

Nottingham City Council

Executive Board

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 22 March 2022 from 2.00 pm - 2.25 pm

Membership

Present

Councillor David Mellen (Chair)
Councillor Sally Longford (Vice Chair)
Councillor Cheryl Barnard
Councillor Eunice Campbell-Clark
Councillor Rosemary Healy
Councillor Neghat Khan
Councillor Adele Williams
Councillor Sam Webster
Councillor Linda Woodings
Councillor Andrew Rule

Absent

Councillor Kevin Clarke

Colleagues, partners and others in attendance:

Frank Jordan - Corporate Director for Resident Services
Sajeeda Rose - Corporate Director for Growth and City Development
Malcolm Townroe - Director of Legal and Governance
Catherine Underwood - Corporate Director for People
Mel Barrett - Chief Executive
Nancy Barnard - Governance and Electoral Services Manager

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 31 March 2022. Decisions cannot be implemented until the working day after this date.

117 Apologies for Absence

Councillor Rebecca Langton – Maternity Leave
Councillor Kevin Clarke – Work Commitments

Clive Heaphy, Corporate Director for Finance and Resources – Leave

The Committee took the opportunity to record their congratulations to Councillor Rebecca Langton on the recent birth of her baby.

118 Declarations of Interests

Councillor Adele Williams declared an interest in agenda item 10 as a member of the Thomas Bow board and left the meeting at that point.

119 Minutes

The Committee confirmed the minutes of the meeting held on 22 February 2022 as a correct record and they were signed by the Chair.

120 Ofsted and Care Quality Commission Special Educational and/or Disabilities (SEND) Inspection

The Portfolio Holder for Children and Young People presented a report on the findings of the joint Ofsted and Care Quality Commission (CQC) local area inspection of Nottingham City's implementation of the Special Educational Needs and/or Disabilities (SEND) Reforms which took place between Monday 8th – Friday 12th November 2021. The following points were discussed:

- a) During the inspection inspectors met with carers, parents, young people and staff from a range of agencies. The inspectors visited a number of settings of their choice including educational and health settings.
- b) The inspection does not produce a graded judgement but, if any areas of significant concern were identified, a written statement of action would be issued. No statement was issued and feedback from the inspection team was positive about partnership working and the commitment to inclusion. 80% of local authorities inspected in the last year were issued with a statement.
- c) The Committee's thanks to the staff involved in the inspected services were recorded.

Resolved to note

- (1) the main findings of the report including the strengths and areas of development**
- (2) the review and continued development of SEND strategic priorities and action plan.**

- **Reasons for the Decisions**

To inform the Executive Board of the findings of and response to the review of SEND provision in the City following the Ofsted and Care Quality Commission Special Educational and/or Disabilities (SEND) Joint Inspection.

- **Other Options Considered**

The report was for information and therefore other options did not apply.

121 Area Capital Fund Allocation for Highways and Transport - Key Decision

The Portfolio Holder for Highways, Transport and Cleansing Services presented the report on the allocation and proposed spend of the Area Capital Fund (ACF) for Highways and Traffic Schemes, which is funded from the capital programme from the Local Transport Plan allocation. The following points were discussed:

- a) ACF funding is used to make environmental improvements at a ward level.
- b) Arrangements are in place to ensure that engagement with ward councillors on ACF spend is robust.

Resolved to

- (1) approve the allocation and spend of the 2021/22 Area Capital Fund for the highway and transport projects as outlined in Appendix 1 to the report.**
- (2) delegate authority to the Director of Neighbourhood Services to undertake appropriate procurement processes and enter into contracts as necessary to carry out the projects set out in Appendix 1.**
- (3) delegate authority to the Corporate Director Resident Services in consultation with the Corporate Director Growth and City Development and the Portfolio Holder for Highways, Transport and Cleansing, to undertake the required engagement and prioritisation process for future years allocations and to approve the final allocation of the Area Capital Fund for Highways.**

- **Reasons for the Decisions**

To enable improvements to the highway in local areas including works to footways, roads, traffic & safety and parking schemes. The proposed prioritisation is based on technical assessment, local knowledge and engagement through the Neighbourhood Management team and Ward Councillors. The schemes as outlined in Appendix 1 have been through this process and officers can confirm that the items recommended are supported by the highway's asset management plan. These schemes are not the entire ACF Programme and comprise of agreed LTP scheme priorities for approval under this decision.

To enable procurement activity to be undertaken should the need arise. The proposed delivery route for the delivery of the schemes will be through a combination of the Council's own in-house teams and existing framework agreements which the Council has established for highways related works, however there may be occasion where additional works and services may be required. For such arrangements compliant procurement processes in line with the Council's Contract Procedure Rules at Article 18 of the Constitution will need to be followed, and contracts entered into.

To support the expedient delivery of schemes via delegation to the Corporate Director while maintaining engagement with ward members. All decisions regarding the allocation of the ACF will be published and shared with all councillors. Consultation will be undertaken with the Portfolio Holder before a decision is made and a mechanism will be put in place to enable the Portfolio Holder to be assured about the member engagement process used to support the proposed prioritisation.

- **Other Options Considered**

Do nothing: this option was rejected as it would result in no approval of spend and therefore no Schemes being delivered. Further, it would cause delay on any dual-funded schemes and adversely impact the overall delivery of the Local Transport Plan Capital Programme through non-delivery of schemes.

122 Nottingham Business Improvement District (BID) Payment - Key Decision

In the absence of the Portfolio Holder for Skills, Growth and Economic Development the Leader of the Council presented the report on the arrangements for the collection and payment of the Nottingham Business Improvement District levy for 2022 to 2025. The following points were discussed:

- a) The Nottingham BID plays an important role in supporting the City Centre and supports areas including promoting the city centre, supporting city centre businesses, supporting the council's event programme, and supporting public realm, cleansing and tackling anti-social behaviour.
- b) The BID is enthusiastically supporting the Council's Carbon Neutral 2028 work.

Resolved to

- (1) approve collection on behalf of the Nottingham BID via Business rates, the BID levy for period 2022 to 2025**
- (2) approve payment of levy income collected to the Nottingham BID quarterly, based upon invoices submitted**
- (3) authorise the Director of Economic Development and Property to authorise payments.**

- **Reasons for the decisions**

Nottingham BID is the legally constituted business improvement district for Nottingham City Centre. Nottingham City Council are required to collect the BID levy via the business rates and pay on to Nottingham BID. This decision is to enable this payment for 2022 to 2025 (the remaining period of the Nottingham BID).

- **Other options considered**

Not making the collection and payment. This option was rejected as the Council have a duty, as the Business Rates billing authority, to collect approved BID levies and pay them on. The impact of not collecting and paying on the levy would be a legal breach of a statutory duty.

123 Sale of Premises known as Stonebridge Court Industrial Estate, Alfred Street South, Nottingham, NG3 2GY - Key Decision

The Portfolio Holder for Strategic Regeneration and Communications presented a report on the disposal of the premises known as Stonebridge Industrial Estate. The following points were discussed:

- a) The property consists of tenanted units and has been recommended for sale following a review by the Disposal Team within Property Services. The review considered all aspects of the property including income/expenditure, state of repair and maintenance, management intensity and the disposal market for the asset type.

- b) The capital receipt generated will assist in meeting the current commitments within the capital programme and provide additional cash flow into the council to mitigate budget pressures and contribute towards funding a transformation programme.

Resolved to

- a) **declare the premises known as Stonebridge Court Industrial Estate, Alfred Street South, Nottingham, NG3 2GY surplus to the Property Trading Account and make the freehold available for disposal**
- b) **grant delegated authority to the Director of Economic Development and Property to agree the method, disposal price and terms for the sale of the freehold interest in this property as set out in the exempt appendix.**
- c) **grant delegated authority to the Director of Economic Development and Property to enter into any licence, deed or agreement necessary to facilitate the disposal.**

- **Reasons for the decisions**

In response to the Council's Recovery and Improvement Plan 2021-24, this asset has been reviewed under the, "Asset Rationalisation Programme", and informally approved for disposal by the Asset Review board. The disposal will generate a capital receipt for the Council.

- **Other options considered**

Not to dispose of the premises. This option is not viable as it presents a business risk to the Council as the asset requires capital investment to maximise its potential.

Active asset management approach. This option is not considered an effective and efficient use of resources, because of the condition of the premises. In the absence of capital expenditure, the full potential of this asset cannot be maximised

124 Exclusion of the Public

The Board decided to exclude the public from the meeting during consideration of the remaining agenda items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in Paragraph(s) 3 and 5 of Part 1 of Schedule 12A to the Act.

125 Sale of Premises at Stonebridge Court Industrial Estate, Alfred Street South, Nottingham - Exempt Appendix

Resolved to note the exempt appendix to item 7.

126 Highways Delivery Options - Exempt Report

This decision is not subject to call in because the Chair of Overview and Scrutiny has agreed that the decision is reasonable in all circumstances and should be treated as a matter of urgency.

Having declared an interest, Councillor Adele Williams left the meeting at this stage.

The Leader of the Council presented an exempt report on Highways Delivery Options.

Resolved to approve the recommendations as set out in the exempt report.

- **Reasons for the decision**
As set out in the exempt report.
- **Other options considered**
As set out in the exempt report.