## **Public Document Pack**



## NOTTINGHAM CITY COUNCIL EXECUTIVE BOARD

Date: Tuesday, 16 May 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

Next meeting, Thursday 1 June at 1:30pm.

**Direct Dial: 0115 8763288** 

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7	FUTURE MEETING DATES	

All other meetings are Tuesdays at 1:30pm:

#### <u>2017</u>

20 June

18 July

19 September

17 October

21 November

19 December

#### 2018

16 January

20 February

20 March

17 April

#### 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 REDEVELOPMENT OF KNIGHTS CLOSE, TOP VALLEY - EXEMPT APPENDIX

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

31 - 34

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 <a href="https://www.nottinghamcity.gov.uk">www.nottinghamcity.gov.uk</a>. 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 18 April 2017 from 2.00 pm - 2.10 pm

#### Membership

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

Councillor Graham Chapman (Vice Councillor Alan Clark

Chair)
Councillor Dave Trimble
Councillor Jane Urquhart
Councillor Sam Webster

Councillor Jane Urquhart
Councillor David Mellen

Councillor David Mellen

Councillor Alex Norris

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

David Bishop - Deputy Chief Executive/Corporate Director for

**Development and Growth** 

Chris Carter - Transport Strategy Manager

Ian Curryer - Chief Executive

Andy Gibbons - Head of Public Transport

Alison Michalska - Corporate Director for Children and Adults

Glen O'Connell - Corporate Director for Resilience

Paul Seddon - Chief Planner

Andy Vaughan - Corporate Director for Commercial and Operations

Adam Volz - Political Assistant
James Welbourn - Governance Officer

#### Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until **27 April 2017.** 

#### 88 APOLOGIES FOR ABSENCE

Councillor Alan Clark - personal reasons
Councillor Jon Collins - other Council business
Councillor Nicola Heaton - personal commitments
Councillor Nick McDonald - work commitments
Councillor David Mellen - personal reasons
Councillor Alex Norris - work commitments

#### 89 <u>DECLARATIONS OF INTERESTS</u>

None.

#### 90 MINUTES

The minutes of the meeting held on 21 March were agreed as a true record and signed by the Chair.

#### 91 PLANNING SECTION 106 AGREEMENTS: POLICY AND PROCESS

The Board considered the Portfolio Holder for Planning and Housing/Portfolio Holder for Resources and Neighbourhood Regeneration's report which reviews the process for negotiation by planning officers of new Section 106 obligations required for new developments. It also sets out the reviewed process for oversight and management of the City Council's existing Section 106 obligations.

A quarterly Section 106 monitoring report providing information on new obligations, contributions due and spend of received contributions will be presented to the Portfolio Holder for Planning and Housing, as well as the Portfolio Holder for Resources and Neighbourhood Regeneration (this is an addition to paragraph 2.23 of the report.

RESOLVED to endorse the report, the review and refresh of robust oversight and monitoring processes and note the current comprehensive review of existing Section 106 obligations.

#### Reason for decision

The Executive have been updated on recent amendments to legislation governing the use of Section 106 planning obligations as well as the refresh to the monitoring process.

#### Other options considered

Require the full Section 106 on all developments without any assessment of viability – this may have adversely affected developments from being built and would have been likely to result in increased planning appeals which would have been difficult to defend in light of national and ministerial advice. The reputation of Nottingham as a place to invest and do business would likely have been affected.

Determine not to request Section 106 obligations from development – this may have provided a positive message to the development industry and acted to encourage some investment and regeneration in the city that may not otherwise have happened. It would have meant that necessary mitigation of impacts from all development would not have been delivered. The costs associated to mitigate harmful impacts and additional demand would have in all cases fallen on the public purse. This approach would have required justification on the merits of each application or amendment to all relevant policies which would have incurred considerable time and expense.

## 92 NOTTINGHAM DERBY ACCESS FUND REVENUE PROGRAMME 2017/18 - 2019/20 - KEY DECISION

The Board considered the Portfolio Holder for Business, Growth and Transport's report on the Nottingham Derby Access Fund revenue programme 2017/18, including the Air Quality revenue grant for 2017/18.

The bid from Nottingham City Council, Derby City Council and Nottinghamshire County Councils was successful in securing £2.735 million of revenue grant funding to deliver a three year revenue programme of sustainable travel measures in the Nottingham urban area and Derby City for the period 2017/18-2019/20. Nottingham City Council has also been successful in securing a further £200,000 of DEFRA Air Quality revenue grant funding for 2017/18 for the Nottingham Ultra Low Emission Fleet (ULEF) programme. There is also some match funding from Nottingham City Council and other partners.

#### **RESOLVED to:**

- (1) accept the external revenue grants awards from the Department for Transport's Access Fund and DEFRA's Air Quality Grant Award providing £2.935 million for the delivery of the Nottingham Derby Access Fund programme in 2017/18 2019/20 with additional provision to support the Nottingham Ultra Low Emission Fleet (ULEF) programme in 2017/18;
- (2) approve the funding allocations for delivery of a revenue travel behaviour change programme in 2017/18 2019/20 as set out in Appendix A Table 1 (in the report) to initiate the programme;
- (3) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth and Portfolio Holder for Business, Growth and Transport, to make variations to the programme;
- (4) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth to go out to tender for external suppliers as set out in the Procurement Plan in Appendix B Table 1 of the report;
- (5) approve dispensation from Contract Procedure Rule 5.1.1 and 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow renewal, extension or direct award for those contracts indicated in Appendix B Table 1 of the report;
- (6) directly award £921k (£307k pa) of the grant funding to Derby City Council for delivery of the Derby components of the Access Fund programme to be managed via a Service Level Agreement;
- (7) directly award up to £390k of grant funding to Nottinghamshire County Council for delivery of shared contract with external supplier for Household Personalised Journey Planning through Midlands Highways Alliance PSP2 procurement framework.

#### Reasons for decisions

Acceptance of the £2.935 million of revenue funding for the Nottingham Derby Access Fund and Nottingham Ultra Low Emission Fleet (ULEF) programmes supports the city to meet Council Plan objectives around supporting local growth, carbon reduction and air quality and energy as well as contributing to a healthier Nottingham.

The funding helps to deliver a balanced and co-ordinated transport strategy for the City through community and business programmes to incentivise and support the uptake of the full range of travel choices thereby reducing private and business traffic on the City's road network, supporting the City Council's commitments to ease congestion and reduce air pollution from local transport. The funding available for Nottingham will help to realise the benefits of recent transport infrastructure investment in the City including Nottingham tram extensions, Nottingham Cycle City Ambition and support for the delivery of the Nottingham Go Ultra Low programme and the implementation of the Clean Air Zone.

Supporting uptake of Ultra low Emission Fleets (ULEFs) for targeted businesses and workplaces reduces the carbon and emissions footprint of vehicles thereby reducing air pollution helping to meet public health objectives. The programme will demonstrate good practice for ULEFs supporting local businesses and the healthcare sector to meet fleet emissions requirements in readiness for the implementation of a Clean Air Zone by 2020.

The programme will also support local economic development and access to skills and jobs by providing continuation funding for journey planning and cycle services and skills for eligible jobseekers of the ESIF Youth Employment Initiative (YEI) Nottingham Gets2Work programme when the YEI funding ends in March 2018.

The Access Fund and ULEF programmes are building on recognised good practice including the previous Local Sustainable Transport Fund programmes delivered in Nottingham and Derby. Use of existing local suppliers where appropriate to capitalise on local knowledge, expertise, contacts and partnership relationships will ensure delivery of effective outcomes whilst saving time and commissioning costs.

Sharing good practice and joint procurement of services where appropriate to achieve efficiency savings and consistency of approach for delivery of the Nottingham Derby Access Fund programme supports the aspirations for joint working on common areas of interest to support the prosperity of the two cities.

#### Other options considered

Two options to (1) reject the funding awards and (2) vary the programme proposals from those submitted in the bids were considered. The option to refuse the grant funding was rejected as it would reduce the Council's ability to reduce congestion and transport related air pollution, to meet its Council Plan target of 10% more people journeys by walking, cycling or taking public transport to work by 2019 and the requirement to introduce a Clean Air Zone in 2020. The option to vary the programme was rejected to ensure the City Council remains compliant with the terms and

conditions of the funding awards. Both options would potentially adversely affect the Council's reputation as a leader in local transport delivery.

## 93 CONTRACT FOR LOCALLINK L10, L11 AND L14 BUS SERVICES - KEY DECISION

The Board considered the Portfolio Holder for Business, Growth and Transport's report on the contract for Locallink L10, L11 and L14 Bus Services.

Following a receipt of a notice to terminate delivery of the services by the existing contractor it is necessary to commence the procurement and award of a contract to another provider. The existing provider, Nottingham City Transport has served notice to terminate these services which initially were not due to terminate until the summer. Due to the short notice involved an emergency contract award is proposed until the formal tender can proceed,

#### **RESOLVED to:**

- (1) commence the procurement process for the Locallink bus services and to delegate authority to the Corporate Director of Development and Growth to award and sign the contracts for the operation of bus services L10, L11 and L14 for up to 5 years (2+1+1+1). This will be subject to the contract costs being within the estimated spend identified within this report;
- (2) dispense with the provisions of contract procedure rule 5.1.2, in accordance with financial regulation 3.29, to award a contract to Nottingham Community Transport for an interim period whilst the procurement process is undertaken for a new supplier of the services and agree to the spend of up to £200,000 between 30 April and October 2017.

#### Reasons for decisions

To continue the services, without disruption for passengers. To cover the period between 30 April 2017 and the formal tender (to October 2017), it is necessary to direct award the operating contract to Nottingham Community Transport on an emergency, De-minimis, contract basis. Nottingham City Transport Ltd gave notice on these contracts on 18 February 2017 and sufficient time was not available to complete a full tender process. Dispensation from financial regulations has been granted to cover this period between 30 April and October.

A new provider will be identified following the outcome of the tender process.

#### Other options considered

Withdrawing services due to rising cost was rejected as it would lead to disruption for passengers and the removal of access to public transport from some areas of the City, where commercial services would be more than 400m away from residents and workplaces. This had already been considered and discounted within Executive Board decisions of 20 March 2012 and 21 May 2013, associated with the approval to

Executive Board - 18.04.17

purchase electric buses. It was also considered and rejected in favour of other savings options now approved and being implemented within the Public Transport Big Ticket.

### 94 EXCLUSION OF THE PUBLIC

RESOLVED to exclude 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.

## 95 <u>CONTRACT FOR LOCALLINK L10, L11 AND L14 BUS SERVICES - EXEMPT APPENDIX</u>

The Board considered the exempt appendix to the Portfolio Holder for Business Growth and Transport's report.

RESOLVED to note the information contained within the exempt appendix.

#### Reasons for decision

As detailed in minute 93.

#### Other options considered

As detailed in minute 93.

## EXECUTIVE BOARD - 16 MAY 2017 genda Item 4

Subject:	To renew and tender a number of highway and electrical service and		
	supply framework contracts		
Corporate	Andy Vaughan, Corporate Director of Commercial & Operations		
Director(s)/Director(s):			
Portfolio Holder(s):	Councillor McDonald, Portfolio Holder for Business, Growth and		
	Transport		
Report author and	Chris Keane, Head of Highway and Energy Infrastructure		
contact details:	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		
<u></u>	es No		
Key Decision:			
Criteria for Key Decisio			
	Income Savings of £1,000,000 or more taking account of the overall		
impact of the decis	SION		
and/or	an communities living or working in two or more words in the City		
(b) Significant impact ☐ Yes ☐ No	on communities living or working in two or more wards in the City		
Type of expenditure:	☐ Revenue ⊠ Capital		
Total value of the decis			
Wards affected: All ward	· · · ·		
Date of consultation with			
Relevant Council Plan			
Strategic Regeneration a	<u> </u>		
Schools			
Planning and Housing			
Community Services	H		
Energy, Sustainability and	d Customor		
Jobs, Growth and Transp			
Adults, Health and Comm			
Children, Early Intervention			
Leisure and Culture			
Resources and Neighbou	urhood Regeneration		
_			
Summary of issues (inc	luding benefits to citizens/service users):		
Listania and Engage John	and the state of t		
	astructure serves Nottingham City Council (NCC) as a highway,		
	I contracting arm. The delivery of these works is a key part of the City		
	Strategy and the in-sourcing of delivery works where it is economically		
advantageous to do so.			
To our port the convice it i	is acceptial to have accept to augustica and convices. This report		
To support the service it is essential to have access to supplies and services. This report			
outlines the requirements for NCC to let a number of service and supply framework contracts.			
Exempt information: None			
Recommendation(s):	OHE		
	rement of replacement Framework Agreements in-line with Public		
Procurement Regulat	·		
,	to the Corporate Director of Commercial and Operations to approve the		
	ork Agreements in-line with the criteria set out within the tender		
documentation.	and the same of th		
	to the Director of Energy, Waste & Highways to call off contracts under		
	work Agreement up to the value of £000 000		

#### 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 Releasing the frameworks in this manner will result in the following advantages;
  - A value-for-money delivery model with no fixed financial commitment to use the framework.
  - Opportunities for local Small Businesses to tender for the work.
  - The potential for a local workforce through indirect supply chain employment
- 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.

#### 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 A summary of the Framework Agreements are listed below;-

Framework Contract	Contract Value (4 year period)
Supply of Highway Construction Materials	£16m
Supply of Asphalt	£6m
Supply of Ready Mixed concrete	£3m
Supply of Loose Aggregates	£3m
Supply of Electrical Materials	£8m
Supply the Mechanical and Plumbing materials	£8m
Supply of Operated Plant	£5m
Supply of Non Operated Plant	£3m
TOTAL	£52m

- 2.2 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).
- 2.3 To enable procurement of best value, whilst incorporating the authority's needs, it is vital that supply and service framework contracts are in place to support and enhance the Highways and Energy Infrastructure in-house workforce, along with encouraging local employment and spend.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Not renewing the Network of Highway Frameworks— this would mean no authorised procurement in place for the provision of goods/services and as such would not be compliant with Nottingham City Council's Financial Regulations and Public Procurement Regulation 2015.

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

- 4.1 The proposal seeks the continued use of the listed Framework Agreements in order to commission Highways Delivery in line with Nottingham City Council's Financial Regulations and Contract Procedure Rules, and Public Procurement Regulation 2015.
- 4.2 The framework does not guarantee any value to successful contractors therefore Nottingham City Council is not committed to any expenditure. 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 Nottingham City Council's commercialisation agenda, whilst also supporting delivery of the Council Plan, and the Commercial & Operations Business Plan.
- 4.4 The framework satisfies funding requirements for a variety of bodies which will maximise external income to Nottingham City Council.

Advice given by Tania Clayton-Perez (Commercial Business Partner) on 20<sup>th</sup> April 2017 Advice given by Claire Gavagan (Strategic Business Partner) on 21<sup>th</sup> April

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

5.1 The City Council has an obligation to ensure its procurement will be fair open and transparent. All procurement activity arising from the report will be carried out in accordance with European & UK procurement Regulations. There are no significant concerns with the recommendations set out in the report.

Advice given by Sue Oliver (Category Manager Places) on 12<sup>th</sup> April 2017 Advice given by Brian Stewart (Solicitor) on 19<sup>th</sup> April 2017

#### **6 SOCIAL VALUE CONSIDERATIONS**

2017

6.1 The overall procurement arrangements ensure delivery of specialist elements and flexibility in programming. We will endeavour to encourage local companies to bid for the contracts when they become available.

#### 7 EQUALITY IMPACT ASSESSMENT (EIA)

/.1 F	⊣as the eq	juality impac	t of the pro	posals in this i	eport been	assessed?
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An EIA is not required because:

The Equality and Diversity team have confirmed that an EIA would not be required due to the nature of the contracts.

- 8 <u>LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT</u>
  (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)
- 8.1 None
- 9 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT
- 9.1 None

# EXECUTIVE BOARD - 16<sup>th</sup> May 2017 genda Item 5

Subject:	School Capital Maintenance Grant Allocations 2017/18.		
Corporate Director(s)/Director(s):	Alison Michalska – Corporate Director Children and Adults.		
Portfolio Holder(s):	Councillor Sam Webster – Portfolio Holder for Education Employment		
, ,	and Skills		
Report author and	Rob Caswell – Programme Manager, Major Projects.		
contact details:	Tel: 0115 8763408		
	E-mail: Robert.caswell@nottinghamcity.gov.uk		
Subject to call-in: X	es No		
Key Decision:			
Criteria for Key Decision			
	Income Savings of £1,000,000 or more taking account of the overall		
impact of the decis	sion		
and/or			
<b>(b)</b> Significant impact	on communities living or working in two or more wards in the City		
🗌 Yes 🔲 No			
Type of expenditure:	☐ Revenue ☐ Capital		
Total value of the decis			
Wards affected: All			
	th Portfolio Holder(s): 18 <sup>th</sup> April 2017		
Relevant Council Plan R	<u> </u>		
Strategic Regeneration a	nd Development		
Schools			
Planning and Housing			
Community Services			
Energy, Sustainability and	d Customer		
Jobs, Growth and Transp	<u> </u>		
Adults, Health and Comm	<u> </u>		
Children, Early Intervention	<i>'</i>		
Leisure and Culture			
Resources and Neighbou	mood Regeneration		
Summary of issues (inc	luding benefits to citizens/service users):		
	grant allocation from the Department for Education (DfE) has been		
	al year 2017-2018. An amount of £1.474 million has been allocated to		
	school buildings maintained by Nottingham City Council (NCC).		
improve the condition of a	onoor buildings maintained by rectanguant only country (1400).		
The report identifies how	the grant will be prioritised to meet the needs of the schools maintained		
•	·		
by the Council and seeks	approvals for procuring and managing the works effectively.		
Exempt information: No	one.		
Recommendation(s):			
1 To accept the allocat	ion by the DfE to NCC of the School Capital Maintenance funding,		
•	n to the schemes as set out in appendix A, noting that £0.174 million is		
set aside as a conting	• • • • • • • • • • • • • • • • • • • •		
	<b>,</b>		

- **2** To approve the funding allocations to schemes as set out in appendix A, noting that £ 0.244 million is set aside as a contingency fund.
- 3 To amend the Capital Programme to include the additional £1.474 million received as part of the grant.
- To delegate authority to the Corporate Director for Children and Adults to allocate contingency funding to projects as health and safety or condition issues arise during 2017/18 and to adjust the funding allocation for each scheme once cost information is finalised, subject to value for money being demonstrated and costs being within the overall budget allocated for this programme of works.
- 5 To appoint NCC Design Services to design, procure and manage the schemes.
- To approve the procurement of the works through the East Midlands Property Alliance (EMPA) framework an OJEU (the Official Journal of the European Union) compliant framework.
- 7 To delegate authority to the Head of Legal Services to sign contracts with the preferred contractors following procurement exercises to allow schemes to be delivered.

#### 1 REASONS FOR RECOMMENDATIONS

- 1.1 The prioritisation of the funding is based on advice received and an extensive review of schools. There are two areas where funding has been prioritised:
  - Health and Safety issues likely to impact on children and staff.
  - Condition issues likely to impact on the operation of the school.
- 1.2 The balance of the funding for the School Condition grant has been identified as part of the prioritisation process and £0.244 million will be held as a contingency amount to deal with urgent health and safety or condition issues that arise during the financial year 2017/18. Delegating authority to the Corporate Director for Children and Adults to approve these schemes will enable a swift response to urgent issues as they arise.

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

- 2.1 The DfE have announced the Capital Maintenance Grants for the financial year 2017-2018. An amount of £1.474 million has been allocated to improve the condition of school buildings maintained by NCC.
- 2.2 This report identifies how the grant will be prioritised to support the Health and Safety and condition needs of schools in Nottingham.
- 2.3 The highest priorities relate to health and safety requirements, for example, where work is required to address the risk of asbestos. The next priorities are those condition issues that mean school buildings are not weather proof or that they are not warm in winter. This could include schools that require roof replacement, windows, boilers, heating pipes and electrical infrastructure.
- 2.4 The overall condition liability for schools in the City is significantly greater than the funding available and there is insufficient funding to complete all the necessary

works to ensure all schools will not be at risk from inclement weather. To ensure the most urgent schemes are taken forward, a further prioritisation has taken place in consultation with external specialist contractors that takes into consideration the immediacy of the risk to the school.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Consideration was given to combine the Condition funding and the Basic Need funding. If combined this funding could be used to address the shortfall in school places across the city.
- 3.2. Consideration was also given to amalgamating the Condition grant with broader City Council capital funding.
- 3.3 Both of these options were rejected as they would leave schools at risk of closure through health and safety or condition issues. It would also mean that school buildings would continue to deteriorate, increasing the risk of forced closure for emergency repairs.

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

- 4.1 The Council has been awarded School Condition Funding of £1.475m for 2017/18. It is proposed to allocate this entire grant to the works referred to in this report. The schemes detailed in Appendix A can be completed within this funding allocation and will be added to the capital programme.
- 4.2 The capital programme will be amended to reflect the additional funding and allocation to the schemes as set out in Appendix A.
- 4.3 A contingency amount of £0.207m was set aside as part of the 2016/17 School Condition Funding, £0.067m of the 2016/17 contingency is unallocated (as detailed in Delegated Decision 2697), and has been carried forward into 2017/18. Therefore combining this carry forward sum with the 2017/18 contingency shown in Appendix A, the balance of the contingency is £0.312m.

Financial Advice: Tom Straw - Senior Accountant – Capital Programmes Advice provided 13<sup>th</sup> April 2017.

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

5.1 There are no significant procurement concerns with the recommendations set out in the report. The award of works internally to NCC's Design Services is in line with the Council's Constitution and the EMPA Framework Agreements provide a compliant route for the works to be undertaken. Any further requirements that fall outside of this arrangement will need to be procured in-line with Procurement Regulations 2015 and supported by the procurement team.

Legal Advice: Connie Green, Solicitor – Contracts and Commercial Advice provided 19<sup>th</sup> April 2017.

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

6.1 As this report relates to the maintenance of Nottingham City Council owned schools and the Council's Design Services are to design, procure and manage the schemes the report does not raise any Strategic Property concerns.

#### 7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The works will be carried out by accessing the East Midlands Property Alliance (EMPA) framework which offer a compliant route to market and provide value for money for the Council.
- 7.2 Social considerations were taken into account when establishing the framework agreements.
- 7.3 With regard to the EMPA frameworks, approximately 85% of the works are subcontracted out to Small and Medium Enterprises (SMEs) and there are no barriers to entry in this sector. Key Performance Indicators (KPIs) are also captured in relation to local spend, employment and skills plans and payments made to subcontractors within 30 days of receipting the invoice for the works.

#### 8 REGARD TO THE NHS CONSTITUTION

8.1 There are no implications on the NHS constitution.

#### 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 B, and due regard will be given identified in it.	to any implications

# 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 Tom Straw, Senior Accountant – Capital Programmes Connie Green, Solicitor – Contracts and Commercial Rod Martin, Property Development Manager – Strategic Property Development.

Appendix A: Capital Maintenance Programme 2017/18.

School	Scope	Cost £
Dunkirk Abbey Primary School	Roof – Building 2	200,000
South Wilford Primary School	Drainage	200,000
Walter Halls Primary School	Water proofing the boiler room	100,000
Cantrell Primary School	Replacement of part of the roof	100,000
Southwold Primary School	Structural Repairs	30,000
Claremont Primary School	Heating Works	150,000
Greenfields Primary School	Roofing works	125,000
Whitegate Primary School	New Boilers	100,000
Rufford Primary School	Asbestos removal	200,000
Stanstead Primary School	New Flue	25,000
Contingency		244,833
Total		1,474,883



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

Title of EIA/ DDM: School Capital Maintenance Funding Allocations for 2017/18

Name of Author: Robert Caswell Department: Children and Adults

**Service Area: Major Projects** 

underline)

Author (assigned to Covalent): N/A

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

This report focuses on the allocation of the School Condition Funding to address condition issues of the schools maintained by the Local Authority. Works to improve roofs and heating systems will be undertaken if the report is approved.

The Department for Education (DfE) have announced the School Condition Funding allocation for the financial year 2016/17 with £1,474,833 allocated to improve the condition of the school buildings maintained by the Local Authority.

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

Experience of managing the programme of works for a number of years and consultation with colleagues from Design Services team, schools and contractors.

19	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		
Other (e.g. marriage/ civil		

How different groups could be affected (Summary of impacts)	negative or increase positive impact (or why action isn't possible)
There is no significant benefit or adverse impact on any groups as a result of the works. The works will improve the condition and longevity of existing school buildings but the remit of these works is maintenance rather than improving accessibility for particular groups.	Contractors will be procured using the East Midlands Property Alliance (EMPA) framework that offers a compliant mechanism for procuring works. Works are "banded" depending on value and there are likely to be a number of contractors appointed to manage the works. Contractors have Key Performance indicators in place to ensure they monitor local spend and involvement with any Small to Medium Enterprises. This information is monitored by SCAPE and reviewed by the City Council procurement team.

**Director: Alison Michalska (Corporate Director)** 

Strategic Budget EIA Y/N (please

partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	
Please underline the group(s) /issue more adversely affected or which benefits.	
Outcome(s) of equality impact assessment:	
Outcome(s) or equality impact assessment.	
•No major change needed $\boxtimes$ •Adjust the policy/proposal $\square$	•Adverse impact but continue
•Stop and remove the policy/proposal □	
Arrangements for future monitoring of equality The works will be assessed for any impact on equality due consto ensure there have been no adverse impacts on any particula	struction and post completion by liaising with the contractor and school
Approved by (manager signature): Rob Caswell, Programme Manager Tel: 0115 8763408  Mail: robert.caswell@nottinghamcity.gov.uk	Date sent to equality team for publishing:  Draft version sent 7/04/17  Send document or link to: equalityanddiversityteam@nottinghamcity.gov.uk

## EXECUTIVE BOARD – 16<sup>th</sup> May 2017 genda Item 6

Subject:	Redevelopment of Knights Close, Top Valley			
Corporate	David Bishop – Deputy Chief Executive/Corporate Director for			
Director(s)/Director(s):	Development and Growth			
Portfolio Holder(s):	Councillor Jane Urquhart, Portfolio Holder for Planning and Housing			
Report author and	Fran Cropper, Regeneration Team Leader, Development Directorate			
contact details:				
Subject to call-in: 🛛 Y	es 🗌 No			
Key Decision: ⊠Ye				
Criteria for Key Decision				
• • • • • • • • • • • • • • • • • • • •	Income Savings of £1,000,000 or more taking account of the overall			
impact of the decis	sion			
and/or				
	on communities living or working in two or more wards in the City			
Yes No				
Type of expenditure:	Revenue Capital			
	ion: See exempt appendix			
Wards affected: Bulwell				
	th Portfolio Holder(s): 16/3/2017			
Relevant Council Plan R				
Strategic Regeneration a	nd Development			
Schools				
Planning and Housing				
Community Services	d Customer			
Energy, Sustainability and	<u> </u>			
Jobs, Growth and Transp				
Adults, Health and Comm				
Children, Early Intervention Leisure and Culture				
Resources and Neighbou	urbood Pogonoration			
<b></b>				
	luding benefits to citizens/service users):			
	e decommissioning, demolition and redevelopment of Knights Close.			
	cil's 2015 Manifesto pledge to build 2500 new homes that Nottingham			
people can afford to rent	people can afford to rent or buy and to bring all social housing up to the Decent Homes Standard.			
Exempt information: St	tate 'None' or complete the following			
Indicative costs and addi	itional advice for the scheme are contained with the exempt appendix.			
This information is exemp	ot from publication under paragraphs 1, 2 and 3 of Schedule 12A to the			
	972 because it contains information relating to the financial or business			
affairs of any particular person (including the authority holding that information) and information				
which is likely to reveal the identity of an individual and, having regard to all the circumstances,				
the public interest in maintaining the exemption outweighs the public interest in disclosing the				
information. It is not in the public interest to disclose this information because it could prejudice				
contract negotiations, and could reveal the identity of individuals at properties in the area.				
Recommendation(s):	at fan the music at an idealfied to the constraint to the constrai			
1 To approve the budget for the project as detailed in the exempt appendix and the outline				
scheme proposals.				
O To an annual district				
	ommissioning and rehousing process for tenants, noting that the funding			
ioi nomeioss payments	and security of the building is to come from the Housing Revenue			

Account.

- To approve the process for obtaining vacant possession of the two occupied Housing Revenue Account commercial units, noting that the funding for any payments required will come from the Housing Revenue Account.
- To approve Nottingham City Homes (NCH) to appoint a contractor to demolish the site and redevelop it on the Council's behalf, subject to tenders being returned within the financial envelope outlined.
- **5** To delegate authority to the Director of Strategic Assets and Property to agree terms with the affected business tenants.

#### 1 REASONS FOR RECOMMENDATIONS

- 1.1 There is an opportunity on this site for the Council to contribute towards its 2015 Manifesto Pledge, to build 2500 new homes that Nottingham people can afford to rent or buy.
- 1.2 The redevelopment of Knights Close will provide high quality housing and associated infrastructure, together with a local convenience store. The new community will actively regenerate the neighbourhood.
- 1.3 Approval of the recommendations will allow the contractor to be appointed, and the indicative architectural drawings to be further developed for submission to planning. The development will create a better connected and safer neighbourhood by improving the quality of the built environment.
- 1.4 The Council has accumulated an increasing amount of Right to Buy Replacement Receipts which can be used to meet up to 30% of the cost of developing new Council housing. If this funding is not spent within a certain period it will have to be repaid with interest. This development will be eligible for this funding for all units that are additional to the replacements for the existing units.

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

- 2.1 The Knights Close precinct off Old Farm Road in Top Valley has become increasingly dilapidated in recent years. This is due to the persistently high vacancy rate in the block of Housing Revenue Account shop units in the centre of the precinct and the long term dereliction of the former pub site immediately opposite this block.
- 2.2 The block consists of six flats above six shop units. Only two of the shop units are currently in use. The other four have been vacant for between one to seven years. It is estimated that investment of approximately £20,000 would be required to bring the four empty units to a lettable standard. However, this investment would not be sufficient to generate demand, as the shops are in a poor location to attract customers from beyond the immediate area, suffer from the competition from the nearby supermarket and more accessible shopping centre on Beckhampton Road, and would have to overcome the area's reputation for anti-social behaviour.

- 2.3 The former pub site has been vacant for over a decade. The site was on the market for sale throughout this period. Planning approval for a residential development was granted in 2008, but this came to nothing.
- 2.4 The Council is in the process of acquiring this land (see delegated decision 2728) and has acquired the single privately owned flat and corresponding shop unit (see delegated decision 2472) in the block in order to assemble the ownerships necessary to enable it to regenerate the area.
- 2.5 Further to receiving support for the scheme from the Building A Better Nottingham Steering Group, consultation has been carried out with all local ward Councillors, who fully support the scheme and are looking forward to this area of blight being transformed into a safe, well designed and welcoming neighbourhood.
- 2.6 Consultation has also commenced with residents who will be directly affected by decommissioning.
- 2.7 Further consultation with the wider community will commence once full approval for the scheme has been granted.
- 2.8 Preliminary designs have been worked up by an architect, via Nottingham City Homes. These designs will be subject to consultation and input from the local community and will create better connected and safer neighbourhoods by improving the quality of the built environment, and through the Secure by Design framework which will help to both reduce crime and the fear of crime.
- 2.9 The total cost of the schemes has been calculated by benchmarking Nottingham City Homes' current build costs against similar developments. Knights Close is a very complex site, and as such will cost more to develop than other schemes. Costs at this stage are therefore indicative, and will be adjusted when tenders are returned. Please see the exempt appendix.

#### 3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Other development options have been considered.
- 3.2 The option of converting the shop units into flats was considered feasible and would have been eligible for Right To Buy Replacement Receipts funding but was rejected as insufficiently transformational, since the retention of the existing structure would prolong the life of the block but leave the surrounding environment largely unchanged.
- 3.3 The option of converting the shop units into workshops was considered. Although this would have the potential to generate employment, it was rejected as being financially unviable: the cost of development would be much higher than the potential income and it would be unlikely to attract external funding. In addition, it would do little to improve the local environment and could even reduce the quality of life of the residents living above.
- 3.4 Potential new development sites are reviewed strategically between Regeneration, Property, Urban Design, Planning and Nottingham City Homes. This site was selected above others as this project will regenerate the area, the buildings were nearing the end of their economic life and had high void levels, and the large site area allows for a significant net gain of units for family housing.

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

4.1 See exempt appendix. Comments provided by Julie Dorrington, Senior Accountant, 11/4/2017.

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

5.1 Legal have no significant concerns provided all internal and external procedures in relation to the procurement of the contactor and the obtaining of vacant possession of the properties are followed.

Steve Fryer, Legal Executive, 12/4/2017 Brian Stewart, Solicitor, 12/4/2017 Sue Oliver, Procurement Manager, 12/4/2017.

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

6.1 Strategic Assets and Property have been working with and will continue to work with colleagues in other sections to negotiate and agree terms for the acquisition of the various property interests required to assemble the proposed redevelopment site

Rodney Martin, Development Manager, 12/4/2017

#### 7 SOCIAL VALUE CONSIDERATIONS

7.1 The new development will enable better community interaction, and attract a new commercial opportunity to the scheme. The excellent standard of design for the new homes, coupled with Nottingham City Homes' energy efficient build specification, will dramatically improve the appearance of the area and the overall neighbourhood for new tenants and local residents. Environmental features will be incorporated within the design, incorporating principles of Building for Life 12 and Place Making. Jobs and training opportunities will be created for Nottingham residents, through traineeships and local employment opportunities.

#### 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 rep	ort been assessed?
	No An EIA is not required because:	
	(Please explain why an EIA is not necessary)	
	Yes	¥

Attached as Appendix 1, and due regard will be given to any implications identified in it.

- 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 None
- 12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT
- 12.1 Philippa McKenna, Senior Development Manager, Nottingham City Homes Mark Lowe, Head of Regeneration and Housing Delivery, Nottingham City Council. David Baillie, Regeneration Officer, Nottingham City Council.



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

Title of Redevelopment of Knights Close, Top Valley

**Department: Development** 

**Service Area: Housing and Regeneration** 

underline)

**Author (assigned to Covalent):** 

Name of Author: David Baillie

**Director: David Bishop** 

Strategic Budget EIA Y (please

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

The Council is recommending the demolition of 6 flats (5 tenanted), 6 retail units (2 tenanted) and 6 garages (3 tenanted by Nottingham City Homes (NCH) garage tenants, and 3 utilised by the local foodbank as storage).

NCH is managing the decommissioning programme of the residential and garage units, in conjunction with the Council, who are managing the decommissioning of the retail units. This includes ensuring that all residents are fully consulted and supported in moving into alternative accommodation.

NCH are also responsible for managing the new build programme, which for this scheme, will realise a mixture of residential property types, and a new commercial retail opportunity.

Those residents and businesses affected by the proposals at Knights Close were informed and consulted with in March 2017. More detailed agagement is on-going, through consultation events and home visits, and will continue following this approval.

The properties that have been identified for demolition are all of non-traditional construction, and have high running costs in terms of repairs and maintenance. They would require very costly investment to refurbish, address design and heat loss issues and to bring up to the Decent Homes Standard. The City Council has indicated that it wishes to build a mix of new, high quality houses, and whilst flats are being demolished, these new homes will not be a like for like replacement, due to the demand for family housing. NCH has promised help and support to those tenants and leaseholders who will lose their homes or their garage facility, and those eligible for it will receive a statutory Homeless Payment in line with current Government compensation guidelines. All City Council tenants will be granted a priority for rehousing once it has been decided to demolish their home, and they will be visited individually by a Relocation Support Officer to assess their needs and circumstances. The Council will negotiate a repurchase price with any leaseholders required to vacate their homes. Tenants and leaseholders will receive a Disturbance Allowance that includes assistance with removals and setting up a new home.

The proposed development will cost more than retaining the existing housing but it would be a better investment, as it will provide higher quality, more sustainable/efficient and longer lasting housing, as well as regenerating a very poor quality environment.

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

Consultation with residents, shop keepers took place on 6<sup>th</sup> March 2017, and garage tenants and the operators of the local foodbank on 16<sup>th</sup> March 2017.

	Could particularly benefit X	May adversely impact X
People from different ethnic groups.		

How different groups could be affected (Summary of impacts)	negative or increase positive impact (or why action isn't possible)	
This project will affect business and	Consultation with local Councillors took	

Men			flats at Knights Close, and also the owners of the two tenanted shop units. The programme is intended to benefit the City Council, Nottingham City Homes, tenants, leaseholders and the wider community neighbouring the area of demolition and regeneration. The Council intends to build new homes for rent, many of them to be built on sites that will become available following demolition of Council owned housing  Engagement with existing tenants an leaseholders on 6 <sup>th</sup> March 2017. This consultation was done through visits homes and businesses by NCH and NCC officers. A public consultation event is scheduled to take place on 1 April 2017, and further support will be provided by officers from NCH's Development and Relocation Support Teams.	place on 1 <sup>st</sup> March 2017, followed by		
Women					leaseholders on 6 <sup>th</sup> March 2017. This	
Trans				NCC officers. A public consultation event is scheduled to take place on 18 <sup>th</sup> April 2017, and further support will be provided by officers from NCH's Development and Relocation Support Teams.		
Disabled people or carers.						
Pregnancy/ Maternity						
People of different faiths/ beliefs and those with none.						
Lesbian, gay or bisexual people.						
Older			stock. These new homes will be build to a modern, sustainable standard, with	Tenants have expressed a preference for remaining within Council housing		
Younger			a much greater level of insulation,	stock, whether that be in the vicinity of Knights Close or the wider City		
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).  Please underline the group(s) /issue more adversely affected or which benefits.			meaning they will be much more efficient, with lower energy bills for residents. Subject to site constraints, the new homes will be compliant with Lifetime Homes, and will therefore be adaptable should residents' needs change in the future. Demolition of the identified properties should release investment that will be used to make the best use of Council stock as well as building new Council properties.	efficient, with lower energy bills for residents. Subject to site constraints, the new homes will be compliant with Lifetime Homes, and will therefore be adaptable should residents' needs change in the future. Demolition of the identified properties should release investment that will be used to make the best use of Council stock as well as	provided to ensure tenants are	
Outcome(s) of equality impact assessment:						
•No major change needed ⊠ •Adjust the policy/proposal □ •Adverse impact but continue □						
•Stop and remove the policy/proposal						
Arrangements for future monitoring of equality impact of this proposal / policy / service:						

Throughout the development, NCH will continue to engage with the local community through attending local Tenant & Resident Group

Note when assessment will be reviewed (e.g. Review assessment in 6 months or annual review); Note any equality monitoring

indicators to be used; consider existing monitoring/reporting that equalities information could form part of.

meetings, and by attending public events for the wider community. NCH's Relocation Support Team are highly skilled at managing tenants expectations throughout the relocation and rehousing process, and have a firm track record of success on other schemes, such as the Meadows, Radford and Lenton. All new homes are let in accordance with the City Council's Allocations Policy, meaning that homes are offered to those who need them the most. NCH's Development Team have a robust 'soft landings' process which includes completing satisfaction surveys with residents about the quality, comfort and accessibility of new homes. The EIA will be reviewed every 6 months after commencement of the scheme.

#### 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.

Fran Cropper,
Regeneration Team Leader
Fran.cropper@nottinghamcity.gov.uk

### Date sent to equality team for publishing:

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

Date 20/4/2017

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

T and the guidance and good practice EIA's

No. 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.

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Document is Restricted

