



NOTTINGHAM CITY COUNCIL
EXECUTIVE BOARD

Date: Tuesday, 17 January 2017

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 Strategy and Resources

Governance Officer: James Welbourn, Constitutional Services
Direct Dial: 0115 8763288

AGENDA

Pages

1	APOLOGIES FOR ABSENCE	
2	DECLARATIONS OF INTERESTS	
3	MINUTES Last meeting held on 20 December 2016 (for confirmation).	3 - 8
4	DIGITAL MEDIA STRATEGY Report of Portfolio Holder for Planning and Housing	9 - 28
5	COUNCIL TAX - DETERMINATION OF THE 2017/18 TAX BASE Report of Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration	29 - 36
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ALL ITEMS LISTED 'UNDER EXCLUSION OF THE PUBLIC' WILL BE HEARD IN PRIVATE FOR THE REASONS LISTED IN THE AGENDA PAPERS. THEY HAVE BEEN

INCLUDED ON THE AGENDA AS NO REPRESENTATIONS AGAINST HEARING THE ITEMS IN PRIVATE WERE RECEIVED

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

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 20 December 2016 from 14.03 - 14.29

Membership

Present

Councillor Jon Collins (Chair)
Councillor Graham Chapman (Vice Chair)
Councillor Alan Clark
Councillor Nicola Heaton
Councillor David Mellen
Councillor Alex Norris
Councillor Dave Trimble
Councillor Jane Urquhart
Councillor Sam Webster

Absent

Councillor Nick McDonald

Colleagues, partners and others in attendance:

Councillor Jim Armstrong	- Conservative Councillor
David Bishop	- Deputy Chief Executive/Corporate Director for Development and Growth
Callum Bruce	- Conservative Assistant
Councillor Georgina Culley	- Conservative Councillor
Colin Monckton	- Director of Commissioning and Policy Insight
Glen O'Connell	- Corporate Director for Resilience
Keri Usherwood	- Marketing and Communications Manager
Andy Vaughan	- Corporate Director for Commercial and Operations
Adam Volz	- Labour Group Assistant
Geoff Walker	- Director of Strategic Finance
James Welbourn	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until **4 January 2017**.

55 APOLOGIES FOR ABSENCE

Councillor Nick McDonald - work commitments

56 DECLARATIONS OF INTERESTS

Councillor Sam Webster declared an interest in item 4 – facilitation of loans to Nottingham City Homes as he is a Director of Nottingham City Homes Ltd.

57 MINUTES

The minutes of the meeting held on 22 November 2016 were agreed as a true record and signed by the Chair.

58 FACILITATION OF LOANS TO NOTTINGHAM CITY HOMES

The Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration introduced the report on the facilitation of loans to Nottingham City Homes.

The loans are for the purchase and development of rented housing over the next three years subject to the Chief Finance Officer approving each business case and loan security.

RESOLVED to:

- (1) approve a loan facility to Nottingham City Homes, noting that each individual loan will require a decision by the Leader, Executive Board, or the Portfolio Holder for Planning and Housing (dependant on the value) with an accompanying business case;**
- (2) approve the £0.500m charge to Nottingham City Homes for a one-off arrangement fee for the loan facility.**

Reasons for Decisions

The loans are to support Nottingham City Homes (NCH) in purchasing and developing rented housing over the next 3 years, and each business case will need to come via the appropriate decision making route (dependant on value).

Loan proposals to NCH will be on market terms in compliance with State Aid regulations which includes the charging of an arrangement fee for such a facility.

Other options considered

The Council could develop and purchase rented housing – the Council already has a programme of delivering around 300 new build properties with further schemes being explored. If the financing had not been granted to NCH then the corporate plan for creating new homes for the citizens of Nottingham would be more challenging to deliver.

59 REVIEW OF 2016/17 REVENUE AND CAPITAL BUDGETS AT 30 SEPTEMBER 2016 (QUARTER 2)

The Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration introduced the Review of 2016/17 Revenue and Capital Budgets for Quarter 2.

The report provides 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 the Housing Revenue Account (HRA) based on activity to the end of September 2016.

Council Tax and Business Rate collection is slightly ahead of target, as is the Adult Services debt.

RESOLVED to:

(1) note:

- a) the overall current (medium case) forecast net overspend of £2.014m before retention of traded surplus, 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 in 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 £4.025m 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 refreshed Capital Programme, including schemes in development, as set out in paragraph 2.9 (tables 7, 8 and 9) of the report.**

(2) approve the movements of resources set out in paragraph 2.6 and Appendix D of the report;

(3) note and endorse the allocations from the corporate contingency as set out in paragraph 2.4 of the report.

Reasons for decisions

The report enables formal monitoring of progress against the 2016/17 budget alongside the impact of actual and planned management action. The approval for 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, at a corporate level, expenditure and income are kept within approved budget levels and this report sets out how this is being managed.

60 NOTTINGHAM PLAN ANNUAL REPORT YEAR 6 (15/16)

The Portfolio Holder for Early Intervention and Early Years introduced the Nottingham Plan 15/16 Annual Report. The Nottingham Plan to 2020 helps the City Council and partners set out a vision of what Nottingham should look like by 2030 – this update shows the progress in achieving these ambitions.

The update contains information on:

- Helping people into work;
- The completion of the tram network;
- Events that have taken place in Nottingham, such as the AEGON Nottingham Open, Nottingham Oktoberfest, and Nottingham City of Football;

Board members also added that there had been a fall in unemployment, as well as a fall in the number of young people involved in crime. Teenage pregnancy continues to fall, and the carbon emissions target has been reached. However, there is still plenty to work at, including the overall level of deprivation in Nottingham.

RESOLVED to approve the Nottingham Plan Annual Report Year 6 and note the progress against Nottingham Plan targets for 15/16 (Year 6), as set out in the report.

Reason for decision

The performance of the Nottingham Plan to 2020 is publicly reported 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.

61 BUDGET CONSULTATION 2017/18

The Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration introduced the Budget Consultation 2017/18 – the report contains draft proposals for the revenue element of the Council's draft Medium Term Financial Plan (MTFP) for 2017/18 to 2019/20.

The final overall proposals for the MTFP, including any changes arising from consultation will be considered by Executive Board in February 2017 for recommendation to Full Council in March 2017.

RESOLVED to note, and endorse and release the MTFP proposals as set out in paragraph 2.5 and Table 4 of the report for formal public consultation, noting that further details relating to individual consultation proposals are contained in Appendix 1a-j of the report.

Reasons for decision

To enable the release of details for public consultation.

The details of proposals may change during the consultation period and this may impact on the way in which identified savings will be delivered.

Other options considered

Throughout the budget process a range of different options are considered including various levels of Council Tax, as well as investment and cost reductions. The report presented the overall set of current draft proposals which together sought to balance levels of investment, income, cost reductions and an appropriate level of council tax.

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Subject:	City Centre Digital Media Planning Statement
Corporate Director(s)/Director(s):	David Bishop, Deputy Chief Executive/Corporate Director for Development
Portfolio Holder(s):	Councillor Jane Urquhart, Portfolio Holder for Planning and Housing
Report author and contact details:	Phil Shaw, Principal Planning Officer, 0115 8764076 philip.shaw@nottinghamcity.gov.uk Paul Seddon, Chief Planner paul.seddon@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criteria for Key Decision:	
(a)	<input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Total value of the decision:	Nil
Wards affected:	Arboretum, Bridge, Dales, Radford and Park, St Anns
Date of consultation with Portfolio Holder(s):	07 September 2016
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	<input checked="" type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>The City Centre Digital Media Planning Statement (“the Planning Statement”) sets out the matters to be considered when siting large digital screens within the City Centre (the area of which is as defined in the Land and Planning Policies Document (Local Plan Part 2), Publication Version, January 2016). The matters to be considered vary for screens aimed at advertising to passers-by, and those aimed at also showing content to congregations of people, where additional matters will be relevant. It also identifies possible first phase locations for digital screens in the city centre.</p>	
Exempt information: State ‘None’ or complete the following	None.
Recommendation(s):	
1 To adopt the City Centre Digital Media Planning Statement as appended to this report	

- 2 Support in principle the first phase locations for digital screens
- 3 Establish a Nottingham Digital Advertising Forum

1 **REASONS FOR RECOMMENDATIONS**

- 1.1 Once adopted, the Planning Statement will provide guidance to ensure that planning decisions on large digital screens can be made in a consistent and informed manner.

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

- 2.1 The Planning Statement will be used to provide further guidance (in addition to the saved Local Plan policies, policies in the adopted Core Strategy, and policies in the emerging Local Plan Part 2, for development of large digital screens in the City Centre. Following a six week consultation period and formal adoption, the Planning Statement is capable of being a material consideration in planning decisions.
- 2.2 The Planning Statement sets out the matters to be considered when siting large digital screens aimed at providing advertising, publicising events, providing public information or showing commercial television coverage within the City Centre. A two-stage approach to digital media is proposed, with this statement covering the City Centre, and a further statement to cover the whole of the City to be prepared in due course. In the meantime, proposals for digital media outside of the City Centre will be determined in the light of existing policies.
- 2.3 In summary, digital screens should:
 - Be visible to the target audience
 - Contribute to positive place-making
 - Be well designed in their own right
 - Have an acceptable impact on public amenity, including in visual terms and also in terms of any sound
 - Not impact on public safety (including highway safety)
 - For digital screens aimed at showing public events, allow for safe congregation of people.
- 2.4 The Planning Statement seeks a comprehensive assessment of these matters to inform the decision making process.
- 2.5 The Planning Statement also sets out possible first phase locations for digital screens within the City Centre:-
 - **Victoria Centre** – Mounted on the new facade of the intu Victoria Centre, promoted by intu and was granted advertisement consent by Planning Committee in September 2016.
 - **Broadmarsh / Collin Street area** – the proposed pedestrian environment and public realm and redevelopment of Broadmarsh Multi-storey car park offer opportunities for a screen to be well integrated in this area, capitalising on this main pedestrian route into the City Centre from the south.
 - **Maid Marian Way Roundabout** – provides an opportunity to install a screen well related to major highway routes.

- In addition, there is an opportunity to replace and digitise the City Centre Wayfinder signs.

- 2.7 The Draft Planning Statement was authorised for consultation by the Portfolio Holder for Planning and Housing and reported to Planning Committee for comment/noting at its meeting on the 21 September 2016. The Committee welcomed the Statement and wider consultation took place with interested parties for a six week period which commenced on Friday 7 October 2016 and ended on Friday 18 November 2016. Comments were received from 5 other interested parties.
- 2.8 Nottingham City Council cannot require operators to display community content on screens through the planning process, but this is something that can be negotiated with operators when they put forward schemes. The Communications and Marketing team at Nottingham City Council will lead on programming any community content on screens, liaising with partners such as Notts Police on appropriate content for inclusion.
- 2.9 The Highway Authority has noted that screens on the highway will need a safety audit and requests this be adopted for any that can be viewed from the highway. This is agreed and has been added to paragraph 4.4, together with the criteria to be considered in a safety audit.
- 2.10 Highways England welcomes the principle that screens should not impact on public safety, including highway safety.
- 2.11 Historic England welcomes the clarity that the statement brings to planning decisions and particularly the elements relating to considerations regarding the historic environment.
- 2.12 Intu Broadmarsh request that the Lister Gate entrance to intu Broadmarsh be included as a first phase location. This site has been considered but thought unlikely to be suitable for first phase, large scale digital media. Any applications would be considered on their own merits. Intu also consider that clarification is required regarding the Planning Statement's status alongside Local Development Framework – this is clarified in para 2.14 below. Intu express concern over mention of 'curation' of content of screens. Reference to this should be removed as should the section on 'Managing Visual Content' as these matters are outside the scope of Planning Control. 'Curation' of content is managed by operators, accepted advertising standards and commercial interests and the Local Planning Authority where public and highway safety is concerned. It is considered that this is covered by para 5.6 below.
- 2.13 At the Planning Committee meeting of 21st September 2016 members of the Committee welcomed the Statement.
- 2.15 All comments have been considered and some minor changes to the Statement are proposed as noted, and the amended version is appended to this report. A Report of Consultation has been prepared, setting out the comments received and the City Council's response to them, and is also appended to this report.
- 2.16 Having undergone consultation, and having considered all the consultation responses, the City Centre Digital Media Planning Statement can now be adopted as planning guidance to ensure that planning decisions on large digital screens can be made in a consistent and informed manner.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not producing a Statement was rejected as digital media is increasingly being used for public advertising and communication, and guidance is required to allow applications for advertisement consent to be considered appropriately.

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

- 4.1 There are no direct financial implications arising from the adoption of the Digital Media Planning Statement. Costs associated with the preparation of the Statement have been met from within current budgeted resources. There may be revenue from digital media screens sited on land owned by the city council.

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

- 5.1 Planning statements are informal documents, not being part of the statutory process of local policy adoption under the Planning and Compulsory Purchase Act 2004. As indicated in the main body of the report the adoption of Planning Statement will add more detail and clarity to local plan policies and is capable of being a material consideration in planning decisions. Adoption of the Statement is within the Board's power following consideration of the consultation responses outlined in the report and appendices.
- 5.2 The siting of digital screens is governed by the advertisement consent process, which is a separate control regime within the planning system. Applications are made and determined under the Town and Country Planning (Control of Advertisements) England Regulations 2007, which provides less scope for control than for planning applications.
- 5.3 The display of advertisements can be controlled only in the interests of amenity and public safety (Regulation 3(1)). Although neither term is exhaustively defined in the legislation, amenity includes aural and visual amenity, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest (Regulation 3(2)(a)). Factors relevant to public safety include the safety of persons using any highway, railway or waterway, whether the display of the advertisement is likely to obscure or hinder the ready interpretation of any traffic sign or railway signal, and whether the display of the advertisement is likely to hinder the operation of any device used for security or surveillance or for measuring the speed of any vehicle (Regulation 3(2)).
- 5.3 The legislation also prohibits an express consent for the display of advertisements containing any limitation or restriction relating to the subject matter, content or design of what is to be displayed, unless it is required in the interests of amenity or public safety (Regulation 3(4)). The Council in its capacity as local planning authority may not, therefore, seek to control what is to be displayed (although the Council also has an advertising policy which can be applied where the Council is acting in another capacity, such as landowner.)
- 5.4 Similarly, the Council as local planning authority cannot require a commitment to "community advertising" through the Policy Statement. This may however be secured by way of a contract between the operator and the Council acting in

another capacity. In the absence of such a contractual relationship delivery of such advertising would be by way of a voluntary arrangement.

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

- 6.1 No negative Strategic Asset and Property implications anticipated relating to this report. However, Strategic Property will be further consulted on the second and further phases in terms of locations and any commercial opportunities.

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The opportunity exists to display community content on screens. This cannot be required through planning decisions but initial responses from media operators and experience from elsewhere are supportive of council and community content.

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

Yes

The Planning Statement does not introduce new policy and local plan policies have been subject to EIA.

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

- 10.1 Draft City Centre Digital Media Interim Planning Statement (revised)

- 10.2 List of consultees

- 10.3 Summary of consultation responses

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Not applicable.

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 12.1 Matt Gregory, Policy and Research Manager

- 12.2 Judith Irwin, Senior Solicitor

- 12.3 Ann Barrett, Team Leader Legal Services

- 12.4 Ruby Bhattal, Head of Communications and Marketing

- 12.5 Jen Lewis, Corporate Marketing Manager

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Organisation/Individuals	Email Id
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British Gas	Kim.queeney@britishgas.co.uk
BT Openreach	newsitesesc@openreach.co.uk
Canals and River Trust	helen.edwards@canalrivertrust.org.uk;
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Nottingham Civic Society	hilarysilvester2002@yahoo.co.uk;
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FHP	mail@fhp.co.uk;
Gedling Borough Council	planningpolicy@gedling.gov.uk;
Guide Dogs For The Blind	guidedogs@guidedogs.org.uk;
Highways England	usan.chambers@highwaysengland.co.uk;
Historic England	e-emids@historicengland.org.uk;
Homes and Communities Agency	mark.banister@hca.gsx.gov.uk;
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Nottingham Civic Society	hilarysilvester2002@yahoo.co.uk;
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Nottinghamshire Coalition of Disabled People	info@ncdp.org.uk;
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Nottingham Deaf Society	nds@nottsdeaf.org.uk;
Nottinghamshire Disabled People's Movement	info@ndpm.org.uk;
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Nottinghamshire Police	heidi.duffy@nottinghamshire.pnn.police.uk;
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Ramblers' Association	ramblers@ramblers.org.uk;
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RNIB (Action for Blind People)	helpline@rnib.org.uk;
Rushcliffe Borough Council	localdevelopment@rushcliffe.gov.uk;
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Western Power	akurcewicz@westernpower.co.uk;
Western Power	wpdpsdmidlands@westernpower.co.uk;
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D2N2 Local Enterprise Partnership (LEP)	rosy.carter@d2n2lep.org;
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East Midlands Chamber of Commerce	scott.Knowles@dnlcc.co.uk;
Nottingham Means Business	Simon.gray@pembidgegray.co.uk;
Sneinton Neighbourhood Forum	sneintonneighbourhoodforum@gmail.com;
Ashfield District Council	localplan@ashfield-dc.gov.uk;
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The University of Nottingham	Chris.Jagger@nottingham.ac.uk;
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CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT

Summary of consultation responses and City Council response

Consultee	Rep No.	Summary	Response	Proposed Changes
Natural England	1	No Comment	N/A	N/A
City Centre and Community Protection Policing	2	The police would like to have the opportunity to populate screens with appropriate messages at the appropriate time on both large scale and smaller digital screens if these are available.	The City Council cannot require operators to allow community content on screens through planning, but it is something that can be negotiated with operators when they put forward schemes. In principle, there is no reason prevent part of this community content originating from the police. The communications team have followed up this request.	N/A
NCC Traffic and Road Safety	3	Any on the highway will need a safety audit, could this be adopted for any that can be viewed from the highway.	Agreed.	Safety audit criteria added to paragraph 4.4
NCC Traffic and Road Safety	4	Our current recommendations are that all proposed sites should be assessed for safety and based on 1) Moving images, defined as something that changes more frequently than 5 seconds, should not be used. 2) The display should not be positioned a) near to the view of anything drivers need to pay attention to e.g. traffic signals. b) to be visible from a point where drivers are expected to be making a manoeuvre e.g. lane changing or where there is poor inter-visibility to other road users.	Agreed.	Safety audit criteria added to paragraph 4.4
Highways England	5	Notes that as the Statement covers the City Centre, it will not impact on the strategic Road	Noted.	N/A

		Network.		
Highways England	6	Notes that one of the principles is screens should not impact on public safety, including highway safety, and this is welcomed.	Noted.	N/A
Historic England	7	Welcome the clarity that the statement brings to planning decisions and particularly the elements relating to considerations regarding the historic environment.	Noted.	N/A
Historic England	8	The proposed locations, while not of particular sensitivity in terms of the historic environment, are nevertheless gateway locations to the city centre and therefore careful consideration will be required of the size and precise location of equipment.	Noted.	N/A
intu Page 18	9	1) Request that Lister Gate entrance to intu Broadmarsh be included as a first phase location 2) clarification is required regarding the Planning Statement's status alongside Local Development Framework 3) express concern over mention of 'curation' of content of screens. Reference to this should be removed as should the section on 'Managing Visual Content' as these matters are outside the scope of Planning Control.	1) This site has been considered but thought unlikely to be suitable for first phase, large scale digital media. Any applications would be considered on their own merits. 2) This is clarified in the report to Executive Board in that the Planning Statement will provide planning guidance to ensure that decisions are made in a consistent and informed manner. 3) 'Curation' of content is managed by operators, accepted advertising standards and commercial interests and the Local Planning Authority where public and highway safety is concerned. It is considered that this is covered by para 5.6 of the Statement.	N/A
Planning Committee	10	Members welcomed the Statement.	Noted.	N/A

CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT

January 2017

www.nottinghamcity.gov.uk



CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT

Quick guide to the City Centre Digital Media Interim Planning Statement

This document provides guidance to inform development proposals for the siting of large digital screens aimed at providing public information, advertising or showing commercial television coverage within the City Centre. In particular it focuses on how such screens can address amenity and public safety issues.

The document supports and is in alignment with Policy BE19 of the Saved Nottingham Local Plan 2005, and with draft Policy DE3 of the emerging Part 2 Local Plan (Publication 2016), the Land and Planning Policies Document.

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1 INTRODUCTION

- 1.1 Digital Media is a relatively new medium for advertising and communication using public digital screens. It usually takes the form of large scale TV style images, which can be either moving or static. They are already found in many shopping centres and are also increasingly being developed for outdoor use. In some cases the screen can be similar to a TV screen carrying many and varied messages, or to show major events. These differ from static screens or other advertisements in that their content is made up of moving images (and sometimes sound), which can draw the eye in the same way as a television in an indoor space. As such they can have a disproportionate impact on public spaces.
- 1.2 Where large digital screens are sited appropriately, and their content appropriately curated and managed, they have the potential to contribute positively to town and city centre spaces and support local policy objectives such as regeneration, economic development, and community engagement and development.
- 1.3 In other cases the digital screen is simply a digital 6 sheet advertising panel without moving images. This type of screen can also carry emergency messages where required and provides a more flexible medium for carrying advertising. For these types of screens, considerations are similar to those for non- digital advertising. However, as they display lit digital images which will change at regular intervals, they too can have a greater impact on the public realm and on highway safety.
- 1.4 The regime for advertisement consent is a separate control process within the planning system and is less restrictive than for planning applications. The relevant legislation, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 pre-dates the availability of digital screens, and allows local planning authorities to control the display of advertisements only in the interests of amenity and public safety. Digital screens being a new concept, little specific existing guidance or policy is available at a national or local level. However, this statement draws heavily on joint guidance prepared by English Heritage (now Historic England) and CABE (now part of the Design Council), "Large Digital Screens in Public Places" 2009 which has now been archived.

2 PURPOSE OF STATEMENT

- 2.1 The purpose of this document is to set out the matters to be considered when siting large digital screens aimed at providing advertising, publicising events, providing public information or showing commercial television coverage within

the City Centre. A two-stage approach to digital media is proposed, with this interim statement covering the City Centre, and a further statement or policy to cover the whole of the City to be prepared in due course. In the meantime, proposals for digital media outside of the City Centre will be determined in the light of existing policies.

- 2.2 The matters to be considered vary for screens aimed at advertising to passers-by, and those aimed at also showing content to congregations of people, where additional matters will be relevant.
- 2.3 This statement also sets out possible locations for digital screens within the City Centre¹.

2.4 Key Principles

In summary, digital screens should:

- Be visible to the target audience
- Contribute to positive place-making
- Be well designed in their own right
- Have an acceptable impact on Heritage Assets or their setting
- Have an acceptable impact on public amenity, including in visual terms and also in terms of any sound
- Not impact on public safety (including highway safety)
- For digital screens aimed at showing public events, allow for safe congregation of people.

3 POLICY BACKGROUND

National Planning Policy Framework (NPPF)

- 3.1 The NPPF makes no specific mention of digital media. However, paragraph 67 of the NPPF concerns adverts, and states “Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”
- 3.2 Due to the lighting, moving images and possibly sound associated with digital media, and the presence of Conservation Areas and heritage assets in the

¹ The area of the City Centre is as defined in the Land and Planning Policies Document (Local Plan Part 2), Publication Version, January 2016

City Centre, particular care will need to be taken with regard to any impact on heritage assets. Section 12 of the NPPF “Conserving and Enhancing the Historic Environment” will be relevant to many proposals.

3.3 Saved Policy of the Nottingham Local Plan 2005

Saved Policy BE19 states that:

“Advertisement consent will be granted where:

- a) The sign is not detrimental to the visual amenity of the building or area by reason of its scale, detail, character or design;
- b) Any illumination is not detrimental to the visual amenity of the area;
- c) The display of the sign would not result in clutter; and
- d) The display of the sign should not prejudice highway safety.”

3.4 Land and Planning Policies Document (Local Plan Part 2) 2016

The Land and Planning Policies Document is shortly to be submitted for Examination. Once adopted its Policies will supersede the saved policies of the 2005 Local Plan. Draft Policy DE6 states that:

1. Applications for advertisement consent will be considered with regard to their impact on visual amenity and public safety. In assessing these applications, the following considerations will be applied:
 - a) the impact upon the visual amenity of the building or area by reason of its scale, position, quality, character, illumination or design;
 - b) whether the advertisement would result in a wider environmental benefit, such as providing the screening of an unsightly site;
 - c) whether the sign would assist with the regeneration of a site or area;
 - d) the impact upon heritage assets;
 - e) the cumulative impact of the sign and any resulting clutter; and
 - f) the impact upon highway or pedestrian safety.
2. Action will be taken against unauthorised advertisements or advertisements with deemed consent to secure their removal where they are detrimental to the appearance of the buildings on which they are displayed, or to the amenity of the surrounding area, or prejudice public safety.

(NB minor changes to this Policy may be made prior to Submission).

4 CONSIDERATIONS IN DECISION MAKING

(i) Digital screens which carry information or adverts

- 4.1 This section considers digital screens with the main purpose of advertising or carrying information. In essence, the policy approach to these is similar to standard adverts, albeit they are illuminated and can carry moving images, and possibly incorporate sound.
- 4.2 These do not need space for people to congregate, but to be commercially viable will require prominent positions visible to large numbers of people. Accordingly, the main routes in the City Centre are likely to be the most attractive for operators.
- 4.3 As stated at paragraph 1.4, the only considerations will be the impact on amenity, especially where heritage assets are present, and impact on public safety.
- advertising screens are unlikely to be appropriate in conservation areas and predominantly residential areas unless they do not detract from visual and audio amenity of the building, of the character of the street, or the locality including in combination with existing or other proposed signage.
 - special care is essential to ensure that any advertising display does not lead to a reduction in road safety, especially in locations with a history of safety problems, and this is particularly the case where moving images are proposed.
 - special care is essential to ensure that any advertisement displayed on, or close to, a listed building, schedule monument or other heritage asset, does not detract from the integrity of the building's design, historic character or structure, and does not detract from or compromise its setting.
- 4.4 In identifying appropriate locations, a comprehensive assessment of the impact of the screen on the public realm, urban design and existing and future uses of the place will be required covering both visual, and if relevant, audio impacts.

This comprehensive assessment should include:

- Taking into account the historical context of the wider area, in particular buildings and areas of architectural and historic interest (listed buildings, conservation areas etc).
- Assessing the visual and audio impact on the amenity of nearby occupiers.
- Assessing the potential impact on local movement patterns.
- Undertaking a local character appraisal of the immediate context (including for instance local topography, urban grain, scale and height, streetscape,

heritage assets, landmark buildings/features, important views, planting/landscaping).

- Consideration of competing lighting, sound and physical activities, e.g. local traffic, water features, street lighting and nearby uses.
- Taking account of the proposed visual and audio content in terms of the likelihood of large gatherings of people.
- Taking the opportunity to remove competing/unnecessary visual clutter.
- Where visible from a public highway, a safety audit, taking into account the following:
 - Moving images, defined as something that changes more frequently than 5 seconds, should not be used.
 - The display should not be (a) positioned near to the view of anything drivers need to pay attention to e.g. traffic signals; or (b) positioned to be visible from a point where drivers are expected to be making a manoeuvre e.g. lane changing or where there is poor inter-visibility to other road users.

4.5 Temporary permissions will be considered where the ability to review the amenity or safety impact of a screen is in the public interest.

4.6 The Screen should:

- avoid having a blank rear by preferably being mounted on a building, noting that buildings which can be specifically designed or modified to accommodate the scheme will be preferred, where mounting on a building is not appropriate, consideration should be given to double sided screens.
- take advantage of opportunities to be incorporated within new public realm which is purpose designed to accommodate the screen and the activity it will generate.
- be well designed in its own right.
- contribute positively its surroundings.
- avoid overshadowing, consider noise and light pollution, consider the local microclimate.
- show content that is carefully curated, to ensure it is appropriate, with an understanding of its potential influence on audience size, movement, public access and safety.

(ii) Digital screens aimed at showing events

4.7 This section considers digital screens where the main purpose is to show public events or other content that is likely to lead to people congregating.

4.8 In addition to taking account of the above guidance, proposed locations for screens aimed at showing events, screenings etc should be places:

- with a high footfall and are or will be natural gathering points which allow for safe management of groups of people.
- that can accommodate the needs of disabled people.
- have appropriate management regimes to ensure litter, amenity and public safety issues can be addressed.
- that where possible, incorporate new public realm which is designed to accommodate the needs of digital screenings. Where this is not possible, ensure proposals exist to integrate the screen through the adaptation/redesign of the existing space.
- which avoid the potential to disturb residential or commercial occupiers.
- that have facilities nearby such as food and drink, toilets, seating, safe access etc.

5 MANAGING VISUAL CONTENT

- 5.1 The planning process is limited by the legislation in the extent of its control over the content of adverts. It can stipulate whether screens display static or moving images for safety reasons and consider the amenity impact of proposed screens; primarily these would be the visual and audio impacts.
- 5.2 Where the City Council is landlord then greater control can be exercised and screens can be required to comply with the Council's advertising policy and not show advertising for the following prohibited categories: tobacco, alcohol, pay day loans, gambling, and adult entertainment.
- 5.3 Discussions with media providers strongly indicate that their advertising content on these large digital screens will be in line with the Council's advertising policy.
- 5.4 A Digital Advertising Forum will be established, which will provide a mechanism to reinforce the Council's advertising policy.
- 5.5 The City Council will seek an agreed percentage of advertising space on screens for Council and community campaigns/events – a minimum of 10%. Market feedback has clearly indicated that no other Councils are close to using 10% of available time and media operators will welcome content.
- 5.6 Whilst the matters detailed at 5.2-5.5 above are desirable and to be encouraged they would however fall to the Council's Property and Communications and Marketing teams to monitor and control. As they do not directly relate to public safety or amenity issues these are not matters to which the planning authority can have regard in the proper determination of advertisement applications.

6 POSSIBLE LOCATIONS

6.1 This section proposes locations for digital screens in the City.

Victoria Centre – Mounted on the new facade of the intu Victoria Centre, promoted by intu and granted consent by Planning Committee in September.

Broadmarsh / Collin Street area – the proposed pedestrian environment and public realm and redevelopment of Broadmarsh Multi-storey Car Park offers opportunities for a screen to be well integrated in this area, capitalising on this main pedestrian route into the City Centre from the south.

Maid Marian Way Roundabout – provides an opportunity to install a screen well related to major highway routes.

6.2 In addition, there is an opportunity to replace and digitise the City Centre Wayfinder signs.

Agenda Item 5

EXECUTIVE BOARD – 17 JANUARY 2017

Subject:	Council Tax – Determination of the 2017/18 Tax Base
Corporate Director(s)/Director(s):	Geoff Walker, Strategic Director of Finance
Portfolio Holder(s):	Councillor Graham Chapman, Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration
Report author and contact details:	Antony Snape, Team Leader, Revenues and Benefits Business Support 0115 876 3890 antony.snape@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a) <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Type of expenditure:	<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Total value of the decision: Nil	
Wards affected: All	
Date of consultation with Portfolio Holder(s): Consultation throughout the process	
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	<input type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input type="checkbox"/>
Community Services	<input checked="" type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
This report sets out the process and calculations to determine the Council Tax base for 2017/18 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: State 'None' or complete the following	
None	
Recommendation(s):	
1 To approve a tax base of 63,368 for 2017/18	
2 To agree that a collection rate of 96.6% be used in the determination of the 2017/18 tax base	

1 REASONS FOR RECOMMENDATIONS

- 1.1 To enable the Council to estimate future changes to the current tax base during 2017/18 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 precepting authorities (i.e. Police and Fire Authorities) in their budget processes in February 2017 to determine the level of Council Tax for 2017/18.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Nottingham City Council is a “billing authority” for Council Tax purposes. The Local 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 3 October 2016 (*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 2016 showing the total number of band D equivalent properties subject to Council Tax at that time. At 3 October 2016 this was 82,500 (*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 2016/17 a collection rate of 96.4% was used. For 2017/18 this collection rate has been increased to reflect estimated collection levels associated with CTSS. This establishes the tax base at 63,368 (*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 63,368 is recommended, calculated as follows:

	Figure	2017/18	2016/17
Number of chargeable dwellings	1	82,500	81,856
Add adjustment to chargeable dwellings for discounts and exemptions	2	(759)	(845)
Less adjustments for Council Tax Support	3	(16,143)	(16,601)
Adjusted number of chargeable dwellings	4	65,598	64,410
Multiplied by collection rate (96.6% 2017/18; 96.4% 2016/17)	5	63,368	62,091
MoD Contributions	6	0	0
Council Tax Base	7	63,368	62,091

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

4.1 The tax base of 63,368 has increased in 2017/18 from 62,091 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 96.6% 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 (INCLUDING 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 potentially marginally reduce the following year's Council Tax level. The collection rate of 96.6% 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 2017 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 Ian Fair, Senior Accountant, Strategic Finance
(0115) 8763651
ian.fair@nottinghamcity.gov.uk

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)	121.3	47312.8	13402.1	11093.1	5468.0	2552.9	1355.6	1052.1	142.5	82500.4
ADJUSTMENTS										
New properties (note 1)		570	150	106	45	16	7	5	1	900
Deletions (note 2)		-160	-20	-10	-2	-2	-2	-2	-2	-200
Discounts (note 3)		-186	-34	-19	-7	-2	-1	-1	0	-250
Exemptions (note 4)		-594	-398	-281	-96	-21	-5	-3	-2	-1400
Appeals - reductions (note 5)			-23	-16	-7	-2	-1	-1	0	-50
Appeals - increases (note 6)		23	16	7	2	1	1	0		50
Knock On Effect - reductions (note 7)			-46	-32	-14	-5	-2	-1	0	-100
Knock On Effect - increases (note 8)		46	32	14	5	2	1	0		100
Council Tax Support (note 9)		-20363	-2246	-680	-168	-27	-7	-3	0	-23494
TOTAL ADJUSTMENTS		-20664	-2569	-911	-240	-40	-9	-6	-3	-24444
Ratio	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
BAND D EQUIV OF ADJUSTMENTS		-13776.0	-1998.1	-809.8	-240.0	-48.9	-13.0	-10.0	-6.0	-16901.8
TOTAL BAND D EQUIVALENT DWELLINGS	121.3	33536.8	11404.0	10283.3	5228.0	2504.0	1342.6	1042.1	136.5	65598.6

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COUNCIL TAX BASE ESTIMATE 2017/18: SUPPLEMENTARY NOTES

(1) New properties

There are a number of new property developments taking place across the City at the moment. Around 1400 domestic properties are either planned for future construction, are 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 2017/18 however, so an increase equivalent to 900 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. A proportion of these will also be exempt from Council Tax as purpose built student accommodation.

(2) Deletions

Deletions relate to demolitions and properties that either merge to become single assessments or change from domestic use. There is no major demolition work planned for 2017/18 so 200 properties are estimated to be removed from the tax base during the next financial year to reflect general activity in this area.

(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 net 1000 single person discounts will be awarded in 2017/18, which at 25% of the council tax charge equates to a reduction in the tax base of 250 full properties.

(4) Exemptions

Most exemptions are granted for properties occupied by students. At the time of the CTB1 Return in October 2016 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 1400 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 2017/18 is estimated to be a little lower than in 2016/17. Although the scheme will be unchanged, where 80% of the council tax bill is the maximum level of support available, the caseload is expected to fall slightly continuing the trend over the last year. It is estimated that the equivalent of 23,494 discounts for Council Tax Support will be granted in 2017/18 to reflect this situation.

Subject:	Renewing the Nottingham and Derby Highway Framework Contract
Corporate Director(s)/Director(s):	Andy Vaughan, Corporate Director of Commercial & Operations David Bishop, Corporate Director Development and Growth Gordon Thomson, Director of Energy, Waste & Highways Peter Price, Director of Traffic & Transport
Portfolio Holder(s):	Councillor McDonald, Portfolio Holder for Business, Growth and Transport
Report author and contact details:	Chris Keane, Head of Highway and Energy Infrastructure Tel: 0115 876 1363 Email: chris.keane@nottinghamcity.gov.uk Peter Wells, Infrastructure Asset Manager Tel: 0115 876 1351 Email: peter.wells@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a)	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital
Total value of the decision:	£125 million
Wards affected:	All wards
Date of consultation with Portfolio Holder(s):	20 th December 2016
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	<input type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input checked="" type="checkbox"/>
Jobs, Growth and Transport	<input checked="" type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>Highway and Energy Infrastructure serves Nottingham City Council as a core highway and mechanical and electrical contracting arm. At its heart is a clear insourcing model providing both commercial income and employment opportunity at a local level.</p> <p>To support the service it is essential to have access to further technical and specialist delivery services available to work at a local level. This supports the overall management of construction programmes through the utilisation of both internal and external resources as well as for specialist work activities for e.g. planned carriageway resurfacing.</p> <p>The most efficient and cost effective method of delivering the wide range of highway and mechanical and electrical projects in our annual work programme is to procure a multi supplier Highways Framework Agreement divided into specialist lots of which a proportion will be for the sole use of Nottingham City Council.</p> <p>The existing contract will expire in July 2017 and this paper outlines the recommended procurement strategy to deliver highway improvement schemes for a four-year period between 2017 and 2021.</p>	

Exempt information: State 'None' or complete the following

None

Recommendation(s):

1 To approve the procurement of a replacement Highways Framework Agreement in-line with Public Procurement Regulation 2015, in partnership with Derby City Council.

2 To delegate authority to both the Director of Energy, Waste & Highways and the Director of Traffic & Transport to call off contracts under the Highways Framework Agreement up to the value of £999,999.

1 REASONS FOR RECOMMENDATIONS

- 1.1 The Authority adopts a mixed approach to the delivery of highway work which utilises the Council's own skilled workforce and fully supports the City Council's ambitious commercialisation agenda.
- 1.2 Renewing the Highway Framework in partnership with Derby City Council will result in the following advantages;
- Economies of scale by producing the contract in partnership with Derby City Council.
 - A value-for-money delivery model with no fixed financial commitment to use the framework.
 - Opportunities for local Small to Medium Enterprise (SME) companies to tender for the work.
 - The potential for a local workforce either through direct employment or through regional SME sub-contractors.
- 1.3 The delivery model has number of additional benefits including;
- Strong links to our corporate value and objectives
 - A highly flexible and responsive structure to accommodate short term changes to design programmes.
 - Local knowledge available in the planning and assessment of proposed works

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 It is essential that the authority has a compliant procurement route for the delivery of our highway construction and maintenance activities.
- 2.2 The Employment and Skills Support Service is Nottingham City Council's local employment and training service and will help the Council to deliver opportunities for local people while providing a free recruitment and training service to meet the workforce needs of contractors.
- 2.3 It is anticipated that the contract model will satisfy the funding requirements for European Regional Development Fund (ERDF), the Department of Transport (DFT), and the Regional Local Enterprise Partnerships (LEP).

- 2.4 Nottingham City Council and Derby City Council Highway & Transportation teams worked closely together on the establishment of the current framework contract, contributing to its success, and continue to work in collaboration.
- 2.5 The Derby and Nottingham Metropolitan Strategy 2030 strengthens those existing partnership ties. The Strategy aims to establish the national presence and international reputation that will enable the Cities to take best advantage of opportunities (such as the Midlands Engine and foreign trade and investment) that will benefit the D2N2 area and boost the wider economy.
- 2.6 The original framework agreement was approved by Executive Board on 22 January 2013 as part of the Ring Road Major Improvement Scheme And Procurement decision.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not renewing the Nottingham and Derby Highway Framework Contract – no authorised procurement in place for the provision of services and as such would not be compliant with Nottingham City Council’s Financial Regulations and Public Procurement Regulation 2015.

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

- 4.1 The proposal seeks the continued use of the Nottingham and Derby Highways Framework Contract in order to commission Highways delivery in line with the City Council’s Financial Regulations and Contract Procedure Rules.
- 4.2 The framework does not guarantee any value to successful contractors therefore the Council is not committed to any expenditure; therefore approval to extend this framework agreement does not carry a contractual commitment to spend resources.
- 4.3 Value-for-money is expected through economies of scale, using a flexible and responsive local structure, and the sharing of local expertise. By using an efficient framework, this maximises the potential to achieve the City Council’s commercialisation agenda, whilst also supporting delivery of the Council Plan.
- 4.4 The framework satisfies funding requirements for a variety of bodies which will maximise external income to the City Council.

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

- 5.1 The proposals in this report provide for an effective procurement approach in the delivery of Highways Works. The strategy is in line with the City Council’s financial and procurement regulations and is considered appropriate and will provide good value for money.
- 5.2 This report does not raise any significant legal issues. The Legal Services team is working with the procurement and highways teams to develop the framework and call-off contracts and has discussed with the highways team the breakdown of the works into appropriate Lots.

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

6.1 N/A

7 SOCIAL VALUE CONSIDERATIONS

7.1 The overall procurement arrangements ensure delivery of specialist elements, flexibility in programming and resource targeting, and opportunities for local training and employment by requiring contractors to source staff through the Employment and Skills support service

7.2 The Employment and Skills Support Service has agreed training and jobs outcomes with Highways and Procurement as part of the Business Charter process. Going forward we believe this framework will offer a good opportunity to generate jobs for local people and these will be facilitated by a dedicated account manager in the Jobs Hub.

REGARD TO THE NHS CONSTITUTION

8.1 N/A

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:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix A, and due regard will be given to any implications identified in it.

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

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Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Renewal of the Nottingham and Derby Highway Framework Contract

Name of Author: Peter Wells, Infrastructure Asset Manager

Department: Energy Services

Director: Gordon Thomson, Director for Energy, Waste and Highways

Service Area: Highway & Energy Infrastructure

Strategic Budget EIA Y/N (please underline)

Author (assigned to Covalent): Peter Wells, Infrastructure Asset Manager

Brief description of proposal / policy / service being assessed:

Highway construction and maintenance work is either carried out using internal resources, or by the private sector contractors. The private sector contractors carry out work which exceeds the capacity of internal resources as well as specialist work activities for e.g. planned carriageway resurfacing.

The most efficient and cost effective method of delivering the wide range of highway projects in our annual work programme is to divide our work programmes into individual lots and invite contractors to competitively tender for the works.

The existing contract will expire in July 2017 the Executive Board report will outline the recommended procurement strategy to renew our existing arrangements in order to deliver highway improvement schemes for a four-year period between 2017 and 2021.

Information used to analyse the effects on equality:

Officers consulted include;

- Danny Goodwin, Community Employment & Skills Officer
- Stephen Marwood, Employer & Apprenticeship Officer
- Sue Oliver, Category Manager Procurement (Places)
- Johnathan Whitmarsh, Lead Procurement Officer

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	Could particularly benefit X	May adversely impact X	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)
People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is anticipated that by extending the Highway framework contract that there will be: <ul style="list-style-type: none"> • Opportunities for local Small to Medium Enterprise (SME) companies to tender for the work. 	The Nottingham and Derby Highway Framework Contract will be an open EU tender. The procurement exercise will include assessment criteria for local employment opportunities
Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Trans	<input type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers.	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>		

People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> The potential for local job opportunities either through direct employment or through regional SME sub-contractors. <p>The Employer Hub is Nottingham City Council's local employment and training service and will help the Council to deliver opportunities for local people while providing a free recruitment and training service to meet the workforce needs of contractors. This is a key Council action.</p>	<p>Sustainability and social value criteria have been included in the framework quality assessment.</p> <p>Contractors will be required to attend quarterly Performance Management meetings.</p> <p>Management Information will be collected and used to generate Key Performance Indicators (KPI's)</p> <p>Local employment and local spend have been included as KPIs and will be monitored on a monthly basis.</p>
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Outcome(s) of equality impact assessment:

No major change needed • Adjust the policy/proposal • Adverse impact but continue Please tick appropriate box
 Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

KPIs will be monitored on a monthly basis

Approved by (manager signature):

The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.



Chris Keane, Head of Highway and Energy Infrastructure
 Email: chris.keane@nottinghamcity.gov.uk
 Tel: 0115 87 61363

Date sent to equality team for publishing:

Send document or link to:
equalityanddiversityteam@nottinghamcity.gov.uk

19 December 2016

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

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



Nottingham
City Council

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