

# Nottingham City Council

## Executive Board

**Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 21 February 2023 from 2.00 pm - 2.48 pm**

### Membership

#### Present

Councillor Cheryl Barnard  
Councillor Pavlos Kotsonis  
Councillor Sally Longford  
Councillor David Mellen (Chair)  
Councillor Adele Williams (Vice Chair)  
Councillor Audra Wynter

#### Absent

Councillor Neghat Khan  
Councillor Rebecca Langton  
Councillor Toby Neal  
Councillor Linda Woodings

Councillor Kevin Clarke  
Councillor Andrew Rule

### Colleagues, partners and others in attendance:

Nancy Barnard – Head of Governance  
Mel Barrett – Chief Executive  
Wayne Bexton - Director of Carbon Reduction, Energy and Sustainability  
Ross Brown – Corporate Director of Finance and Resources  
Frank Jordan – Corporate Director Corporate Director for Communities, Environment and Resident Services  
Nick Lee – Director of Education (substituting for the Corporate Director for People)  
Debbie Middleton – Interim Director of Finance  
Sajeeda Rose – Corporate Director of Growth and City Development

### Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 3 March 2023. Decisions cannot be implemented until the working day after this date.

### 99 Apologies for Absence

Councillor Neghat Khan – On leave  
Councillor Rebecca Langton – Unwell  
Councillor Toby Neal – Unwell  
Councillor Linda Woodings – Personal Reasons

Malcolm Townroe, Director of Legal and Governance  
Catherine Underwood, Corporate Director For People

### 100 Declarations of Interests

Councillors Barnard and Wynter declared pecuniary interests in agenda item 7, Proposal to Consult on a Draft Designation of Additional HMO Licensing for Houses in Multiple Occupation from 2024 to 2028, as they are owners of private rented

houses. They left the meeting for the duration of the item and did not take any part in discussions.

In the interests of transparency Councillor Andrew Rule declared he was a member of the board of Silverdale and Parkdale Community Centres. He did not consider that this would require him to leave the meeting for this item.

## **101 Minutes**

The minutes of the meeting held on 17 January 2023 were agreed as a correct record and they were signed by the Chair.

## **102 Medium Term Financial Plan 2023/24 to 2026/27**

Resolution 8 is exempt from Call-in.

The Portfolio Holder for Finance presented a report on the draft Medium Term Financial Plan (MTFP) 2023/23 to 2026/27. The following points were discussed:

- a) The budget process this year had been particularly challenging due to increasing demand and increasing costs but the proposals have achieved a balanced position. Officers were thanked for their hard work in developing the MTFP.
- b) Due to the challenging financial situation it is proposed that Council Tax is increased by the maximum amount permitted without having to go to a referendum.
- c) A consultation on the proposals had been conducted and the feedback considered and detailed in the report. Efforts are being made to mitigate the impact of the proposals.
- d) In order to reach a balanced and robust position the report proposes a temporary repurposing of off earmarked reserves to the value of £20 million. This will need to be fully repaid from future MTFP savings. Capital projects will need to be temporarily decommissioned until the Council has sufficient capital receipts to fund them. Projects that are funded, for example through grant funding will continue.
- e) Annex 10 to the report is a statement from the Chief Finance Officer on the robustness of estimates and reserves.

### **Resolved:**

- 1) On the Quarter 3 2022/23 Forecast Outturn (Annex 1)**
  - a) To note the Quarter 3 2022/23 General Fund forecast adverse variance of £13.6 million;**
  - b) To note the General Fund Directorate service variances and explanations as set out in Annex 1;**
  - c) To note that any final over spend in 2022/23 will be funded as a first call upon the Financial Resilience Reserve;**
  - d) To note the planned net use of reserves of £7.1 million;**
  - e) To approve the creation of a budget rebasing reserve to support continued due diligence in relation to the Council's Financial Improvement Plan;**



- d) To note that costs associated with feasibility activity for future transformation savings will be funded from revenue resources.
  - e) To note that proposals are subject to consultation where appropriate.
  - f) To note that as these strategies are adopted, the outcomes and impacts will form part of further consultation and appropriate approval.
- 6) On the Budget Consultation (Annex 6)
- a) To note the outcomes of the public budget consultation, written submissions from Overview and Scrutiny committees.
  - b) To approve the Council's recommended response to the consultation as set out in Annex 6.
- 7) On the Capital Programme 2023/24 to 2026/27 (Annex 7)
- a) To recommend to City Council the approval of the proposed 2023/24 – 2026/27 Capital Programme totalling £392.2m for the General Fund (detailed in table 5) and £210.5m for the HRA (detailed in table 7).
  - b) To approve the temporary decommissioning of capital schemes totalling £22.8 million as set out in Annex 7 Appendix C due to insufficient availability of capital receipts to meet the planned expenditure.
  - c) To seek approval from the City Council to delegate authority to the Executive Board to approve the re-inclusion of the total of £22.8 million of decommissioned schemes as set out in Annex 7 Appendix C, subject to the s151 Officer being satisfied that sufficient capital receipts have been realised to fund the expenditure on those schemes.
  - d) To approve that the first call upon any new capital receipts secured by the Council will be applied to meeting the £22.8 million of temporary decommissioned schemes detailed in Annex 7 Appendix C.
- 8) On the HRA budget 2023/24 (Annex 8) Exempt from call in)
- a) To approve the:
    - i) Proposed rent increase of 7% for 2023/24;
    - ii) Continuation of the tenant incentive scheme in 2023/24 of up to £0.5 million per annum;
    - iii) Establishment of a hardship support fund of £0.5 million, initially for one year and to be reviewed annually thereafter.
    - iv) Proposed base level of increase in general service charges of 7%, while continuing to work towards full cost recovery.
    - v) Proposed increase to garage rents of 7%.
    - vi) To recommend to City Council approval of the proposed HRA budget for 2023/24 as set out in Annex 8.
- 9) On the Schools Budget (Annex 9)
- a) To approve the in-year budget transfers and payments associated with the DSG Schools Budget 2023/24, provisionally set at £344.9 million, as detailed in Annex 9.
  - b) To delegate authority to the Corporate Director for Finance and Resources and S151 Officer in consultation with the Portfolio Holder

**for Finance & Resources, the Portfolio Holder for Children, Young People and Schools and the Corporate Director (People) to approve any final budget adjustments in relation to the Schools Budget.**

**10) On the Robustness of the Medium-Term Financial Plan (Annex 10)**

- a) To note the report of the Council's Section 151 Officer in respect of the robustness of the estimates within the budget and the adequacy of reserves.**

**• Reasons for Decision**

The report sought approval of the proposed 2023/24 – 2026/27 MTFP and specific approval of HRA budget proposals with a recommendation of approval of the proposed MTFP by the City Council on 6 March 2023. This MTFP covers a 4 year period to meet its objective of agreeing a longer term financial planning framework within which value for money decisions relating to services can be taken. The report set out the assumptions and plans for revenue and capital elements of the MTFP as well as proposals to reduce costs that will contribute towards the delivery of a provisionally balanced budget for all 4 years. The Transformation Programme will be the Council's key strategy for achieving long term service improvement and financial sustainability and is critical to delivering a balanced Medium Term Financial Plan. It will be funded primarily under the Council's Flexible use of Capital Receipts policy. Proposals that include workforce reductions will be subject to internal consultation with Trade Unions and affected colleagues. Details of such proposals may, therefore, be amended during the consultation period and may impact on the way in which identified proposals will be delivered.

**• Other Options Considered**

Throughout the budget process a range of different options have been considered including various levels of council tax, investment and cost reductions. This is a complex process with many iterations and possibilities too numerous and detailed to present as discrete options here. This report presents the overall set of current draft proposals which together seek to balance levels of investment, income, cost reductions and an appropriate level of council tax.

**103 Treasury Management Strategy 2023/24 and Capital Strategy 2023/24**

The Portfolio Holder for Finance introduced the report on the proposed treasury management strategy 2023/24 and Capital Strategy 2023/24. The following points were discussed:

- a) The strategies constitute an important part of the assurance that the Council is effectively managing its finances. It outlines a reduction of £290.7m in required capital finance for the period 2022-2028.
- b) The strategies continue to demonstrate the impact of the Council's voluntary debt reduction policy.

**Resolved to**

- 1) **recommend for approval by full City Council at its meeting on 6 March 2023 the overall Treasury Management Strategy for 2023/24 (Appendix 1), and, in particular:**
  - a) **the strategy for debt repayment (Minimum Revenue Provision Statement) in 2023/24 (section 5.2);**
  - b) **the Borrowing Strategy including the Debt Policy (section 3.4);**
  - c) **the Investment Strategy for 2023/24 (section 4);**
  - d) **the Prudential Indicators and Limits for 2023/24 to 2025/26 (section 5.1); and**
  - e) **the current Treasury Management Policy Statement (section 5.3).**
  
- 2) **To recommend for approval by City Council at its meeting on 6 March 2023 the Capital Strategy 2023/24 (Appendix 2), and in particular:**
  - a) **the Voluntary Debt Reduction policy (Appendix B);**
  - b) **the Flexible Use of Capital Receipt policy 2022/23 (Appendix C);**
  - c) **the Flexible Use of Capital Receipt policy 2023/24 (Appendix C).**

- **Reasons for Decisions**

Approval of a Treasury Management Strategy is a legal requirement, to comply with:

- Financial Regulations and the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management by submitting a policy and strategy statement for the ensuing financial year;
- guidance issued by the Secretary of State under section 15(1) (a) of the Local Government Act 2003 in approving, at Council, an Annual Investment Strategy before 1 April;
- guidance issued by the Secretary of State under section 21 (1A) of the Local Government Act 2003 which requires the preparation of an annual statement of the Council's policy on making a Minimum Revenue Provision (MRP) for the repayment of debt.

The approval of a Capital Strategy is required to comply with:

- The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and the Code of Practice on Treasury Management;
- regulations requiring the Council to have regard to the Code are issued under Part 1 of the Local Government Act 2003;
- guidance issued by the Secretary of State under section 15(1) (a) of the Local Government Act 2003 in approving, at Council, an Annual Investment Strategy before 1 April.

- **Other Options Considered**

The approval of a Treasury Management Strategy and Capital Strategy is a requirement of the CIPFA code. The Department of Levelling Up, Housing and Communities (DLUHC) Guidance and the CIPFA Code do not prescribe any particular strategies for local authorities to adopt. The Chief Financial Officer, having consulted the portfolio holder, believes that the proposed strategies represent an appropriate balance between risk management and cost effectiveness.

The Leader of the Council introduced the report on the Strategic Council Plan. The following points were discussed:

- a) The Council Plan is being renewed to cover the same period as the Medium Term Financial Plan. The Budget and the MTFP are a financial expression of the priorities outlined in the Plan.
- b) The Plan is based on the Council's statutory responsibilities, divisional plans, and political priorities and is largely based on previous plan.
- c) The plan will be adjusted following the local elections in May to taking into account any new political priorities in the new Municipal Year.

**Resolved to recommend that the draft Strategic Council Plan 2023-2027 for approval at Full Council on 6 March 2023.**

- **Reasons for Decision**

The Strategic Council Plan (SCP) for 2021 – 2023 runs until the end of March 2023 and an updated plan is required. The plan sets out our vision for improving Nottingham whilst keeping residents at the heart of everything the City Council does. The overall vision and ambition for the city are unchanged, but the wider context in which the organisation is operating has changed since 2019, including the implementation of the Improvement and Assurance Board and their subsequent awarding of statutory powers, significant real-terms funding reductions for local government, and the ongoing social and economic impacts of the 'Cost of Living' crisis.

- **Other Options Considered**

None. The current Strategic Council Plan for 2021 – 2023 expires in March 2023. A new Council Plan is required to bring together the Council's priorities and activities for the next four years aligned with the MTFP.

## **105 Proposal to Consult on a Draft Designation of Additional HMO Licensing for Houses in Multiple Occupation from 2024 to 2028**

Having declared an interest in this item as owners of privately rented properties Councillors Barnard and Wynter withdrew from the meeting and did not play any part in discussions.

In the absence of the Portfolio Holder for Housing and Human Resources the Leader of the Council introduced the report on the proposal to consult on a draft designation of additional HMO licensing. The following points were discussed:

- a) The report proposed that consultation on the proposed new scheme commences.
- b) If introduced, the aim of a scheme would be to improve the quality of private rented accommodation alongside other benefits including in relation to waste management, safeguarding, environment and community safety.

**Resolved to:**

- 1) Support the case for a Designation of Additional HMO Licensing to be tested through a process of public consultation.**

**2) Agree the draft Designation contained in Appendix 1 to the report be approved for consultation in accordance with the Department for Communities and Local Government (DCLG) guidance document 'Approval steps for additional and selective licensing Designations in England' for a period of at least 10 weeks**

**3) Agree to review the outcome(s) of the consultation at a later meeting and consider whether the Designation should be made.**

- **Reasons for Decisions**

The proposed Designation has been identified because evidence gathered in accordance with DCLG guidance supports the case that relevant statutory tests have been met (sections 3 and 4 of the Proposal) and that Additional HMO Licensing of houses in multiple occupation in the area would be an appropriate tool available to ensure compliance. The legislation requires that there must be a public consultation of at least ten weeks before a local housing authority can make a Designation which will benefit from the Secretary of State's general approval.

Nottingham's Housing Strategy 2018-2021 'Quality Homes for All' is committed to improving and maintaining good quality homes across all tenures in the city. As part of this, the Strategy committed to licensing schemes for private rented accommodation and to "Use advice, regulation, enforcement and licensing to improve private rented sector homes, protect and enhance the lives of tenants and improve neighbourhoods". The aspiration of the Strategy was for a well-regulated, high performing private rented sector (PRS), and delivering the Additional HMO Licensing scheme was a key objective of the Strategy and seen as an important part of the toolkit for achieving this aspiration.

The proposed designation will play a significant role in delivering the priorities set out in the current Strategic Council Plan 2021-2023, particularly Outcome 9 – Better Housing and key strategic aims around antisocial behaviour (ASB) and building quality neighbourhoods as well as enabling reduced energy use in line with our Carbon Neutral 2028 Strategy.

The Private Rented Sector has also increasingly become part of the housing options necessary to help people meet their housing needs when faced with homelessness. For example, of 1,042 households in Nottingham whose homelessness prevention duty ended during 2021/22, 195 secured Private Rented Sector (PRS) accommodation. Given the vulnerable situation a household will be facing when they are homeless, or in imminent risk of becoming homeless, it is important that the council, when fulfilling its statutory duties in this regard, is able to refer homeless households to private sector accommodation that is safe and meets the standards that would be expected. The city's Homelessness Prevention Strategy 2019-2024 notes that the need for PRS accommodation continues to grow and the council and its partners must work with landlords to progress leasing/letting schemes to offer as an option. The Strategy also seeks to work with tenants and landlords to reduce evictions from the Private rented sector, and to utilise the PRS as a solution to homelessness.

The Homelessness Prevention Strategy recognises there are many good landlords operating in Nottingham who provide a valuable source of housing for Nottingham

people. However, there are other landlords in the private rented sector who do not adhere to their responsibilities in appropriately supporting their tenants and providing a decent standard of accommodation. These landlords are putting people's health, wellbeing and safety at risk and exposing them to increased risk of homelessness. This places further strain on other housing resources in the city, and the council's services that seek to help people find suitable accommodation. This ultimately places costs on the taxpayer. The Strategy sees the council's approach to licensing as a valuable tool in tackling problems in the sector, and as a consequence, making a helpful contribution to tackling homelessness.

The council works to reduce antisocial behaviour (ASB) across the city. Additional HMO Licensing is an effective tool that can be utilised to ensure landlords manage their properties and tenants in an appropriate manner. A Designation of Additional HMO Licensing will significantly assist in achieving improved property conditions and standards as well as reducing ASB, as it allows for landlords who are failing to appropriately manage their HMO and to receive support and assistance from the Additional HMO team in order to do this, therefore protecting tenants and the wider community from their negative impact. Further, the administrative practicalities of the scheme (e.g. having access to intelligence on landlords) allows better and more timely communication and for issues to be resolved more readily, maintaining progress and improvements over the longer term.

The making of the Designation is felt to be consistent with the above strategies and to form part of a coordinated approach in connection with dealing with homelessness and antisocial behaviour. Additional HMO Licensing will play a part in bringing empty properties back into use through the detection of landlords responsible and work with other council services to ensure decent, well-managed accommodation targeting those empty properties sooner which are detrimental to neighbourhood amenity.

The proposals align well with the government's current White Paper – "A fairer private rented sector" (The White Paper) which recognises licensing as a tool to address particular issues. It should be noted that the council's current Selective Licensing scheme is cited in the White Paper. The White Paper clearly seeks to improve standards in the private rented sector, and understandably has sections on increased enforcement powers with a focus on rogue landlords. It sets out plans to increase local authority enforcement and investigatory powers. The government sees Additional HMO Licensing as an important part of the powers available to local authorities, stating that "it gives the local housing authority powers to inspect properties and force landlords to address specific property issues." The council believes that the proposed Additional HMO Licensing scheme will play a critical role in helping deliver the government's ambitions as set out in this White Paper.

The council wants to ensure that privately rented homes in the city continue to be well managed, well maintained, are of high quality and provide a home of choice for Nottingham's citizens. The primary aim of the additional HMO licensing Designation and scheme is to address problems caused by the ineffective management of smaller HMO thereby improving the quality, safety and management of smaller HMO in the private rented sector through regulation; utilising a multifaceted approach of encouraging positive working relationships with

landlords, empowering tenants' rights, managing unsatisfactory behaviours and practice through a bespoke set of licence conditions. The additional HMO licensing scheme is therefore entirely consistent with the overall aims of the Housing Strategy, aspiring to promote quality and sustainable, secure homes in the private rented sector and will significantly assist the council to deal with problems experienced by occupiers or members of the public arising from the ineffective management of the HMO to be covered by the Designation.

- **Other Options Considered**

To not pursue a Designation further:

- Any necessary enforcement would result in required interventions being resourced by existing council functions. The council would lose the proactive power of entry
- Interventions would only be carried out on a reactive basis • Increased number of complaints and complaint resolution time
- The number of interventions would be greatly reduced
- The absence of additional regulation would leave the market the main driver for property improvements
- The council would no longer hold the intelligence gathered on persons responsible for PRS properties or engage with them in the same way • The council's ability to provide assurance regarding its regulation of PRS would be limited, placing the council in a weaker position
- Ten years has not been sufficient to embed continued compliance with satisfactory standards in the absence of proactive regulation. • To date partial Designations have resulted in displacement of HMOs to non-licensed areas. This combined with growth in the sector has led to an increasing number of HMOs which have never been subject to any oversight
- Ceasing to have an Additional HMO Licensing Designation would mean a return to reactive regulation. This would jeopardise citizens access to quality homes and their access to recourse regarding the negative impact of sub-standard HMOs in their neighbourhoods.

Consideration of a smaller scheme Designation:

- A smaller Designation would limit opportunity to continue the improvements made by the first two Designations
- A smaller Designation would increase the number of properties continuing to cause an issue due to unsatisfactory management and displacement of HMOs and associated issues to outside the regulated area.
- A smaller Designation of Additional HMO Licensing would mean inconsistency with Mandatory Licensing which is impractical when considering they are subject to the same safety and amenity regulations in law
- A smaller Designation would continue to allow lack of understanding as to the geography of the Designation to be a factor in non-compliance via reduced take up of HMO licences

Voluntary accreditation only:

- Eliminates the council's right of proactive entry to Additional HMO properties
- Accreditation schemes have a set of standards (or codes) relating to the management or physical condition of properties and recognise landlords who achieve these requirements across their portfolios
- The council currently works with DASH, UNIPOL and ANUK as its accreditation providers. Voluntary accreditation with the Nottingham Standard

(DASH and UNIPOL) has seen an increase in membership with the lower fee incentive that also delivers a better outcome in this area.

Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs).

- The Housing Act 2004 gives local authorities powers to use Management Orders for tackling comprehensive and serious management failures. However, these are complex to implement and administer (and thus expensive) as they involve taking over the management of the property and are done on a case by case basis with individual properties
- They are also reactive for dwellings where such problems are apparent and as such do not provide value for money compared to a proactive approach which prevents or addresses problems sooner and limits citizens exposure to poor standards

Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015

- Nottingham already has a citywide Article 4 Direction meaning planning permission is required to convert a family home (C3) to a HMO (C4), and Planning and HMO licensing sections work together to locate HMOs that are evading one, other or both regulations.
- Article 4 however only regulates the control of development for planning purposes by removing permitted development rights thereby potentially restricting the number of new HMOs being created by change of use, it does not tackle conditions or management issues in HMOs, existing or new.

## **106 Nottingham City Council Concessionary Travel Scheme Arrangements 2023-24**

Councillors Barnard and Wynter returned to the meeting.

The Portfolio Holder for Highways, Transport and Parks introduced the report on Concessionary Travel Arrangements for 2023-24. The following points were discussed:

- a) There is an obligation on Councils to provide free off peak travel for elderly and disabled people. The Council has chosen to provide concessionary travel in addition to this including companion passes and free travel before 9:30 for disabled people.
- b) The reimbursement to the operators is undertaken under Department for Transport guidance and is based upon actual trips taken.

**Resolved to:**

- 1) Approve the Nottingham Concessionary Travel Scheme (NCTS) for 2023/2024, publication of the final scheme statutory notice on 3 March 2023 and the proposed funding (subject to Full Council budget approval).**
- 2) continue with the Council's additional discretionary elements of the scheme from April 2023, which are estimated to cost £1.075m. These are;**
  - a) free travel on the tram by city residents that possess a valid City Council issued concessionary travel pass and;**

- b) the companion facility attached to passes issued for certain disabilities.**
- 3) Delegate authority to the Corporate Director for Growth and City Development, in consultation with the Portfolio Holder for Highways, Transport & Parks, to agree reimbursement arrangements and associated financial commitments for statutory and discretionary concessionary fare payments for 2023/24.**
- **Reasons for Decision**  
To ensure that the Council meets its statutory duty whilst continuing to provide a wide range of travel opportunities and choices for the residents of Nottingham, aligning with the Council and Government's strategic aims.
  - **Other Options Considered**  
No other options are available for the national scheme as the provision of concessionary travel for elderly and disabled people is a statutory duty. If the tram was excluded from the concessionary travel scheme there would be a loss of accessibility for people with mobility difficulties, which would not align with Nottingham's strategic aims. There would also be a large migration of tram users over to the bus as Nottingham residents will most likely have a local bus service available as an alternative to the tram, meaning there would still be a significant cost to the Council.

## **107 Community Assets Policy**

The Portfolio Holder for Strategic Regeneration and Communication presented the report on a new Community Assets Policy. The following points were discussed:

- a) The policy covers assets owned by city but operated by community groups and seeks to bring clarity and establish a framework through which the Council can engage with Community and voluntary groups on how we engage with them.
- b) The policy seeks to establish a consistent and transparent approach and builds upon other asset policies.
- c) Consultation was undertaken with user groups, officers and Councillors and was based upon best practice.
- d) The policy does not constitute a list of assets to be transferred but sets out a framework for how such discussions will be managed.

**Resolved to approve the Community Assets Policy attached as Appendix 1 to the report.**

- **Reasons for Decision**  
There is a need to make clear the council's approach to Community Asset transfer and the arrangements for dealing with such requests. Adoption of the Policy supports delivery of the Asset Management requirements of the Together for Nottingham, Recovery and Improvement Plan Refresh 2022.

- **Other options Considered**

The Council could determine to not adopt such a Policy. In that event the commitments contained in the Together for Nottingham, Recovery and Improvement Plan Refresh 2022 would not be delivered in a coherent way, neither would clarity be given to the community at large as to the way the Council intends to deal with such matters.

## **108 School Admission Arrangements 2024/25 for Nottingham City community schools**

The Portfolio Holder for Children, Young People and Schools introduced the report on the School Admissions Arrangements for 2024/25. The following points were discussed:

- a) The report covers the admission arrangements in respect of community schools for which the Council is the admission authority.
- b) No substantial changes to the policy from that of the previous year were proposed apart from a reduction in the Published Admission Number (PAN) for Dovecote Primary School. Consultation on the change has been conducted and only a small number of objections were received.

### **Resolved to approve the local authority's proposed admission arrangements for the 2024/2025 academic year for community schools.**

- **Reasons for Decision**

Following on from analysis carried out by the Council's School Organisation Team, it was identified that there is a continued growing surplus of places in primary schools in some areas. Caused primarily from falling birth rates, the team carried out further analysis on primary school capacity in planning areas. This identified a need for PAN reductions at some schools and academies. Clifton was identified as one area with a surplus of school places. Collaboratively, a review was undertaken between the Council and academies in the area to identify appropriate solutions to address this. The reduction included in this policy is necessary to safeguard the future financial viability of Dovecote Primary School, optimising capacity with a potential to repurpose space and support strategies that aim to introduce flexibility and sustainability.

The unamended sections of the arrangements continue to support the Council with complying with the School Admissions Code and providing services that are efficient and citizen focused.

- **Other Options Considered**

Alternative options would be to leave the admission numbers as they are but this could create vulnerabilities for the schools in respect of staffing and finance.

## **109 D2N2 wide - Local Area Energy Planning**

The Portfolio Holder for Energy, Environment and Waste Services introduced the report on the proposed local area energy planning. The following points were discussed:

- a) The Local Area Energy Plan (LAEP) seeks to coordinate efforts across the D2N2 Area to move to net zero. This will be managed by the Net Zero Hub based within the City Council on behalf of the other authorities.
- b) The report proposes the appointment of a consultant to support the work and eventually there is the potential to create substantial levels of jobs.
- c) The districts and boroughs within the D2N2 area are supportive of the approach.

**Resolved to:**

- 1) agree that Nottingham City Council leads on the procurement of a consultant to create a Local Area Energy Plan, on behalf of the Local Authorities across the Derby/ Derbyshire and Nottingham/ Nottinghamshire area (D2N2)**
  - 2) delegate authority to the Head of Midlands Net Zero Hub in consultation with the Director of Environment and Sustainability and the Director of Governance and Legal Services:**
    - a) to undertake a procurement exercise and enter into a contract to source a consultant to undertake the required work to deliver a Local Energy Plan for the Derby/ Derbyshire and Nottingham/ Nottinghamshire area.**
    - b) to recruit a Technical Advisor on a Fixed Term 2-year contract subject to acceptance from each of the partner authorities of funding of up to £75,000 (£7,000 to cover the Technical Advisor role and £68,000 to cover the Consultants) and noting commitments and commissioning through the proposed consultant contract would only be made once approval and funding has been secured by the relevant partner authority.**
  - 3) delegate authority to the Director of Environment and Sustainability in consultation with the Director of Governance and Legal Services to enter into an appropriate, agreements with the partner Local Authorities and other identified stakeholders for the creation of the Local Area Energy Plan.**
- **Reasons for Decisions**

At Full Council on the 13th January 2020, the Council declared a Climate and Ecological Emergency. Then in June 2020 the CN 2028 Action Plan was published by the City Council to achieve sustainable carbon neutrality for Nottingham. Many of the partner Local Authorities have also declared Climate Emergencies, but recognise that they cannot deliver against their ambitions in isolation. Furthermore, some actions make more sense to deliver at a regional level.

Local Area Energy Planning is seen as the foundation of the region's ability to achieve Net Zero as it will develop a clear base line and identify the most cost effective and efficient path to achieve Net zero at a Local Authority, County and Regional level.

The work may also support bidding for funding and investment into the region, as it demonstrates the scale of the opportunity. £2.7bn of Net Zero and Environment projects have already been identified across Derbyshire and Nottinghamshire, through the work of the Midlands Net Zero hub in partnership with the N2 Environmental Strategy Working Group and D2 Energy Group.

Some projects identified may be best developed at a local level, others will have the potential to be packaged together and presented as a regional opportunity for investment and growth.

Local Authorities are in a unique position to demonstrate strategic leadership and can utilise Local Area Energy Planning to make informed decisions that cut across multiple agendas including planning, transport, investment, health, skills, jobs and economic growth but with Net Zero as the golden thread. It is envisaged that Nottingham City Council, supported by Midlands Net Zero Hub, would lead the procurement of a consultant with input to the specification supported by the other Local Authorities. Other stakeholders will also be included for example National Grid and Cadent alongside others who will be identified as part of the process. The supporting LAs would look to seek approval through their own processes to deliver this work

- **Other Options Considered**

Not developing a Local Area Energy Plan -discounted as the disparate approach to Net Zero is inefficient and more costly, as demonstrated in the Socio-Economic report. Developing a LAEP enables a co-ordinated approach at Local and D2N2 level that will identify the most cost effective approach to achieve Net Zero.

Not to proceed with the work, would be a missed opportunity to attract investment and to have a ready-made plan in place for addressing the Net Zero Transition at a Local Authority level and potentially at Combined Authority level, should Devolution proceed.

## **110 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 and due to the information having been provided to the Council by a Government Department on terms which forbid the disclosure of the information to the public. Having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

## **111 Home Upgrade Grant Phase 2**

Executive Board - 21.02.23

The Portfolio Holder for Energy, Environment and Waste Services presented the exempt report.

**Resolved to approve the recommendations as set out in the exempt report and recorded in the exempt minutes.**

- **Reasons for Decision**  
As set out in the exempt report and recorded in the exempt minutes.
- **Other Options Considered**  
As set out in the exempt report and recorded in the exempt minutes.