

Nottingham City Council

Overview and Scrutiny Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 7 December 2022 from 2.45 pm - 4.07 pm

Membership

Present

Councillor Samuel Gardiner (Chair)
Councillor Patience Uloma Ifediora
Councillor Gul Nawaz Khan
Councillor Jane Lakey
Councillor Sajid Mohammed
Councillor Anne Peach
Councillor Angharad Roberts
Councillor Andrew Rule

Absent

Councillor Georgia Power
Councillor Carole McCulloch
Councillor Merlita Bryan
Councillor Corall Jenkins

Colleagues, partners and others in attendance:

Nancy Barnard - Head of Governance
Beth Brown - Head of Legal
Nicki Jenkins - Director of Economic Development and Property
Steve Sprason - Interim Head of Property

43 Apologies for absence

Councillor Corall Jenkins – Other Council Business
Councillor Carole McCulloch – Unwell
Councillor Georgia Power – Work Commitments

44 Declarations of interests

In relation to agenda item 7 – Community Asset Policy (minute reference 49), in the interests of transparency the following Councillors made the following declarations:

Councillor Gul Khan stated that he is a member of Greenway Community Centre

Councillor Jane Lakey stated that she is a member of the Snapewood Community Centre.

Councillor Anne Peach stated that her partner is a member of the Clifton Advice Centre.

Councillor Andrew Rule stated that he is a member of the Parkgate Community Centre and Clifton Community Centre.

These declarations did not prevent the Councillors from participating in the discussion.

45 Minutes

The minutes of the meeting held on 9 November 2022 were confirmed as a correct record and were signed by the Chair.

46 Recommendation Tracker

The Committee considered the responses received to the recommendations that it made at previous meetings noting that, in response a recommendation made at the meeting held in June 2022, the draft Community Asset Policy was included for consideration with today's agenda.

Resolved to note the tracker

47 Work Programme

The Committee considered its work programme for the remainder of Municipal Year 2022/23. The Committee noted that, to enable full consideration of the consultation response, the Municipal Waste Strategy would now need to come to the February meeting, leaving the 2023/24 Council Budget and the Crime and Drugs Partnership for consideration in January.

The Committee also agreed to request an update on Transformation for the March meeting. It was agreed that the Chair would work with officers outside of the meeting to identify a focus for the item.

Resolved to:

(1) consider the following items at the Committee's meeting in January 2023:

a. Budget 2023/24

b. Crime and Drugs Partnership

(2) consider the Municipal Waste Strategy at the Committee's meeting in February 2023

(3) consider an update on Transformation at the Committee's March 2023 meeting, subject to a clear focus being agreed between the Chair and officers.

48 Together for Nottingham Plan - Progress Update from the Leader of the Council

Councillor David Mellen, Leader of the Council, presented the report on progress made on the priorities in the Together for Nottingham Plan and the Improvement and Assurance Board's (IAB) 67 requirements, and highlighted the following:

- a) Last week the IAB met and considered the Council's final response to the 67 requirements. The Board gave no indication of their views on the Council's progress and will be submitting their own report to government next week. The Council's and the IAB's report will be considered by the Minister whose decision is expected at the end of January.
- b) The Minister may decide to continue with the IAB with powers of direction or may take further action including the appointment of Commissioners.
- c) Progress has been made in the following areas:
 - i) Budget proposals will be taken to Executive Board on 20 December for approval to go out to public consultation. An in year overspend is currently forecast as a result of the pay award and inflation, in particular the increase in fuel and energy costs.
 - ii) A financial improvement programme has been drafted seeking to ensure better financial management across the Council as a whole.
 - iii) A Commercial Strategy has been agreed, focussing predominantly on the management of the Council's companies but also on other commercial activity. Part of the progress made on companies includes the ongoing work on in-housing Nottingham City Homes and Nottingham Revenues and Benefits.
 - iv) The Scheme of Delegation has been reviewed, increasing the limit of officer decision making from £50,000 in 2019 to £250,000 now.
 - v) The second cohort is now being recruited to the Change Academy with its graduates supporting transformational change across the Council.
 - vi) Work is underway on how services can be automated wherever possible while not neglecting those who need to continue to access services via non-digital means.
 - vii) The Council Plan has been re-written and aligned with the Medium Term Financial Plan (MTFP). It is then reflected in Divisional Plans, Service Plans and individual performance appraisals.

During the discussion which followed, and in response to questions from the Committee, the following points were made:

- d) The first Change Academy graduates have all been retained and are working across the Council.
- e) Significant progress has been made on: delivering a balance budget and four year MTFP in March 2022, the Council's companies, re-writing significant documents including the Constitution and the Council Plan and delivering a staff training programme. Some questions have been raised about whether the culture has changed and challenges have been made in relation to member/officer relations. Progress has also been made with Audit and Overview and Scrutiny.
- f) Transformation will play an increasing part in the MTFP. It is expected to contribute approximately £1million this year but that soon increases to a contribution of more than £10million.

- g) It is not known how the IAB's powers of direction might work in practice but the Chair of the IAB is a strong believer in local democracy.

Resolved to thank Councillor Mellen for the update.

49 Community Asset Policy

Following an introduction by Councillor David Mellen, Portfolio Holder for Strategic Regeneration and Communications, Nicki Jenkins, Director of Economic Development and Property, and Steve Sprason, Interim Head of Property, introduced a report, highlighting the following points:

- a) The need for a formal framework for the transfer of community assets was highlighted in the Together for Nottingham report. A draft policy has now been produced and a six week public consultation has taken place.
- b) As well as consulting the public Portfolio Holders, Senior Officers, community partners, and community organisations were consulted directly.
- c) The policy supports the effective management of community assets which in turn supports the delivery of benefits to the public, providing a framework for assessing whether an asset is suitable for community transfer. Factors for organisations such as being non-profit making voluntary or community sector organisations and existing to promote environmental, social or community aims are essential as is having good governance and financial arrangements in place.
- d) Any discount to rent that is agreed will need to be offset by community benefits to the same value and repair responsibilities will transfer to the organisation.
- e) Negotiations are already underway with one community group (The Place) which is being treated as a test case for the policy.
- f) The policy is due to be taken to Executive Board in January for approval.

During subsequent discussion and in response to questions from the Committee the following points were made:

- g) The Committee welcomed the policy.
- h) Assets of Community Value and Community Asset Transfer processes are separate. Assets of Community Value requests are dealt with by Planning Services which minimises the risk of conflicts of interest arising if the Council is the freeholder. It was suggested that the two processes may be confused and that providing clarity on the best route would be helpful.
- i) The public consultation via the Council's Engage Portal received two responses. However, feedback was also obtained via direct approaches to NCVS (Nottingham Community and Voluntary Service) and other umbrella organisations. Points raised in this feedback, such as a better indication of expected timelines, were incorporated into the draft.

- j) Social Value is assessed in two ways; through outputs that a monetary value can be assigned to and through more subjective metrics such as the number of people engaged. There is currently no scoring matrix for the second measure because of the subjectivity of the issues considered but most other authorities make assessments on a similar case by case basis. Assessments will be carried out by a Panel.
- k) Where there is an existing occupier, the Council will work with them to determine whether it is a suitable case for asset transfer. Where the building is vacant there will be a competitive process.
- l) Community Asset Transfer is a small part of the wider review of assets currently being conducted. A Corporate Asset Management Plan is being developed as part of the Corporate Landlord Model.
- m) Sales of property are recorded via the Council's decision making process and published in accordance with those processes. Special purchases are very rare as the majority of sales go out to the market.

Resolved to:

(1) Recommend the following in relation to the Community Assets Policy:

- a. **To include within the policy an explanation of the difference between the Assets of Community Value and Community Asset Transfer processes to provide clarity for organisations and individuals, supported by signposting of appropriate routes.**
- b. **To produce and publish a register of assets sold through special purchase arrangements.**
- c. **To explore whether a register can be created where people can sign up to be notified when an asset is identified for disposal.**
- d. **To review the process for measuring social value to ensure considerations are made as consistently as possible.**
- e. **To consider including a process for appealing against decisions within the policy.**