



You are hereby summoned to attend a meeting of **City Council** on Monday 5 October 2020 at 2pm to transact the following business.

The meeting will be held remotely on Zoom – Councillors and colleagues attending the meeting will be provided with access details.

The meeting will be livestreamed on the Council's YouTube Channel – <https://www.youtube.com/user/NottCityCouncil>

Agenda	Pages
1 Apologies for Absence	
2 Declarations of Interests	
3 Questions from Citizens	To follow
4 Petitions from Councillors on behalf of Citizens	Verbal
5 To confirm the Minutes of the last Ordinary meeting of Council held on 13 July 2020	5 - 32
6 To confirm the Minutes of the Extraordinary meeting of Council held on 27 August 2020	33 - 78
7 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive	Verbal
8 Questions from Councillors - to the City Council's Lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority	To follow
9 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council Body	To follow
10 Decisions taken under Urgency Procedures Report of the Leader of the Council	79 - 84
11 Interim Budget 2020/21 Report of the Portfolio Holder for Finance, Growth and the City Centre	85 - 90
12 The Crime and Drugs Partnership Plan 2020 - 2023 Report of the Portfolio Holder for Employment and Community Protection	91 - 116

13 Motion

Motion in the name of Councillor Steve Battlemuch:

With the Covid crisis heading towards a second wave, Nottingham City Council is concerned that unemployment will rise to unacceptable levels and will write off the young generation who predominately work in the hospitality sector which has been hit hardest.

This Council believes that further government intervention needs to be put in place quickly to avoid a lost generation.

The Job Retention Scheme was an historic investment of taxpayers' money to avert widespread job losses. This massive, unprecedented investment will go to waste unless the Government acts now to hold the country from the unemployment cliff edge looming on the near horizon.

Council resolves to:

- try to maintain our pledge to guarantee a job, training place or further education place for every 18-24 year old in Nottingham who wants it;
- seek to protect funding for the Nottingham Jobs Fund and Nottingham Jobs Hub;
- ensure there are jobs fairs across Nottingham to connect residents with employers;
- use the Council's purchasing power to support local jobs, apprenticeships and responsible businesses;
- seek to protect the annual recruitment of 100 local apprentices to Nottingham City Council;
- write to Terese Coffey MP, Secretary of State for the Department for Work and Pensions to design a package of support for those facing redundancy;
- write to Boris Johnson MP demanding he take control and put a plan in place to avoid the cliff edge facing working people in Nottingham.

14 Motion

Motion in the name of Councillor Pavlos Kotsonis:

Councils across the country face critical financial challenges and further cuts to jobs and services. £16billion has been slashed from central government grants and councils are now facing the unprecedented costs of responding to the Covid crisis.

In Nottingham £101million every year has been cut from our main source of government funding since 2013. The Council will need to bear £78.4million of additional costs and lost income due to COVID. Despite promises from Government to fully fund all the costs of COVID and to stand 'shoulder to shoulder' with councils and 'do what it takes', Nottingham is likely to receive only £39.8million in COVID funding

leaving a gap of £38.6million.

10 years of government austerity hurts the most vulnerable members of our community and now threatens frontline services and our key workers that have helped people in Nottingham throughout the crisis.

Nottingham City Council therefore resolves to:

1. campaign alongside other councils to lobby the Government to keep its promise to Nottingham and key workers to fully fund all COVID 19 costs;
2. jointly campaign for a fair funding system for local authorities based around deprivation levels and local need;
3. jointly campaign with other councils to push the Government to cancel non-commercial Public Works Loan Board debt;
4. ask the Government to reduce the interest rate and allow a Covid payment holiday on Public Works Loan Board debt;
5. build a joint campaign with MPs, other councils, trade unions and local communities.

15 Committee membership changes

To note that:

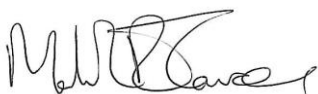
- a) Councillor Audrey Dinnall has replaced Councillor Shuguftah Quddoos as a member of the Regulatory and Appeals Committee
- b) Councillor Andrew Rule has replaced Councillor Roger Steel as a member of the Overview and Scrutiny Call In Panel
- c) Councillor Roger Steel has been appointed as substitute member of the Overview and Scrutiny Call In Panel
- d) Councillor Sajid Mohammed has replaced Councillor Steve Battlemuch as a member of the Audit Committee
- e) Councillor Jay Hayes has replaced Councillor Lauren O'Grady as a member of the Audit Committee

Please note that questions to Council are received after the agenda has been published. Questions will be published as a supplementary agenda by 5pm on Friday 2 October 2020.

If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Officer, if possible before the day of the meeting

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.



Dated

Director for Legal and Governance

To: All Councillors of Nottingham City Council

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Public Document Pack Agenda Item 5

Minutes of the meeting of the City Council

held remotely via Zoom and livestreamed at
<https://www.youtube.com/user/NottCityCouncil>

on 13 July 2020 from 2.00pm - 3.47pm

Attendances:

✓ Councillor Rosemary Healy (Lord Mayor)	
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✓ Councillor Hassan Ahmed	✓ Councillor Chantal Lee
✓ Councillor Leslie Ayoola	✓ Councillor Dave Liversidge
✓ Councillor Cheryl Barnard	✓ Councillor Sally Longford
✓ Councillor Steve Battlemuch	✓ Councillor AJ Matsiko
✓ Councillor Merlita Bryan	✓ Councillor Carole McCulloch
✓ Councillor Eunice Campbell-Clark	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Sajid Mohammed
✓ Councillor Azad Choudhry	✓ Councillor Salma Mumtaz
✓ Councillor Kevin Clarke	✓ Councillor Toby Neal
✓ Councillor Audrey Dinnall	✓ Councillor Lauren O`Grady
✓ Councillor Michael Edwards	✓ Councillor Anne Peach
✓ Councillor Samuel Gardiner	✓ Councillor Georgia Power
✓ Councillor Jay Hayes	✓ Councillor Shuguftah Quddoos
✓ Councillor Nicola Heaton	✓ Councillor Ethan Radford
✓ Councillor Patience Uloma Ifediora	✓ Councillor Nick Raine
✓ Councillor Phil Jackson	✓ Councillor Angharad Roberts
✓ Councillor Maria Joannou	✓ Councillor Andrew Rule
✓ Councillor Sue Johnson	✓ Councillor Mohammed Saghir
✓ Councillor Kirsty Jones	✓ Councillor Wendy Smith
✓ Councillor Angela Kandola	✓ Councillor Roger Steel
✓ Councillor Jawaid Khalil	✓ Councillor Dave Trimble
✓ Councillor Gul Nawaz Khan	✓ Councillor Maria Watson
✓ Councillor Neghat Khan	✓ Councillor Sam Webster
✓ Councillor Zafran Nawaz Khan	✓ Councillor Adele Williams
✓ Councillor Pavlos Kotsonis	✓ Councillor Linda Woodings
✓ Councillor Rebecca Langton	✓ Councillor Cate Woodward
✓ Councillor Jane Lakey	✓ Councillor Audra Wynter

✓ Indicates present at meeting

14 Apologies for absence

Councillor Rebecca Langton (personal)

15 Declarations of Interests

Councillor Steve Battlemuch declared an Other Interest in relation to councillor question 5 of agenda item 5 Questions from Councillors (minute reference 21), because he is a Director of the Robin Hood Energy Board. He stated that he would take no part in discussions regarding Robin Hood Energy at meetings of the Audit Committee.

16 Questions from Citizens

Broadmarsh Development

IL asked the following question of the Portfolio Holder for Regeneration, Safety and Communications:

What is the situation regarding Intu Broadmarsh, what discussions have been had with Intu, and what options are being considered for the future of the site? Will the City Council consider taking Broadmarsh back from Intu and embarking down a radically different route which would provide a truly innovative and world class southern gateway to the city centre?

Councillor David Mellen replied as follows:

Thank you Lord Mayor, and can I thank the member of the public for asking this question which concerns Intu Broadmarsh, the future of the site and embarking on a different route for the future.

On 3 July the Intu holding companies associated with the Broadmarsh Centre entered receivership. As a result, the Official Receiver disclaimed the lease for the Broadmarsh Centre to the Council as owners of the freehold. This outcome is a hugely significant step for the City. It means that the Council has control over the whole site as both the freeholder and the leaseholder, which means that the Council now has greater opportunity to start to develop a new sustainable plan for the future of the site. It also means that the liabilities of the site also rest with the City Council. To see a major development that had been making good progress stall because of the corona pandemic and Intu's demise was a major blow. Sadly, Intu is not the only company across the country that has been in trouble because of the effects of the virus.

The Broadmarsh Centre is an extremely important site right at the heart of the City Centre. It is vital that we take every opportunity to maximise its potential as part of the wider regeneration taking place in the City: bringing investment, creating jobs and improving the quality of life for local people. Other developments in the area are ongoing such as the new College building, the car park, the bus station, the space for the new library and the renovation of the Castle and we look forward to both the College and the Castle opening early in 2021.

Withdrawal of Intu from the site presents a financial challenge for the City Council at a time when our budget is under immense pressure. Nevertheless, this is a great opportunity to look again at the plans for this key site, listening to the variety of ideas that are coming forward as to how the site should be developed. We won't be able to do this by ourselves and we will need to work in partnership to take this further forward. Our initial task is to reopen the public right of way from Collin Street to Lister Gate to re-establish safe pedestrian access to and from the south of the City Centre.

Thank you.

Racism awareness in schools

VS asked the following question of the Portfolio Holder for Early Years, Education and Employment:

Does the Council accept that racism awareness training as part of the National Curriculum would be a good way to work towards the long term goal of eradicating racism in Nottingham? If so, what initial steps can Nottingham City Council take with Nottinghamshire County Council to make this happen?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor and can I thank the citizen for asking this important question. Nottingham City Council recognises the important role that our schools play in tackling issues such as inequality, diversity and racism. I also appreciate, and would want to thank the many school leaders, teachers and support staff within those communities for all they have done to role model and teach about justice and the fight against racism in the community. Nevertheless, there is more to do and the Council will continue to support, encourage and challenge schools, colleges and other settings to take early action to eradicate racism in their daily work. This can, and should be through aspects of the taught curriculum, through pastoral work with children and young people and through role models in their organisations.

Nottingham City Council has produced, through its Ethnic Minority Achievement Grant and Ideal Services, many good and relevant resources over the years relating to black history and embedded black perspectives into the curriculum. Such services and conferences were accessible to all schools including the academy sector and county schools. The Council's Ideal Services provides consultancy for schools on ethnic minority, black curriculum and teaching, and supports the deployment of six advanced teacher posts working in schools and academies across the City to promote knowledge and skills for teaching black, Asian and minority ethnic pupils. Through this core offer we provide diversity within the curriculum and cover black and mixed heritage, asylum and refugee achievements.

Notwithstanding this work, I know that more can and must be done and we can never be complacent. Many of the children and young people of Nottingham are educated in the academy sector and some of the trusts operate across the City and the County. So we will continue to work with the sector to ensure diverse and appropriate material is taught across the curriculum. I would also like to see the goal of eradicating racism continue to be the focus of regulation and accountability, from the local governance in schools, multi-academy trusts and through Ofsted inspections.

Thank you.

17 Petitions from Councillors on behalf of Citizens

Councillor Merlita Bryan presented a petition on behalf of residents of Radford Grove Lane, requesting the removal of the picnic table on St Peters Park (Churchfield Lane, Radford) to address issues of anti-social behaviour.

18 To confirm the minutes of the last meeting of Council held on 18 May 2020

The minutes of the meeting held on 18 May 2020 were confirmed as an accurate record and signed by the Chair.

19 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive

The Leader of the Council reported the following:

Andy Vaughan

Andy Vaughan, Corporate Director for Commercial and Operations, left the Council on 30 June. Andy worked for the Council for over 10 years, joining the Council in 2009 as Director for Neighbourhood Services. I would like to thank Andy on behalf of the Council for the contribution he has made over that time and his dedication to Nottingham. I wish Andy all the very best in his future endeavours and, on behalf of the Council and the people of Nottingham, I thank him for his service and commitment to our City. Andy has been an established part of the Council's officer leadership for well over a decade and has been at the heart of providing first class services and for leading some of the Council's most innovative and transformational projects.

20 Questions from Councillors - to the City Council's Lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

21 Questions from Councillors - to a member of Executive Board, the chair of a committee and the Chair of any other City Council body

Councillor Steve Battlemuch declared an Other Interest in relation to councillor question 5 of agenda item 5 Questions from Councillors (minute reference 21), because he is a Director of the Robin Hood Energy Board. He stated that he would take no part in discussions regarding Robin Hood Energy at meetings of the Audit Committee.

Broadmarsh Development

Councillor Kevin Clarke asked the following question of the Leader of the Council:

Following last week's developments regarding Intu handing back control of the Broadmarsh Centre to Nottingham City Council, can the Leader confirm that the responsibility of the site now lies fully with the Council? If so, and while we understand firm plans cannot be drawn up overnight, can the Leader outline to us the options that are available and being considered for the future of the site?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Clarke for his question. As mentioned in my previous answer to the member of the public, on 3 July 2020 the Intu holding companies associated with the Broadmarsh Centre entered into receivership. As a result, the Official Receiver disclaimed the lease for the Broadmarsh Centre to the Council as owner of the freehold. This outcome is a hugely significant step for the City. It means that the Council now has both a greater opportunity to start to develop a new sustainable plan for the whole of the Broadmarsh site; and it also takes on the liabilities for the area, which as all can see is a building site and, whatever the plans for the future, needs initially to be made safe before any future plans can be realised. An open and widespread conversation about the future of the area needs to take place with Nottingham citizens as the opportunity arises to really assess what should happen in this space. The first priority is to get the public access safely restored from Collin Street to Lister Gate through the Centre.

Robin Hood Energy

Councillor Kevin Clarke asked the following question of the Portfolio Holder for Finance, Growth and the City Centre:

In the financial year 2018/19 Robin Hood Energy posted losses of £23.1million. According to their own accounts, they have made losses of over £33.5million across the previous five years. Indeed, they have only posted a profit one year across their entire existence. While the Council can hardly be blamed for the current financial hardships caused by the Covid-19 crisis, the fact remains that the present situation is critically fragile. Does the Portfolio Holder not therefore agree that it is finally time to follow the Labour-led Bristol City Council's lead and divest itself of its commitment to what is obvious to everyone, a failing energy company?

Councillor Sam Webster replied as follows:

Thank you Lord Mayor and thank you to Councillor Clarke for the question. As he will know, the Executive Board of the Council, on 17 December 2019, noted the intention to carry out a full options appraisal and strategic review regarding the future of Robin Hood Energy. This process commenced back in January 2020. The public statement from the Company announcing the review in January said: "we have commenced a strategic review of the business. This will consider all options for Robin Hood Energy and will be complete by the summer. Meanwhile our key objectives are to find further efficiencies in our processes, ensure we continue to provide a great customer experience and deliver for our shareholder and most importantly the people of Nottingham". So we are anticipating the conclusion of the review shortly and the Robin Hood Energy Board will need to make a decision on this consistent with the best interests of Nottingham City Council as the shareholder. Any decision for the Council resulting from this will be taken in accordance with the City Council's Constitution.

Response to Coronavirus outbreak

Councillor Maria Watson asked the following question of the Leader of the Council:

In the previous Full Council meeting back in May, all parties here expressed words of gratitude and support to the communities and council workers responding to this once in a lifetime crisis. While we don't wish to go over old ground, we would like to

draw attention to the work of some council workers who we believe deserve greater attention for the work they do, than they are currently receiving.

The Cleansing and Maintenance teams of Clifton, as I'm sure across the whole of Nottingham, do an arduous and thankless job but we as councillors could not be more grateful for the work they've done during this crisis. The cleansing teams have gone above and beyond to ensure that Clifton is a safe place for its residents. Will the Leader of the Council join me to thank the Clifton team, our Neighbourhood Operations Manager and I'm sure all of the Council teams across Nottingham for everything they have done over the past few months for the good of this City?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Watson for her question. I am delighted to join with you and all councillors in thanking our frontline Street Scene Teams and other key staff who have helped us and the people of Nottingham get through the coronavirus outbreak so far. The focus on helping our citizens and communities has been highly commendable. The Street Scene Teams have demonstrated great resilience as a workforce through this lockdown period. Keeping our City and neighbourhoods clean and well maintained remains a key priority for the City and whilst it has been incredibly difficult and challenging for the Street Scene Teams to keep on top of the cleansing and grounds maintenance work through this period, it is clear that while standards are not consistently as good as we would like in normal times the Teams have done a fantastic job in keeping on top of the bulk of the work during the lockdown.

The Street Scene workforce has been stretched in multiple directions during this time, with a number of staff off due to Covid shielding whilst other staff have been needed to support waste operations such as bin collection during the pandemic. This additional work and Covid impact has placed a great strain on resources and this has resulted in reduced services in some areas of the City. However, each area is now developing a Covid Recovery Plan in order to help prioritise the available resources to the priority work tasks and to help programme the backlog of grounds maintenance work over the coming months. Once the Recovery Plans have been confirmed, the Service also hopes to host a major citywide volunteer campaign. This will take place in the autumn. It is hoped that the Clean Champions and the community will all come out to help us accelerate the recovery process. We are very grateful for all those volunteers both in Clifton and across the City, including many Clean Champions, who have helped us consistently keep our communities clean through litter-picks and other community clean-ups. It is clear that there is work to be done and that it will take some time to get back to normal. That said, we will remain focused on our 'Clean City' priorities and with councillor support I am sure we can get all of the City back to a standard that we are proud of.

So thank you again Councillor Watson. I will ensure that the Neighbourhood Operations Manager for Clifton and the Team that works alongside him, and all the Street Scene Teams are thanked for their hard work and dedication that has been seen throughout the lockdown.

Employee redundancies

Councillor Kirsty Jones asked the following question of the Leader of the Council:

While we are aware the current financial pressure is of a situation completely outside of the Council's control, the recent public threat of redundancies is of course still a huge concern. And while I'm sure the decisions have not been taken lightly, that will be of little comfort either for the council officers who now fear for their jobs, nor for the service users who already rely on financially stretched services. Can the Leader guarantee these people, that following the end of this current round of voluntary redundancies, everything possible will be done to avoid any further job losses? Further, will he also commit to carefully evaluating the proposals recently put forward by UNISON, UNITE and GMB, and consider them as serious alternatives to our colleagues losing their jobs?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Jones for her question. I'm glad Councillor Jones that you recognise that the Council is dealing with a situation outside of our own making. It is also a situation we were led to believe we would not be facing alone. When the coronavirus crisis started, ministers urged councillors to do what we needed to do, to spend what we needed to, that they would be shoulder to shoulder with us. They even asked us to take on additional tasks such as shielding the vulnerable by supporting them – that was 18,000 people in Nottingham – and to support local businesses by the administration of grants to support businesses. That was on top of work to support our adult care services both in care homes, home care and our duties towards those who were street homeless. I am rightly proud Lord Mayor of how Council staff have stepped up to the plate, worked so hard, done other jobs, gone the extra mile to support and protect Nottingham citizens and businesses. I am appalled at the way Government has not honoured their sacrifice and let our City and our Council staff down.

The Council has worked hard through austerity to protect jobs and services but the ongoing pressure caused by Central Government cuts to funding, compounded by the Covid pandemic has left us in a particularly challenging financial position this year. We have spent additional money because of Covid and we have had the income that we were expecting really curtailed by lockdown. So yes, sadly job losses have to be considered as we seek to balance our budgets in-year. Lord Mayor, we have received some money from Government towards our Covid costs but the amount given does not nearly meet the extra amounts that we have spent and the income we have lost through Covid. More money was announced ten days ago by the Local Government Minister but we have no idea what Nottingham's share of this amount will be – another example of the practice of this Government throughout this crisis: announcement today, work out what the announcement means tomorrow. So in the face of a lack of support and a lack of clarity from the Government, councillors and officers are working hard to develop a range of budget reduction proposals that balance the need for the Council to be financially sustainable with the desire to protect both jobs and services. Alongside these budget proposals, as requested by our trade union colleagues, a number of further steps are being taken to manage the financial challenge. We continue to lobby Government to provide the necessary funding for councils and to manage the Covid crisis. We have done this by ourselves and alongside our partners in Core Cities and at the Local Government Association. We are looking at the Council's overall finances to determine how many of our reserves can be used to ease the pressure this year, but it should be noted that this

is one-off funding and will need to be repaid. As Councillor Jones has rightly pointed out, we have introduced a voluntary redundancy scheme as we strongly believe that the size of the financial challenge is such that we will not be able to meet our statutory obligations to balance the budget without some reduction in the overall number of people that we employ. We have introduced a voluntary scheme for redundancy not because we want to see valuable staff leave but because in our situation job losses seem inevitable and an enhanced voluntary scheme is preferable to compulsory redundancies. We will continue to consult, and work with our trade union colleagues and the workforce and remain committed to working with all stakeholders to pursue all viable budget reduction options and proposals. Even now at this late stage I would appeal to the Government to keep its promise to stand shoulder to shoulder with us so that these savings and job losses are not necessary. As far as the future goes, we will continue to protect jobs wherever we can but until the Government grasp the nettle and funds adult social care properly – a service that has been vital during the last few months -; until they meet the underfunding of children's services – a lack of resourcing recognised by all councils regardless of political affiliation across the country; until they acknowledge and properly fund local councils serving our communities so faithfully then the pledge that there will be no more cuts is impossible to give. What I can say is that here at Nottingham City Council we will do everything we can to support the people of the City and the services we deliver to them.

Robin Hood Energy

Councillor Andrew Rule asked the following question of the Chair of the Audit Committee:

The Chair of the Audit Committee will be aware from media reports that a strategic review of Robin Hood Energy is currently underway. Given the severity of the Council's financial situation and the risk posed by Robin Hood Energy's financial performance on its ability to repay the lending to it by the Council – will the Chair of Audit Committee undertake to request a copy of this review and convene a meeting of the Audit Committee where it can be discussed in more detail?

Councillor Steve Battlemuch replied as follows:

Thank you Lord Mayor and I would like to thank Councillor Rule for his question. I think, as he knows, the strategic review is a matter for the Council's Executive and for the Board of Robin Hood Energy and it will be rightly considered in due course in line with the Council's governance structure. Councillor Webster also made that clear in a previous answer. The Council's Audit Committee already does, and will continue to review and monitor the financial health of the Council. We have got meetings scheduled, as he knows, for the months ahead where we will continue to carry out our audit duties. The primary focus of the review and the decision makers for the review is the Council's Executive and the Board of Robin Hood Energy.

Broadmarsh Development

Councillor Andrew Rule asked the following question of the Leader of the Council:

Could the Leader of the Council update the Chamber in respect of the prospects of the Council recovering any of the £17million put at risk following the appointment of

administrators over Intu and the collapse of the redevelopment of the Broadmarsh's shopping centre?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Rule for his question. As mentioned previously this afternoon, on 3 July 2020 the Intu holding companies associated with the Broadmarsh Centre entered receivership. As a result the Official Receiver disclaimed the lease for the Broadmarsh Centre to the Council as owners of the freehold. Previous to this, Intu had informed the Council that the Intu Broadmarsh development had been paused due to the impact of the coronavirus pandemic. The pandemic has caused a massive shock to economies around the world, having a major impact on construction projects with the retail sector and high streets particularly badly hit. The redevelopment of the shopping centre was Intu's project. They operated the Centre and contracted to Robert McAlpine to carry out the development work. As Nottingham City Council had a freehold and financial interest, a comprehensive development agreement was in place for the project with clear contractual obligations. The agreement involved the Council putting a contribution into the project in view of our status as the freeholder and owner of the site in return for rental received from units within the Centre. We had made part of our contribution and this has helped pay for works such as the removal of asbestos from the Centre and work that needed to be done whatever the future of the Centre and grounds works that will also be helpful in the future. Our lawyers are looking again at the development agreement to see if any money might be returned but it seems unlikely at this stage that we will be fully recompensed for money we have invested.

Day Care Centre Services

Councillor Andrew Rule asked the following question of the Portfolio Holder for Adult Care and Local Transport:

The Portfolio Holder will appreciate that following the suspension of services, the families of service users and the service users of the City Council's day care centres have been somewhat left in limbo of late as they've received no communication from the Council with regard to when a full or even partial service will resume. Will the Portfolio Holder therefore urgently press the Head of Service to publish a timeframe for when this might happen to give families much needed clarity in this area?

Councillor Williams replied as follows:

Thank you Councillor Rule for your question. Obviously we recognise that these day services provide really important support to the people who use them and to their families, and really appreciate the impact of the, of course necessary, closure of services for safety reasons and following Government advice, will have had. So our fantastic staff have been making sure we understand how individuals and families are coping without the day services, and have developed alternative support for those citizens and families who need it from us. We have maintained absolutely regular contact with people who use our services throughout the closure and have provided additional support where it is needed. I would thank those staff for their work and dedication in working to different models of support for citizens and their families.

Officers have considered the revised national and public health guidance and it is clear that at this stage we are able to provide some building-based support for a smaller number of people and we are planning to reopen services to those who most need building-based support and we will write out as soon as possible to the relevant people when we are able to confirm these next steps and timetables.

Thank you.

Distribution of funding to businesses

Councillor Andrew Rule asked the following question of the Portfolio Holder for Finance, Growth and the City Centre:

The Portfolio Holder will be aware that despite the impressive efforts of Council to distribute Government backed funding to businesses across the City, as at 5 July there remains unallocated funding of circa £12million. Could the Portfolio Holder comment on the challenges that have hampered allocating this funding and how the Council is seeking to address those challenges?

Councillor Sam Webster replied as follows:

Thank you Councillor Rule for the question. I also want to thank him for recognising, in his words, the impressive efforts of Council, by which I think he means efforts of Council staff, to distribute small business grants. I would agree that Council officers have pulled out all the stops to ensure that all eligible grant applications have now been paid. Council staff literally worked around the clock to distribute grants as quickly and efficiently as possible. As of the date of this question, 5 July, the Council had awarded £51.3million to 4303 Nottingham small businesses. This has been achieved by direct publicity targeted at businesses, social media campaigns, the Nottingham City Council website, outbound calls to businesses, a focus on black, Asian and minority ethnic (BAME) businesses by the Council's B-Global Network, and communications through the Growth Hub of the Nottingham Economic Recovery Unit. However the grant does rely on businesses applying to ensure compliance with legal requirements as per the Government's criteria. Since retail and hospitality premises have started to reopen a further issue of direct communications has been targeted at those businesses that appear to be eligible but have not yet applied. There is a consistent flow of new applications being received.

There are several areas that I would like to highlight. All eligible applications to date have been paid. Checks on eligibility are carried out to minimise fraud. Sadly some people will try to defraud the Council, and therefore taxpayers, even in these most trying of circumstances. This is important and we took time to get our processes right. Councillor Rule might have seen a recent report by the Policy Exchange, endorsed by Sajid Javid, which highlighted that fraud and error in emergency support schemes could cost the Government up to £7.9million. We were, and are keen, to make sure money gets to Nottingham businesses and individuals that most need it and are eligible. We do not want to see money wasted on fraudsters. This scheme is about protecting the jobs of our residents and that's why it is so important that no money is wasted. We have lobbied Government to keep the scheme open to the end of the financial year as businesses are still making applications. There are still businesses who we think are eligible who have not claimed. We have sent two letters to those businesses and conducted an outbound calls process to make

contact and offer support. We were the first Council in the country to spot big gaps in the Government's original grand scheme and so we lobbied for a further fund to help businesses in shared accommodation, charities, social enterprises, co-operatives and market traders. I was pleased that the Government answered our call and provided a further £3.3million discretionary grant. We have now used up all of the discretionary grant and, as I warned at the funding announcement, the fund size was inadequate. I believe that we could have quite easily have supported twice the number of businesses if the fund had been more adequate. I do want to mention two individuals from the Filthy Vegan Kings Walk Kitchen. They recently commented in the Nottingham Post that the Council's discretionary grants scheme was a massive boost and had really helped them out at a time when they had taken a big hit with no income for three months. They went on to say "it's been a massive pillar of support for us helping with costs and rent. We didn't think we were in a position to get a grant so it was very helpful and welcome". We will continue to work with the Government Valuation Office and our partner organisations to encourage the remaining potentially eligible businesses to apply for a grant.

Thank you.

Coronavirus outbreak

Councillor Graham Chapman asked the following question of the Deputy Leader of the Council:

Does the Deputy Leader of the Council feel there are sufficient data and support from Government to allow local partners to respond effectively were there to be a spike in COVID- 19 cases in Nottingham?

Councillor Sally Longford replied as follows:

Thank you Lord Mayor and thank you Councillor Chapman for the question which, of course, is very important. Whether we have enough access to the vital data that will help us protect our citizens from a future outbreak of Covid-19 is an issue which has caused a great deal of frustration so I recently wrote to the Minister of Health. Efforts to protect our citizens and workforce have been hampered due to the unavailability of data. I chair our City of Nottingham Outbreak Control Engagement Board and we have recently published our Local Outbreak Control Plan. This outlines the data that is available to us and how it will be used to inform the local response and effectively manage and prevent local outbreaks. While the picture is improving and more detailed and timely data is now flowing to local authorities, we still have significant concerns. Timely granular and complete data must be available to the local authority to enable us to effectively contain a local outbreak, such as that currently experienced in Leicester. We welcome the recent public release of the Pillar 2 data by Public Health England, which is testing from members of the public who have been independently tested which alongside the previously available data from testing in health and social care environments, known as Pillar 1, provides us with a greater level of detail. However, the availability of really detailed data does not go far enough for us to effectively monitor new cases and potential clusters. Public Health England are making additional data available via Directors of Public Health. Whilst this information is welcome, it does not provide the level of detail required to assess potential outbreaks. Integration of national, regional and local data is required to enable the continuous monitoring of the frequency and distribution of disease and

death due to Covid-19 infections. Effective management of outbreaks will require contact tracing and self-isolation, which relies on the flow of data between key stakeholders and those at the frontline of infection prevention and control. Key issues which I highlighted in my letter to the Minister included the need for details on all those accessing testing, not just the ones with the positive result, so that we can understand who is accessing testing within our local communities and whether it is equitable; details as to those who tested positive but have not been reached by the national NHS Testing Tracer so we can mobilise local contract tracing if appropriate; identifiable, individual level data on positive cases and individual data on the contacts identified by the Test and Trace Service and those advised to self-isolate so that we can provide proactive support to vulnerable citizens who are isolating as we have been doing throughout the pandemic. We also need better recording of ethnicity which is currently poorly completed; and improved data completeness, especially in relation to employment to start to develop the full picture of how things are being spread and so that individual positive cases can be linked with known outbreaks and/or likely transmission routes. We also need less restrictive information governance arrangements in order for us to share data with system partners without delay. I have asked the Department of Health and Social Care to commit to the necessary data being made available along with less restrictive information governance for partnership shared working as soon as possible so that local authorities and partners have the necessary information to contain and tackle any potential outbreaks and protect our citizens and colleagues from further harm.

We are not alone. There is widespread concern about this issue. Peter Soulsby, the Mayor of Leicester, recently accused the Health Secretary of withholding viable data. He said that it held back their city's response to the recent spike in cases. He mentioned in particular the urgent need to have access to accurate data about infection rates among vulnerable black, Asian and minority ethnic (BAME) communities as well as workplace information in order to better respond to the outbreak. Political leaders of Salford have accused Matt Hancock of peddling untruths on the Andrew Marr Show when he stated that local authorities had all the data they needed. I really hope that these deficiencies will be resolved soon so that cities like Nottingham with large ethnic minority populations and complex relationships between communities, workplaces and leisure activities will be able to nip any outbreak in the bud. Accurate data that we can safely share with trusted partners would ensure we could respond in the most appropriate way to an upturn in infection rates. We know that at times during the response to the pandemic it was difficult to fulfil our duty to mobilise civil society because we were unable to share data with emergency services and social housing providers who may have been best placed to respond. Nottingham has done relatively well compared to other parts of the country in keeping our community safe in the public health crisis. This is, I am sure, largely because our citizens have, in the main, been very sensible and followed guidance. I would like to thank them sincerely for their forbearance and for caring for their friends and neighbours during this very difficult time. I have also received very positive feedback from a range of people about the Council's response to the pandemic – for the sensitive way many people have been supported and for our well-executed plans for supporting vulnerable residents. If we are to continue to respond in the best possible way to any future Covid outbreaks we need detailed data in order to be able to do so. Unfortunately, this Conservative Government has repeatedly demonstrated a failure to plan and prepare for the changing situation during the global pandemic, and to provide for the needs of responders – from a failure to

secure supplies of personal protective equipment (PPE) in the first few weeks; to confusing mixed messaging about lockdown; to unfulfilled pledges to stand shoulder to shoulder with local councils. It is not a pretty picture and I cannot say that I am optimistic that they will get this data issue sorted speedily.

Thank you.

Teaching of black history

Councillor Merlita Bryan asked the following question of the Portfolio Holder for Early Years, Education and Employment:

Given the increased awareness of racial history in Britain in recent weeks, does the Portfolio Holder for Early Years, Education and Employment concur with my staunch belief that now, more than ever, is it finally time to rectify this long-standing omission from our British education system, and to genuinely review the national curriculum, making the teaching of black history mandatory for all pupils in schools in England?

Councillor Neghat Khan replied as follows:

Thank you Lord Mayor and can I thank Councillor Bryan for this important question. Recent events have rightly ignited anger, not just in the United States, but all around the world. Here in Nottingham we recognise and share this strength of emotion and we stand in solidarity with people across our communities. We are extremely proud that people of different backgrounds get on so well together in Nottingham and this is something we should all be proud of. We see first-hand the importance of our neighbourhoods, their cultural identities and the people who live and work within them. Of course, understanding cultural identities is vital in the classroom. Nottingham City Council has produced, through its Ethnic Minority Achievement Grant and Ideal Services, many good and relevant resources over the years relating to black history and embedded black perspectives into the curriculum. Through this core offer we provide diversity within the curriculum and cover black and mixed heritage, asylum and refugee achievements. Notwithstanding that, I know that more can, and must be done to review the curriculum so that there is a genuine attempt to view and teach black history through black eyes and not those of white colonial voices, for example understanding that the history of Africa didn't begin with the arrival of European colonisers but that different ethnic groups had rich customs, practices, arts and culture that pre-existed European knowledge of Africa.

Lord Mayor, there is a need to ensure that pressure is applied to the Department of Education and Ofsted to ensure that the awareness being generated by Black Lives Matter results in real change in the curriculum's content. Whilst it is good to identify and celebrate leading black figures who have been overlooked in history, a proper understanding of the wider pre-slavery history of black people followed by an understanding of the impact of colonial power and slavery in shaping the modern experience of black people is necessary. Sadly, too often the comments of leading white politicians demonstrate that their understanding of black history is totally shaped by the colonial perspective that they have been taught in their school and university education. We have to, I repeat have to, put an end to this by starting to reframe these histories and also provide a more accurate version of British history. Now is the time to ensure that every child is taught about pre-colonial Britain and the Windrush Generation up to present day migration and deportation. Lord Mayor, the

Government needs to take responsibility for making black history mandatory instead of leaving it up to schools, many of which are grappling with significant budget cuts. A realistic understanding of Britain's history on migration in the Empire has never been more urgent.

Thank you.

Coronavirus outbreak

Councillor Sam Gardiner asked the following question of the Leader of the Council:

Robert Jenrick, Secretary of State for Housing, Communities and Local Government, said that Government would do "whatever it takes to support councils" at the beginning of the lockdown. The Conservative Government repeatedly echoed this statement, but it is now becoming clear that the Government will not help English councils with the shortfall and have broken their promise to fully recompense local councils for their efforts in responding to COVID-19.

Nottingham's shortfall so far is £65 million and on top of 10 years of austerity can the Leader of the Council explain the impact this broken promise will have on local services and what actions would he call on the Government to make to meet their promises.

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Gardiner for his question. Covid-19 has had a dramatic effect on the City and the way services are run in Nottingham. We have had to respond quickly and effectively to the way we deliver services. We have had to make hard choices about the services that matter most in order to protect our staff and keep people in our City safe from harm. We can be proud that when it mattered most for Nottingham we delivered: whether it was supporting frail elderly or those with disabilities in care homes; sourcing our own personal protective equipment (PPE) supplies; contacting 18,000 vulnerable people for support; or helping to fund local businesses, we delivered. Lord Mayor, whilst I acknowledge the Government has provided £3.2 billion to local authorities across the country, and we welcome the extra resources received in Nottingham to mitigate the costs of responding to the pandemic, we were repeatedly reassured, as Councillor Gardiner said, by the Secretary of State for Communities and Local Government that further assistance would be forthcoming and councils should do whatever it takes, safe in the knowledge that additional reimbursement would follow. Repeated calls for additional funding have been dismissed with comments that local government should be prepared to share the burden and that it shouldn't labour under a false impression that what they are doing is guaranteed to be funded by Government.

If the challenges were not significant enough, they follow ten long years of Government austerity where vital services that we all rely on have been squeezed to a point of crisis. It's no secret to those on this Council that since 2010 we have made cumulative savings of more than £270 million, within that, Nottingham's Revenue Support Grant falling from £126 million in 2013/14 to just £25 million this year. At the same time, costs for care of the elderly and care for vulnerable young children have been rising and now the £16 million of savings for 2020/21 as agreed at the Council budget meeting in March are at serious risk of delivery. Lord Mayor, we cannot

continue to deliver the vital services that people across the City need and deserve without sufficient additional funding from Government. We are doing everything we can within our abilities to maintain vital services as well as taking on a range of additional responsibilities at a time of crisis for our people. We are ensuring that nobody in our City sleeps rough providing emergency food and accommodation to those who need it; we are supporting families and children with a range of online resources to keep healthy and happy in their homes; as well as having provided emergency food for people in need.

Lord Mayor, Councillor Gardiner is right, despite the £19.8million received from Government so far we estimate the cost of Covid-19 to the Council is £85million, leaving a shortfall of £65million. Despite the announcement of a further tranche of support to address spending pressures and in recognition of lost income, the method of distribution is unclear at best. However, what is clear is our commitment to continue to stand up for the people of Nottingham, the frontline workers who put their lives on the line to keep us safe, the lives of families severely disrupted by some of the most challenging circumstances in a generation, the frail and elderly who continue to need our support, our libraries, our leisure centres which are vital services that we know Nottingham people need right now more than ever just to keep going. Failure to stand shoulder to shoulder with local councillors now would be breaking the Government's promises. Lord Mayor, whilst I am Leader of this Council we will always try to protect frontline services and the services that are relied upon by our most vulnerable residents but we are now having to look at every area because our lack of funding is so severe and those vital services are at risk. It would be a kick in the teeth for Nottingham and the key workers we stood to applaud week after week if the Government didn't stick to its promise. I will continue to speak up for Nottingham and I am sure that members on the Labour side of the Chamber will do so as well. I urge the leaders of our Opposition Groups to join me in writing to the Government to stand up for this City. Join me in standing up for public services, local libraries and parks, the things that people really value, the beating heart of our City. It is what our communities demand and deserve.

Thank you.

Adult social care

Councillor Carole McCulloch asked the following question of the Portfolio Holder for Adult Care and Local Transport:

Does the Portfolio Holder for Adult Care and Local Transport agree with me that the Prime Minister's comments on care homes should be the subject of a personal apology and in light of those comments can the Portfolio Holder tell us about the support given to the local care sector from the City Council and the increased costs that have been incurred in providing that vital support?

Councillor Adele Williams replied as follows:

Thank you Lord Mayor and thank you Councillor McCulloch for your question. I was also really appalled to read the Prime Minister's comments and still more so to hear him double down on them with a further attempt to muddy the waters. When we look back on this crisis it will not be care workers seen wanting. When people come into care work they commit to supporting people with compassion and professionalism

and thankfully, and they will have our lasting gratitude, they have stood by that commitment. I think Boris Johnson himself stood on his doorstep each week applauding the key workers but it's all a bit hollow if there's been nothing of substance behind it. Not enough, no credible commitment to fund adult social care properly, empty promises on personal protective equipment (PPE) and actually a real startling lack of understanding of the sector as has been evidenced by some of the issues raised already. In supporting care homes in the care sector we have had in our minds the 400 Council staff and 5000 working in social care as care workers, and those they care for. To them we gave gratitude but we also knew we had to back that up and give them underpinning support to keep them as safe as possible in their vital work. When someone is committing to leave their own family behind and go and look after a member of someone else's family just at the time when lots of us were hunkering down and staying safe in our homes the least we could do was make sure they had PPE. So whereas the City's care workers have shown that we can rely on them, the Government's promises on PPE proved hollow again and again. As letters to Government from the Association of Directors of Adult Social Services back up, there was a massive mismatch between what was promised in those nightly briefings and what arrived through the Government's promised distribution. The one consistent element was unreliability, and our ability to get PPE to providers in the sector very quickly meant that they were not cut adrift when the Government supply let them down. I would like to thank our Procurement Team as well, whose tireless work meant that carers and citizens were safer in our City. So based on our experience of the PPE crisis I would share the Public Accounts Committee's concerns that the Government may be ill-prepared for a second time and I would like to let you know that Nottingham has a cushion of PPE thanks to the work imaginatively sourcing and making sure the logistics were taken care of by our Procurement Team and other key workers.

For their part, care providers have worked with us and the wider system to implement appropriate risk reducing measures to protect citizens and carers. The Council provided a wide range of support to the care sector locally and a range of activities were undertaken with the care sector during the crisis. These include activities that have a direct financial impact to us and teams who have been providing response or support directly as part of their role redefined through the Covid crisis. So just to list some of those: we set up a dedicated webpage on Ask Lion, our Council's portal for support, and that was for all access to local information and national information on Covid-19 so it is all in the right place; we provided recruitment support including advertising and screening of applicants; we provided access to Nottingham City Council's agency contract at the Council's rates; we supported with DBS checks, online recruitment and training; we provided advice and guidance and access to specialist infection control colleagues. We worked with the Clinical Commissioning Group on training for the care sector and other elements of the Covid response, such as testing. As I said before, we worked really hard on access to PPE and we achieved PPE within an hour of ordering to the sector and ran this from our distribution centre at Harvey Hadden with the support of dozens of colleagues redeployed from other parts of the Council, and we thank them for their service to Nottingham. Regular calls were made to providers to give advice and support initially and these were welcomed by suppliers. We also had regular forums in category-specific areas so that people who had similar issues could support each other and we identified suppliers so that people could access things that they needed, such as food wholesalers. We also supported financially with an extra 5% per month to community

and residential services above the normal fee rate to ensure that providers could pay staff during these difficult times. We paid on average for three months for community services rather than paying on activity delivered to make sure they could still pay their bills and pay staff when activity levels were reduced because they had to be and obviously some citizens declined care to protect themselves. So the costs that were agreed and committed just during that period locally and financial support to the local care sector add up to £3.8million, providing PPE to the care sector so far is £1.8million. So the total committed to date is £5.66million but we expect that our total spend encompassing savings we are not able to make, loss of income from citizen contributions to care and additional costs will be well well over that, upwards for the full year towards £11million for adult care alone. As colleagues have already mentioned, Government funding so far has been utterly inadequate to meet that cost and we do this in the landscape and context of austerity for the last decade. Others have talked about the lack of a credible plan for adult social care and I repeat that and endorse it. What I would say is our carers have delivered for our City and our citizens and we absolutely demand Government do what they promised, and make their pledge to stand shoulder to shoulder materialise into real money coming into our City.

Thank you Lord Mayor.

22 Executive Appointments and Remits

The Leader of the Council presented the report notifying Council of changes to Portfolio Holder roles and remits for the municipal year 2020/21.

Resolved to

- (1) note the changes to the Portfolio Holder remits as of 13 July 2020, as set out in the appendix to the report; and**
- (2) amend the Council's Constitution to reflect these changes.**

23 Decisions taken under Urgency Procedures

The Leader of the Council presented the report detailing urgent decisions that Council is required to note, which have been taken under provisions within the Overview and Scrutiny Procedure Rules and Access to Information Rules.

Resolved to note

- (1) the urgent decisions (exempt from call in)**

Decision Reference Number	Date of Decision	Subject	Value of Decision	Reason for Urgency
3875	21 May 2020	Procurement – Supplier Relief Payments	Nil	Urgent payment was required to companies in order to relieve the financial pressures they were under.
3877	23 May 2020	Contract Extensions to Mitigate the Impact of the Coronavirus Outbreak	£24,840,628	The contract extensions were emergency measures to sustain the delivery of essential works, services and supplies during the current Coronavirus outbreak, when it would not be possible to renew contract through a full procurement process as it was not feasible to undertake planned procurement activity.
3879	26 May 2020	Purchase of Personal Protective Equipment during the Coronavirus Outbreak	£6,500,000	To enable purchases to be made as soon as possible as supplies are identified, subject to relevant minimum checks on suppliers.
3883	29 May 2020	Nottingham Small Business Grant	£3,500,000	The scheme was required by Government to issue grants to businesses in June.
3892	5 June 2020	Opening High Street Fund	£294,000	The funding was to support opening the city centre and neighbourhoods, as retail reopened from 15 June. The funding was to help citizens and businesses with

(2) the Key Decisions taken under the Special Urgency Procedure

Decision reference number	Date of Decision	Subject	Value of Decision	Reason for Special Urgency
3879	26 May 2020	Purchase of Personal Protective Equipment during the Coronavirus Outbreak	£6,500,000	As a result of the current Covid-19 outbreak, supplies of Personal Protective Equipment (PPE) were urgently needed for the delivery of social care services for adults and children, including both internal Council in-house services and possibly externally commissioned providers and Blue Light services across the LRF footprint. Purchasing of PPE needed to be made instantly when stocks were found to be available due to the high demand nationally and internationally. Therefore a decision was required urgently to enable purchases to be made as soon as supplies were identified, subject to relevant minimum checks on suppliers.
3883	29 May 2020	Nottingham Small Business Grant	£3,350,000	The scheme was required by the Government to issue grants to businesses in June.
3900	6 June 2020	Financial Support for the Tram	£3,700,000	The tram service had been running with substantially reduced passenger levels for several weeks and the transfer of the

Decision reference number	Date of Decision	Subject	Value of Decision	Reason for Special Urgency
				Department for Transport funding to Tramlink was urgently required for them to maintain cash-flow within their business.
3911	13 June 2020	Property Trading Account Rental Deferral	Exempt	The Property Department has received numerous requests from commercial property tenants seeking financial assistance with rental payments as a result of Covid-19. Despite Government support to businesses during the lockdown period, tenants have still found themselves in exceptional financial difficulty and have turned to the Council as landlord for assistance. The support measures needed to be implemented urgently to allow officers to negotiate flexible rental payment terms with tenants, to provide financial support to tenants therefore minimising the risk of tenant failure, and securing income to the Council.
Minute ref: 12	16 June 2020	District Heating Scheme Agreement	Exempt	Delay beyond the end of June may have caused the project to have been delayed until 2021 and the project could therefore have no

Decision reference number	Date of Decision	Subject	Value of Decision	Reason for Special Urgency
				longer been viable.
3918	25 June 2020	Financing Arrangements	Exempt	Delay would have jeopardised the ongoing viability of a wholly owned company.

24 Date of next meeting

In an amendment to the agenda, the Lord Mayor proposed changing the date of the next meeting to 5 October 2020.

Resolved to amend the date of the next meeting to 5 October 2020 at 2pm.

The Meeting concluded at 3.47 pm

Questions from Councillors

Responses to questions requiring a written response

WQ1

Written question asked by Councillor Kirsty Jones of the Deputy Leader of the Council at the meeting of the City Council held on 13 July 2020

It is great credit to the people of Nottingham, to this Council and to our partners in the fight against Covid-19 that Nottingham hasn't been hit quite as hard as other parts of the UK, and indeed in our local area. It is also of great credit to see how the recently published Nottingham City Local Outbreak Plan puts such an emphasis on local decision making to best meet the needs of local communities. However, as we have seen from the recent localised Lockdown of Leicester, the national Government will step in to enforce measures, should they see the need arise. While we strongly hope it will not come to it, can the Deputy Leader inform us as to whether the national Government has illustrated to what levels a localised outbreak must reach before they take national level steps to combat it, and to the extent this takes decision making powers out of the hands of the Council?

Councillor Sally Longford replied as follows:

Thank you Councillor Kirsty Jones for the question.

Nottingham City has produced a Local Outbreak Control Plan (June 2020) which sets out Nottingham's 'whole place' approach, enabling agencies in Nottingham and Nottinghamshire to prevent, manage, reduce and suppress outbreaks of COVID-19 infection across the local area.

A local lockdown is a partial or full re-imposition of measures to control the spread of the coronavirus in a specific locality, or the deferring of planned easing of restrictions, in response to a localised spike in infections. On 29 June, Matt Hancock, the Health Secretary, announced that the first local lockdown would be applied in Leicester, and would include the closure of schools (except for the children of key workers), which partially reopened on 1 June, and non-essential retail, which was allowed to reopen across England on 15 June. The aim of a local lockdown is to control the spread of the coronavirus pandemic by containing it within a particular area and so avoid re-imposing social distancing restrictions across the whole of the country.

The UK Government brought in Regulations restricting freedom of movement and closing a wide range of businesses in late March. From 11 May the Government has been gradually easing restrictions in England while aiming to keep R, the rate of reproduction of the disease, below 1, and the number of cases at a low level. One of the priorities of the Government's Recovery Plan (published on 11th May) and the Nottingham City Outbreak Plan (2020) is to prevent new hotspots developing by detecting infection outbreaks at a more localised level and rapidly intervening with targeted measures. Local outbreaks are assessed using data on the local infection rate and the concentration of cases. This information is gathered by the NHS test and trace programme (launched on 27 May) and is then assessed by the Joint Biosecurity Centre (JBC) together with Public Health England (PHE) and NHS

bodies. Directors of Public Health, who are appointed by local authorities, can also report outbreaks. Reports from the JBC, PHE and Directors of Public Health are assessed daily by the Government's Local Action Committee Command. Issues of concern are raised through this structure to the Chief Medical Officer, Chris Whitty, and, as necessary, to the Health Secretary.

Prior to the lockdown in Leicester, the Government had suggested that local restrictions would be handled by local leaders. However, the decision to impose a lockdown in Leicester was taken by Central Government. The area covered by the local lockdown rules in Leicester does not coincide with local authority boundaries. When it announced the lockdown in Leicester, the Government said that the local seven-day infection rate was 135 cases per 100,000 people, three times higher than the next highest city.

There are several powers available to implement a lockdown. The Health Secretary has discretionary power under the Coronavirus Act 2020 to close and restrict access to specified premises or premises of a specified description. The UK Government can also implement a local lockdown in England by making Regulations under the Public Health Act 1984, the legislation under which it enacted the nationwide lockdown on 26 March.

The COVID-19 Contain Framework was published on 18 July 2020 setting out new powers for upper-tier local authorities, enabling them to close individual premises and public outdoor spaces, and prevent specific events. These are supported by the Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 which came into force on the same day, giving Local Authorities powers to make directions imposing prohibitions, requirements or restrictions in their areas where the following conditions are met:

- a) that giving such a direction responds to a serious and imminent threat to public health,
- b) that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and
- c) that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

Directions can be made relating to individual premises (Regulation 4), events in its area (Regulation 5), and public outdoor places in its area (Regulation 6).

Contravention of a Direction under these Regulations is an offence, Prohibition Notices can be given and Fixed Penalty Notices will also be available. There are Publication and Notification Requirements.

The COVID-19 Contain Framework also describes the indicators which will be monitored nationally to give an understanding of the virus progression and level of risk at upper-tier local authority level (UTLA). This may result in UTLAs being designated as areas of concern, areas of enhanced support or areas of intervention (as has been seen in Leicester). There are no specific thresholds that have been set for each of these designations. National decision-making will take place through the Government's Local Action Committee command structure.

Clearly these are important powers and guidance, which have only just been published. We are working quickly to fully process what this will mean for Nottingham and will share further information accordingly.

WQ2

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Health, HR and Equalities at the meeting of the City Council held on 13 July 2020

Could the Portfolio Holder confirm how many Council employees have been furloughed since the scheme became operational and the total value of financial support the Council has received from the Conservative Government's furlough scheme?

Councillor Eunice Campbell-Clark replied as follows:

The Government's Job Retention scheme makes clear that:

'Where employers receive public funding for staff costs and that funding is continuing, we expect employers to use that money to continue to pay staff in the usual fashion – and correspondingly not furlough them. This also applies to non-public sector employers who receive public funding for staff costs'

This then places restrictions on the number of staff eligible to be furloughed and has guided the City Council's approach to managing the process with its employees. In May the Council furloughed 621 employees and received £535,198; in June 633 were furloughed and £473,882 was received.

WQ3

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Adult Care and Local Transport at the meeting of the City Council held on 13 July 2020

The Portfolio Holder may be aware that last month the longstanding issues with water accumulating at the bottom of Farnborough Road resulted in houses on Farnborough Road and Brooksby Lane being flooded. Does she accept that this would have been mitigated significantly if adequate drainage had been installed during the construction on the tram and will she therefore ensure that lessons are learned going forward from this?

Councillor Adele Williams replied as follows:

The road layout near the junction of Farnborough Road and Southchurch Drive was altered as part of the Tram works for the Line 2 extension to Clifton. All designs for the alteration of the road and the drainage system were produced by the Tram

construction company. The design was agreed with all statutory bodies and approved by the Council as local highway authority.

Following completion of the Tram works in 2015, a residential property at the bottom of Farnborough Road has suffered external flooding as a result of surface runoff from the adjacent public highway during heavy rainfall events. However, the storm event that occurred on 17th June 2020 was the first reported occasion that this property has flooded internally due to storm water runoff.

Flooding issues also affect a neighbouring property on Farnborough Road, although less frequently. The same issue also affects three properties on Brooksby Lane with storm water flowing off the rear gardens of the properties on Farnborough Road.

Following the recent storm event, officers from the Council's Flood Risk Management team have visited the residents affected to discuss this issue in detail and Highway Maintenance colleagues have also been on site to clear a blocked drainage gulley and install an additional gulley to help reduce the likelihood of future flooding at this location. Where at all possible the cost of the new gulley will be recouped from a residual Tram budget set-aside for such matters.

In line with the Council's duties as Lead Local Flood Authority, the Flood Risk Management team are required to monitor all reported flooding issues within the Nottingham City administrative area. The Flood Risk Management team working with Highway Maintenance colleagues will continue to monitor this issue to see if the recently completed works help mitigate the flooding problem. Officers will also work with Severn Trent Water, Environment Agency and other partners to seek longer-term solutions to reduce flood risk both here and across the city as part of the challenges of climate change.

WQ4

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Regeneration, Safety and Communications at the meeting of the City Council held on 13 July 2020

Given the financial pressures the Council is currently under will the Portfolio Holder make publicly available a schedule of all commercial property owned by the Council to ensure appropriate scrutiny can be given to ensure that the Council is maximising the possible return from it and to ensure that potential business owners wishing to establish in the City can identify these properties?

Councillor David Mellen replied as follows:

The Portfolio Holder will not be making publicly available any schedule of commercial property owned by the Council as the disclosure of this information would be likely to prejudice the commercial interests of Nottingham City Council and therefore this information is exempt under section 43(2) of the Freedom of Information Act (FOIA).

This is the same position the Council has taken with regard to any previous requests for such information and that stance has been formally challenged under the FOIA

with appeals being made to the Information Commissioner Office's (ICO). However, earlier this year, the ICO determined that the Council has correctly applied section 43(2) of the FOIA to information we hold regarding commercial investment properties and was entitled to withhold information included the location of the properties, the price paid for them alongside the returns achieved on each investment.

Under the Local Government Transparency Code, the Council does publish and annually update a list of land and property assets that are currently owned, on 'Open Data', but there is no obligation under the Code to list anything other than a name and address.

Any potential business owners wishing to establish in the City can directly contact Council Officers in either the Property or Economic Development teams to enquire as to what accommodation and support might be available and any surplus or vacant property is always advertised publicly through the Council's 'PropertyPlus' Website.

WQ5

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Finance, Growth and the City Centre at the meeting of the City Council held on 13 July 2020

Could the Portfolio Holder confirm whether Council reserves have been used to finance the following since 2015:

- Support for Robin Hood Energy
- The purchase of Thomas Bow Limited
- Enviroenergy Limited
- Nottingham Ice Arena
- Blueprint Limited Partnership/ Blueprint (General Partner) Limited
- Nottingham City Homes Limited
- The purchase of commercial property with a value of £500,000

If so, the total value of this support provided to each entity/ area of spend.

Councillor Sam Webster replied as follows:

Since 2015 there have been no Council reserves utilised to finance the areas raised in the written question.

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MINUTES OF THE MEETING OF THE CITY COUNCIL (EXTRAORDINARY)

held remotely via Zoom and livestreamed at
<https://www.youtube.com/user/NottCityCouncil>

on 27 August 2020 from 2.00 pm - 3.20 pm

ATTENDANCES:

✓ Councillor Rosemary Healy (Lord Mayor)	
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✓ Councillor Hassan Ahmed	Councillor Chantal Lee
✓ Councillor Leslie Ayoola	✓ Councillor Dave Liversidge
✓ Councillor Cheryl Barnard	✓ Councillor Sally Longford
✓ Councillor Steve Battlemuch	Councillor AJ Matsiko
✓ Councillor Merlita Bryan	✓ Councillor Carole McCulloch
✓ Councillor Eunice Campbell-Clark	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Sajid Mohammed
✓ Councillor Azad Choudhry	✓ Councillor Salma Mumtaz
✓ Councillor Kevin Clarke	✓ Councillor Toby Neal
Councillor Audrey Dinnall	✓ Councillor Lauren O`Grady
✓ Councillor Michael Edwards	✓ Councillor Anne Peach
✓ Councillor Samuel Gardiner	✓ Councillor Georgia Power
✓ Councillor Jay Hayes	✓ Councillor Shuguftah Quddoos
✓ Councillor Nicola Heaton	✓ Councillor Ethan Radford
✓ Councillor Patience Uloma Ifediora	✓ Councillor Nick Raine
Councillor Phil Jackson	✓ Councillor Angharad Roberts
✓ Councillor Maria Joannou	✓ Councillor Andrew Rule
✓ Councillor Sue Johnson	✓ Councillor Mohammed Saghir
✓ Councillor Kirsty Jones	✓ Councillor Wendy Smith
✓ Councillor Angela Kandola	✓ Councillor Roger Steel
✓ Councillor Jawaid Khalil	✓ Councillor Dave Trimble
✓ Councillor Gul Nawaz Khan	Councillor Maria Watson
✓ Councillor Neghat Khan	✓ Councillor Sam Webster
✓ Councillor Zafran Nawaz Khan	Councillor Adele Williams
✓ Councillor Pavlos Kotsonis	✓ Councillor Linda Woodings
✓ Councillor Rebecca Langton	✓ Councillor Cate Woodward
Councillor Jane Lakey	✓ Councillor Audra Wynter

✓ Indicates present at meeting

1 APOLOGIES FOR ABSENCE

Councillor Audrey Dinnall – personal
Councillor Phil Jackson – personal
Councillor Jane Lakey – personal
Councillor Chantal Lee – leave
Councillor Maria Watson – leave
Councillor Adele Williams – leave

2 DECLARATIONS OF INTERESTS

Councillor Angharad Roberts declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Nottingham City Transport, in an unpaid capacity.

Councillor Rebecca Langton declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Nottingham City Home and Nottingham Futures, in an unpaid capacity.

Councillor Georgia Power declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Nottingham City Homes, in an unpaid capacity.

Councillor Ethan Radford declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Nottingham City Homes, in an unpaid capacity.

Councillor Anne Peach declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of National Ice Centre, in an unpaid capacity.

Councillor Graham Chapman declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director and Chair of the Board of Nottingham City Transport, in an unpaid capacity.

Councillor Sally Longford declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director and Chair of the Board of EnviroEnergy, in an unpaid capacity.

Councillor Cheryl Barnard declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Robin Hood Energy, in an unpaid capacity.

Councillor Neghat Khan declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director and Chair of the Board of Robin Hood Energy, and a Council nominated Director on the Board of Nottingham Futures, in an unpaid capacity.

Councillor Pavlos Kotsonis declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director and Vice-Chair of the Board of Robin Hood Energy, in an unpaid capacity.

Councillor Linda Woodings declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as the Council nominated shareholder of Nottingham City Homes, in an unpaid capacity.

Councillor Lauren O’Grady declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Robin Hood Energy, in an unpaid capacity.

Councillor Audra Wynter declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Boards of Nottingham City Homes, Nottingham City Transport and Robin Hood Energy, in an unpaid capacity.

Councillor Dave Trimble declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of the National Ice Centre, in an unpaid capacity.

Councillor Zafran Khan declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of EnviroEnergy, in an unpaid capacity.

Councillor Steve Battlemuch declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Robin Hood Energy, in an unpaid capacity.

Councillor Sam Webster declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Boards of the Scape Group, the Creative Quarter, and Nottingham Revenue and Benefits, in an unpaid capacity.

Councillor Michael Edwards declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of EnviroEnergy, in an unpaid capacity.

Councillor Leslie Ayoola declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Boards of the Creative Quarter, and Blueprint, in an unpaid capacity.

Councillor Cate Woodward declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of EnviroEnergy, in an unpaid capacity.

Councillor David Mellen declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Blueprint, in an unpaid capacity.

Councillor Sam Gardiner declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a an employee of Eon.

Councillor Eunice Campbell-Clark declared an Other Interest in agenda item 3 (minute 3) – Report in the Public Interest on Nottingham City Council’s governance arrangements for Robin Hood Energy and Action Plan in response, as a Council nominated Director on the Board of Nottingham Revenue and Benefits, in an unpaid capacity.

3 REPORT IN THE PUBLIC INTEREST ON NOTTINGHAM CITY COUNCIL'S GOVERNANCE ARRANGEMENTS FOR ROBIN HOOD ENERGY AND ACTION PLAN IN RESPONSE

Councillor David Mellen, the Leader of the Council, presented the report detailing the Report in the Public Interest on the Council’s governance arrangements for Robin Hood Energy, and the Action Plan in response to it for Council to approve.

The report was seconded by Councillor Sally Longford.

Councillor Andrew Rule, seconded by Councillor Roger Steel, proposed an amendment to the Action Plan, as detailed in the attached appendices.

The meeting was adjourned at 2.32pm to allow councillors to consider the amendment, and reconvened at 2.52 pm.

The Leader of the Council offered to meet with Councillor Andrew Rule, Leader of the Conservative Group, and Councillor Kevin Clarke, Leader of the Nottingham Independents, to discuss their views on the Action Plan in more detail.

Councillors voted on the proposed amendment.

Resolved to reject the proposed amendment.

After a debate, Councillors then voted on the original report.

Resolved to

- (1) accept the Report in the Public Interest and all of its recommendations from R1 to R13;**

- (2) agree the Action Plan, noting that the Action Plan includes a response to each of the External Auditor's recommendations, as well as a number of additional recommendations. It also sets out both indicative timelines and accountabilities;**
- (3) note the commitments in the Action Plan to learn from best practice from its partners, from its successful other companies, and from national bodies such as the Local Government Association, to support its implementation of the recommendations;**
- (4) request that the Overview and Scrutiny Committee and the Audit Committee considers and reviews the Action Plan from their differing constitutional positions, and give their feedback in a report to the Executive Board at its October meeting;**
- (5) request that the Executive Board receive a report at its October meeting on the Action Plan. This report will consider the feedback from the Overview and Scrutiny Committee and the Audit Committee. The report will also provide more detail on the recommendations and accountabilities. It will review the initial deadlines suggested in the Action Plan. It will outline the work with suitable external bodies, such as the Local Government Association, to support the Council in its endeavours. Any costs associated with implementing the recommendations and the delivery mechanism to support this work will also be reported to that meeting;**
- (6) note that a report will be brought back to Council in September 2021 updating members on the progress of implementing the Action Plan. During that period the Executive will receive quarterly updates on progress. These updates will also be regularly scrutinised by the Overview and Scrutiny Committee and the Audit Committee (having regard to their respective terms of reference);**
- (7) commit to a regular and open dialogue with the External Auditor and the Ministry of Housing, Communities and Local Government to keep them appraised of the Council's progress in implementing its Action Plan.**

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The Conservative Group wish to make amendments to the action plan as indicated with tracked changes below. A final version showing the changes highlighted is attached:

Andrew Rule

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Appendix 1

Action Plan in response to the Report in the Public Interest

- Page 29
- All recommendations are accepted
 - Recommendations R1 – R13 are recommendations from *The Report in the Public Interest*
 - Recommendations NCC1 - NCC 3 are additional recommendations

The overall accountability for the action plan rests with the Leader of the Council and the Chief Executive designate

Recommendation 1

Using the current Strategic Review and other appropriate advice to assist with decision-making, the Council should urgently determine the future of Robin Hood Energy, with options properly evaluated and risks properly assessed. This assessment should also take into account the context of the Council's current financial position.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
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<ul style="list-style-type: none"> At the June 2020 Executive Board Nottingham City Council agreed its full support for the strategic review launched by the Robin Hood Energy Board. The Strategic Review will report to the Robin Hood Energy Board and will be concluded shortly. Any consequences of the review for the Council's 2020/21 budget and its medium term financial outlook and plan will be reported to full Council as part of the October 5th interim budget report. 	31/10/20	Corporate Director Development & Growth
	05/10/20	Corporate Director Development & Growth
	05/10/20	Strategic Director Finance

Recommendation 2

The Council should review its overall approach to using Councillors on the boards of its subsidiary companies and other similar organisations. This should be informed by a full understanding of the role of and legal requirements for company Board members.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none"> An audit and review of NCC's approach to councillor membership of each subsidiary company board and any other similar organisations NCC Councillors are appointed to, will be undertaken. This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and members of the Company Boards and other subsidiary organisations. <u>The report to be presented for recommendations and comment to the next Audit Committee meeting before the Report's formal implementation.</u> 	31/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> As part of this review, the membership balance of the boards will be considered in aggregate in regard to best practice for achieving diversity, skill set, sectoral knowledge and NCC representation. 	31/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> <u>Those companies whose directors comprise entirely of, or a majority of councillors, will be reviewed as a priority.</u> 	30/09/20	Director of Legal & Governance

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<ul style="list-style-type: none"> Where the authority appoints councilors to the Boards of its companies it should be clear that councilors hold a non-executive position and they should be provided with training and guidance as how this role differs from an executive director. 	30/09/20	Director of Legal & Governance
<ul style="list-style-type: none"> External guidance on best practice in regard to Councillor appointments on local authority companies will be sought 	30/09/20	Director of Legal & Governance
<ul style="list-style-type: none"> External guidance on best practice in regard to Councillor appointments on local authority companies will be sought. 		
<ul style="list-style-type: none"> External guidance on defining the role and legal requirements for local authority company directors and guidance on skill set required will be sought. <u>This should include ensuring that professional executive directors responsible for the day-to-day running are aware that running a company funded by public money carries with it a requirement to demonstrate value for money for the council tax payer is being achieved.</u> 	30/9/2020	Director of Legal & Governance

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Recommendation 3

Where it continues to use Councillors in such roles, it should ensure that the non-executives (including Councillors) on the relevant board have, in aggregate, the required knowledge and experience to challenge management. This is of particular importance where the company is operating in a specialised sector which is outside the normal experience of Councillors.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none">The review of NCC councillor directors of boards in R2 will also establish the sectoral knowledge required to effectively hold the management of the different companies to account and assess the knowledge and skill set of the existing membership of the boards in relation to that sector or business area. This review will fully involve the chief executives or chief officers of the Council's companies, as well as the Chairs and members of Company Boards.	31/10/20	Director of Legal & Governance
<ul style="list-style-type: none">Proposals for remedying any identified gaps in knowledge and/or experience will be brought forward which will include a consideration of training and if necessary using interim additional expertise to ensure effective governance.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">Training will be devised to enable members to understand and practice effective director / board member interventions so as to appropriately challenge the management of the Council's companies and improve the robustness of Company accountability to the Council.	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">Specialised mandatory training packages will be devised to ensure councillors appointed as chairs of council company boards are able to understand and effectively fulfil their roles. As a matter of best practice where Councillors appointed to chair the boards of council owned companies do not have any sectoral or technical experience in the company's area of activity they should as a minimal hold formal accountancy or legal qualifications to enable to them to discharge the extra duties expected of the reasonable company chair person.	With immediate effect 30/01/21	Director of Legal & Governance Director of Legal & Governance
<ul style="list-style-type: none">Essential training will be mandatory and retention of the director role for each councillor will rely on completion of the training on this recommendation. <u>The training should include the duties placed on non-executive directors, the directors to duty to protect the</u>	With immediate effect	Director of Legal & Governance

<p><u>financial interests of the companies' shareholder(s) and the duties placed on a director when the company is financially insolvent and the personal financial consequences for failing to take appropriate action to safeguard the interests of creditors in an insolvent situation.</u></p>	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none"> <u>In addition to the above refresher training will be required on a yearly basis; or more frequently should there be any applicable regulatory or legal changes to the legal duties placed on directors. Members who fail to complete this training, within three months of it becoming due, will be formally removed from holding the office of director.</u> 	Ongoing	Director of Legal & Governance
<ul style="list-style-type: none"> The relevant NCC officials will continue to be available to offer advice to members on all aspects of their role on Council company boards. 	<u>With immediate effect</u>	<u>Director of Legal & Governance</u>
<ul style="list-style-type: none"> Advice will also be sought on the best way to assess the competence of Councillors fulfilling their roles as directors as part of effective company governance. The group whip for each political party or recognised group will have a role in this assessment process. 	<u>30/01/2021</u>	<u>Director of Legal & Governance</u>
<ul style="list-style-type: none"> The Council's constitution will be reviewed to appropriately reflect this requirement and it will be proposed at the 2021 Annual General meeting. 	May 2021	<u>Director of Legal & Governance</u>

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Recommendation 4

Where Councillors are used in such roles, the Council should ensure that the Councillors are provided with sufficient and appropriate training, which is updated periodically.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none"> • A review of the current training package offered to Councillors as directors on company boards and other similar organisations will be undertaken. 	30/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> • External best practice and advice will be sought from both the Local Government Association and bodies in the private sector who advise on company governance and training for directors. 	30/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> • This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and governance of Council company Boards. 	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none"> • New training packages will be devised and delivered on a mandatory basis for: <ul style="list-style-type: none"> > Initial training > Refresher training > Specialist training where required to understand a particular subject/field. • External sources will provide the specialist training and this training will be reviewed every two years to ensure it remains relevant and effective. • Funding for the new training courses will need to be identified • Only Councillors who have completed the requisite training will be able to remain as Council appointed directors. 		
<ul style="list-style-type: none"> • The Council's constitution will be reviewed to appropriately reflect this requirement and it will be proposed at the 2021 Annual General meeting. 	May 2021	Director of Legal & Governance

Recommendation 5

The Council should ensure that all elements of its governance structure, including the shareholder role, are properly defined and that those definitions are effectively communicated to the necessary individuals.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
<ul style="list-style-type: none"> The Council's Constitution and Scheme of Delegation will be reviewed to identify the roles that perform a specific function in ensuring effective governance of the Council's delivery of its duties and its powers and its expenditure. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> As part of that review, the specific corporate role, definition and resources for the shareholder representative function will be examined. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> External advice and best practice will be sought to define officer roles / functions that communicate and safeguard the interest of the Council in relation to the effective corporate governance of individual council companies. 	30/01/21	Director of HR and Customer
<ul style="list-style-type: none"> This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and governance of Council company Boards. 		
<ul style="list-style-type: none"> Once the role and resources have been determined, costings to implement the new function and an appropriate role description (s) will be produced and submitted for decision. 	31/10/20	Director of HR and Customer
<ul style="list-style-type: none"> Whilst this review is underway the current shareholder representatives will be reviewed, any existing gaps filled and interim new role definitions will be drawn up as well as appropriate training provided. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> In addition to individual roles being identified and re-defined from the review of the constitution, there are also Council bodies that perform a vital function for the Council's effective governance. The role of the Executive Board, Companies Governance Executive Sub-Committee, Overview and Scrutiny Committee and the Audit Committee's terms of reference will also be reviewed to ensure clarity on role and 	20/12/20	Director of Legal & Governance

accountability for Council companies' governance across the Council. The Chairs of Overview and Scrutiny and the Audit Committee will be fully involved in this review.

- Training will be offered to all members and chief officers on the roles of these bodies.

30/01/21

Director of Legal & Governance

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Recommendation 6

When allocating roles on Council-owned organisations to individual Councillors, the Council should ensure that the scope for conflicts of interest is minimised, with a clear divide between those in such roles and those responsible for holding them to account or overseeing them.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none">The Council's constitution and the appointments process of Councillors onto Council company boards will be reviewed. A councillor may not be appointed as chair of to a council company board whose main activity lies within any executive portfolio they hold.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">The length of appointment tenure beyond a 12-month appointment period will be reviewed to enable consistency of membership of the board and to develop knowledge and experience	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">An amendment to the Constitution will be developed for formal consideration, so if a Councillor is appointed chair or vice-chair of a company to the board of a council owned company, they are unable to also be the chair or vice-chair be a member of of the Audit Committee, or the Overview and Scrutiny Committee or the Company Governance Executive Sub-Committee thus avoiding any conflict of interest in these essential roles.	31 30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">In addition, the Council will take steps to minimise any other possible conflicts of interest for directors on Council company boards by ensuring the improved training offer to be developed for members includes how to recognize and avoid any conflicts of interest for chairs and Councillor directors.	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">The access to formal advice from the Council's legal and democratic service for all councillors appointed to council company boards on conflicts of interest or any other matter will continue to be made available.	With immediate effect	Director of Legal & Governance

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Recommendation 7

The Council should ensure that risks relating to its companies are considered for inclusion in its overall risk management processes, with appropriate escalation and reporting, rather than being seen in isolation.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadline	Accountability
<ul style="list-style-type: none"> The Council's high level risk register was created in May 2020 and was reviewed by the July 2020 Audit Committee. A number of Council company risks were included in that new risk register. This will continue to be developed and refined. 	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none"> The Council's risk management framework has been reviewed to ensure the full incorporation of council company risks across all risk registers within departments and also in the new financial risk register. Council companies' risks will be separately considered and reported in such a way that explicitly draws out the risks to the Council that may arise from the financial (and other) performance of the various companies. This review will fully involve the chief executives/ chief officers of the Council's companies, as well as the Chairs and members of the Company Boards. 	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none"> The reporting of risks to Council company boards will also be implemented as part of this action. 	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none"> The regularity of the reporting of the high level risk register to the Audit Committee and the Executive Board and Overview & Scrutiny Committee will be reviewed as part of this action. The Chairs and members of these bodies will be fully involved in this action. 	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none"> The reporting of companies' related risks will form part of the suite of reporting information presented to the Companies Governance Executive Sub-committee 	<u>With immediate effect</u>	<u>Strategic Director of Finance</u>

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Recommendation 8

As the new arrangements for monitoring companies are rolled out alongside the Companies Governance Executive Sub-Committee (CGESC), the Council should ensure that financial information is provided in accordance with its requirements and is fully understood by the Sub-Committee and others involved in holding the companies to account, and that robust action, with the oversight of the s151 officer, is taken if suitable information is not provided.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadline	Accountability
<ul style="list-style-type: none"> The Companies Governance Executive Sub-Committee (CGESC) has been meeting since 2019 and has established reporting requirements for all Council companies. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> A dedicated senior finance post provides additional capacity and capability to managing the financial reporting requirements on the Council's group of companies. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> The current role and remit of the CGESC will be reviewed as to how it can deliver the most effective governance in the light of The Report in the Public Interest amended to make it a stand alone Committee. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> No member of the sub committee shall be a director of a council owned company. 	30/11/20	Director of Legal & Governance Strategic Director of Finance
<ul style="list-style-type: none"> Officer support is to be provided to offer full advice and analysis for members on CGECS, Audit Committee and Overview & Scrutiny Committee in relation to risks; annual reviews of & updates on business cases and plans; scheme of delegation; financial matters and overall delivery. 	With immediate effect	Strategic Director of Finance
<ul style="list-style-type: none"> The dedicated senior finance role will also be continually reviewed in the light of The Report in the Public Interest to ensure it is fulfilling the corporate function needed and that departments and Council companies understand their relationship and new ways of working on this matter. 	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none"> The s151 Officer will make recommendations to CGESC regarding action to be taken in the event that Companies do not comply with the required reporting requirements. <u>This should include the options and sanctions available to the Council as shareholder under</u> 	30/11/20	Strategic Director of Finance

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the Companies Act 2006 to compel co-operation from the directors of council owned companies.

- Council company financial information reporting will be reviewed to see how more explicitly it can be referenced in the regular Council budget monitoring reports provided to the Executive Board on a quarterly basis
- This review will need to consider how to balance the transparency in the Council's budget reporting with the need to retain commercially sensitive information in the private part of any public meeting.

With immediate effect

With immediate effect

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Recommendation 9

Within the new arrangements involving the Companies Governance Executive Sub-committee, the Council needs to ensure that responsibilities for scrutiny and risk management are given sufficient prominence, including giving the Audit Committee explicit responsibility for scrutiny of governance and risk management across the group.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none"> The Council will review the terms of reference for Companies Governance Executive Sub Committee (CGESC), Overview and Scrutiny Committee and the Audit Committee to ensure that roles and responsibilities are explicitly clear. The Chairs of all these bodies will be fully involved in this action. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> <u>The Corporate Governance Committee be re-established as a stand alone committee. To remove the risk of conflict of interest its membership should not hold directorships of any council owned companies and be comprised of membership on a cross party basis including representatives from all opposition parties.</u> 	30/11/20 30/10/2020	<u>Director of Legal & Governance</u> <u>Director of Legal & Governance</u>
<ul style="list-style-type: none"> External advice will be sought on best practice in defining the roles between these bodies and on effective training for members to understand and work in these new defined roles and to achieve the prominence in practice. 	30/11/2020	<u>Director of Legal & Governance</u>
<ul style="list-style-type: none"> The training packages that will be offered will carry the same mandatory requirements for membership off these bodies to continue. 		
<ul style="list-style-type: none"> Specific training modules will be drawn up to explicitly support the chairs of these bodies in carrying out their new roles. 	30/01/21	Director of Legal & Governance

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Recommendation 10

In addition to those referred to in recommendations above, the Council should apply the lessons from Robin Hood Energy in a further review of its company governance arrangements, in particular to ensure that risks are appropriately flagged and managed, as well as successfully implementing the more robust monitoring agreed by the Companies Governance Executive Sub-Committee.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
<p>• The Council will draw together all the varying reviews and activity as outlined above into an overall picture of its governance arrangements and from that produce a unified report on the lessons to be learnt from Robin Hood Energy Ltd.</p> <p>Page 5/10 This learning lessons report will draw upon the effective practice of some of the other Council company boards to share those positive lessons across the group of council companies as well.</p> <p>External support and advice will be sought on how best to draw together all the learning from the reviews.</p> <p>• This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and members of the Company Boards.</p> <p>• <u>This review will be made available to the Audit Committee for discussion and recommendations before final implementation.</u></p>	20/12/20	Director of Legal & Governance

Recommendation 11

As part of this review, the Council should consider the appropriateness of the definition of the shareholder role adopted in the 2019 report and give it an emphasis on protection of the Council's financial interests alongside other elements.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action – N.B. the actions below must be read alongside the actions for Recommendation 5	Deadline	Accountability
<ul style="list-style-type: none"> The Council's Constitution and Scheme of Delegation will be reviewed to identify the roles that perform a specific function in ensuring effective governance of the Council's delivery of its duties and its powers and its expenditure. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> As part of that review, the specific corporate role and resources for the shareholder representative duty will be examined and in particular how it safeguards the Council's financial interests <u>and how concerns about financial risks by the Council's S.151 officer are communicated to the Council's shareholder representative.</u> 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> External advice and best practice will be sought to define officer roles / functions that communicate and safeguard the interest of the Council in relation to the effective corporate governance of individual council companies. 	30/01/21	Director of HR and Customer
<ul style="list-style-type: none"> Once the role and resources for this function have been determined, costings to implement the new function and an appropriate role description will be produced and submitted for decision. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> Whilst this review is underway the current shareholder representatives will be reviewed, any existing gaps filled and an interim new role definition be drawn up and training provided. 	31/10/20	Director of HR and Customer

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Recommendation 12

The Council should use the experience of owning RHE to consider whether there are any lessons for its wider governance, particularly in relation to the 'checks and balances' which need to be in place, including the need for a stronger monitoring and scrutiny function and moving to a culture in which challenge of political priorities and how they are being implemented is seen as a positive.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadlines	Accountability
<ul style="list-style-type: none"> An overarching review of the Council's wider governance arrangements will be commissioned following advice from the LGA and other relevant external bodies. External advice and best practice models will be considered alongside an in-depth assessment of council practice to date 	31/03/21	Director of Legal & Governance
<ul style="list-style-type: none"> <u>Where the Council awards contracts to Council owned companies, without tender, (or where it applies the TECAL principle) accompanying documentation should be provided as to how value of money for council tax payers has been ensured.</u> 	<u>Immediate</u>	<u>Strategic Director of Finance</u>

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Recommendation 13

The Council should ensure that it reflects the financial pressures arising from RHE alongside those from covid-19, demand-led services and other areas to produce balanced and achievable financial plans for the current year and for the medium-term, without disproportionate, unsustainable reliance on one-off measures.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadlines	Accountability
<ul style="list-style-type: none"> The construction of a refreshed Medium Term Financial Strategy (MTFS) is underway and due to be reported to Full Council in October 2020. This will set out at a high level how the Council will balance its budget over the medium term and incorporates the financial implications for Council own companies for the overall Council budget. 	05/10/20	Strategic Director of Finance
<ul style="list-style-type: none"> More detailed plans will be brought to Full Council in December 2020. 	December 2020	Strategic Director of Finance

To further support the work necessary to fully respond to the findings in *The Report in the Public Interest*, there are some further actions for full Council to consider.

<p>NCC 1. Review of Council's approach to the ownership of companies. The Council has a range of companies totally in its ownership and some owned jointly with others. These companies have developed over time and further are planned to be created during this period of office as outlined in the Council Plan. In the light of the findings of this report the overall approach of the Council to its relationship with its companies could benefit from a review.</p>		
<p>Portfolio Holder accountability: Councillor David Mellen – Leader</p>		
Action	Deadlines	Accountability
<ul style="list-style-type: none"> Establish the basis of ownership of the Council's companies and the differing frameworks and legislative basis upon which they were created. Seek out external advice on the best practice model of council ownership of local authority controlled companies and managing the risks and benefits they present. Following that advice and review, construct a council framework of NCC's company ownership with particular regard to risk management and accountability to the Council. Review all existing companies against that framework and where there is divergence establish whether a business need exists to maintain the difference or agree changes to comply with the framework. Any proposed additional council companies should be established using this new framework. 	<p>31/0312/2014</p> <p>June March 2021</p> <p>June April 2021</p> <p>With immediate effect</p>	<p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p>

NCC 2. Review of effective governance practice in NCC companies

The Council has a number of companies which have had effective governance over a number of years and which have involved elected members on the boards. As part of this improvement work it is important to understand what has made those council companies and Boards effective and how any learning can be applied to other council companies and the other recommendations in this Action Plan.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadlines	Accountability
<ul style="list-style-type: none"> Seek out external guidance on independently assessing effective company governance and use this to assess the governance practice of all Council owned companies. 	31/03/21	Director of Legal and Governance
<ul style="list-style-type: none"> Following that assessment, draw out any lessons or good practice that can be shared across all council companies. 	June 2021 <u>May 2021</u>	Director of Legal and Governance
<ul style="list-style-type: none"> Work with the chairs and chief executives / chief officers of Council companies to understand any self-assessment models they may use. 	June 2021	Director of Legal and Governance
<ul style="list-style-type: none"> Companies Governance Executive Sub Committee, Executive Board and the Audit Committee to consider the findings of this review and its recommendations. 	June 2021	Director of Legal and Governance

NCC 3. Review of membership of the Audit Committee

As a solution to the pressures from the reduction in public funding of services, the Council either owns or has a major interest in a considerable number of companies. It has also pursued a policy of in-house commercialisation of some services. As such the company and commercial trading risks it carries are more that would normally be expected for a local authority.

As such, the role that the Audit Committee plays in giving assurance to the Council on these commercial risks and trading outcomes is vital. In the light of the findings of the Report in the Public Interest, it is proposed that a review of the membership of the Audit Committee is undertaken to consider whether it is necessary to bring in additional expertise in a relevant capacity to further support the Committee.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadlines	Accountability
<ul style="list-style-type: none">• Review of the current membership of the Audit Committee.• Seek out external advice of best practice models of Audit Committees in local government that could bring additional support to how the council is dealing with the risks it is facing	30/01/21	Strategic Director of Finance

Appendix 1

Action Plan in response to the Report in the Public Interest

- All recommendations are accepted
- Recommendations R1 – R13 are recommendations from *The Report in the Public Interest*
- Recommendations NCC1 - NCC 3 are additional recommendations

The overall accountability for the action plan rests with the Leader of the Council and the Chief Executive designate

Recommendation 1

Using the current Strategic Review and other appropriate advice to assist with decision-making, the Council should urgently determine the future of Robin Hood Energy, with options properly evaluated and risks properly assessed. This assessment should also take into account the context of the council's current financial position.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
<ul style="list-style-type: none">• At the June 2020 Executive Board Nottingham City Council agreed its full support for the strategic review launched by the Robin Hood Energy Board.	31/10/20	Corporate Director Development & Growth
<ul style="list-style-type: none">• The Strategic Review will report to the Robin Hood Energy Board and will be concluded shortly.	05/10/20	Corporate Director Development & Growth
<ul style="list-style-type: none">• Any consequences of the review for the Council's 2020/21 budget and its medium term financial outlook and plan will be reported to full Council as part of the October 5th interim budget report.	05/10/20	Strategic Director Finance

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Recommendation 2
 The Council should review its overall approach to using Councillors on the boards of its subsidiary companies and other similar organisations. This should be informed by a full understanding of the role of and legal requirements for company Board members.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
Page 89 <ul style="list-style-type: none"> An audit and review of NCC’s approach to councillor membership of each subsidiary company board and any other similar organisations NCC Councillors are appointed to, will be undertaken. This review will fully involve the chief executives/chief officers of the Council’s companies, as well as the Chairs and members of the Company Boards and other subsidiary organisations. The report to be presented for recommendations and comment to the next Audit Committee meeting before the Report’s formal implementation. 	31/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> As part of this review, the membership balance of the boards will be considered in aggregate in regard to best practice for achieving diversity, skill set, sectoral knowledge and NCC representation. 	31/10/20	Director of Legal & Governance
<ul style="list-style-type: none"> Those companies whose directors comprise entirely of, or a majority of councilors, will be reviewed as a priority. 	30/09/20	Director of Legal & Governance
<ul style="list-style-type: none"> Where the authority appoints councilors to the Boards of its companies it should be clear that councilors hold a non-executive position and they should be provided with training and guidance as how this role differs from an executive director. 	30/09/20	Director of Legal & Governance
	30/09/20	Director of Legal & Governance

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<ul style="list-style-type: none">• External guidance on best practice in regard to Councillor appointments on local authority companies will be sought• External guidance on defining the role and legal requirements for local authority company directors and guidance on skill set required will be sought. This should include ensuring that professional executive directors responsible for the day-to-day running are aware that running a company funded by public money carries with it a requirement to demonstrate value for money for the council tax payer is being achieved.	30/9/2020	Director of Legal & Governance
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Recommendation 3

Where it continues to use Councillors in such roles, it should ensure that the non-executives (including Councillors) on the relevant board have, in aggregate, the required knowledge and experience to challenge management. This is of particular importance where the company is operating in a specialised sector which is outside the normal experience of Councillors.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none">The review of NCC councillor directors of boards in R2 will also establish the sectoral knowledge required to effectively hold the management of the different companies to account and assess the knowledge and skill set of the existing membership of the boards in relation to that sector or business area. This review will fully involve the chief executives or chief officers of the Council's companies, as well as the Chairs and members of Company Boards.	31/10/20	Director of Legal & Governance
<p>Proposals for remedying any identified gaps in knowledge and/or experience will be brought forward which will include a consideration of training and if necessary using interim additional expertise to ensure effective governance.</p>	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">Training will be devised to enable members to understand and practice effective director / board member interventions so as to appropriately challenge the management of the Council's companies and improve the robustness of Company accountability to the Council.	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">As a matter of best practice where Councillors appointed to chair the boards of council owned companies do not have any sectoral or technical experience in the company's area of activity they should as a minimal hold formal accountancy or legal qualifications to enable to them to discharge the extra duties expected of the reasonable company chair person.	With immediate effect	Director of Legal & Governance
<ul style="list-style-type: none">Essential training will be mandatory and retention of the director role for each councillor will rely on completion of the training on this recommendation. The training should		

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<p>include the duties placed on non-executive directors, the directors to duty to protect the financial interests of the companies' shareholder(s) and the duties placed on a director when the company is financially insolvent and the personal financial consequences for failing to take appropriate action to safeguard the interests of creditors in an insolvent situation.</p> <ul style="list-style-type: none"> In addition to the above refresher training will be required on a yearly basis; or more frequently should there be any applicable regulatory or legal changes to the legal duties placed on directors. Members who fail to complete this training, within three months of it becoming due, will be formally removed from holding the office of director. The relevant NCC officials will continue to be available to offer advice to members on all aspects of their role on Council company boards. Advice will also be sought on the best way to assess the competence of Councillors fulfilling their roles as directors as part of effective company governance. The group whip for each political party or recognised group will have a role in this assessment process. <p>The Council's constitution will be reviewed to appropriately reflect this requirement and it will be proposed at the 2021 Annual General meeting.</p>	<p>30/01/21</p> <p>Ongoing</p> <p>May 2021</p>	<p>Director of Legal & Governance</p> <p>Director of Legal & Governance</p> <p>Director of Legal & Governance</p>
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Recommendation 4

Where Councillors are used in such roles, the Council should ensure that the Councillors are provided with sufficient and appropriate training, which is updated periodically.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<p>Page 62</p> <ul style="list-style-type: none">• A review of the current training package offered to Councillors as directors on company boards and other similar organisations will be undertaken.• External best practice and advice will be sought from both the Local Government Association and bodies in the private sector who advise on company governance and training for directors. <p>This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and governance of Council company Boards.</p> <ul style="list-style-type: none">• New training packages will be devised and delivered on a mandatory basis for:<ul style="list-style-type: none">> Initial training> Refresher training> Specialist training where required to understand a particular subject/field.• External sources will provide the specialist training and this training will be reviewed every two years to ensure it remains relevant and effective.• Funding for the new training courses will need to be identified• Only Councillors who have completed the requisite training will be able to remain as Council appointed directors.	30/10/20	Director of Legal & Governance
	30/10/20	Director of Legal & Governance
	30/01/21	Director of Legal & Governance
	May 2021	Director of Legal & Governance

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<ul style="list-style-type: none"> The Council's constitution will be reviewed to appropriately reflect this requirement and it will be proposed at the 2021 Annual General meeting. 		
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Recommendation 5
The Council should ensure that all elements of its governance structure, including the shareholder role, are properly defined and that those definitions are effectively communicated to the necessary individuals.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
<ul style="list-style-type: none"> The Council's Constitution and Scheme of Delegation will be reviewed to identify the roles that perform a specific function in ensuring effective governance of the Council's delivery of its duties and its powers and its expenditure. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> As part of that review, the specific corporate role, definition and resources for the shareholder representative function will be examined. 	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none"> External advice and best practice will be sought to define officer roles / functions that communicate and safeguard the interest of the Council in relation to the effective corporate governance of individual council companies. 	30/01/21	Director of HR and Customer
<ul style="list-style-type: none"> This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and governance of Council company Boards. 		
<ul style="list-style-type: none"> Once the role and resources have been determined, costings to implement the new function and an appropriate role description (s) will be produced and submitted for decision. 	31/10/20	Director of HR and Customer
	30/11/20	Director of Legal & Governance

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<ul style="list-style-type: none"> • Whilst this review is underway the current shareholder representatives will be reviewed, any existing gaps filled and interim new role definitions will be drawn up as well as appropriate training provided. • In addition to individual roles being identified and re-defined from the review of the constitution, there are also Council bodies that perform a vital function for the Council's effective governance. The role of the Executive Board, Companies Governance Executive Sub-Committee, Overview and Scrutiny Committee and the Audit Committee's terms of reference will also be reviewed to ensure clarity on role and accountability for Council companies' governance across the Council. The Chairs of Overview and Scrutiny and the Audit Committee will be fully involved in this review. • Training will be offered to all members and chief officers on the roles of these bodies. 	<p>20/12/20</p> <p>30/01/21</p>	<p>Director of Legal & Governance</p> <p>Director of Legal & Governance</p>
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Recommendation 6

When allocating roles on Council-owned organisations to individual Councillors, the Council should ensure that the scope for conflicts of interest is minimised, with a clear divide between those in such roles and those responsible for holding them to account or overseeing them.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none">The Council's constitution and the appointments process of Councillors onto Council company boards will be reviewed. A councillor may not be appointed to a council company board whose main activity lies within any executive portfolio they hold.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">The length of appointment tenure beyond a 12-month appointment period will be reviewed to enable consistency of membership of the board and to develop knowledge and experience	30/11/20	Director of Legal & Governance
<p>An amendment to the Constitution will be developed for formal consideration, so if a Councillor is appointed to the board of a council owned company, they are unable to be a member of the Audit Committee, the Overview and Scrutiny Committee or Company Governance Executive Sub-Committee thus avoiding any conflict of interest in these essential roles.</p>	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">In addition, the Council will take steps to minimise any other possible conflicts of interest for directors on Council company boards by ensuring the improved training offer to be developed for members includes how to recognize and avoid any conflicts of interest for chairs and Councillor directors.	30/01/21	Director of Legal & Governance
<ul style="list-style-type: none">The access to formal advice from the Council's legal and democratic service for all councillors appointed to council company boards on conflicts of interest or any other matter will continue to be made available.	With immediate effect	Director of Legal & Governance

Recommendation 7

The Council should ensure that risks relating to its companies are considered for inclusion in its overall risk management processes, with appropriate escalation and reporting, rather than being seen in isolation.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadline	Accountability
<ul style="list-style-type: none">The Council's high level risk register was created in May 2020 and was reviewed by the July 2020 Audit Committee. A number of Council company risks were included in that new risk register. This will continue to be developed and refined.	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none">The Council's risk management framework has been reviewed to ensure the full incorporation of council company risks across all risk registers within departments and also in the new financial risk register. Council companies' risks will be separately considered and reported in such a way that explicitly draws out the risks to the Council that may arise from the financial (and other) performance of the various companies. This review will fully involve the chief executives/ chief officers of the Council's companies, as well as the Chairs and members of the Company Boards.	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none">The reporting of risks to Council company boards will also be implemented as part of this action.	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none">The regularity of the reporting of the high level risk register to the Audit Committee and the Executive Board and Overview & Scrutiny Committee will be reviewed as part of this action. The Chairs and members of these bodies will be fully involved in this action.	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none">The reporting of companies' related risks will form part of the suite of reporting information presented to the Companies Governance Executive Sub-committee	With immediate effect	Strategic Director of Finance

Recommendation 8

As the new arrangements for monitoring companies are rolled out alongside the Companies Governance Executive Sub-Committee (CGESC), the Council should ensure that financial information is provided in accordance with its requirements and is fully understood by the Sub-Committee and others involved in holding the companies to account, and that robust action, with the oversight of the s151 officer, is taken if suitable information is not provided.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadline	Accountability
<ul style="list-style-type: none">The Companies Governance Executive Sub-Committee (CGESC) has been meeting since 2019 and has established reporting requirements for all Council companies.A dedicated senior finance post provides additional capacity and capability to managing the financial reporting requirements on the Council's group of companies.	30/11/20	Director of Legal & Governance
<p>Page 69</p> <ul style="list-style-type: none">The current role and remit of the CGESC will be amended to make it a stand alone Committee.	30/10/20	Director of Legal & Governance
<ul style="list-style-type: none">No member of the sub committee shall be a director of a council owned company.	30/10/20	Director of Legal & Governance
<ul style="list-style-type: none">Officer support is to be provided to offer full advice and analysis for members on CGECS, Audit Committee and Overview & Scrutiny Committee in relation to risks; annual reviews of & updates on business cases and plans; scheme of delegation; financial matters and overall delivery.	With immediate effect	Strategic Director of Finance
<ul style="list-style-type: none">The dedicated senior finance role will also be continually reviewed in the light of The Report in the Public Interest to ensure it is fulfilling the corporate function needed and that departments and Council companies understand their relationship and new ways of working on this matter.	30/11/20	Strategic Director of Finance
<ul style="list-style-type: none">The s151 Officer will make recommendations to CGESC regarding action to be taken in the event that Companies do not comply with the required reporting requirements. This should include the options and sanctions available to the Council as shareholder under	30/11/20	Strategic Director of Finance

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the Companies Act 2006 to compel co-operation from the directors of council owned companies.

- Council company financial information reporting will be reviewed to see how more explicitly it can be referenced in the regular Council budget monitoring reports provided to the Executive Board on a quarterly basis
- This review will need to consider how to balance the transparency in the Council's budget reporting with the need to retain commercially sensitive information in the private part of any public meeting.

With immediate effect

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Recommendation 9

Within the new arrangements involving the Companies Governance Executive Sub-committee, the Council needs to ensure that responsibilities for scrutiny and risk management are given sufficient prominence, including giving the Audit Committee explicit responsibility for scrutiny of governance and risk management across the group.

Portfolio Holder accountability- Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadline	Accountability
<ul style="list-style-type: none">The Council will review the terms of reference for Companies Governance Executive Sub Committee (CGESC), Overview and Scrutiny Committee and the Audit Committee to ensure that roles and responsibilities are explicitly clear. The Chairs of all these bodies will be fully involved in this action.	30/11/20	Director of Legal & Governance
Page 39 <ul style="list-style-type: none">The Corporate Governance Committee be re-established as a stand alone committee. To remove the risk of conflict of interest its membership should not hold directorships of any council owned companies and be comprised of membership on a cross party basis including representatives from all opposition parties.	30/10/2020	Director of Legal & Governance
<ul style="list-style-type: none">External advice will be sought on best practice in defining the roles between these bodies and on effective training for members to understand and work in these new defined roles and to achieve the prominence in practice.	30/11/2020	Director of Legal & Governance
<ul style="list-style-type: none">The training packages that will be offered will carry the same mandatory requirements for membership off these bodies to continue.		
<ul style="list-style-type: none">Specific training modules will be drawn up to explicitly support the chairs of these bodies in carrying out their new roles.	30/01/21	Director of Legal & Governance

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Recommendation 10

In addition to those referred to in recommendations above, the Council should apply the lessons from Robin Hood Energy in a further review of its company governance arrangements, in particular to ensure that risks are appropriately flagged and managed, as well as successfully implementing the more robust monitoring agreed by the Companies Governance Executive Sub-Committee.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadline	Accountability
<p>Page 70</p> <ul style="list-style-type: none">• The Council will draw together all the varying reviews and activity as outlined above into an overall picture of its governance arrangements and from that produce a unified report on the lessons to be learnt from Robin Hood Energy Ltd.• This learning lessons report will draw upon the effective practice of some of the other Council company boards to share those positive lessons across the group of council companies as well.• External support and advice will be sought on how best to draw together all the learning from the reviews.• This review will fully involve the chief executives/chief officers of the Council's companies, as well as the Chairs and members of the Company Boards.• This review will be made available to the Audit Committee for discussion and recommendations before final implementation.	20/12/20	Director of Legal & Governance

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Recommendation 11

As part of this review, the Council should consider the appropriateness of the definition of the shareholder role adopted in the 2019 report and give it an emphasis on protection of the Council's financial interests alongside other elements.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action – N.B. the actions below must be read alongside the actions for Recommendation 5	Deadline	Accountability
<ul style="list-style-type: none">The Council's Constitution and Scheme of Delegation will be reviewed to identify the roles that perform a specific function in ensuring effective governance of the Council's delivery of its duties and its powers and its expenditure.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">As part of that review, the specific corporate role and resources for the shareholder representative duty will be examined and in particular how it safeguards the Council's financial interests and how concerns about financial risks by the Council's S.151 officer are communicated to the Council's shareholder representative.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">External advice and best practice will be sought to define officer roles / functions that communicate and safeguard the interest of the Council in relation to the effective corporate governance of individual council companies.	30/01/21	Director of HR and Customer
<ul style="list-style-type: none">Once the role and resources for this function have been determined, costings to implement the new function and an appropriate role description will be produced and submitted for decision.	30/11/20	Director of Legal & Governance
<ul style="list-style-type: none">Whilst this review is underway the current shareholder representatives will be reviewed, any existing gaps filled and an interim new role definition be drawn up and training provided.	31/10/20	Director of HR and Customer

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Recommendation 12

The Council should use the experience of owning RHE to consider whether there are any lessons for its wider governance, particularly in relation to the 'checks and balances' which need to be in place, including the need for a stronger monitoring and scrutiny function and moving to a culture in which challenge of political priorities and how they are being implemented is seen as a positive.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadlines	Accountability
<ul style="list-style-type: none">• An overarching review of the Council's wider governance arrangements will be commissioned following advice from the LGA and other relevant external bodies.• External advice and best practice models will be considered alongside an in-depth assessment of council practice to date	31/03/21	Director of Legal & Governance
Page 7/12 Where the Council awards contracts to Council owned companies, without tender, (or where it applies the TECAL principle) accompanying documentation should be provided as to how value of money for council tax payers has been ensured.	Immediate	Strategic Director of Finance

Andrew Rule

Recommendation 13

The Council should ensure that it reflects the financial pressures arising from RHE alongside those from covid-19, demand-led services and other areas to produce balanced and achievable financial plans for the current year and for the medium-term, without disproportionate, unsustainable reliance on one-off measures.

Portfolio Holder accountability: Councillor Sam Webster Finance, Growth & the City Centre

Action	Deadlines	Accountability
<ul style="list-style-type: none">The construction of a refreshed Medium Term Financial Strategy (MTFS) is underway and due to be reported to Full Council in October 2020.This will set out at a high level how the Council will balance its budget over the medium term and incorporates the financial implications for Council own companies for the overall Council budget.	05/10/20	Strategic Director of Finance
More detailed plans will be brought to Full Council in December 2020.	December 2020	Strategic Director of Finance

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Andrew Rule

To further support the work necessary to fully respond to the findings in *The Report in the Public Interest*, there are some further actions for full Council to consider.

NCC 1. Review of Council’s approach to the ownership of companies.

The Council has a range of companies totally in its ownership and some owned jointly with others. These companies have developed over time and further are planned to be created during this period of office as outlined in the Council Plan. In the light of the findings of this report the overall approach of the Council to its relationship with its companies could benefit from a review.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadlines	Accountability
<ul style="list-style-type: none"> • Establish the basis of ownership of the Council’s companies and the differing frameworks and legislative basis upon which they were created. • Seek out external advice on the best practice model of council ownership of local authority controlled companies and managing the risks and benefits they present. • Following that advice and review, construct a council framework of NCC’s company ownership with particular regard to risk management and accountability to the Council. • Review all existing companies against that framework and where there is divergence establish whether a business need exists to maintain the difference or agree changes to comply with the framework. • Any proposed additional council companies should be established using this new framework. 	<p>31/12/20</p> <p>March 2021</p> <p>April 2021</p> <p>With immediate effect</p>	<p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p>

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NCC 2. Review of effective governance practice in NCC companies

The Council has a number of companies which have had effective governance over a number of years and which have involved elected members on the boards. As part of this improvement work it is important to understand what has made those council companies and Boards effective and how any learning can be applied to other council companies and the other recommendations in this Action Plan.

Portfolio Holder accountability: Councillor Sally Longford – Energy, Environment & Democratic Services

Action	Deadlines	Accountability
<ul style="list-style-type: none">• Seek out external guidance on independently assessing effective company governance and use this to assess the governance practice of all Council owned companies.• Following that assessment, draw out any lessons or good practice that can be shared across all council companies. <p>Work with the chairs and chief executives / chief officers of Council companies to understand any self-assessment models they may use.</p> <p>Companies Governance Executive Sub Committee, Executive Board and the Audit Committee to consider the findings of this review and its recommendations.</p>	<p>31/03/21</p> <p>May 2021</p> <p>June 2021</p> <p>June 2021</p>	<p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p> <p>Director of Legal and Governance</p>

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Andrew Rule

NCC 3. Review of membership of the Audit Committee

As a solution to the pressures from the reduction in public funding of services, the Council either owns or has a major interest in a considerable number of companies. It has also pursued a policy of in-house commercialisation of some services. As such the company and commercial trading risks it carries are more that would normally be expected for a local authority.

As such, the role that the Audit Committee plays in giving assurance to the Council on these commercial risks and trading outcomes is vital. In the light of the findings of the Report in the Public Interest, it is proposed that a review of the membership of the Audit Committee is undertaken to consider whether it is necessary to bring in additional expertise in a relevant capacity to further support the Committee.

Portfolio Holder accountability: Councillor David Mellen – Leader

Action	Deadlines	Accountability
<ul style="list-style-type: none">Review of the current membership of the Audit Committee.Seek out external advice of best practice models of Audit Committees in local government that could bring additional support to how the council is dealing with the risks it is facing	30/01/21	Strategic Director of Finance

City Council – 5 October 2020

Report of the Leader of the Council

Decisions Taken Under Urgency Procedures

1 Summary

- 1.1 As required by the Council's Constitution, this report informs Council of urgent decisions taken under provisions within both the Overview and Scrutiny Procedure Rules and Access to Information Procedure Rules.

2 Recommendations

- 2.1 To note the urgent decisions taken as detailed in the appendices.

3 Reasons for recommendations

- 3.1 To ensure compliance with the procedures detailed in the Council's Constitution.

4 Other options considered in making recommendations

- 4.1 None.

5 Background (including outcomes of consultation)

- 5.1 Call in and Urgency (Overview and Scrutiny) Procedure Rules

Councillors will be aware that the call in procedure does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. Part 4 of the Constitution requires that where a decision is taken under the urgency procedure that decision needs to be reported to the next available meeting of Council, together with the reasons for urgency. The urgency procedure requires that the Chair of the Overview and Scrutiny Committee must agree that the decision proposed is reasonable in the circumstances and that it should be treated as a matter of urgency. In the absence of the Chair, one of the Vice Chairs' consent is required. Details of the decisions made where the call in procedure has not applied due to urgency are set out in Appendix 1.

- 5.2 Special Urgency – Access to Information Rules

The Local Authorities Executive Arrangements (Access to Information) (England) Regulations 2012 introduced a requirement for 28 clear days public notice to be given of all proposed key decisions. Where it is not possible to give the full 28 days' notice, but there is time to give at least 5 clear days notice, the General Exception procedure applies (see Access to Information Rules, Part 4 of the Constitution). Where 5 clear days notice is also not possible, the above Regulations provide for a Special Urgency Procedure.

- 5.3 An urgent key decision may only be taken under the Special Urgency Procedure if the decision taker has obtained agreement that the decision is urgent and cannot reasonably be deferred. Agreement must be obtained from (i) the Chair of the

Overview and Scrutiny Committee, or (ii) if there is no such person, or if the Chair of the Overview and Scrutiny Committee is unable to act, the Lord Mayor (as Chair of Council), or (iii) where there is no Chair of the Overview and Scrutiny Committee or Lord Mayor, or they are unable to act, the Sheriff (as Vice Chair of Council). Once agreement has been sought and as soon as is reasonably practicable, the decision maker must publish a notice at the Council's offices and on the Council's website to state that the decision is urgent and cannot reasonably be deferred.

5.4 In addition, the procedure requires that the Leader of the Council submits (at least quarterly) reports to Council containing details of each executive decision taken during the period since the last report where the making of the decision was agreed as a case of special urgency. Details of key decisions taken under the Special Urgency Procedure are set out in Appendix 2.

6 Finance colleague comments (including implications and value for money)

6.1 None

7 Legal and procurement colleague comments (including risk management issues, and legal, crime and disorder act and procurement implications)

7.1 None

8 Equality Impact Assessment (EIA)

8.1 An EIA is not required as the report does not relate to new or changing services or policies. Equality Impact Assessments were published alongside each decision referred to in the report, as required.

9 List of background papers other than published works or those disclosing confidential or exempt information

9.1 None.

10 Published documents referred to in compiling this report

10.1 Nottingham City Council Constitution

10.2 The delegated decisions and committee reports detailed in the appendices to the report, as published on the City Council's website.

Councillor David Mellen
Leader of the Council

Appendix 1 - Decisions Exempt from Call-In

Decision Reference Number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Urgency
3939	28/07/2020	Acceptance of funding from the Department for Transport's Covid-19 Emergency Active Travel Fund – Tranche 1	£569,906	Portfolio Holder for Adult Care and Local Transport	Chair of Overview and Scrutiny Committee	To enable works to commence by 3 August 2020, which was a requirement of the funding.
3944	31/07/2020	Essential health and safety works at Broadmarsh Shopping Centre	Up to £343,500	Portfolio Holder for Regeneration, Schools and Communications	Chair of Overview and Scrutiny Committee	As of 31 July 2020 Intu removed site security and any presence on site. This would have had health and safety implications for both remaining tenants, who access the service road on the site, and also leave the site unprotected and could potentially endanger the public. In addition, works to reopen the public right of way between Lister Gate and Collin Street needed to progress at speed to allow the public to safely access the Southern Gateway of the City.
3952	31/07/2020	Contribution to service charge at a Council owned property	Exempt	Portfolio Holder for Regeneration, Schools and Communications	Chair of Overview and Scrutiny Committee	To enable payment to be made to contractors as soon as possible.
3959	17/08/2020	New 12 month Authority Public Protection 'Flare'	£90,701	Portfolio Holder for Employment and Community	Chair of Overview and Scrutiny Committee	The contract provider had imposed a deadline for the Council to commit by which could

Decision Reference Number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Urgency
		contract		Protection		not be achieved if the call in period proceeded, and not meeting the deadline could have resulted in a detrimental financial impact on the Authority.
3975	01/09/2020	Strategic Review	Exempt	Leader of the Council	Chair of Overview and Scrutiny Committee	Timescales were driven by engagement with third parties, outside the control of the City Council. A delay could have resulted in a significant negative impact on the finances of the Council.
3983	08/09/2020	Nottingham Theatre Royal and Royal Concert Hall – External tiles replacement	£990,000	Portfolio Holder for Leisure, Culture and IT	Chair of Overview and Scrutiny Committee	To enable works to commence and be completed while the Theatre Royal and Royal Concert Hall are closed and before winter months when it would not be possible to carry out the works.

Appendix 2 - Key Decisions taken under the Special Urgency Procedure

Decision reference number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Special Urgency
3975	01/09/2020	Strategic Review	Exempt	Leader of the Council	Chair of Overview and Scrutiny Committee	Timescales were driven by engagement with third parties, outside the control of the City Council. A delay could have resulted in a significant negative impact on the finances of the Council.
Minute ref: 35 Page 83	21 July 2020	Finance, HR and Payroll System	Exempt	Executive Board	Chair of Overview and Scrutiny Committee	The programme had reached a critical point and a decision on the implementation date was required in order to finalise the implementation plan and ensure that the planned date could be achieved. Failure to make a swift decision could have resulted in an inability to meet the revised date with associated failure to achieve benefits and incurring of further costs. Without approval for the spend the Council would have been unable to retain critical resources, whose contracts were due for imminent renewal and that were essential to meet the implementation date.
Minute ref: 42	22 September 2020	Interim Budget, Medium Term Financial Plan and Draft Strategy		Executive Board	Chair of Overview and Scrutiny Committee	The Interim Budget had to be approved by Full Council on 5 October. The Interim Budget includes a number of new in year

Decision reference number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Special Urgency
						savings that required a period of statutory consultation as detailed in the Council Financial Position – 2020/21 Budget Update report to Executive Board on 21 July 2020.

City Council – 5 October 2020

Report of the Portfolio Holder for Finance, Growth and the City Centre

Interim Budget 2020/21

1. Summary

- 1.1. This report sets out the proposals for the Interim Budget 2020/21 in response to the impact of Covid-19 on the City Council's in-year financial position.
- 1.2. This report is based on the 'Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24' as considered by Executive Board on 22 September 2020 which comprised plans for a balanced 2020/21 budget based on the latest monitoring information, using the release of earmarked reserves, additional in-year savings and assumed Government funding.
- 1.3. This report should be read in conjunction with the detailed contents of the associated Executive Board reports.

2. Recommendations

- 2.1. Executive Board recommends that the following be approved, the detail of which can be found in the report and minutes of the Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24 item considered by Executive Board at its meeting on 22 September 2020:
 - (1) the Interim Budget for 2020/21, including;
 - (a) the recommendations of the Strategic Director of Finance / Chief Finance Officer in respect of the robustness of the estimates made for the purpose of the budget calculations and the adequacy of reserves;
 - (b) the delegation of authority to the Strategic Director of Finance / Chief Finance Officer in consultation with the Portfolio Holder for Finance, Growth and the City Centre to finalise the revised in-year portfolio budgets;
 - (c) the delegation of authority to the Corporate Leadership Team to implement the new 2020/21 savings and efficiency proposals as appropriate;
 - (d) the continuation of spending controls within the City Council, including a vacancy freeze and the ceasing of all non-essential spend;
- 2.2. the following be noted:
 - (1) the reserves strategy approved by the Executive Board on 22 September 2020;
 - (2) the refreshed Medium Term Financial Outlook (MTFO) and draft Medium Term Financial Strategy (MTFS) as approved by the Executive Board on 22 September 2020.

- (3) a final refreshed MTFS, including a review of the Capital Programme and Capital Investment Strategy, will be brought back for consideration at the December 2020 Executive Board.

3. Reasons for recommendations

- 3.1. The City Council has been operating in a difficult financial environment, due to insufficient Government funding, for many years and as a consequence has had to make cumulative budget savings totalling **£271.4m** in the period from 2010/11 to 2019/20.
- 3.2. The Medium Term Financial Plan (MTFP) approved by City Council on 9 March 2020 set a balanced 2020/21 original budget after identifying a further **£15.6m** savings.
- 3.3. In providing critical services and support to its citizens during the Covid-19 pandemic the City Council has incurred extra costs, while the impact of lockdown and the economic slowdown has also meant significant loss of income. This leaves the original budget no longer relevant to the current circumstances.
- 3.4. Whilst the Government initially promised that it would “stand shoulder to shoulder” and fully support local government for Covid-19 the additional funding announced to date has been insufficient to cover our increased costs and lost income. This underfunding leaves a projected shortfall of **£38.6m** to be addressed by the City Council.
- 3.5. It is the statutory duty of the Strategic Director of Finance / Chief Finance Officer under section 151 of the Local Government Act 1972 to keep the budget position and financial arrangements under constant review and to ensure the City Council can continue to deliver a balanced budget.
- 3.6. This Interim Budget is an important first step in response to the challenging financial situation in which the City Council finds itself. If no remedial action is taken now the possible requirement to issue a public notice under Section 114 of the Local Government Finance Act 1988 will be greatly increased.

4. Other options considered in making recommendations

- 4.1. Throughout the Interim Budget process, a large number of cost reduction, income and reserves options have been considered. This is a complex process with many iterations and possibilities too numerous to present as discrete options. This report presents the final overall package of detailed proposals which together seek to address the in-year financial position and ensure a continued balanced 2020/21 budget.

5. Background (including outcomes of consultation)

- 5.1. The service and financial challenges brought by Covid-19 have required much earlier and exhaustive review of the City Council’s financial position than would ordinarily be required.
- 5.2. The Executive Board has to date approved three financial reports on the financial impact of Covid-19 and our forecast outturn:
- 29 June 2020 – Council Financial Position – Financial Risk Assessment
 - 21 July 2020 – 2020/21 Budget Update

- 22 September 2020 – Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24

- 5.3. All these reports outlined the significant budget shortfall caused by Covid-19 and identified the further actions required to ensure the City Council continues to balance its 2020/21 budget.
- 5.4. The local financial impact of Covid-19 has been regularly reported to Government via monthly returns to the Ministry of Housing, Communities and Local Government.

Budget Consultation

- 5.5. The Interim Budget process has been supported by an online survey carried out between July and September 2020.
- 5.6. To date **232** responses have been received with the results contained within Annex 1 of the 'Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24' report to Executive Board on 22 September 2020.
- 5.7. Appropriate action has been taken in relation to any representations made and feedback from the consultation has been taken into account in finalising the proposals within this report.

6. Interim Budget

- 6.1. The latest estimated 2020/21 impact of Covid-19 is **£78.4m**. The Government has provided non ring-fenced funding of **£23.5m** and a compensation scheme for lost income might eventually provide up to a further **£16.3m**. This leaves the projected shortfall of **£38.6m**.
- 6.2. Management action with regard to non-essential spend controls and an ongoing vacancy freeze has delivered a net **£5.8m** favourable underspend in non-Covid related services which can be used to help address the budget gap.
- 6.3. A consultation package of **£12.5m** new savings for 2020/21, including voluntary redundancies, was recommended for public consultation by the 21 July 2020 Executive Board. The Interim Budget assumes the implementation of this package.
- 6.4. Provision of **£51.0m** has been made for a number of corporate items and Group Company pressures. This includes **£38.2m** for Robin Hood Energy, **£5.0m** for potential provision for Group Company debt, **£1.0m** for additional provision for workforce costs and **£6.8m** contribution to repay the 2019/20 overspend. The **£38.2m** for Robin Hood Energy represents the total provision for expected losses under International Financial Reporting Standards (IFRS9) that has been made over the last 3 years (**£24.4m** in 2018/19, **£7.9m** in 2019/20 and a further **£5.9m** in 2020/21).
- 6.5. The size and scale of the financial challenges has necessitated the use of earmarked reserves as part of the strategy for closing the in-year budget gap. A comprehensive review has identified **£38.7m** earmarked reserves that can be permanently released and a further **£31.3m** that can be borrowed and paid back over the next 5 years.
- 6.6. Currently the use of **£1.2m** general reserve will be required to close the remaining gap. However management action will continue to take place throughout the year with the hope that the final non-Covid underspend might eventually allow the reversal of this item.

6.7. **Table 1** sets out the Interim Budget adjustments and the net change in portfolio budgets as recommended by the 22 September 2020 Executive Board.

Table 1: Revised Portfolio Budgets							
Portfolio	Initial Period 4 Net Budget £m	Interim Budget Adjustments					Revised Period 4 Net Budget £m
		Net Covid Impact £m	Non-Covid BAU Forecast £m	New Savings £m	Other / Reserves £m	Net Moves £m	
Adult Care & Local Transport	102.123	2.662	(7.688)	(1.833)		(6.859)	95.264
Children & Young People	55.269	0.077	3.396	(0.245)		3.229	58.498
Communities, Highways & Strategic Transport	8.452	4.045	(0.308)	(0.988)		2.749	11.201
Employment & Community Protection	8.805	0.140	(0.300)	(0.521)		(0.681)	8.124
Energy, Environment & Democratic Services	20.959	1.251	(1.345)	(0.598)		(0.692)	20.267
Finance, Growth & the City Centre	9.513	2.324	0.225	(1.324)		1.225	10.738
Health, HR & Equalities	(6.817)	0.288	(0.469)	(0.448)		(0.629)	(7.446)
Housing, Planning & Heritage	6.335	0.152	0.302	(0.125)		0.329	6.664
Leisure, Culture & IT	11.899	4.259	0.168	(0.562)		3.866	15.765
Regeneration, Schools & Communications	(13.902)	7.082	0.209	(0.540)		6.750	(7.152)
Portfolios	202.636	22.281	(5.811)	(7.182)		9.287	211.923
Companies / Corporate	45.424	16.305		(5.323)	50.954	49.225	107.36
Use of Earmarked Reserves					(70.022) ^A	(73.952)	(70.022)
Use of General Reserves					(1.202)	(1.202)	(1.202)
Total	248.059	38.585	(5.811)	(12.505)	(20.270)	0.000	248.059

^A Includes the use of reserves from 2018/19 to 2020/21 in relation RHE

6.8. The resetting of portfolio budgets provides clarity on how the City Council aims to maintain a balanced position for 2020/21 and will assist in the continued monitoring of financial performance against allocated budgets.

7. Finance colleague comments (including implications and value for money)

7.1. These have been considered in the 'Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24' report to Executive Board on 22 September 2020.

8. Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

8.1. These have been considered in the 'Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24' report to Executive Board on 22 September 2020.

8.2. The recommendations within this report fall within the City Council's functions under the Act, the Local Government Act 1972 and other enabling legislation.

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

An EIA has been carried out and was detailed in Appendix 8 of the 'Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24' report to Executive Board on 22 September 2020.

Due regard has been given to the equality implications identified in the EIA

10. List of background papers other than published works or those disclosing confidential or exempt information

10.1. Budget working papers

11. Published documents referred to in compiling this report

11.1. Previously published documents are available on the following pages:

Interim Budget 2020/21, Medium Term Financial Outlook and Draft Strategy 2021/22 to 2023/24
<https://committee.nottinghamcity.gov.uk/documents/b28790/Supplement%20Agenda%20-%20Urgent%20Item%2022nd-Sep-2020%2014.00%20Executive%20Board.pdf?T=9>

Council Financial Position – 2020/21 Budget Update, 21 July 2020 Executive Board
<https://committee.nottinghamcity.gov.uk/documents/s105034/Council%20Financial%20Position%20-%20202021%20Budget%20Update.pdf>

Council Financial Position – Financial Risk Assessment, 29 June 2020 Executive Board
<https://committee.nottinghamcity.gov.uk/documents/s104181/Council%20Financial%20Position%20-%20Financial%20Risk%20Assessment.pdf>

Medium Term Financial Plan (MTFP), 18 February 2020 Executive Board
<https://committee.nottinghamcity.gov.uk/documents/s100482/MEDIUM%20TERM%20FINANCIAL%20PLAN%20MTFP.pdf>

Councillor Sam Webster
Portfolio Holder for Finance, Growth and the City Centre

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City Council – 5 October 2020

Report of the Portfolio Holder for Employment and Community Protection

The Crime and Drugs Partnership Plan 2020 - 2023

1 Summary

- 1.1 The Nottingham Crime and Drugs Partnership (CDP) Partnership Plan 2020 to 2023, (see Appendix 1) sets out the Partnership's approach to reducing crime, substance misuse, re-offending and anti-social behaviour.
- 1.2 The 2020-2023 Partnership Plan was approved by the Partnership Board on 15th June 2020. Publication of the plan was delayed due to the April meeting of the CDP Board being cancelled, as a result of the outbreak of Covid-19. The Plan's content has been developed in line with the findings of the Strategic Assessment 2019 and the priorities and targets agreed by the CDP Board at their meeting on 9th December 2019.
- 1.3 The CDP Partnership Plan 2020 to 2023 satisfies a statutory duty to co-operate in order to formulate and implement a strategy for the reduction of crime and disorder in the area, a strategy for combatting the misuse of drugs, alcohol and other substances in the area and a strategy for the reduction of re-offending in the area.¹ There is a statutory requirement to revise the Partnership Plan following the annual strategic assessment.²
- 1.4 The priorities outlined in the Partnership Plan, as identified by the annual strategic assessment and agreed by the Board, are:
- 1.4.1 Overall Aims
The statutory aims of the Partnership are to:
- Reduce Crime
 - Reduce Reoffending
 - Reduce Substance Misuse
 - Reduce Anti-Social Behaviour
- 1.4.2 Strategic Focus
As recommended in the 2019 Strategic Assessment, additional focus during 2020/21 will be given to the following issues:
- Weapon Enabled Offending
 - Modern Slavery & Exploitation
 - Domestic and Sexual Violence

¹ s5 and s6 Crime and Disorder Act 1998

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

- Drugs & Alcohol
- Hate Crime
- Burglary

1.4.3 Thematic Issues

In addition to the above, the following issues will be given additional focus during 2020/21:

- Performance management of reoffending
- Further development of Partnership Tasking and the Respect Action Plans
- Improving the response to repeat victims of hate crime
- Improved management of the city centre
- Monitoring of trends in substance misuse in order to assess the effectiveness of commissioned services and treatment provision
- Continued development and improvement of the CCTV infrastructure and service
- Developing a more sophisticated response to issues of vulnerability

1.5 The plan sets out how partners will work together using an approach that delivers thematic activity and focuses on those people, places and premises that require multi-agency problem solving to resolve.

2 Recommendations

2.1 To approve the Crime and Drugs Partnership Partnership Plan 2020 to 2023, as set out in Appendix 1.

3 Reasons for recommendations

3.1 The Partnership Plan 2020 to 2023 performs a statutory duty of the Partnership and gives strategic direction to the work that the Partnership will undertake over the three years of the plan.³

3.2 The new Partnership Plan is based on robust evidence as set out in the 2019 Strategic Assessment.

3.3 The Constitution of Nottingham City Council requires Full Council to approve and adopt the Partnership Plan.

4 Other options considered in making recommendations

³ s5 and s6 Crime and Disorder Act 1998

- 4.1 To do nothing would leave the city without a Partnership Plan for the reduction of crime, reoffending, anti-social behaviour and substance misuse, which would leave a statutory duty unfulfilled.
- 4.2 Producing a Partnership Plan for only 12 months would have lacked the long-term strategic direction needed and would not have provided an adequate performance management framework.
- 4.3 Producing a Partnership Plan for more than five years generates unnecessary problems for performance management and the longer term.

5 Background (including outcomes of consultation)

- 5.1 The Partnership Plan for 2020 to 2023 has been developed in line with the:
- Statutory duty of the Partnership to reduce crime, reoffending, substance misuse and anti-social behaviour;
 - Findings of the Strategic Assessment 2019, which incorporated the findings of both partner consultation and citizen consultation via the Respect Survey;
 - Priorities and targets agreed by the CDP Board at their meeting on 9th December 2019.
- 5.2 The Partnership Plan has been developed with regard to the priorities of the Police and Crime Commissioner. As a result, our plan seeks to complement the work of the Commissioner and the Police and Crime Plan.
- 5.3 Partners will use an approach which delivers thematic activity and focuses on people, places and premises that require multi-agency problem solving to resolve.
- 5.4 The Partnership Plan was approved by the CDP Board on 15th June 2020. The Plan is scheduled to be presented for approval to the Full Council on 5th October 2020. The Partnership Plan is presented to Full Council for its approval and adoption in line with the Constitution of Nottingham City Council.
- 5.5 The impact of Covid 19 and the lockdown will be expressed in the Strategic Assessment 2020 and as a consequence, in next year's Partnership Plan refresh.

6 Finance colleague comments (including implications and value for money)

- 6.1 As there are no financial implications to this decision, Finance comments are not required.

7 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 7.1 Nottingham Crime and Drugs Partnership is a statutory partnership established under the Crime and Disorder Act 1998. Nottingham City Council hosts the partnership.
- 7.2 The Partnership has a statutory duty to formulate and implement a strategy to (1) reduce crime and disorder; (2) combat the misuse of drugs, alcohol and other substances; and (3) reduce re-offending within the City of Nottingham.
- 7.3 The Partnership Plan sets out the 2020/23 strategy that is to be implemented. Legal advice will be available, as required, to assist with any implementation of the Plan.

Naomi Vass – Senior Solicitor, Commercial, Employment and Education Team

8 Equality Impact Assessment (EIA)

- 8.1 The equality impact of the proposals in this report has been assessed.
- 8.2 The EIA is attached as Appendix 2, and due regard will be given to any implications identified in it.

9 List of background papers other than published works or those disclosing confidential or exempt information

- 9.1 None.

10 Published documents referred to in compiling this report

- 10.1 The Partnership Plan 2020 to 2023, CDP Board paper 15th June 2020.
- 10.2 Strategic Needs Assessment 2019 is published on the Nottingham Insight website at <https://www.nottinghaminsight.org.uk/Document-Library/Document-Library/aAXMno2>
- 10.3 The Crime and Disorder Act 1998.

Councillor Neghat Khan
Portfolio Holder for Employment and Community Protection



Nottingham Crime & Drugs Partnership Plan

2020-2023

●●●●●●●●●● Nottingham ●●●●●●●●●●
●●●●●●●●●● **Crime & Drugs Partnership** ●●●●●●●●●●
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Working together to reduce crime, disorder & the misuse of drugs and alcohol

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FOREWORD

Nottingham has achieved great success over the past fifteen years in reducing crime, anti-social behaviour and the issues that underlie them, such as the misuse of drugs and alcohol. Tackling long-term issues for the city saw crime fall by more than half between 2006 and 2015. However, recent years have brought new challenges and the difficult financial climate has made tackling these even harder. In recent months, the country has been gripped by Coronavirus and this has brought about many new challenges for partners across the city. Nevertheless, we are committed to meeting these challenges and to delivering successful outcomes for citizens in Nottingham.

The challenges we face will undoubtedly influence the community safety agenda in years to come and will rightly be covered in future iterations of this plan. However, the priorities highlighted in this year's plan are still the core crime and anti-social behaviour issues facing the city and the partnership remains committed to solving them through dedicated multi-agency problem solving. The success of this approach is highlighted by the recent Respect for Nottingham Survey results which illustrate that improvements can be made in local neighborhoods through the use of coordinated multi-agency plans.

We are extremely proud that people of different backgrounds get on so well together in Nottingham and this is something we should all be proud of. We see first-hand the importance of our neighbourhoods, their cultural identities and the people who live and work within them. But we must also acknowledge that there is more to do in tackling prejudice and inequalities and the recent Black Lives Matter protests shows that we can never be complacent and recognise that racism and hate crime are still an ugly part of our society.

It is clear that challenges remain across the city and it is my firm belief that real and sustainable improvements for citizens can only be made by addressing problems locally and by tackling the root causes of crime and anti-social behaviour. It is with this in mind that I am pleased to recommend this plan to you as our method for achieving what I hope you will agree are ambitious targets for the city.

Going forward, I am pleased to welcome Vernon Coaker to the Board as newly appointed Chair and I am confident that under his stewardship we will continue to work together with our communities and deliver sustainable change for the people of Nottingham.



Cllr David Mellen, Chair of
the Nottingham Crime &
Drugs Partnership Board

INTRODUCTION

The Nottingham Crime & Drugs Partnership (CDP) is a multi-agency organisation responsible for tackling crime and substance misuse in Nottingham. We are made up of a number of statutory and non-statutory agencies including Nottinghamshire Police, Nottingham City Council, Nottinghamshire Fire and Rescue Service, the National Probation Service and the Community Rehabilitation Company, Public Health, Nottingham City Clinical Commissioning Group and Nottingham City Homes.

We are a statutory partnership under the Crime and Disorder Act 1998, which requires all key agencies in Nottingham to work together to reduce crime, anti-social behaviour (ASB), substance misuse and reoffending. These partnerships are known nationally as Community Safety Partnerships and they were established on the understanding that the causes of crime are complex and that no single agency holds the key to reducing crime and its impact on society. Thus, crime reduction and prevention is not the sole responsibility of the police and the key to achieving long-term and sustainable reductions in offending is through multi-agency working that addresses not only enforcement but prevention as well.

This plan sets out our strategic vision for the future and outlines how we, as a collective group of partners, will continue to work together in order to achieve our objectives.



PARTNERSHIP STRUCTURE & GOVERNANCE



Nottingham
City Council



NOTTINGHAMSHIRE
POLICE

Page 99



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities



The partnership is organised to provide good governance and coordinated action:

- ❖ **Partnership Board** – Provides strategic governance of the partnership
- ❖ **CDP Executive Group** – A forum for effective tactical problem solving, planning and challenge across a range of themes and community safety issues. Also delivers consultation on relevant issues for the board
- ❖ **Partnership Tasking** – A mechanism for allocating resources and providing scrutiny of local plans
- ❖ **Neighbourhood Action Teams** – Coordinating action with a strong focus on local priorities



Nottingham City
Clinical Commissioning Group

National
Probation
Service



Derbyshire
Leicestershire
Nottinghamshire
& Rutland
Community Rehabilitation Company





THE COMMISSIONER'S PLAN

Paddy Tipping was re-elected as the Police and Crime Commissioner for Nottinghamshire in May 2016. The Commissioner has responsibility for developing and implementing the Police and Crime Plan for Nottinghamshire. The Partnership Plan has been developed with regard to the priorities of the Commissioner. As a result our plan seeks to compliment the work of the Commissioner in making Nottingham safer.

The CDP Partnership Plan aligns to the Police and Crime Plan for 2018-21 which can be found on the Nottinghamshire Office of the Police and Crime Commissioner website.

The election for the office of Police & Crime Commissioner originally planned for May 2020 has now been moved to May 2021 due to the impact of Coronavirus. An updated Police & Crime Plan will be published in due course in line with the legislation. The priorities contained therein will be taken into account when developing future versions of the partnership plan.

STRATEGIC THREATS & RISKS

The Partnership conducts an annual assessment of crime, ASB, substance misuse and reoffending in Nottingham in order to ensure that we are tackling the community safety issues that have the greatest impact on the city and its residents. The assessment looks at levels and patterns of offending behaviour and substance misuse so that solutions and interventions can be developed on a robust evidential basis. Through the annual Respect for Nottingham Survey the assessment also includes the results of consultation with communities in order to make sure that we are addressing the issues that matter the most to Nottingham's residents. The Partnership's 2019 assessment was published in January 2020 and is available on the Nottingham Insight website. Based on an assessment of threat, risk, harm, volume and the current partnership response, the analysis highlights the following priorities for the city:

- ❖ Weapon Enabled Offending
- ❖ Modern Slavery & Exploitation
- ❖ Domestic & Sexual Violence
- ❖ Drugs & Alcohol
- ❖ Hate Crime
- ❖ Burglary

Additionally, a number of strategic drivers of risk were identified during the assessment process. The aim is to identify cross-cutting issues, outside of the agreed priorities, which may require strategic direction and governance by the partnership over the coming year. These include the following:

- ❖ Management of licensed practices and premises
- ❖ Regulation of the private rented housing sector
- ❖ Management of the public realm
- ❖ Criminal exploitation of children
- ❖ Serious & organised crime

PARTNERSHIP OPERATING MODEL

Activity in support of the identified risks and priorities will be managed through the partnership operating model. This has been substantially revised during 2018 and 2019 to better reflect the changing nature of crime and community safety. The current model is summarised below:

- ❖ Strategic governance is provided by the **CDP Board**
- ❖ The **CDP Executive Group** operates as a tactical problem solving forum and provides governance for a range of tactical and operational groups
- ❖ Management of the reoffending agenda is provided by the countywide **Reducing Reoffending Governance Group**
- ❖ Issues around vulnerable people, substance misuse and illicit goods are managed through the **Vulnerability & Commodities Group**
- ❖ Non-domestic violence is managed through the **Partnership Tasking** and **Street Tasking** meetings. Serious violence and weapon enabled offending are managed through the **Serious Youth Violence & Exploitation Programme** and the **Integrated Offender Management** scheme
- ❖ The response to ASB is administered through the ward and city centre based **Respect Action Plans**. These plans are based on the priorities identified in the Respect for Nottingham Survey and were first introduced in 2018
- ❖ ASB in the city centre is mitigated through the Respect Action Plan and managed through the **City Centre Management Group**
- ❖ The Respect Action Plans are managed at the local level through the ward based **Neighbourhood Action Teams**
- ❖ **Partnership Tasking** provides oversight and scrutiny of the Respect Action Plans and is the mechanism for the allocation of discretionary resources to facilitate demand reduction
- ❖ Hate crime, community cohesion and associated issues are overseen by the **Hate Crime & Cohesion Sub-Group**
- ❖ The **Domestic & Sexual Violence & Abuse Strategy Group** provides strategic governance and direction across a range of activity in the city
- ❖ City centre demand management is addressed through the weekly **Street Tasking** meeting
- ❖ Opportunities for operational learning will be provided by **Domestic Homicide Reviews** and the **Confidential Inquiry Review Group**

The partnership operating model continues to support high quality service delivery through:

- ❖ Commissioning and grant funding high-quality specialist services, with particular focus on substance misuse, domestic & sexual violence and those at risk of involvement in and/or exploitation from gang and youth violence
- ❖ Supporting and facilitating data sharing
- ❖ The coordination of initiatives in neighbourhoods that are disproportionately affected by crime
- ❖ The delivery of Domestic Homicide Reviews as required
- ❖ The investigation of drug related deaths alongside the Coroner
- ❖ Supporting the continued development of the pathways to reducing reoffending

The role of the **Partnership Support Team** will be to continue supporting the partnership with a clear remit to:

- ❖ Identify and implement best practice
- ❖ Develop and share expertise to support problem solving
- ❖ Contribute to the development of strategic and tactical plans
- ❖ Monitor performance, identify risks and provide insight behind the issues
- ❖ Provide a coordinating function between agencies and maintain links to neighbourhood and locality working
- ❖ Commission effective services to meet identified needs
- ❖ Provide advice and support in order to facilitate business and process improvements across the partnership

THE PARTNERSHIP APPROACH FOR 2020-23

The Partnership Board agreed the aims, strategy, direction and approach of the partnership in tackling crime, anti-social behaviour, substance misuse and reoffending in Nottingham for the forthcoming year at their meeting on 15th June 2020. It was agreed that the partnership plan would be a three year rolling plan in line with the statutory regulations.

Overall Aims

The statutory aims of the Partnership are to:

- ❖ Reduce Crime
- ❖ Reduce Reoffending
- ❖ Reduce Substance Misuse
- ❖ Reduce Anti-Social Behaviour

Strategic Focus

As recommended in the 2019 Strategic Assessment, additional focus during 2020/21 will be given to the following issues:

- ❖ Weapon Enabled Offending
- ❖ Modern Slavery & Exploitation
- ❖ Domestic & Sexual Violence
- ❖ Drugs & Alcohol
- ❖ Hate Crime
- ❖ Burglary

Performance Management

The headline targets for the Partnership are:

- ❖ To reduce **crime**
- ❖ To reduce **hate crime** repeat victimisation by 10%
- ❖ To reduce **anti-social behaviour** by 25%
- ❖ To maintain performance in respect of successful completions from **substance misuse** treatment

The targets will be assessed over the four year period 2019-23. This will allow sufficient time for changes in policy and practice to be reflected in the performance against the agreed targets. Each target is underpinned by a comprehensive performance framework.

Thematic Issues

In addition to the above, the following issues will be given additional focus during 2020/21:

- ❖ Performance management of reoffending
- ❖ Further development of Partnership Tasking and the Respect Action Plans
- ❖ Improving the response to repeat victims of hate crime
- ❖ Improved management of the city centre
- ❖ Monitoring of trends in substance misuse in order to assess the effectiveness of commissioned services and treatment provision
- ❖ Continued development and improvement of the CCTV infrastructure and service
- ❖ Developing a more sophisticated response to issues of vulnerability

PERFORMANCE & DELIVERY FRAMEWORK

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Priority	Delivery	Performance Measures
Weapon Enabled Offending	<ul style="list-style-type: none"> • CDP Executive Group • Vulnerability & Commodities Group • Partnership Tasking • Exploitation & Violence Reduction Hub • Knife Crime Team • Neighbourhood Action Teams 	<p>The partnership will track volumes of the following categories of crime in order to understand the direction of travel and maintain regular and effective performance monitoring:</p> <ul style="list-style-type: none"> • Arson and criminal damage • Burglary • Drug offences • Hate crime • Miscellaneous crimes against society • Modern slavery • Possession of weapons • Public Order offences
Modern Slavery & Exploitation	<ul style="list-style-type: none"> • CDP Executive Group • Vulnerability & Commodities Group • Slavery & Exploitation Risk Assessment Conference 	
DSVA	<ul style="list-style-type: none"> • CDP Executive Group • Neighbourhood Action Teams • DSVA Strategy Group • Safeguarding & DSVA Group • DSVA Joint Commissioning Group • MARAC Steering Group • DSVA Voluntary Sector Group • Children & DSVA Steering Group • Domestic Homicide Reviews • Multi-Agency Risk Assessment Conference • Domestic Abuse Referral Team 	

<p>Drugs & Alcohol</p>	<ul style="list-style-type: none"> • CDP Executive Group • Vulnerability & Commodities Group • Nottingham City Health and Wellbeing Strategy: Happier, Healthier lives • Confidential Inquiry Review Group • Drugs Monitoring Group • Street Tasking 	<ul style="list-style-type: none"> • Robbery • Sexual offences • Theft • Vehicle offences • Violence against the person
<p>Hate Crime</p>	<ul style="list-style-type: none"> • CDP Executive Group • Hate Crime & Cohesion Sub-Group • Vulnerability & Commodities Group • Nottingham Hate Incident Performance Panel • Hate Crime Action Plan • Hate Crime Repeat Victimisation Action Plan • Neighbourhood Action Teams 	<p>Data in a number of other categories is also monitored on a regular basis:</p> <ul style="list-style-type: none"> • Drug treatment • Anti-social behaviour • Cleansing & environmental issues • Deliberate fires • Integrated Offender Management • Regulation & enforcement
<p>Burglary</p>	<ul style="list-style-type: none"> • CDP Executive Group • Partnership Tasking • Arboretum Working Group • Neighbourhood Action Teams 	
<p>Respect Action Plans</p>	<ul style="list-style-type: none"> • CDP Executive Group • Partnership Tasking • Street Tasking • City Centre Management Group • Neighbourhood Action Teams 	

TARGETS

Target	Measure	Baseline (2018/19)	2019/20	2020/21	2021/22
<i>To reduce crime</i>	<i>Victim-based crime volume</i>	37,486	34,747		
<i>To reduce hate crime repeat victimisation by 10%</i>	<i>% of victims that are repeats</i>	16.3%	13.5%		
<i>To reduce anti-social behaviour by 25%</i>	<i>Volume of police recorded incidents</i>	14,840	15,182		
	<i>Experience of ASB (Respect for Nottingham Survey)</i>	8.5%	9.2%		
<i>To maintain substance misuse performance</i>	<i>% of successful completions</i>	21.9%	22.7%		

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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	THE CRIME AND DRUGS PARTNERSHIP PLAN 2020 to 2023
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2. Document Amendment Record

Version	Author	Date	Approved
1	Laura Patterson	03/09/2020	

3. Contributors/Reviewers

Name	Position	Date
Philip Broxholme	Performance & Intelligence Manager	03/09/2020
Alex Castle-Clarke	Acting Head of Community Safety	04/09/2020
Nasreen Miah	Equality & Employability Consultant	07/09/2020

4. Glossary of Terms

Term	Description

screen tip-section B

Assessment

1. Brief description of proposal / policy / service being assessed

The Nottingham Crime & Drugs Partnership (CDP) Partnership Plan 2020-2023, sets out the Partnership's approach to reducing crime, substance misuse, re-offending and anti-social behaviour.

The CDP Partnership Plan 2020-2023 satisfies a statutory duty to co-operate in order to formulate and implement a strategy for the reduction of crime and disorder in the area, a strategy for combatting the misuse of drugs, alcohol and other substances in the area and a strategy for the reduction of re-offending in the area.¹ There is a statutory requirement to revise the Partnership Plan following the annual strategic assessment.²

The 2020-2023 Partnership Plan was approved by the Partnership Board on 15th June 2020. Its content has been developed based

¹ s5 and s6 Crime and Disorder Act 1998

² The legislation places a duty on Community Safety Partnerships to undertake frequent strategic assessments of levels and patterns of crime and drug misuse in their area and to produce annual rolling three year community safety plans (details of which are contained in Statutory Instrument 1830 [SI 2007/1830](#) and [SI 2007/1830 \(Explanatory Memorandum\)](#) which came into force on 1 August 2007.

on the findings of the Strategic Assessment 2019 and the priorities and targets agreed by the CDP Board at their meeting on 9th December 2019.

[screentip-sectionC](#)

2. Information used to analyse the effects on equality:

The targets in the new 2020-2023 plan were set following the annual strategic assessment. [The Strategic Assessment 2019](#) assesses current, emerging and longstanding crime, anti-social behaviour, substance misuse and reoffending issues in Nottingham.

The statutory aims of the Partnership are to:

- Reduce Crime
- Reduce Reoffending
- Reduce Substance Misuse
- Reduce Anti-Social Behaviour

The Strategic Assessment is based on a **detailed analysis of performance data across the city** and gives a comprehensive overview. Where particular areas are identified as disproportionately affected by one crime type, further analysis at a local geographic level has been undertaken. Some analysis has also been undertaken for different crime types, where data was available by ethnicity. Relevant intelligence from a variety of sources has also been included, along with practitioner perspectives and citizen consultation wherever possible.

Using the analysis and insight developed during the assessment period, a number of local priorities around crime and antisocial behaviour have been identified, based on an assessment of threat, risk, harm, volume and the current partnership response. The identified priorities form the basis of the 2020-23 Partnership Plan.

Consultation with the citizens of Nottingham and with partners played a key role in the strategic assessment process.

The Respect Survey 2019 was carried out between October and December 2019. In 2019, the views of 2,819 citizens were sought through a random sampling methodology. The survey is weighted to reflect the ethnic, gender and age profile of the city, in order to make sure it is representative of the city as a whole. The results and priorities identified in the Respect Survey were taken into account in the Strategic Assessment, alongside recorded crime, ASB and substance misuse information.

As a result of the findings of the 2017 survey, Respect Survey Action Plans, (sub plans of the Partnership Plan) were established in each of the 20 Neighbourhood Action Team areas, responding to identified concerns of citizens in each of the local neighbourhoods, these plans focused on crime, antisocial behaviour and cohesion issues. This methodology has been repeated using the findings of the 2019 survey.

Partner consultation: Partners were invited to contribute at the beginning of the process and many partners took this opportunity to engage by sharing data, providing case studies and co-writing sections of the document. The proposed process and timescale for the strategic assessment were taken to the CDP Board in October 2019 and the draft strategic assessment was sent to partners and stakeholders for consultation in October 2019. This document formed the basis of the Risk Analysis Meeting held in November 2019. Feedback was requested on the recommended priorities for 2020/21. The feedback provided was collated into the final draft of the assessment, which was approved and signed off by the CDP Board on 9th December 2019.

Community Protection Cohesion Service colleagues also fed into the Strategic Assessment and provided a narrative, formed through engagement with members of the community around community issues such as Prevent, hate crime, emerging communities, economic migrants, asylum seekers, refugees, failed asylum seekers, destitution, modern slavery.

The Partnership Plan has been developed subsequent to the approval of the Strategic Assessment and has adopted the following priorities, following the consultation detailed above:

- Weapon Enabled Offending
- Modern Slavery & Exploitation

- Domestic & Sexual Violence
- Drugs & Alcohol
- Hate Crime
- Burglary

3. Impacts and Actions:

<u>screentip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<u>X</u>	<input type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>
Women	<u>X</u>	<input type="checkbox"/>
Trans	<u>X</u>	<input type="checkbox"/>
Disabled people or carers.	<u>X</u>	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<u>X</u>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<u>X</u>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	<input type="checkbox"/>	<input type="checkbox"/>
<i>Please underline the group(s) /issue more</i>		

adversely affected or which benefits.

<p style="text-align: right;"><u>screeentip-sectionE</u></p> <p>How different groups could be affected (Summary of impacts)</p>	<p style="text-align: right;"><u>screeentip-sectionF</u></p> <p>Details of actions to reduce negative or increase positive impact (or why action isn't possible)</p>
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>A key target in the Partnership Plan is to reduce the number of victims through a reduction in victim-based crime by 2023, which would therefore impact on the protected groups.</p> <p>A number of the crimes which are prioritised in the Partnership Plan, disproportionately affect groups of citizens, as detailed below. Some of these groups have protected characteristics and are also vulnerable groups, so prioritising these crimes, is therefore likely to have a positive impact on these groups:</p> <ul style="list-style-type: none"> • Hate Crime: race, religion, disability, gender, sexual orientation • Domestic & Sexual Violence: gender (women) • Weapon Enabled Offences: gender, age (young men, 16-24) 	<p>1 Actions will need to be uploaded on Pentana.</p> <p>A full performance framework is used to monitor performance on a regular basis, including detailed performance reports on progress against targets being provided to each meeting of the CDP Board and Executive Group.</p> <p>Key performance indicators will be used to manage the city's performance in relation to specific categories of crime. Rates of offending for specific crime types e.g. burglary will be monitored to help manage delivery strategies.</p>

- Burglary: age (students, retired, unemployed)
- Modern Slavery & Exploitation: gender, age, race, disability

4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

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

The CDP will regularly collect and analyse equalities data collected by commissioned domestic and sexual violence and abuse services. This is part of the Joint Strategic Needs Assessment (JSNA) cycle and the analysis will feed in to the next JSNA.

6. Approved by (manager signature) and Date sent to equality team for publishing:

Approving Manager:

Alex Castle-Clarke, Acting Head of Community Safety
 Tel: 0115 876 4506
 Email: alexander.castle-clarke13338@nottinghamshire.pnn.police.uk;

Date sent for scrutiny:

03/09/2020

SRO Approval:

Nasreen Miah, Equality & Employability Consultant

Date of final approval:

07/09/2020

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://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
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.