBASE ESTIMATE 2016/17: SUPPLEMENTARY NOTES

#### (1) New properties

Substantial new property development will take place across the City in 2016/17. Around 1200 domestic properties are either nearing completion or are expected to be built next year. Only a proportion of these will be completed and banded and become liable for council tax for the full year during 2016/17 however so an increase equivalent to 700 new properties has been estimated for this period and has been split across each of the bands based on the current proportion of properties in each band.

#### (2) Deletions

Deletions relate to demolitions and properties that merge to become single assessments. Nottingham City Homes and Nottingham City Council are undertaking an ongoing decommissioning and rebuilding programme, and when ongoing activity in other parts of the City is also taken into account it is estimated that 200 properties will be removed from the tax base during 2016/17.

#### (3) Single Person Discounts and Disregards

These discounts reduce the council tax payable by 25%.

Additional single person discounts will be granted next year at new properties, for household changes and for new occupiers moving into the City. There will also be discount cancellations as existing discounts are subject to ongoing review. It is estimated that an additional 1100 single person discounts will be awarded in 2016/17, which at 25% of the council tax charge equates to a reduction in the tax base of 275 full properties.

#### (4) Exemptions

Most exemptions in 2016/17 will be granted for properties occupied by students. At the time of the CTB1 Return in October 2015 applications for student exemptions were still being received for the new academic year and an increase from the level at this time is anticipated. A number of the new properties in note (1) will also be purpose built student properties entitled to full council tax exemption.

In total an allowance of an extra 1300 exemptions has been made, split on a pro rata basis across each of the bands based on the current number of exempt properties in each band.

#### (5) Appeals - reductions

Taxpayers may appeal against their council tax band to the Valuation Office Agency. Presently there are a low number of appeals outstanding and an allowance for 50 successful appeals has been made to reflect average activity in this area. These have been split across bands B to H on a pro rata basis.

#### (6) Appeals - increases

A successful appeal would result in a corresponding increase in the number of properties in the band below.

#### (7) Knock on effect - reductions

A successful appeal could result in banding reductions in surrounding properties. To account for this an allowance of 100 has been made split across bands B to H on a pro rata basis.

#### (8) Knock on effect - increases

Any further reductions would again increase the number of properties in the bands below.

#### (9) Council Tax Support

Council Tax Support takes the form of council tax discount. The amount claimed in 2016/17 is estimated to be a little lower than in 2015/16. Although the scheme will be unchanged, where 80% of the council tax bill is the maximum level of support, the caseload has fallen slightly over the last year. It is estimated that the equivalent of 24,156 discounts for Council Tax Support will be granted in 2016/17 to reflect this situation.

## EXECUTIVE BOARD - 21 JANUARY 2096 nda Item 5

Subject:	Strategic Alliance - Activity Funding				
Corporate	Alison Michalska, Corporate Director for Children and Adults				
Director(s)/	Pat and Sarah Fielding, Joint Directors of Education				
Director(s):					
Portfolio Holder(s):	Councillor Sam Webster,	Portfolio Holder for Sc	hools		
Report author and	Ceri Walters, Head of Co				
contact details:		ers@nottinghamcity.go	ov.uk		
Key Decision	∑ Yes ☐ No	Subject to call-in			
	liture 🗌 Income 🗌 Saving		□ Revenue □ Capital		
	of the overall impact of the		November   Capital		
	communities living or work	ing in two or more	⊠ Yes □ No		
wards in the City					
Total value of the de	ecision: £1.2m	T =			
Wards affected: All		Date of consultation			
Dalaway (Oassa all Di	V Therese	Holder(s): April 2015	)		
Relevant Council Pla					
Strategic Regeneration	n and Development				
Schools	<u> </u>				
Planning and Housing	)				
Community Services	and Customer				
Energy, Sustainability					
Jobs, Growth and Tra	•				
Adults, Health and Co	ention and Early Years				
Leisure and Culture	ention and Early rears				
	bourhood Regeneration				
	(including benefits to citi	zone/corvice users):			
	the formulation of a match	•	designed to facilitate the		
	ategic alliance' across the				
	e best use of resources av				
	ools working in Trust arrang				
	prove overall education pr	•			
People and reduce the gap in achievement between advantaged and disadvantaged pupils.					
Exempt information:					
None					
Recommendation(s):					
1 To approve the allocation of £0.600m from reserves in 2015/16 to develop a citywide					
strategic alliance and fund focussed educational improvement activities for 3 years, noting					
	that Schools Forum agreed to match fund this activity (£0.600m) from the Statutory Schools				
	April 2015, giving a total o				
· · · · · · · · · · · · · · · · · · ·	of £1.2m over 3 years on	•			
	cation Improvement Board				
noting that this sp	noting that this spend will adhere to the appropriate procurement procedures.				

### 1 REASONS FOR RECOMMENDATIONS

1.1 To align £0.600m from reserves to match fund the contribution from Schools Forum to support collaborative activity carried out by the Strategic Alliance.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

#### The London Challenge

- 2.1 A decade ago, parents were leaving inner London to avoid sending their children to local schools. Today, all pupils are more likely to perform better in the capital than anywhere else in the country. Much of this is down to the London challenge policy of school collaboration.
- 2.2 City challenge was distinctive in a number of ways. It was underpinned by a belief that the educational problems facing urban areas should be addressed at area level, and that Local Authority's (LA's), schools and academies need to work together to do this.
- 2.3 It aimed to improve educational provision and school performance across a broad geographical area, not simply in a specific group of participating schools. City Challenge focused on all aspects of the education system working strategically at area level and with LAs, community organisations, parents and pupils, and developing a range of specific school interventions which were closely focused on the intended outcomes of City Challenge. There was no single view of what schools needed to do to improve, all the interventions involved local solutions with key stakeholders centrally involved in the decisions. The various activities and interventions were characterised by:
  - a belief that school-to-school collaboration has a central role to play in school improvement;
  - a recognition of the importance of school leadership and;
  - a data-rich approach to tackling issues and sharing learning.

#### The Nottingham Challenge

- 2.4 There is a growing consensus that there needs to be a city wide, all party 'strategic alliance' if the Council and its partners are to tackle the challenges faced in Nottingham.
- 2.5 Whilst the London Challenge provides a starting point for discussion, Nottingham's alliance has to be appropriate to local circumstances and will only work where there is the consent and active participation of the operational partnership formed by schools/academies in the area. The Council is encouraged by the discussions held with all key partners to collectively commit to the challenges faced in the City of Nottingham, and, given the breadth and depth of expertise across the City of Nottingham this is the right time to unleash the potential an alliance of this kind has to offer.

#### Cultural shift

- 2.6 A key aspect of the alliance will be to recognise that people, schools and academies, tend to thrive when they feel trusted, supported and encouraged. Success is also more often realised when participants have ownership and involvement in the changes rather than being 'done to'. It is important that this is not seen as an LA initiative and it is proposed that the Education Improvement Board (EIB), independently chaired by Professor Sir David Greenaway, and representing all key stakeholder groups in the city manage the Governance and leadership of the alliance and distribute the fund to an agreed range of activities and interventions.
- 2.7 In the first instance the alliance has agreed to focus upon securing improved outcomes in mathematics across city schools and academies.

- 2.8 The improvement activities will focus upon developing 'world class' and 'cutting edge' teaching and learning in mathematics (Early Years Foundation Stage Key Stage 4). This will also include developing further strands to include:
  - transition;
  - · leadership;
  - subject knowledge and expert teaching;
  - mastery;
  - Science, Technology, Engineering and Mathematics (STEM);
  - recruitment;
  - new technologies;
  - learning behaviours;
  - innovative learning environments and parental/community engagement.
- 2.9 The fund will then continue to enable the alliance to drive further focused strands of activity over the next 3 years. The work was launched at a City Head Teacher Conference on the 3 July 2015 hosted at Nottingham University's Jubilee Campus site.
- 2.10 Match funding the funds approved from the SSR will enable the development of a budget to support agreed activity.
- 2.11 This fund will initially be used to secure improvements in mathematics across the city. Once improvements have been secured the strategic alliance will agree the next priority according to the city's need.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Not providing the match funding was rejected as there are no other funding options available to support this activity, which means it wouldn't be possible for it to take place.

### 4 <u>FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)</u>

- 4.1 This report seeks approval to spend £1.2m over the next 3 years to support a strategic alliance of activity on Educational improvement.
- 4.2 The fund of £1.2m is made up of:
  - £0.600m from the LA's reserves, of which £0.300m was included as a carry forward from 2014/15; and
  - £0.600m match funding from the SSR approved by Schools Forum on 23 April 2015.
- 4.3 A separate reserve will be set up for the allocation of this fund.
- 4.4 Use of this reserve will align to the Schools and Early Years Finance Regulations 2014.
- 4.5 Activities/Projects required to support outcomes will be agreed by the EIB. Any procurement associated with the activities/projects agreed will undertake the appropriate City Council procurement process set out in the Financial Regulations.

- 5 LEGAL AND PROCUREMENT COMMENTS (INLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)
- 5.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2014. Spend from the SSR needs to align with the requirements of the Regulations.
- 6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)
- 6.1 Not applicable.
- 7 SOCIAL VALUE CONSIDERATIONS
- 7.1 Not applicable.
- 8 REGARD TO THE NHS CONSTITUTION
- 8.1 Not applicable.
- 9 EQUALITY IMPACT ASSESSMENT (EIA)
- 9.1 Has the equality impact of the proposals in this report been assessed?

No Signature No No An EIA is not required because the individual proposals are not yet formulated. Any decisions taken by the EIB will undertake an EIA.

Yes

- 10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)
- 10.1 None
- 11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT
- 11.1 Schools Forum Strategic Alliance Activity Funding 23 April 2015
- 11.2 Department for Education Schools and Early Years Financial Regulations 2014
- 12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT
- 12.1 Sarah Molyneux Legal Service Manager & Solicitor

## EXECUTIVE BOARD - 19 JANUARY 2098 nda Item 6

Subject:	2015/16 Alternative Provision arrangements					
Corporate	Alison Michalska, Corpora	ate Director for Children	and Adults			
Director(s)/	Pat Fielding, Director of Schools					
Director(s):						
Portfolio Holder(s):			ools			
Report author and	Kathryn Stevenson, Finan					
contact details:	kathryn.stevenson@nottir					
Key Decision						
	liture 🗌 Income 🗌 Saving:		□ Revenue □ Capital			
	of the overall impact of the		Z Revende ☐ Capital			
Significant impact on	communities living or worki	ing in two or more	☐ Yes			
wards in the City						
Total value of the de	cision: £1,655,000					
Wards affected: All		Date of consultation Holder(s): 1 Decemb				
Relevant Council Pla	an Key Theme:					
Strategic Regeneration						
Schools	•					
Planning and Housing	<u></u>					
Community Services						
Energy, Sustainability	and Customer					
Jobs, Growth and Tra						
Adults, Health and Co	mmunity Sector					
Children, Early Interve	ention and Early Years					
Leisure and Culture						
Resources and Neigh	bourhood Regeneration					
Summary of issues	(including benefits to citize	zens/service users):	•			
Due to the increased	level of permanent exclusion	ons across all Key Stag	es (KS), revised			
arrangements have b	een required for alternative	provision for education	for those pupils. This			
report outlines the arr	angements that have been	been put into place du	ring 2015 for pupils that			
have been, or are at risk of being, permanently excluded and requests approval for the						
associated expenditure from the Statutory Schools Reserve (SSR).						
Exempt information:						
None						
Recommendation(s):						
1 To approve £1.655m spend associated with alternative provision from the Dedicated Schools						
Grant (DSG) rese	rve within the SSR.					
	ority to the Portfolio Holder f					
Children and Adults to approve additional spend over and above this amount from the SSR						

#### 1 REASONS FOR RECOMMENDATIONS

should this be required.

- 1.1 The local authority has a statutory obligation to provide education for pupils that have been permanently excluded.
- 1.2 Due to the increased level of permanent exclusions across all KS, revised arrangements have been required to respond to circumstances that were not envisaged at the time of setting the 2015/16 Schools Budget and further funding is required to cover the costs.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Immediate action was required in response to the number of exclusions throughout all KS in schools which were not originally envisaged during the 2015/16 budget setting process.
- 2.2 The impact of this has increased costs above those budgeted and this report sets out the reason for those increases and the recommendation for funding.
- 2.3 The issues for each KS are as follows:

#### (a) Glenbrook (KS1)

The Local Authority (LA) does not have a learning centre provision for KS1permanent exclusions. Historically KS1 permanent exclusion have been managed through alternative education providers or swift reintegration back into mainstream school.

This approach has been successful in the past due to very low numbers of permanent exclusions, however, during 2014/15 academic year there was an increase of pupils in KS1 at risk of permanent exclusion and 5 KS1 pupils were issued with permanent exclusions, compared to 1 in 2013/14.

Initially, the provision was provided by a specialist educational provider for one pupil, costing on average £15k per term until reintegrated. However, due to the further 4 permanent exclusions emergency temporary accommodation for provision was required. The temporary accommodation is based at Glenbrook Management Centre and is supported and staffed through the Behaviour Support Team (BST).

#### (b) Denewood Learning Centre (KS2/3)

Following concerns regarding the quality of education provided at Denewood, which was rated inadequate by Ofsted at its inspection in December 2014, the Education Department temporarily closed this resource.

To address the physical capacity issues immediately following the inspection the decision was taken to temporarily relocate KS2 pupils within the Westbury Woodlands Federation and KS3 pupils with Alternative Providers.

#### (c) Bulwell Hub Pilot (KS 3)

Bulwell Academy continues to pilot a new approach to planning provision for pupils who are permanently excluded/at risk of permanent exclusion.

Following significant consultation with Bulwell Academy leaders, a number of pupils currently on roll at Denewood were admitted to the Academy site, and the academy is providing these students with a range of pathways/options depending on individual need and circumstances. The pilot provision began 1 June 2015 and is funded for a minimum of 4 terms to August 2016. A clear monitoring and evaluation process has been put into place and the outcomes of this approach will be fully evaluated mid and end of year.

#### (d) Unity Learning Centre (KS4)

During the academic year 2014/15 this provision had 104 permanently excluded students.

There is a formal framework in place to access alternative provision offsite which incorporates 7 providers. Due to the increase in numbers Unity has had to also broker provision outside of the framework agreement.

Strategic plans are currently underway with regard to the commissioning of an updated framework agreement from 2016. It is planned that this framework agreement will not be specifically for the referral of Unity students but will seek to support wider groups of vulnerable students, both at KS3 and KS4.

- 2.4 In order to address the above issues, an Alternative Provision Focus Group was established consisting of Head Teachers/Vice Principals of primary, secondary, special schools (maintained and academies), LA officers and Nottingham City Secondary Education Partnership (NCSEP).
- 2.5 The Focus Group looked to develop a more effective and sustainable response to pupils presenting challenging behaviour in schools and academies across the city and commissioned reviews of:
  - existing systems and structures relating to alternative provision/Pupil Referral Unit's; the structure, range of services and systems operating in the provision of education for city pupils with Special Educational Needs, including special schools and focused provision;
  - the impact of services/agencies that work with our schools and academies KS1-KS4 to improve pupil behaviour/engagement and prevent placement breakdowns beginning with an inter-agency mapping exercise.
- 2.6 The reports from the commissioned reviews are currently being discussed with a broad range of stakeholders to assist in the development of new and preferred, systems, approaches and future arrangements/commissioning processes.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 No other options were considered as immediate action has been necessary in response to changing circumstances, but wide-ranging options are being considered for the longer-term.

### 4 <u>FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)</u>

4.1 The financial implications of this report are set out below and are forecast at between £1.198m to £1.655m over and above the original allocation in the 2015/16 Schools Budget.

	Additiona Requiren	_	
	Low High		
Glenbrook (KS1)	0.184	0.208	
Westbury/Woodlands (KS2)	0.000	0.065	
Denewood (KS2/3)	0.724	0.951	
Bulwell Hub (KS3)	0.152	0.152	
Unity (KS4)	0.138	0.279	
TOTAL	1.198	1.655	

4.2 It should be noted that there will be significant variability in the costs linked to pupil numbers and the high case estimate could be exceeded, for example, if the numbers of permanent exclusions are higher than the same period last year.

4.3 The final spend over and above the budgeted amount will be met from the SSR, which is following consultation with Schools Forum on 24 September 2015. £1.655m has been earmarked from the DSG balance for this purpose subject to approval by the Executive Board.

# 5 <u>LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)</u>

- 5.1 The budgetary framework for the financing of maintained schools is contained in Chapter IV of Part II of the School Standards and Framework Act 1998 ("SSFA"). This chapter of the SSFA includes sections 45A (determination of specified budgets of a local authority) and 47A (the duty on a LA to establish a schools forum for its area).
- 5.2 Section 45A(2) of the SSFA states that for the purposes of Part II of the SSFA, a local authority's "schools budget" for a funding period is the amount appropriated by the authority for meeting all education expenditure by the authority in that period of a class or description prescribed for the purposes of this subsection (which may include expenditure incurred otherwise than in respect of schools). Section 45A(2A) of the SSFA states the amount referred to in subsection (2) includes the amount of any grant which is appropriated, for meeting the expenditure mentioned in that subsection, in accordance with a condition which:
  - (a) is imposed under section 16 of the Education Act 2002 (terms on which assistance under section 14 of that Act is given) or any other enactment; and
  - (b) requires that the grant be applied as part of the authority's schools budget for the funding period.
- 5.3 This means that the DSG, which is paid to LAs under section 14 of the Education Act 2002 ("EA2002") essentially on condition imposed by the Secretary of State under section 16 of the EA2002 that it is applied as part of an authority's schools budget for the funding period, is part of the schools budget. Indeed, the DSG is the main source of income for the schools budget (Education Funding Agency ("EFA") guidance *Dedicated schools grant Conditions of grant 2015 to 2016* (December 2014), paragraph 2). Local authorities can add to the schools budget from local sources of income (*ibid*, paragraph 4).
- 5.4 The detail is prescribed by regulations. The current regulations are the School and Early Years Finance (England) Regulations 2014, SI 2014/3352 ("SEYFR").
- 5.5 Amongst other things, regulation 1 of SEYFR states the following:
  - (4) In these Regulations:

"1996 Act" means the Education Act 1996:

"2003 Act" means the Local Government Act 2003;

"2013 Regulations" means the School and Early Years Finance (England) Regulations 2013;

"capital expenditure" means expenditure of a local authority which falls to be capitalised in accordance with proper accounting practices, or expenditure treated as capital expenditure by virtue of any regulations or directions made under section 16 of the 2003 Act;

"CERA" means capital expenditure which a local authority expects to charge to a revenue account of the authority within the meaning of section 22 of the 2003 Act.

- 5.6 Regulation 6(1) of SEYFR states the following:
  - (1) The classes or descriptions of local authority expenditure specified in paragraph (2) and Schedule 2 are prescribed for the purposes of section 45A(2) of the [SSFA] and the determination of a local authority's schools budget, subject to the exceptions in regulation 7.
- 5.7 Amongst other things, regulation 6(2) of SEYFR states the following:
  - (2) The classes or descriptions of local authority expenditure are:
    - (a) expenditure on the provision and maintenance of maintained schools and on the education of pupils at maintained schools;
    - (b) expenditure on the education of children at independent schools, nonmaintained special schools, pupil referral units, at home or in hospital, and on any other arrangements for the provision of primary and secondary education for children otherwise than at schools maintained by a local authority;
    - (c) all other expenditure incurred in connection with the authority's functions in relation to the provision of primary and secondary education, in so far as that expenditure does not fall within sub-paragraphs (a) or (b);
- 5.8 Schedule 2 to SEYFR sets out the following expenditure relevant to this report:-
  - 3 CERA incurred for purposes not falling within any other paragraph of this Schedule or Schedule 1.
  - 5

Any deductions under any of paragraphs 1, 2, 3, 4(a), 4(b), 4(c), 4(d) and 4(e) must not exceed the amount deducted under each of the corresponding paragraphs of Part 1 of Schedule 2 to the 2013 Regulations for the previous funding period.

8

Expenditure due to a significant growth in pupil numbers as a result of the local authority's duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to meet the needs of the population of its area.

#### 21

Expenditure incurred in relation to education otherwise than at school under section 19 of the 1996 Act or in relation to a pupil referral unit, where the expenditure cannot be met from the sum referred to in regulation 14(3) [i.e. the prescribed sum per place the local authority must include in determining the budget shares for pupil referral units].

5.9 The exceptions set out in regulation 7 of SEYFR in essence concern capital expenditure (other than CERA or capital expenditure appropriated for the purpose of funding certain pay arrears), expenditure on capital financing (other than expenditure incurred on prudential borrowing or for the purpose of meeting the costs of financing the payment of certain pay arrears), and expenditure for patrolling school crossings – none of which are relevant here.

5.10 Therefore, the expenditure proposed here is potentially expenditure to be made from the schools budget for Nottingham City Council ("NCC") and NCC's DSG at that. Delegation of additional spend from NCC's schools budget over and above the £1.655m set out in this report to the Portfolio Holder for Schools and the Corporate Director for Children and Adults will be lawful provided this is in accordance with NCC's Constitution.

# 6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

6.1	l N	lot a	ppl	ical	ble

#### 7 SOCIAL VALUE CONSIDERATIONS

7.1 Not applicable

#### 8 REGARD TO THE NHS CONSTITUTION

8.1 Not applicable

### 9 EQUALITY IMPACT ASSESSMENT (EIA)

9	EQUALITY IMPACT ASSESSMENT (EIA)	
9.1	Has the equality impact of the proposals in this repor	t been assessed?
	No	
	Yes Attached as Appendix 1, and due regard will be given identified in it.	⊠ n to any implications
10	LIST OF BACKGROUND PAPERS RELIED UPON	IN WRITING THIS REPORT

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

10.1 Not applicable

#### 11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Schools Forum Report 24 September 2015 – Update on 2015/16 Alternative Provision arrangements

#### 12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 12.1 Michael Wilsher, Inclusion Officer
- 12.2 Alison Weaver, Service Manager Inclusive Education Service
- 12.3 Jon Ludford-Thomas, Senior Solicitor Housing/Employment/Education Team

### **Equality Impact Assessment Form (Page 1 of 2)**

Title of EIA/ DDM: 2015/16 Alternative Provision Arrangements

Department: Children and Adults Service Area: Inclusive Learning

Author (assigned to Covalent): Kathryn Stevenson

Name of Author: Kathryn Stevenson

**Director: Patrick Fielding** 

Strategic Budget EIA Y/N (please underline)

#### Brief description of proposal / policy / service being assessed:

Revised arrangements have been put in place for pupils permanently excluded or at risk of exclusion during the 2015/16 financial year in order to meet the statutory requirement to provide education for those pupils. Immediate action has been required in response to unforeseen circumstances. Longer term arrangements for pupils presenting challenging behaviour in the City are currently under review.

#### Information used to analyse the effects on equality:

January 2015 School Census data has been used to compare the characteristics of the permanently excluded pupils on roll at Denewood and Unity Learning Centres with the overall profile of City pupils.

P မ မ မ People from different ethnic	Could particularly benefit X	May adversely impact X
People from different ethnic groups.		
Men		
Women		
Trans		
Disabled people or carers.		
Pregnancy/ Maternity		
People of different faiths/ beliefs and those with none.		
Lesbian, gay or bisexual people.		
Older		
Younger	X	
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).		

How different groups could be affected (Summary of impacts)	Details of actions to reduce negative or increase positive impact (or why action isn't possible)
Analysis of the January 2015 Census data showed that a snapshot of the profile of the young people affected was:  • 72% White British compared to 50% for all City pupils  • Near 100% with English or believed English as their first language compared to 71% for all City pupils  • 74% boys  • 57% eligible for free school meals compared to 28% for all City pupils  • 88% of pupils are recorded as having a Special Educational Need  This proposal is to support additional costs of education provision for permanently excluded pupils. No	The profile of young people affected will be considered as part of the development of future systems, approaches and arrangements which are currently under review.  Proposals for the revised long term arrangements will be assessed for equality impacts.

	m this proposal.
Outcome(s) of equality impact assessment:  •No major change needed X •Adjust the policy/proposal  •Stop and remove the policy/proposal   Arrangements for future monitoring of equality  Proposals for the revised long term arrangements will be assess	
Approved by (manager signature): Patrick Fielding, Director of Education <a href="mailto:patrick.fielding@nottinghamcity.gov.uk">patrick.fielding@nottinghamcity.gov.uk</a> 0115 8764333	Date sent to equality team for publishing: 10/12/2015

### Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

Read the guidance and good practice EIA's
 <a href="http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment">http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment</a>

- 2. Clearly summarised your proposal/ policy/ service to be assessed.
- 3. Hyperlinked to the appropriate documents.
- 4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
- 5. Included appropriate data.
- 6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
- 7. Clearly cross referenced your impacts with SMART actions.

## EXECUTIVE BOARD - 19 JANUARY 2098 nda Item 7

Subject:	Sale of the Former Padstow School field, Ridgeway, Top Valley,				
Corporato	Nottingham  David Richan Danuty Chi	of Evenutive/Corporate	Director for Dave	lanmant	
Corporate	David Bishop, Deputy Chief Executive/Corporate Director for Development				
Director(s)/	and Growth Kevin Shutter, Director of Strategic Asset and Property Management				
Director(s):					
Portfolio Holder(s):	Councillor Jon Collins, Leader/Portfolio Holder for Strategic Regeneration				
Donort outhor and	and Development Emma Wilcock, Senior Es	states Surveyor Braner	ty Carviago Dian	ocolo	
Report author and contact details:	and Development	siales Surveyor, Proper	ty Services, Dispi	JSais	
contact details.	Emma.Wilcock@nottingha	amoity govuk 0115	876 3077		
Koy Docision	Yes No	, , , ,	X Yes N	0	
Key Decision			IESIN	0	
	iture  Income  Savings		Revenue 🖂	Capital	
<u> </u>	of the overall impact of the			-	
•	communities living or worki	ing in two or more	☐ Yes 🖂	No	
wards in the City	eieiem. Datailad in the ave	mant ann an div			
Wards affected: Besi	cision: Detailed in the exe		with Portfolio		
waius allecteu. Des	lwood		Date of consultation with Portfolio Holder(s): 7 December 2015		
Relevant Council Pla	an Key Theme:				
Strategic Regeneratio				$\square$	
Schools	•			Ħ	
Planning and Housing	1				
Community Services	,				
Energy, Sustainability	and Customer			一一	
Jobs, Growth and Tra				一一	
Adults, Health and Co	•				
	ention and Early Years				
Leisure and Culture	•				
Resources and Neigh	bourhood Regeneration			$\square$	
	(including benefits to citiz	zens/service users):	•	<del></del>	
	cutive Board approved the a		Pitch Strategy (PF	PS). The	
development of the Pl	PS saw Nottingham City Co	ouncil working with othe	er key partners, in	cluding	
Sport England (SE), in assessing the City's need for outdoor sport and recreation facilities. The					
PPS has provided a strategic framework which informs on land use decisions for existing outdoor					
sports areas and playing fields.					
The PPS releases the subject site for alternative use. The site is included in the emerging Local					
Plan Part 2: Land and Planning Policies document and Property Services are in a position to take					
the site forward for sale; enabling development that will contribute towards the City's housing					
requirements. As set out in the Nottingham City Aligned Core Strategy (adopted 2014), a total of					
17,150 dwellings are required over a 15 year plan period between 2011 and 2028.					
Exempt information:		<u> </u>	and 2020.		
An appendix to the report is exempt from publication under paragraph 3 of Schedule 12A to the					
Local Government Act 1972 because it contains information relating to the financial or business					
affairs of and particular person (including the authority holding that information) and, having					
regard to all the circumstances, the public interest in maintaining the exemption outweighs the					
•	osing the information. It is r	•		<b>.</b>	

Recommendation(s):

of this site.

1 To agree the principle of selling Nottingham City Council's freehold or long leasehold interest in this site, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic

information because it could prejudice the Council's position in maximising the return on the sale

- Regeneration and Development, to agree the method of sale and approve the sale terms for the site, including price.
- 2 To delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve any instructions and associated expenditure required prior to sale. Such expenditure may include, but is not limited to, the sourcing of site and ground investigations, appointment of experts or specialists in development and planning matters to obtain a planning consent prior to sale.

#### 1 REASONS FOR RECOMMENDATIONS

- 1.1 Nottingham's PPS recognises this site as surplus to the sports and recreational needs of the city. Due to the nature of the site it provides potential as a development opportunity to contribute to the city's housing need whilst also enabling the Council to achieve a capital receipt.
- 1.2 The site has been identified by Property as suitable for residential development and is a proposed residential allocation with in the emerging Local Plan Part 2: Land and Planning Policies document.
- 1.3 Property will explore all possible sale opportunities for the site before a decision is taken on a final method of sale.
- 1.4 One option would be for Property to market the site with outline planning permission in place and with relevant land surveys, assessments and reports having been undertaken and made available to prospective purchasers. Providing this level of detail will go towards ensuring that offers received are as informed as possible, minimising negotiations following the acceptance of an offer.

#### 2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The subject site, identified on the attached plan, has an area of 2.59 hectares (6.40acres) or thereabouts and comprises a relatively flat site that has not previously been developed.
- 2.2 The decision of Executive Board taken in May 2015 to adopt the PPS agreed by Nottingham City Council and all relevant partners confirms that the site is surplus to the sports and recreations needs of the city.
- 2.3 Various other approvals may be required prior to marketing this site. Such approvals may include obtaining Secretary of State consent for sale of school playing fields in accordance with Section 77 of the Schools Standards and Frameworks Act 1998, or sale of land which has been used as a school (in the last 8 years) in accordance with Schedule 1 to the Academies Act 2010. Property will obtain all statutory consents prior to marketing the site.
- 2.4 Ward Councillors have been invited to consultation sessions with Property, Regeneration and Planning Officers and are generally supportive of the recommendations of this report. Preferences and suggestions voiced regarding nature of development and density will be given full consideration by Planning Officers both at the stage Property are considering offers received and on receipt of Planning Applications.
- 2.5 Property will work to bring this site forward for sale and development as early as possible.

- 2.9 This report seeks the approval of the Executive Board to the 'in principle' decision to dispose of the City Council's ownership in the subject site.
- 2.10 By delegating authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve the finer detail of agreements, processes and terms in respect of the sale, the Executive Board will allow the degree of flexibility required to facilitate the timely completion of the sale.
- 2.11 To satisfy current Council policy, the Leader will approve any appointments of Planning Consultants, and a separate decision will be presented to the Leader in this regard.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Not selling the site was rejected as it would be a missed opportunity for the City Council to contribute towards tackling the City's housing need by enabling development, and would mean foregoing the capital receipt to be achieved on sale.

### 4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The sale of this site by the Council will save amounts currently expended on mowing, maintenance and security costs.
- 4.2 The exempt appendix (Appendix 2) contains further financial implications.

# 5 LEGAL AND PROCUREMENT COMMENTS (INLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 It is not considered that any risk assessments are required as this decision does not relate to changes in Policy Framework items or project initiations.
- 5.2 It is not considered that this decision introduces any specific Crime and Disorder implications. It may be that there occurs occasional acts of vandalism, or antisocial behaviour at the site; on sale of the site, the developer will be responsible for site security and on completion of the development individual occupiers will be responsible for the security in the vicinity of their own property.
- 5.3 The sale of the site will provide an increased housing supply in Nottingham. In addition, the requirement for the site to be developed out will provide employment for a variety of construction and property skilled, technical and professional persons.
- 5.4 The proposals set out in the report raise no significant legal issues although, as already indicated, various other legislative approvals may be required before disposal can take place. As and when any disposal is agreed the associated legal work will be undertaken by the in-house legal team who will seek to ensure that the Council's on-going interests, if any, are appropriately protected.

# 6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

6.1 This is a report of Strategic Assets and Property, comments are therefore detailed throughout.

#### 7 SOCIAL VALUE CONSIDERATIONS

7.1 Social Value considerations will be included in subsequent decisions of the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, as required.

#### 8 REGARD TO THE NHS CONSTITUTION

8.1 Not applicable

#### 9 **EQUALITY IMPACT ASSESSMENT (EIA)**

10	LIST OF BACKGROUND BARERS BELIED LIBONIA	N WRITING THIS DEDORT
	Yes	
	No An EIA is not required because the report does not contain proposals for new or changing policies, services or functions, or decisions about the implementation of policy development outside the Council.	
9.1	Has the equality impact of the proposals in this report	been assessed?

# 10 <u>LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT</u> (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

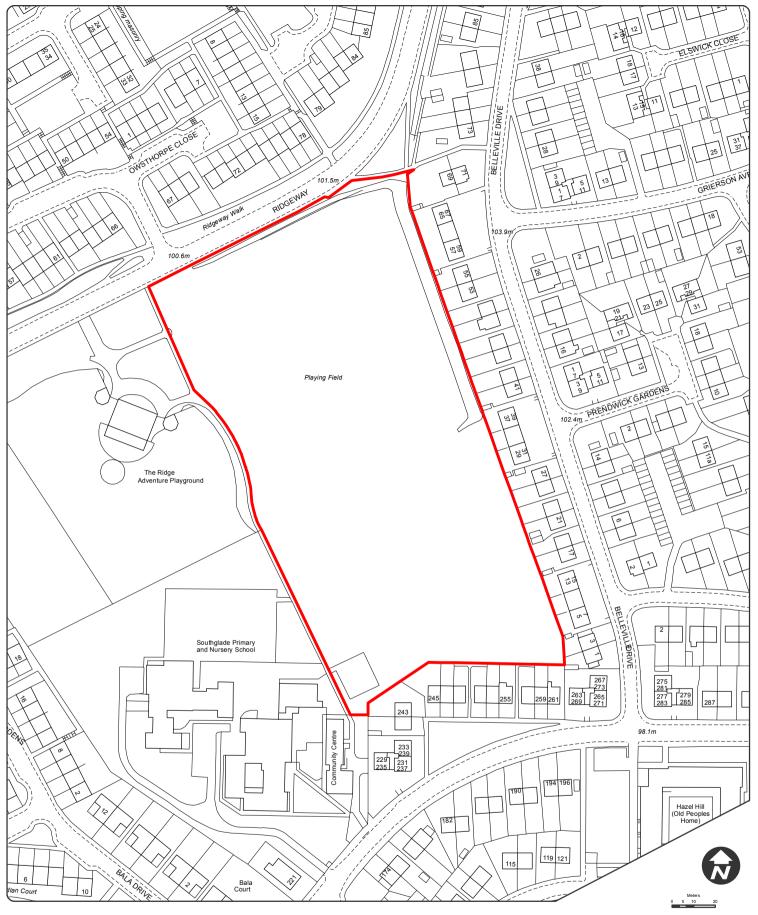
10.1 None

#### 11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Adoption of the Playing Pitch Strategy and Sport & Physical Activity Strategy for the City, Executive Board 16 June 2015

#### 12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 12.1 Dawn Alvey, Local Development Framework Manager Email: Dawn.Alvey@nottinghamcity.gov.uk Telephone 0115 876 3982
- 12.2 Malcolm Townroe, Solicitor, Head of Legal Services
  Email: Malcolm.Townroe@nottinghamcity.gov.uk Telephone 0115 876 4332
- 12.3 Georgina Lewis, Development Growth Departmental Finance Support Email: Georgina.Lewis@nottinghamcity.gov.uk Telephone: 0115 876 4227
- 12.4 Tina Adams, Finance Planning and Forecasting Email: Tina.Adams@nottinghamcity.gov.uk Telephone: 0115 876 3658



Former Padstow School Detached Playing Field (Ridgeway)

Scale @ A4 = 1:1,750

The area edged Red = 6.4 Acres 2.59 Hectares





Document is Restricted

