

# Nottingham City Council

## Executive Board

**Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 17 March 2020 from 2.02 pm - 2.20 pm**

### Membership

#### Present

Councillor David Mellen (Chair)  
Councillor Sally Longford (Vice Chair)  
Councillor Neghat Khan  
Councillor Rebecca Langton  
Councillor Dave Trimble  
Councillor Sam Webster  
Councillor Linda Woodings  
Councillor Kevin Clarke  
Councillor Andrew Rule

#### Absent

Councillor Cheryl Barnard  
Councillor Eunice Campbell-Clark  
Councillor Adele Williams

### Colleagues, partners and others in attendance:

Malcolm Townroe - Director of Legal and Governance  
Catherine Underwood - Corporate Director for People  
Andy Vaughan - Corporate Director for Commercial and Operations  
Kate Morris - Governance Officer

### Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 26 March 2020. Decisions cannot be implemented until the working day after this date.

### 91 Apologies for absence

Councillor Cheryl Barnard - Personal  
Councillor Eunice Campbell-Clarke - Council Business  
Councillor Adele Williams - Council Business

Ian Curryer - Chief Executive Officer  
Candida Brudenell - Corporate Director for Strategy and Resource

### 92 Declarations of interests

None.

### 93 Minutes

The minutes of the meeting held on 18 February 2020 were confirmed as a true record and were signed by the Chair.

#### **94 Consultation On Draft Local Plan Document (Education Contributions Supplementary Planning Document)**

The Board considered the report of the Portfolio Holder for Planning Housing and Heritage seeking approval to start a period of consultation on a Supplementary Planning Document (SPD) which will provide guidance on the requirement for Section 106 financial contributions, for the provision of education infrastructure as a consequence of new residential developments.

The Portfolio Holder indicated that given the current circumstances, and that some organisations/business that may wish to respond will have limited or stretched resources the usual 6 week consultation period will be extended to 10 weeks to ensure responses can be drafted and submitted.

**Resolved to:**

- (1) Approve the draft Education Contributions Supplementary Planning Document and approve its release for a period of public consultation**
- (2) Delegate authority to the Director of Planning and Regeneration to approve any minor changes required to the draft SPD prior to public consultation commencing.**

**Reasons for decision**

The SPD will help Nottingham City Council secure required education infrastructure associated with new residential development.

**Other options considered**

Not producing an SPD for the Education Contributions from Residential Developments was an option considered. This option was rejected because it would result in a lack of comprehensive planning guidance to underpin the Local Plan.

#### **95 School Capital Maintenance Grant Allocations 2020/21 - Key Decision**

The Board considered the report of the Portfolio Holder for Early Years, Education, and Employment asking for approval to accept the Capital Maintenance Grant from the Department for Education, and approve allocations in advance of receipt. The Portfolio Holder explained that approving the allocations in advance would allow for forward planning and would minimise delay in implementing projects once it is received.

**Resolved to:**

- (1) To accept and approve the allocation received by the Department for Education (DfE) of the School Capital Maintenance funding upon receipt to the projects as set out in appendix A,**
- (2) To note that £0.136 million is set aside as a contingency fund.**

- (3) To allow the adjustment of the number of projects prioritised in Appendix A and the contingency upon receipt of the grant announcement, should it be necessary.**
- (4) Once funding has been received, to approve £0.025 million to allow the scoping and prioritisation of projects for a programme of works in 2021/22 to commence in Autumn 2020**
- (5) Once funding has been received, to amend the Capital Programme to include the allocation of grant.**
- (6) Once funding has been received, to delegate authority to the Corporate Director for People to allow the adjustment of the number of projects prioritised in Appendix A and the contingency should it be necessary.**
- (7) To allocate contingency funding to projects such as health and safety or condition issues which arise during 2020/21, and to adjust the funding allocation for each project 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.**
- (8) To appoint NCC Design Services to design, procure and manage the projects.**
- (9) To approve the procurement of the works through the East Midlands Regional construction framework – an OJEU (the Official Journal of the European Union) compliant framework.**
- (10) To delegate authority to the Head of Legal Services to sign contracts with the preferred contractors following procurement exercises to allow the projects to be delivered.**
- (11) To approve a payment of up to £0.100m from the Building Schools for the Future (BSF) Lifecycle Reserve fund to Rosehill Special School to undertake condition and maintenance works to the building.**

### **Reasons for decision**

Funding prioritisation is based on advice received and reviews of the schools. 2 areas where funding has been prioritised is

- Health and Safety issues likely to impact on children and staff
- Condition issues likely to impact on the operation of the school.

The balance of the funding for the School Condition grant has been identified as part of the prioritisation process and £0.136 million will be held as a contingency amount to deal with urgent health and safety or condition issues that arise during the financial year 2020/21. Delegating authority to the Corporate Director for People to approve these projects will enable a swift response to urgent issues as they arise.

It is assumed that the DfE will continue to allocate the Capital maintenance grant to Local Authorities. In order to plan ahead for the delivery of future schemes, £0.025 million will be allocated to begin the prioritisation for a programme of works in

2021/22. Further approvals will be sought to allocate funding to this programme of works in Spring 2021 on the assumption that funding will be allocated by the DfE. This forward planning will ensure that the Local Authority prepares for delivery and sets out a clear programme of future works to maintain schools, subject to funding being received.

Rosehill Special School was rebuilt under wave 2 of the BSF programme. As part of this programme to meet the requirements of the Department for Education (DfE), both the school and the City Council had to commit to funding a lifecycle fund so that the building could be maintained to the same standard as a new Private Finance Initiative (PFI) school for 25 years. Rosehill Special School has now been operational for eight years and the school are undertaking minor works to the building that will improve the education environment, health & safety and security. The works will be procured directly by the school in line with financial regulations and with the support of the Major Projects team.

### **Other options considered**

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.

Consideration was also given to amalgamating the Condition grant with broader City Council capital funding.

Both of these options have been 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.

With regard Rosehill School, to 'do nothing' has been rejected as, while this would retain the funding within the Lifecycle Reserve; it would not support the maintenance of the school as a positive environment for education.

## **96 Eastcroft Depot Electricity Supply Upgrade - Key Decision**

The Board considered the report of the Portfolio Holder for Energy Environment and Democratic Services outlining a range of projects due to take place at the Eastcroft depot, and seeking approval of a new electricity supply to the depot.

The Portfolio Holder highlighted that the projects detailed and previously approved will not only allow the Council to make significant financial savings, but will also result in carbon savings of approximately 45 tonnes of CO2 per year working towards the Council Plan targets.

### **Resolved to:**

- (1) Approve the capital funding allocation required for the new electricity supply, as detailed in the exempt financial Appendix A.**
- (2) Approve procurement of a Principal Contractor to deliver the works described in this report, through a competitive tender process and to**

**delegate authority to Head of Energy Services, to award and sign the contract with the chosen provider following the outcome of the tender process.**

- (3) Approve the spend of capital, as detailed in the exempt financial Appendix A, following the award of the works to a Principal Contractor through the competitive tender process.**
- (4) Approve the budget for fuel and vehicle tax to be transferred from service areas' budget to Fleet Services when a diesel vehicle is replaced with an EV (including the retrospective application of this decision to include EVs already purchased). Approve that this budget transfer is ring-fenced to fund the increased costs associated with the electrification of the fleet, such as the electricity supply upgrade referenced in this report.**
- (5) Approve that all future vehicle purchases will be 100% Battery Electric Vehicles, unless Fleet Services determine that this is not possible, in order to ensure that fuel savings are achieved.**
- (6) To note that these recommendations are subject to approval in relation to the proposed works to the site being separately received from the Trusts and Charities Committee**

#### Reasons for the decision

There are currently 6 small independently metered electricity supplies to the Eastcroft Depot. These either are at capacity or are close to capacity meaning that no additional electric vehicle (EV) charging can be installed at the site including for pilot schemes. The solar power generated at Tamar Building is not able to generate at maximum capacity, the equipment funded through CleanMobilEnergy is not able to be installed and basic improvements to the site are putting the electrical infrastructure at risk of being overloaded.

By consolidating the 6 existing supplies into 1 high voltage incoming supply with a new substation it will allow NCC to implement a variety of projects aimed at reducing CO2 emissions and making financial savings.

The upgrade of the electricity supply will bring the following benefits, either directly or indirectly:

- Improved air quality
- Reduced carbon emissions
- Increased renewable energy generation
- Reduced energy costs
- New income streams
- Funding obligations met mitigating against potential clawback
- Futureproofed site
- Creation of an exemplar energy/transport innovation hub

#### **Other Options considered**

One alternative option considered was to install charging and renewable infrastructure and equipment at other sites. This was rejected as electrical infrastructure at other sites was found to have similar challenges and would not have

been able to accommodate the equipment that needs to be installed. There would also be significant operational impacts including increased travel distances for fleet vehicles and lack of parking.

The other option considered would be to do nothing. This option was rejected as it exposed existing projects to risks to their funding streams which would include clawback of funds already spent. This option would also exclude a range of identified benefits including reduced carbon, loss of opportunity for new income streams, and reduced costs.

## **97 Nottingham Express Transit Network Extensions - Key Decision**

The Board considered the report of the Portfolio holder for Adult Services and Transport seeking approval for the next stage of feasibility work for extensions to the Tram Network towards Gedling (initially the racecourse park and ride) HS2 and Long Eaton, and Fairham Pastures, and to support Broxtowe Borough Council in its investigation of an extension to Kimberley and Langley Mill.

The Board felt it would be beneficial to investigate whether section 106 funding could be used towards the cost of the feasibility plans and that further negotiation with other authorities around contribution to costs should continue.

### **Resolved to:**

- (1) To approve proceeding with the Outline Business Case stage for tram extensions towards Gedling (initially to the Racecourse park and ride), HS2 and Long Eaton, and Fairham Pastures.**
- (2) To approve the funding approach set out in exempt Appendix 3**
- (3) To delegate authority to the Major Projects Director to appoint consultants to undertake specialist NET development work as identified in paragraph 2.11 of the report and to enter into contracts with Broxtowe and HS2**
- (4) To note that a public consultation on the proposals will take place later in 2020.**
- (5) To agree that the Council provides technical support to Broxtowe Borough Council in its' investigation of an extension to Kimberley and Langley Mill.**

### **Reason for decision**

Preliminary work has identified viable routes to be taken forward for more detailed work. This decision enables the next stage of development for these extensions to begin and Outline Business Cases to be worked up.

The development of the NET network is complex and requires specialist advisors across a number of fields. These specialists will be needed to support the Outline Business Case work and subsequent stages of development.

Full public consultation will be required to inform the Outline Business cases and will take place early in this stage of development.

Broxtowe Borough Council has committed to preparing a preliminary economic assessment on the potential extension to Kimberley and Langley Mill. Nottingham City Council has the experience of tram delivery and its position of NET promotor allows it to offer assistance to undertake this work.

#### **Other options considered**

Another option considered was to note progress with this feasibility work. This was rejected as it risks the economic and environmental benefits of high quality transport links and the benefits from developments at the HS2 sites and in the Greater Nottingham area would not be realised. Success of a number of development sites is dependant on high levels of connectivity to key population and employment centres.

#### **98 Exclusion Of The Public**

**The Board decided to exclude the public from the meeting during consideration of this/ the remaining agenda 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 outweighed the public interest in disclosing the information, as defined in Paragraph(s) 3 of Part 1 of Schedule 12A to the Act.**

#### **99 Eastcroft Depot Electricity Supply Upgrade - Key Decision - Exempt Appendix**

The Board noted the contents of the exempt appendix

#### **100 Nottingham Express Transit Network Extensions - Key Decision - Exempt Appendices**

The Board noted the content of the exempt appendix

#### **101 Exempt Minutes**

The exempt minutes of the meeting held on 18 February 2020 were confirmed as a true record and were signed by the Chair.