

Nottingham City Council Executive Board

Minutes of the meeting held in the Ground Floor Committee Room, Loxley House, Station Street, Nottingham, NG2 3NG on Tuesday 21 December 2021 from 2:00pm to 2:18pm

Membership

Present

Councillor David Mellen (Chair)
Councillor Rosemary Healy
Councillor Rebecca Langton
Councillor Sam Webster
Councillor Linda Woodings

Absent

Councillor Cheryl Barnard
Councillor Eunice Campbell-Clark
Councillor Neghat Khan
Councillor Sally Longford
Councillor Adele Williams

Colleagues, partners and others in attendance:

Councillor Andrew Rule

Chris Carter	-	Head of Transport Strategy
Beverley Gouveia	-	Development and Disposals Manager
Clive Heaphy	-	Interim Corporate Director for Finance and Resources
Frank Jordan	-	Corporate Director for Resident Services
Adrian Mann	-	Governance Officer
Sajeeda Rose	-	Corporate Director for Growth and City Development
Catherine Underwood	-	Corporate Director for People

Call-in

Unless stated otherwise, all decisions made by the Executive Board are subject to call-in. The last date for call-in is **Thursday 30 December 2021**. Decisions cannot be implemented until the next working day following this date.

76 Apologies for Absence

Councillor Cheryl Barnard	-	personal reasons
Councillor Eunice Campbell-Clark	-	unwell
Councillor Kevin Clarke	-	personal reasons
Councillor Neghat Khan	-	personal reasons
Councillor Sally Longford	-	personal reasons
Councillor Adele Williams	-	personal reasons

Mel Barrett	-	Chief Executive
Malcolm Townroe	-	Director of Legal and Governance

The Board noted that a number of members and officers who would normally have attended the meeting, but who did not have reports to present on this occasion, had submitted apologies in the interests of supporting Covid safety at the meeting, in the current context of rising infection levels.

77 Declarations of Interests

None.

78 Minutes

The Board confirmed the minutes of the meeting held on 16 November 2021 as a correct record and they were signed by the Chair.

79 Refresh of the Nottingham City Council Recovery and Improvement Plan

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the refresh and rebranding of the Council's three-year Recovery and Improvement Plan. The following points were discussed:

- (a) it is proposed to change the name of the Recovery and Improvement Plan to the Together for Nottingham Plan. The original Plan was produced at speed in response to the findings of a Non-Statutory Review and focused primarily on the first six months of delivery in the Council's improvement journey. The refresh has enabled time to reflect on the progress of the Plan to date, broaden its scope where appropriate and provide clarity on the delivery process over the next two years;
- (b) a strategic risk register is now in place and is subject to regular reporting, and the Council's risk management policy is being developed further. A number of reviews have also been carried out regarding Council-owned companies.

Resolved:

- (1) to endorse the Together for Nottingham Plan for submission to Full Council and to recommend the Plan to Full Council for approval;**
- (2) to endorse the Together for Nottingham Plan to Full Council for inclusion as part of the Council's formal Policy Framework structure.**

• Reasons for the decision

The original, three-year Recovery and Improvement Plan was produced rapidly in response to a Non-Statutory Review carried out at the Council in November 2020. Over its first year, a significant amount of progress has been made towards the delivery of the Plan. It is appropriate that this progress is now captured in a refresh to give confidence to the Council's stakeholders that the issues outlined in the Non-Statutory Review are being addressed, and also to articulate more clearly the activity that will be undertaken in years two and three of the Plan. The inclusion of the Plan in the Council's formal Policy Framework is in line with the requirements of its new Constitution and will ensure that the Plan has the prominence that it requires.

• Other options considered

To not refresh and rebrand the Recovery and Improvement Plan: this would mean that the Council would not make public the most up-to-date areas of improvement on

which it is working. This option is discounted as it would create a disjoint between the initial Plan document and the version that now forms the basis of the Council's ongoing discussions with the Improvement and Assurance Board.

80 New Cycle and Foot Bridge over the River Trent

The Portfolio Holder for Highways, Transport and Cleansing Services presented a report on the proposals for the construction of a new pedestrian and cycle footbridge across the River Trent. The following points were discussed:

- (a) the Council has secured £9.275 million from the Department for Transport for the design and construction of a new cycle and footbridge over the River Trent. The proposals for the location and design of the bridge have undergone a public consultation, and much of the feedback was positive. The chosen location at Trent Basin links well to existing cycle infrastructure and it will bring a good additional benefit to people living in and travelling through the area, contributing positively to the ongoing redevelopment of the Waterside regeneration area. As a result, it is intended to take the proposed location and overall design of the bridge forward for the relevant planning permissions;
- (b) as part of the consultation, concerns were raised as to the potential impact of the bridge on the views from some residential buildings in the area, and on its physical impact to the landscape and wildlife. Work will be carried out to address these concerns as part of the bridge's detailed design process, so that it contributes positively to the city environment and skyline.

Resolved:

- (1) to approve Trent Basin as the preferred location for a new pedestrian and cycle footbridge across the River Trent, and to take forward the network arch steel bridge design;**
- (2) to approve the submission of duplicate planning applications for the bridge (with connecting ramps) to the Local Planning Authorities of both Rushcliffe Borough Council and Nottingham City Council;**
- (3) to delegate authority to the Corporate Director of Growth and City Development to enter into and secure the necessary land and highway agreements with third-party landowners (and to enter into any necessary licenses with statutory agencies) concerning the affected land outside the City boundaries, and to note that the Corporate Director may exercise these functions within the City area under existing delegated powers;**
- (4) to note that the procurement activities to then deliver the scheme to a value of £9,275,000 were approved previously by the Executive Board on 16 June 2020, and that the authority to carry out the appointment of preferred suppliers and contractors was delegated to the then Corporate Director for Development and Growth (now the Corporate Director for Growth and City Development).**

- **Reasons for the decision**

A new bridge for cyclists and pedestrians located at Trent Basin will add to the route choices available to pedestrians and cyclists for both commuting and leisure journeys in the city, and support the redevelopment of the Waterside regeneration area.

- **Other options considered**

To apply for planning permission to build the new bridge at Trent Lane or Poulton Drive: three potential bridge locations to the east of Lady Bay Bridge were considered, at Trent Lane, Poulton Drive, and Trent Basin. The Trent Lane location has complex engineering concerns, potential impacts on existing residents and the need to remove sensitive trees on the south bank. A bridge at Poulton Drive is achievable, but does not offer the same connectivity benefits that the Trent Basin location would provide. For these reasons, this option is rejected.

81 Levelling Up Fund - Transport Programme

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the Council's funding bid to deliver the Renewing Local Streets Programme. The following points were discussed:

- (a) the Council has been successful in securing £18 million in grant funding from the Department for Levelling Up, Housing and Communities (DLUHC) for the delivery of the Renewing Local Streets Programme. The Programme will be targeted at neighbourhoods (with a particular focus for investment in the most deprived areas of the city) to improve the condition and quality of residential streets, encourage more walking and cycling to school, and introduce energy-saving street lighting and community electric vehicle charging;
- (b) the Programme will include repairs to existing street infrastructure and the general improvement of the street scene, and a large-scale upgrade of street lighting to bring the lamps up to a modern LED standard. Measures will also be introduced to encourage more walking, scooting and cycling to schools, building on previous projects delivered through the Active Travel Fund that have had a good impact on reducing parents driving their children to school.

Resolved:

- (1) to accept the 2021/22 to 2023/24 Department for Levelling Up, Housing and Communities grant award of £18 million for the delivery of the Levelling Up Fund Nottingham – Renewing Local Streets Programme, subject to any funding agreement or related documentation being approved by the Director of Legal and Governance. In total, £2 million of Local Transport Plan 2021/2022 to 2023/24 Area Capital funding will be committed to the Programme by the Council, as match funding;**
- (2) to approve that the Programme funding is allocated and spent in accordance with Appendix 1 to the report (with the 'Streets for People' element allocated to wards using the existing Area Capital formula and schemes prioritised via the current Area Capital governance structure), and**

to delegated authority to the Corporate Director of Growth and City Development to vary expenditure between project headings as required to ensure full Programme spend;

- (3) to approve the procurement of services (including professional services), technical advice and the equipment necessary to support the delivery of the Programme, and to delegate authority to the Corporate Director for Growth and City Development to appoint preferred suppliers and contractors to deliver the relevant elements, including approval for the calling off from Council frameworks;**
- (4) to delegate authority to the Head of Major Projects to enter into a Deed of Variation, and any related small-value change requests, to the Street Lighting Private Finance Initiative contract, to enact the changes required to deliver the Programme;**
- (5) to note that the Programme will be established and delivered in accordance with the Council's corporate approach to programme and project management, including rigorous monitoring through the Gateway/Project Assurance review processes.**

- **Reasons for the decision**

The Council is being offered £18 million by the DLUHC as 'Levelling Up' grant funding over three financial years, including 2021/22 through to March 2024, to deliver schemes in accordance with its Renewing Local Streets Programme.

- **Other options considered**

To not accept the 'Levelling Up' funding bid award: this option is rejected because Nottingham would lose out on the opportunity to invest £18 million in local neighbourhoods, and it would also fail to demonstrate a commitment to the Government's 'Levelling Up' agenda, putting the Council's ability to secure future capital funding for this area at risk.

82 D2N2 Skills Access Hub

The Portfolio Holder for Skills, Growth and Economic Development presented a report on the delivery of the D2N2 Skills Access Hub Project. The following points were discussed:

- (a) the Council previously secured £4,796,576 to deliver the D2N2 Skills Access Hub, providing businesses and employees with access to skills and training, improving productivity, growth and attainment levels. £926,633 in additional funding has now been granted to increase the size and duration of the project, and the skills support that it can make available to businesses and employees.

Resolved:

- (1) to approve the acceptance of £926,633.36 in additional funding from the Department for Work and Pensions for the delivery of the D2N2 Skills**

Access Hub Project, to run between January 2022 and December 2023, subject to the approval of a successful Project Change Request;

(2) to delegate authority to the Corporate Director for Growth and City Development to enter into a new funding agreement with the Department for Work and Pensions, to make variations to the existing collaboration agreements with delivery partners, and to allocate funding to delivery partners in accordance with those agreements.

- **Reasons for the decision**

The Council was awarded £4,796,576 in 2020 to deliver the D2N2 Skills Access Hub between April 2020 and December 2023. The project currently provides businesses and employees with access to skills and training, improving productivity, growth and attainment levels. Subject to a successful Project Change Request application, £926,633 in additional funding for the D2N2 Skills Access Hub will be used to increase its size and the skills support it can offer to businesses and employees.

- **Other options considered**

To accept the additional funding for the D2N2 Skills Access Hub Project: this would mean that Nottingham would not receive £926,633 of additional external funding to support 1060 businesses and 2650 individuals to address skills gaps in current and future workforces. In addition, this would have a negative impact on the Council's ability to deliver some key strategic Council Plan commitments. It would also have a negative impact on the breadth of service to small and medium-sized enterprises provided by the Growth Hub and deny the Council and D2N2 delivery partners access to additional external funding. Therefore, this option is rejected.

83 School Capital Maintenance Grant Allocations 2022/23

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the proposed School Capital Maintenance Grant Allocations for 2022/23. The following points were discussed:

(a) the grant received from the Department for Education for school capital maintenance in 2021/22 was more than anticipated. As such, it is now possible to agree the capital maintenance programme for 2022/23 earlier than normal using the 2021/22 excess funding, and proceed to tender for the contracts to carry out the work during the 2022 school summer holidays, or before. This will enable important maintenance to be carried out at a number of schools more quickly – particularly those with older buildings with significant repair needs.

Resolved:

(1) to approve the proposed school capital maintenance funding and delivery of schemes for 2022/23, and to note the draft strategy document (as set out in Appendix 1 to the report, which represents a place-holding document that underpins the prioritisation of schemes ahead of the full development of the Council Asset Management strategy), the Business Case (Appendix 2) and the prioritisation process (Appendix 3). The proposals have been subject to

the scrutiny of the Council's Project Assurance Group, with a list of recommendations included in Appendix 6;

- (2) to approve the use of the uncommitted balance of £1,400,000 in grant funding secured and received in 2021/22 to deliver the schemes listed in Appendix 4 to the report, and to amend the Capital Programme to reflect this. £150,000 is to be set aside as a contingency fund to address any urgent health and safety issues that may arise in 2022/23;**
- (3) to delegate authority to the Corporate Director for People, subject to value for money being demonstrated and costs being within the overall budget allocated for the programme of works: to adjust the number of projects prioritised in Appendix 4 to the report and in the health and safety contingency fund as required, to ensure that the final project costs are not in excess of the £1,400,000 secured grant funding; to allocate contingency funding to projects, such as health and safety or condition issues, that arise during 2022/23; and to adjust the funding allocation for each project once cost information is finalised;**
- (4) to delegate authority to the Director of Neighbourhood Services to appoint a contractor to design, procure and manage the mechanical and electrical schemes and the asbestos removal scheme within the programme;**
- (5) to approve the roofing scheme being put out to competitive tender in line with the Council's Financial Regulations or, if the tender process timelines are not achievable (and the scheme cannot be delivered in the 2022 school summer holidays), the procurement of the scheme through the SCAPE regional construction framework;**
- (6) to approve the procurement of the replacement of hot water pipes, window repairs and fire safety work schemes through the SCAPE regional construction framework.**

- **Reasons for the decision**

The prioritisation of the funding for school capital maintenance is in line with the draft Capital Maintenance Strategy and is based on an extensive review of schools and the technical advice received. There are two areas where funding has been prioritised: health and safety issues likely to impact on children and staff to ensure the safeguarding of pupils within the school site, ensuring buildings are structurally sound and the building can be safely evacuated in the event of an emergency; and condition issues likely to impact on the operation of the school, to ensure that school buildings are warm and dry to negate the potential of schools closing and loss of learning for the pupils.

- **Other options considered**

To combine the secured, uncommitted balance of £1.4 million from the 2021/2022 schools maintenance funding with basic need funding to address the shortfall in school places across the city, or to retain the £1.4 million uncommitted balance from the 2021/22 schools maintenance fund to then amalgamate it with the anticipated

2022/23 grant that is expected in April 2022: both of these options are rejected as they would leave schools at risk of closure through health and safety or condition issues. It would also mean that school buildings would continue to deteriorate, increasing the risk of forced closure for emergency repairs. The uncommitted balance of £1.4 million is funding the Council has already secured and gives the opportunity to prioritise and plan the works at a far earlier stage than in previous years.

84 Review of Revenue and Capital Budget at 30 September 2021 (Quarter 2)

The Portfolio Holder for Finance and Resources presented a report on the quarterly review of the Council's Revenue and Capital Budget at 30 September 2021. The following points were discussed:

- (a) the quarterly reporting sets out the Council's current and forecast outturn position for the General Fund revenue account, Capital Programme and Housing Revenue Account. There has been a significant improvement in terms of the spending profile in the second quarter, with the adverse variance to budget reported in the first quarter declining by £9 million to an overall position of £2 million in the second quarter;
- (b) the work to achieve a balanced budget by the end of the 2021/22 financial year is challenging, with pressures still arising in areas such as Children and Young People. Nevertheless, the budgets in some other areas have performed more strongly than projected. Actions have been implemented to reduce costs, and these are showing an effect. However, these measures do have an impact on both service delivery and staff, who are still working in the difficult context created by the Coronavirus pandemic. As such, the ongoing budget position will continue to be monitored very closely;
- (c) the Board thanked all of those involved in bringing about the significant improvement in the budget position between the ends of the first and second quarters.

Resolved:

- (1) to note, in respect of 2021/22 budgets, a revenue forecast adverse variance of £2 million (as set out in Section 2 and Table 1 to the report); a forecast favourable variance of £0.6 million on the Housing Revenue Account (Section 3); and the Quarter 2 forecast position on the Capital Programme and refreshed Capital Programme (Section 5);**
- (2) to approve the movement in resources between budgets and portfolios totalling £2.4 million (as set out in Paragraph 2.22 and Appendix D to the report) and the net movement on earmarked reserves at a total value of £3.6 million (Paragraphs 2.23-2.26 and Appendix E);**
- (3) to endorse the Council's commitment to delivering services within its approved budget for 2021/22 and taking all reasonable measures to do so whilst meeting its statutory obligations.**

- **Reasons for the decision**

The quarterly reviews of the Council's Revenue and Capital Budget are presented to enable the formal monitoring of progress against the 2021/22 budget, the impact of actual and planned management actions to address the adverse variance to budget, and to reaffirm the Council's commitment to delivering services within budget.

- **Other options considered**

To not present the quarterly report: the Council is required to ensure that, at a corporate level, expenditure and income are kept within approved budget levels, and this report sets out how this is being managed. For this reason, this option is rejected.

85 Investment Property Disposal - Garretts Green, Birmingham

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the proposed disposal of an investment property in Garretts Green, Birmingham. The following points were discussed:

- (a) the Council holds a number of investment properties to generate income. An independent review of the investment portfolio was commissioned, and this process has recommended the sale of an investment property in Birmingham. The sale will generate a significant capital receipt for the Council and protect against any potential future risks that may arise in continuing to hold the property.

Resolved:

- (1) to approve the sale of the investment property in Garretts Green, Birmingham on the terms as set out in the Exempt Appendix to the report;**
- (2) to pay disposal costs equating to 1.5% of the disposal price, as detailed in the Exempt Appendix;**
- (3) to delegate authority to approve the final terms of the sale to the Corporate Director for Growth and City Development.**

- **Reasons for the decision**

The sale will generate a significant capital receipt that can be used by the Council, and will mitigate future risks associated with the tenant's break option, a potential fall in rent, and associated void and re-letting costs. The disposal will also relieve pressure on the Property Management team.

- **Other options considered**

Not to sell the property: this option is rejected because the offer received for the property is in excess of the market value, and the sale removes potential future financial risks to the Council. To not sell the property would also retain its management burden in-house.

86 New Lease of Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the proposed renewal of the occupational lease of Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham. The following points were discussed:

- (a) the business lease for Private Road Number One, Colwick Industrial Estate expires shortly. The tenant has the right to continue the lease and acceptable terms have been negotiated for an appropriate renewal.

Resolved:

- (1) to approve the terms agreed with the existing tenant for a new lease of Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham, as set out in the Exempt Appendix to the report;**
- (2) to approve the payment of the associated fees, as detailed in the Exempt Appendix.**

- **Reasons for the decision**

The occupational lease for Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham expires in March 2022. The tenant has the right to renew the lease and acceptable terms for a lease renewal have been negotiated and agreed between both parties.

- **Other options considered**

To not renew the lease: this option is rejected as the tenant has the right to renew the lease under the Landlord and Tenant Act 1954, and the Council has no reason to object to the new lease.

87 Exclusion of the Public

The Board resolved to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, Paragraph 3, on the basis that, having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

88 Exempt Minutes

The Board confirmed the minutes of the meeting held on 16 November 2021 as a correct record and they were signed by the Chair.

89 Investment Property Disposal - Garretts Green, Birmingham - Exempt Appendices

The Portfolio Holder for Strategic Regeneration and Communications presented the exempt appendices to the report on the proposed disposal of an investment property in Garretts Green, Birmingham.

The Board noted the exempt appendices to the report.

90 New Lease of Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham - Exempt Appendices

The Portfolio Holder for Strategic Regeneration and Communications presented the exempt appendices to the report on the proposed renewal of the occupational lease of Private Road Number One, Colwick Industrial Estate, Colwick, Nottingham.

The Board noted the exempt appendices to the report.