

Public Document Pack



Nottingham
City Council

You are hereby summoned to attend a meeting of **City Council**
at Council House, Old Market Square on Monday, 31 October 2022 at 2.00 pm to transact
the following business

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16 Motion in the Name of Councillor Adele Williams
This Council notes that:

On 17th October, the new Chancellor announced that the promised two year energy cap would be withdrawn in April, leaving energy prices for the average household set to rise again to an expected £4,347.

Alongside the rise in the cost of everyday items such as food, fuel and energy, Nottingham people, like those across the UK, now face higher interest rates for mortgages and other borrowing due to volatility following the former Chancellor's announcements on September 23rd.

Many are already dealing with rents elevated far beyond affordability, with housing that is within the Local Housing Allowance virtually non-existent.

The council notes that financial wellbeing is one of the four priorities of the Joint Health and Wellbeing Strategy in recognition of this being foundational to people's ability to live in good health.

Given the urgency and depth of this crisis, Nottingham City Council declares a 'Cost of Living Emergency.'

Since 2010 successive chancellors have chosen to allow local authority funding to fall way below need, so that locally delivered services are underfunded whilst demand rises due to demographic pressures and the impact of austerity. Local authorities find it more difficult each year to balance budgets and the coming year's budget process, without a significant change of direction from the chancellor will be amongst the worst we have seen.

Nottingham City Council will prioritise its resources, in this increasingly difficult context, towards standing with and supporting our citizens through this crisis. This council commits to supporting Nottingham residents to mitigate the impact of the cost of living crisis through funding services such as Welfare Rights and energy advice

We call on the Government to:

- Convene an emergency response committee to tackle the cost of living crisis with urgent measures;
- To prioritise resources to protect hard pressed families and businesses from the energy price rises and the impact of inflation – levying a windfall tax to support this;
- Immediately reduce the standard rate of VAT from 20% to 17.5%

for one year, saving the average household in Nottingham a further £600 this year;

- Deliver a sustainable plan to insulate millions of homes across the country to save on energy bills now and in the future;
- Commit to the pensions triple lock to support pensioners in Nottingham;
- Ensure benefits are uprated to adequately protect those most vulnerable to the cost of living crisis;
- Resource local authorities adequately so that they can support their citizens through this crisis and to fuel real levelling up of our regions.

The recently exacerbated turmoil is having a profound impact on people's livelihoods, their mental and physical wellbeing and local spending decisions, all of which will impact on our local economy and services. Fundamental change is required to address what are systemic issues. People right across the country are facing impossible choices in the face of rapidly rising prices in food and energy.

Nottingham City Council urges the Government to do everything within its power to tackle this issue now. Life is harder than ever for people across the areas that were promised real change. There is now an urgent need to deliver on those promises.

17 Committee membership changes

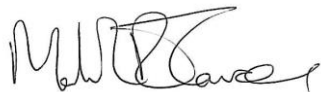
To note the following changes to committee membership:

- a) Councillor Nayab Patel has been removed as a member of the Children and Young People Scrutiny Committee
- b) Councillor Eunice-Campbell has been appointed to replace Councillor Nayab Patel as a member of the Health and Adult Social Care Scrutiny Committee
- c) Council Nayab Patel has been appointed to a vacant seat on the Audit Committee
- d) Councillor Shugufah Qudus has been appointed to a vacant seat on the Licensing Committee
- e) Councillor Sajid Mohammed has been appointed to a vacant seat on the Licensing Committee
- f) Councillor Cate Woodward has been appointed to a vacant seat on the Children and Young People Scrutiny 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 28 October 2022.

If you need any advice on declaring an interest in any item on the agenda, please contact the governance officer shown above, 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 21/10/2022

Director for Legal and Governance

To: All Councillors of Nottingham City Council

Minutes of the meeting of the City Council

held at the Council Chamber - at the Council House

on 11 July 2022 from 2.00 pm - 3.56 pm

Attendances:

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

✓ Indicates present at meeting

16 Apologies for absence

Councillor Eunice Campbell-Clark – unwell

Councillor Kevin Clarke - unwell

Councillor Michael Edwards - unwell

Councillor Sue Johnson – leave

Councillor Jawaid Khalil – unwell

Councillor Neghat Khan – personal reasons

Councillor Zafran Khan – unwell
Councillor Rebecca Langton – maternity leave
Councillor Dave Liversidge – personal reasons
Councillor Sally Longford - unwell
Councillor AJ Matsiko – personal reasons
Councillor David Mellen – personal reasons
Councillor Angharad Roberts – personal reasons

17 Declarations of Interests

None

18 Questions from citizens

Broadmarsh Redevelopment

CS asked the following question of the Leader of the Council:

During the last few years the Council has participated in a Big Conversation with members of the public about the future use of the Broadmarsh. Overwhelmingly people demanded a green and sustainable area with socially inclusive use. Therefore, I am asking for assurance that current and/or future plans for the space, as well as including a park, will only include buildings that are constructed to at least Green Building Council Framework Standards, will not include fossil fuel use, will insulate up to passivhaus standards, will include heat pumps and solar panels, energy storage and energy-sharing schemes. I am also asking the Council for assurance that the development will include indoor spaces that are welcoming and financially accessible to all members of the community, including for creative and group use. I would also like to be reassured that the plans include responsible use of waste products generated.

In the absence of Councillor David Mellen, Councillor Adele Williams replied as follows:

Thank you Lord Mayor, and thank you to the citizen for the question. It is really good to have the opportunity to explain what we have done so far and how we plan to shape the future development and reimagining of Broadmarsh. You will remember that some time ago we carried out the Big Conversation, conducting our biggest and broadest engagement and consultation exercise. We had 3000 full responses, and at least 12,000 comments, and we got submissions from stakeholders like the Wildlife Trust, the Green Quarter, and many local and renowned architects and artists. The feedback and conclusions are all available on the Council's website.

There were lots of brilliant ideas and it really quickly became very clear that what people wanted was something quite different, not to just resurrect a shopping centre like we had before, but something very different. Three clear themes emerged from that conversation. People wanted to see green space, heritage and a mixture of land uses, so that we could enable different ways of using the city centre.

Through talking and listening, hearing from people and understanding what they wanted from the site, what they wanted to see from a reimagined Broadmarsh, this has really fed into our vision for the area. Our role as place leader as the City Council and the democratically accountable local policy maker has to be to listen and respond to what people in Nottingham are asking us for, to make sure that the city centre is a place where people want to be to spend some time, and a place where

people can start new businesses, grow their skills and support new generations of entrepreneurs, as well as somewhere where people can enjoy their days out.

We want it to be a place where you can meet friends, colleagues, and work from various public and private spaces if you wish to. So many people find themselves unable to spend some time somewhere without spending money and it is really nice that we will be preserving that public space. So perhaps one of the most important things to do as well, is to make it possible to live in the city centre, alongside nature and greenery, and make sure that remains within the urban environment. At the heart of the vision is over an acre of new green space, plus significant additional areas of wildlife habitat across the wider regeneration area through innovations such as green rooftops. It will be somewhere that is rich in wildlife and biodiversity right at the city centre. Our plan for the remaining shopping centre building is to reimagine it as a space really quite different, totally unique to Nottingham, and at the centre of this is the 'Frame'. The 'Frame' is the retained structure of the old shopping centre, but re-worked and re-purposed. Retaining the embodied carbon in the existing structure is really the most sustainable way forward. The Frame will be a multi-use meeting place, designed to allow a diverse range of uses that will bring people together in different ways. The wider construction programme we expect will generate 2,000 jobs, with a further 2,300 new jobs once the on-site development is complete, and the wider Broadmarsh area will also create up to 1000 new homes, and 400,000 square feet of business and office space.

So we, of course, like the person asking the question, want the highest standards of sustainable building as they are absolutely in line with our Carbon Neutral 2028 ambitions, and when we made that pledge and set out that ambition, we meant it, and we mean to get there. We are not yet at the stage of designing the individual buildings, but I can really assure people on David's behalf and on behalf of the Council that we will want to see these be as sustainable as possible across their whole lifespans. So, obviously, people will appreciate there are significant challenges to the viability financially of delivering this sort of scale of development, but I am hopeful of our clear and ambitious vision, and the people we are working with are increasingly delivering new buildings above and beyond minimum regulations.

We will shortly be submitting a bid for grant funding to the Government's Levelling Up Fund Round 2, and we will be able to share more detail about that in some time. If we are successful then this will be the foundation for delivering the kind of place and development that the questioner is asking us to set out for Nottingham, and certainly that is what came back from the consultation. So I hope that everyone here, and the questioner and other citizens in the city, will join us to back the bid campaign that we will set out in the coming weeks, as we would love to have the support of Nottingham as you have responded to the consultation, and are very much hearing what people in our city want from this development. Thank you, Lord Mayor.

19 Petitions from councillors on behalf of citizens

Councillor Phil Jackson presented a petition on behalf of citizens asking the Council not to close Aspley, Basford and Radford/ Lenton libraries.

20 To confirm the Minutes of the last meeting of Council held on 9 May 2022

The minutes of the meeting held on 9 May 2022 were confirmed as an accurate record and signed by the Chair.

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

The Chief Executive reported the following:

I am pleased to announce that, in partnership with Nottingham Futures, the SEND Team won an award in the 'Transforming Lives' category of the 2022 Municipal Journal Awards for its work in supporting our most vulnerable young people into employment, education and training.

The Council was pleased to celebrate Windrush Day on 22nd June, hosting a civic reception and raising the Windrush flag on the Council House. Thanks go to community partners, including the Pilgrim Church Charitable Trust, for organising the event. The arrival of the Empire Windrush nearly 73 years ago marked a seminal moment in Britain's history and has come to represent the rich diversity of this nation. Those who arrived on the Empire Windrush, their descendants and those who followed them have made and continue to make an enormous contribution to Nottingham, not just in the vital work of rebuilding the country and public services following World War II but in enriching our shared social, economic, cultural, and religious life. This Council has vowed to mark this occasion annually on 22nd June.

I would like to congratulate Nottingham Forest Football Club on securing promotion to the Premier League, following victory in the Championship Playoffs on 29th May. The Council hosted a civic reception for players and staff in this building in recognition of the victory.

On 23rd June 2022 the then Minister for Equalities, Local Government, Faith and Communities announced in a written ministerial statement that the Secretary of State for Levelling Up, Housing and Communities is 'minded to' intervene in Nottingham City Council. On the same day, I received a letter from the Department for Levelling Up Housing and Communities setting out the justification for the proposed intervention, inviting the Council to make any representations to the Secretary of State by 7th July before a final decision is made by Government about intervention at the Council. Council will be asked to consider and note the Council's formal letter of representation which is appended to agenda item 9.

22 Questions from councillors - to the City Council's lead councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

23 Questions from councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council body

Services for children and young people in Clifton

Councillor Maria Watson asked the following question of the Portfolio Holder for Children, Young People and Schools:

On reopening in 2015 following a £500,000 renovation, the then Portfolio Holder for Children's Services and current Leader said, and I quote: "There was a need for a new and updated centre in Clifton and we saw the importance of investing in somewhere children and young people can socialise and meet new friends." Can the Portfolio Holder illustrate what it has done to replace the services lost in Clifton which it previously described as a "need"?

Councillor Cheryl Barnard replied as follows:

Thank you Lord Mayor, and thank you Councillor Watson for your question. As you will be aware, Nottingham City Council has had to make difficult decisions to ensure we are operating within a balanced budget and meeting the requirement of our Improvement Plan. We have previously outlined that it was imperative that we reduced the number of buildings and changed some elements of service delivery across Early Help Services and Youth and Play Services. I acknowledge that these have not been easy decisions for me, as I am committed to services for children and young people.

Going forward, we are looking to mitigate the impact of those building reductions and service changes through the transformation work taking place across Children's Integrated Services. This will include city-wide service delivery for the Youth Service and our Early Help Service through a hub-and-spoke model. This will ensure we are maximising the city-wide reach of our remaining services and working closely with our community and voluntary partners to ensure that there are still services available in local communities. Nottingham City Council officers are currently in discussions with community and voluntary partners that have expressed an interest in taking on the running of play and youth sites or children centres across the city. They are working with providers to shape their offers and advise on the feasibility of their proposals. With regards to Clifton in particular, we are continuing to deliver some Early Help services in Clifton Cornerstone, including our Supporting Families Service and the Children and Adolescent Mental Health Service, also known as CAMHS. We are also currently looking at expressions of interest for Clifton Young People's Centre, which will support the continuation of services in the community and continue this excellent facility. We will continue to have ongoing discussions with community providers to take on responsibility for maintaining access to sites across the city to ensure wherever possible relevant services are still being made available.

This question does, however, make me wonder why Councillor Watson and her colleagues in opposition made no attempt to offer an alternative budget to show how they would have found money to continue these services at the same time as balancing our budget.

Libraries

Councillor Maria Watson asked the following question of the Portfolio Holder for Leisure, Culture and Planning:

Can the Portfolio Holder provide updates, both on the future of Aspley, Radford and Basford Libraries, as well as the progress on the Central Library?

Councillor Pavlos Kotsonis replied as follows:

Thank you. Firstly, I want to recognise the important role that libraries play in our communities. Access to quality local library provision makes a massive difference to

people's lives, expands people's knowledge horizons, enriches their lives and opens future life chances.

At the Executive Board meeting on 24 May this year, we were able to make the decision to move forward with the fit-out for the new Central Library. The funding for that was already part of the Capital Programme. The development of this new library has been a long-standing commitment for the Council and constitutes a key component for the redevelopment of the Southside. Prior to the decision for the fit-out of the new Library, we have carried out detailed assessments on the affordability of the scheme, so we are happy that the contracts for the work have now been exchanged and the works will commence on site early next month. The works are scheduled for completion in summer 2023, when the new library will open to the public. The development of the new Central Library forms a core part of the City's provision and it is also a statutory requirement. As I said earlier, it forms a key component for the Southside regeneration development around the Broadmarsh shopping area.

In terms of the future of Aspley, Basford, and Radford and Lenton libraries, these have been subject to a well-engaged consultation process. Many residents in all communities have engaged with the Council in a variety of ways, including petitions and public meetings, as well as the 'Save the Libraries' campaign group. We have received a total of 2,979 individual responses – those have now been reviewed and a comprehensive report is being developed that will be taken to the Council's Overview and Scrutiny Committee meeting on the 3rd of August. This scrutiny, and actively listening to the voices of the people of Nottingham, is a key aspect of what we do. All responses and feedback will be used to help guide the final decision-making on the future direction of the Library Service in general, including the three libraries, and a final report will be presented in Executive Board later in autumn 2022.

Let me say that we are Labour Councillors – we are firm believers in public services and local democracy. It brings no joy to any one of us to have to bring proposals for closures of libraries. I need to stress that if the Conservatives were funding local government effectively, if they were a functioning Government and not a sinking ship, if they were listening to local need and responding with funding provision that would be 100% at local government's discretion to allocate, if all of that was in place, we would not even need to have to consider such decisions, but from what I understand, at the moment, there is hardly a minister willing to lead the country, and the internal divisions in the Conservatives simply have become more important than the needs of British society.

Lots of the funding for culture and libraries is subject to strict criteria, which our officers are working effectively to apply for. They are doing outstanding work, and that is why we have such a great offer in Nottingham. If I trust anything, it is the hard work and dedication of our teams – they care about Nottingham. But let us not forget – there is a history of consecutive Tory Governments giving councils work to do without providing adequate funding for it, and local government is then blamed for many of the errors that were within the provisions of the Localism Act and other Local Government Acts, which is for Parliament to resolve and not Local Government. I say that it is the neo-liberal economics of the last twelve years, and Tory austerity, which is putting public services in jeopardy, and not Labour councillors. Thank you.

Housing Revenue Account

Councillor Kirsty Jones asked the following question of the Leader of the Council: Given that the money unlawfully misspent by Nottingham City Council and Nottingham City Homes now amounts to £40million, what impact does the Leader believe that the money wrongly going to the General Fund and not the Housing Revenue Account has had on the residents that it has been held back from?

In the absence of the Leader of the Council, Councillor Adele Williams, Deputy Leader of the Council, replied as follows:

Thank you Lord Mayor, and thank you Councillor for your question. Let me start by stating that, as a Council, we have already committed to ensuring that any money that should have been committed to the Housing Revenue Account will be in the General Fund once the Secretary of State has issued a Ministerial Direction, which we are awaiting.

Despite the misallocation of funding from the Housing Revenue Account (HRA) since 2019, 701 additional Housing Revenue Account homes have been completed, purchased or in progress. This includes 115 new Council homes at Marlstones, Knights Close, Tunstall Drive and the former Clifton Miners Welfare site, as well as a new extra care facility at Windwood Heights in my ward, which is really impressive. There are 279 homes on site and in development, including sites at Beckhampton Road, the former Eastglade School and Kieron Hill Court in Clifton. 132 Council developments are in the pipeline, including 24 homes at Oakdene, 104 on the Padstow and Ridgeway sites as part of a mixed-tenure development, and 175 new Council homes from the second-hand market and from Section 106 provision by developers on private sites. Separately from this, since 2019, Nottingham City Homes has also completed 21 new homes and has acquired a further 14 affordable homes through a Section 106 acquisition not part of the HRA, but nevertheless let to people in need of affordable housing.

Though we are proud we have been able to deliver these schemes for Nottingham people, what we are absolutely clear about is that because of the changes we have implemented by strengthening our governance framework, we have been able to identify where historical issues like this have occurred and make sure that there is a clear plan to put it right. It is what people who are responsible for governance do and we are intent on continuing to deliver good homes for Nottingham people. Thank you, Lord Mayor.

Victoria Embankment Paddling Pool

Councillor Kirsty Jones asked the following question of the Portfolio Holder for Highways, Transport and Parks:

We wait with anticipation for the results of the proposed consultation on the future of the Victoria Embankment paddling pool, but it seems clear that the public opinion is already heavily in favour of returning it to its former glory. Can the Portfolio Holder outline how the Council is proposing to afford to replace the paddling pool when it seemingly cannot afford to repair it? Is this not just a holding tactic to head off more unflattering headlines of closing facilities?

Councillor Audra Wynter replied as follows:

Thank you Lord Mayor, and can I thank Councillor Jones for her question. As you will be aware, the public has indeed expressed its support for the paddling pool to be

restored and reopened. It was a well-used and well-loved feature of the Embankment, so I really appreciate and understand the strong sense of feeling on this issue. The paddling pool at Victoria Embankment was first installed in 1928 and has been a place full of happy memories for many people from across Nottingham and Nottinghamshire. Unfortunately, over the last decade, the paddling pool operations have become difficult and costly to maintain as the pumping system used to keep the water clean and hygienic is very old and it has become very challenging to source new parts to fix and repair the pool. In addition, the pool itself has developed a number of cracks and is now impossible to fill up as it loses water faster than it can be filled. As a result, the Council was unable to open the pool in 2020 and 2021 and, whilst we would like to reopen it, it is now clear that the pool is well past its ability to function and its economic life expectancy and, therefore, it is not fit or able to reopen. A community engagement survey is currently live online and will be open until 31 July. In addition, we are also seeking views of children in the local schools. This information will help to support a range of bids to external funders. Therefore, we are also keen to establish a community fund raising opportunity. With this in mind, we hope that the community and local businesses will support the fund-raising campaign, so we can do what we can to restore the much-loved feature of Nottingham. Thank you, Lord Mayor.

Highbank Community Centre

Councillor Kirsty Jones asked the following question of the Portfolio Holder for Neighbourhoods, Safety and Inclusion:

Can the Portfolio Holder provide an update on the status of Highbank Community Centre and its future? Are there any indications that it may reopen anytime soon?

In the absence of the Portfolio Holder for Neighbourhoods, Safety and Inclusion, Councillor Adele Williams, Deputy Leader of the Council replied as follows:

Thank you Lord Mayor, and thank you Councillor Jones for your question. The community centre management team at Highbank has unfortunately taken the difficult decision to step down, which has resulted in the centre having to be closed. As a result, officers from the Community Partnerships Team will be engaging with ward members and community organisations to explore alternative options for the management of the centre. We will ensure that ward members are contacted to discuss this matter further.

Fire safety in high rise buildings

Councillor Samuel Gardiner asked the following question of the Portfolio Holder for Housing and Human Resources:

5 years on from tragedy of the Grenfell Fire, could the Portfolio Holder for Housing and Human Resources please update Council on the actions we have taken to ensure the safety of residents of high rise buildings across the city and particularly the lessons learned from the ongoing inquiry.

Councillor Toby Neal replied as follows:

Thank you Lord Mayor. I have no doubt that all of us were horrified by the Grenfell fire as it occurred, and we could not even begin to believe the systemic policy and judgement failures across Government, local authorities, Emergency Services and the private sector that would be, and are still being, exposed by the various stages of the Grenfell inquiry. It is hard to believe that what was a tragedy has actually turned

into something worse – 72 lives lost, families devastated, and the community is still grieving. The Grenfell Inquiry faced one report in October 2019 that presented a number of key findings. This included lessons from other fires that had not been learned, that the cladding used was fuel for the fire, that emergency services were not prepared, and the building safety rules were incredibly lax. However, immediately after the fire, we began with Nottingham City Homes (NCH) to look at what measures we would need to take to ensure the safety of residents, given the information that was coming from the immediate aftermath of the fire and discussions with the Nottingham and Fire and Rescue Service and the then Ministry for Housing, Communities and Local Government.

Just to let people know, NCH manages 13 Council-owned blocks that are at least 18 meters in height, or more than six storeys. Their blocks have so far received enhanced fire protection in the form of sprinklers in all flats and communal areas, upgraded video intercom systems that allow for individual access to communications and installations of PA systems throughout the communal areas. In addition, NCH has also undertaken a risk-based analysis of our low-rise blocks, which has led to the installation of sprinklers in such buildings as the homeless hostel at Highwood House. The Council and NCH, alongside Nottingham Fire and Rescue Service, has also worked hard to ensure compliance with the Building Safety Bill and the Fire Safety Bill, which bring in new requirements and responsibilities. This includes Building Safety Manager roles with specified duties for the day-to-day management of fire and structural safety for high areas. We have also established a Building Safety Group with NCH to see the implementation of the Building Safety Bill. There are six big areas that we are concerned with: gas, electrical, lifts, water hygiene, asbestos and fire risk assessments. This applies to NCH-managed properties as a whole. All of this is reported back to the NCH ALMO Board and the Council/NCH Partnership.

Most importantly, I think, is that prior to Grenfell, we were already discussing with the Nottingham Fire and Rescue Service (NFRS) the establishment of an inspection group as part of our Safer Housing Team, and this came into operation in 2019 as the Joint Audit and Inspection Team partnership between the City Council and NFRS. It carries out inspections and audits of all multi-occupied residential buildings that contain 11 or more flats in the city, and the work of the team has been published on the LGA website and is seen as national good practice. This joint team initially concentrated on buildings with cladding as a priority and has undertaken the following: they have identified 534 multi-occupied residential buildings in the city; all buildings with cladding have been inspected and the cladding has been removed; and inspections have been completed at 168 premises, of which no further action was required at 68, a re-visit is required at 48 and we are still chasing work to be done at 59 properties. The team operates on a risk-based approach, where the highest-risk properties are inspected first. There are a number of factors at play here: the number of flats/occupiers and height of the premises; intelligence that we get from either Authority about concerns with particular historic issues; previous record of inspections that have occurred with those and any concerns that have been raised there. There is a confidential way to deal with concerns raised by tenants or other relevant stakeholders, and that includes accredited bodies and universities. Just as a very quick example, there is a case study that I have been given – the Lace Market Studios. The building is over 18 metres tall, occupied by students, had cladding (ACM, which was the cause of the exacerbation of the fire at Grenfell, and HPL).

There was a particular type of alarm system and a phased evacuation strategy, but as well as the cladding issues, there were missing cavity barriers within the building. A rather complicated legal argument got underway between us and the developers, however, with the assistance of the National Joint Inspection Team, we put on an inspection to look through a whole range of things that meant we were able to impose a Notice. Consequently, the freeholder and developer stepped back from their legal arguments with us and have had a six-month Notice to carry out and complete the work. Within one month, they had removed all of the cladding, and I think that really underlines the work of the JAIT team in the city. It is a very effective team and one of the major pieces of work that we have done, alongside all of the other work that I have mentioned. I hope that addresses your concerns.

Potential statutory intervention

Councillor Nayab Patel asked the following question of the Portfolio Holder for Finance:

In light of the news that Central Government is minded to implement commissioners at Nottingham City Council, could the Portfolio Holder for Finance please comment on why they feel commissioners are being brought in despite the good progress made by and willingness to change and improve shown by Nottingham City Council to date?

Councillor Adele Williams replied as follows:

Thank you Lord Mayor, and thank you to Councillor Patel for the question. I know that we are considering the proposed intervention later today, so I will keep my remarks quite brief, as I will be speaking to that item. Members will know that on 23 June we were told that the Government was minded to appoint Commissioners to oversee some aspects of the City Council. Now, just to be really clear, should the Government decide that the appointment of Commissioners is necessary, then we will continue our collaborative approach because that is what is in the best interest of the city. Since 2021, we have demonstrated our commitment to doing this by working closely with Sir Tony Redmond and the Improvement and Assurance Board. However, I think it is right to set out the position that, since 2019, we have been making progress, being open about the difficulties we face and working hard to put things right, and it is because of that that I believe that the decision to appoint Commissioners, should it come to it, would, in my view, be unjustified. We have worked with the Government-appointed Improvement and Assurance Board to pick up all of their concerns and they have reported reasonably positively to Government about our progress. This is the work that has resulted in the reduction of Council debt of nearly £250 million, a Transformation Plan that will save (after investment) the Council £45 million and improve services for Nottingham people with it. We have set a four-year balanced budget and have changed the culture and governance so that issues like HRA are uncovered, shared transparently and sorted. The Council, under this leadership, has made significant changes to the way that we work and that openness is a feature, as is the determination to set things right if they are found to be not as they should be, and this has been recognised by the Improvement and Assurance Board headed by Sir Tony Redmond, who is the former Local Government Ombudsman. They have described our progress positively and, although we oppose the Government's intervention to appoint Commissioners, we do see the continuity provided by Sir Tony Redmond could provide some assurance that our previous improvements are understood and can be built on.

However, because we are committed to bringing about Council-wide change and we have got a very clear plan of how to go about it, I think lots of us are curious as to what new actions would happen as a result of Commissioners coming in that would improve the working of this Council or result in any changes that Nottingham people would want to see. So later this afternoon, Councillors will have the opportunity to note this proposal and the representation we made. If this does happen, I do not believe that that will be based on what is best for the city – that is not what this decision would be about. We will of course work positively and openly, as we have done previously, in the best interests of our city, but we will be straight with them, and straight with Nottingham people, and will continue to fight for what Nottingham people need and elected a Labour council to do.

The Government cuts to our budget mean that it is really hard at the moment to do what we want to do to help our communities at this time, but we have been fighting for Nottingham and protecting our services against the worst effect of Tory cuts. We have made sure that Nottingham City Council and our amazing staff were there for people during the Covid crisis and we fought hard to get what we needed for our city during the pandemic, to keep people safe. After more than a decade of Tory austerity and the pandemic, we still managed to set a four-year balanced budget. This has not been easy, but Nottingham Labour also retained 75 Community Protection Officers, is still building Council houses, and has improved the private rented housing through the Licensing Scheme. We have kept ownership of our outstanding care homes, are running six leisure centres, we are supporting welfare rights services across the city because we defend what is needed by Nottingham people, and we are still supporting free events for families all year round, and you can still expect a regular bus service to get you that from our award-winning, City-owned bus company – and we have our own bus company because Nottingham protected it when many others were sold off to private operators and are now seeing less of a service and higher fares, but our greater public transport system has contributed to cleaner air than most other cities in the UK and made people less reliant on a car. The transformation of Broadmarsh is underway after the shopping centre administrator went into administration, a new Central Library will soon be fitted out, green space in the heart of our city will be created and developments bringing homes and jobs will be coming in the next few years. We understand what twelve years of Tory government has done to our city because we live in it. We are part of our communities – we do not just represent them. We will carry on, whatever happens, fighting for what Nottingham needs, and be ready to help our citizens with issues, the problems they are facing, and also to hear from them what their views are about what they want for the city in the future. Thank you, Lord Mayor.

Cost of Living

Councillor Audrey Dinnall asked the following question of the Portfolio Holder for Finance:

Does the Portfolio Holder for Finance recognise the true scale of the cost of living crisis currently affecting Nottingham people? What is Nottingham City Council doing to help people and what pressure can she bring to bear on Government Ministers to provide further help to people urgently?

Councillor Adele Williams replied as follows:

Thank you Lord Mayor, and thank you Councillor Dinnall for your question. We absolutely recognise the scale and the impact on our communities and everyone will

have received emails through casework and met people at their surgeries that are absolutely struggling more than they were before. So, just to give us a sense of scale, the New Economics Foundation calculates that the basic basket of goods for a UK household that is used to calculate the minimum income requirement will now cost £2,300 more per year, on average – and this was calculated back in May when we thought that inflation would be 8% at worst. It currently at 9% and the latest reliable calculation is to around 11%.

The Council is currently looking at the impacts of the cost of living crisis on the Council, services and citizens through a risk management-based approach, so working groups across the Council are looking at what this means in various service areas, and what the likely impact will be such as increased demand for support services, financial support, mental health support, homelessness, referrals to social care, and Community Protection support. We are doing this because what hits our citizens hits our services, and what hits our services hits our citizens, and we all know as councillors that the poorer households will be hit the hardest, as the increase of the £2,300 extra has nowhere to come from for poorer households – the lower your income, a larger proportion of your income and savings this represents, meaning so much less flexibility to manage it. The top 5% are the only group in Britain seeing their incomes go up away from inflation, while the rest of us are just landing under it. So what can we do to support? A range of support is available through the Council. We have grant-funded support around the Council Tax Energy Rebate, which is going out now to Nottingham residents – around 2000 per day. The Household Support Fund is going out soon and food and fuel vouchers will be accessed via wider support networks this time. We recognise that people are struggling and that this money, though welcome, is a short-lived and inadequate sticking plaster for the situation that citizens are in, so we are keen to address the root causes both in terms of support, but also in the wider jobs and training to help people improve their income. Then there will be the Holiday Activities and Food Programme aimed at those eligible for Free School Meals with the vouchers, but also the wider holiday activities will be open to people beyond only those on Free School Meals. There will be ongoing support around debt, welfare rights and money advice directly and through the voluntary sector. We are supporting food banks across the city that have, sadly, been supporting lots and lots of residents, and social eating initiatives that do have the positive aspect of bringing people together to address social isolation. People are given advice on how to reduce their energy bills, and some of our citizens have got retrofit insulation, saving both carbon and cash. Work on jobs and training is really important to support growing incomes in the city, and lots of our bigger work around transport, as well as making sure we have cleaner air and can get to work cheaply, is also bringing in better-paid jobs and good employers into our city. We are also working with our partners, such as the Integrated Care System, promoting good local employment and buying locally, so what is spent by the public sector and wider partners is purchasing locally, so that it is filling cupboards in Nottingham – not coffers off-shore. Advice and support is accessible through the Ask Lion website, but the more important question is what pressure can we bring to bear on Government Ministers? We could possibly join in on Councillor Webster's representations and talk to the Chancellor as well, and I am planning to write to the Chancellor to share what this crisis looks like for Nottingham, if it is the same one by the end of the day. But we are seeing an absolute implosion of the Government – while our citizens are being hit by this onslaught, we are seeing potential leaders of the Conservative Party speaking to their backbenchers and membership – to people who are about as far

away and unrepresentative as it is possible to be of Britain and Nottingham, and they are showing their true colours because they know that will land very well in the well-upholstered living-rooms of Conservative membership. They do not know or care what life is like around the kitchen tables for most people – hard-up Britain, where you can come home having worked all week and not be able to feed your kids – and that is an absolute shame, not of those individuals, but a national disgrace – homes where it is only just warm enough if you are lucky, with many people dreading the winter where they will not be warm enough to be healthy. The Tories, you will remember, had to be dragged kicking and screaming to back the windfall tax just to get the energy companies to pay a fraction of the windfall made off Britain's back and from what used to belong to us to keep our homes from freezing. The Tories were not bothered about cold pensioners – they were only bothered that those cold pensioners might vote Tory – that is what that was about, just like they have mysteriously only just had enough of Boris lying to the nation after we have seen years of the world king living above the rules that the rest of us are bound by, but it was priced in to Boris, they thought, but when it turns out that it was not priced in for the electorate, when it turned out it was costing them votes, they found their principles – only then they said enough was enough. And now they are obsessed as part of this leadership race to fuel a culture war when British care workers cannot afford to fuel their cars. We know what matters to Nottingham is not dragging up division, it is standing together as we have done to weather this economic storm, and it is our job to change the political climate that has brought us here. But we have actually been doing it for years in the city – people have stood by each other, not just through Covid, but before. Food banks have been needed in our city for a long, long time and the foundations of this started with the Tories. The top 5% are seeing their income go up – they will still back the Tory Party. Thank you Lord Mayor.

Nottinghamshire Pride

Councillor Georgia Power asked the following question of the Portfolio Holder for Housing and Human Resources:

The 30th July will mark this year's Nottinghamshire Pride celebrations, is the Portfolio Holder for Housing and Human Resources able to confirm Nottingham City Council's support for this event and what other actions the Council is taking to be an inclusive employer for all LGBTQ+ persons?

Councillor Toby Neal replied as follows:

Thank you Lord Mayor, and thank you Councillor Power for the question. 2022 is a special year as it marks the 50th anniversary of the 1st official UK Pride march, which was held in London on 1 July 2072. The Pride movement was inspired by the Stonewall Riots and the protests that took place in the United States in 1969 and were a catalyst for change in the fight for equality for LGBT+ people worldwide. At the time of the first Pride march, LGBT+ people in the UK faced discrimination from individuals, institutions and the law. We can argue that the UK is a different place – that we recognise the rights of individuals to be who they are and that Pride is a social event that citizens can enjoy. But it is also true that there are those who seek to create division and Pride reminds us of the struggles of the past, and the need to continue the fight for rights for all. So I am proud to talk about this Council's ongoing support for Nottinghamshire Pride, and I am looking forward to joining the march and to welcoming it back following its forced hiatus. It is a chance to celebrate, to protest and to demand more.

Talking specifically about what we as a Council do: the Council has been a supporter of the LGBT+ community for many years, both as an inclusive employer and supporting Notts Pride as an ever-growing event within the city – and I expect that this year's march will be one of the largest that we have ever seen. Our LGBT Network will be at the event to promote their work, the workplace allies' programme and be prepared to talk to attendees and answer any questions about the Council, its services and if people want to work for us. Corporate Marketing and Communications will also be ensuring that a Pride banner is on the Council House to show our support to the community, and that we will be promoting the event across all communication channels that are available to the Council. As with other major city-wide community events, Nottingham Events will provide value in kind support to the event, which includes the use of Council-owned event infrastructure, assistance and support with event planning, the Events Team providing temporary traffic restriction and regulation orders, there will be reduced cost usage of Council vehicles, and there will be promotion of the event via 'What's On'. I would also particularly like to highlight the volunteers from Community Protection and from Our Neighbourhoods who make sure they turn up to promote the Council, not as part of their daytime shift but because they think it is the right thing to do. I think that many of you will remember the rainbow crossing place into Hockley that came as a direct idea of Community Protection Officer Arran Hayes after supporting the event for several years. So our teams have been supporting it both in terms of the work that we provide to them, but the fact that they wish to volunteer to do things. Our Equality, Diversity and Inclusion ambitions set out our commitment to strive to be an employer of choice for all people with protected characteristics within the LGBT+ community. We are a Stonewall Diversity Champion and we participate in the Stonewall Workplace Employers Index, and this year we moved up 62 places and are looking to get back into the top 100, where we were previously for two years. We have received a Silver Award for our commitments and efforts to become an LGBT+ employer. We are currently working on our submission for the Index for 2023, and I am very much hoping that we will return to the top 100. We are also a finalist in the 2022 PinkNews Awards nominations for Public Sector Equality. This is a ceremony that recognises the incredible contributions of people, organisations and companies that campaign for LGBTQ+ community and, generally, for equality worldwide. Our LGBT Network has a very strong voice in terms of our Equalities Board and the work that we do, and is also a key partner, as is the Council, with the Integrated Care Partnership, the Police, Nottingham Fire and Rescue Service, and many other key areas of the NHS, to embed good practice in terms of being a good LGBTQ+ employer in the city.

Speed on roads

Councillor Michael Edwards asked the following question of the Leader of the Council:

Is the Leader able to inform me as to what actions have been taken in Nottingham to reduce speed on our roads?

As Councillor Michael Edwards was not in attendance at the meeting, the question received a written response after the meeting from Councillor David Mellen. That written response is attached to these Minutes.

Governance frameworks

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

The Leader of the Council will be aware that the Secretary of State has indicated that one of their main areas of concern with the Council's improvement journey remains the lack of governance framework that defines the relationship between the Council and its companies. How does the Leader intend to rectify this?

In the absence of the Leader of the Council, Councillor Adele Williams, Deputy Leader of the Council, replied as follows:

Thank you Lord Mayor, and thank you Councillor Rule for your question, which references the then Secretary of State. Since 2020, the Council has undertaken a considerable amount of work in relation to the governance of its portfolio of companies, as well as to the financial sustainability of the companies themselves. You will be aware, as will people who have been around for some time, that, at one point, the Government was encouraging local authorities to be commercial and to be entrepreneurial to plug the gaping hole that they were planning to leave in Council finances. Consequently, many local authorities have commercial interests and we have been doing a lot of work around ours. The governance structure and processes have been taking account of the latest thinking and the best practice in relation to local government trading companies – in particular, the Lawyers in Local Government Code of Practice, and also the Governance of Council Interests in Companies, and CIPFA's guidance document produced for the Council.

This is culminating in the establishment of a dedicated Shareholder Unit to oversee the companies' interests, the development of a company governance handbook and an extensive programme of training and support for members on company boards and people who are shareholder representatives. At its heart, this governance model is concerned with demonstrating transparency and accountability that is essential for all parties to have confidence in each other and to make the best decisions in the interests of all, and this work, as members will be aware, has been undertaken working closely with the Improvement and Assurance Board. We will continue to make improvements and continue the good progress in this area. Thank you, Lord Mayor, and thank you Councillor Rule for your question.

Goose Fair

Councillor Andrew Rule asked the following question of the Leader of the Council: Next month will see the anniversary of the Leader's decision to cancel Goose Fair due to Covid. Can the Leader of the Council reassure residents that Goose Fair will be reinstated this year and it will remain a free event?

In the absence of the Leader of the Council, Councillor Adele Williams, Deputy Leader of the Council, replied as follows:

Thank you Lord Mayor and thank you Councillor Rule for your question. I am pleased to tell you all, if you are not already aware, that the Council and the Showmen's Guild have shared the intent earlier this year that Goose Fair will return again this year as a 10-day fair from 30 September to 9 October. Planning for the event is going forward, and we cannot see any reason that it would not be able to proceed as planned. After two years of it being cancelled, we are really looking forward to it coming back and we will continue to work with the Showmen's Guild to ensure that the fair is a safe and well-managed free event for all to enjoy.

We would also like to take this opportunity to highlight the range of events that we have on offer in the city for people to enjoy themselves. Earlier this year we had Light Night return to the city, a Remembrance Sunday service took place as a civic event,

we had the Riverside Festival and Bonfire Night, which were free to attend and enjoy. Alongside this, the Council also supported a number of one-off events, such as the Forest Homecoming event that many people here enjoyed, the Platinum Jubilee, the Queen's Baton Relay took place this weekend, and we will host the Pride festival later this month, and I will see you all there. I would like to take the opportunity to pay tribute to our staff, who work really hard to deliver such a fantastic range of events across the city, and also, while we are in the Council House, particularly to the staff here who supported such an amazing event for Forest – it was an absolutely fantastic day, and massive thanks due to the people who supported the event in lots of different ways, not just in the Council House, but out in the Square or public realm and so on. Everyone really pulled together to make such an amazing day for our city. So as well as those large-scale events, we also have smaller things like the Adventure Cinema, the Multi-Cultural Festival, Nottingham Beach, Architects of Air, the Nottingham Carnival, the Luna Cinema and various neighbourhood fairs to look forward to. Nottingham is home to such a fantastic cultural offer – we have a great cultural community in the city and we can really party, so I am really proud to deliver such a great offer for the city. Nottingham will always be a great place to go out, and that is a success that we should celebrate and build on.

24 Proposed Statutory Intervention

In the absence of the Leader of the Council, Councillor Adele Williams, as Deputy Leader of the Council, proposed the report advising Council that the Chief Executive had received a letter from the Department for Levelling Up, Housing and Communities setting out that Government is 'minded to' implement an intervention package at the Council; and that the Council has made a representation to the Secretary of State in response to that letter. The report was seconded by Councillor Cheryl Barnard.

Resolved to note the Department for Levelling Up, Housing and Communities' letter dated 23 June 2022 stating that the Secretary of State is 'minded to' intervene, as set out in Appendix 2 to the report, together with the Council's letter of representation, as set out in Appendix 3 to the report.

25 Decisions taken under Urgency Procedures

In the absence of the Leader of the Council, Councillor Adele Williams, Deputy Leader of the Council, presented the report detailing an urgent decision that Council is required to note, which had been taken under provisions within the Overview and Scrutiny Procedure Rules. The report was seconded by Councillor Toby Neal.

Resolved to note the following decision taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules:

Decision Reference	Subject	Decision Taker	Reason for Urgency
DD4626	Public transport contribution from development	Portfolio Holder for Highways, Transport and Parks	Completion of the deed of variation was required due to Nottinghamshire County Council's new

Decision Reference	Subject	Decision Taker	Reason for Urgency
	at Teal Close, Netherfield		school construction contract deadline.

26 Establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP)

Councillor Adele Williams proposed the report seeking approval to establish the Nottingham and Nottinghamshire Integrated Care Partnership, as a joint committee between the Council, Nottinghamshire County Council and the NHS Nottingham and Nottinghamshire Integrated Care Board. The report was seconded by Councillor Linda Woodings.

Resolved to:

- (1) note the inclusion of the NHS Nottingham and Nottinghamshire Integrated Care Board to the Council's Outside Bodies Register and the joint nomination (Nottingham City Council and Nottinghamshire County Council) of the Corporate Director for People to be one of the five partners, with a specific remit to 'bring a perspective of the social care needs and health and wellbeing characteristics of people and communities living in an urban city area';**
- (2) approve the establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP) as a joint committee between the following three statutory bodies: Nottingham City Council, Nottinghamshire County Council, NHS Integrated Care Board;**
- (3) approve the initial Terms of Reference for the Integrated Care Partnership, as set out in Appendix 2 to the report, and note that a further report will be submitted to Full Council to approve the finalised Terms of Reference, following any further guidance and regulations;**
- (4) note that the Health and Wellbeing Board and Health and Wellbeing Board Commissioning Sub-Committee Terms of Reference will be update to reflect the changes in NHS structures and that any substantial changes that may be required in the future will be brought to a meeting of Full Council;**
- (5) note the principles relating to the establishment of the Nottingham and Nottinghamshire Integrated Care Partnership as advised by the Integrated Care System and outlined in the Terms of Reference as set out in Appendix 2 to the report;**
- (6) appoint the following Nottingham City Council representatives to be members of the Nottingham and Nottinghamshire Integrated Care Partnership: the Chair of the Health and Wellbeing Board (elected member representative and Vice Chair), the Director for Children's and**

Adult Social Care (i.e. the Corporate Director for People) and the Director of Public Health; and

- (7) note that the additional two City partners places on the Committee will be appointed via the in-year changes process prior to the first meeting of the Committee.**

27 The Crime and Drugs Partnership Plan 2022 - 2025

In the absence of the Portfolio Holder for Neighbourhoods, Safety and Inclusion, Councillor Adele Williams proposed the report recommending that Council adopt the Crime and Drugs Partnership Plan 2022-2025. The report was seconded by Councillor Toby Neal.

Resolved to approve and adopt the Crime and Drugs Partnership Plan 2022 – 2025, as set out in Appendix 1 to the report.

28 Committee membership

It was noted that:

- 1) Councillor Pavlos Kotsonis had been removed as a member of the Licensing Committee
- 2) Councillor Ethan Radford had been removed as a member of the Corporate Parenting Board
- 3) Councillor Dave Liversidge had been removed as a member of the Planning Committee
- 4) Councillor Dave Liversidge had been appointed as a named substitute for the Planning Committee
- 5) Councillor Pavlos Kotsonis had been appointed to replace Councillor Linda Woodings as a member of the Joint Committee on Strategic Planning and Transport
- 6) Councillor Salma Mumtaz had been appointed to a vacant seat on the Planning Committee
- 7) Councillor Salma Mumtaz had been appointed to a vacant seat on the Corporate Parenting Board
- 8) Councillor Eunice Campbell-Clark had been appointed to a vacant seat on the Corporate Parenting Board

The Meeting concluded at 3.56 pm

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Questions from Councillors requiring a written response

CQ10

This question received a written response because Councillor Michael Edwards was unable to attend the Council meeting to ask the question.

Question asked by Councillor Michael Edwards of the Leader of the Council at the meeting of the City Council to be held on 11 July 2022

Is the Leader able to inform me as to what actions have been taken in Nottingham to reduce speed on our roads?

Councillor David Mellen replied as follows:

The actual speed of any vehicle is the choice of the driver and Nottingham City Council encourages all drivers to be considerate of other road users and those that live and use the area by choosing an appropriate speed, within the speed limit, on all road and at all times.

To help reduce the speeds Nottingham City Council:

- Has installed traffic calming on many residential roads where there was evidence of an ongoing road safety problem.
- Introduced 20mph speed limits around schools and on residential roads in the neighbourhoods, where there was the support of local citizens, and will be reducing the speed limit within the City Centre over the next few months.
- Regularly reviews the speed limits on the main roads to ensure that they are appropriate for an urban environment.
- Was the first place in the world to use average speed cameras and now has an extensive network of such cameras managing the speeds on main roads.
- Works with our partners at the Police to ensure that other roads with evidence of an ongoing road safety problem as a result of speeding traffic are visited regularly by the mobile speed enforcement teams and that the local policing teams are able to arrange for them to visit any road where the local citizens have concerns.

The Road Safety team continues to monitor the situation throughout the City. Roads with the highest number and severity of incidents are prioritised for investigation and improvements, such as road humps, road narrowing or pedestrian crossing improvements, which all help manage vehicle speeds. Road safety remains priority and we will continue to work with our partners such as the Police to ensure that road users stick to appropriate speed limits on all roads.

Thank you.

Questions submitted by Councillors requiring a written response

WQ1

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Leisure, Culture and Planning at the meeting of the City Council to be held on 11 July 2022

On 13 June 2019 the Council announced, via the My Nottingham website, that it had been awarded the sum of £1.5million from the National Lottery Heritage Fund to “secure the future of The People’s Hall”. Given that the intended third party company declined the grant due to the conditions attached to it and no work has been completed on The People’s Hall, can the Portfolio Holder confirm whether this grant was returned to the National Lottery Heritage Fund?

Councillor Pavlos Kotsonis replied as follows:

Thank you for the question. I just need to clarify the way in which this type of funding is managed by the National Lottery Heritage Fund (NLHF). The City Council was offered a grant of £1.5m to help support the business case for the restoration of the listed building and conversion into a business centre. The grant was not paid to the City Council as this type of grant project requires any monies to be claimed from NLHF as a project progresses through delivery. Despite multiple attempts, it did not prove possible to find a viable scheme that did not have unacceptable levels of risk to the City Council. Therefore, as the project was not able to be taken forward, no grant was claimed from NLHF so no monies needed to be returned.

Minutes of the meeting of the City Council

held at the Council House, Council Chamber, Old Market Square, Nottingham

on 12 September 2022 from 2.30 pm - 3.35 pm

Attendances:

✓ Councillor Wendy Smith (Lord Mayor)	
<ul style="list-style-type: none"> ✓ Councillor Hassan Ahmed Councillor Leslie Ayoola ✓ Councillor Cheryl Barnard Councillor Steve Battlemuch ✓ Councillor Merlita Bryan ✓ Councillor Eunice Campbell-Clark ✓ Councillor Graham Chapman Councillor Azad Choudhry ✓ Councillor Kevin Clarke ✓ Councillor Audrey Dinnall ✓ Councillor Michael Edwards ✓ Councillor Samuel Gardiner ✓ Councillor Jay Hayes Councillor Rosemary Healy ✓ Councillor Nicola Heaton ✓ Councillor Patience Uloma Ifediora Councillor Corall Jenkins Councillor Phil Jackson Councillor Maria Joannou Councillor Sue Johnson ✓ Councillor Kirsty Jones ✓ Councillor Angela Kandola Councillor Jawaid Khalil Councillor Gul Nawaz Khan ✓ Councillor Neghat Khan ✓ Councillor Zafran Nawaz Khan ✓ Councillor Pavlos Kotsonis 	<ul style="list-style-type: none"> ✓ Councillor Rebecca Langton ✓ Councillor Jane Lakey Councillor Dave Liversidge ✓ Councillor Sally Longford ✓ Councillor AJ Matsiko ✓ Councillor Carole McCulloch ✓ Councillor David Mellen ✓ Councillor Sajid Mohammed ✓ Councillor Salma Mumtaz ✓ Councillor Toby Neal ✓ Councillor Nayab Patel ✓ Councillor Anne Peach ✓ Councillor Georgia Power Councillor Shuguftah Quddoos ✓ Councillor Ethan Radford ✓ Councillor Nick Raine ✓ Councillor Angharad Roberts ✓ Councillor Andrew Rule ✓ Councillor Mohammed Saghir ✓ Councillor Roger Steel ✓ Councillor Dave Trimble ✓ Councillor Maria Watson ✓ Councillor Sam Webster ✓ Councillor Adele Williams Councillor Linda Woodings Councillor Cate Woodward ✓ Councillor Audra Wynter

✓ Indicates present at meeting

29 Apologies for absence

Councillor Leslie Ayoola - unwell
 Councillor Steve Battlemuch – leave
 Councillor Rosemary Healy - personal
 Councillor Phil Jackson - unwell
 Councillor Corall Jenkins – unwell
 Councillor Maria Joannou – leave

Councillor Sue Johnson – unwell
Councillor Jawaid Khalil - personal
Councillor Gul Khan – leave
Councillor Dave Liversidge - personal
Councillor Shuguftah Quddoos - leave
Councillor Linda Woodings – leave
Councillor Cate Woodward – other Council business

30 Declarations of Interests

None

31 Amendment to Standing Orders

Following the death of Queen Elizabeth II on 8 September 2022, as a mark of respect and in order to provide opportunity for councillors to reflect on her life, the Lord Mayor proposed that Council suspend the necessary sections of Standing Orders to enable a variation of business for the meeting from that set out in Standing Orders so that only essential business would be undertaken. It was proposed that the following items were withdrawn from the agenda:

- Agenda Item 4 – Petitions
- Agenda Item 5 – Approval of the minutes of the last Council meeting
- Agenda Items 7 and 8 – Questions from councillors
- Agenda Item 9 – Decisions taken under Urgency Procedures
- Agenda Item 11 – Motion in the name of Councillor Power
- Agenda Item 12 – Motion in the name of Councillor Williams
- Agenda Item 13 – Noting changes to committee membership

It was also proposed that questions submitted by citizens received a written response, a copy of which would be included in the minutes of the meeting.

The proposal was seconded by Councillor Nicola Heaton.

Resolved to vary Standing Orders:

a) to withdraw the following items from this meeting agenda:

- i. Agenda Item 4 – Petitions
- ii. Agenda Item 5 – Approval of the minutes of the last Council meeting
- iii. Agenda Items 7 and 8 – Questions from councillors
- iv. Agenda Item 9 – Decisions taken under Urgency Procedures
- v. Agenda Item 11 – Motion in the name of Councillor Power
- vi. Agenda Item 12 – Motion in the name of Councillor Williams
- vii. Agenda Item 13 – Noting changes to committee membership

b) so that questions submitted by citizens for response at this meeting receive a written response.

32 Questions from citizens

As agreed under minute reference 31, questions submitted by citizens received written responses. A copy of the responses is attached to these minutes.

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

The Chief Executive reported that, following the death of Queen Elizabeth II on 8 September 2022, Books of Condolence had been placed in the Council House, Loxley House, Clifton Cornerstone, Bulwell Riverside and Dales Library; flags had been flying at half-mast and crowds had gathered in the Old Market Square on 11 September to hear the Lord Mayor read the formal proclamation in the presence of the Lord Lieutenant, the High Sheriff, the Sheriff and other civic dignitaries. This proclamation announced the accession that took place immediately upon the death of the reigning Monarch and provided an opportunity for people to come together and reflect on the life of the country's longest-serving Monarch and hear the accession to the throne of King Charles III.

Councillor Wendy Smith, Lord Mayor, and Councillor David Mellen, Leader of the Council, spoke in tribute to Queen Elizabeth II and this was followed by tributes from Councillor Kevin Clarke, Leader of the Nottingham Independents Group, and Councillor Andrew Rule, Leader of the Conservative Group. Councillors Rebecca Langton, Michael Edwards, Ethan Radford, Angharad Roberts, Cheryl Barnard, Eunice Campbell-Clark, Graham Chapman and Maria Watson then spoke. Councillors spoke about the Queen's commitment to public duty, and her service to the country and the Commonwealth over many years including periods of significant change. Councillors also recalled her visits to Nottingham including to celebrate her Silver and Diamond Jubilees, to open the Queens Medical Centre hospital site and University of Nottingham Jubilee Campus and to mark the centenary of Nottingham as a city.

A minute's silence was held.

34 Review of Nottingham City Council Late Night Levy Scheme

Councillor Audrey Dinnall, Chair of the Licensing Committee, presented a report proposing that Council revoke its Late Night Levy Scheme, as recommended by the Licensing Committee following consultation carried out in accordance with the relevant Regulations. The proposal was seconded by Councillor Neghat Khan.

Resolved to:

- (1) revoke and cease to apply the Late Night Levy Scheme from the end of the current levy period on 31 October 2022; and**
- (1) authorise the Director of Community Protection to carry out all statutory requirements relating to the notification of this decision.**

The Meeting concluded at 3.35 pm

City Council - 31 October 2022

Report of the Leader of the Council, Councillor David Mellen

Corporate Director/ Director: Sajeeda Rose, Corporate Director for Growth and City Development

Report Author and Contact Details: James Schrodel, Policy and Performance Manager

Title: Devolution Deal – Draft Proposal for an East Midlands Combined County Authority

Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Working	<input checked="" type="checkbox"/>
Carbon Neutral by 2028	<input checked="" type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input checked="" type="checkbox"/>
Improve the City Centre	<input checked="" type="checkbox"/>
Better Housing	<input checked="" type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 On 30 August 2022, Nottingham City Council, Derbyshire County Council, Derby City Council, and Nottinghamshire County Council (“four upper tier councils”) signed a £1.14 billion devolution deal with the Government. The signing of the deal will, subject to relevant approvals, consultation, and primary and secondary legislation passing through Parliament, establish the first ever Mayoral Combined County Authority in the country. This would mark a significant step forward for the region, addressing years of historical low investment in the area whilst providing a platform for accelerated growth.
- 1.2 In order to progress the area’s devolution deal, under the Levelling-up and Regeneration Bill, a consultation is required on the draft East Midlands Combined County Authority (EMCCA) Proposal (‘the Proposal’).
- 1.3 Following consultation, the four upper tier councils will need to submit their final Proposal to Government, which will take account of the outcome of the consultation, and which, if appropriate, formally proposes the creation of the EMCCA.

- 1.4 Council is asked to approve the draft Proposal and agree to formally consult upon it with the residents and other stakeholders of Nottingham and the wider EMCCA area for a period of 8 weeks between November 2022 and January 2023.
- 1.5 It is anticipated that a further meeting of Council in or around March 2023 will consider the results of the consultation and agree whether or not to formally submit the final Proposal to Government.

2. Recommendations

That Council agrees to:

- 2.1 approve the draft Proposal attached at Appendix 1 to this report to create an East Midlands Combined County Authority (EMCCA) for the areas of Nottingham City, Derbyshire County, Derby City, and Nottinghamshire County;
- 2.2 formally consult upon the draft Proposal with the residents and other stakeholders of Nottingham and the wider EMCCA area, in partnership with Derby City Council, Derbyshire County Council and Nottinghamshire County Council;
- 2.3 the approach to the consultation as set out in Appendix 2 to this report; and
- 2.4 delegate authority to the Chief Executive to approve any typographical or technical amendments to the draft Proposal which the Chief Executives of the other three Councils also agree on, on behalf of Nottingham City Council prior to the commencement of consultation. This delegation is to be exercised in consultation with the Leader of the Council and is conditional upon such amendments being agreed by all four upper tier Council Leaders.

3. Reasons for recommendations

- 3.1 In order to commence the process for creation of a Mayoral Combined County Authority covering Nottingham, Derbyshire, Derby, and Nottinghamshire in accordance with the Levelling-Up and Regeneration Bill.
- 3.2 To ensure that consultation is undertaken and comments are sought from stakeholders and are considered prior to approval of the final Proposal for submission to Government.
- 3.3 To enable any necessary amendments to be made to the Proposal and avoid any delay in commencing the consultation.

4. Other options considered in making recommendations

- 4.1 Not to approve the draft Proposal, however this is not proposed because to allow for the maximum amount of devolved powers and funding (a “Level 3” deal), the Government’s policy requires that a Mayoral Combined County Authority must be established in the area.
- 4.2 Not agreeing to consult upon the Proposal or delaying consultation. Both these options have been rejected as failure to consult would mean that a key requirement of the Levelling up and Regeneration Bill was not met and that the Proposal could not

be put forward to Government, preventing the delivery of the significant additional funding and powers that devolution and the creation of an EMCCA would bring.

- 4.3 The timeline to create a Mayoral Combined County Authority by Mayoral elections in May 2024 requires a consultation on the Proposal to be completed by early January 2023. Any delay would not allow for the area to meet this timeline.
- 4.4 There is no guarantee that a devolution deal and the associated funding would be available to the area in the same way in the future.

5. **Consideration of Risk**

- 5.1 There is the usual risk that the relevant provisions of the Bill may be subject to change prior to Royal Assent. However, the four upper tier Councils will remain in close dialogue with Government to understand any impacts this may have and ensure that the Councils are in the best position to respond to them as the Bill progresses.
- 5.2 In addition, there are two potential risks which merit highlighting at this point:
 - (i) that the precise range and scope of transport powers to be devolved or how they may be exercised by the CCA and/or the Mayor, may not have been fully determined by the date of this report. At the time of publication, work is ongoing to resolve this issue but in the event that by the date of the first of the upper tier Council meetings, there remain any outstanding issues a delegation is sought to enable the Chief Executives to make any technical amendments required after the date of the Council meetings in consultation with the Leader of their Council and subject to all four upper tier council Leaders being in agreement. However, it should be recognised that the general scope and remit of the powers will remain limited by reference to the areas set out in the deal document signed between the Councils and Government in August 2022 and will not seek to confer powers outside those general areas, and
 - (ii) in respect of the proposed East Midlands Development Corporation, and the proposed Freeport, and possibly the new Investment Zones; all of these entities, as well as the CCA, are focussed at least to an extent on improving inward investment into the East Midlands, and on regeneration. This means that they have the potential to have overlapping areas of competence and interest. At the moment it is unclear how the relationship between them all will operate but Government are clear that there will need to be streamlined and integrated governance arrangements in place, and accordingly the Constituent Councils (and in time the Mayor and CCA) will engage with the organisations involved in each of the Development Corporation, Freeport and emerging Investment Zones to ensure that agreement can be reached which will best benefit the areas in question using the most appropriate powers and organisation to do so.

6. **Background (including outcomes of consultation)**

- 6.1 In February 2022, the Government published its White Paper on [Levelling Up](#), a significant set of proposals which look to address geographical disparities in funding, productivity and growth across England.

- 6.2 The resulting draft legislation – the Levelling-up and Regeneration Bill – will (subject to its passage through Parliament and Royal Assent) allow for the creation of new Combined County Authorities that require the agreement of upper-tier Local Authorities.
- 6.3 Securing a devolution deal has been a long-standing ambition for leaders in Nottingham, Derbyshire, Derby, and Nottinghamshire, in order to address the lasting impact caused through decades of under-funding (when compared to other areas). The deal also provides the chance to exploit strategic opportunities such as the East Midlands Freeport and Development Corporation as well as tackle persistent and systemic deprivation which drive significant inequalities in some parts.
- 6.4 The four upper tier councils agreed to cooperate at pace on the creation of a new devolution deal that would cover the D2N2 LEP area by establishing a Mayoral Combined County Authority.
- 6.5 A devolution deal was agreed between the four upper tier councils in the area, and the Government, on 30 August 2022.
- 6.6 A Proposal for consultation has been developed, as shown in Appendix 1, which sets out the context, vision and priorities for the new EMCCA - “Our vision is for the 2.2 million people who live and work here to enjoy better health, greater prosperity, and an increased sense of wellbeing through the opportunities available to them within an inclusive and competitive CCA Area at the heart of the country”. Four priority areas have been put forward to support delivery of the vision – homes, skills, transport and net zero (reducing carbon emissions).
- 6.7 If a consultation on the Proposal is agreed by all four upper-tier councils, then the results of the consultation will be considered when the Councils are asked to agree the final Proposal for submission to government in the first quarter of 2023.
- 6.8 The establishment of an EMCCA would result in a significant uplift in the powers and funding available to the area. It would mean at least an additional £1.1 billion of investment in the area’s economy over the next 30 years. It would create a directly elected mayor across the East Midlands area to champion its interests, deliver on local priorities and provide greater local accountability and decision-making power, working in partnership with the CCA and its Constituent Councils, and more widely with other public service providers including district and borough councils.
- 6.9 With a population of 2.2 million residents and a GVA of over £50.5 billion, the East Midlands area offers enormous potential. It has over 88,000 businesses providing over 930,000 jobs. It is a coherent economic area and has a number of significant sectors with potential for growth, including advanced manufacturing, engineering, clean energy, logistics, creative and digital, health and pharmaceuticals, education, wholesale and retail trade.
- 6.10 The devolution deal and the EMCCA (if established) will provide the area with:
- Control of a £38 million per year allocation of investment funding over 30 years (50% capital, 50% revenue), to be invested by East Midlands CCA to drive growth and take forward its priorities over the longer term.

- New powers to improve and better integrate local transport, including the ability to introduce bus franchising, control of appropriate local transport functions, e.g. local transport plans, and control of a Key Route Network.
- An integrated transport settlement starting in 2024/25.
- A commitment to explore a local partnership with Great British Railways so that the EMCCA mayor can help to shape and improve the local rail offer.
- New powers to better shape local skills provision to meet the needs of the local economy, including devolution of the core Adult Education Budget, as well as input into the new Local Skills Improvement Plans.
- New powers to drive the regeneration of the area and to build more affordable homes including compulsory purchase powers and the ability to establish Mayoral Development Corporations.
- Over £17 million for the building of new homes on brownfield land in 2024/25, (at the time of writing subject to sufficient eligible projects for funding being identified).
- £18 million capital funding in this Spending Review period (up to 2024/25) to support the delivery of housing priorities and drive Net Zero ambitions in the East Midlands area. This investment is subject to agreement of the relevant business cases.
- A key role in planning and delivering the East Midlands area allocation of the UK Shared Prosperity Fund (UKSPF) from 2025/26.
- The integration of D2N2 Local Enterprise Partnership into the East Midlands CCA. This will ensure there continues to be a strong and independent local business voice which informs local decision making and strategic economic planning. In absorbing the role and functions of D2N2 LEP, the East Midlands CCA will deliver a number of functions on behalf of central government departments.
- A commitment to developing, in partnership with the Government, an arrangement which ensures close cooperation with the Police and Crime Commissioners (PCCs).
- A commitment from the Government to work with the region to explore initiatives that improve delivery of public services jointly with Constituent Councils such as how best to support residents with multiple, complex needs.
- A key leadership role for the mayor in local resilience and civil contingency planning, preparation and delivery.

6.11 It is proposed that the Combined County Authority (CCA) will be known as the East Midlands Combined County Authority. It would cover the geographical areas of the Nottingham City, Derbyshire County, Derby City, and Nottinghamshire County Councils, which together form the Constituent Councils of the CCA.

6.12 The CCA will have up to 17 Members in total, comprising:

- The directly elected Mayor;
- 8 Constituent Members (Members appointed by the Constituent Councils, with each Constituent Council appointing 2 Members);
- 4 Non-Constituent Members nominated by the District and Borough Councils within the Area (with 2 Non-Constituent Members to be nominated by Derbyshire District and Borough Councils, and 2 Non-Constituent Members to be nominated by Nottinghamshire District and Borough Councils);
- A key area of focus for the CCA will be economy, industry and business, where Government are clear that the independent business voice for the Area must be

given sufficient prominence in governance arrangements. As a result consideration is being given to appointing either a Non-Constituent or Associate Member who can represent the views of business on the CCA.

- Up to three further Non-Constituent or Associate Members. These three further Memberships will not be nominated/appointed to initially. It will be for the CCA to determine whether the three additional Memberships will be used, and if so, what interests those Memberships should seek to represent on the CCA.

6.13 The CCA will have a directly elected Mayor who will be elected by the voters within the CCA Area. The Mayor will be a Member of the CCA, as well as having a number of powers and functions which may be exercised exclusively by the Mayor.

6.14 In order to deliver the ambitions for the area, the constituent councils will seek to organise the resources of the CCA in the best possible way. Work is currently underway to define the 'Operating Model' for the EMCCA which will describe how it will work, the functions, people, processes, systems and organisational structure.

6.15 Councillors from each of the four upper tier councils and the District and Borough Councils across the area and key partners have been engaged during the early phases of deal development. The consultation will enable wider consultation with businesses, voluntary and community sector, other stakeholders and residents.

6.16 Active steps will be taken to encourage participation and to ensure that the consultation is accessible to all (including, for example, the digitally disadvantaged, those with protected characteristics).

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

7.1 The creation of the EMCCA will lead to substantial additional funding being made available to be spent within the combined authority area on a range of different projects and schemes that will help promote economic growth and improve outcomes for residents.

7.2 In order to fund the creation and operation of the mayor and combined county authority structures, funding has been secured as part of the deal from central Government to cover the financial years 2023/4 and 2024/5. In addition, the Mayor has powers to issue a precept and impose a levy, and the CCA has powers to borrow. In practice it is expected that the running costs of the CCA will be met by either continued central Government support or with funding from the Constituent Councils. It is difficult to estimate whether any government funding will be sufficient and that will partly depend on the design of the operating model for the combined county authority which will not be completed until the outcome of the consultation is known. When there is greater clarity on any potential contribution required there will be a need to recognise this additional cost and individual council approval will be sought, if necessary, at that time.

8. Legal colleague comments

8.1 The Levelling Up and Regeneration Bill ("the Bill") seeks to establish a new type of combined county authority. This is distinct from a combined authority that can be created under the Local Democracy, Economic Development and Construction Act 2009. Whilst the Council agreed a devolution deal with Government, the creation of a new combined county authority is subject to public consultation, the passage and coming into force of the combined county authority provisions in the Bill, the consent

of the Constituent Councils affected to submit a formal Proposal to Government and approval of secondary legislation.

- 8.2 It is not necessary for the Council to wait for the Bill to receive Royal Assent prior to commencing consultation; clause 42 makes it clear that consultation requirements may be satisfied by things done before that clause comes into force.
- 8.3 The Gunning principles set out the common law principles to be observed when undertaking consultation. *R v London Borough of Brent ex parte Gunning* [1985] 84 LGR 168 established these principles, which set out that a consultation is only lawful when these four principles are met:
- a) Proposals are still at a formative stage - A final decision has not yet been made, or predetermined, by the decision makers.
 - b) There is sufficient information to give 'intelligent consideration' - The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.
 - c) There is adequate time for consideration and response - There must be sufficient opportunity for consultees to participate in the consultation. In the absence of a prescribed statutory period, there is no set timeframe for consultation, though it is considered that an eight week consultation period is sufficient in this case.. The adequacy of the length of time given for consultees to respond can vary depending on the subject and extent of impact of the consultation.
 - d) 'Conscientious consideration' must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account.
- 8.4 In coming to a decision, the Council should also have regard to the Public Sector Equality Duty (PSED) under the Equality Act 2010. The PSED requires public authorities to have "due regard" to:
- The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010 (section 149(1a)).
 - The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (section 149(1b)). This involves having due regard to the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic (section 149(3)(a));
 - or take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it (section 149(3)(b)); and
 - or encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low (section 149(3)(c)).
- 8.5 An Equality Impact Assessment has been prepared and is appended to this report. The Council must have due regard to this report to ensure that it is satisfied that any adverse impact and the proposed mitigation allows it to meet the legal obligations set out above.

9. Other relevant comments

- 9.1 **HR Comments** – At this stage of the proposal to develop a Combined County Authority there are no direct HR implications arising from this report and the consultation exercise for which approval is sought. Staff and Trades Unions are two of the stakeholder groups which will be invited to participate in the consultation process and their views will be taken into account along with all of the consultation responses at the next stage. Any potential future HR impacts will be managed in accordance with established HR policies and procedures at each of the affected Councils and at the LEP in the event that integration of the LEP into the EMCCA proceeds in accordance with Government expectations, draft guidance and the emerging Bill.

10. Crime and Disorder Implications (If Applicable)

- 10.1 N/A

11. Social value considerations (If Applicable)

- 11.1 N/A

12. Regard to the NHS Constitution (If Applicable)

- 12.1 N/A

13. Equality Impact Assessment (EIA)

- 13.1 Has the equality impact of the proposals in this report been assessed?

No

☐

Yes

☒

An initial draft equality impact assessment (EIA) has been completed in respect of the Proposal. It is attached as Appendix 3 and due regard must be given to any implications identified in it. The EIA will continue to be evaluated and updated as necessary throughout and following conclusion of the public consultation.

14. Data Protection Impact Assessment (DPIA)

- 14.1 Has the data protection impact of the proposals in this report been assessed?

No

☐

Yes

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The consultation on the draft Proposal to create the EMCCA does not in itself require a DPIA to be carried out. However, a DPIA has been conducted in respect of the commissioning of external consultants to assist with the consultation exercise and how any data associated with that exercise may be held, processed, stored and destroyed. It is anticipated that a privacy notice will be published along with the consultation documents to provide further information for consultees about this. If a decision is taken to submit a proposal to Government next Spring, work is likely to be required to consider what sort of data may need to be shared with or transferred to the new EMCCA body in order for it to fulfil its future functions.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because:

The decision to consult the public and stakeholders about the establishment of an EMCCA will not in itself directly affect carbon emissions in a material way. If subsequently established, it is anticipated that the EMCCA will develop its own plans and strategies to reduce carbon emissions which will be subject to its own approval processes and approaching the issues from a wider strategic and geographic position may beneficially impact the development of more consistent and measurable carbon reduction measures.

Yes



16. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

16.1 N/A

17. **Published documents referred to in this report**

17.1 [White Paper on Levelling Up](#)

17.2 [Levelling-up and Regeneration Bill](#)

17.3 [East Midlands Devolution Deal](#)

Councillor David Mellen
Leader of the Council

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East Midlands Combined County Authority - Draft Proposal

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Defined Terms:

CCA	Combined County Authority
Constituent Councils	Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council
EMCCA	East Midlands Combined County Authority
the Deal	East Midlands Devolution Deal signed on 30 August 2022
Functional Economic Area	FEA - areas that share a number of similar economic factors with boundaries that ideally reflect the drivers of the local economy
GLA	Greater London Authority
LEPs	Local Enterprise Partnerships
MCA	Mayoral Combined Authority
The Area	The Area covered by the proposed East Midlands Combined County Authority
Local Enterprise Partnerships	LEPs - partnerships between local authorities and businesses to help determine local economic priorities and undertake activities to drive economic growth and create local jobs.

Executive Summary

This document sets out our Proposal recommending a Combined County Authority (“CCA”) model of local government. It has been prepared by the four upper tier councils of Derbyshire, Nottinghamshire, Derby, and Nottingham, working collaboratively with Derbyshire and Nottinghamshire district and borough councils.

Context

The CCA Area benefits from having two cities, large towns and rural areas, and being home to key giants of industry, such as Toyota UK, Rolls Royce, Alstom and Boots, with expertise in aerospace, rail, life sciences, energy and strong transport links. The Area contains three world class universities, which provide centres of research excellence, and is home to major tourist attractions such as the Peak District National Park, the National Forest, and Sherwood Forest. There are ambitions to maximise strategic opportunities presented through the East Midlands Freeport and the East Midlands Development Corporation, and to capitalise on the recent announcement that Nottinghamshire will host what is hoped to be the world’s first commercial prototype fusion energy plant.

However, alongside this, the CCA Area also experiences persistent and systemic deprivation, with 219,600 people living within the most deprived 10% of areas across England. In other parts of England, people on average live 15 years longer in good health than people living in Nottingham, which has one of the lowest Healthy Life Expectancies across England. Educational attainment varies considerably, with the CCA Area containing some of the worst performing areas across England at all levels of education and 13 out of 17 local authority areas within the Area identified as ‘social mobility cold spots’.ⁱ

The Deal

Securing a devolution deal has been a long-standing ambition for the Area, in order to address the lasting impact caused through decades of under-funding. The publication of the Government’s Levelling Up and Regeneration White Paper (the “White Paper”) and the announcement that Derbyshire, Nottinghamshire, Derby and Nottingham would form the first wave of county deal pathfinders, has been the catalyst for accelerated joint working across the CCA Area, providing a once in a lifetime opportunity to translate our ambitions into reality.

More Funding, More Control, A Brighter Future.

Our vision is for the 2.2 million people who live and work here to enjoy better health, greater prosperity, and an increased sense of wellbeing through the opportunities available to them within an inclusive and competitive CCA Area at the heart of the country.

Our four priority areas to help us deliver this vision are:

- 1. Our homes - we will work with local authorities, landowners, developers and the full range of housing providers to create affordable, good quality housing options and to retrofit existing homes to be more environmentally sustainable.**

Our devolution deal will help us deliver this through:

- £16.8 million of devolved capital funding in 2024/25 to support the building of new homes on brownfield land
- £9 million housing capital funding to support the delivery of housing priorities

- New, broad powers to acquire and dispose of land to build houses, commercial space and infrastructure, for growth and regeneration
2. **Our skills - we will work collaboratively with employers, skill providers and local authorities to ensure our citizens have the opportunity to develop key skills and access opportunities to work well and build fulfilling careers. This will also help the creation of a strong and sustainable local economy.**
- Our devolution deal will help us deliver this through:
- Holding the Adult Education Budget (AEB) from academic year 2025/26
 - Owning the ability to set allocations and outcomes to skills providers
 - Supporting and shaping the Local Skills Improvement Plan (LSIP) for the Area
3. **Our transport infrastructure - we will work with transport providers inside and outside the CCA Area to develop our collective infrastructure and create the best possible public transport system for our citizens, reflecting the strengths already within Constituent Councils to set our aspirations.**
- Our devolution deal will help us deliver this through:
- A devolved integrated local transport budget for the CCA Area including for bus and tram services
 - An additional £500,000 of revenue funding in both 2023/24 and 2024/25
 - The ability to accelerate the delivery of smart, integrated ticketing across all local modes of transport in the Area
 - The opportunity to coordinate a Key Route Network (a collection of the most important local authority roads within the Area) across the Area
 - Mass transit opportunities, including integrating and potentially expanding the NET tram system, in support of the East Midlands HS2 Growth Strategy
4. **Our net zero ambition - we will work across the Area to lead the way in moving from fossil to fusion and play our part in achieving our national ambition to achieve net zero by 2050. Our ambition is that the CCA Area will be a leader in pioneering new forms of clean energy generation and will act as an exemplar for climate change adaption.**
- Our devolution deal will help us deliver this through:
- An investment in the CCA Area of £9 million via a Net Zero capital funding pot
 - The opportunity to increase the Area's electricity network capacity
 - The opportunity to explore the establishment of heat network zoning in England to decarbonise heating and hot water within the zone
 - The potential for increased investment from the UK Infrastructure Bank

The four priority areas set out the purposes to be achieved by the establishment of the Combined County Authority. This Proposal outlines in more detail how we will achieve our purposes, and sets out the powers and funding which we will use.

The four upper tier Councils, together with Government, the Area's fifteen district and borough councils, and other key stakeholders such as the LEP, have been working together to achieve a devolution deal which will seek to establish the first ever Mayoral Combined County Authority - this gives access to the greatest levels of both powers and funding through devolution.

Our Principles

Our deal is founded on the four principles for levelling up as set out in the White Paper:

1. Principle one: **Effective leadership** with a directly elected Mayor across the Area.
2. Principle two: **Sensible geography** - the CCA Area covered by this devolution deal has one of the most functional, self-contained economic geographies in the country - 92% of workers live in the Area and 87% of residents work in the Area.
3. Principle three: **Flexibility** - the Deal recognises the unique needs and ambitions of the Area in its governance and programme.
4. Principle four: **Appropriate accountability** - the Constituent Councils have committed to developing a Constitution and Assurance Framework that will confirm, clarify and formalise the intention of institutions and local leaders to continue to be transparent and accountable, work closely with local businesses, seek the best value for taxpayers' money and maintain strong ethical standards.

Additionally, the Constituent Councils have developed and agreed a further four principles:

5. Principle five: **Inclusivity** - the Constituent Councils have committed to creating as inclusive a model of governance as possible, in pursuit of agreed outcomes. Devolution of power and responsibilities will be to the Constituent Councils, however, the importance of the continued role of the eight Derbyshire and seven Nottinghamshire district and borough councils will be respected.
6. Principle six: **Subsidiarity** - the CCA will perform a role that adds value to existing governance arrangements - primarily focused on strategic place shaping functions such as plan making and strategic commissioning. The CCA will not create an additional layer of governance, but instead will bring the governance that currently sits at national government level down into the East Midlands, much closer to businesses and communities. Place making functions will be delivered through the existing local planning authority arrangements that are better placed to deliver functions for which they are statutorily responsible and as close to communities as is practicable.
7. Principle seven: **Commissioning** - The CCA will develop strategy across the geography, dealing with issues as diverse as economic growth and nature recovery. Programmes of interventions will be developed against these strategies.
8. Principle eight: **Choice** - The preferred governance model for the CCA will identify a mechanism for including district and borough councils in the geography. This model will respect the existing sovereignty of these lower tier local authorities. Individual councils will also be able to continue to exercise choice about participation at sub-CCA tiers of partnership working.

The principles have been reflected in the governance arrangements outlined in this proposal, ensuring that effective and convenient local government is delivered for the Area, in a way which is reflective of the identities and interests of local communities.

The new CCA model will be subject to the Combined County Authority provisions in the Levelling Up and Regeneration Bill, which is currently progressing through Parliament, receiving Royal Assent.

How the Deal will help our Area

The devolution deal provides **unprecedented opportunities** for the Area to improve the economic, social and environmental well-being of the people who live and work in the area including:

- The **largest investment fund** in the country - **£38 million p/a** over the next 30 years - with a total guaranteed funding stream of **£1.14 billion** to help level up the Area
- The ability for **local voices to play a greater role** in setting and delivering to the Area's priorities
- Local control over a range of budgets like the Adult Education Budget, so that we can **target our spend** to the needs of people in our communities
- Local powers to **tackle challenges specific to our Area** and harness its true economic potential, for the benefit of everyone who lives and works here
- A new Mayor for the Area to give us a **bigger voice, more influence, and a higher profile** to make a strong case to the Government for more investment in the Area.
- Working more effectively on a larger scale across council boundaries, further strengthening **partnership working across and between our counties and cities**.

1 Introduction

On 30 August 2022, the four upper tier councils of Derbyshire, Nottinghamshire, Derby, and Nottingham signed a £1.14 billion devolution deal with the Government. The signing of the deal, will, subject to relevant approvals, consultation, and primary and secondary legislation passing through Parliament, establish the first ever Combined County Authority (CCA) in the country. This marks a significant step forward for the region, addressing years of historical low investment in the area whilst providing a platform for accelerated growth.

With a population of 2.2 million residents and a GVA of over £50.5 billion, the CCA Area has enormous potential. Home to more than 74,000 businesses providing over 940,000 jobs, the Area has a number of key sectors with significant potential for growth, including advanced manufacturing, engineering, clean energy, logistics, creative and digital, health and pharmaceuticals, health and education, wholesale and retail trade.

However, the Area also faces challenges which impact on productivity levels and the ability to grow. Productivity lags behind the UK average, requiring a 14.6% increase to close the gap, and public spending per person has historically been below the UK average. There are areas within the CCA Area with high levels of poverty and poor social mobility.

Combined Authorities in other areas, such as South Yorkshire, Greater Manchester and the West Midlands, have seen significant benefits of greater progress and stronger economic performance as a result of their devolution deals, leaving the East Midlands behind. Now we have the opportunity to access greater local powers and funding to both tackle identified challenges and to harness the huge economic opportunity present in the Area.

A devolution deal for the Area is now critical, not only in strengthening local leadership to act more flexibly and innovatively to respond to local need, but also in taking concerted action to improve outcomes relating to transport, skills and regeneration.

The devolution framework places a strong emphasis on the importance of high profile, directly elected local leadership, strong local governance, and joint working across sensible and coherent economic geographies. The most comprehensive and ambitious package is a Level 3 deal, for areas with a single institution over a sensible geography, with the strongest and most accountable leadership.

Combined County Authorities are a new model of devolution outlined in the Levelling Up and Regeneration Bill, which is currently progressing through Parliament. Establishing a CCA is a formal, legal step, allowing upper tier councils across the region to work more closely together in a more structured way. A CCA for the region - a Combined County Authority with a directly elected mayor, would be a new statutory authority created to lead collaboration between councils and would act as the recipient of powers and funding from Government.

The creation of the CCA will not result in the merger or take-over of councils in the Area nor will it require individual councils to give up their powers, except in the specific area of transportation, where some powers will be transferred from the upper tier authorities to the CCA. Cooperation in transport matters between the CCA and the councils will also continue into the longer term with certain powers to be held concurrently moving forward to enable the parties to work together effectively in the years ahead. The CCA will work as one democratically accountable body on key priorities such as economic development,

regeneration and transport, enhancing the investment capability of the CCA Area and individual authorities to support growth including in areas such as housing. The CCA will seek to:

- Reduce duplication and provide more efficient services
- Create a stronger basis for bidding for Government funding
- Make best use of public spending
- Speed up decision-making

Whilst the devolution of power and responsibilities will be to the two upper tier and two unitary authorities, the deal respects the importance of the continued role of the eight Derbyshire and seven Nottinghamshire district and borough councils whose powers and functions remain intact and who will also have specified consenting rights in respect of the exercise of some powers by the CCA and/or Mayor. Some powers and functions of local authorities will be exercised concurrently by the CCA/Mayor with the upper tier authorities.

We are very much at the start of our devolution journey and, whilst our initial focus will be on our four priorities of Net Zero, Housing and Land, Skills and Education and Transport, we are ambitious for the future - already identifying areas within the Deal and on other issues and priorities which we know are important for our Area, where we wish to extend its future scope.

Over the coming months we will be looking to work more closely with Government and partners on a range of priority areas such as domestic violence, social mobility and tourism. As we move forward over time, we will also look to secure additional powers and funding to support the delivery of associated programmes of activity.

Further detail on our plans is set out in this, our Proposal document.

2 Background and context

The CCA covers a large and diverse Area; encompassing the outstanding natural assets of Sherwood Forest and the Peak District, the UK's original National Park, the growing, vibrant cities of Derby and Nottingham and thriving, historic market towns such as Buxton, Chesterfield, Mansfield, Newark-on-Trent and Worksop, key centres for employment and services for both local residents and the environmentally rich rural hinterlands.

The two counties and two cities are geographically close and work closely together on many collaborative large-scale initiatives involving all sectors. The CCA supports the growing recognition that our extensive range of strengths and opportunities as a functional local area complement each other - ultimately we are stronger together.

Population

The proposed CCA Area will cover a population of more than 2.2 million peopleⁱⁱ. This is similar to:

- Greater Manchester combined authority, population 2.8 million
- West Midlands combined authority, population 2.9 million
- Sheffield City Region combined authority, population 1.4 million

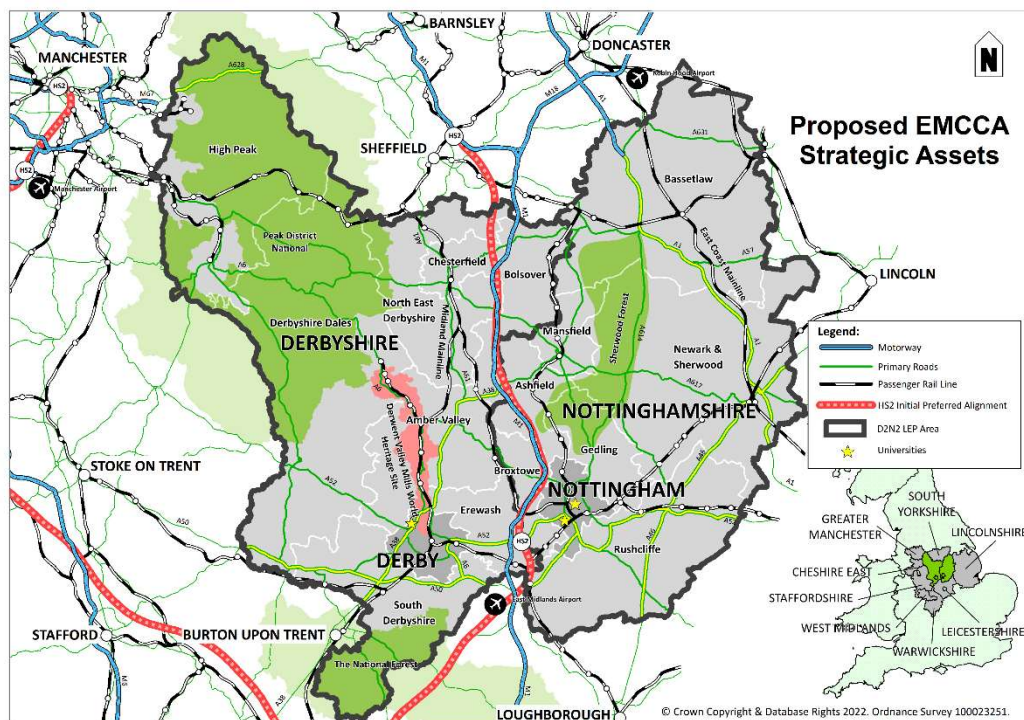
- West Yorkshire combined authority, population 2.3 million.

This will make the proposed CCA comparable in size to neighbouring combined authority areas. This Deal will play a key role in driving new economic, social and cultural opportunities to ensure the Area is better able to compete with other sub-regional economies.

Economy

The proposed combined authority economy is the 7th largest in England. It contributes £50.5bn in GVA to the UK economyⁱⁱⁱ. As the largest economy in the East Midlands, the proposed CCA area has the advantage of being located at the heart of the country, surrounded by major conurbations such as Greater Manchester and South Yorkshire to the north and Birmingham and Leicester to the south. In total, more than 10.8 million people live within easy reach of the proposed CCA area^{iv}.

The functional economic area (areas that share a number of similar economic factors with boundaries that ideally reflect the drivers of the local economy) has been strengthened through the D2N2 Local Enterprise Partnership, in place since 2011.



- The emerging East Midlands ‘Freeport’ is the UK’s only inland Freeport with different customs rules designed to attract national and international investment. The freeport straddles three of the East Midlands counties including Leicestershire, Nottinghamshire and Derbyshire. The sites are strategically located with strong existing road and rail freight infrastructure connecting them to most other parts of the country more efficiently and quicker. There is significant room for growth across the sites which are strategically connected to regenerate key areas of deprivation.
- Three enterprise zones at Markham Vale, Derby Infinity and Nottingham Boots site.
- Nottingham Express Transit tram system

Business & Manufacturing

The proposed CCA Area has an employment base of 944,000 people^{vi} with 74,100 businesses, including 340 large employers^{vii}. The Area benefits from an exceptionally strong advanced manufacturing base and a well-developed innovation ecosystem. The manufacturing sector generated £8.9bn GVA in 2020 ranking 1st in England^{viii}.

The Area is a world leader in transport equipment manufacturing based on strong innovation and manufacturing expertise clustered around Derby and home to globally significant aerospace, automotive and rail manufacturers such as Toyota, Rolls Royce, Alstom, and their significant local supply chains.

Nuclear technology is also significant in Derby given the presence of Rolls Royce’s small modular reactor and nuclear submarine business units, plus the new Nuclear Advanced Manufacturing Centre and Nuclear Skills Academy facilities on Infinity Park. The announcement that Bassetlaw will host the world’s first nuclear fusion plant gives us a unique opportunity to build an even stronger global reputation in nuclear technologies.

The third largest life sciences cluster in the UK is anchored by Boots, MediCity and BioCity in Nottingham. The digital tech cluster focused around Nottingham’s Creative Quarter has grown by 35% between 2015 and 2020^{ix}. The proposed National Rehabilitation Centre at Stanford Hall should open by the end of 2024. The intention is to develop a national network for rehabilitation research, data, information and analytics. The centre will bring together research, innovation, education and training alongside clinical practice to transform outcomes for people who have suffered potentially life changing injury, trauma or illness and improve their quality of life.

Our strong science and innovation ecosystem is underpinned by the Area’s three major universities, (Nottingham, Nottingham Trent and Derby), six science parks and fifteen innovation centres/ incubators). Research strengths supporting our green recovery include Bio and Environmental Sciences, Renewable Energy and Sustainability.

Outside our two major cities, the businesses and activities located in the Area’s districts and boroughs generate almost two-thirds of our GVA^x. The network of towns and rural economies house key manufacturing sites, major employers and thriving small businesses. These networks of towns, villages and wider rural areas are home to much of the area’s workforce too.

Some of the nation’s largest food manufacturers are based in the Area and use some of the raw materials produced by a progressive and diverse agricultural and horticultural

sector. Nottingham University's Sutton Bonington campus hosts world-leading facilities for biosciences and veterinary medicine. The state-of-the-art Smartparc facility in Derby promotes sustainable food production and will host a Food Manufacturing Technology Centre of Excellence.

In rural High Peak, well connected to Buxton, the Health and Safety Executive run a laboratory researching new methods in industrial safety, while the emerging digital and creative cluster around Glossop exemplifies the diversity of rural districts.

Factories who have pioneered modern methods of construction and modular housing, that have since been adopted by the wider market, can be found in Ilkeston, Worksop and South Derbyshire.

By stimulating greater levels of business diversification through building upon the distinctive sectoral strengths of the Area, we can encourage greater levels of international trade and investment.

Commuting

The proposed CCA Area is a highly functional economic geography, with a LEP ranking of 5 out of 38 for economic self-containment^{xi}. 92% of workers live in the Area and 87% of employed residents work in the Area. A number of local authorities have very high proportions of their residents working in the Area, including Ashfield, Mansfield, Gedling and Amber Valley, which all have more than 93% doing so. Whilst there is a large pool of available labour locally to provide businesses with employees, the Area will need to continue to deliver on great opportunities for work, housing and leisure in order to remain attractive to those who live and work here.

Housing

Across England, demand for housing has outpaced housing supply. This leads to increasingly unaffordable and, in some areas, unsuitable dwellings. The CCA Area, like much of the nation, has seen a shortage in housing supply. An estimated 9,200 homes a year are required to meet local need; yet over the last 5 years, an average of 8,500 homes a year have been completed. Based on these trends, we are likely to see a shortfall of over 6,500 homes over the next 10 years, which adds to the existing lack of supply. This is a big challenge, but also an opportunity for the EMCCA to drive growth through sustainable delivery of affordable and decent housing across the six Housing Market Areas (HMAs).

Parity of investment

For many years the wider East Midlands region¹ has not received the same levels of investment as have been experienced elsewhere in the country. The latest data for 2020-21 on public spending per person shows that the wider East Midlands region received the

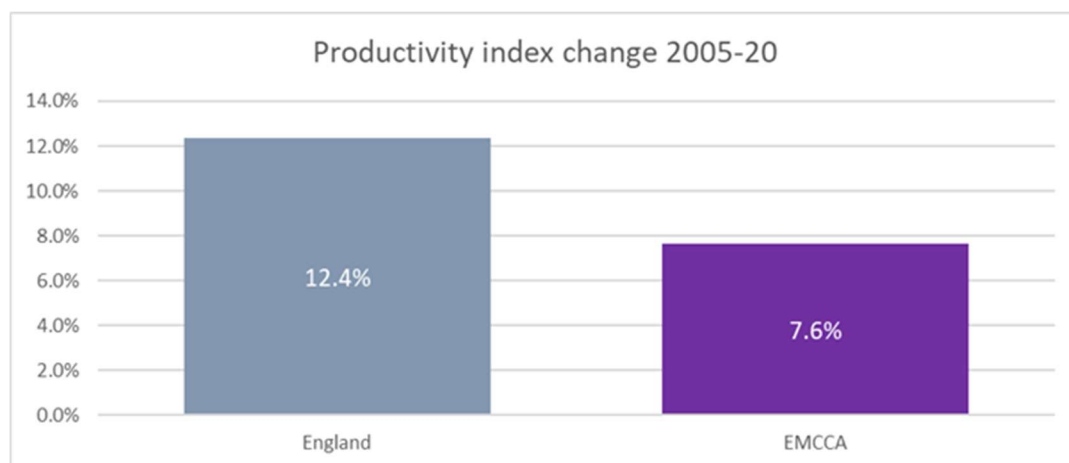
¹ The East Midlands is one of nine official sub-national divisions of England and is used for statistical and some administrative purposes. This region includes the areas Derbyshire, Leicestershire, Lincolnshire (except North and North East Lincolnshire), Northamptonshire, Nottinghamshire and Rutland.

lowest amount of any region and, at £12,113, was 8.0% lower than the England average and 5.7% lower than the neighbouring West Midlands^{xii}. The shortfall in identifiable public sector expenditure in the CCA Area for the top three functions - Economic Affairs, Health, and Social Protection - is estimated at £1.1 billion in 2020-21 alone^{xiii}.

When just focused on public capital spending (which is spending on physical infrastructure like roads, bridges, hospital buildings and equipment), the gap between the wider East Midlands region and England is even greater, at 25.0%. This has a huge impact on improving economic outcomes, which is fundamental to improving living standards, reducing inequalities and improving life expectancy.

Addressing productivity, skills and employment

Improvements in productivity can help lift wages and provide high quality jobs across all parts of the country. Across the proposed CCA Area there has been a long-standing gap in productivity when compared with national statistics for England. Additionally, over the last 15 years the productivity growth in the CCA Area has fallen behind that nationally by almost five percentage points. The EMCCA can support development of skills of the local population to boost greater levels of local resident participation in the workforce, enhancing both productivity and life chances overall.



Source: Gross Value Added (Balanced) per Head of Population at Current Basic Prices, Combined Authority, 2020, ONS © Crown Copyright

Prior to COVID-19, the proposed CCA Area's economy had performed well in terms of improving levels of economic growth, skills and higher value employment opportunities. Despite these improvements over the last decade there remains a significant gap in the overall performance of the CCA Area and that of England and there remains some fundamental challenges to be addressed:

- A loss of £4.5 billion in GVA during the first year of COVID-19^{xiv}
- Carbon emissions are 17.8% higher per capita than the UK average due to a high concentration of energy-intensive industries and industrial legacy^{xv}
- 23% of jobs in the Area will be affected by the transition to a net-zero carbon economy requiring the upskilling of 104,000 thousand workers^{xvi}
- Poor East-West and North-South connectivity by road and rail, with many areas suffering from transport isolation

- The Area has a low skill low wage economy with the average weekly pay of both residents and workplaces in the proposed Area being over 7% lower than the England average^{xvii}
- Over half (nine) of the proposed Area's local authorities rank in the bottom 25% (quartile) of all authorities across England on gross weekly workplace pay^{xviii}
- Lower than average labour market participation with the Area's (73.8%) employment rate falling below the England (75.1%) average. Twelve local authorities in the Area have an employment level lower than the England average^{xix}

In terms of levelling up measures there are significant differences between different District/Borough localities in the Area:

- Productivity, with three of the Area's local authorities having amongst the highest levels nationally in 2020 (South Derbyshire, Rushcliffe and Bolsover), but seven falling in the lowest performing, including Derbyshire Dales that ranked fourth bottom nationally.
- Workplace pay, with Derby in the best 30 local authorities nationally where weekly pay is around 15% higher than the England average, but nine of the Area's authorities amongst the lowest ranking nationally including five District/Borough areas (Bolsover, Derbyshire Dales, Gedling, Bassetlaw and Mansfield) where weekly pay is 15% or more below the England average.
- Employment rate, with four District/Borough areas in the best performing nationally, but seven in the worst, including Mansfield ranked third bottom.

Reducing wider inequalities

A regional devolution deal for the Area can support us to overcome this historical imbalance of spending at the local level and ensure that our Area gets the necessary boost in funding to address longstanding inequalities and support levelling up our communities.

The CCA Area experiences persistent and systemic deprivation, with 219,600 people living within the most deprived 10% of areas across England and significant differences in outcomes depending on where you live:

- In other parts of England people on average live 15 years longer in good health than people living in Nottingham, which has one of the lowest Healthy Life Expectancies across England^{xx}
- Educational attainment varies considerably, with the CCA Area containing some of the worst performing areas across England at all levels of education
- At the early years foundation stage, all four upper tier authorities fall below the England average on the expected level on early learning goals for 5-year-olds for communication and language, literacy and maths^{xxi}. This is particularly so for communication and language in Derby, literacy in Nottingham and maths in both Derby and Nottingham, where the levels are amongst the lowest for upper tier local authorities across England.
- The Area contains some of the poorest performing localities across England in terms of pupils attaining Maths and English at GCSE^{xxii}
- Fewer adults are qualified to NVQ level 3 or above than England (56.5%: 61.4% respectively)^{xxiii}

- 13 out of 17 local authority areas within the Area are identified as ‘social mobility cold spots’^{xxiv}
- Whilst the overall proportion of local authority housing deemed to be of a non-decent standard in the EMCCA area was at 2.2% in 2020-21, below the England figure of 5.0%, High Peak (17.4%) and North East Derbyshire (12.6%) had high levels. Bassetlaw (3.2%) also showed a figure above the EMCCA average.
- In terms of homelessness, both Derby (23.6%) and Nottingham (20.4%) had much higher proportions of households that were homeless or threatened with homelessness over the last year than nationally (11.7%). Relatively high levels in the EMCCA area were also evident in Chesterfield (12.7%), High Peak (10.5%) and Mansfield (7.7%).

Within the proposed EMCCA Area there is significant variation by local authority across the range of levelling up indicators. Measures showing the greatest disparity are:

- Adult attainment at NVQ level 3, with two of the Area’s local authorities amongst the best performing in England (Derbyshire Dales (69.5%) and Rushcliffe 67.5%), whilst seven are ranked in the worst performing, including Mansfield which in 2021 was the lowest of all local authorities across England at just 37.8%, over 20.0% below the England average (61.3%).
- Adult obesity - whilst Derbyshire Dales and Rushcliffe were in the best performing local authorities nationally, there were eight areas locally that were amongst those having the highest adult obesity across England, including Bolsover that ranked third bottom.

3 Our ambitions

More Funding, More Control, A Brighter Future.

We are proud of what we have achieved within our individual areas against the backdrop of historic under-funding, but are also aware of the challenges ahead of us. Our vision is for the 2.2 million people who live and work here to enjoy better health, greater prosperity, and an increased sense of wellbeing through the opportunities available to them within an inclusive and competitive CCA Area at the heart of the country.

Working collaboratively within a single Combined Authority will enable us to draw on our collective strengths of innovation and our drive for sustainability, to address our shared challenges of an increasingly competitive world and a changing climate. Doing so together means that we can use our joint resources more efficiently to deliver greater and more meaningful impact for our citizens. This is a particular priority for some of our more rural areas, to address historic challenges so that they can realise their potential and ‘level up’ with the rest of the Area’s geography.

Priorities

We have identified four key priority areas for long-term, targeted and strategic investment through the CCA. We have chosen these as we believe that a collective focus on improvements within them will transform our Area and the way our citizens experience living and working here.

To deliver this change, we will create a fully developed long term transformational funding programme covering all budgets for devolved functions (the “East Midlands Investment Fund”). This will include a new fund, provided by the Government, of £38 million a year fixed for 30 years which will be accountable to the EMCCA.

We will also work up further details with our business leaders and local authorities including investment priorities, operational characteristics and the opportunities for capturing third party contributions in due course^{xxv}.

Our four priority areas are:

1. Our homes - we will work with local authorities, landowners, developers and the full range of housing providers to create affordable, good quality housing options and to retrofit existing homes to be more environmentally sustainable.

The relevant authorities in the CCA Area have set out in their Local Plans and Housing Strategy documents their local housing priorities around brownfield remediation, housing quality and decarbonisation, and systems improvement to support local supported and specialised housing needs.

To respond to this, we will harness:

- £16.8 million of devolved capital funding provided to the EMCCA in 2024/25 to support the building of new homes on brownfield land.
- A £9 million housing capital funding pot to be spent by Constituent Councils by April 2023 to support the delivery of housing priorities
- New, broad powers for the EMCCA to acquire and dispose of land to build houses, commercial space and infrastructure, for growth and regeneration. Investing to deliver housing for the Area.
- Land assembly and compulsory purchase powers provided to the EMCCA for housing purposes, subject to the agreement of the Constituent Councils and, where applicable, the district/borough council(s) where the relevant land is located.
- The Mayor’s power to designate Mayoral Development Areas and to create Mayoral Development Corporations, which will support delivery on strategic sites across the CCA Area through drawing on existing work, subject to the agreement of local partners.
- Our work with Homes England to identify key opportunities for developing a housing delivery pipeline across the CCA Area.
- £918,000 of capacity funding to the Constituent Councils/East Midlands CCA across 2023/24 and 2024/25 respectively, to support development of a pipeline of housing sites.

2. Our skills - we will work collaboratively with employers, skill providers and local authorities to ensure our citizens have the opportunity to develop key skills and access opportunities to work well and build fulfilling careers. This will also help the creation of a strong and sustainable local economy.

Whilst the numbers of people in the CCA Area qualified to Levels 2 and 3 are above the England average, those qualified to Level 4+ are below the national average. Graduate retention is a challenge, with 35% to 39% of graduates from the Area’s three universities remaining in the East Midlands following graduation. There are significant

place-based variations in skills and productivity across the area's districts and boroughs.

The Area's workforce is more concentrated in lower skilled occupations than the national average. Over the next 10-15 years, slower growth in the working age population and significant technology-driven changes are likely to require increased adaptability and re-skilling by people who are already working as well as maximising the potential of young people entering the labour market. Despite unemployment being low, there are still communities and places where unemployment and economic inactivity remains high, with a growing number identified as having significant barriers to work.

To respond to this, we will harness:

- The Adult Education Budget (AEB), provided to the EMCCA from academic year 2025/26.
- The EMCCA's responsibility for making allocations to skills providers and for setting the outcomes to be achieved.
- The Local Skills Improvement Plan (LSIP) - will support and provide input into the LSIP for the area.
- Membership of the joint Department for Work and Pensions and Department for Education Mayoral Combined Authority Advisory Group.
- Regular engagement with the regional Employer and Partnership team in Jobcentre Plus, and strategic labour market partnership teams.

3. Transport - we will work with transport providers inside and outside the CCA Area to develop our collective infrastructure and create the best possible public transport system for our citizens, reflecting the strengths already within Constituent Councils to set our aspirations.

The Area approaches this devolution deal from a different position to many devolution deal areas, where local transport services were already managed across the devolution area prior to the creation of their devolved authorities. This means there will be a one-year transition period, following the election of the mayor, before some public transport functions are transferred and beyond that in the case of the Nottingham Express Transit tram system. In our Area, we experience poor East-West and North-South connectivity by road and rail, with many areas suffering from transport isolation.

To respond to this, we will harness:

- The Mayor's responsibility for a devolved and consolidated integrated local transport budget for the CCA Area.
- The Mayor's and the EMCCA's responsibility for setting and delivering a transport strategy for the Area, including for public transport services.
- Our responsibility for an Area-wide local transport plan by March 2024, supported by an additional £500,000 of revenue funding in both 2023/24 and 2024/25 to accelerate this work.
- The accelerated delivery of smart, integrated ticketing across all local modes of transport in the Area.
- The CCA will set up and coordinate a Key Route Network (a collection of the most important local authority roads within the Area) on behalf of the Mayor,

allowing the Mayor and the CCA to take on highway powers for the Key Route Network.

- A single strategic asset management plan, and where practical, work towards streamlining contractual and delivery arrangements across the Area.
- Mass transit opportunities, including integrating and potentially expanding the NET tram system, in support of the emerging East Midlands HS2 Growth Strategy
- A new rail partnership with Great British Railways.
- Preparation of a refreshed Local Cycling and Walking Infrastructure Plan.
- Clean fuel infrastructure that will accelerate the establishment of a Net Zero transport network.
- Best practice in the area. We will look to build on the highest performing public transport networks and transport infrastructure in the area.

4. Our net zero ambition - we will work across the Area to lead the way in moving from fossil to fusion and play our part in achieving our national ambition to achieve net zero by 2050. Our ambition is that the CCA Area will be a leader in pioneering new forms of clean energy generation and will act as an exemplar for climate change adaption.

To respond to this, we will harness:

- An investment in the CCA Area of up to £9 million via a Net Zero capital funding pot to be spent by Constituent Councils by April 2023 that will enable the Area to drive their Net Zero ambitions.
- The CCA's efforts to increase the Area's electricity network capacity to meet future electricity demand.
- The CCA's exploration with Government of the potential benefits of and design options for a place-based approach to delivering retrofit measures.
- The CCA's exploring of the potential benefits of establishing heat network zoning in England to decarbonise heating and hot water within the zone by assuming the role of heat network Zoning Coordinator for its locality.
- The potential for EMCCA to catalyse increased investment from the UK Infrastructure Bank.
- Local Authority efforts to ensure that workers, businesses and local areas, including the CCA, are supported through the Net Zero transition with green skills interventions via a greater role, where possible, in delivering the Adult Education Budget and UK Shared Prosperity Fund.
- Funding for the commissioning of an EMCCA local area energy plan (LAEP) to enable long term planning on a regional basis.
- A role for the EMCCA in evolving waste management in the Area and exploiting opportunities to re-use waste heat.
- Producing an EMCCA area Flood Alleviation Strategy, working with Environment Agency, Internal Drainage Boards and other key partners.
- Work by our County Councils Preparation of the Local Nature Recovery Strategies (LNRs).

Objectives

We want to help our citizens achieve more and better and we believe that the funding and powers we will receive as part of creating the EMCCA can help us to deliver this vision. We will use the new funding and powers to deliver sustainable growth, new high-value jobs and a resilient economy that allows people to live fuller lives. We know that to thrive we must compete and cooperate, not just with other areas of England and the UK, but with established economies in Europe and America and with rising economies in the east, and increasingly the global south.

Our shared objectives:

- Boosting productivity, pay, jobs and living standards
- Spreading opportunities and improving public services
- Restoring a sense of community, local pride and belonging
- Empowering local leaders and communities

Outcomes

Through delivering on these objectives, we will achieve the following outcomes for our citizens and our Area:

- Grow our economy faster, through targeted long-term investment, so that it is resilient enough to withstand future challenges.
- Reduce inequality and promote social mobility to allow people to achieve their potential.
- Match skills to economic need to increase productivity and wellbeing.
- Support businesses to create more and higher paid sustainable jobs so that our citizens are able to access the jobs they want within the Area in which they live
- Create a net-zero economy with a resilient energy supply.
- Support enhanced green spaces to welcome nature back into our communities.
- Create modern and robust infrastructure that releases the private sector to deliver new homes and businesses.
- Build new and coherent transport links to facilitate better and more sustainable access to our economic hubs such as our cities, market towns and major employers.
- Use our devolution powers to bring decision-making closer to those who live and work here, increasing the visibility of these decisions.

Principles

In order to achieve this we will follow these principles:

1. Principle one: **Effective leadership** with a directly elected mayor across the Area.
2. Principle two: **Sensible geography** - the CCA Area covered by this devolution deal has one of the most functional, self-contained economic geographies in the country - 92% of workers live in the Area and 87% of residents work in the Area.
3. Principle three: **Flexibility** - the Deal recognises the unique needs and ambitions of the Area in its governance and programme.

4. Principle four: **Appropriate accountability** - the Constituent Councils have committed to developing a Constitution and Assurance Framework that will confirm, clarify and formalise the intention of institutions and local leaders to continue to be transparent and accountable, work closely with local businesses, seek the best value for taxpayers' money and maintain strong ethical standards.

With a further four local principles:

5. Principle five: **Inclusivity** - The Constituent Councils have committed to creating as inclusive a model of governance as possible, in pursuit of agreed outcomes. Devolution of power and responsibilities will be to the Constituent Councils, however, the importance of the continued role of the eight Derbyshire and seven Nottinghamshire district and borough councils will be respected.
6. Principle six: **Subsidiarity** - The CCA will perform a role that adds value to existing governance arrangements - primarily focused on strategic place shaping functions such as plan making and strategic commissioning. The CCA will not create an additional layer of governance, but instead will bring the governance that currently sits at national government level down into the CCA Area, much closer to businesses and communities. Place *making* functions will be delivered through the existing local planning authority arrangements that are better placed to deliver functions for which they are statutorily responsible and as close to communities as is practicable.
9. Principle seven: **Commissioning** - The CCA will develop strategy across the geography, dealing with issues as diverse as economic growth and nature recovery. Programmes of interventions will be developed against these strategies.
7. Principle eight: **Choice** - The preferred governance model for the CCA will identify a mechanism for including district and borough councils in the geography. This model will respect the existing sovereignty of these lower tier local authorities. Individual councils will also be able to continue to exercise choice about participation at sub-CCA tiers of partnership working.

Building on Local Strengths

We will move forwards towards the benefits that an EMCCA can bring in the knowledge that we have great strengths to build upon within our cities and counties.

Using principles 2, 3 and 6, the new CCA will recognise and cultivate our existing economic assets. This will mean achieving our shared vision and joint outcomes via targeted investment and support that acknowledges our geographic differences and similarities. This method recognises the unique contribution that each area already brings to the whole, and avoids a false, one-size-fits-all approach.

New high-quality and sustainable jobs created in Derby may be in a different industry, and therefore require different support, than those in Nottingham. But the need for new high-quality roles that pay a good wage is alike. Similarly, the infrastructure needs of Rushcliffe differ from those of the Derbyshire Dales - but the need for the right connectivity in the right place remains the same across the whole Area.

Derbyshire, Nottinghamshire, Derby, and Nottingham are places of contrasts with distinct but inter-related geographies. The Area combines a healthy diversity of growth,

demographics, geographies and industry across a substantial population. A positive mix of demographics across a region plays a huge role in ensuring an area offers sustainability and resilience for the local population - increasing its flexibility to cope with changing or challenging circumstances. There are many unknown variables which will define the future and areas heavily reliant on certain sectors, industries or populations are more vulnerable to local, national and global challenges.

Our Area is economically and geographically diverse. But we know that together we are stronger. We will work to meet the needs of 1) our urban and suburban areas; 2) our market towns, and 3) our rural areas, but we will do this in the knowledge that our economy is more than the sum of its parts, and new investment that benefits one element can and must benefit all.

Governance

We have made rapid progress since coming together in February 2022. City, county, district and borough councils have worked collaboratively to deliver a devolution deal, pooling resources and talent. Wider partners across the region have also shown strong support for a devolution deal including the LEP, the Chamber of Commerce and local universities. We will build on that progress and the relationships and networks now in place to deliver at pace.

A key advantage of the CCA model is its capacity for joint governance arrangements for key growth levers such as transport, skills, economic development, and regeneration, which allow for strategic prioritisation across its area and integrated policy development.

In addition, a directly elected mayor provides greater local accountability and decision-making power, working in partnership with the CCA and its Constituent Councils, and more widely with other public service providers including district and borough councils. Our Governance will include:

- A new directly elected Mayor who will bring new powers and funding from central Government to the local level.
- In addition, the EMCCA will feature eight members, consisting of a Lead Member for each Constituent Council and one further member appointed by each of the four upper-tier Constituent Councils
- The EMCCA will also appoint non-constituent and associate members, including representation from the districts and borough councils.

Within the Area there are ambitions to maximise strategic opportunities presented by the East Midlands Freeport, and the East Midlands Development Corporation. The emerging Government policy of Investment Zones may also present similar opportunities. The CCA will also have the opportunity to drive achievement of some of the same strategic opportunities focussed on transport, regeneration and inward investment. The Constituent Councils, and later the CCA, will therefore engage with all relevant stakeholders involved in each of these initiatives (and in those expressing an interest in Enterprise Zones) to ensure that all of the strategic opportunities available are delivered for the benefit of the region, and the Area, in the best, most streamlined and integrated way.

4 Delivering our ambitions

To bring our vision to life, and deliver on the objectives of the EMCCA, a pipeline of key priorities across several themes will be scheduled for initiation once the CCA has been officially established. These priorities will demonstrate to residents, businesses, and organisations across the region the tangible and evidence-based benefits of a CCA. All priorities will be underpinned by the principles of the EMCCA and actioned through the powers and functions agreed within the devolution deal with Government. The proposed projects/initiatives outlined below are an illustration of the opportunities and the potential within the region, drawing on local strengths, partnerships, expertise, and diversity, and could form the pipeline for the CCA.

The CCA will deliver our shared vision and joint outcomes via targeted investment and support that acknowledges our geographic differences and similarities; each area offers a unique contribution, but this will be balanced with a consistent approach to project prioritisation, funding and delivery.

The needs of the Area, and, therefore, the projects to address these needs are not all area wide: Some priorities may be focussed on our urban and suburban areas and/or our market towns, and/or our rural areas, recognising that new investment that benefits one element can and must benefit all. The priorities are grouped into some broad headings, but they may deliver dual objectives across multiple themes:

Land and Housing

The principles underpinning our Housing & Planning theme are **improvement and sustainability**. A priority is identifying the economic corridors and clusters of housing, in addition to mixed-use properties, including those for culture, tourism and sport, to accelerate development within the region, and make it a better place to live, work and visit.

The EMCCA will establish a relationship with Homes England and the private and social housing sector to identify areas to build more affordable homes and also build new aspirational communities, for example, riverside housing. These developments will respect Future Homes Standards, subject to the Government timetable, which will contribute to reducing carbon emissions. The new CCA's funding streams for housing development will be critical to enable developments of this nature to proceed.

There is also an opportunity to enhance the Area's economy by developing new commercial space to maximise opportunities for both businesses and residents. Examples of this could include the Area's local authorities, working in partnership with the new CCA, will seek to secure Enterprise Zone status for Phase 2 of Infinity Park, the innovation and technology park, part of the wider Nottingham and Derby Enterprise Zone. Similarly, there are opportunities for the new CCA to work with local authorities to explore commercial space in and around the Northern Power Station sites, and in mid Nottinghamshire such as at the Lindhurst, Lowmoor Road, and Penniment Farm developments.

Working alongside key partners including Homes England, Historic England, the Environment Agency and the private sector, EMCCA will seek to progress development and

improve access to key development sites such as Derby's Cultural Heart of the City and Northern Gateway, the Buxton Gateway, and in Nottinghamshire, Toton and Chetwynd, Top Wighay and South Side in Nottingham City.

Net Zero

The EMCCA intends to work towards Net Zero and cleaner air by focussing initially on:

- identifying new low carbon homes for residents
- retrofitting existing houses, to improve the energy efficiency and meet decarbonisation targets
- promoting the use of renewable energy, including infrastructures for both Electric Vehicle charging points and for H2 fuel cell charging

There is also the opportunity to promote and enhance green spaces, such as areas for wildlife and green verges and identify and protect nature recovery areas. This will improve the environment for both residents and visitors and create a pride in place.

The Area is also looking at innovative plans to create a sustainable chemical manufacturing laboratory to enable new sustainable chemistries and processes to translate from research labs to commercial production. This will underpin the rapid and necessary decarbonisation of the chemical-using industries sector that is critical to the Area and could be used as an exemplar across the wider region and country in due course.

There are also opportunities to identify the options available to farmers and land managers to deliver rural decarbonisation, including environmental resource management, low carbon energy options, low emission farm vehicles, digital and robotic technology. CCA will seek to increase the understanding of the links between energy and the agri-food sector, while also examining mechanisms for change by highlighting agri-food supply chain opportunities and new business models.

Skills & Education

The EMCCA area is already home to three Universities as well as Higher Education and Further Education Colleges, who are key partners in developing some of the projects, for example a Sustainable Chemicals Manufacturing Laboratory with the University of Nottingham and the Opportunity Area in Derby.

The Area has a strong research and development base, particularly in life sciences, and engineering and manufacturing employment sectors and the new powers and funding provide the opportunity to influence further investment in all levels of skills to target the needs of the Area, addressing economic requirements, delivering on employers' priorities and increasing productivity.

Projects could include developing the Area's existing knowledge and expertise in green technology and promoting the growth of a future low carbon economy by investing in targeted skills training. The new prototype fusion plant planned for West Burton could act as a catalyst to transform our skills offer and support the move to green, clean energy jobs. Other projects could see the development of innovation and training centres, like

the Nuclear Skills Academy, to build on higher level engineering and manufacturing skills required by the region.

We also know that some of the residents of the area suffer from economic exclusion due to barriers to work such as skills not matching the needs of employers. We will work to improve adult skills, including basic skills, to enhance employability and enable re-skilling that will respond to significant technology-driven change and maximise employability.

Transport

Our priority is to develop integrated and sustainable transport, linking transport to housing, jobs, education and training, improving regional connectivity and more active travel options. In recognition that the CCA's network of towns, villages and wider rural areas are home to much of the Area's workforce, there is an opportunity to set up and coordinate a network of integrated public transport services, smart integrated ticketing and a consistent concessionary fares scheme. This will support employers and employees to advertise and access jobs, education and training opportunities within the region, supporting both businesses and citizens, but also encouraging visitors to travel within the area.

Transport also works alongside the Net Zero theme by identifying green transport initiatives and opportunities to develop a CCA approach to low carbon transport and resilient infrastructure.

Public Sector Reform

Beyond the Deal

Whilst our Deal will initially focus on the acceleration of activity to achieve our identified priorities, the ambition we have for our Area, and the people and communities we serve, is significantly greater.

As the first Mayoral Combined County Authority to be established in the UK we will be using the current deal as a platform to broaden and deepen its scope in the future, ensuring that we continue to address identified and emerging challenges, maximising available opportunities that come our way, maintaining and building momentum.

We will therefore be working with government and our partners across the Area over coming months and years to strengthen ties and collaboration, deliver against the twelve levelling up missions, improving outcomes for our people and our places whilst acting as a trailblazer for other CCAs that follow in our path.

In particular, we will seek to work collaboratively with Government at the earliest opportunity to:

- Explore opportunities to Deliver transformative regeneration and new high-quality housing
- Tackle local housing challenges including homelessness and rough sleeping

- Tackle domestic abuse through an improved and system wide holistic approach
- Take further action to improve population health and wellbeing across the Area
- Develop strong links between the CCA and PCCs to help join up public service delivery and strategies in relation to community safety
- Develop an ambitious, long term mayoral social mobility strategy, supporting young people through their journey to adulthood
- Strengthen the local visitor economy, creating an attractive and vibrant cultural and creative sector
- Strengthen transport connectivity, building on the potential offered by HS2 and the consolidation of the existing core local transport funding into a multi-year integrated settlement
- Strengthen the role of Local Resilience Forums, testing new roles and responsibilities where appropriate
- Explore the potential for the further relocation of Civil Service roles to the East Midlands as part of the Levelling Up agenda
- Identify additional opportunities to support wider public service reform across the Area.

This Deal is the start of our devolution journey and we will look to secure additional powers and funding as the CCA evolves to help us achieve our aims and the Government's Levelling Up agenda.

5 Governance

As referenced previously, the Constituent Councils have set out eight principles for the governance framework for the CCA. The first four principles apply the devolution framework set out in the Levelling Up White Paper.

The Constituent Councils have created a governance structure for the CCA which is true to the principles outlined above, and which will secure effective and convenient local government for the Area.

Name and Area

The CCA will be formally known as the East Midlands Combined County Authority. It covers the geographical areas of the Derbyshire County, Nottinghamshire County, Derby City and Nottingham City Councils, which together form the Constituent Councils of the CCA.

Membership of the CCA

The CCA will have up to 17 Members in total, comprising:

- The directly elected Mayor;
- 8 Constituent Members (Members appointed by the Constituent Councils, with each Constituent Council appointing 2 Members);
- 4 Non-Constituent Members nominated by the District and Borough Councils within the Area (with 2 Non-Constituent Members to be nominated by Derbyshire District and Borough Councils, and 2 Non-Constituent Members to be nominated by Nottinghamshire District and Borough Councils);
- Up to four further Non-Constituent or Associate Members. These four further Memberships will not be nominated/appointed to initially. It will be for the CCA to

determine whether the four additional Memberships will be used, and if so, what interests those Memberships should seek to represent on the MCCA.

The Mayor

The CCA will have a directly elected Mayor who will be elected by the voters within the Area. The Mayor will be a Member of the CCA, as well as having a number of powers and functions which may be exercised exclusively by the Mayor (see below).

District and Borough Councils

There are 15 District and Borough Councils within the Area of the CCA. The Districts and Boroughs will be empowered to nominate 4 individuals to represent their interests on the CCA.

The Constituent Councils have worked closely with the District and Borough Councils to agree a system of nominations which all of the Councils are comfortable with. It has been agreed that nomination will be affected through the use of joint committees (joint committees are a formal local authority committee formed by several Councils to work together on specific issues.)

Two joint committees will be utilised. One which the Derbyshire District and Borough Councils will be voting members of and which will nominate two Non-Constituent Members, and one which the Nottinghamshire District and Borough Council will be voting members of and which will nominate two Non-Constituent Members. These joint committees will also be used as the mechanism for the District and Borough Councils to nominate additional individuals as substitutes and representatives on the Overview and Scrutiny Committee, and Audit Committee, who may come from different Councils than the nominated Non-Constituent Members.

It is hoped that existing joint committees will be able to be utilised for these purposes, but if that is not possible, new joint committees will be established to fulfil this role.

The inclusion of a mechanism by which the District and Borough Councils can have a key role on the CCA ensures that the identities and interests of all of our local communities are fully represented on the CCA.

Business Interests

A key area of focus for the CCA will be economy, industry and business, and so the CCA are considering appointing an Associate Member who can represent the views of business on the CCA.

The D2N2 LEP executive team is to be integrated into the CCA, albeit the precise mechanism by which this will be achieved is not yet agreed. Government integration guidance suggests that one possible mechanism is integration via establishment of a business focussed Advisory Board. Whilst the Advisory Board would not be a formal committee of the CCA, it would be part of the formal governance arrangements and would exist to provide advice to the CCA on all issues of business and economy relevant to the CCA. The CCA could then appoint the Chair of that Advisory Group to the CCA as an Associate Member representing the views of business on the CCA.

The Constituent Councils would welcome views on this aspect of the Proposal.

Other Memberships

The remaining up to 3 further Members will not be nominated/appointed to initially. It will be for the CCA to determine whether the three additional Memberships will be used, and if so, what interests those Memberships should seek to represent on the CCA. Possible options for the areas of interest to be represented through the up to 3 further Memberships include education and skills, transport, environment/net zero and housing and planning.

Mayoral Functions

Some of the functions of the CCA will only be able to be exercised by the elected Mayor, and this will be prescribed in the Establishment Order.

The main Mayoral functions are as follows:

- Duty to set a Mayoral budget, which will relate to the cost of exercising the Mayoral budget;
- Power to impose a business rate supplement on non-domestic ratepayers in the Area to fund Mayoral functions as part of the Mayoral budget;
- Power to issue a precept on council tax (a precept is an amount added to council tax) to fund Mayoral functions as part of the Mayoral budget;
- Power to provide relief from non-domestic rates in areas covered by a Mayoral Development Corporation;
- Power to create a Mayoral Development Area, and to form a Mayoral Development Corporation to take responsibility for planning functions in the part/s of the Area covered by the Mayoral Development Area (the exercise of these functions is subject to the consent of all of the local planning authorities affected);
- [Housing and land acquisition powers to support housing and regeneration (the exercise of these functions is subject to the consent of all of the local planning authorities affected);] and,
- Functional power of competence (this means that the Mayor will have the power to do anything reasonably related to the exercise of their functions).

Due to the complexity of the current transport arrangements in the Area, transfer of transport functions will be dealt with differently, with a phased transfer of functions. On day 1, it is expected that the CCA will be established as the transport authority for the Area, and will hold franchising powers, the power to approve the single, joint Local Transport Plan and the power to define the Key Route Network on behalf of the Mayor. Within a year of the establishment of the CCA, other public transport powers and functions, including relating to the coordination of the bus networks, direction of integrated ticketing and investment in infrastructure will transfer to the CCA/Mayor. More detail is given in the table of powers at Appendix 1.

The Levelling Up and Regeneration Bill provides that an elected Mayor may exercise functions of Police and Crime Commissioners, and/or functions of Fire and Rescue Authorities. It is not currently intended that the elected Mayor for the East Midlands CCA will exercise the functions of either of the Area's Police and Crime Commissioners, or either of the Area's Combined Fire Authorities.

Mayoral decision making

The elected Mayor will be required to appoint one of the Members of the CCA as their Deputy Mayor. The Deputy Mayor must act in the place of the Mayor if for any reason the Mayor is unable to act, or the Office of the Mayor is vacant.

The Mayor is able to arrange for the exercise of any of their Mayoral functions by:

- The Deputy Mayor;
- Another Member or Officer of the CCA;
- A committee of the CCA, consisting of members appointed by the Mayor (which need not be Members of the CCA).

The CCA Establishment Order will provide that the Mayor is able to appoint a political advisor.

CCA Functions

The remainder of the functions of the CCA will be exercisable by the CCA. On day 1 these will include:

- The duty to set a budget for the CCA (as opposed to the Mayoral budget);
- Exercise of the power to borrow;
- Duty to prepare an economic assessment of the Area;
- Adult education and training functions which will be transferred from the Secretary of State;
- Compulsory purchase, land acquisition and disposal and development of land powers (the exercise of compulsory purchase functions is subject to the consent of all of the local planning authorities affected);
- Housing supply and regeneration functions;
- Duty to review air quality plans and propose and undertake steps to support the delivery of those plans by Districts/Boroughs/Unitary Councils in the Area; and,
- Incidental powers in relation to its functions (the power to do anything which is incidental to the exercise of its functions).

In addition, the CCA will have functions relating to transport. As mentioned above, due to the complexity of the current transport arrangements in the Area, transfer of transport functions will be dealt with differently, with a phased transfer of functions. More detail is given in the table of powers at Appendix 1.

CCA decision making

The Members of the CCA will be the main decision-making group of the CCA. The CCA will have the power to establish sub-committees to exercise CCA functions.

CCA voting

The CCA will prescribe voting requirements in its Constitution, but the following principles will be applied:

- All of the Constituent Council Members and the Mayor have a single vote.
- None of the Non-Constituent or Associate Members automatically have a vote, but the CCA is committed to the right to vote being available on some topics at least to District and Borough Council Non-Constituent Members.

- The majority of decisions taken by the CCA will be subject to a requirement for a simple majority in favour, with the additional requirement that the Mayor must vote in favour.
- Certain decisions will additionally require the Lead Member of the relevant Constituent Council to vote in favour, specifically this includes any decision to compulsorily purchase land by the CCA, and any decision of the CCA which would lead to a financial liability falling directly on the Constituent Council. Further instances in which there will be a requirement for the Lead Member of each Constituent Council to vote in favour will be set out in the CCA Constitution.
- By a 2/3 majority, the CCA can amend the Mayor's budget, and amend the Mayor's transport strategy.

Advisory Boards

The CCA, and the Mayor, may choose to establish advisory boards. Advisory boards are formally constituted boards which form part of the operation of the CCA, but which have no decision-making power.

As set out above, the CCA is considering establishing a Business and Economy Advisory Board. In addition, the CCA is also considering establishing a similar Education and Skills Advisory Board.

The CCA will consider whether additional Advisory Boards focussed on other issues are required.

The role of any advisory boards established will be to advise the CCA, and possibly also the Mayor, on the exercise of functions in their areas of expertise.

Overview and Scrutiny Committee

The CCA will be required to have at least one Overview and Scrutiny Committee.

The role of the Overview and Scrutiny Committee is to monitor the decision making of the CCA and the Mayor to ensure that the decision making is appropriately focussed on community needs, and that high quality delivery is taking place for the benefit of the Area.

In accordance with the Levelling Up and Regeneration Bill and given the role of the Committee its membership must involve different individuals than those who are Members of the CCA. However, the CCA would intend to ensure that the District and Borough Councils would be represented on the Overview and Scrutiny Committee, and will consider how and whether to represent any additional Non-Constituent and Associate Members on the Committee.

Practically this means that at least one member of the Overview and Scrutiny Committee will be nominated from each Constituent Council of the MCCA. At least 4 members will be nominated by the District and Borough Councils. Any members of the Committee not drawn from the Constituent Councils will not automatically have voting rights on the Committee.

There will be a requirement for political balance on the Committee which will reflect the political balance of the CCA Area (which in this context means to reflect the voting in respect of the Constituent Councils but taken across the whole Area).

Audit Committee

The CCA will be required to have an Audit Committee. The role of the Audit Committee is to support and monitor the authority in the areas of governance, risk management, external audit, internal audit, financial reporting, and other related areas to ensure that the financial and governance decision making position of the MCCA and the Mayor is sound.

There is a requirement for the Chair of the Audit Committee to be an independent person, who is not otherwise associated with the Mayor or involved in the CCA. Again, the Levelling Up and Regeneration Bill requires that members of the Audit Committee must not be the same individuals as those representatives who are members of the CCA.

The CCA will ensure that the Audit Committee has the right people to ensure effective oversight of the adequacy of the CCA's overall assurance arrangements scrutiny of financial which underpin decision making by the Mayor and the CCA.

Funding of the CCA

The Establishment Order will indicate that the CCA will be funded by the four Constituent Councils. Funding has been secured as part of the deal from central Government to cover the financial years 2023/4 and 2024/5. In addition, as set out above, the Mayor has powers to issue a precept and impose a levy, and the CCA has powers to borrow. In practice it is expected that the running costs of the CCA will be met by either continued central Government support or with funding from the Constituent Councils.

The significant programme costs associated with major projects and schemes across the CCA footprint will be funded from other sources, the CCA has powers to borrow whilst the bulk of the funding needed for the CCA/Mayor will be provided by Government for the next thirty years. Government has committed to investment of £38 million per year for the next 30 years into the region through the Mayor/CCA.

The general powers the CCA has around finance and funding are expected to be substantially the same as local authorities enjoy generally.

6 Organising to deliver

In order to deliver the ambitions set out above, we will seek to organise the resources of the CCA in the best possible way. Work is currently underway to define the 'Operating Model' for the CCA which will describe how it will work, the functions, people, processes, systems and organisational structure. The following principles will guide our development of the CCA's operating model. They provide an overarching picture of the Combined Authority's key features.

1 - Efficient use of public resources through working in partnership

The CCA will be a strategic body overseeing the effective delivery of growth priorities, working collaboratively with Constituent Councils, non-Constituent Members and other stakeholders. The CCA will require a high level of partnership working ensuring any

partnership arrangements are efficient and proportional and avoiding unnecessary duplication.

The operating model design will be built upon a foundation of partnership working.

2 - Effective delivery of devolved functions

The Combined Authority will assume the functional powers outlined above. To discharge its functions effectively and legally, there will need to be sufficient capacity and resources. The precise capacity and the extent to which these functions are delivered by the CCA or through other public sector stakeholders will depend on the nature of the functions and will be developed as part of the operating model.

3 - Evolution of the operating model

The CCA's operating model will be flexible and scalable to allow for additional powers to be devolved from Government as the CCA matures, ensuring the authority is fit for the future and can evolve capabilities as required over time. This is based on the experience of existing combined authorities which have secured further devolved powers over time.

4 - Local Enterprise Partnership Integration

As set out in the Devolution Deal, the functions of the LEP will be integrated into the CCA. These functions include business growth, innovation, skills strategy and regeneration. In addition there is also a commitment to include an independent business voice, as is currently represented through the LEP Board . The formal relationship with the CCA is set out in section [7] on Governance, but there will be a range of informal relationships between businesses, higher and further education institutions and voluntary and community sector representatives.

5 - Capabilities and organisation

The CCA will require a range of core capabilities to discharge its functions effectively. This will include 3 groups of officers:

- The statutory officers which are legally required to operate a local authority: Head of Paid Service (usually called a Chief Executive Officer); Section 151 Officer (Finance Director) and Monitoring Officer (Legal Director)
- Officers directly responsible for delivering the core functions (transport, regeneration etc)
- Officers responsible for supporting services, such as: commissioning and contracting, research and intelligence, strategy and policy development, finance, human resources, democratic governance and legal services, technology and data, communications and legal.

As part of the operating model, decisions will need to be taken about:

- who is directly employed by the CCA, by partner organisations (including Constituent Councils) or contracted from third parties
- The organisation structure which best delivers the CCA's objectives.

6 - The shadow CCA

A shadow CCA will be established to prepare for the establishment of the CCA itself. This will not be a legally constituted body, but instead individuals from existing bodies (largely Constituent Councils) will be selected by the Constituent Councils to work collectively.

During this time, it is intended to appoint an interim 'Chief Executive' in order to oversee the creation of the CCA, working with the political Leadership of the four Constituent Councils, as well as working alongside the four Chief Executives of the Constituent Councils.

The transition from the shadow authority to the formal CCA will be as seamless as possible, ensuring shadow authority arrangements reflect as closely as possible the future structure of the fully established CCA.

A detailed design of the future operating model will be developed subsequently. Section 9 sets out how we will manage the transition to this model of CCA.

7 Consultation

To gain feedback on the CCA proposals, we intend to undertake an 8-week consultation between 14 November 2022 and 9 January 2023.

The consultation methods will include:

- An online survey with alternative options available to meet the needs of participants (translations, BSL, paper copies and easy read);
- Stakeholder engagement with businesses, the voluntary sector and other stakeholders identified; and
- Public events to engage residents of the CCA.

Active steps will be taken to encourage participation and to ensure that the consultation is accessible to all (including, for example, the digitally disadvantaged, those with protected characteristics and high intensity users of affected services). An equality impact assessment has been completed to inform engagement undertaken by Constituent Councils.

A detailed plan of communications will be created with support from each Constituent Councils to identify the best method of promoting the consultation in their local areas, including a list of FAQs.

A Data Protection Impact Assessment has been undertaken to assist the Constituent Councils in ensuring that data shared and collected through the consultation process is held, processed, and stored correctly, and for no longer than is necessary.

Findings from the consultation will be analysed and published by March 2023.

8 The Deal

[East Midlands devolution deal \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

9 Next steps (Transition)

The transition to a formal CCA in May 2024 can be understood in three stages:

- **Stage 1: Establishing a shadow authority** - by April 2023
- **Stage 2: Operationalising the shadow authority** - April 2023 to May 2024
- **Stage 3: Formal establishment of the CCA** - May 2024 onwards

It is important to note that transition to the CCA is dependent on a number of factors: this proposal being accepted as a result of public consultation; this proposal then being accepted by Government; the passing of the Levelling Up and Regeneration Bill into law and the approval by Parliament of the necessary secondary legislation implementing the deal.

Below is an overview of the key activities in each of the above stages.

Stage 1: Establishing a shadow authority - by April 2023

In this stage, the main focus is around collaborative working across Constituent Councils to determine the key roles required for the shadow authority and how it will plan for the establishment of CCA functions. This will involve:

- Ensuring collaborative leadership from Leaders of Constituent Councils to enable decisions to be made
- Appointing an interim 'Chief Executive' to lead the shadow CCA on behalf of Constituent Councils
- Consolidating a programme team to operate as the 'engine' of the shadow CCA - drawing on staff from Constituent Councils, other stakeholders, and professional advisors
- Defining a resource plan so that individual authorities can take decisions about their financial and time commitments
- Putting in place 'task & finish' groups to begin developing plans for priority areas such as transport and housing
- Ensuring an effective stakeholder management plan to engage stakeholders in the development of strategies and plans
- Putting in place individuals and teams to ensure that interim functions can be delivered. This will include an Accountable Body function to ensure that funds are properly received and used and a means by which decisions about funding can be agreed.

In this and subsequent stages, the relationship between the future CCA and existing local authorities (and other stakeholders) needs to be defined and properly governed.

Stage 2: Operationalising the shadow authority - April 2023 to May 2024

In this stage, the focus will be on operationalising the shadow authority and making preparations for the formal CCA. This will involve:

- Delivering work commissioned by the shadow authority leadership to carry out activities that can be done in this stage, such as allocating funding, and preparing functional plans ready for the formal CCA to pick up once it is established

- Designing and confirming important aspects of the formal CCA, such as the future management structure, required resources to operate the functions and enabling competencies and the required governance arrangements
- Beginning to integrate the functions of the LEP into the CCA, ensuring it is ready for delivering functional responsibilities once the formal CCA is established

Stage 3: Formal establishment of the CCA - May 2024 onwards

In this stage, all the prior preparation from the previous two stages of transition will come together for the establishment of the formal CCA, ensuring that the organisation is set up to begin delivering its functional responsibilities underpinned by all required resources, enabling competencies and governance arrangements. This will involve:

- Incorporating the elected mayor and their functions into the CCA
- Appointing permanent managerial roles to manage the CCA's operations, including statutory officers
- Delivering on functional plans to begin delivering CCA responsibilities and achieving outcomes for the region
- Scaling up the enabling competencies in order to allow the organisation to operate as required
- Implementing the governance model for the CCA, including establishing the various committees
- Continuing to enable the CCA to operationally evolve as is required

10 Legislation

Set out in the Appendix is a table of the powers which the Constituent Councils are proposing are available to the CCA and/or the Mayor. The powers are those which the Constituent Councils believe are needed to enable the CCA/Mayor to deliver the purposes outlined in this proposal. In considering our proposal, the Government, and in particular, specialist legislative counsel, will review the table below and some of the detail set out may be required to change as a consequence of the passage of the Levelling-up and Regeneration Bill, the drafting of establishment orders, and other consequential amendments to existing powers for combined authorities. The scope of powers to be available, and the broad terms of the exercise of those powers are unlikely to change; and, in any event, the powers will not go beyond the scope set out in the governance section of this proposal, and the Devolution Deal

ⁱ State of the Nation, 2017, Social Mobility in Great Britain, Social Mobility Commission

ⁱⁱ Mid-year Population Estimates, 2020, ONS © Crown Copyright

ⁱⁱⁱ Regional Gross Value Added (Balanced) per head and Income Components, 2020, Office for National Statistics (ONS) © Crown Copyright

^{iv} Census 2011, ONS © Crown Copyright. Figure is the number of people within 30km of the EMCCA area boundary.

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- ^v Figure calculated using Ordnance Survey, 50k Meridian Vector, 2022. Figure is the length of the s road network and major road network minus the M1
- ^{vi} Business Register and Employment Survey, 2020, ONS © Crown Copyright
- ^{vii} UK Business: Activity, Size and Location, 2021, ONS © Crown Copyright. Large businesses employ or more.
- ^{viii} Regional Gross Value Added (Balanced) per head and Income Components, 2020, ONS © Crown C
- ^{ix} Creative and Digital Industries in Nottingham, Karagounis K., Rossiter W., February 2022. Accessi
- ^x Regional Gross Value Added (Balanced) by Industry: Local Authorities by International Territorial region: East Midlands, 2020, ONS © Crown Copyright
- ^{xi} LEP Network analysis of the Census 2011, ONS © Crown Copyright
- ^{xii} HM Treasury, Country and Regional Analysis, 2021, Crown Copyright
- ^{xiii} D2N2 LEP analysis of HM Treasury, Country and Regional Analysis, 2021, Crown Copyright. Based difference between the East Midlands and national (excluding London) expenditure per head
- ^{xiv} Regional Gross Value Added (Balanced) per head and Income Components, 2020, ONS © Crown C
- ^{xv} UK local authority and regional greenhouse gas emissions national statistics, 2020, Department f Energy and Industrial Strategy © Crown Copyright
- ^{xvi} Tracking Local Employment in the Green Economy: The Place-based Climate Action Network Jus Jobs Tracker, PCAN
- ^{xvii} Annual Survey of Hours and Earnings 2021, ONS © Crown Copyright
- ^{xviii} Annual Survey of Hours and Earnings 2021, ONS © Crown Copyright
- ^{xix} Annual Population Survey Jan-Dec 2021, ONS © Crown Copyright
- ^{xx} Healthy life expectancy, local area estimates, 2017-19, ONS © Crown copyright
- ^{xxi} Early Years Foundation Stage Attainment in Key Measures by Gender and Local Authority, 2019, for Education © Crown Copyright. Figures relate to upper tier authorities
- ^{xxii} Level 2 and 3 attainment by young people, 2019-20, Department for Education © Crown Copyright
- ^{xxiii} Annual Population Survey, January to December 2021, ONS © Crown Copyright
- ^{xxiv} State of the Nation, 2017, Social Mobility in Great Britain, Social Mobility Commission

11. Appendix A: Table of Powers/Functions

Set out below is a table of the powers which the Constituent Councils are proposing are available to the CCA and/or the Mayor. The powers are those which the Constituent Councils believe are needed to enable the CCA/Mayor to deliver the purposes outlined in this proposal. In considering our proposal the Government, and in particular, specialist legislative counsel, will review the table below and some of the detail set out may be required to change as a consequence of the passage of the Levelling-up and Regeneration Bill, the drafting of establishment orders, and other consequential amendments to existing powers for combined authorities. The scope of powers to be available, and the broad terms of the exercise of those powers are unlikely to change; and in any event, the powers will not go beyond the scope set out in the governance section of this proposal, and the Devolution Deal.

Finance, Investment, Innovation and Trade

Legislative Provisions	From	Concurrent exercise?	Mayor or MCCA	Consent	Voting
Business Rate Supplements Act 2009 Whole act, except s3(5)	All LAs hold	Yes	Mayor	No	Mayoral power, no voting - Note deal document suggests lead member required to vote in favour as part of a simple majority - so this is subject to a check with Govt MCCA able to amend the Mayor's budget if 2/3 majority agree
Local Government Act 2003 Sections 1 - 6	All LAs hold	Yes	MCCA	No	To approve the MCCA budget, a simple majority which includes the Mayor and the lead member from each Constituent Council
Combined Authorities (Finance) Order 2017	All LAs	Yes	Mayor for precept and mayoral fund MCCA for budget setting for MCCA	No	Mayoral powers, no voting MCCA able to amend the Mayor's budget if 2/3 majority agree To approve the MCCA budget, a simple majority which includes the Mayor and the lead member from each Constituent Council
VAT Act 1994	All LAs	Yes	MCCA	No	Simple majority which includes the Mayor

Section 33(3)					
Town and Country Planning Act 1990 Section 214	London Mayor powers	Not locally	Mayor	No, though DC/BC consent required to prescribe a Mayoral Development Area	Mayoral power, no votes
Local Democracy, Economic Development and Construction Act 2009 Section 69	Upper tier Councils	Yes	MCCA	No, but requirement in provision to consult and seek the participation of the district/boroughs.	Simple majority which includes the Mayor

Skills and Education

Legislative Provisions	From	Concurrent exercise?	Mayor or MCCA	Consent	Voting
Apprenticeships, Skills, Children and Learning Act 2009 Sections 86, 87, 88, 90 and 100(1)	Secretary of State functions	Section 86, 87 and 88 are transferred Sections 90 and 100(1) are exercised concurrently with Secretary of State	MCCA	None specified	Simple majority which includes the Mayor
Education Act 1996 Sections 13A, 15ZA, 15ZB, 15ZC	Upper tier councils	Yes	MCCA	None specified	Simple majority which includes the Mayor
Education and Skills Act 2008 Sections 10, 12, 68, 70, 71, 85	Upper tier councils	Yes	MCCA	None specified	Simple majority which includes the Mayor
Further and Higher Education Act 1992 Section 51A	Upper tier councils	Yes	MCCA	None specified	Simple majority which includes the Mayor

Housing and Planning

Legislative Provisions	From	Concurrent exercise?	Mayor or MCCA	Consent	Voting
Localism Act 2011 Sections 197, 199, 200, 202, 294, 214, 215, 216, 217, 219, 220, 221, and paras 1, 2, 3, 4, 6 and 8 of Schedule 21	London Mayor equivalent powers	With London Mayor only	Mayor	Approval of lead member of all Constituent Councils, and any exercise of planning functions to be approved by local planning authority for the area effected	Mayoral power, so no voting
Town and Country Planning Act 1990 Sections 226, 227, 229, 230(1), 233, 235, 236, 238, 239, 241	LPA powers	Yes	MCCA	Consent of LPA affected	Simple majority which includes the Mayor
Housing and Regeneration Act 2008 Sections 5, 6, 7, 8, 9, 10, 11, 12, and paras 19 and 20 of schedule 3;	Homes England powers	Yes	MCCA	Approval of lead member of all Constituent Councils and relevant local planning authority for exercise of	Simple majority which includes the Mayor

and paras 1, 2, 3, 4, 6, 10 and 20 of schedule 4				compulsory purchase powers	
Housing Act 1985 Sections 6, 8(1), 11, 12, 17 and 18	City Council and District/ Borough powers	Yes	MCCA	Consent of lead member of each Constituent Council, and of effected Districts and Boroughs required	Simple majority which includes the Mayor

Transport

Legislative Provisions	From	Concurrent exercise?	Mayor or MCCA	Consent required before MCCA or Mayoral exercise	Voting	When?
<p>Part II the Transport Act 2000</p> <p>Local transport plans and bus strategies (sections 108 to 113B (sections 110 to 111 repealed))</p> <p>Bus services: advanced quality partnership schemes (sections 113C to 113O)</p> <p>Bus services: quality partnership schemes (sections 114 to 123)</p> <p>Bus services: franchising schemes (sections 123A to 123X)</p> <p>Bus services: quality contracts schemes in Wales (sections 124 to 134B (sections 126A 126B 126C))</p>	<p>A local transport authority or local transport authorities or a district council or a Passenger Transport Executive (as applicable)</p> <p>For the purposes of s163 - 190 - a charging authority which is the traffic authority (charging schemes can be made by a non-</p>	<p>All transfer from establishment except for following which will be as follows:</p> <ul style="list-style-type: none"> • <u>134C - 134G</u> concurrent and continuing • <u>135 - 138</u> concurrent and continuing • <u>138A - 138S</u> concurrent within transition period and for an extended period to 2027. • <u>139 to 141A</u> to be held 	<p>MCCA</p> <p>Except for Sections 108, 109 and 112 which will be Mayor</p>	<p>For section 108 ,109 and 112 until the end of the transition period only with the consent of the Constituent Councils.</p> <p>S123A - 123X Only exercisable with the consent from the affected constituent council</p> <p><u>163 - 190</u> - Only exercisable by the Mayor with consent of the affected constituent council</p>	<p>2/3 Majority as per the Proposal</p>	<p>From Establishment and on an ongoing basis.</p>

<p>126D 126E 127A 127B131C 131F repealed))</p> <p>Bus services: advanced ticketing schemes</p> <p>(sections 134C to 134 G)</p> <p>Bus services: ticketing schemes</p> <p>(sections 135 to 138)</p> <p>Bus services: enhanced partnership plans and schemes</p> <p>(sections 138A to 138S)</p> <p>Bus services: provision of information</p> <p>(section 139 to 141A)</p> <p>Bus services: miscellaneous</p> <p>(sections 142 to 143B (144 repealed)</p> <p>Mandatory travel concessions for journeys not beginning on the London bus</p>	<p>metropolitan local traffic authority (or jointly by more than one non-metropolitan local traffic authority), by an Integrated Transport Authority or combined authority and one or more eligible local traffic authorities, or the Secretary of State [or a strategic highways company];</p> <p>a licencing authority or</p>	<p>concurrently during the transition period</p> <ul style="list-style-type: none"> • <u>145 to 150</u> to be concurrent and continuing • <u>163 - 190</u> - concurrent and continuing from establishment and only exercisable by the Mayor with consent of the affected constituent council 				
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<p>network (sections 145 to 150 (145 repealed))</p> <p>Travel concessions in Greater London (section 151)</p> <p>Financial and competition provisions (sections 152 to 159 (156 and 158 repealed))</p> <p>Supplementary (Section 160 to 162)</p> <p>Part II Information Systems s139 - 141A</p> <p>s163 to s190 Road user charging and workplace parking levy</p>	licencing authorities					
<p>Section 31 of the Local Government Act 2003</p> <p>Power to pay Grant</p>	Minister of the Crown	With Minister	The Mayor			From establishment
<p>Section 6 Highways Act 1980 (Delegation etc. of</p>	Minister of Crown [or a strategic	With Constituent Councils	MCCA	Only exercisable with the consent of the affected Constituent Council.	Simple majority voting but the agreement of	From Establishment

functions with respect to trunk roads etc)	highway company]				the Constituent Council would be needed before vote	and on an ongoing basis.
Sections 8 of the Highways Act 1980 (Agreements between local highway authorities [and strategic highways companies] for certain works)	Local highway authorities [and strategic highway companies]	With Constituent Councils	MCCA	Only exercisable with the consent of the affected Constituent Council.	Simple majority voting but the agreement of the Constituent Council would be needed before vote	From Establishment and on an ongoing basis.
<p>Part 4 of the Transport Act 1985:</p> <p><i>Passenger Transport Areas (section 57 to 62)</i></p> <p><i>Passenger Transport in other areas (sections 63* to 71)</i></p> <p><i>Further Provisions (sections 72 to 79)</i></p> <p><i>Miscellaneous (section 80* to 87)</i></p>	<p>In a non-metropolitan county in England and Wales, the county council</p> <p>A non-metropolitan district council in England</p> <p>The Passenger</p>	<p>Not concurrent other than:</p> <p>63 - 64 - concurrent and continuing but the exercise of the MCCA's power is subject to the consent of Constituent Councils</p> <p>65 - 71 - concurrent and continuing</p> <p>72 - 79 concurrent and continuing and</p>	MCCA	<p>63 - 64 - the exercise of the MCCA's power is subject to the consent of the Constituent Councils</p> <p>72 - 79 - Only exercisable with the consent of the affected Constituent Council</p>		From Establishment and on an ongoing basis.

	<p>Transport Executive for any integrated transport area</p> <p>A council operating a bus undertaking</p> <p>A public transport company or its controlling authority</p> <p>A Passenger Transport Executive or a council or local authority</p>	<p>subject to the relevant constituent council consent</p> <p>80 - 83 - concurrent and continuing</p> <p>84 - concurrent and continuing</p>				
Part 5 of the Transport Act 1985	Any authority responsible for expenditure on public	88 - concurrent and continuing with consent during the transition period	MCCA	Section 88 of the Transport Act 1985 - Only exercisable with the consent of the Constituent Councils during transition period		From Establishment and on an ongoing basis.

<p><i>Expenditure on public passenger transport services (sections 88 to 92)</i></p> <p><i>Travel Concession Schemes (sections 93 to 101 (102 repealed))</i></p> <p><i>Travel concessions apart from schemes (sections 103 to 105)</i></p> <p><i>Grants for transport facilities and services (sections 106 and 106A)</i></p> <p>Section 107 repealed</p> <p><i>Grants for services in rural areas (sections 108 to 109)</i></p> <p><i>Miscellaneous (sections 110 (111 repealed) and 112)</i></p>	<p>local transport</p> <p>Any local authority or any two or more local authorities acting jointly</p> <p>A Passenger Transport Executive</p> <p>A county or district council operating any public passenger transport service</p> <p>A parish council or community council</p>	<p>89 - concurrent and continuing</p> <p>90 - concurrent and continuing</p> <p>91 - concurrent and continuing</p> <p>92 - concurrent and continuing</p> <p>93 - 101 concurrent and continuing subject to consent of the Constituent Councils</p> <p>105 - 109 - concurrent and continuing</p>		<p>Sections 93 - 101 - Only exercisable with the consent of the Constituent Councils.</p>		
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	The Secretary of State					
Traffic Management Act 2004 Part 3 (permit schemes) Section 33 Section 33A Section 36 Part 6 (Civil Enforcement of Traffic Contraventions)		Concurrent and continuing and subject to the Consent of each constituent council in respect of: <ul style="list-style-type: none"> • Part 3 - s33,33A and 36 • Part 6 	MCCA	Part 3 - section 33, 33A and 36 Part 6 Only exercisable with the consent of the Constituent Councils.		From Establishment and on an ongoing basis.

NOTE: The proposal sets out the Constituent Councils' long term aims for the Nottingham tram network. This may require, in due course, amendment to the Nottingham Transit System Order 2009 and the Greater Nottingham Light Rapid Transit Act 1994. Consideration of this and any local agreements will be carried out in partnership between the Constituent Councils (in particular Nottingham City Council), the MCCA and the Mayor.

Net Zero, Energy and Environment

Legislative Provisions	From	Concurrent exercise?	Mayor or MCCA	Consent	Voting
Environment Act 1995 Part IV, section 86B	N/A	N/A	MCCA	No	Simple majority which includes the Mayor

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Approach to Consultation on the EMCCA Proposal

Purpose of the consultation

In order to progress the devolution deal for Derbyshire, Nottinghamshire, Derby and Nottingham under the Levelling-up and Regeneration Bill (“the Bill”), a consultation is required.

The Bill places a duty on the Constituent Councils (Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council) to conduct a public consultation on the Proposal for the East Midlands Combined County Authority (“EMCCA”), across the whole area of the proposed EMCCA and prior to submission of the Proposal to the Secretary of State.

Principles

The consultation must comply with the consultation provisions in the Bill (see paragraphs 30 to 38) and the common law principles that govern consultation by public bodies, commonly referred to as the ‘Gunning principles’ which require that;

- Consultation must be undertaken at a time when proposals are still at a formative stage.
- Sufficient reasons to permit ‘intelligent consideration and response’ must be given.
- Adequate time must be given for consultees to consider and respond to the consultation.
- Responses to the consultation must be conscientiously taken into account.

Methodology

The methodology has been agreed by all four Constituent Councils to address the requirements of the Bill and in accordance with the Gunning principles:

Aspect	Description
Scope	<p>The consultation will be used to explain the EMCCA Proposal to residents and other interested parties, and to encourage a wide range of stakeholders to respond to the consultation.</p> <p>A Proposal Document has been created (see Appendix 1 of the attached Council report) which outlines the proposals for devolution to the EMCCA, what they mean and how respondents can feedback on the content.</p>
Consultation Methods	<p>The consultation methods will include:</p> <ul style="list-style-type: none">• An online survey with alternative options available to meet the needs of participants (for example including translations, BSL, paper copies and easy read versions).

Aspect	Description
	<ul style="list-style-type: none"> Engagement with businesses, the voluntary and community sector and other stakeholders identified. Public events to engage residents of the EMCCA.
Stakeholders	<p>A stakeholder list has been collated to ensure that consistent identification and mapping has been undertaken across the EMCCA area to include interested businesses, organisations, groups and individuals as part of the consultation.</p> <p>Each Constituent Council holds mailing lists or databases of their own partner organisations / networks and will share any consultation information through these.</p>
Hard to reach / equality groups	<p>Active steps will be taken to promote the consultation, to encourage participation and to ensure that the consultation is accessible to all (including, for example, the digitally disadvantaged or those with protected characteristics).</p> <p>As part of the specification, completion of the survey will be tailored to needs (for example, paper, large print, translation provided, braille, BSL etc).</p> <p>An Equality Impact Assessment has been undertaken to assist the Constituent Councils to fully understand the relevance and effect of the Proposal and to identify the most proportionate and effective responses, particularly in relation to those with protected characteristics.</p> <p>Each Constituent Council will work with those groups covered by the EIA locally to ensure engagement.</p> <p>We recognise there is need to target communications locally to ensure we receive a cross section of responses from all areas and therefore a geographic and demographic balance. Where an area is under-represented Constituent Councils may seek to boost replies through more targeted engagement such as telephone surveys.</p>
Communication	<p>The Constituent Councils will use a variety of measures to promote the consultation in their areas, including resident communication, press releases and social media as well as producing surveys, explainers and FAQs, and holding meetings and stakeholder engagement sessions.</p> <p>A detailed communications plan will provide an outline of methods to be used to target residents. Each Constituent Council will look at the best way to target the consultation through their own networks.</p> <p>A list of FAQs will be devised and shared on any consultation pages created.</p> <p>An easy read version will also be produced to make the information contained in the Proposal more accessible.</p>

Aspect	Description
	Each Constituent Council will undertake engagement events with key stakeholder groups. These will be organised locally with content consistent and coordinated across all council areas.
Consultation Period	<p>The Bill does not stipulate the required length of the consultation period. An 8-week consultation is considered appropriate to enable consultees to consider and digest the material, and respond to the survey.</p> <p>Consideration has been given to the Constituent Council's electoral cycles and the timetabling of the Bill's proposed passage through Parliament.</p> <p>The consultation will run for 8 weeks from November 2022 to January 2023. This will ensure the consultation is completed before the Purdah period.</p> <p>Constituent Councils will take all possible measures to actively promote the consultation and engage with consultees during this period.</p>
Delivery	An external supplier has been appointed to undertake the consultation work independently of any of the Constituent Councils (this is a collective decision, with Nottinghamshire County Council nominated as the lead authority). Appropriate arrangements have been put in place to oversee delivery and quality assurance of the contract.
Data Protection	A Data Protection Impact Assessment has been undertaken to assist the Constituent Councils in ensuring that data shared and collected through the consultation process is held, processed, and stored correctly, and for no longer than is necessary.
Reporting	Findings from the consultation will be analysed and published by March 2023 to inform the Constituent Councils in making their decision as to whether to submit the Proposal to Government.

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Appendix 3

Equality Impact Analysis

Draft proposal for an East Midlands Combined County Authority

October 2022

Defined Terms

Constituent Councils	Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council – DCC, NCC, DC, and NC respectively
East Midlands Combined County Authority	EMCCA
East Midlands Devolution Deal signed on 30 August 2022	the Deal
Functional Economic Area	FEA - areas that share a number of similar economic factors with boundaries that ideally reflect the drivers of the local economy
The Area	The Area covered by the proposed East Midlands Combined County Authority (EMCCA)
The Draft Proposal	The draft proposal prepared by the Constituent Councils in collaboration with the district and borough councils of Nottinghamshire and Derbyshire
The Proposal	A proposal for the establishment of an East Midlands Combined County Authority
Local Enterprise Partnership	LEP

CONTROLLED

Part 1. Introduction and context

Scope of review		Draft proposal for an East Midlands Combined County Authority			
		Joint assessment by Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council			
EIA Team:		Wes Downes (Derbyshire County Council), John Cowings (Derbyshire County Council), Laura Howe (Derbyshire County Council), Jude Ryan (Nottinghamshire County Council), Ann Webster (Derby City Council), Saema Mohammad (Nottingham City Council),			
Date analysis commenced:	3 October 2022	Date completed:	20 October 2022	Date approved:	20 October 2022
Description of proposal to be assessed					
<p>On 30 August 2022, the Leaders of Derbyshire County Council, Derby City Council, Nottinghamshire County Council, and Nottingham City Council (“Constituent Councils”) signed a £1.14 billion devolution deal for Derbyshire, Derby, Nottinghamshire, and Nottingham with the Government (“the Deal”).</p> <p>The Constituent Councils are proposing that a Combined County Authority with a directly elected Mayor is established to lead collaboration between the Constituent Councils and to act as the recipient of powers and funding from Government under the Deal (“the Proposal”).</p> <p>The Draft Proposal sets out the detailed background and context to the Proposal, the Constituent Councils’ ambitions for the EMCCA, the EMCCA’s proposed governance arrangements and next steps. This EIA does not seek to replicate information contained in the Draft Proposal and should be read in conjunction with it.</p>					

This EIA examines the possible impacts arising from the Proposal. It is a living document and will be reviewed and updated by the Constituent Councils as necessary, including after public consultation on the Draft Proposal (described in Part 2 of this EIA) has been carried out and before the Proposal is finalised.

What outcomes will be achieved with the new or changing policy/ service?

The Constituent Councils' ambitions for the EMCCA are described in detail in the Draft Proposal. That Draft Proposal describes the Constituent Councils' shared objectives for the EMCCA, their priority focus areas, planned activities in each of those focus areas, and the outcomes the EMCCA is expected to achieve for residents in the Area.

Please list any associated policies, services, or functions?

The proposed Combined County Authority will be a public body and as such will be subject to the Public Sector Equality Duty (PSED) (both the general duty and the specific duties). Once established, the EMCCA will need to consider what systems, processes, and resources it will need to put in place to ensure that it complies with the Public Sector Equality Duty in the performance of its functions.

The Constituent Councils are themselves subject to the PSED and as such they will need to comply with their own respective policies and procedures as they plan, prepare for, and implement the transition to a formal EMCCA. Copies of the Constituent Councils' equality and diversity policies and procedures are available on their respective websites.

Please list the main people or groups that this policy/ service is designed to benefit and any other stakeholder involvement?

The EMCCA covers a large and diverse area encompassing the outstanding natural assets of Sherwood Forest and the Peak District, the UK's original National Park, the growing, vibrant cities of Derby and Nottingham and historic market towns such as Buxton, Chesterfield, Mansfield, Newark-on-Trent, and Worksop, serving culturally and environmentally rich rural hinterlands.

The proposal will be of interest to the following stakeholders, who will be contacted as part of the consultation (in accordance with Part 2 of this EIA below): -

- Residents (in Derbyshire, Nottinghamshire, Derby and Nottingham)
- Businesses (in Derbyshire, Nottinghamshire, Derby and Nottingham)
- Charity organisations (in Derbyshire, Nottinghamshire, Derby and Nottingham)
- Local councils:
 - Derby City Council
 - Derbyshire County Council
 - Nottingham City Council
 - Nottinghamshire County Council
 - Amber Valley Borough Council
 - Bolsover District Council
 - Chesterfield Borough Council
 - Derbyshire Dales District Council
 - Erewash Borough Council
 - North East Derbyshire District Council
 - High Peak Borough Council
 - South Derbyshire District Council
 - Ashfield District Council
 - Bassetlaw District Council
 - Broxtowe Borough Council
 - Gedling Borough Council
 - Newark and Sherwood District Council
 - Mansfield District Council
 - Rushcliffe Borough Council
- All Town and Parish Councils in Derbyshire and Nottinghamshire
- Local MPs (in Derbyshire, Nottinghamshire, Derby and Nottingham)
- D2N2 Local Enterprise Partnership (LEP)
- All universities and colleges in Derbyshire, Nottinghamshire, Derby and Nottingham (HE and FE institutions)
- NHS organisations in Derbyshire, Nottinghamshire, Derby and Nottingham
- Police and Crime Commissioners for Derbyshire and Nottinghamshire

- Fire and Rescue services in Derbyshire, Nottinghamshire, Derby and Nottingham
- East Midlands Chamber of Commerce
- East Midlands Development Corporation
- East Midlands Freeport

Will the policy/ service and any changes impact on any other organisations such as community and voluntary sector groups?

The EMCCA will benefit from the devolution of additional powers from Westminster and other public bodies (such as the Homes and Communities Agency). The EMCCA will also hold some powers and functions that are currently exercisable by the Constituent Councils acting alone, or by the district and borough councils of Derbyshire and Nottinghamshire. In most cases those powers and functions will also be retained by the Constituent Councils and districts/boroughs, and in some cases the EMCCA exercise of those powers and functions is additionally subject to the consent of the relevant council; but there are some instances where powers or functions of the Constituent Councils will be exclusively available to the EMCCA either from creation of the EMCCA, or after a certain defined period of time.

The proposed powers and functions which will be available to the elected Mayor and to the EMCCA are described in the Draft Proposal, and set out in detail in an annex to the Draft Proposal. The Draft Proposal also explains how the EMCCA will exercise those powers in a way that ensures that the identities and interests of all communities within Derbyshire, Derby, Nottinghamshire, and Nottingham are fully represented.

Devolution is backed by the East Midlands Chamber of Commerce, the East Midlands D2N2 Local Enterprise Partnership, the University of Derby, Nottingham Trent University, and the University of Nottingham.

The Draft Proposal explains how business interests and other interests will be represented on the EMCCA through additional Memberships and advisory bodies.

Part 2. Supporting evidence

CONTROLLED

Please list and/ or link to below any recent and relevant consultation and engagement that can be used to demonstrate clear understanding of those with a legitimate interest in the policy/ service and the relevant findings:

Consultation and engagement is planned to be carried out for eight weeks between November 2022 and January 2023 (see immediately below).

If there is insufficient consultation or engagement information, please explain what action is being taken to obtain this information and when this consultation/ engagement will be completed and available:

The Constituent Councils are jointly undertaking engagement activity between now and the launch of formal consultation to ensure that residents, elected members and key partners are kept up to date.

It is critical that residents, businesses, and other organisations can have their say. The Constituent Councils therefore plan to carry out a public consultation on the Draft Proposal across the whole Area between November 2022 and January 2023.

That consultation will be wide-ranging and will employ a range of different formats and methods. Stakeholder mapping will be carried out to ensure that all interested businesses, organisations, groups, and individuals are part of the consultation. Active steps will be taken to promote the consultation, to encourage participation and to ensure that the consultation is accessible to all (including, for example, the digitally disadvantaged or, those with protected characteristics). The Constituent Councils will develop a detailed communications plan outlining the methods that will be used to promote the consultation. Where necessary, stakeholder engagement events will be carried out.

Once the consultation has closed, all submissions received will be collated, and this EIA will be reviewed and revised as necessary. The collated consultation responses and the updated EIA will then inform revisions to the Draft Proposal and the final decision on whether to submit it to Government by March 2023.

Please list or link to any relevant research, data or intelligence, Observatory or any other information that is available and will be used to help complete the analysis?

About the Area

The EMCCA covers a large and diverse area; encompassing the outstanding natural assets of Sherwood Forest and the Peak District, the UK's original National Park, the growing, vibrant cities of Derby and Nottingham and historic market towns such as Buxton, Chesterfield, Mansfield, Newark-on-Trent and Worksop, serving culturally and environmentally rich rural hinterlands. Analysis of the 2011 Rural-Urban classification shows that over a quarter of the population in both Derbyshire (27.0%) and Nottinghamshire (27.1%) live in rural areas.

Population

On census day, 21 March 2021, the population of the area was 2,204,500, an increase of 94,600 since the last Census in 2011. The rate of population growth for the EMCCA was 4.5%, lower than the overall growth for England (6.6%).

Over the last ten years the majority of EMCCA districts have experienced a growth in population, with the exception of Chesterfield that is one of eighteen local authorities across England to have experienced a decline in population since 2011. South Derbyshire has seen the largest growth in population with an increase of 12,600 people since 2011. This equates to a 13.3% increase and ranks as the 25th (out of 309) fastest growing local authority across England.

According to the 2020 Mid-year population estimates the median average age varies considerably across the EMCCA. Residents in Derbyshire (45.7 years) and Nottinghamshire (43.7) have the highest average age, whilst the urban areas have much younger age profiles with the average age just 29.7 years in Nottingham and 37.2 years in Derby. Derbyshire Dales has the highest average age of all the EMCCA districts at 51.5 years, 11.5 years higher than the England average of 40.2 years.

The latest Office for National Statistics (ONS) Sub-national population projections (2018) forecast that the EMCCA 's population is expected to increase by 11.9% (the equivalent of 263,401 people) by 2043, slightly higher than the 10.3% population increase for England. Nottinghamshire (14.7%) and Derbyshire (12.6%) are expected to experience the highest levels of growth, with Nottingham (7.6%) and Derby (6.6%) both forecast to experience below average population growth. Across the Area's districts population growth varies, ranging from lows of 5.2% in Chesterfield,

7.2% in Derbyshire Dales and 7.7% in Erewash to highs of 30.1% in South Derbyshire, 20.6% in Rushcliffe and 18.5% in Bassetlaw.

The EMCCA has an increasingly ageing population with the 65+ population forecast to increase by more than a third in all areas by 2043. This is likely to have significant implications for older people's services across the whole of the EMCCA. Additionally, the districts of South Derbyshire (17.2%) and Rushcliffe (14.6%) are forecast to have significant increases in 0 to 15-year-olds compared to the rest of the Area and England (-0.9%), placing increased demand on school places and children's services in these areas.

2021 Census figures show there were 941,800 households across the EMCCA area. This represents an increase of 5.2% (46,500 more households) since 2011, just below the England increase of 6.2%. Nottinghamshire (6.8%) and Derbyshire (6.5%) saw the highest increase in households, Derby experienced a 3.3% increase whilst Nottingham saw a 1.0% decline in household numbers since 2011. Of all the EMCCA districts South Derbyshire saw the largest increase in households at 15.9% since 2011.

Deprivation

In 2021, 16.1% of children aged 0 to 19 years (81,685) were living in low-income families in the EMCCA. Whilst this is below the overall England average of 18.5% there is significant variation across the Area. Both Derby (21.5%) and Nottingham (21.5%) have higher than average levels of child poverty with Derbyshire (13.4%) and Nottinghamshire (14.0%) having below average levels. In certain parts of the EMCCA child poverty levels are particularly acute with over a third of children in some wards living in poverty, examples include Arboretum (43.9%), Normanton (42.4%) in Derby and Leen Valley (34.1%) in Nottingham.

Homelessness is a significant issue in Nottingham where the rate is double the national average (12.2 households per 1,000: 6.1 respectively). Derby (7.4) also has higher rates of homelessness than the England average (6.1). Outside of the cities, Chesterfield (5.5) also has relatively high levels of homelessness. In addition, there are also issues with households that are at threat of being homelessness. Five of the Areas districts have rates above the England average of 5.6 households per 1,000. These are Derby (16.2), Nottingham (8.3), Chesterfield (7.2), High Peak (7.2) and Derbyshire Dales (6.2).

The EMCCA faces a number of economic challenges which impact on the Area's economic growth:

- Productivity lags behind the UK average, requiring a 14.6% increase to close the gap
- Public spending per person has historically been below the UK average
- A loss of £4.5 billion in GVA during the first year of COVID-19
- A shortage in housing supply with an estimated 9,200 homes a year required to meet local need. Over the last 5 years, an average of 8,500 homes a year have been completed. Based on these trends, we are likely to see a shortfall of over 6,500 homes over the next 10 years, which adds to the existing lack of supply. This is a big challenge, but also an opportunity for the EMCCA to drive growth through sustainable delivery of affordable and decent housing across the six Housing Market Areas (HMAs)
- Carbon emissions are 17.8% higher per capita than the UK average due to a high concentration of energy-intensive industries and industrial legacy
- 23% of jobs in the Area will be affected by the transition to a net-zero carbon economy requiring the upskilling of 104,000 thousand workers
- Poor East-West connectivity by road and rail, with many rural areas bypassed altogether
- A low skill low wage economy with the average weekly pay of both residents and workplaces in the Area being over 7% lower than the England average
- Over half (nine) of the Area's local authorities rank in the bottom 25% (quartile) of all authorities across England on gross weekly workplace pay
- Lower than average labour market participation with the Area's (73.8%) employment rate falling below the England (75.1%) average. Twelve local authorities in the Area have an employment level lower than the England average

The EMCCA Area also experiences persistent and systemic deprivation with 219,600 people living within the most deprived 10% of areas across England and significant differences in life chances depending on where you live:

- In other parts of England people on average live 15 years longer in good health than people living in Nottingham which has one of the lowest Healthy Life Expectancies across England
- Educational attainment varies considerably with the EMCCA Area containing some of the worst performing areas across England at all levels of education

- At the early years foundation stage, all four upper tier authorities fall below the England average on the expected level on early learning goals for 5-year-olds for communication and language, literacy and maths. This is particularly so for communication and language in Derby, literacy in Nottingham and maths in both Derby and Nottingham where the levels are amongst the lowest for upper tier local authorities across England
- The Area contains some of the poorest performing localities across England in terms of pupils attaining Maths and English at GCSE
- Fewer adults are qualified to NVQ level 3 or above than across England (56.5%: 61.4% respectively)
- 13 out of 17 local authorities within the Area are identified as 'social mobility cold spots'

Within the proposed EMCCA Area there is significant variation by local authority across the range of levelling up indicators. Measures showing the greatest disparity are:

- Productivity, with three of the Area's local authorities having amongst the highest levels nationally in 2020 (South Derbyshire, Rushcliffe and Bolsover), but seven falling in the lowest performing, including Derbyshire Dales that ranked fourth bottom nationally
- Workplace pay, with Derby in the best 30 local authorities nationally where weekly pay is around 15% higher than the England average, but nine of the Area's authorities amongst the lowest ranking nationally including four District/Borough areas (Bolsover, Gedling, Bassetlaw and Mansfield) where weekly pay is 15% or more below the England average
- Employment rate, with four District/Borough areas in the best performing nationally, but seven in the worst, including Mansfield ranked third bottom
- Adult attainment at NVQ level 3, with two of the Area's local authorities amongst the best performing in England (Derbyshire Dales (69.5%) and Rushcliffe 67.5%), whilst seven are ranked in the worst performing, including Mansfield which in 2021 was the lowest of all local authorities across England at just 37.8%, over 20.0% below the England average (61.3%)
- Adult obesity, whilst Derbyshire Dales and Rushcliffe were in the best performing local authorities nationally, there were eight areas locally that were amongst those having the highest adult obesity across England, including Bolsover that ranked third bottom

- Decent Housing, the proportion of local authority housing deemed to be of a non-decent standard in the EMCCA area was 2.2% in 2020-21, well below the England figure of 5.0%, certain parts of the Area such as High Peak (17.4%) and North East Derbyshire (12.6%) had significantly high levels. Bassetlaw (3.2%) also showed a figure above the EMCCA average
- Homelessness, both Derby (23.6%) and Nottingham (20.4%) have much higher proportions of households that are homeless or threatened with homelessness than nationally (11.7%). Relatively high levels in the EMCCA area were also evident in Chesterfield (12.7%), High Peak (10.5%) and Mansfield (7.7%)

The following sites provide access to a wide range of local data and analysis about the individual EMCCA area including the latest demographic and socio-economic information:

- Derbyshire County Council's [Derbyshire Observatory](#)
- Nottinghamshire County Council's [Nottinghamshire's Insight](#)
- Derby City Council's [Info4Derby](#)
- Nottingham City Council's [Nottingham Insight](#)

Please list or link below to any relevant service user/ customer or employee monitoring data and what it shows in relation to any Protected Characteristic (Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race and ethnicity, Religion and belief including non-belief, Sex or gender, Sexual orientation)

Protected characteristics

Just under 13.0% of the EMCCA's population, around 285,000 people, were estimated to be from a Black, Asian and Minority Ethnic background in 2019, less than the England figure of 20.9%. The Area's Black, Asian and Minority Ethnic population is predominantly concentrated in the city areas. Nottingham has the largest Black, Asian and Minority Ethnic population in the EMCCA (36.7%) followed by Derby (25.8%). Outside of the cities, Broxtowe (11.1%), Rushcliffe (10.1%), Gedling (10.0%) and Mansfield (7.1%) had the biggest Black, Asian and Minority Ethnic populations. Within Derbyshire, the highest values were in South Derbyshire (6.0%) and Chesterfield (5.2%).

The largest Black, Asian and Minority Ethnic communities are Asian (4.9%), followed by people with a mixed ethnic background (2.8%), white minority ethnic group (2.6%) and Black residents (1.9%). Other minority ethnic groups comprised 0.5% of the Area's population.

Around one in five EMCCA adults (19.8%) had a disability or long-term limiting illness at the time of the 2011 Census. This was equivalent to 418,500 people and was higher than the England average of 17.6%. The former mining communities of Bolsover (24.7%), Chesterfield (23.1%) and Mansfield (23.7%) had particularly higher rates of long-term illness.

According to the 2011 Census around 1.4 million EMCCA residents (63.5%) had religious beliefs compared to 68.1% for England. The majority (58.7%) of these were Christians. A relatively small percentage (4.8%) of the Area's residents had non-Christian beliefs.

Experimental Statistics on sexual orientation in the UK in 2020 estimate that 1.2% (46,000 people) of the East Midlands regions population aged 16 years and over identify as lesbian, gay or bisexual, lower than the England estimate of 1.7%. The figures are lower than estimates by organisations working with or for the LGBTQ+ community, which suggest that up to 5% of the population are LGBTQ+.

There were 1,088,100 males (49.1% of the overall population) and 1,121,400 females (50.9%) in the EMCCA in 2021.

Children aged 0-14 represent 16.7% of EMCCA population, slightly lower than the England average of (17.4%) but an overall increase of 2.3% (8,300) increase in the age group since 2011. The number of 15–64-year-olds represent 63.7% of the population, slightly higher than the England average of 62.9%, with a 0.9% increase (13,100 people) since the last census. The number of people aged 65+ in the EMCCA has grown by 20.4% (7,300) since 2011, now representing 19.6% of the EMCCA's population, in line with the England average.

If there is insufficient information, please outline any plans to remedy this?

The data from the 2021 Census is due to be released over coming months. The Constituent Council's will be able to update and broaden their understanding of their communities and data on protected characteristics.

Part 3. Analysing and assessing the impact by equality Protected Characteristic group

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
1. All protected characteristics and groups	<p>The Draft Proposal has the potential to have a significant positive impact on all communities and on all people with protected characteristics.</p> <p>It is anticipated that the devolution of new powers to the EMCCA, additional investment into the Area, and the commissioning and delivery of services at scale, should all result in improved services for residents and service users in the Area, including those with protected characteristics and from protected groups.</p>	<p>There is a risk that the exercise of certain functions by the EMCCA will mean that decisions will be taken further from those groups and individuals who are most reliant upon the services provided by local government in the Area. However, this risk will be mitigated by the safeguards set out in the Draft Proposal, which include: -</p> <ul style="list-style-type: none"> • the Constituent Councils' membership of the EMCCA, • the role and participation of district and borough councils in the EMCCA, • the role and participation of other groups and voices in the EMCCA, • the EMCCA's proposed governance arrangements and decision-making processes, and

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
		<ul style="list-style-type: none"> the phased transfer of some powers to the EMCCA over time.
2. Age	<p>The Draft Proposal has the potential to have a significant positive impact on communities and on people of all ages, but especially on younger people, older workers/ longstanding workers in traditional forms of employment, and for older people.</p> <p>Investment in the local economy, in skills and retraining will enhance qualification levels, access and suitability for employment, result in a workforce with the right skills for the region to compete successfully with others in the future, and in turn attract more investment and relocation to the East Midlands Combined County Authority Area.</p> <p>The focus on improving supply and access to housing can have a direct positive impact upon those households without their own housing and or who are more prone to homelessness, which can</p>	<p>Under the Draft Proposal no specific decisions have yet been made about where investment will occur to generate employment opportunities or in education and improving skills. Spreading investment across all parts of the area and ensuring they are available could affect the impact upon younger and older people in some areas. The new Combined County Authority will need to establish mechanisms for considering and ensuring that investment is appropriately distributed. These mechanisms will be reinforced and bolstered by the proposed governance arrangements and decision-making processes set out in the Draft Proposal.</p>

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>include younger adults and families, but also help improve the supply of suitably designed and built housing for older people.</p> <p>Improving transport and connectivity benefits many communities and can be crucial to enable people to travel for work, education and to access services. Having good access significantly impacts upon individuals and communities with less access to their own means of transport, and who are reliant upon public transport, which can include younger people, older people, households on lower incomes and people living in rural areas. During the coronavirus pandemic many peoples' patterns of travel altered and this has led to reduced passenger numbers using public transport on many bus and train routes. This in turn requires greater support from transport authorities to ensure services can be retained and serve people at times when they are needed. Making it easier and more affordable to travel across different providers through integrated planning and</p>	

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>ticketing is likely to benefit many people who rely upon public transport and enable people to access employment and other opportunities.</p> <p>Net zero ambitions which are also integrated into the proposals for economic development, housing and transport, and which are made more affordable and accessible will benefit all communities but will need to be expanded to become more available for disadvantaged individuals and communities.</p>	
3. Disability	<p>The Draft Proposal in terms of investment in economic improvement and regeneration and skills could be hugely positive for disabled people who are excluded from or experience greater discrimination when seeking to access jobs or training, if the investment is in part focused on removing the barriers to employment for disabled people, including the commitment of employers to employ them, transport and training opportunities. This could help close the employment gap</p>	<p>The Draft Proposal will not negatively impact disabled people, and should benefit and impact positively upon disabled people providing that when more detailed decisions are taken, they are seen as a priority group within the work and projects to support employment, skills and qualifications, transport and housing. However, see 1 above.</p>

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>between disabled people and all people aged 16 – 64.</p> <p>Making transport affordable, accessible and timely is likely to benefit many disabled people, enabling them to access employment and other opportunities, reducing isolation and exclusion, and allowing people to realise their goals and ambitions.</p> <p>The supply of accessible housing for disabled people remains limited. Specially built or adapted housing can be more expensive, whilst many disabled people may have lower incomes or fewer resources with which to afford this more expensive housing. Within the proposals, any opportunities to increase the supply of affordable and rented accessible housing could have an important positive impact for disabled people and their carers if they have one.</p>	

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
4. Gender re-assignment	<p>As with other communities, Trans people can experience additional barriers to employment, housing and abuse whilst using public transport or in the places where they live.</p> <p>Accepting that the proposals will benefit people across the area, then it should be likely that the improvements should be available to people who identify as Trans/ people who are or have undergone gender re-assignment. If the work and programmes arising out of the proposals seek to encourage inclusion and diversity in areas such as investment/ employment/ skills, in transport and housing, then this community can enjoy a positive impact.</p>	<p>Whilst negative impact is unlikely, ensuring that investment in jobs and skills can benefit those more likely to face barriers in employment due to prejudice will need to be a principle which underpins the decisions which are made over the allocation of funds and once the combined authority is operational.</p> <p>Trans people who have or are undergoing gender re-assignment do face barriers when seeking access to employment, services, housing and when using transport. However, see 1 above.</p>
5. Marriage and Civil Partnership¹	<p>The Draft Proposal should benefit people across the area irrespective of their marital or civil partnership status. It is likely that when consultation takes place with people who are LGBTQ+ that a proportion of them may have a civil partnership and this may be the best route of checking with them whether there are</p>	<p>It is believed unlikely that the Draft Proposal result in adverse impact or any type of prohibited conduct upon people with this protected characteristic, although monitoring this during the consultation will help check this. Additionally, see 1 above.</p>

¹ Under EA 2010 – someone in a CP must not be treated less favourably than a married person

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>any additional issues that the combined authority should consider.</p> <p>It may be beneficial to monitor this protected characteristic when carrying out the consultation which is planned, to build a stronger evidence base upon which to assess potential impacts on these individuals.</p>	
6. Pregnancy and Maternity	The Draft Proposal in relation to investment, employment and skills may also benefit women who wish to re-enter employment after having a family. The availability of good and reliable public transport can be particularly important for families which have no access to their own vehicle or to single vehicle owning households, to enable them to access services.	It is believed unlikely that the Draft Proposal result in adverse impact or any type of prohibited conduct upon people with this protected characteristic, although monitoring this during the consultation will help check this. However, see 1 above.
7. Race and Ethnic Origin	The proportion of people from Black, Asian and Minority Ethnic communities varies significantly across the area of the proposed Combined County Authority, with higher proportions living in Derby and Nottingham, compared to Derbyshire and	The creation of the EMCCA is unlikely to negatively impact people from Black, Asian and Minority Ethnic communities, and opportunities exist to positively impact those groups. However, see 1 above.

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>Nottinghamshire. The Black, Asian and Minority Ethnic community is from many different backgrounds. The Census 2021 data for these communities is due to be released towards the end of 2022. The data from the 2011 Census is known to be significantly out of date and not a true reflection of count of these communities. Within the Black, Asian and Minority Ethnic community many people experience disadvantage and discrimination based on prejudice and racism in education, employment, housing, health and access to services, although this is not universally the case, and some communities experience higher levels of disadvantage or discrimination than others, and there are geographical differences too.</p> <p>The Draft Proposal has the potential to challenge this and to offer improved opportunities to people from the different communities which make up the Area's population. This is especially the case with the proposals around employment and skills, support to businesses and</p>	

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	investment, where opportunities could be generated. Improvements in transport would also benefit Black, Asian and Minority Ethnic communities, offering greater access to areas where investment takes place and employers locate/ relocate their operations. The proposals may also provide support to people seeking to expand or improve their skills and qualifications, and thus progress or improve their earnings potential. This is of course dependent upon opportunities available to Black, Asian and Minority Ethnic communities and individuals as investment and projects are developed.	
8. Religion/Belief²	There are no grounds to believe that the Draft Proposal will impact adversely on communities on grounds of religion and belief, including non-belief. However, the decisions which are subsequently made by the Combined County Authority could result in different impacts for different communities/protected characteristics and to examine what these might be, it is	It is believed unlikely that the Draft Proposal will result in adverse impact or any type of prohibited conduct upon people with this protected characteristic, although monitoring this during the consultation will help check this. Additionally, see 1 above.

² Under EA 2010 – must also consider non-religious belief

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	recommended that the Combined County Authority develops its own processes for meeting the Public Sector Equality Duties, including by adopting a clear process for demonstrating that it exercises due consideration of the potential impacts when making decisions and allocating resources.	
9. Sex or gender³	<p>The Area's economy is varied but includes traditional industries or sectors where the workforce is either primarily male or female. This can mean that women especially face barriers when seeking to enter those industries. Women are also much more likely to hold part-time employment than their male counterparts across the area, meaning that there is a gender pay gap across many areas of the area's economy.</p> <p>The Draft Proposal has the potential to address both of these factors. The success of the EMCCA in addressing these issues will depend upon more</p>	It is believed unlikely that the Draft Proposal will result in adverse impact or any type of prohibited conduct upon people with this protected characteristic, although this will be dependent upon the more detailed programmes which are developed. Additionally, see 1 above.

³ Sex and gender can be used at different times depending upon whether you are referring to the EA 2010 and the different duties which exist

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>detailed plans and decisions made around skills investment and training, and whether they support women into technical roles for example, and older men to retrain. Lower earnings levels can also impact on the ability of households to access home ownership, including affordable housing and housing in the private sector.</p> <p>Improving public transport is also important in that women may be more likely to rely upon public transport if they live in a household where there is limited car ownership.</p>	
10. Sexual orientation	<p>Although we still rely upon estimates of LGBTQ+ people in the population we know from a range of surveys of LGBTQ+ people that they experience discrimination and disadvantage in relation to a number of life factors, including in education, employment, when accessing services, personal safety and harassment, and in relation to health, including mental health. They can also experience higher levels of homelessness. The Draft Proposal has</p>	<p>The proposed priorities can help address some aspects of discrimination experienced by people with this protected characteristic, but this will be dependent upon programmes including commitments to equality, diversity and inclusion, and may include specific programmes relating to LGBTQ+ people. It is unlikely to lead to improved outcomes if such steps are not taken.</p> <p>Additionally, see 1 above.</p>

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	the potential to positively impact upon LGBTQ+ people especially if within programmes additional measures are included to address the needs of our diverse communities, including LGBTQ+ people.	
11. Human Rights	It is unlikely that the proposed Combined County Authority, its priorities and proposed consultation will infringe upon human rights.	None envisaged
12. Other not listed above such as the business community, Armed Forces/ ex –Armed Forces Personnel and deprived communities	<p>Business The Draft Proposal specifically aims to help generate and improve the Area's economy to attract financial investment, improve skills, address skills shortages. They will also seek to ensure that land and resources and transport are improved to support investment by the private sector in the Area.</p> <p>This is intended to support expansion and development of businesses and industry, modernising the Area's economy and making it more competitive. Dependent upon the different approaches which are taken, this could mean that individual</p>	<p>Businesses None envisaged for businesses.</p> <p>Armed Forces None envisaged for Armed Forces/ ex-Armed Forces personnel if detailed projects and programmes properly consider the Armed Forces duties and make provision for them.</p> <p>Deprived communities There is a potential for the Combined County Authority to be formed and high-profile projects to be developed but for the poorest and most deprived to miss out on the potential benefits. The combined authority will need to ensure that this does not happen.</p>

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	<p>businesses and sectors of the economy receive financial and other support and investment.</p> <p>This will also be the case for housing developers and contractors stemming from the housing related priorities.</p> <p>Armed Forces Given the commitment of the constituent authorities to the Armed Forces Covenant and the recent introduction of the Armed Forces Public Duties, the Combined County Authority will need to consider how it can both engage this community and ensure that within its functions to takes account of the duties, especially those relating to employment and housing.</p> <p>Deprived communities The Draft Proposal should specifically impact positively on people living in the Area's poorest and deprived communities, and it would be expected that significant focus is placed, especially within skills related activities, transport and housing,</p>	<p>Additionally, see 1 above.</p>

<i>Protected Characteristic or Group</i>	<i>Actual or potential positive outcome/ impact</i>	<i>Actual or potential negative outcome/ impact</i>
	on improving opportunities for people from these communities.	

Part 4. Summary of main findings and recommendations

The Draft Proposal appears to have the potential to provide huge benefits to all communities, but specifically for people from the protected characteristic groups and deprived communities. This will be dependent upon how the Proposal is developed and the systems and processes it puts in place for ensuring that the CAA, if established, seeks to address inequality an integral part of everything it does and every decision it makes.

The public consultation is an important first step in expanding the evidence base upon which this EIA relies. That consultation is being planned with the aim of specifically targeting people from the protected characteristic groups and deprived communities, to ensure that their voices, concerns and preferences are reflected in any amendments made to the Draft Proposal, and in the final decisions whether to submit the Proposal to Government.

This EIA will be reviewed and revised following the conclusion of the public consultation, and before the Draft Proposal is finalised and/or any final decisions are taken.

The new Combined County Authority will constitute a public body and become subject to the Public Sector Equality Duty under the Equality Act 2010. This will require the authority to set equality objectives, publish annual equalities information and have due regard for equality matters when carrying out its functions, including when making decisions and delivering projects and programmes. It may wish to give some thought early to how it can begin to meet these and other duties, especially as it further develops its priorities, begins to get established and finalises its workstreams and Board composition.

The Constituent Councils are themselves subject to the PSED and as such they will need to comply with their own respective policies and procedures as they plan, prepare for and implement the transition to a formal EMCCA (according to the transition process set out in the Draft Proposal).

Part 5. Equality Action Plan

Please complete this Action Plan for any negative or unknown impacts identified in the Analysis above.

Issue identified	Action required to reduce impact/ mitigate	Timescale and responsibility	Monitoring and review arrangements
Unexpected impacts of proposals on stakeholders that emerge from the consultation on the Draft Proposal	Review the Draft Proposal in light of feedback received during consultation and where necessary revise this EIA and amend the Proposal before any final decisions are taken.	All Constituent Councils	Prior to submission of the final Proposal to each Constituent Council for final decision
The Combined County authority will become a public body and subject to the PSED.	Consider how the new authority will meet the requirements of the Public Sector Equality Duties as it develops and is established and take appropriate actions.	All Constituent Councils	Ongoing monitoring, review and action during the planning, preparation and implementation of the transition to a formal EMCCA

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Further EIAs will be required as proposals go forward to assess more detailed plans and proposals	Consider establishing a workstream for equality, diversity and inclusion to inform the development of a programme of EIA's until such time as the new authority has resources in place of its own.	All Constituent Councils	Ongoing monitoring, review and action during the planning, preparation and implementation of the transition to a formal EMCCA
Ensuring continued engagement and interest in the development of the EMCCA by people from protected characteristic groups	Agree a method for analysing consultation responses and reporting back on the outcome of consultation to those who took part, explaining how their feedback will be used to further shape the development of the new authority	All Constituent Councils	Following submission of the final Proposal to each Constituent Council for final decision

City Council - 31st October 2022

Report of the Leader of the Council

Corporate Director/ Director

Mel Barrett Chief Executive

Report Author and Contact Details

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Title Statutory Intervention and Refresh of the Together for Nottingham Plan

Does the report form part of the Budget or Policy Framework?

☒ Yes ☐ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 The Chief Executive has received a letter from the Department for Levelling Up, Housing and Communities (DLUHC) which sets out Directions to the Council that move the Improvement and Assurance Board to a statutory footing. This statutory intervention means that by law the Improvement and Assurance Board (IAB) now has the power to direct rather than to guide the Council's improvement activities.
- 1.2 This decision represents a revision of the draft Directions issued to the Council on the 23rd June 2022 whereby the Secretary of State for Levelling Up Housing and Communities had announced that he was 'minded to' intervene in Nottingham City Council through the appointment of Commissioners.
- 1.3 One of the Directions given to the Council by the Secretary of State was that within the first three months of the intervention that the Nottingham City Council Improvement Plan (known as the Together for Nottingham Plan) is amended to include additional actions in relation to the Council's improvement journey to the satisfaction of the Improvement and Assurance Board.
- 1.4 The report requests that Full Council approves the latest refresh of the Together for Nottingham Plan (Appendix Four).

2. Recommendations

- 2.1 That the Directions made by Secretary of State for Levelling Up, Housing and Communities, placing the Improvement and Assurance Board upon a statutory footing with the power to direct the council's improvement activities, are noted.
- 2.2 To approve the refreshed Together for Nottingham Plan as set out in Appendix Four.

3. Reasons for recommendations

- 3.1 The Directions given by the Secretary of State for Levelling Up, Housing and Communities to move the Improvement and Assurance Board to a statutory footing are extremely serious and have the potential to have a significant impact on the Council and its decision making.
- 3.2 The changes mean that as of the 2nd September 2022, the Improvement and Assurance Board are empowered to direct rather than guide the Council's improvement activities.
- 3.3 Given the importance of the Directions and their potential impact on the Council, it is important that all Councillors are aware of both the Secretary of State's announcement and its implications and that the Directions are formally noted by Full Council.
- 3.4 The requirement to amend the Together for Nottingham Plan within the first three months of the statutory intervention is set out in the Directions received by the Council on 2nd September 2022. As the Together for Nottingham Plan forms part of the Council's Policy Framework, changes to it can only be approved by Full Council.

4. Other options considered in making recommendations

- 4.1 The other option would be to not note the government's Directions with regards to the Improvement and Assurance Board. This would miss the opportunity to ensure that the Council has both formally noted those Directions and ensured that all Councillors are aware of their implications.
- 4.2 The Council could chose not to refresh the Together for Nottingham Plan within the three month timescale set out in the Directions. This would put the Council in breach of the Directions which are a legal requirement as set out in Section 15 of the Local Government Act 1999.

5. Consideration of Risk

- 5.1 Formally noting the Secretary of State's Directions does not have any risk implications directly associated with it.
- 5.2 The Together for Nottingham Plan continues to be managed on a programme management basis. This includes the identification and management of risk as part of the delivery plans which sit behind each theme and form the detail as to how the Plan is to be delivered.

6. Background (including outcomes of consultation)

Directions

- 6.1 On the 23rd June 2022 a written ministerial statement from the Minister for Equalities, Local Government, Faith and Communities was issued alongside a letter to the Council's Chief Executive.
- 6.2 These communications stated that the Secretary of State for Levelling Up, Housing and Communities was 'minded to' intervene in Nottingham City Council as he was satisfied that the Council was failing to comply with its Best Value Duty following the investigations made into the historic use of its Housing Revenue Account.
- 6.3 Prior to implementing the 'minded to' decision the Secretary of State did allow for a period in which representations could be made to him regarding a final decision.
- 6.4 Full Council noted the 'minded to' decision and that the Council had subsequently made representations to the Secretary of State at its meeting on 11th July 2022
- 6.5 On the 2nd September 2022 the Council's Chief Executive received a further letter from DLUHC (Appendix One) which confirmed that government considers that the council is in breach of its Best Value Duty and formally issued Directions to the Council with regards to improvement with immediate effect.
- 6.6 These Directions place the Improvement and Assurance Board on to a statutory footing, meaning that it is now empowered to direct, rather than guide, the Council's improvement activities in order to secure the Council's compliance with its Best Value Duty.
- 6.7 This arrangement is being implemented in the immediate term instead of the appointment of Commissioners as set out in the original 'minded to' decision. It has been made clear, however, that further consideration as to whether the appointment of Commissioners is necessary, will be reviewed after a report has been received by government setting out the extent of progress made on the Council's improvement journey after three months.
- 6.8 In the letter from DLUHC to the Council's Chief Executive the rationale for the change of approach was said to have been made in consideration of:

“representations received that highlighted the close working between the Council and the Improvement and Assurance Board, the positive attitude of the Council towards the required improvement, and the capabilities of the Leader as displayed during the negotiation and agreement of the East Midlands Devolution Deal.”
(Appendix One)
- 6.9 The Secretary of State has however set out a very clear expectation that they need to see significant progress in the Council's improvement journey over the next three months and that he will again consider exercising his powers under the Local Government Act 1999, including the appointment of Commissioners, in the new year.
- 6.10 The context behind the Directions, a summary of the representations, the intervention package and the Directions themselves are contained in Appendix Two, Final Explanatory Memorandum Nottingham City Council Directions under Section 15 (5) of the Local Government Act 1999. Page 125

6.11 Given their importance, the Directions themselves are further listed in Directions under Section 15 (5) of the Local Government Act 1999 as set out below (and contained in Appendix Three):

“The actions to be taken by the Authority are:

1. In the first three months to agree and amend the Nottingham City Council Improvement Plan, to the satisfaction of the Improvement and Assurance Board. This may include or draw upon improvement or action plans prepared before the date of these Directions. Resources will need to be allocated by the Authority accordingly to implement the recommendations contained in the independent Penn and CIPFA reports, and as a minimum, the following components:

a. Actions to ensure that a strategic and systematic approach to risk management is adopted and embedded across the Authority, coupled with the appropriate scrutiny and governance of decision-making processes and procedures.

b. Actions to deliver financial stability in the Authority, including: moving to sustainable long term budget setting; an investigation to establish the accuracy and suitability of current financial accounts and management controls; rapid and sustainable improvements to the council’s scrutiny function, and financial and risk management; and strengthening its accounting processes and reporting arrangements.

c. Actions to secure improvement in the governance and structure of the council’s commercial portfolio.

d. Actions to secure continuous improvement in all services.

2. To report to the Secretary of State on the delivery of the Improvement Plan at six monthly intervals, or at such intervals as the Improvement and Assurance Board may direct and adopt any recommendations from the Improvement and Assurance Board with respect to the Improvement Plan and its implementation.

3. To allow the Improvement and Assurance Board at all reasonable times, such access as appears to the Improvement and Assurance Board to be necessary, including:

a. To any premises of the Authority.

b. To any document relating to the Authority.

c. To any employee or member of the Authority.

4. To provide the Improvement and Assurance Board at the expense of the Authority, with such reasonable amenities and services and administrative support as the Improvement and Assurance Board may reasonably require from time to time to carry out its functions and responsibilities under these Directions.

5. To pay the Improvement and Assurance Board reasonable expenses, and such fees as the Secretary of State determines are to be paid to them.

6. To provide the Improvement and Assurance Board with such assistance and information, including any views of the Authority on any matter, as the Improvement and Assurance Board may reasonably request.

7. To co-operate with the Secretary of State for Levelling Up, Housing and Communities in relation to implementing the terms of these Directions” (Appendix Three)

6.12 The Directions will remain in force until the 1st September 2024 unless the Secretary of State decides that sufficient progress has been made which would allow them to be revoked or amended beforehand or if ongoing concerns remain, then the Directions could be extended further.

6.13 In order to assess progress the Secretary of State will receive reports at six monthly intervals (or at other times if deemed appropriate), with the first report expected as soon as practicable within the first three months of the intervention.

6.14 As the Directions are made under Section 15 (5) of the Local Government Act 1999 compliance with them is now a legal requirement, which in turn means that they will take precedence over the Council’s constitution should the two conflict at any time.

6.15 The change in the status of the Improvement and Assurance Board from guiding to having the power to direct, will mean that changes will have to be made to the Council’s internal processes for decision making to ensure that decisions can be made with full visibility to the Improvement and Assurance Board, in accordance with the Directions, whilst also noting the requirement placed upon the council to accelerate its pace of improvement.

Refresh of the Together for Nottingham Plan

6.16 The Directions contained a requirement to amend the Together for Nottingham Plan to the satisfaction of the Improvement and Assurance Board within the first three months of the Intervention.

6.17 The Directions relating to the refresh of the Together for Nottingham Plan are contained in paragraph 6.11 1 of this report. In addition to this request the Council has also included further items requested by the Improvement and Assurance Board.

6.18 A draft of the refreshed Together for Nottingham Plan has been shared with the Improvement and Assurance Board for final comment prior to being submitted to Full Council in order to ensure that the revised Plan will meet their requirements.

6.19 The refresh of the Together for Nottingham Plan is contained as Appendix Four to this report. Due the document being part of the Council’s Policy Framework it is being put to Full Council, via this report, for approval.

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

7.1 The current approved Medium-Term Financial Plan (MTFP) includes **£0.300m** per annum to meet the costs of the IAB for 2022/23 and 2023/24.

7.2 New Directions will remain in force until the 1st September 2024 unless the Secretary of State decides to revoke or amend them beforehand. This timeframe is outside the

budgeted provision for the Improvement Board and therefore an additional cost for the Improvement Board will be need to be included within the 2023/24 budget and MTFP to include **£0.125m** (£0.300m pro-rated for 5 months) in 2024/25. This will be kept under review in the light of expenditure needed for the Board to fulfil its duties.

- 7.3 The Council will be required to pay for the fees and expenses in relation to the additional actions resulting from this Direction. This will require a full resource plan and may result in addition costs for temporary staff and consultants over the period of 2022/23 through to 2024/25. Any further resourcing which is in addition to the already approved **£0.300m** budgeted cost will be subject to separate approval processes in line with the Council's Constitution.
- 7.4 In Quarter 3 2022/23 the Executive Board will consider the draft MTFP for 2023/24 to 2026/27 which will include updated cost assumptions for the Improvement Board and the Statutory Intervention. Any additional costs falling within the current year will be included as a budget variance and be included within the Quarter 2 budget monitoring report which will be presented to December 2022 Executive Board.

Debbie Middleton, Interim Director of Finance (Deputy S151) – 6 September 2022

8. Legal colleague comments

- 8.1 The legal issues that arise out of the directions issued by the Secretary of State are set out in the body of the report. The Council is now under a statutory obligation to comply with those directions by virtue of section 15 (6) (b) of the Local Government Act 1999 and to provide such assistance as may be required in order to ensure that the directions are complied with.

Malcolm R. Townroe – Director of Legal and Governance 14 October 2022

9. Other relevant comments

- 9.1 None

10. Crime and Disorder Implications (If Applicable)

- 10.1 Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan, this collates activity over a variety of themes. Actions from these themes will be brought forward separately for approval as required and any crime and disorder implications will be assessed at this level.

11. Social value considerations (If Applicable)

- 11.1 Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan, this collates activity over a variety of themes. Actions from these themes will be brought forward separately for approval as required and any social value implications will be assessed at this level.

12. Regard to the NHS Constitution (If Applicable)

- 12.1 Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan, this collates activity over a variety of themes. Actions from these themes will be brought forward separately for approval as required and any NHS constitution implications will be assessed at this level.

13. Equality Impact Assessment (EIA)

- 13.1 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)

Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan an EIA is not required because the report, and attached Together for Nottingham Plan, does not in itself contain any changes to spending and/ or policy decisions. The further work that will be triggered by the Plan will require separate approvals in some instances and Equality Impact Assessments for these will be provided as necessary

14. Data Protection Impact Assessment (DPIA)

- 14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because:

(Please explain why a DPIA is not necessary)

Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan, a DPIA is not required because the Together for Nottingham Plan does not in itself require a Data Protection Impact Assessment. Instead, the work that it has led to and will continue to be developed will be assessed individually as appropriate.

15. Carbon Impact Assessment (CIA)

- 15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because:

(Please explain why a CIA is not necessary)

Not applicable – this report concerns the formal noting of Directions received from the Secretary of State for Levelling Up Housing and Communities. With regards to the refresh of the Together for Nottingham Plan a Carbon Impact Assessment is not required because the Together for Nottingham Plan does not in itself require a Carbon Impact Assessment. There will be certain activity within it, for example around the Capital Programme, where these assessments will be required and these will be provided as part of any specific report brought forward in these areas.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

17.1 Written Ministerial Statement – Statutory Intervention: Nottingham City Council: ‘Minded To’ decision – 23rd June 2022

[Statutory Intervention: Nottingham City Council: ‘Minded to’ decision - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statements/2022-06-23-statutory-intervention-nottingham-city-council-minded-to-decision)

17.2 Letter to Nottingham City Council Chief Executive, regarding the Secretary of State’s ‘minded to’ decision to intervene and appoint commissioners

[Nottingham City Council: Letter to the Chief Executive - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/letters-and-communications/2022-07-11-nottingham-city-council-letter-to-the-chief-executive)

17.3 Proposed Statutory Intervention – City Council Report 11th July 2022

[Agenda for City Council on Monday, 11th July, 2022, 2.00 pm - Nottingham City Council](https://www.nottinghamcitycouncil.gov.uk/Agenda-for-City-Council-on-Monday-11th-July-2022-2.00-pm)

17.4 Letter to Nottingham City Council Chief Executive, regarding statutory directions – 2nd September 2022 (Appendix One)

[Nottingham - letter to Chief Executive \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/letters-and-communications/2022-09-02-nottingham-city-council-letter-to-chief-executive)

17.5 Explanatory Memorandum to the Directions made under Section 15 (5) of the Local Government Act 1999- 2nd September 2022 (Appendix Two)

[Nottingham City Council: Explanatory Memorandum \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/letters-and-communications/2022-09-02-nottingham-city-council-explanatory-memorandum)

17.6 Nottingham City Council: Directions made under Section 15 (5) of the Local Government Act 1999 – 2nd September 2022 (Appendix Three)

[Nottingham City Council: Directions made under the Local Government Act 1999 \(2 September 2022\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/letters-and-communications/2022-09-02-nottingham-city-council-directions-made-under-the-local-government-act-1999)

Councillor David Mellen
Title: Leader of the Council



Department for Levelling Up,
Housing & Communities

Mel Barrett
Chief Executive
Nottingham City Council

Max Soule

*Deputy Director, Local Government
Stewardship*

**Department for Levelling Up,
Housing and Communities**

2 Marsham Street
London SW1P 4DF

www.gov.uk/dluhc

Email:
maxwell.soule@communities.gov.uk

2 September 2022

Dear Mr Barrett,

I am writing to inform you that the Secretary of State for Levelling Up, Housing and Communities has today made Directions, under section 15(5) of the Local Government Act 1999, in relation to your Authority. I enclose along with this letter a copy of the Directions and an accompanying Explanatory Memorandum both of which will be published on gov.uk, together with supporting material.

The Secretary of State has issued Directions to direct your Authority to follow the advice of the Nottingham City Council Improvement and Assurance Board, chaired by Sir Tony Redmond, as a necessary and expedient action to secure compliance with their best value duty. The Directions move the Improvement and Assurance Board to a statutory footing, so they are empowered to direct rather than guide the Council's improvement activities.

The Secretary of State has revised the proposals published on 23 June. This was partly in light of representations received that highlighted the close working between the Council and the Improvement and Assurance Board, the positive attitude of the Council towards the required improvement, and the capabilities of the Leader as displayed during the negotiation and agreement of the East Midlands Devolution Deal.

The exercise of these Directions should enable the Improvement and Assurance Board to make sure that the transformational work currently being undertaken at the Authority is continued at pace and embedded fully. The Secretary of State is clear that he expects significant progress to be made over the next three months, including in relation to longer term budgeting. He will again consider exercising his powers under the Local Government Act 1999, including the appointment of Commissioners, in the new year.

The Directions require your Authority to take certain actions:

- In the first three months to prepare, agree and amend the Nottingham City Council Improvement Plan, to the satisfaction of the Improvement and Assurance

Board. This may include or draw upon improvement or action plans prepared before the date of these Directions. Resources will need to be allocated by the Authority accordingly and activities to implement the recommendations contained in the independent reports by Penn and the Chartered Institute of Public Finance and Accountancy (CIPFA), and as a minimum, the following components:

- a. Actions to ensure that a strategic and systematic approach to risk management is adopted and embedded across the Authority, coupled with the appropriate scrutiny and governance of decision-making processes and procedures.
 - b. Actions to deliver financial stability in the Authority, including: moving to sustainable long term budget setting; an investigation to establish the accuracy and suitability of current financial accounts and management controls; rapid and sustainable improvements to the council's scrutiny function, and financial and risk management; and strengthening its accounting processes and reporting arrangements.
 - c. Actions to secure improvement in the governance and structure of the Council's commercial portfolio.
 - d. Actions to secure continuous improvement in all services.
- To report to the Secretary of State on the delivery of the Improvement Plan at six monthly intervals, or at such intervals as the Improvement and Assurance Board may direct, and adopt any recommendations from the Improvement and Assurance Board with respect to the Improvement Plan and its implementation.
 - To allow the Improvement and Assurance Board at all reasonable times, such access as appears to the Improvement and Assurance Board to be necessary, including:
 - a. To any premises of the Authority.
 - b. To any document relating to the Authority.
 - c. To any employee or member of the Authority.
 - To provide the Improvement and Assurance Board at the expense of the Authority, with such reasonable amenities and services and administrative support as the Improvement and Assurance Board may reasonably require from time to time to carry out its functions and responsibilities under these Directions.
 - To pay the Improvement and Assurance Board reasonable expenses, and such fees as the Secretary of State determines are to be paid to them.
 - To provide the Improvement and Assurance Board with such assistance and information, including any views of the Authority on any matter, as the Improvement and Assurance Board may reasonably request.
 - To co-operate with the Secretary of State for Levelling Up, Housing and Communities in relation to implementing the terms of these Directions.

I appreciate that the Council has already started taking steps in relation to these actions.

The Directions will remain in force until 1 September 2024 unless the Secretary of State considers it appropriate to amend or revoke them at an earlier date.

As you will know, the Improvement and Assurance Board are accountable to the Secretary of State in that they have been nominated by him and can have their nomination withdrawn by him.

Finally, you will wish to note that the Secretary of State has asked for six monthly reports from the Improvement and Assurance Board, or at such other times as might be agreed with the Board. The first report is expected as soon as is practicable within the first three months of the intervention. This will also inform the Secretary of State in considering whether to exercise his powers further under the Local Government Act 1999, including the appointment of Commissioners.

I am copying this letter to your Authority's Section 151 Officer, and to its Monitoring Officer.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Max Soule', written in a cursive style.

Maxwell Soule
Deputy Director, Local Government Stewardship

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NOTTINGHAM CITY COUNCIL DIRECTIONS UNDER SECTION 15(5) OF THE LOCAL GOVERNMENT ACT 1999

EXPLANATORY MEMORANDUM

1. The Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State”) has exercised his powers under section 15(5) of the Local Government Act 1999 (“the 1999 Act”) in relation to Nottingham City Council (“the Authority”) to secure its compliance with the best value duty.
2. This Memorandum is intended as a companion document to the Directions issued on 2 September 2022. It summarises the circumstances in which the Secretary of State has made the Directions, his reasons for this exercise of his powers, and the implications of the Directions for the Authority. This Memorandum, together with the Directions and related material, is published at www.gov.uk.

The context for the Directions

3. Nottingham City Council has struggled to resolve serious governance and financial issues despite significant support. In November 2020, following a number of issues raised in a Public Interest Report published in August 2020 by the Council’s external auditors Grant Thornton, a rapid non-statutory review was conducted into the Council to review the serious governance and risk management issues associated with its energy company Robin Hood Energy. The report presented by Max Caller CBE highlighted serious governance failings, poor risk management and the pursuit of commercial ventures which had resulted in a significant budget gap and low levels of reserves. The then Secretary of State appointed an independent Improvement and Assurance Board in January 2021, chaired by Sir Tony Redmond and made up of independent experts. The Board’s purpose was to offer the Council advice, expertise and challenge as it sought to address these failings. The Board has provided regular assurance reports to Secretaries of State on the Council’s progress throughout this time.
4. In December 2021, the Council discovered unlawful accounting practices associated with its ring-fenced Housing Revenue Account (HRA), covering the period 2014/15 to 2020/21 and totalling £15.86 million. In response, the Council issued Section 114 and Section 5 notices and commissioned independent reports from an LGA associate (Richard Penn) and the Chartered Institute of Public Finance and Accountancy (CIPFA) to understand the scale of the unlawful expenditure and decision-making processes that ultimately led to this situation.
5. The Reports paint a deeply concerning picture of serious historic financial and governance failings. This includes the failure of the Council and its wholly owned company Nottingham City Homes (NCH) to maintain the integrity of its HRA ringfence. It also found that the company was operating without strategic oversight due to poor client management and governance by the Council. The Penn report does not conclude that unlawful accounting practice was a deliberate mechanism to divert funds from the HRA to support the General Fund. However, it does provide evidence of cultural failings and a reluctance to escalate issues appropriately, which led to the situation remaining unchallenged over several

years. The scale of the unlawful expenditure may also be more substantial than originally thought. The Chartered Institute of Public Finance and Accountancy (CIPFA) are now estimating that this could be up to £40m.

6. On 23 June 2022 the former Secretary of State published a letter from senior officials at the Department for Levelling Up, Housing and Communities (DLUHC) to the Authority setting out a proposed intervention package to secure the Authority's compliance with its best value duty ("the minded to letter"). The decision to do so, was made on the basis of the findings of the independent reports and assessments from the Nottingham City Council Improvement and Assurance Board. Representations about the independent reports and the proposed intervention package were invited from the Authority and any other interested parties on or before 7 July 2022.
7. The minded to letter set out the way in which the proposed intervention package reflected the recommendations of the Report, and provided detail on:
 - Proposals to put in place Commissioners to take over all functions associated with: the governance and scrutiny of strategic decision-making; strategic financial management; the appointment and dismissal of statutory officers; and the designation of those persons as statutory officers.
 - Actions which the Authority must undertake to implement the recommendations contained in the independent Penn and CIPFA reports, and to support and facilitate the work of the Commissioners.
8. The minded to letter included a detailed description of the Directions that the Secretary of State proposed to make under section 15 of the 1999 Act. The proposed Directions set out that the Commissioners could exercise, for a time, certain functions of the Authority, gave them certain responsibilities and reserved powers, and required the Authority to take certain actions.
9. This Memorandum explains the content of the Directions as finalised in light of representations received from the Authority and other interested parties.

Representations

10. Before making Directions, the Secretary of State is required under section 15(9) of the 1999 Act to give the Authority an opportunity to make representations about the proposed Directions and the Report which served as the basis for them.
11. A joint representation was received from Councillor David Mellen, Leader of the Council and the Chief Executive Mel Barrett. The Authority referred to the 'Together for Nottingham' improvement programme, the steps the Council has taken to address past failings, and their constructive working relationship with the Improvement and Assurance Board. Progress includes the approval of a four-year Medium Term Financial Plan, improved governance and member/officer relationships, along with wider transformation work and cultural change. Whilst the Authority expressed disappointment with the 'minded to' decision and wish for the existing arrangements to remain in place, they expressed a willingness to co-operate with Commissioners should they be appointed and were supportive of Sir Tony assuming the role of Lead Commissioner. Councillor Mellen also submitted a

response on behalf of the Labour Group, highlighting the achievements of the Council over the last 18 months and setting out the reasons why the Group felt that the proposed intervention was unnecessary given the positive progress made. The letter also made the commitment that the Group would work with Commissioners for the benefit of the people of Nottingham should the Secretary of State confirm his intention to intervene at the Authority.

12. Representations were also received from:

- a. Lilian Greenwood MP (Nottingham South), Alex Norris MP (Nottingham North), and Nadia Whittome MP (Nottingham East), who submitted a joint representation against the proposed intervention. They stated their confidence in the current leadership at the Council who in their view were working effectively with the Improvement and Assurance Board to address past failings. They expressed concern that appointing Commissioners risked destabilising the improvement journey and reducing public confidence in the Council.
- b. Councillor Steve Battlemuch and Councillor Angharad Roberts submitted individual representations against the proposed intervention. Councillor Battlemuch cited the improvements made by the Council over the last 18 months with oversight by the Improvement and Assurance Board, including the approval of a four-year Medium Term Financial Plan. He also questioned the need to move to a statutory intervention given the negative impact this would have on local democratic accountability. Councillor Roberts highlighted the swift action taken by the Council to address the unlawful HRA expenditure without the need for exceptional financial support from central government. Councillor Roberts also referred to the Authority's 'Big Conversation' exercise with residents to determine the future of the Broadmarsh shopping centre.
- c. The local branch of the UNISON trade union was strong in its opposition to the proposal, describing it as 'undemocratic' and laying blame with cuts to local government funding for the issues with the Council's finance functions.
- d. Representations were received from ten partner organisations, all of whom reported extremely positive experiences of collaborating with the Council, and the far-reaching impact of this partnership working. The start of Councillor David Mellen and Mel Barrett's leadership of the Council were mentioned as positive turning points for the Council. Representations also referenced substantial improvements to culture and openness achieved over the last 18 months at the Council. One partner organisation expressed concern that installing Commissioners could stall progress on place-based partnerships within the integrated care system in the area. One partner explicitly expressed preference for the Improvement and Assurance Board to continue in its current capacity.
- e. A further eight representations were received from local businesses, community leaders and members of the public, all of whom work or have worked with the Council. All of these described a positive role the Authority has played in developing partnership working with the local community over the last 18 months.

The intervention package

13. The Secretary of State has carefully considered afresh the two independent reports on the unlawful HRA expenditure, the quarterly progress reports from the Improvement and Assurance Board, along with Sir Tony Redmond's assessments

of the Authority response to the unlawful HRA expenditure. He has done so together with the 25 representations received on the 'minded to' intervention package, including letters from the Authority (7 July 2022), the Leader of the Council (7 July 2022) three Members of Parliament (7 July 2022), two local Councillors (7 July 2022), Unison (4 July 2022) along with representations from local organisations, community leaders and members of the public (various dates).

14. The Secretary of State notes the improvements made by the Authority with oversight from the Improvement and Assurance Board over the last 18 months. The building blocks for recovery have been put in place, and it will be essential this is continued through further constructive partnership working with the Improvement and Assurance Board, sector organisations and the local community. The Secretary of State is satisfied that the current leadership has shown that it is willing to make the necessary improvements and has demonstrated drive and determination during the negotiation and agreement of the East Midlands Devolution Deal.
15. The Secretary of State is satisfied that the Council is failing to comply with its Best Value duty. However, following detailed consideration of representations received by the Authority and other interested parties under section 15(9) of the 1999 Act (as set out in paragraphs 10-12) and the rationale set out in paragraph 14, he has decided to modify the 'minded to' proposal and issue Directions under the 1999 Act to direct the Council to follow the advice of the Nottingham City Council Improvement and Assurance Board as a necessary and expedient action to secure compliance with their best value duty. He expects significant progress to be made over the next three months, and he will again consider exercising his powers from the 1999 Act, including the appointment of Commissioners, in the new year.
16. The Secretary of State considers that this package will address the failings identified in the independent Reports.

The Nottingham City Council Improvement and Assurance Board

17. The package that the Secretary of State has put in place centres on the Directions issued under section 15(5) of the 1999 Act. These direct the Council to follow the advice of the Improvement and Assurance Board as a necessary and expedient action to secure compliance with their best value duty. The Improvement and Assurance Board currently offer advice, expertise and challenge to the Council on their improvement journey, as described in their Terms of Reference published on 20 January 2021 on gov.uk. The Directions codify the role of the Improvement and Assurance Board in the strongest possible terms, moving the Board from a non-statutory advisory role to a statutory footing so that they are empowered to direct rather than guide the Council's improvement activities.
18. The Improvement and Assurance Board's membership includes:
 - Sir Tony Redmond (Chair – Independent member)
 - Sean Nolan (Finance – Independent member)
 - Robin Hughes (Commercial – Independent member)
 - Cllr David Mellen (Leader of the Council)

Directions to the Authority

19. To achieve and facilitate the objectives of the intervention, the Secretary of State has also directed the Authority to take the following actions:

- a. In the first three months to agree and amend the Nottingham City Council Improvement Plan to the satisfaction of the Improvement and Assurance Board. This may include or draw upon improvement or action plans prepared before the date of these Directions. Resources will need to be allocated accordingly to implement the recommendations contained in the independent Penn and CIPFA reports, and as a minimum, the following components:
 - i. Actions to ensure that a strategic and systematic approach to risk management is adopted and embedded across the Authority, coupled with appropriate scrutiny and governance of decision-making processes and procedures.
 - ii. Actions to deliver financial stability in the Authority, including: moving to sustainable long term budget setting; an investigation to establish the accuracy and suitability of current financial accounts and management controls; rapid and sustainable improvements to the Council's scrutiny function, and financial and risk management; and strengthening its accounting processes and reporting arrangements.
 - iii. Actions to secure improvement in the governance and structure of the Council's commercial portfolio.
 - iv. Actions to secure continuous improvement in all services.
- b. To report to the Secretary of State on the delivery of the Improvement Plan at six monthly intervals, or at such intervals as the Improvement and Assurance Board may direct. To adopt any recommendations from the Improvement and Assurance Board with respect to the Improvement Plan and its implementation.
- c. To allow the Improvement and Assurance Board at all reasonable times such access as appears to the Improvement and Assurance Board to be necessary, including:
 - i. To any premises of the Authority.
 - ii. To any document relating to the Authority.
 - iii. To any employee or member of the Authority.
- d. To provide the Improvement and Assurance Board at the expense of the Authority, with such reasonable amenities and services and administrative support as the Improvement and Assurance Board may reasonably require from time to time to carry out its functions and responsibilities under these Directions.
- e. To pay the Improvement and Assurance Board reasonable expenses, and such fees as the Secretary of State determines are to be paid to them.

- f. To provide the Improvement and Assurance Board with such assistance and information, including any views of the Authority on any matter, as the Improvement and Assurance Board may reasonably request.
- g. To co-operate with the Secretary of State for Levelling Up, Housing and Communities in relation to implementing the terms of these Directions.

Duration of the intervention

- 20. The Secretary of State considers that any aspect of the Directions should only be in place long enough to achieve the stated objectives of the intervention. The Directions will remain in force until 1 September 2024 unless the Secretary of State considers it appropriate to amend or revoke them at an earlier date. The Secretary of State may decide to extend Directions beyond this date, or it may be appropriate to return functions before this time.
- 21. The Secretary of State has asked for six monthly reports from the Improvement and Assurance Board, or at such other times as he might agree with the Board, which allows for a process for regular review of whether it would be appropriate to expand the scope of the intervention or to revoke the Directions. The first report is expected as soon as is practicable within the first three months of the intervention.
- 22. The Secretary of State will carefully consider any such reports and, if agreed to, further Directions will be issued to expand or reduce the scope of the intervention by amending these Directions made on 2 September 2022. The Secretary of State has not ruled out the possibility that Commissioners could be appointed in future should the Council fail to make the necessary progress.

DIRECTIONS UNDER SECTION 15(5) OF THE LOCAL GOVERNMENT ACT 1999

1. The Secretary of State for Levelling Up, Housing and Communities (“the Secretary of State”) has carefully considered the following in respect of Nottingham City Council (“the Authority”):
 - i. The quarterly progress reports from the Nottingham City Council Improvement and Assurance Board (as published on gov.uk) including the:
 - First Progress Report published on 17 March 2021
 - Second Progress Report published on 17 June 2021
 - Third Progress Report published on 2 November 2021
 - Fourth Progress Report published on 7 March 2022
 - Fifth Progress Report published on 23 June 2022
 - Sixth Progress Report published on 2 September 2022
 - ii. The independent reports by Richard Penn (Local Government Association (LGA) Associate) and the Chartered Institute of Public Finance and Accountancy (CIPFA) into the unlawful Housing Revenue Account (HRA) expenditure.
 - iii. Sir Tony Redmond’s assessments of the Nottingham City Council response to the unlawful HRA expenditure, including the recommendations contained in the independent reports by Richard Penn (LGA Associate) and CIPFA.
 - iv. The representations to the ‘minded to’ letter published on 23 June 2022. A total of 25 were received, including from the Authority, the Leader of the Authority, three MPs, two Councillors, a trade union, ten partner organisations and eight from local businesses, community leaders and members of the public.
2. The Secretary of State is satisfied that the Authority is failing to comply with the requirements of Part I of the Local Government Act 1999 (“the 1999 Act”).
3. The Secretary of State, having considered the representations made by the Authority as required by section 15(9) of the 1999 Act, and those listed above, considers it necessary and expedient, in accordance with his powers under section 15(5) of the 1999 Act, to direct the Authority to work with the Improvement and Assurance Board as set out below in order to secure the Authority’s compliance with the requirements of Part I of the 1999 Act. In particular this will require continued work to rebuild the governance capacity of the Authority and address the historic culture of poor financial management and governance of its commercial portfolio.
4. Pursuant to his powers under section 15(5) of the 1999 Act, the Secretary of State directs the Authority to take the actions set out in Annex A to these Directions.
5. These Directions shall remain in force until 1 September 2024 unless the Secretary of State considers it appropriate to amend or revoke them at an earlier date.

Signed on behalf of the Secretary of State for Levelling Up, Housing and Communities.

A handwritten signature in black ink, appearing to read 'Maxwell Soule', written in a cursive style.

Maxwell Soule
Senior Civil Servant in the Department for Levelling Up, Housing and Communities
Date: 2 September 2022

ACTION THE AUTHORITY IS REQUIRED TO TAKE

In this Annex, the following expressions have the following meanings –

“the Authority” includes the Leader of the Council, Cabinet Members, any committee or sub-committee; and any other person who has responsibility for the matter in question.

The actions to be taken by the Authority are:

1. In the first three months to agree and amend the Nottingham City Council Improvement Plan, to the satisfaction of the Improvement and Assurance Board. This may include or draw upon improvement or action plans prepared before the date of these Directions. Resources will need to be allocated by the Authority accordingly to implement the recommendations contained in the independent Penn and CIPFA reports, and as a minimum, the following components:
 - a. Actions to ensure that a strategic and systematic approach to risk management is adopted and embedded across the Authority, coupled with the appropriate scrutiny and governance of decision-making processes and procedures.
 - b. Actions to deliver financial stability in the Authority, including: moving to sustainable long term budget setting; an investigation to establish the accuracy and suitability of current financial accounts and management controls; rapid and sustainable improvements to the council's scrutiny function, and financial and risk management; and strengthening its accounting processes and reporting arrangements.
 - c. Actions to secure improvement in the governance and structure of the council's commercial portfolio.
 - d. Actions to secure continuous improvement in all services.
2. To report to the Secretary of State on the delivery of the Improvement Plan at six monthly intervals, or at such intervals as the Improvement and Assurance Board may direct and adopt any recommendations from the Improvement and Assurance Board with respect to the Improvement Plan and its implementation.
3. To allow the Improvement and Assurance Board at all reasonable times, such access as appears to the Improvement and Assurance Board to be necessary, including:
 - a. To any premises of the Authority.
 - b. To any document relating to the Authority.
 - c. To any employee or member of the Authority.
4. To provide the Improvement and Assurance Board at the expense of the Authority, with such reasonable amenities and services and administrative support as the Improvement and Assurance Board may reasonably require from time to time to carry out its functions and responsibilities under these Directions.

5. To pay the Improvement and Assurance Board reasonable expenses, and such fees as the Secretary of State determines are to be paid to them.
6. To provide the Improvement and Assurance Board with such assistance and information, including any views of the Authority on any matter, as the Improvement and Assurance Board may reasonably request.
7. To co-operate with the Secretary of State for Levelling Up, Housing and Communities in relation to implementing the terms of these Directions.

Together for Nottingham



Recovery and Improvement Plan Refresh
October 2022

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Foreword

This document builds on our original Recovery and Improvement Plan by adding an update as to the position at the end of Year One and a further refresh in October 2022. The purpose of the original Recovery and Improvement Plan was to confirm and provide assurance to the Government that Nottingham's response to the Non-Statutory Review (NSR) of the Council was positive and being undertaken at pace.

Nottingham is a vibrant, diverse and ambitious city. We are home to the "Nottingham Declaration on Climate Change", and maintain a nationally leading position on carbon reduction with the ambition to be carbon neutral by 2028. We pioneered Early Intervention and Community Care models and maintain award winning parks, leisure and cultural facilities for the benefit of our citizens. Our support for cyclists, and our bus and tram systems are celebrated nationally and internationally.

We have recently delivered a new central car park and bus station and have seen the completion of a new city centre College Hub. We continue to build on the inward investment from those that want to be part of our success over the coming years.

Nevertheless, as Leader and Chief Executive, we recognise the seriousness of the financial, governance and operational challenges we face, and it is going to take a significant collective effort from all at the Council to address them and reach a sustainable position.

However uncomfortable the findings of the review were for both the political leadership and officers, we remain determined and confident in our organisation's capacity and capability to change.

Together For Nottingham

We are under no illusions about the size and scale of the challenge ahead of us, but working constructively with the Government, our partners, and the people of Nottingham, we are confident we can take the necessary actions, at the required pace, and to the desired quality, to deliver the fundamental changes needed.

Over the last 18 months we have made significant progress towards delivery of the Plan through, for example, the refresh of our Strategic Council Plan and launch of an Integrated Transformation Programme. However the landscape we operate in continues to evolve, creating new challenges such as the growth in inflation, which we need to manage in a safe and sustainable way.

Over the remainder of the Together for Nottingham Plan's term, the organisation will continue to go through significant and at times disruptive change, but we will not lose sight of our ambition, values and commitment to fairness, inclusivity and equality for all.

We are committed to ensuring that we continue to deliver quality statutory and local services, helping to keep the city safe and clean, and to work in partnership with the communities we serve, to build a prosperous city offering residents the opportunity to realise their potential.

Cllr David Mellen
Leader of the Council



Mel Barrett
Chief Executive



Introduction

Nottingham City Council has taken bold decisions over the last decade to improve Nottingham's neighbourhoods and the city centre environment through capital schemes, improving housing stock, and better public areas such as parks and neighbourhood centres. New libraries, a new leisure centre, and investment in public spaces have brought about improvement, but the level of financial risk that comes with these investments has not been considered systematically and governance of these schemes has not always been tight enough.

Following the election of a new political leadership in 2019, the Council has embarked on a series of significant changes in order to strengthen both the governance and financial stability of the Council. This has included establishing the Companies Governance Executive Sub-Committee, and launching a Strategic Review of Robin Hood Energy which resulted in a decision to transfer customers to an existing energy supplier and to progress the orderly winding up of the company.

There have also been considerable changes to the senior management of the Council following the departure of the previous Chief Executive in April 2020, including the appointment of a new Chief Executive and an Interim Chief Finance Officer to drive forward Council policy, supported by strengthened management arrangements.

The Public Interest Report (PIR) into the City Council's governance of Robin Hood Energy was published on the 11th of August 2020 and

revealed significant failures in the Council's governance of Robin Hood Energy, including a need to improve the council's strategic financial management, overall corporate governance and organisational culture.

The Council was subsequently approached by the Department for Levelling Up, Housing and Communities (DLUHC – formerly the Ministry for Housing, Communities and Local Government) with regards to the possibility of a Best Value Inspection being undertaken. An agreement was reached instead in October 2020 for a rapid Non-Statutory Review (NSR) to be carried out, led by Max Caller CBE. We fully accepted the recommendations of the NSR, and committed to both continuing the improvement journey commenced in relation to the PIR and implementing the findings of the NSR.

One of the outcomes of the NSR was the setting up of an Improvement and Assurance Board (IAB) by the government to provide the government with assurance that improvement was progressing at the Council. This Board has been in place since January 2021 and has overseen the Council's improvement journey, governed by the Together for Nottingham Plan over its first 18 months.

The October 2022 refresh of the Together for Nottingham Plan (formerly the Recovery and Improvement Plan) includes further updates and outlines additional work being undertaken, informed by events since the Year One refresh was drafted.

During a review of governance and financial management – a key component of the Plan – the Council found that funding from the ring-fenced Housing Revenue Account (HRA) had been drawn down for use in the General Fund, over a period of years, which resulted in a Section 114 Notice being issued. Immediate steps were taken to stop this from happening in future and to refund the HRA from the Council's General Fund.

In June 2022, we were notified by the Secretary of State that the Government was 'minded to' appoint Commissioners to the Council. This decision was made in the context of the HRA issue, the resultant independent Penn and CIPFA reports which had been commissioned to investigate how the issue had occurred and its overall impact and the quarterly progress reports from the Improvement and Assurance Board (IAB), which has been working alongside the Council since the inception of this Plan. We were invited to make representations in relation to the proposed measures, and the Council and a range of stakeholders chose to do so.

This decision was subsequently amended, and instead the IAB was placed on a statutory footing. We have developed a good working relationship with the IAB and remain committed to working in partnership with both the IAB and DLUHC to implement the necessary reforms in a prompt, robust and sustainable way.

The Council accepts the new statutory measures implemented in early September 2022, and acknowledges that the IAB now has the power to direct the Council instead of offering recommendations and advice. We are mindful of the need to accelerate the pace of improvements required to deliver the required transformation, in collaboration with the IAB, and we remain committed to doing so to the greatest degree possible. Finally we also acknowledge the

Together For Nottingham

publication of an Ofsted report in September 2022 into the performance of our Children's Services directorate. The Council is fully committed to implementing the recommendations coming out of this and this is discussed more in the Further Reviews section of this Plan.

October 2022 Update

Since the publication of the refreshed Together for Nottingham Plan, in early 2022, the Council has continued to work at pace to deliver its commitments and this revised text will provide a progress update and new commitments, within the thematic action plans. However, progress has not been linear and some significant challenges have been identified.

Following the identification of the HRA issue, a decision was reached to bring Nottingham City Homes, the council company responsible for the Council's social housing stock, back in-house. This process is underway and expected to be complete in early 2023.

An Ofsted inspection of Children's Services also identified significant areas for improvement in that directorate. Whilst some areas of good practice were identified, the service as a whole was judged to be Inadequate, a deterioration from the position at last inspection. This finding, while disappointing, provides a clear mandate to improve our service to some of our most vulnerable residents.

We have also pursued a major opportunity to address decades of under-investment in our region. Following the publication of the Government's Levelling Up White Paper, we were among nine local authorities invited by Government to pursue a devolution deal. We worked with Nottinghamshire County Council, Derby City Council and

Introduction

Derbyshire County Council to secure an offer of a Level 3 devolution deal for the East Midlands. This offer will result in the creation of an East Midlands County Combined Authority (EMCCA) and come with over £1bn of funding for the region over the lifetime of the deal. This is a significant opportunity for Nottingham allowing it to take part in a pragmatic solution for regional government which, through working with other authorities with different political leaderships, will provide the best overall outcomes for the city. We believe that, by fully embracing the improvement journey we are currently on, the Council will be well-positioned to maximise the opportunities and ambitions of the devolution deal. Our commitment to and our ability to provide capacity towards the devolution deal, whilst still delivering improvement can be seen by the significant amount of work that had to be done in a short space of time to get the devolution deal signed. Now that we have that agreement in principle we will continue to support this initiative in the same proactive manner, delivered by a suitably experienced team within the Council.

Key Progress to Date

The Council has laid strong foundations on which to deliver long-standing and sustainable improvements, through the achievement of a number of key milestones. It is recognised, in light of the findings of independent reports, including those of the IAB and Ofsted, that there is still significant progress to be made if we are to achieve true transformational change and meet our Best Value obligations for our residents. We are also mindful that, whilst we have achieved a lot the pace of our delivery can and will be increased further and that there will be more difficult decisions for us to take in the future as we deliver our aims.

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In the following pages each Theme sets out what it has achieved in the first year of the Together for Nottingham Plan in more detail alongside further updates arising from the October 2022 refresh. The highlights are summarised below:

- Approval and implementation of a refreshed Strategic Council Plan, i.e. the Council's Policy Framework
- The creation of a new Performance Management Framework linking the Strategic Council Plan to Service Plans to the Medium Term Financial Strategy and to individual performance appraisals
- Approval and implementation of a new Constitution for the Council
- A review and re-alignment of member portfolios
- A top tier officer restructure and recruitment
- An in depth review of the organisation's culture
- The creation of an Integrated Transformation Programme
- New and embedded budget oversight procedures
- A new and embedded Assets Disposals Policy
- The creation of a Corporate Landlord function
- In depth reviews of the Council's Companies
- The creation of a Shareholder Unit to manage the Council's relationship with its companies more effectively.
- Strengthened companies governance arrangements
- The disposal of Thomas Bow

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- A new and embedded Debt Management Strategy
- A new and embedded Capital Strategy accompanied by a revised Capital Programme
- A new and embedded capital governance and control framework introducing new project controls.
- Training programmes created and rolled out for both members and officers
- The completion of actions from the report in the Public Interest

Key Changes to the Together for Nottingham Plan

The initial version of the Recovery and Improvement Plan, now known as the Together for Nottingham Plan, was based on the findings of a Non Statutory Review carried out in November 2020. The Plan was last amended in early 2022, taking into consideration increased knowledge of the challenges facing the Council and progress to that date in relation to the delivery of the Plan. This revision provides further updates against the milestones and key dates in the revised Plan.

In June 2022 the Council was informed that the then Secretary of State for Levelling Up, Housing and Communities was 'minded to' intervene in Nottingham via the appointment of Commissioners. However, prior to making a final decision there was a period in which various parties, including the Council could make representations to him with regards to this decision.

In September the Council received further correspondence that instead of appointing commissioners, that the IAB would be placed on a statutory footing. Following this change in status further

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information has been requested by the IAB. This revision therefore incorporates a response to these changes and requests for information.

The changes that are set out in more detail in the following sections generally relate to actions and milestones, sometimes with the addition of further projects.

It should be stressed that the main objectives of the Together for Nottingham Plan and its key deliverables remain unchanged. The second refresh of the Plan does however go into more detail on the steps that the Council in the next phase of the improvement journey in response to both the Directions received from the Secretary of State for Levelling Up, Housing and Communities and further input from the IAB since they moved to a statutory footing.

To summarise the key changes in the document are:

- The addition of a section outlining the responses to the reviews into the HRA and Ofsted inspection.
- A series of updates and clarification of milestones across the Themes
- Further actions to help ensure that change within the organisation becomes embedded building on the foundations laid in the first 18 months of the Plan.

Delivering this updated plan will lead to real and positive change, with lessons learned being applied to a new Council Plan for 2023 to 2027, in line with the council's electoral cycle. These lessons will doubtless prove useful in operationalising a devolution deal, and when planning for the election of a mayor for the proposed EMCCA.

Strategic Context

Introduction

The Together for Nottingham Plan covers a wide range of activity, from the Council's finances to its Strategic Council Plan, from its organisational culture to the updating of its Constitution and much more in between.

It is important that the documents that underpin this work are seen collectively as a whole and that we acknowledge and describe how they interlink and feed into and off of one another - to demonstrate that policy, planning and activity are seamlessly delivered.

The Council is using the Together for Nottingham Plan as an opportunity to look forward and challenge itself as to the way in which it delivers its services and to strengthen the foundations from which its activity is delivered. This includes the creation of an integrated Transformation Programme, examining how we operate, and ensuring that we have a culture that enables the changes set out in this Plan to happen. Further details on these areas are provided later in this document.

Design Principles

The Council has reflected on the feedback it has received through the Non Statutory Review, the Improvement and Assurance Board and other organisations that have been helping us during the first eighteen months of the Plan. This has helped underline the need to

deliver transformation of both the Council and its services based on some clear and consistent principles. These are:

- Empowering communities to co-design and deliver services, with citizens taking responsibility for their own outcomes.
- Putting the customer at the heart of our thinking to provide timely, cost-effective responsive services.
- Creating a culture and an estate that support our work being done in the best possible place and time.
- Intervening as early as possible to manage demand and improve outcomes.
- Constructing strategically integrated systems and digital tools, using data to create knowledge and insight.
- Building and resourcing an environment for innovation, learning and leadership.
- Choosing the most appropriate delivery model for each service.
- Leading and collaborating with partners to deliver better outcomes and efficiencies.
- Building back a strong intelligent centre for policy, performance, insight and reform.
- Embedding behaviours and actions to ensure that the Council delivers its Best Value Duty.

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These principles will form the starting point for our operating model from which we look at any future changes to how the Council operates, whether it be its structure, processes, policies and / or services.

Core Documents

Every large organisation will have a number of forward looking plans and strategies which underpin its work and the Council is no different. Some of the key documents that drive the Council and influence how we operate include:

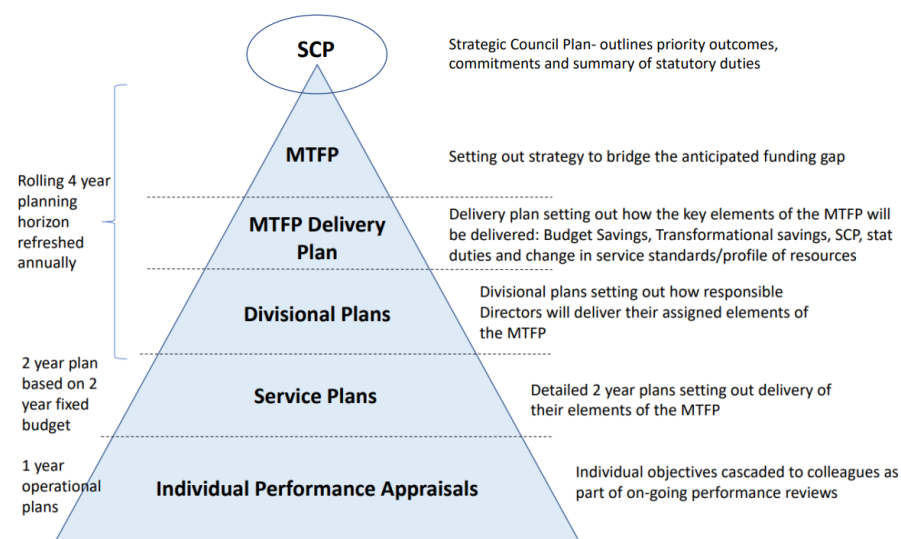
- The Medium-Term Financial Plan (MTFP) (rolling 4-year plan) and subsequent MTFP Delivery Plan;
- The Together for Nottingham Plan (2021/22 to 2023/24):
- The (refreshed) Strategic Council Plan (SCP) 2021/22 to 2022/23; and,
- Divisional Plans and Service Plans (rolling 2 year plans)
- Individual Service Plans

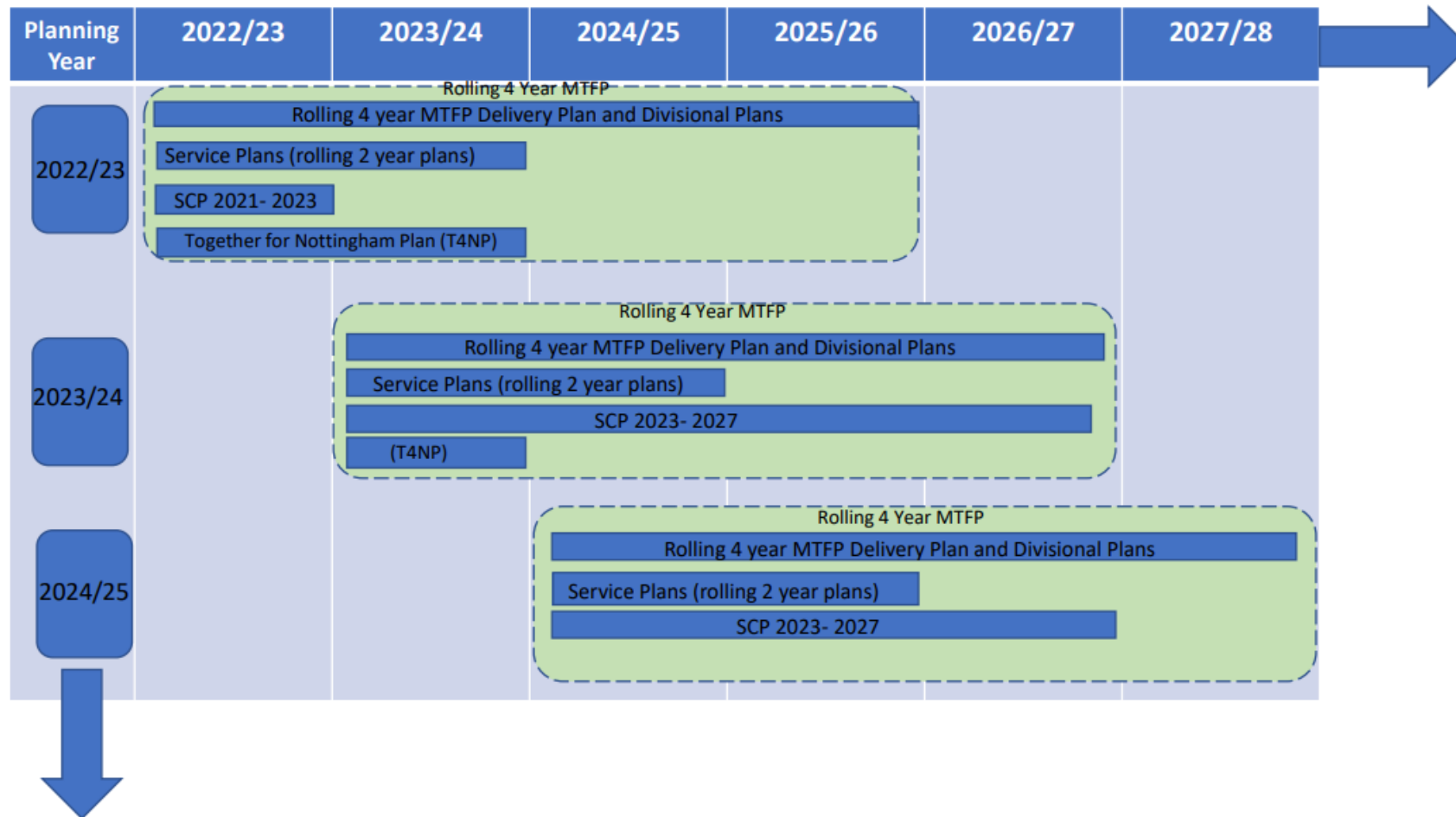
These plans cover different time periods due to the differing purposes and origins of their development. Nonetheless they are all interconnected and integral to each other under the unifying umbrella of the MTFP.

The MTFP and associated delivery plan is a four-year rolling plan outlining how we will maintain financial stability. It sets out the anticipated funding gap and how we will bridge that gap through a range of budget proposals, assumptions around income and a range of projects aimed at transforming how we operate and deliver services within a balanced budget. The Strategic Council Plan sets Together For Nottingham

out the council's high level priority outcomes and commitments that must be delivered within the available resources. The MTFP delivery plan sets out how the key components of the MTFP will be delivered including any budget savings and transformation projects. The MTFP delivery plan is based on the divisional plans, which in turn are the basis of the service plans and individual performance appraisals of colleagues providing a clear connection to the high level objectives.

The diagrams below show the key plans and how they fit within an annually refreshed four year planning horizon.





Whilst there may be differing time frames associated with the key strategies and policies, the four year rolling MTFP and budget envelope is the unifying factor, and the MTFP delivery plan is

refreshed annually to define what can be delivered with the available resources. There are other key strategies and policies, some still in development (e.g. Risk Policy and HR Policy), which will be brought together under a coherent policy framework as part of theme 8.

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Governance & Assurance

Aims & Principles

In order to place the Council on a sustainable financial footing in the medium term and to protect the delivery of essential services to residents, there is a need to make changes to how the authority operates.

This is required to keep in balance the delivery of a positive vision for the city and the regeneration and renewal required, whilst maintaining essential services to residents within the available financial envelope, and ensuring timely, transparent and accountable local decision-making.

This will mean rationalising the number of organisations delivering core council services, reducing duplication, increasing efficiency, and will involve taking difficult, but necessary decisions in the short term, in order to ensure that the Council can deliver the desired outcomes within a financially sustainable framework over the medium term.

Nottingham City Council, with targeted support from the Government and the Local Government Association (LGA), is undertaking a recovery plan to deliver the above, based on the following priorities and principles:

The High Level Priorities for the Recovery Plan are:

- Delivering a sustainable financial footing for the Council in the medium term and protecting delivery of essential services to residents.
- Focusing on providing the best quality core service we can afford, whilst continuing to be safe, clean, ambitious and proud for Nottingham.
- Implementing a Council wide cultural change and improvement programme, to remedy the long standing cultural issues identified by the PIR and NSR.
- Continuing to use our leadership role in Nottingham to unite residents, businesses and partners around a common purpose, and to make a clear case for a better deal for Nottingham.
- Supporting our businesses, partners and residents with the recovery from Covid-19.
- Demonstrating excellence in public administration and effective governance.

Objectives

The Recovery Plan will / has deliver (ed):

- An ambitious, fully costed and deliverable refreshed Council Plan for the City and its recovery from the impact of Covid-19
- The wholesale cultural changes needed to effect meaningful progress.
- A sustainable Medium Term Financial Strategy.
- A refreshed and affordable Capital Strategy and system of Capital Governance.
- A clear plan for reducing and managing our overall levels of debt over the medium to long term.
- A revised approach to the management of the Council's assets.
- A sustainable approach to the Council's company holdings.
- A refresh of the Council's Policy Framework – to ensure it is affordable and deliverable.
- A refreshed Performance Management Framework.
- A modernised Constitution and decision-making process.
- A clear Member/Officer Protocol to support the above.
- Changes to Executive Portfolios to provide clarity of role and link clearly with senior officer structures.
- A programme to build our capacity and invest in the development of our people.

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Plan Delivery

We understand the need to provide the Improvement and Assurance Board with the necessary confidence that Nottingham City Council has the capacity and desire, alongside the right targeted support from the Government, to deliver on the Recovery Plan.

The successful delivery of the plan will also require us to build on the strengths of the partnership with DLUHC and develop the support already received from the Local Government sector as a whole, and engage and harness the good will and commitment of City Council staff.

To help provide that assurance, the following sections set out our proposed:

- Prioritisation
- Governance Arrangements
- Plan Management
- External Support from the LGA and others

Prioritisation

Our focus was initially on addressing the most pressing and urgent issues first, this included creating a detailed savings plan, to allow a robust budget for 2021/22 to be set and establishing an Improvement and Assurance Board to oversee the ongoing development and implementation of the Recovery Plan.

The prioritisation of deliverables in the Together for Nottingham Plan has been set in response to the findings of the NSR and PIR

and supplemented with input from the Improvement and Assurance Board, acknowledging their criticism of the pace and robustness of Council decision-making, and of delays in taking the appropriate action when issues have been identified previously.

A clear programme management plan, and dedicated resource to support it, will ensure the Together for Nottingham Plan activity is undertaken with the appropriate pace, robustness and quality.

Governance of the Recovery Plan

A governance structure has been developed based on the introduction of an external Improvement and Assurance Board. The Improvement and Assurance Board will be key to both monitoring the progress of the Together for Nottingham Plan, and providing assurance to DLUHC and wider stakeholders that they can have confidence that the improvements set out in the Plan are being delivered.

The Improvement and Assurance Board is chaired by Sir Tony Redmond, and membership includes the Leader of the Council alongside a number of independent external members, who have been appointed by the Secretary of State to provide oversight and confidence in the delivery of the Recovery and Improvement Programme. Since September 2022 the Improvement and Assurance Board has been placed on a statutory footing.

A number of arrangements have been put in place to ensure the timely delivery of the Recovery and Improvement Programme. An Officer Together for Nottingham Programme Board, chaired by the Chief Executive and made up of key Corporate Directors and other officers from within the Council, progress individual programmes

and projects within the overarching Together for Nottingham Plan. This work will be supported by a Programme Management Office (PMO), to ensure the Together for Nottingham Plan is delivered within its parameters.

Lead officers are accountable and provide assurance of progress to lead Portfolio Holders, who are in turn accountable to the Leader of the Council, other councillors, and of course the people of Nottingham who elect them. The Lead Councillors and Lead Officer for each Theme are set out at the end of the Actions Table within each Theme. Those fulfilling these roles may change over time to reflect who is best placed to lead on a particular area at a given point in time.

The process for formal decision making is undertaken in accordance with normal local government practice, including through the City Council's Corporate Leadership Team, Executive Board and Full Council, as appropriate, recognising that a simplified and prompt decision making process will be required to ensure delivery of the plan at the required pace. Links and updates will also be provided to Overview and Scrutiny Committee, Audit Committee and Full Council as appropriate.

The use of a PMO working closely with those officers leading work-stream themes and their underpinning projects will provide assurance that the Plan is being delivered, or if variances occur, that these are identified at the earliest opportunity and mitigation plans are developed to keep that work-stream on track.

This will be done through the creation of a rigorous monitoring process focussing on delivery against milestones, risks, financial

implications, and issues that need to be escalated to ensure the programme's success.

Each of the Themes of the Together for Nottingham Plan form programmes of work. Colleagues delivering these programmes are responsible for delivering their projects and making sure that the appropriate project documentation, controls and performance management frameworks are in place, to ensure that the projects run effectively.

Plan Management

To support delivery of the Together for Nottingham Plan, a more detailed programme management plan has been developed.

The Programme can be summarised as setting out how the Council will deliver a sustainable balanced budget, in the context of a refreshed policy framework, with transparent and efficient decision making, having regard to the resources that are available.

Given the wide range of those themes, i.e. the Council's finances and policy framework, the scope of the Programme is considerable.

To help narrow this down, the early stages of the Programme focussed on the process for delivering a balanced Medium Term Financial Plan and an ongoing policy framework which is both affordable and deliverable.

A number of programmes, projects and work packages have already been identified to help define activity and the scope of the Programme more tightly. These are summarised at a high level in the later sections of this Together for Nottingham Plan, please see the individual Themes and Actions sections.

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It is likely that over time, given the extent of the Together for Nottingham Plan and its duration, that other work will be added or potentially sometimes removed, from the Programme. This will only be done in order to ensure that its long-term objectives continue to be met, and will take place with reference to a clearly defined change protocol.

Links to other non-Recovery Plan Activity

The Together for Nottingham Plan covers the work the City Council needs to undertake to deliver on the aspirations we have set out to improve and transform the City Council over the next three years.

However, this does not reflect all of the activity the Council is involved in, such as continuing to deliver important statutory and day-to-day services, supporting our city and residents in recovering from Covid-19, devolution and significant projects to support sustainable growth and development of the city and provide opportunities for residents to realise their full potential. These will continue to be delivered and managed in the round through the Council's standard performance management processes, but having full cognisance of the implications of the Together for Nottingham Plan.

Resources and Management

The Council recognises that over the period of this Plan the way it conducts business will change, with the shape of this work being determined by its revised budget and policy framework.

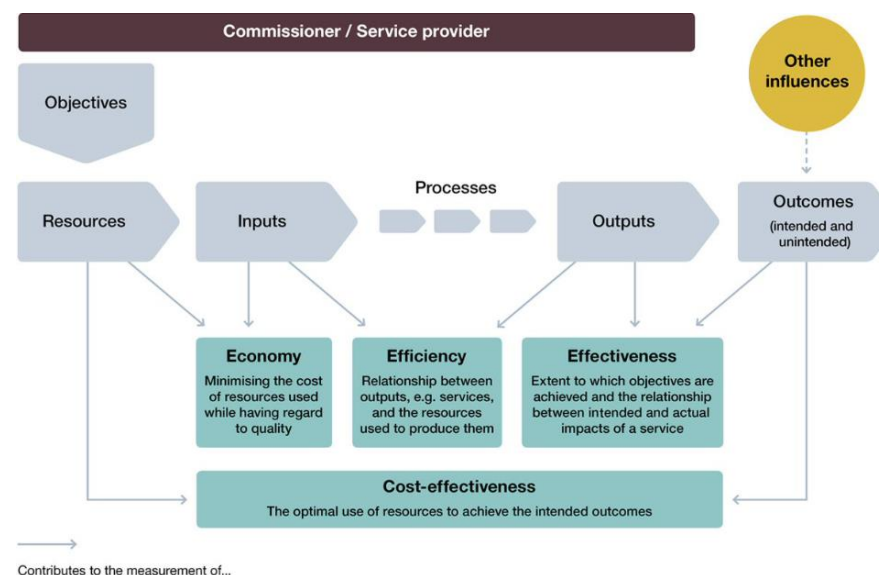
In the short term, it is also acknowledged that the scale and the pace required to successfully deliver this Together for Nottingham

Plan will inevitably lead to a need to provide further resource into the Council on a short term basis. Resourcing requirements are determined through the creation of Resource Plans for each of the Themes within the Plan, and appropriate allowances will be made to finance this requirement in the Council's budget setting process. The Council will ensure that this resource does not become core to its ongoing functions and is capable of being quickly stepped down once the specific pieces of work required by the Plan have been carried out.

External Support

We have taken on board feedback from DLUHC and other sources about, at times, being too internally focused, and will seek out sector appropriate support from external agencies where necessary. During the first 18 months of the Together for Nottingham Plan the Council has become more externally focussed, looking at practice from elsewhere and beginning to embed the continual improvement required as part of our Best Value Duty.

With regards to embedding Best Value we are drawing on National Audit Office guidance to outline how the processes around ensuring that Best Value is achieved are enshrined into our governance and assurance process. The diagram below, from the National Audit Office, outlines how these processes need to be considered.



We cannot successfully undertake our transformation journey without external support and a willingness to learn from the best practice of others.

We will continue to share and learn from best practice from elsewhere – including use of “off the shelf” solutions where appropriate, to support the pace of our modernisation and improvement journey.

We have now actively sought out robust “check and challenge” from external organisations such as the Chartered Institute of Public Finance and Accountancy (CIPFA), the Centre for Governance and Scrutiny (CfGS) and the LGA, to improve the credibility and transparency of the Together for Nottingham Plan and its programmes, and provide additional assurance for Government.

The LGA has already provided considerable support to the City Council to date, demonstrating the strength of the sector and the willingness of our partners to collaborate and help us in our improvement journey.

This support has included:

- Provision of a Mentor for the Chief Executive.
- Support to the Nottingham City Council Governance Improvement Board.
- All Portfolio Holders have been offered Councillor Mentors.
- Independent challenge and review of our work on revised Committee Terms of Reference.
- Independent review of our progress on delivering the Action Plan in response to the PIR.

Additional support can provide robust check and challenge which will improve credibility and transparency, and additional assurance for Government.

Governance:

- Support, advice and challenge on changes to NCC's Constitution.
- Support, advice and challenge on embedding a new Member/Officer Protocol.
- Training and development for the Audit Committee.
- Training and development for the Overview and Scrutiny Committees.

Organisational Culture & Leadership:

- Advice to Leader and CEO as required.
- Dedicated mentoring advice to Leader for the initial duration of the plan.
- Dedicated coaching, mentoring advice to CEO.
- Dedicated role mentoring and 1-2-1 mentoring for each Portfolio Holder.
- Facilitated team session(s) with Full Executive.
- Facilitated session(s) with elected members.
- Workforce development/cultural change (supplier potentially sourced and funded by LGA).
- Offer of a series of member development sessions and Leadership.

Companies and Joint Ventures:

- Review of governance of external companies in the light of the PIR on RHE.
- Advice and support on bringing services back in-house, or leaving them out in an ALMO or other arrangement or disposing of them, for example in the case of Thomas Bow.

Financial Stability:

- Challenge and advice on the financial strategy.

Monitoring Progress

The proposed approach is to measure delivery of the plan against the identified milestones by exception in order to ensure any variance from the original plan is understood and justified.

Additional metrics will be developed to measure longer term impact and progress towards key outcomes. This is likely to include staff surveys and taking views from Members in relation to organisational culture, information garnered from the annual citizen survey, and perception surveys from businesses and partners in terms of the council's openness to collaborating and the effectiveness of joint working. These are expected to be few in number and focus on the measures that provide the clearest indication of movement towards a more sustainable financial position.

Where practical, the City Council will make use of existing measures and reporting mechanisms rather than duplicate effort. In addition, it is anticipated that individual projects are likely to require additional reporting arrangements particular to them. The Improvement and Assurance Board may also have a view on metrics they would want to see reported at regular intervals. Their view will be sought as an early item of business for the Board.

Financial Sustainability

Budget year to date (YTD) variance and Forecast Variance will be monitored using the existing period reporting process, with reporting to a range of forums including the Corporate Leadership Team and

Financial Leadership meetings, involving both members and officers. Quarterly figures with commentary will be produced as part of the suite of KPIs for the Improvement and Assurance Board. A mechanism will be developed to distinguish between business as usual (BAU) resources and those consumed on a temporary basis to deliver specific action plan objectives. This will help establish the underlying budget position.

Total capital receipts from asset sales by class will be reported on a quarterly basis against predefined targets.

The quantum of principal repayments will be reported on a quarterly basis along with forecasts for annual total debt. Actual debt levels will be reported on an annual basis. These are measured against predefined targets. The cost of servicing debt will be monitored and reported on a quarterly basis to the Improvement and Assurance Board as an indicator of both affordability of debt levels and taking into account the structure of liabilities.

Culture, Organisation and Workforce Development

Nottingham City Council already undertakes annual employee surveys in addition to the daily contact individuals have with each other and with management. These will allow progress to be measured on the effectiveness of the council's managerial leadership and staff satisfaction in undertaking their roles and provide useful insight into the wellbeing and fulfilment of our employees, as well as shedding

some light on where the organisation could do more to help them achieve their full potential. The Together for Nottingham Plan also involves the roll out of a number of training activities, take up and

feedback on these will also be monitored to help inform the understanding of the level of cultural change that has happened to date and to signpost where further activity may be required.

Risk Management

Due to the scope of the Together for Nottingham Plan, the identification and appropriate management of risk will be key to its overall success.

Risk identification and management will take place at all levels within the Together for Nottingham Programme in line with the Council's Risk Management Framework. Individual projects within each Theme will be responsible for carrying out an initial risk analysis of their area and then reviewing and updating this on at least a monthly basis.

Risk Analysis and Recording

Risks will be identified and then analysed to understand their potential impact. Risks will be scored to determine their current likelihood and impact using the Council's standard risk scoring methodology. This will allow risks to be RAG rated and used as a tool for prioritising management focus and action. The means of treating each risk will also be determined on a "tolerate, terminate, treat, transfer" basis and logged on a standard template.

The risk log will be updated on at least a monthly basis by the relevant project team, who will also update the risk scores to reflect how their treatment has impacted on the risk.

Risk Monitoring

The monitoring regime being introduced through the Recovery Programme will require the reporting of risk from project level up to Theme level, and then again to the Officer Recovery and Improvement Programme Board. Lead Officers will be responsible for providing assurance to Portfolio Holders. This process will be overseen by the PMO, who will ensure that risks are aggregated and that plans for the treatment of risk are appropriate and acted upon.

Programme risk reporting will be added to the forward plan for Audit Committee, having regard to that committee's important role, (and that Committee received an overview of the Together for Nottingham Plan implementation and control processes in place in March 2021). In addition performance against the Together for Nottingham Plan has been added to the forward plans for Overview & Scrutiny Committee to ensure appropriate oversight of Executive decisions and officer risk management outcomes.

The importance of risk management will be reinforced through regular risk monitoring and reporting processes, in line with the Council's Risk Management Framework. This will ensure it is reported and acted upon at senior leadership level, and assessed and mitigated appropriately throughout the organisation.

Where appropriate risks identified by the PMO will also be incorporated into directorate risk and assurance registers and if needed escalated to the Corporate Risk and Assurance Register. This will ensure that members have an oversight of the high level risks identified by the PMO and will be considered regularly by Executive Board and Audit Committee.

The establishment of this chain of reporting and the use of the PMO means that not only are risks reported in an accurate and timely manner, but that an understanding of risk across the whole Recovery Programme is created. In turn, this will allow the Recovery Programme Board to manage the combined Programme risk against its risk appetite and take action where the two are not aligned.

Key Programme Risks

The following risks have been identified as the Recovery Programme's most significant high level risks:

- Loss of confidence by DLUHC leading to statutory intervention.

- Loss of confidence in the City Council by the citizens of Nottingham.
- Insufficient resourcing of transformation programmes and related projects.
- Officer and Councillor resilience, fatigue and demoralisation.
- The potential for the ongoing Covid-19 pandemic to impact on plan delivery.
- That the Council is unable to set a balanced and sustainable MTFS over a four-year period that delivers statutory services.
- The council fails to deliver the MTFP delivery plan and mitigate for unachieved savings or income and/or transformation assumptions are not realised.
- That the Council's generation of capital receipts does not reach the levels or timescales required to balance its financial needs.
- That organisational structures and culture prevents the delivery of the Recovery Programme to the required manner and timescales.

Culture and Transformation

The Together for Nottingham Plan will lead to considerable change in how the Council operates. To successfully achieve these changes a number of the Themes set out in this Plan will need to work closely together. This applies particularly to our work on the Council Plan (Theme Eight), Service Design and Delivery (Theme Seven) and Organisation and Culture (Theme Six), underpinned by our financial resources set out in the MTFS (Theme One). This section provides an overview of some of these linkages before the detailed work of each Theme is described in subsequent sections.

Transformation

Our vision for the city and its people remains ambitious. However, the context in which we operate has changed dramatically since 2019, not least, as a consequence of the social and economic impacts of Covid-19. It is clear that if we are to achieve our aims and live up to our aspirations for Nottingham, we must be prepared to rethink what we do and how we do it.

We must become an exemplary modern council. Our plans must be achievable and our implementation of them efficient and based on evidence. We must focus on and respond to our customers, residents and businesses. Whilst we will be smaller, we must continue to employ, inspire and cultivate an engaged and committed workforce. Fundamentally, our work must be prioritised and planned so that we maximise the value from the resources we have.

This transformation will impact on the whole of the organisation and will move at pace. At its heart will be a transformation programme that links back to the Council's MTFS and ensures that:

- all council activity is aligned to a common plan
- decision-making arrangements in the council enable rapid progress towards the delivery of that plan
- managers are empowered to make decisions within the framework of that plan
- we build the council's capacity for change and delivery at all levels
- we do the basics of performance, people and process management well
- we redesign the services we provide and build the capabilities that are necessary to execute those redesigns
- We embed Best Value at the heart of what we do.

The Council Transformation Plan, therefore, incorporates substantial programmes of change focussed on:

- The organisation and culture of the council
- Our service delivery options
- The Council Plan

Further details on our Transformation activity and the nature of our programmes can be found later in this document in Theme Seven, Service Design and Delivery

Culture

Delivery of any change programme will succeed only where the culture of the organisation supports it. This plan includes a number of organisational, structural and developmental objectives that aim to create the conditions in which a positive culture can thrive, however, cultural change is ultimately about the choices and behaviours of individuals.

The Political and Officer leadership understand and embrace their responsibilities to consistently model the behaviours they seek for the organisation as a whole. Positive cultural change will be supported by proactive communication and engagement with colleagues, recognised trade unions and partner organisations.

The PIR and NSR both identified issues with the wider organisational culture that need to be addressed:

- The organisation's pride in itself and the dedication of its employees (as evidenced by its response to the Coronavirus pandemic for example), are impressive, and are strengths that can be built on.
- Evidence-based decision-making should explicitly be part of our culture, and bringing forwards challenging/contrary evidence should not be seen as demonstrating a lack of commitment to the Council's ambitions.

- Nottingham's strong narrative of being different, whilst positive in terms of ambition and innovation, has created a blindness to learning from best practice and innovation elsewhere. As budgets have becoming tighter, this approach has proved increasingly difficult for the city.

- Setting a positive future for the city and council will be less about doing for, and more about doing with our residents and communities, with our citizens more actively engaged in determining how our services are designed and delivered.

For the Together for Nottingham Plan to be successful, we recognise that the wider culture at Nottingham City Council needs to change and that behaviour change underpins any successful transformation.

Whilst a new constitution can be written and adopted, plans can be created, process automated and systems put in place, the people at the heart of those changes will determine if real change is embedded and sustained.

With this in mind, the Organisation and Culture Theme will work collaboratively with all other themes and share many cross-theme objectives

We will assess and reset the cultural norms and expectations in Nottingham, and, working with our staff and the Local Government Association, will scope out and deliver a comprehensive workforce development and cultural change programme. The aim of this programme is to deliver positive lasting cultural and behavioural change in the organisation.

We will create a culture of inclusion, where all employees feel valued, can make a full contribution and their contributions are recognised. This will underpin our equality, diversity and inclusion ambitions.

Our people are our most valuable asset and have demonstrated extraordinary resilience and commitment to public service during the Covid 19 pandemic. In the face of the most severe health crisis since the World War Two, frontline staff have continued to deliver essential services to residents and protect our most vulnerable citizens.

Change will be disruptive, but it can also be positive if we take our people with us. This means ensuring that voice of all colleagues can be heard, embracing and celebrating the strength of diversity, and ensuring there is real equality of opportunity for all.

External Engagement

The decision to rename the updated Recovery and Improvement Plan the Together for Nottingham Plan built on and reflected the commitments in the refreshed Strategic Council Plan. At this stage, more than 18 months on from the beginning of our journey, the priority remains to work with local people and our partners to deliver our strategic outcomes that will make Nottingham a world-class city that is Safe, Clean, Ambitious and Proud.

It is vital however that this is achieved through the Council maintaining a sustainable financial position. This will mean transforming the way we deliver some services and doing some things differently with the help of our communities and partners.

Through our Transformation Programme we will concentrate on how the Council's core universal services within our neighbourhoods can focus on prevention, early intervention and resilience within our communities to reduce the future demand for targeted services, such as social care.

We believe by taking this approach there is huge potential to significantly improve the lives of our residents, by tackling problems before they become issues and promoting independence and respect.

We will achieve this by carrying out an evidence led, needs analysis of our locally based services as part of our Transformation Programme, drawing in external expertise where this will add value. We will use the findings of this exercise to help shape dialogue with

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our residents, communities, voluntary sector and our partners to explore how we can work together, looking at different models of delivery from commissioning to co-production, to achieve these outcomes. At the same time we will continue to communicate with our residents through a variety of channels, for example social media, or the thrice weekly Leaders e-mail letter, to ensure that they remained informed about the transformation happening in the city.

The council is also increasingly looking upwards and outwards in terms of identifying potential learning and collaboration opportunities, including working with Nottinghamshire County Council, Derby City Council and Derbyshire County Council, and Borough and District Councils. In February, following the publication of the Government's Levelling Up White Paper, Nottingham, Nottinghamshire, Derby and Derbyshire were among nine local authorities invited by Government to submit a bid for devolved powers.

Over the summer of 2022, a bid was submitted for a Level 3 deal, which would involve the creation of an East Midlands County Combined Authority (EMCCA). Government has offered the region a deal worth in the region of £38m annually and over £1.1bn over the lifetime of the deal. Should this deal be ratified by the councils, this will provide immense potential to secure improved outcomes for the people of the city through greater collaboration and additional powers and resources. The funding package on offer also provides opportunity to attract investment to the region, and to improve our local infrastructure. We also have an opportunity to access time-

limited, in-year capital funding which if approved could allow us to deliver capital projects to benefit our residents.

Many of the key principles underpinning the Government's Levelling Up agenda align with the transformation we want to achieve in Nottingham.

In addition, the achievement of a devolution offer demonstrates that the Council can work at pace, and rapidly build the relationships needed to achieve our strategic priorities. The Council is determined to identify and identify learnings from the process to inform how we approach the wider programme of transformation.

Plan Structure

1. MTFS

Delivering a balanced budget and Medium Term Financial Strategy (MTFS) for the period 2021/22 to 2024/25, funded by sustainable core income and stable revenue streams.

2. Assets

Releasing capital from the Council's fixed asset portfolio through an accelerated programme of disposal and realisation, building on the work of the Asset Rationalisation Programme.

3. Companies

Reaching a clear determination on the future of each Council company.

Setting a clear direction for all Council companies and commercial activity within a coherent and effectively managed commercial strategy.

4. Capital Programme

Ensuring the capital available to the Council is wisely invested in delivering against our core commitments, and that debt levels are sustainable in the medium and long term.

5. Constitution (Governance and Decision Making)

Creating a new and "fit for purpose" Constitution for the Council that provides for efficient, effective and accountable decision making, with clear roles and responsibilities for Officers and Members.

6. Organisation & Culture

Ensuring the Council organises itself, its resources and behaviours effectively and efficiently, and is able to deliver the required change at pace and at scale.

7. Service Design and Delivery (formerly Delivery Options)

Making sure the Council is using all the tools available to deliver good outcomes for the people of Nottingham, the communities they live in and the local economy.

8. Council Plan

A refreshed Council Plan for 2021-23 that enables the City Council to live within its means, with a longer term revised policy and performance framework that clearly articulates our priorities and purpose to citizens, businesses, partners and other stakeholders.

Sustainable Finances				How We Deliver		Council Plan	
1. MTFS	2. Assets	3. Companies	4. Capital Programme	5. Constitution (Governance and Decision Making)	6. Organisation & Culture	7. Service Design and Delivery (formerly Delivery Options)	8. Council Plan

2021/22 Budget	Asset Disposal (including commercial and operational properties)	Commercial Strategy	Capital Strategy	Updated Constitution	Setting Top-Level Goals	Business Case Approval	Refresh of the Council Plan 2019 - 2023
4 year MTFS and Transformation Programme	Corporate Landlord	Company Governance	Debt Management Strategy	Member / Officer Roles and Responsibilities	Individual Performance Appraisals	Service Design and Delivery Implementation	Performance Management Framework
Spending Controls and Oversight	Community Assets	Council Owned Company Review	Review of Capital Schemes	Member Development Programme	Simplifying the Officer Structure	Resourcing	Policy Framework
Improving Financial Management Across the Organisation			Programme Controls	Review of Portfolios	Culture & Workforce Development	Capability Building	
				Development of Scrutiny		Transformation Plan Review	
				Good Governance			

Theme One: MTFS

The Medium Term Financial Strategy (MTFS) is critical in order to ensure that the Council operates in a sustainable manner. This Theme aims to deliver a robust process for setting a balanced budget and a medium term financial plan over the following four year period. The Theme originally had three projects, a fourth has been added as part of the first year refresh of this Together for Nottingham Plan. The plan will refresh each year after each MTFP cycle concludes.

Budget and Savings Proposals

This work-stream started with focussing on the 2021/22 budget but now rolls into future cycles, where a proposed budget will be submitted to the Council's Executive Board in November/December each year, to commence the formal consultation process and February the following year to finalise proposals following the consultation. Once adopted, the budget is monitored through the introduction of new budget oversight procedures to ensure savings are tracked and delivered. These procedures are approved by Executive Board, and ensure that both members and officers are clearly sighted on the budget and the key risks surrounding it and that they have a joint responsibility for managing these.

4 Year MTFS and Transformation Programme

We will deliver a four year sustainable Medium-Term Financial Strategy (MTFS) each year with two years 'firm' and two years 'indicative'. This will be based on the work of Themes 2-8 which all support delivery of a sustainable MTFS.

The budget will also contain the rolling four year MTFS, and clearly set out the parameters against which this will be managed and delivered. In addition, this work-stream will develop a Debt Management Strategy which will aim to manage the Council's overall debt downwards over MTFS time horizons.

This work-stream will underpin the work on the MTFS and is key to ensuring that the Council has a sustainable budget going forward.

The work-stream will create an Integrated Transformation Programme (linked to Theme 7 Service Design and Delivery) which develops a long-term funding envelope for core services and reduces the reliance on commercialisation.

Having set the affordability envelope, the Integrated Transformation Programme will agree on the key areas of service reform required across the organisation, and align outcomes to budgets to ensure that Council's objectives are met within the parameters of that envelope. Projects will then be set up to deliver the agreed programme.

The PMO will assist this programme in providing oversight to the projects which sit underneath it. To ensure that this happens in an efficient and effective way, all projects will be required to develop appropriate Project Management Plans and Business Cases and be subject to the overall monitoring and governance regime set out as part of the wider Recovery Programme.

Spending Controls and Oversight

This work-stream builds on the previous two work-streams to ensure that sustainable budgets continue to be delivered in the short and medium term, moving to a framework of entrenched sustainability in the long term.

It will continue to embed the processes set out earlier and in the milestones below to carry on this work, fully understanding the resources required to deliver these programmes and budgeting for these accordingly.

Improving Financial Management across the Organisation

A fourth project on improving financial management and procurement compliance across the organisation has been added to the Together for Nottingham Plan as part of the Year One refresh. This project will raise financial awareness, capacity and compliance across all colleagues in the Council holding budgetary and spending responsibilities, through a training and cultural change programme. It will also promote the importance of compliance with procurement rules as part of strong governance

and improve procurement practices through the embedding of new Contract Procedure Rules within the Council.

Key Objectives

- A balanced budget and a sustainable MTFS for the four year period.
- Reduced reliance on commercialisation to fund core services, ensure that core services are affordable in the longer term and removing fluctuating dividend income from core funding.
- Provide greater budget oversight and accountability, promoting CIPFA financial management standards, with Members and Officers sighted and jointly accountable.

Key Deliverables

The outputs that will be delivered through this work-stream will be:

- A balanced budget.
- An affordable financial envelope and a sustainable MTFS for the next four years
- A full Integrated Transformation Programme, backed with appropriate resources and project methodology and documentation.
- A robust Capital Strategy incorporating a Debt Management Strategy.
- New budget oversight procedures and controls

- The promotion of compliant procurement processes and a more strategic approach to commercial activity and contract management.

Key Activities

The key activities of this work-stream are:

- Delivery of Medium-Term Financial Strategy and balanced budget for 2022/23 – 2025/26.
- Align the Council's Strategic Council Plan and Divisional Service Plans within the authority's affordability envelope.
- Significant project work across the Council on the key areas of service reform identified through the Integrated Transformation Programme.

Key Risk

Key high level risks identified at this stage are:

- That the Council is unable to set a sustainable MTFS over a four year period that delivers statutory services and non-statutory services without recourse to reserves.
- That key areas of service reform do not happen at the required level / pace.
- Funding settlements and / or income drop materially, thereby further reducing the affordability envelope on which the MTFS will be founded.
- That there are unexpected / unforeseen calls on reserves

Should these risks become issues the following mitigation strategies will be considered:

- Increase in asset disposals.
- Developing contingency plans within the service reform proposals.
- Developing a list of further potential reforms that could be brought into the Integrated Transformation Programme as required.

Key Activity Completed

A number of improved controls have been put in place to assist the Council to manage its finances during 2021/22. These linked to work in other Themes and the creation of new Debt Policy and Capital Strategy have helped set the foundations for the Council to be able to put its financial planning onto a more strategic basis.

Key amendments to the refreshed Together for Nottingham Plan

There have been three key additions to this theme since the original Together for Nottingham Plan was adopted. The first is the inclusion of a review of the Council's Risk Policy, appetite, tolerance and procedures.

The second is the inclusion of a new project on improving financial management across the organisation.

The third is the development of a perpetual rolling 4 year MTFP delivery plan that will articulate how the assumptions in the MTFP

(savings, transformation etc) will be delivered and managed. The rolling MTFP will clearly set out the financial context of the future strategic council plan. The MTFP delivery plan will be based on divisional plans that in turn will inform service plans and individual

performance appraisal objectives of colleagues. Performance and risk management in terms of delivery will be part of the performance management arrangements under the performance management framework (PMF) under theme 8.

Actions

Work-Stream	Actions/Milestones	Timescale
2021/22 Budget and Savings Proposals	Agreement of Executive on 19 th January to budget proposals for consultations – balanced for 2021/22 – expected gap close to zero.	Jan-2021 Complete
	Evaluation of Finance Settlement implications.	Jan-2021 Complete
	Review of consultation responses and endorsement at Executive Board 16th February 2021.	Feb-2021 Complete
	Individual savings implementation plans and EIA/HIAs in place.	Feb-2021 Complete
	Full Council budget discussion and approval at 8th March meeting.	Mar-2021 Complete
	Monthly and quarterly monitoring of budget and tracking of savings. Members and Officers jointly accountable via Budget Oversight arrangements.	Q1 2021/22 Complete
	Tracking of saving through a member/officer forum with corrective action and mitigations where necessary to keep on track.	Q1 2021/22 Complete
	Confirm organisation-wide approach for reviewing and prioritising non-statutory activities identified in service plans and ensure that this is reflected in the funding envelope for future years, taking into consideration any transformation activity implications	Dec - 2021
Four Year MTFS and Transformation Programme	Develop long-term affordable envelope for core services, reducing reliance on commercialisation - establish as new spend base.	Jan-2021
	PMO established with operating protocols and ToRs to assure transformation.	Jan-2021 Complete
	Invest to Save approach developed and funding identified.	Jan-2021 Complete
	Work continues to establish programme of work and business cases / PIDs.	Feb-2021

Work-Stream	Actions/Milestones	Timescale
		Complete (initial phase)
	Investment / Resourcing needs identified.	Feb-2021 Complete
	Agree on key service reform areas and align outcomes to budgets to ensure that the plan both meets the Council's objectives and is within an affordable envelope (C Tax, Bus Rates, RSG and specific grants, core fees & charges).	Mar-2021
	Develop long-term plan for reducing Council debt levels to mitigate the likelihood and subsequent impact of any DLUHC imposed borrowing cap.	Mar-2021 Complete
	Programme established and business cases / PIDs developed for approval.	Mar-2021 Complete (initial phase)
	Develop Business cases / PID / Implementation Plans.	Q1 2021/22 Complete (initial phase)
	Launch and run consultations on areas impacting service users and staff.	Q1 2021/22 Complete
	Programme delivery through monthly Board with agreed implementation and resources plans.	Q1 2021/22 Complete (set up – then ongoing)
	Monitoring of spend and savings proposals.	Q1 2021/22 Complete (set up – then ongoing)
	Project launches (see integrated transformation programme below in Theme 7).	Q2 2021/22 Complete (initial phase)

Work-Stream	Actions/Milestones	Timescale
	Project milestones, deliverables, risks, accountabilities, interdependencies etc determined.	Q2 2021/22
	Project milestones monitored and necessary corrective actions taken via PMO (ITP).	Q3 2021/22 Complete (set up – then ongoing)
	Approve Reserves Policy	July 2022 Complete
	Creation and ongoing deployment of robust processes for monitoring the impact of service transformation on the MTFP	July 2022 and ongoing Complete for set up – now ongoing monitoring
	Update savings tracker for 22/23 savings and review historic savings proposals	Oct 2022
	Finalise the budget reductions necessary in order to meet the target savings arising from transformational change	Oct 2022
	Conduct review of reserves in line with Cipfa best practice guidelines	Nov 2022
	Approve budget proposals for consultation by Executive Board	Dec 2022
	Approval budget proposals post consultation by Executive Board	Feb 2023
	Update MTFP for next four year cycle and confirm 23/24 budget and medium term plan to 2027 at Full Council	Mar 2023
Spending Controls and Oversight	Member oversight panel established to oversee progress on transformation through dashboard / exceptions reporting.	Feb-2021 Complete
	Review of overall resourcing plan.	Feb-2021 Complete

Work-Stream	Actions/Milestones	Timescale
	Approval of Business Cases and PIDs – Alignment of programme with resource needs.	Mar-2021 Complete (set up – then ongoing)
	Early identification of likely resources and expenditure pressures and impacts of transformation programmes.	Mar-2021 Complete
	Monthly monitoring of progress. Officers held to account for delivery. Mitigations agreed for Amber and Red items.	Q1 2021/22 Complete
	Early member workshops on priorities and pressures from April 2022.	Q1 2021/22 Complete
	Early draft budgets agreed identifying further work to establish a fully funded 4-year programme.	Q2 2021/22
	Draft budget agreed for 8 week consultation period to end Christmas 2021.	Q3 2021/22 Complete
	MTFS approvals cycle – outcome-based budgets on a 2-year firm/2-year indicative basis.	Q4 2021/22 Complete
	Review of the Council risk policy, risk appetite and risk tolerance, leading to robust procedures for risk management and accountability.	Q4 2021/22 Complete
	Adopt a revised Risk Policy	Apr 2022 Complete
	Plan the approach to sharing the revised risk position across the organisation to ensure this is widely understood and embedded	Q4 2021/2022
	Review how risk is integrated into systems and procedures across the organisation, identify what changes are required and implement them	Q4 2021/2022
	Deliver risk training across the organisation as part of the Leading and Managing Together programme	Oct 2022
	Development of agreed plan with External Auditor for the sign off of Council accounts	TBC

Work-Stream	Actions/Milestones	Timescale
Improving Financial Management Across the Organisation	Introduction of new Oracle ERP system covering Financial, HR and Procurement processes and a move to self-service management	Q1 2021/2022 (Finance) Complete Q2 2021/22 (HR) Complete
	Comprehensive Training package for Directors, Manager and budget holders on the new system	In line with Finance and HR rollout above. Complete
	Introduction of Budget Review and Oversight Groups (BROGs) to provide grip on budget management and hold both Directors and Portfolio Holders to account for budget spend and mitigations	Q1 2021/2022 Complete
	Introduction of Capital Board and a range of systemic process to prioritise spend and centralise resources with a clear capital strategy	Q1 2021/2022 Complete
	CIPFA training for all senior officers (mandated) and members on the new CIPFA Financial Management code	Q2 2021/2022. Complete
	Develop and deliver a Financial Improvement Programme that includes, financial leadership and capacity, budget and system integrity including financial planning, financial control including forecasting and organisational culture, mandate and clarity of accountabilities across the organisation for effective financial management.	Mar 2023

Work-Stream	Actions/Milestones	Timescale
	Complete recruitment into Finance in order to ensure that the required capacity and skills are in place to deliver the Financial Improvement Programme	Mar 2023
	Agree model with Corporate Directors on the roles and responsibilities of central and devolved finance capacity	Dec 2022
	Create further guidance and training on posting, coding and use of journals for colleagues	Mar 2023
	Embed delivery of best practice establishment control, Purchase Order Processing and Income/Grants management into NCC and ensure that 'Actuals' are well managed and controlled.	Feb 2023
MTFP Delivery Plan	First draft of Divisional Plans returned and used to begin drafting of Delivery Plan	Feb 2022 Complete
	Delivery Plan finalised, agreed with CLT and shared with IAB (alongside MTFP)	Feb 2022 Complete
	Second draft of Divisional Plans returned to Directors with financial envelopes included	Mar 2022 Complete
	Directors return final Divisional and Service Plans - used to redraft Delivery plan (if necessary)	Mar 2022 Complete
	Divisional and Service Plans go live	Apr 2022 Complete

Accountability

Lead Councillor	Portfolio Holder for Finance
Lead Officer	Corporate Director Finance and Resources.

Theme Two: Asset Management

Our Asset Management Strategy aims to generate sufficient capital receipts using asset rationalisation and disposal to meet both the current commitments within the capital programme, and provide additional cash flow into the Council to mitigate budget pressures and fund a transformation programme. The Theme will be overseen by an Asset Rationalisation Board who will monitor progress and delivery against the Theme's aims.

These assets will include:

- Commercial property assets.
- Land.
- Operational assets.
- Community assets.
- Companies (as identified through Theme Three).

Asset Disposal Strategy

Key to the delivery of the Together for Nottingham Plan is the acceleration of the Council's asset rationalisation programme and the generation of capital receipts.

This work-stream will incorporate a review of potential receipts across a number of property holdings (operational properties, the investment portfolio and the trading account). The review will consider the implications of each potential disposal, including

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issues such as revenue loss, maintenance liabilities, and upcoming legislative requirements which may affect valuations.

As part of an earlier phase of this programme a pipeline of c£100 million of sites that could be disposed of has already been identified, and a number of disposals made over the past 18 months.

This work-stream will accelerate and put forward further recommendations for sites to dispose of, and then carry out disposal in the manner which will leverage the greatest value within the timescales set out in Theme One.

Operational Assets

As the Council moves through the budget setting process, the decision taken on changes to service delivery will make a number of operational assets redundant.

In order to minimise the ongoing revenue costs of maintaining underused or unused operational assets, and to maximise capital receipts, the disposal of these assets will also be managed within the Asset Management Theme.

Community Asset Review

The Council has a number of properties that are let to community groups for minimal rents, often where this is the case without the

renting organisation being responsible for either building liabilities or associated community outputs.

We will develop and implement a new Community Asset Policy and change our approach to community asset leases, to ensure asset values are maintained, community assets are fully utilised and that underutilised facilities are made available for asset disposal. This will include:

- Consideration of transition to Full Repairing and Insuring (FRI) leases as standard.
- Consideration of applying fair market rates to community asset leases, supported by grants to meet rental costs consistent with an agreed basis of occupation.

Key Objectives

- Deliver a flow of capital receipts at the level and within the time parameters as required by Theme One.
- To manage the revenue impacts of any disposals as far as possible.
- To deliver and implement a new framework to maximise the value of community assets.

Key Deliverables

The outputs that will be delivered through this work-stream will be:

- Generation of an agreed level of capital receipts over a set time period.

- Reduce current and future property related liabilities through the disposal process.
- Framework for how community assets will be delivered in future.

Key Activities

The key activities of this work-stream are:

- Development of approach to investment and operational property and community based assets.
- Accelerated assets disposal planning.
- Developing policy and changes to leasing arrangements for community assets.
- Review and rationalisation of the Council's operational properties, taking into account budget proposals, future service requirements and maintenance / running cost / liabilities to the Council.

Key Risk

- That the Council's generation of capital receipts does not reach the levels or timescales required to balance its financial needs.
- That in generating receipts the Council creates larger long term revenue pressures on its base budget.

Should these risks become issues the following mitigation strategies will be considered:

- Expanding the pool receipts are generated from. The initial pipeline of c£100 million of potential receipts are former operational properties and land which can be disposed of with little revenue consequence. Additional lists of properties will be drawn up and brought forward as required by the acceleration process to ensure receipt targets can be met.
- A system of adjusting forecast receipt value by time in order to ensure realistic expectations of what can be achieved with certain properties is already in place.
- In order to manage revenue consequences the existing performance of property holdings will be reviewed to ensure that their efficiency is maximised (for example around voids, debt collection, rent reviews etc.), to ascertain how far any loss can be contained. If further mitigation is required after this, it will be picked up in realistic income assessments within the MTFS.

Key Activity Completed

Following a review of the asset pipeline to ensure a more robust forecast, we are now on track to deliver the revised forecast position for capital receipts by the end of the financial year 2022/23, following the generation of c£30m of receipts in the preceding two years.

New governance arrangements have been implemented, alongside the development and implementation of a Property Asset Disposal Policy to ensure transparency and robust decision-making.

A draft of a Community Asset Policy has been produced, alongside a review of community properties, and a full review of the

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investment portfolio has been commissioned. A full review of the commercial portfolio has also been initiated.

A review of how effectively Council manages its property, has been commissioned and recommended the implementation of a corporate landlord model, which is being implemented in 2022.

Key amendments to the refreshed Together for Nottingham Plan

The first quarter review of the action plan with input from the Improvement and Assurance Board, led to the expansion of the plan to not just focus on asset rationalisation, but also governance and assurance relating to decision-making and recognition that the Council needed to make improvements in the way in which property assets were managed.

While much of the focus in the first year was about ensuring that adequate capital receipts are realised, and that robust decision-making processes were in place, this next phase of the action plan needs to build upon this work to ensure that all council property assets are managed effectively to maximise the benefits to the Council.

What has become clear is that there is a need to review the structure and process underpinning property management and work to implement a Corporate Landlord model, which is a recognised model of good practice.

In the first year we commissioned an independent review of how the Council manages its property assets and makes related decisions,

the recommendations from which proposed the implementation of the Corporate Landlord model, which was agreed to in principle.

Now most of the actions from the original Together for Nottingham Plan are implemented and the capital receipts being delivered are meeting the forecast levels, the next step is a revision to the original plan. This will focus on increasing the numbers of assets coming forward for disposal both in the short and medium term, while minimising potential revenue loss to the Council; and the implementation of a new model (Corporate Landlord) for the management of property assets across the council.

Consequently, the action plan has been revised to focus on three core projects going forward.

- 1) Asset Disposal (including commercial and operational properties)
- 2) Corporate Landlord
- 3) Community Assets

Actions

Work-Stream	Actions/Milestones	Timescale
	Recruitment of Interim Head of Property to oversee programme.	Jan-2021 Complete
	Review of disposal process, identifying options for accelerating and generating greater financial returns.	Apr-2021 Complete
	Review of disposals programme forecast for risk.	Apr-2021 Complete
	Implementation of monitoring and review processes to ensure forecast is robust and barriers to disposals are removed.	Apr-2021 Complete
	Development of disposals policy to ensure the transparency of decision-making.	Apr-2021 Complete
	Identification of initial list of assets for disposals from the property trading account.	May -2021 Complete
	Review of 2021/22 budget savings to identify assets that will become surplus and timescales, agree with service areas to move these into the asset disposal programme once declared surplus.	May-2021 Complete
	Ensure disposal targets related to capital programme gap are agreed and the relationship with pipeline (risk-adjusted) are understood and monitoring is in place	July-2021 Complete
	Bring forward assets identified for disposal	July -2021 Complete
	As a holding position, prior to the implementation of the Corporate Landlord model, to review the process for services to declare properties surplus, ensuring the current process being used is efficient and transparent.	Jan 2022 Complete
	Undertake a review and develop recommendations for the disposal of investment properties	Jan 2022

Work-Stream	Actions/Milestones	Timescale
	Procure and implement specialist expertise to support the sale of investment assets	Feb 2022
	Undertake 150 asset reviews and present outcomes and recommendations for decision	Dec 2022
	To review potential long terms disposal opportunities within the commercial portfolio	Dec 2022
	Ongoing engagement with service areas to identify further assets that are identified as surplus as a result of transformation programme and budget savings.	Sept-2023
	Further 400 asset reviews to be completed and presented with recommendations for decision	Dec 2023
Corporate Landlord	Agree with CLT that the Corporate Landlord model is the desired approach for the Council and undertake an independent review to provide detailed proposals for taking the model forward	Sept-2021 Complete
	Approval of enhanced Corporate Landlord Business Case and move to broader Corporate Landlord Model	Jan 2022
	Following the independent review to develop recommendations and implementation plan for approval	Feb 2022 Complete
	To establish project group and transformation team to deliver the change programme	Feb 2022 Complete
	Commencement of recruitment to Property team vacancies within the new structure,	Oct 2022
	Lift and shift Building Services and Facilities Management into the Corporate Landlord	Nov 2022
	Development of Corporate Landlord vision for the wider Council, including the identification of further assets and functions to bring into its scope alongside the development of an accompanying Business Case.	Nov 2022
	Commence recruitment into Property leadership roles	Dec 2022

Work-Stream	Actions/Milestones	Timescale
Community Assets Review	Review community assets to identify potential properties for disposal or a change in terms.	Jun-2021 Complete
	Approval and adoption of Community Asset Policy	Jan 2022
	Undertake consultation process on the Community Asset Policy.	Nov 2022
	Ensuring appropriate arrangements are in place for existing community tenants	April 2023

Accountability

Lead Councillor	Leader of the Council, advised by Asset Rationalisation Board and Portfolio Holder for Leisure, Culture and Planning
Lead Officer	Corporate Director Growth and City Development.

Theme Three: Companies

Nottingham City Council has commenced a review of the structures, management and governance arrangements for its companies in response to the Public Interest Report (PIR).

The report from the Non Statutory Review (NSR) builds on the findings and recommendations of the PIR, further emphasising the need for the Council to consider the future direction for all its company interests.

Council Owned Company Review

Nottingham City Council has commissioned CIPFA to provide independent analysis of company information, performance, financials, strengths and weaknesses, and the Council's exposure to risk.

This work will inform individual decisions on whether to maintain, revise focus, in-house or divest from Council companies.

Once CIPFA have completed their analysis, it will be presented, alongside the initial review completed by the Council to a private session of the Audit Committee for recommendations.

Given the relatively large portfolio of company interests, a risk based approach has been taken to prioritise the sequencing of this activity based on the following factors:

- Type of ownership (subsidiaries, associates, joint ventures and minority interests).
- Companies showing early signs of financial distress.
- Levels of debt to NCC and requirements for comfort from the parent (NCC)

Where there are relatively straightforward and self-apparent opportunities to in-house functions with minimal risk of destabilisation, these will be fast tracked to a delivery stage.

Enviroenergy has been established as the immediate priority. Given the complexity and inherent links to waste management, the district heating scheme and capital programme, the majority of the activity in relation to this company is contained within Theme Four: Capital Programme.

Together For Nottingham

A decision to bring Enviroenergy in-house subject to satisfactory due diligence was approved in June 2021 and the transfer of functions back to the Council happened on the 1st December 2021. A further decision to bring Nottingham City Homes back in house has also been taken and work is underway to complete this activity by the end of March 2023, further detail can be found in the Further Reviews section of this plan.

Companies currently under consideration for in-housing are:

- Nottingham Revenue and Benefits (NRB) – this will be considered as part of the Council's MTFP process

Company Governance

The work already undertaken to review and revise the arrangements for the governance of Council owned companies will continue, and be split between Theme Five: Constitution (Governance and Decision Making) and this theme.

The Companies Theme will focus on the development of Council policy with regard to executive and non-executive directors, establishing a clear role for senior officers through a Shareholder Executive function, ensuring all forms of parental support to companies within the group are subject to effective controls and clear decision making, and supporting the Companies Governance Committee and the Council more generally.

Commercial Strategy

Where Council companies offer reasonable levels of assurance of future financial returns, the City Council will seek to maximise this benefit through the development and application of an overarching commercial strategy. This will include an assessment of directly delivered charging activity and the treatment of surpluses generated by services that are able to compete in mature markets. Linked to the Commercial Strategy the team overseeing the Council's commercial activities are also playing a role to ensure that other significant initiatives with commercial aspects are appropriately set up, managed and resourced. Examples of this include the work to bring Nottingham City Homes in house and work connected with the Council's Private Finance Initiative (PFI) contracts. In addition to this work it should also be noted that the Council has undertaken further activity with regards to its companies, for example through the disposal of Thomas Bow.

Key Objectives

- Provide greater visibility of company performance and risk profile of the wider City Council group.

Together For Nottingham

- To reduce overall complexity and simplify the management and oversight of all core Council activities by reducing the number or alternative delivery vehicles.
- To strip out duplication of overhead and management costs by bringing core functions in house where there is no imperative to maintain externalised delivery vehicles.
- To identify opportunities to generate capital receipts to the Capital Programme through divestment of interests in profitable activities that are outside the City Council's core competence.
- To establish robust shareholder controls and assurance mechanisms for those companies Nottingham City Council maintains.

Key Deliverables

The outputs that will be delivered through this work-stream will be:

- Companies Guiding Principles developed with CIPFA
- Reinstatement of company analytics.
- Decisions on the direction for each subsidiary and associate.
- Completion of decision making process and in-sourcing of NRB if appropriate.
- Executive and Non-Executive Director Policy Statement.
- Establishment of Officer Shareholder Executive function which can also act as Company Loans Board.

Key Activities

The key activities of this work-stream are:

- Review of companies (supported by CIPFA).
- Management of in-housing process for selected companies.
- Evaluation of divestment and disposal options.
- Strategy and policy development.

Together For Nottingham

Key Risk

- Devaluation of subsidiaries.
- Destabilisation of companies who may have legitimate short-term needs for comfort or support arising from the current pandemic.
- Loss of opportunity for financial returns as a result of decision making delays.
- Risk profile of subsidiaries diverges from Council risk appetite.

Key Activity Completed

There has been a lot of activity within this Theme over the first year. The Council has brought in additional capacity to help manage the relationship and interdependencies between its companies and itself. As part of this it has created a corporate shareholder unit and standardised company reporting to create greater clarity within these relationships. Although established it is yet to be fully embedded into Council governance, further work and resources will be required in 2022 to finalise this activity.

New companies governance principles have been agreed as part of the refresh of the Council's constitution. The Council has also benefited from the support of CIPFA in carrying out in depth reviews on its subsidiary companies. Decisions have been taken at Executive Board on the future of Enviroenergy, bringing it back in house and awarding of a contract to Nottingham Revenues and Benefits and the sale of Thomas Bow. Further decisions based on these reviews and the Council's ongoing analysis of alternatives to its current company structures will be forthcoming shortly.

Key amendments to the refreshed Together for Nottingham Plan

The Non Statutory Review was carried out over a short period of time in November 2020 and the Together for Nottingham Plan based on its findings. The Council has done a significant amount of work to further understand the position of its companies over this period and this has resulted in significant changes and additions to the milestones that this Theme is now working to. The updated milestones are set out in the Actions Table below, noting that in some cases the Council is dependent on third parties to resolve matters, which may inform revised dates as appropriate. Equally the Plan will flex to address any emergent matters identified during ongoing work with the companies.

Actions

Work-Stream	Actions/Milestones	Timescale
Commercial Strategy	Issue interim commercial principles for companies to guide and assure tactical decisions.	May-2021 Complete
	Scoping operational boundaries of a commercial strategy, confirming what activities are included/excluded, prior to a Due Diligence review taking place	Q3 21/22 Complete
	Review of internally delivered fees and charges income including profitability levels (pre and post Covid) growth options and options to withdraw from non-surplus generating activity.	Q1 2022/23
	Draft Commercial Principles	Apr-21 Complete
	Finalise and approve Commercial Principles	May-2021 Complete
	Develop and approve a principles based strategy for commercial ventures (including companies) in 2022 with a full commercial strategy in 2023	Nov-22 Full Commercial Strategy 2023
Company Governance	Critical monthly quantitative analysis – prepare company and summary reporting for management and CGESC.	Feb-2021 Complete
	Establish resourcing plan and recruit internally / externally	Feb-2021 and Apr-2021 Complete
	Identify and implement corporate assurance measures for each of the decisions required	Apr – Sept 2021 Complete
	Resolve immediate resourcing issues with the Shareholder Representative team	May 2021 Complete

Work-Stream	Actions/Milestones	Timescale
	Design and formalise a Shareholder Unit with clear roles, reporting and escalation processes, ensuring engagement with appropriate departments and Boards	May -2021 Complete
	Formalise any outstanding approvals in relation to Companies	Jun-2021 Complete
	Approval for Shareholder Unit proposals (with CGESC)	Jun – 2021 Complete
	Engagement with Financial and Managing Directors to develop understanding of operations, management and controls	Jul - 2021 ongoing
	External review of Company Board skill requirements with the relevant Company Boards (two companies complete)	Aug – 2021 ongoing
	Implement codified roles and responsibilities between Boards and Shareholder Unit to support implementation of revised policies	Sept – 2021 ongoing
	Approval of Companies Governance Handbook as constitution framework document	Sept-22 Complete
	Confirmation that major project teams are appropriately set up, resourced and governed for areas with significant commercial considerations (for example bringing NCH in house / PFI work)	Oct-22
	Launch Companies Governance Handbook and undertake training via workshops	Nov-22
	Self-Assessment of Council appointed Director competencies	Nov-22
	Appointment of Commercial Director	Jan-23 (with target to accelerate)
	Shareholder Unit – appoint to outstanding finance role (support internally in the interim period)	Jan-23
Council Owned Companies Review	<u>Enviroenergy</u>	

Work-Stream	Actions/Milestones	Timescale
	Develop immediate options analysis for Enviroenergy.	Jan-2021 Complete
	Letter of Comfort issued	Mar -2021 Complete
	Undertake Due Diligence and prepare recommendation and submit for decision	May-2021 Complete
	Implement business transfer	Formal transfer Dec 2021 Complete
	<u>Nottingham Revenues and Benefits Ltd</u>	
	Prepare recommendation for contract award to TECKAL company and submit for decision	May – 2021 Complete
	Support Business Change	May – 2021 Complete
	Undertake review of longer term ownership options and scope of activities to maximise value	Q4 2021-22
	<u>Nottingham Ice Centre</u>	
	Stabilise short term solvency with credit facility and formalise loan arrangement	Apr-2021 Complete
	Establish dialogue with Sport England regarding options to augment usage. Explore longer term options for funding	Jun-2021 In progress
	Enhanced monitoring of cash flow and order book	Jul – 2021 Complete

Work-Stream	Actions/Milestones	Timescale
	Prepare recommendation for longer term options and submit for decision	Q4 2022/23
	<u>Thomas Bow Ltd</u>	
	Review options for retention/ option for disposal through sale of NCC interests and undertake third party valuation	Apr -2021 Complete
	Close outstanding Shareholder agreements/ articles subject to preferred option	Jan 2022
	Identify preferred option, prepare recommendation and submit for decision	Jan 2022
	Implement business changes	Complete
	<u>Nottingham City Transport Ltd</u>	
	Awaiting findings from CIPFA review	April 2021 Complete
	Work with company to resolve pension schemes and understand cost mitigation strategies for NCT company scheme and Local Government Pension Scheme	May 2021 – NCT scheme complete / LGPS in progress
	Review findings of CIPFA review	July 2021 Complete
	Confirm Council conclusions for each CIPFA recommended area of consideration (following resolution of LGPS changes)	Jan 2023

Work-Stream	Actions/Milestones	Timescale
	<u>NCH</u>	
	NCH Governance Review & confirmation of changes to achieve best practice	Q4 2021/22
	Bringing NCH in house	Covered in Review Section of the TfN Plan
	Options developed for revised structure of NCH and its subsidiaries	Nov-22
	Implementation of preferred option for NCH subsidiaries	Mar-23
	<u>Blueprint</u>	
	Review ownership in line with Cipfa principles, develop proposals for future involvement	Sept 22 review completed, options continue to be developed
	<u>Other Holdings</u>	
	Set out plan to complete the review of both subsidiary and non-subsidiary companies (with mechanism to track progress)	Nov 22
	Complete the work required to determine the future of all subsidiary and non-subsidiary holdings	Subsidiaries 2023 Minority Interests Mar -24

Accountability

Lead Councillors	Portfolio Holder for Neighbourhoods Safety and Inclusion and Portfolio Holder for Adult Social Care and Health.
Lead Officer	Corporate Director Finance and Resources.

Theme Four: Capital Programme

A sustainable capital programme, and the strategy and controls to shape and manage both expenditure priorities and available resources, is a critical contributor to the overall financial recovery of the City Council. A review of our capital programme will look to stabilise the current programme and put it on a sustainable footing for the longer term. We have developed an effective Capital Strategy and a strengthened system of governance and control, headed by a Capital Programme Board, to allow the Council to achieve this.

Capital Strategy

A revised capital strategy enables the Council to understand why and how it allocates capital resources within the resources available, and ensures that effective decision making, governance and controls of the programme are in place to enable a sustainable programme going forward.

The revised strategy includes a clear prioritisation process and associated governance framework, this is underpinned by strong governance structure, headed by a Capital Board, that has been introduced as part of the Council's improvement journey.

The review will also consider how the programme can be financed in the short, medium and long term, taking into account changes to the Public Work Loans Board regulations and other relevant issues.

Debt Management Strategy

Nottingham City Council recognises the need to reduce its current level of external debt to a more sustainable level. In addition to establishing clear priorities for the Capital Programme and raising the funds to reduce the risk of critical service failures, the Council will use capital raised through the Asset Disposal programme to reduce its debt servicing costs as a proportion of net revenue expenditure over time. The Council will set out a further strategy outlining the planned trade-off between debt servicing costs falling and capital ambition and consequent use of receipts / scale of current ambition over the medium term as part of its overall budget setting process.

Review of Capital Schemes

There was an immediate review of the current Capital Programme, to create headroom and ensure its sustainability through reprioritising, reviewing and reducing the projects in it.

It also ensured that all liabilities and future commitments to the Council are fully reflected and accounted for. In particular this review will ensure that the likely commitments arising from the urgent investment required in Enviroenergy and the District Heating Scheme are fully understood.

We also recognise the importance of finding a long term solution for the former Broadmarsh Shopping Centre. Given the current uncertainty about the future shape of city centres, the Council will continue to explore all available options to work with others in the context of a rapidly evolving operating environment.

The review will include both the General Fund and Housing Revenue Account capital programmes, but primarily focus on the General Fund as the area for significant change.

Strengthened Programme Controls

We have implemented a strengthened Governance and Control Framework. This ensures that projects only commence once they have gone through the new prioritisation process, and are then subject to a support, monitoring and assurance package to improve delivery.

Controls will extend to the management of benefits post-delivery to help inform ongoing performance and future investment decisions.

Proposals to improve financial forecasting on the timing of expenditure within the Capital Programme will also be developed to help reduce the amount of slippage currently reported.

Key Objectives

- To create a fully funded capital programme delivering a revised list of projects.
- To fully understand and make allowance for known potential liabilities within the capital programme (for example District Heating and the former Broadmarsh Shopping Centre).
- To create a revised capital strategy which ensures the effective prioritisation of projects and funding supplemented by strengthened programme controls.

- To ensure effective ongoing monitoring of approved capital schemes to highlight and manage unforeseen circumstances in relation to them.
- To ensure that slippage is closely monitored and addressed and that resources are applied in line with the Capital Strategy

Key Deliverables

The outputs that have been delivered through this work-stream will be:

- A clear and agreed prioritisation process for the current programme.
- A funded and sustainable capital programme, fully reflecting known liabilities, over the medium to long term.
- Revised Capital Strategy.
- Strengthened Governance and Control Framework.
- Establishment of Capital Board to approve all new capital schemes and monitor ongoing schemes.

Key Activities

The key activities of this work-stream are:

- A full review of the capital programme to remove de-prioritised schemes and add in future liabilities (for example around Enviro Energy and the former Broadmarsh Shopping Centre).
- Creating a revised Capital Strategy incorporating a prioritisation process.
- Delivering a strengthened Governance and Control Framework and ensuring that this is put into practice across the Council.

Key Risk

- That known commitments and future liabilities outweigh the available level of funding for the capital programme.
- District Heating Scheme infrastructure failure – work has been undertaken to understand the options to mitigate this

- That either the new prioritisation process and/or the strengthened Governance and Control Framework are not adopted consistently across the Council.

Should these risks become issues the following mitigation strategies will be considered:

- Further de-prioritisation and/or re-phasing of the capital programme.
- Increasing the level of capital receipts that need to be generated or amending their profile.
- Work with HR, Organisational Development and Internal Audit to ensure that appropriate control mechanisms and cultural change are embedded in the roll out of the prioritisation process and strengthened Governance and Control Frameworks.

Key Activity Completed

The Council has made considerable progress on the management of the Capital Programme. Debt Management and Capital Strategies have been approved and implemented along with a refresh of the Treasury Management Strategy which underlines the links between these pieces of work. A new system of governance is in place through the implementation and operation of Capital Board, which in turn has introduced greater rigour into the monitoring of projects. In addition Capital Board oversees a new risk and priority based bid assessment process for schemes to go through in order to enter the Capital Programme, which is enshrined in the Capital Strategy and links back into the annual budget cycle and the setting of the ongoing MTFP. Work on the Broadmarsh is ongoing with demolition started on part of the site following the receipt of funding from the LEP

Key amendments to the refreshed Together for Nottingham Plan

The first four projects in this theme were front loaded to create new policies and processes, this update has taken the opportunity to consider the effectiveness of their operation, particularly in light of the other Themes and make some amendments to reflect development in these areas. Additional amendments have been made to the Broadmarsh and District Heating projects, where further additions have been made to provide more detail on the process being undertaken.

Actions

Work-Stream	Actions/Milestones	Timescale
Debt Management Strategy	Debt Management Strategy to be approved at Executive Board.	Feb 21 Complete
	Debt Management Strategy to be approved at Full Council.	Mar 21 Complete
	Draft strategy to set out the planned trade-off between debt servicing costs falling on revenue and capital ambition and consequent use of receipts / scale of current ambition over the medium term (to be done as part of the budget setting process)	Nov 22
Capital Strategy	Establish prioritisation approach to selection of schemes.	Jan-2021 Complete
	Update and link treasury management strategy to emerging asset strategy including asset disposals and rationalisation.	Jan-2021 Complete
	Capital and revenue linkages developed through work on corporate plan.	Feb-2021 Complete
	Asset Management strategy and revised TPS by approval at Executive Panel 16th February (including accelerated list of disposals).	Feb-2021 Complete
	Draft Capital Strategy (in line with MTFP).	Mar-2021 Complete
	Final Capital Strategy agreed at Full Council (in line with MTFP).	Mar-2021 Complete
	Regular quarterly review points.	Q3 2021/22 Commenced
Programme Controls	Establish Capital Board to oversee capital programme and scheme approvals as well as funding - ToR's agreed.	Feb-2021 Complete
	Capital Board meets monthly to provide steer and oversight of the programme.	Feb-2021 Complete

Work-Stream	Actions/Milestones	Timescale
	Capital Board to provide quarterly report to the Audit Committee detailing any material impacts on the capital programme. Materiality to be defined in the Capital Board's Terms of Reference.	Q3 2021/22
	Capital Board meeting monthly to review overall programme and funding as well as individual scheme scrutiny prior to Executive Board.	Mar-2021 Complete
	Priorities kept under review within overall affordable and approved resource envelope.	Mar-2021 Complete
	Targets set - monitoring of asset disposals and contribution to capital funding pot.	Mar-2021 Complete
	Regular quarterly review points.	Q3 2021/22 Complete
	Draft revised programme controls (presented to first meeting of Capital Programme Board).	Feb-2021 Complete
	Revised programme controls agreed and implemented.	Feb-2021 Complete
	Regular quarterly review points.	Q3 2021/22 Complete
	Review monitoring process in respect of slippage and ensure that where schemes are delayed or deferred, these are challenged and if necessary re-programmed	Nov 2022
	Consider process for over-programming to allow scheme substitution which existing schemes are not progressing	Nov 2022
	Deliver improvements to capital forecasting on the timing of expenditure within the Capital Programme and its impacts on the levels of slippage reported.	Nov 2022
Review of Capital Schemes	Identify potential alternative sources of funding / methods of removing projects from balance sheet.	Feb-2021 Complete
	Draft Capital Programme (in line with MTFS).	Jan-2021 Complete

Work-Stream	Actions/Milestones	Timescale
	Final Capital Programme agreed at Full Council (in line with MTFS).	Mar-2021 Complete
Review of Capital Schemes (Broadmarsh)	Complete Big Conversation.	Jan-2021 Complete
	Submit Business Case for LEP funding.	Feb-2021 Complete
	Conclude review of strategic options and timeframe for decision making.	Mar-2021 Complete
	Based on the outcome of the review of strategic options for the site the following indicative milestones may be subject to alteration or refinement.	
	Establish budget projections and associated financial risks on holding costs for the Council with mitigation planned.	Q1 2021/22 Complete
	Initial advice from Broadmarsh Advisory Group on design principles and commercial strategy.	Q1 2021/22 Complete
	Contractor demobilisation.	Q1 2021/22 Complete
	Outcome of LEP funding.	Q1 2021/22 Complete
	Full advice from Broadmarsh Advisory Group on creative vision and commercial approach.	Q3 2021/22 Complete
	Outcome of Levelling Up Fund bid	November 2021 Complete
	Broadmarsh Phase 1 Demolition Complete.	Q4 2021/22
	Consider Broadmarsh delivery options	March 2022
	Re-submit Levelling Up Fund Round Two Bid	Spring 2022

Work-Stream	Actions/Milestones	Timescale
		Complete
	Complete due diligence and move towards clean title of the Broadmarsh site	During 2022
	Development of Masterplan and Supplementary Planning Document	Dec 2022
	Complete first stage of Public Realm	Mar 2023
Review of Capital Schemes (District Heating Scheme)	EE 'business' operational review and implementation.	Q4 2022 - Q4 2023
	Undertake public consultation on new draft Municipal Waste Strategy.	Q3 2022 Underway
	Negotiate with FCC over the potential for a new commercial deal	Q4 2022 - Q2 2023
	Refresh high level costs for alternative energy sources to DH connected properties	Q4 2022
	Undertake additional feasibility into cost / deliverability of a new heat station	Q4 2022 - Q2 2023
	Formally approve and adopt new Municipal Waste Strategy	Q2 2023
	Executive Board decision to approve new FCC Contract or alternative heating and waste disposal strategy - including allocation of appropriate resources to deliver preferred outcome	Q2 2023
	FCC commercial deal concludes and contractual close (if selected)	Q3 2023
	Market testing for 3rd party investment.	Q3 2023 – Q1 2024
	Modernisation via operational review and implementation	Q3 2023 – Q3 2028
	Heat Station and DH Network Design and Planning	Q3 2023 – Q1 2025

Work-Stream	Actions/Milestones	Timescale
	Heat Station construction and critical DH network upgrade	Q2 202-Q2 2027
	FCC Third Line build and go-live	Q3 2023-Q2 2027
	FCC: NCC Waste and Power Contract ends unless renewed	June 2030

Accountability

Lead Councillor	Leader of the Council, in conjunction with Portfolio Holder for Finance, advised by Capital Board.
Lead Officer	Corporate Director for Growth and City Development (expenditure) and .Corporate Director of Finance and Resources (funding),

Theme Five: Constitution (Governance and Decision Making)

Taking on board the recommendations of the External Auditor's PIR on Robin Hood Energy, and the recommendations of the NSR, Nottingham City Council will institute a new constitution to improve transparency, governance and accountability for council decision making.

We have delivered a new constitution, including improved Audit and Overview & Scrutiny functions that hold the City Council to account, with a focused work programme that monitors key council projects, and tracks performance against corporate metrics that give a "whole council" view of our activities, including the Council's finances.

Governance Improvement Programme

Nottingham City Council has already started the process of reviewing and improving its system of governance and internal control, through our ongoing Governance Improvement Programme and the Governance Improvement Board (which met for the first time in December 2020). Our response to the PIR details the actions the Council is taking and will take up to June 2021.

Together For Nottingham

The subsequent report of the NSR team builds on the findings and recommendations of the external auditor, and as a result there is significant overlap in the actions and activities required by both. In order to streamline management and reporting arrangements, and maximise the efficient use of limited resources, the Governance Improvement Programme has been rolled into the overall Recovery and Improvement Programme.

The actions contained within the PIR Action Plan are included within Themes Five and Three.

Updated Constitution

Nottingham City Council's Constitution has been the subject of review since October 2020, following the adoption by Full Council of the Action Plan in response to the PIR.

This work focuses primarily on the Committee structure and functions, and on their Terms of Reference. This work will now continue alongside a comprehensive rewriting of the whole Constitution, with the aim of simplifying it and enabling the Council

Theme Five: Constitution (Governance and Decision Making)

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to make effective decisions, and implement the broader change programme at the rate required.

This work will emphasise the separation and independence required between the Executive and Non-Executive roles within the Constitution, and strengthen the roles of the Overview & Scrutiny Committee and Audit Committee.

In addition, all Members and Officers who sit on company boards have undertaken mandatory company director training to reinforce their roles and responsibilities. This requirement will be ongoing for new appointments who before acting as a company director of a council owned company, will need to have undertaken the relevant training.

Member / Officer Roles & Responsibilities

The NSR has highlighted the need to bring greater clarity to the different roles of Councillors and Officers, and their responsibilities to the organisation as a whole. A new Member/Officer Protocol has been adopted establishing a shared set of expectations for Officers and Councillors and will be embedded throughout the Constitution as a whole.

Review of Portfolios

A refreshed portfolio structure that reduces overlap.

A review was undertaken in 2021 and refreshed in 2022 with the aim of supporting the Leader of the Council in the delegation of

executive roles and responsibilities, giving clarity of purpose, avoiding cross over of duties where possible, and avoiding gaps in responsibility.

Member Development Programme

The elected members of the City Council have a unique and central role. They are individuals elected by citizens to set the policy agenda for the Council, are the ultimate decision makers, and in turn are accountable to the public.

The Council is committed to investing in ongoing support to the role of Councillors, building on their existing knowledge, community links and skills base.

The additional support offered by the LGA and other authorities, and the opportunity to discuss the experience of Members in similar authorities with members of the Improvement and Assurance Board, will create an opportunity for Councillors to examine how they apply their experience and local knowledge to the policies and services benefitting local people, in the new Nottingham context.

Development of Scrutiny

As part of the early phases of this Theme a report into the Council's scrutiny activity was commissioned by the Council and undertaken by the Centre for Governance and Scrutiny. The report set out a number of recommendations around the Council's scrutiny function and these have been accepted and developed into an action plan. This project will oversee the delivery of this action plan which

Theme Five: Constitution (Governance and Decision Making)

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includes the creation of a Scrutiny Protocol, job descriptions for key scrutiny roles and the provision of further coaching, mentoring and training opportunities. Overview and Scrutiny committee also now has a new chair who is helping to oversee this development work.

Key Objectives

- To establish and embed best practice principles of corporate governance throughout our decision-making processes and Constitution.
- To provide clarity of the complementary roles of Officers and Councillors, and establish clear lines of accountability including the adoption of a new Member/Officer Protocol.
- To establish clear and well understood boundaries between the responsibilities of Officers and of Councillors.
- To ensure Executive and Non-Executive committees are able to fulfil their respective roles through clarification of their terms of reference.
- To simplify the current Portfolio groupings to reduce overlap.
- To simplify decision making during the delivery of this plan.

Key Deliverables

The outputs that will be delivered through this work-stream will be:

- A new Member / Officer protocol.
- Revised terms of reference for Council Committees.

Together For Nottingham

- A modernised Constitution.
- Committee development programme.
- Review of Portfolios.

Key Activities

The key activities of this work-stream are:

- Consultation with the Executive and Committee Chairs.
- Sourcing external specialist support.
- Producing documentation.
- Formal approval/adoption processes.
- Communication/training on changes to processes and procedures.
- Scheduling and delivery of training packages.

Key Risk

- Availability of specialist support within the required timescale.
- Remote delivery of training and DPIA requirements.
- Lack of clarity/awareness of new roles or procedures among Councillors or Officers.
- Unintentional delays to decision-making, or the creation of bottle necks because of constitutional changes.

Theme Five: Constitution (Governance and Decision Making)

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Key Activity Completed

The Council has introduced a Member / Officer Protocol and approved an updated Constitution, which incorporates updated Financial Regulations and Contract Procedure Rules. These are all designed to provide greater clarity over roles and responsibilities and to provide the tools for improved decision making. Now that these documents are approved there will be a period of intensive training and cultural change work undertaken to ensure that their aims become embedded within the business as usual of the Council. There has been a review of portfolios which has seen them become better aligned to the Council's operational structure.

Public Interest Report Sign Off

The Constitutional recommendations of the Public Interest Report were incorporated into the review of the Constitution including creating clarity in the roles of Overview and Scrutiny and Audit Committees and the review of the Scheme of Delegation and clarity of officer and Councillor roles.

Key amendments to the refreshed Together for Nottingham Plan

The one significant amendment to the original Together for Nottingham Plan in its first refresh was the addition of a new project to deliver the recommendations made by the Centre for Governance and Scrutiny on the Council's scrutiny activity. The second refresh has given the opportunity to further reflect on the need to demonstrate how embedded the change in culture has become in relation to the activities undertaken by this theme and also to pick up some further governance topics under a good Governance project.

The first refresh added further milestones on the existing projects which set out how some of the change secured through the Theme will become embedded within the Council.

Theme Five: Constitution (Governance and Decision Making)

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Actions

Work-Stream	Actions/Milestones	Timescale
Member / Officer Roles and Responsibilities	Adoption of new Member Officer Protocol.	Jan-2021 Complete
	Full Council Approval of new Constitution including Councillor and Officer Articles	September 2021 Complete
	Delivery of mandatory officer training on working in a political environment	Q3 / Q4 2021/2022
	Delivery of councillor training on officer/councillor working relationships	Q3 /Q4 2021/2022
	Review of the effectiveness of the officer/member protocol in terms of decision-making, and creation of action plan to address any shortfalls should any be identified	Nov 2022
Member Development Programme	Committee Development Programme established.	Q2 2021/22 Complete
	Development and delivery of Overview and Scrutiny Development Programme with CfGS (further outlined in the Development of Scrutiny Project)	Q3 / Q4 2021/22
	Development and delivery of detailed Councillor role descriptions/ skills required and training to support the development of these skills	Q3 / Q4 2021/22
	Completion of Year 1 Committee Development Programme Delivery.	Q4 2021/22
	Develop and deliver a Councillor Induction Plan to support new and returning Councillors post May 2023 elections in understanding and applying the principles of good governance, the Constitution, general roles of officers and councillors and their specific roles.	July 2023
Review of Portfolios	Completion of Portfolio Review.	Mar-2021 Complete

Theme Five: Constitution (Governance and Decision Making)

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Work-Stream	Actions/Milestones	Timescale
Updated Constitution	Adoption of revised Overview & Scrutiny Terms of Reference.	Jan-2021 Complete
	Adoption of revised Companies Governance Executive Sub-Committee (Shareholder Panel) Terms of Reference.	Mar-2021
	Adoption of revised Audit Committee Terms of Reference.	Mar-2021 Complete
	Adoption of standardised ToRs for all Committees.	Q1 2021/22 Complete
	Review of Scheme of Delegation.	Q1 2021/22 Complete
	Review of Financial Regulations.	Q1 2021/22 Complete
	Update of Management Structure (to follow Officer restructure).	Q2 2021/22 Complete
	Review Procedures and Standing Orders.	Q1 2021/22 Complete
	Redraft of New Constitution.	Q1 2021/22 Complete
	Formal adoption of Constitution.	Q2 2021/22 Complete
	Revisions to existing delegated decisions system to account for revised decision making arrangements	Q3 2021/2022 Complete
	Development and delivery of guidance and training on new decision making process.	Q3 / Q4 2021/2022

Theme Five: Constitution (Governance and Decision Making)

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Work-Stream	Actions/Milestones	Timescale
		Complete
	Development of a new electronic delegated decisions system	TBC
	Review of new Constitution including Executive Delegations	April 2022 Complete
	Second six month review of operation of the Executive Scheme of Delegation in the new Constitution	November 2022
	Review of embeddedness of the new Constitution with action plan developed to address any issues arising from its utilisation	November 2022
Development of Scrutiny	Development of new Scrutiny Protocol	Jan 2022
	Renaming of Health and Adult Social Care Scrutiny Committee	October 2021 Complete
	Scheduling of regular meetings between Committee Chairs and Portfolio Holders to ensure awareness of priorities and where Overview and Scrutiny can add value.	October 2021
	Job descriptions prepared for the roles of Chair, Vice Chair and Committee Members of the scrutiny committees.	December 2021
	Coaching, mentoring and training programmes to be introduced for scrutiny committee members.	January 2022
	Opportunities for re-establishing joint health scrutiny arrangements with Nottinghamshire County Council to share and make best use of available resource to be explored.	May 2022
	Review the impact of the development programme, providing evidence of how the Overview and Scrutiny Committee oversees and monitors the observance of good governance and actions taken to address any weaknesses identified	March 2023

Theme Five: Constitution (Governance and Decision Making)

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Work-Stream	Actions/Milestones	Timescale
Good Governance	Demonstration of the effectiveness of the new processes around embedding the role of the Chief Executive, Section 151 Officer and Monitoring Officer in the practical application of good governance.	October 2022
	Set out the role of Statutory Officers in relation to Council companies	November 2022
	Demonstration of how the Executive Board, Corporate Leadership Team and committees of the Council endorse, support and deliver good governance in the conduct of their business.	November 2022
	Demonstration of how the Council's companies are governed within its overall governance framework, including the management of companies from a fiduciary perspective.	November 2022
	Review the level of officer support for and operation of the Audit Committee to ensure its work programme reflects its terms of reference.	November 2022

Accountability

Lead Councillor	Portfolio Holder for Energy, Environment and Waste Services
Lead Officer	Director of Legal & Governance.

Theme Six: Organisation & Culture

The Council recognises that in order to drive change at the pace and scale required, we must first ensure that we are able to establish clear organisational goals and individual accountabilities, and have effective mechanisms of monitoring and control.

It is equally important that we recognise the strengths of our workforce, and put in place the support to help our people build on their existing skills and experience. This includes celebrating and embracing our diversity and using different perspectives to inform better decision making.

Setting Top Level Goals

The City Council will adopt the procedure outlined in the Joint Negotiating Committee (JNC) for Chief Executives, in order to ensure that the targets set by the Leader for the Chief Executive can effectively flow through the senior officer structure, which in turn will allow the Chief Executive to hold senior officers to account for the delivery of the Council's priorities.

This will support the delivery of the organisation's goals by identifying and clarifying the key objectives, priorities and targets of the Council, and appropriate timescales for their achievement over the period of this plan and in each year.

A clear appraisal process for the Chief Executive will enable a clear cascade of responsibility through the Chief Executive to the rest of the officer structure, which will underpin performance management
Together For Nottingham

of the whole organisation. The Chief Executive and Corporate Directors will set the example and role model the expected behaviours for all leaders / managers in the organisation. Support and development will be provided to embed effective goal setting throughout the organisation

Simplifying the Officer Structure

To ensure these objectives have clear ownership and can be cascaded effectively, the senior officer structure has been simplified. The Chief Executive has put in place a high level restructure of the organisation to provide greater clarity and focus to the responsibilities of the Corporate Leadership Team. The next steps will ensure that a compliant structure meets NCCs operating model, with implementation of the right behaviours /practices to support change. At the time of the October 2022 refresh these changes were out for consultation with the aim of implementing them if approved before the end of 2022.

Individual Performance Management Appraisals

An effective Performance Management Framework (PMF) is integral to the effective delivery of the plan and priorities, as well as clear accountability and good governance.

The development of the Council's new PMF is covered in Theme 8, however in order to work effectively links from the Council Plan

have to be made through to both service areas and individual colleagues. This project looks at the development and roll out of a new individual performance appraisal system, which will drive cultural change, service transformation and delivery of the Council's objectives. Good quality, regular performance and development conversations will ensure that expectations are clear and that support and development required to succeed are provided.

Culture & Workforce Development

We recognise that changes to structures and performance management arrangements will not in themselves lead to organisational change without the right culture and individual behaviours in place.

For this reason, the Together for Nottingham Plan will prioritise the delivery of a far reaching and meaningful cultural transformation programme, supported by the Local Government Association, taking full account of the Council's absolute commitment to equality, diversity and inclusion. This programme will focus initially on leadership and management behaviours and councillor behaviour through structured development activity, before involving all colleagues across the Council.

This will clearly articulate both the current prevailing culture and the desired culture, as well as providing sharp focus to the individual behaviours and competencies that need to change or be developed. The programme will have a clear focus on customer and citizen need and how the council works with partners and local communities into the future. The theme of 'collaboration' runs through our programme and specific behavioural expectations

around collaboration and partnership working feature in our new approach to Individual Performance.

Our approach to city wide partnerships and working with our local communities will be the focus of a programme in design with Nottingham Trent University and will launch in 2022.

Nottingham City Council also recognises that the scale and pace of change required will place a significant draw on capacity while the organisation seeks to reduce the overall size of the workforce.

The external support available through sector partners including the LGA, CIPFA and other local authorities, and the external members of the Improvement and Assurance Board, will help develop and shape our approach, however there will also be a need to develop or acquire the additional skills and resource levels required in the short term.

The Together for Nottingham Plan should also be seen as an opportunity for officers and councillors to develop new skills and experiences which can benefit the organisation in the longer term and where possible, we will use the workforce development programme to support this process.

The Council has undertaken a colleague opinion survey in the Autumn of 2022 in order to gauge how far these cultural and developmental changes are happening and becoming embedded and will use this to determine if any further activity is required in specific areas to ensure that change is delivered.

Improving Equality, Diversity and Inclusion

Through our extensive culture change work we will drive significant improvements in relation to equality, diversity and inclusion (EDI) within the council and across the city. New behavioural expectations with a specific set around EDI form part of our new approach to Individual Performance and the accompanying development programme aims to create inclusive leaders representative of the city we serve.

A specific Accelerated Development Programme (ADP) for colleagues from under-represented groups and those with protected characteristics was delivered from January 2022 to support our work in ensuring that all colleagues can thrive, achieve and progress at work. In addition, recruitment is underway for a group of 'Change Accelerators' who will support our council wide Transformation Programme with diversity of applicants a priority.

Key objectives

- Establish a clear set of organisational objectives and the mechanisms to hold the Chief Executive to account, and through the Chief Executive to hold senior officers to account for their delivery.
- Ensuring that these objectives can be embedded within the activities of the organisation as a whole through clear and effective lines of accountability.
- Provide officers with clarity of focus and easily understood remits which deliver for the citizens of Nottingham.

- Create a sharper focus on performance for everyone in the Council and set clear expectations for colleagues.
- Celebrate and build on the local knowledge and passion of councillors in advocating for their communities as part of a culture that champions Nottingham and its people.
- Set a new standard for personal responsibility and behaviour, and recast the cultural norms of the whole organisation, including greater clarity on councillor and officer roles and responsibilities.

Key activity

- Revising and simplifying high level officer structure.
- Scoping and commissioning an Officer Development Programme with an initial focus on leading and managing well.
- Accelerated Development Programme targeted at colleagues from under-represented groups and those with protected characteristics.
- Councillor development with a focus on councillor and officer roles and responsibilities.
- Develop a People /Workforce Strategy to resource the organisation through change, attracting, developing and retaining a talented and effective workforce.

Key deliverables

- Top tier officer restructure.

- CEX performance appraisal procedure.
- New approach to Individual Performance Reviews.
- Officer Development Programme specific Accelerated Development Programme.
- Recruitment of a diverse group of 'Change Accelerators' and a collaborative programme with Nottingham Trent University.
- Councillor Development Programme.
- Deliver a People / Workforce Strategy
- See the results of the Accelerated Development Programme in our management structure.

Work has also been completed to gain a deep understanding of the organisation's current culture as a precursor to defining what desired culture the Council requires in order to deliver its improvement ambitions and deliver organisational transformation.

A new Leading and Managing Development Programme has been launched to complement and support the new approach to Individual Performance Reviews now being utilised by senior officers. Councillor development activity has increased, including input from the LGA on Councillor-Officer roles and financial decision making by industry experts at The Chartered Institute of Public Finance and Accountancy.

Key Risks

- Skills retention during transformation.
- Adverse impact on colleague morale.
- Change resistance.
- Lack of engagement and buy in from senior officers and executive councillors, meaning performance management is not taken seriously enough.

Key Activity Completed

The Council has revised its top-level officer structure and implemented a new performance regime for both its services and senior colleagues involved in delivering these services. This includes a new approach to reviewing the individual performance of the Chief Executive.

Together For Nottingham

Key amendments to the refreshed Together for Nottingham Plan

This Theme previously contained work on the updating of the Council's Performance Management Framework. This has now been moved to Theme 8 in order to emphasise the links between policy and service planning.

The key to successfully delivering the wider outcomes of the Together for Nottingham Plan requires significant activity to embed new practices and behaviours to secure longer term sustainable change.

The changes made at the first refresh of this Theme reflect that requirement and set out in more detail how this will be achieved over the course of the Together for Nottingham Plan.

The second refresh has taken the opportunity to reflect on how changes can be further embedded within the Council, particularly in thinking about how best value, financial management and good governance and decision making become more entrenched in the day to day activity of the Council.

Actions

Work-Stream	Actions/Milestones	Timescale
Setting Top-Level Goals	Final draft of proposed top level goals to CEX for review and approval	End of February 2021 Complete
	Identify and agree CEX appraisal mechanism	End of February 2021 Complete
	External partner identified and secured to assist in facilitation of PA process.	April 2021 Complete
	Adoption of the Chief Executive Performance Appraisal Procedure to commence April 2021	April 2021 Complete
	Start of Year conversation – setting of objectives	April/May 2021 Complete
	Mid-Year Review conversation	October /November 2021 Complete
	End-Year Review conversation	April/ May 2022 Complete
	ACOS report 1 on Corporate Director structure.	Feb-2021

Work-Stream	Actions/Milestones	Timescale
Simplifying the Officer Structure		Complete
	Complete outstanding Corporate Director appointments.	Q1 2021/22 Complete
	Develop principles on which to review phase 2 of the structure	Q1 2021/22 Complete
	Engagement with CLT and Cllrs on principles and approach of working with LGA.	Q1 2021/22 Complete
	Engagement with CLT and LGA (subject to approval) on desk top exercise of areas to begin service reviews.	Q1 2021/22 Complete
	Train colleagues to support the Decision Making Accountability process	Q2 2021/22 Complete
	Undertake structured DMA interviews and conversations with 17 Divisions across the Council	Q1 to Q4 2021/22 Complete
	Provide structured DMA report, including themes and recommendations for each area	Q2 to Q4 2021/22 Complete
	Informal and formal consultation on phase 2 of senior structure of the Council restructure. To take place across whole Council.	Q3 to Q4 2021/22 and Q1 2022/23
	ACOS report 2 on Director HOS structure .	Q4 2021/22 Complete
	Provide structured DMA report, including themes and recommendations for each area. Proposed recommendations to go to CLT, ACOS and/or collective consultation as appropriate.	Q2 to Q4 2021/22 Complete
	Complete consultation on new senior management structure	Oct 2022

Work-Stream	Actions/Milestones	Timescale
	Implement new senior management structure including provision of new job descriptions setting out revised accountabilities and behaviours.	Nov 2022
	Fill any vacant senior management posts arising from the restructure	Mar 2023
Individual Performance Management Appraisals	Cascade CEX targets to Corporate Directors.	Q2 2021/22 Complete
	Design and deliver new approach to Individual Performance Reviews.	Q2 2021/22 Complete
	Design guidance and toolkit to support the embedding of the new individual performance appraisals for SLMG colleagues	Q1 2021/22 Complete
	Embed the new approach to Individual Performance Reviews (IPR) with SLMG colleagues	Q2-Q4 2021/22
	Measure and report on IPR completions and quality for SLMG colleagues - refine process as required	Q1 2021/22
	Design approach to IPR and roll out plan for non-SLMG colleagues, including engagement/consultation with all stakeholders	Q2/Q3 2021/22 Complete
	Design guidance and toolkit to support the embedding of the new individual performance appraisals for non-SLMG colleagues	Q3 /Q4 2021/2022 Complete
	Engage with all leaders/managers on new approach to IPR and set expectations	Q3 / Q4 2021/2022 Complete
	Engage with all colleagues (comms/engagement plan) re: new approach to IPR – briefings, support, training	Q4 2021/2022 Complete
	Deliver/launch new approach to IPR for non SLMG roles	Q1 2022/2023 Complete

Work-Stream	Actions/Milestones	Timescale
	Embed the new approach to IPR with non-SLMG colleagues	Q2 / Q4 2022/2023
	Measure and report on IPR completions and quality for non-SLMG colleagues - refine process as required	Q1 2023/2024
Culture & Workforce Development	Develop and agree Leadership Capability Framework (LCF).	Feb-2021 Complete
	Culture mapping - Senior Leadership.	Feb-2021 Complete
	Attend CLT – Re: Initial findings from Culture Mapping (SLMG and Exec)	Feb -2021 Complete
	Undertake Culture Mapping exercise (survey and focus groups) with non-SLMG colleagues	Mar-2021 Complete
	Attend Senior Leadership Forum – update on culture-mapping and share new behavioural expectations	Mar -2021 Complete
	Design/create comms and engagement plan for TfN, including creation of Team Brief cascade process and dynamic forward plan of messaging	Q1 to Q4 2021/2022
	CLT session to agree, values and future culture message map and vision.	Mar-2021 Complete
	Design and deliver comms and engagement activities to share findings of culture mapping (current state), change narrative and future desired state	Q1 to Q4 2021/22 Complete
	Create long change narrative, short narrative and strapline to be woven through all comms/engagement activity, including new branding for RIP (in partnership with Transformation Office)	Q3 to Q4 2021/2022 Complete
	Seek LGA resources to fund a coaching (coaching for performance) programme for Corporate Directors / CLT. CEX to determine the remit and use to support cascading of targets.	Q1 to Q4 2021/22

Work-Stream	Actions/Milestones	Timescale
	Develop Leadership Capability framework including competencies and new behavioural expectations for Directors and SLMG roles.	Q2 2021/22 Complete
	Design and commence delivery of leadership development programme to help embed leadership framework and new behavioural expectations (SLMG and T4 Managers)	Q3 – Q4 2021/2022 Complete
	Design and deliver and/or commission a range of development activity for councillors	Q1 – Q4 2022/2023
	Further develop Leadership Capability Framework including competencies and new behavioural expectations for non-SLMG colleagues, including consultation/engagement with all stakeholders	Q2 – Q3 2022/2023 Complete
	Seek LGA resources to procure and fund an Accelerated Development Programme (ADP) for people with protected characteristics, to support NCC EDI ambitions.	Q3 2021/22 Complete
	Evaluate, refine and deliver more cohorts for ADP as appropriate (Non SLMG)	Q1 / Q2 2022/2023
	LGA to facilitate an external review of HR practice re EDI focussed on recruitment/selection/progression	Q3 2021/2022
	Specification for commissioned elements of the EDI programme refined/complete and put out to potential providers.	Q3 2021/2022 Complete
	Develop branding, communications and application process ready for launch.	Q3 2021/2022 Complete
	Begin ADP identification and recruitment process (in-house)	Q3 2021/2022 Complete
	ADP - first cohort to be begin – delivery of interventions	Q4 2021/2022 Complete
	Evaluate, refine and deliver more ADP cohorts as appropriate	Q1 to Q2 2022/2023

Work-Stream	Actions/Milestones	Timescale
	Completion of Leading and Managing Together Programme	Oct 2022
	Completion of Future Ways of Working Programme	Nov 2022
	Roll out of further colleague development activity to support Best Value promotion – for example by further finance and contract management courses.	Jan 2023
	Develop and roll out specific training module on Best Value for colleagues	Mar 2023
	Review and update existing training modules to ensure that Best Value runs throughout their delivery as a central theme.	Mar 2023
	Implement recruitment strategies as part of the ongoing development of the workforce to ensure that permanent staff are recruited into areas currently occupied via interim appointments	Mar 2023
	Completion of service re-design diagnostics for relevant service areas	Mar 2023
	Implementation of service re-design to support cultural change	Mar 2024

Accountability

Lead Councillors	Portfolio Holder for Housing and Human Resources and Portfolio Holder for Children, Young People and Schools.
Lead Officer	Chief Executive, with Director for HR, Equality, Diversity and Inclusion

Theme Seven: Service Design and Delivery (formerly **Delivery Options**)

In March 2020 we began to operate in the context of a global pandemic. The impact this has had on the way the council operates gave a new impetus to rethinking the way services are designed and delivered, and we are taking this refreshed Together for Nottingham as an opportunity to do so again. Our aspirations across delivery options are not new. We are in the process of reviewing services in order to effectively prioritise, personalise, simplify and rationalise delivery.

Over the last nine months, since the revised Together for Nottingham Plan was published, we have begun the implementation of substantial transformation programmes in some of our largest services and also across a number of areas of council activity that touch all our residents.

We have learned a lot about how to make positive change to both outcomes and costs in a tight budget environment and, now that local government is facing an even more challenging financial situation, we need to apply that learning to go further and faster. It is also clear to us that the scope of this area of the Plan needs to be widened, and encompass the following:

- The Council's relationships with residents and customers
- The design and commissioning of the Council's services
- The enabling and support services that make this possible
- The council's administrative office estate
- The technology we require
- The leadership, workforce and culture of the council

Prioritisation and personalisation

We have been clear from the outset that we must help communities become more resilient, by targeting our support where we can make the biggest difference and helping people help themselves where they want and are able to. This means making it easier to access support using web-based information and advice;

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understanding a person's wider needs; joining up our support; and starting from a position of looking at what people can do rather than what they can't.

We want to create a route for people where everything is addressed together. A place where we have the right things in place to allow those who can to self-serve so we can focus on those who need more help - to ensure we can target our support to our most vulnerable residents and those that are the most in need.

Considerable progress has been made on developing a unified Front Door approach to our services, through redeveloping our ICT infrastructure and technology, and developing consistent customer service and business support processes across the organisation.

Through the successes and learning from the current transformation programmes in delivery, it is recognised that for the Council to accelerate and take change to the next level, drawing distinctions between 'business as usual' service change and transformational change, limits our opportunities. Therefore, the focus of the next wave of transformation projects will take a more holistic, systems view to enable end-to-end transformational change. As many of our services work inter-dependently, to enable this more 'complex service redesign', we have formed suitable groupings around key themes including but not limited to, early intervention and prevention, our place, our environment, our people. . Currently, our order of priority for the next wave of transformation projects is:

- Adult social care – focusing on prevention

- Homelessness and housing – focusing on prevention
- Integrated environmental services
- Community safety and our regulatory services
- Parking
- Planning
- Transport and highways
- Education, particularly SEND (Special Education Needs & Disability)
- Neighbourhoods

The continued focus on a series of 'enabling programmes' of work will support us in delivering across these themes of change. These include:

- A Digital/IT Strategy
- Strategic Commissioning and Procurement functions
- A Corporate Landlord Strategy
- A Workforce Strategy

Simplification and rationalisation

We want our residents to have a positive relationship with the council; one that is simple, informative and intuitive. Our residents expect modern, efficient, accessible services and a timely response to every interaction with the council, and we want to match the expectations of our community and the way of doing business that our residents already have when dealing with other organisations.

Theme Seven: Service Design and Delivery (formerly Delivery Options) /83

We must reduce the variation in how we do things inside the council by simplifying processes and automating wherever feasible. To free up resource to do the highest value-adding work, we are in the process of rationalising onto a few core systems and developing new automation capability within the Council.

The outcome will be an empowered, energised and enabled resident community engaging with us through increased digital channels that quickly direct them to the right resources at the right time. We will also continue to support those people who are unable to access digital services to help them get the access they require.

This work will inevitably change the way the council looks, feels and works – it will mean:

- We design our services with residents and communities, rather than holding the power ourselves.
- We act in ways which build on individual, family and community strengths rather than starting with what needs a council service can fill.
- We take a whole family approach, seeing and understanding people in the round rather than through a particular service's view.
- We join up our interactions to streamline them and to provide early support and intervention.
- We reduce the variation in how we do things, rationalising our systems, standardising, simplifying and automating our processes wherever appropriate.

- We are proactive about performance management, using data to measure and interrogate the performance of services
- We will be a smaller and more streamlined organisation.

Key Objectives

- To maximise our ability to achieve our priority outcomes by increasing the efficiency of service delivery.
- To rationalise and simplify our modes of delivery and influence under a coherent strategy.
- To rationalise our accommodation/premises offer in line with reduced demand post-COVID and New Ways of Working
- To build on existing core capacity and capabilities in those areas where we excel.
- To develop our staff and equip them with the skills to drive transformation projects
- To reduce the administrative overheads associated with complex and inconsistent delivery methods.
- To make the most of the digital tools at our disposal to make it easier for citizens to transact with the Council, promote a viable self-serve model and reduce duplication.
- To maximise residents' capacity to support themselves and their communities.

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Key Deliverables

- The outputs that will be delivered through this work stream will be:
- Continuation of delivery of financial benefits associated with existing business cases and in-flight transformation programmes
- New wave of business cases for service transformation using our 'complex service redesign' approach
- Execution of new complex service redesign delivery plans
- Launch of the design phase of the Children's Transformation programme and delivery of the Improvement Plan to support the reconfiguration of the provision of Children's Services having particular regard to the findings contained in the Ofsted report
- Second cohort of Change Academy recruitment
- New resourcing strategy for the Council, which integrates the Workforce and Culture workstreams
- Launch of the 'automation factory'
- A new Digital / IT Strategy
- New operating models for Commissioning and Procurement

Key Activities

The key activities of this work-stream are:

- Acceleration of existing in-flight transformation programmes
- Creation of a service transformation guide to enable service groupings to review end-to-end processes and delivery methods
- A series of Service Redesign Reviews to establish next wave of transformation business cases
- Assessment of in-house skills to deliver change and create the tools required to widen the network of change agents
- Launch of second cohort of change academy recruitment

Further development and embedding of the benefits management framework in all transformation programmes

Theme Seven: Service Design and Delivery (formerly Delivery Options)

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Key Risk

- Data availability and quality for comparative analysis.
- Management of interdependencies across the transformation portfolio
- Change resistance and lack of service engagement
- Pace of change / change fatigue
- Lack of capacity of change resources
- Lack of investment in skills / capabilities to deliver change
- Reliance on the ‘enabling programmes’ to support Council-wide change

Actions

Work-Stream	Actions/Milestones	Timescale
Business Case Approval	Wave One Project Business Cases approved	November 2021 Complete
	Wave Two Project Business Cases approved	February 2022 Complete
	Wave 3 Business Case development and approval on priority service groupings (Complex Service Redesign) to feed into MTFP	December 2022
Implementation	Wave One Projects initiated	January 2022 Complete
	Wave Two Projects initiated	March 2022 Complete
	Wave 3 'Complex Service Redesign' delivery plans initiated	March 2023
	Embedding of Benefits Management Framework in existing and new transformation programmes	December 2022
	Creation of new Strategic Commissioning Function and enhanced Procurement Function	March 2023
	Creation of new Digital/IT Strategy	March 2023

Work-Stream	Actions/Milestones	Timescale
	Launch of the design phase of the Children's Transformation programme and delivery of the Improvement Plan to reconfigure Children's Services	October 2022
Resourcing	Transformation resourcing plan approved	November 2021 Complete
	Transformation resourcing plan refresh	November 2022
Capability Building	Workforce transformation development plans in place	February 2022 Complete
	Creation of automation factory	November 2022
	Creation of Change Network across the Council	November 2022
	Development of digital talent pipeline programme with Universities	December 2022
	Recruit, train and deploy cohort two of the Change Academy	March 2023
Transformation Plan Review	Review of Transformation Plan	March 2022 Complete
	Creation of monthly Implementation Review meetings	December 2022

Accountability

Lead Councillors	Portfolio Holder for Skills, Growth and Economic Development, and Portfolio Holder for Finance
Lead Officer	Chief Executive in conjunction with Director for Strategy, Performance, Marketing and Comms

Together For Nottingham

Theme Eight: Council Plan

The Strategic Council Plan 2021-23 sets out the vision for improving our great city while keeping citizens at the heart of everything we do. It is about the future of our city for all who live, work, study, invest and visit here, and is rooted in straightforward values of fairness, inclusivity and equality.

This vision and ambition for the city and its people is unchanged, however the context in which we operate has altered dramatically since 2019, not least, as a consequence of the social and economic impacts of Covid-19. It is clear that if we are to achieve our aims and live up to our aspirations for Nottingham, we must be prepared to rethink what we do and how we do it.

The current Strategic Council Plan reaffirms our vision, taking full account of the Council's absolute commitment to equality, diversity and inclusion.

The current Strategic Council Plan Includes:

- A clear vision for the City and Council and our priority outcomes .
- A robust policy framework to deliver against our priorities within the available resources.
- Effective internal controls and management arrangements to ensure we remain able to fulfil our statutory duties.

Developing the Strategic Council Plan 2023/24 – 2026/27

The current Strategic Council Plan expires at the end of March 2023, and a new Strategic Council Plan will be needed for the period 2023/4 to 2026/7.

Development of the new Plan will commence in January 2023, with a draft Strategic Council Plan being prepared for consultation with the Executive. This draft will be based on our key statutory responsibilities and our ongoing strategic delivery, which includes capital projects, transformation and other significant grant-funded work.

The new Plan will be submitted for Full Council on the 21st February and the Strategic Council Plan will be signed off at Full Council on the 6th March, along with the MTFP and Budget.

Our 11 outcomes as defined in the 2021-23 Strategic Council Plan have not changed, and we propose to roll these forward to the new Strategic Council Plan 2023-2027. The new Plan will have a greater focus on the key statutory work of the Council. It will also roll forward strategic project work where projects are funded while ensuring delivery remains within the MTFP envelope.

In addition, further details of what and how we will deliver will be set out in the revised MTFP Delivery Plan in 2023.

Theme Eight: Council Plan

Performance Management Framework

An effective Performance Management Framework (PMF) and clear accountability good governance are integral to the successful delivery of the Strategic Council Plan and our priorities,

The Performance Management Framework (PMF) has been agreed and implemented. To develop the PMF further, we will ensure that all the activity in Divisional Plans is appropriately performance managed on a monthly basis in the newly established Performance Clinics. Where adverse performance is reported at the clinics, this will be escalated by exception to the relevant DLTs. We intend to develop performance dashboards that will give greater line of sight on performance at all levels of the organisation.

A refreshed Strategic Council Plan, the new policy framework and an associated PMF are substantial contributors to the ability of Nottingham City Council to deliver good governance and accountability from top to bottom of the organisation.

Policy Framework

A clear, up to date and well communicated policy framework allows the City Council to make better decisions with greater pace.

A central repository has recently been developed and has been tested with senior officers from across the Council, this policy library will enable us to better track any policies or strategies which become out of date or otherwise require our attention.

The Council's Corporate Leadership Team reviews the policy framework on an ongoing basis. Where any gaps become apparent, officers lead on framing discussions with members.

Together For Nottingham

The new policy framework, of which this document is part, sets out how the Council will prioritise its efforts and resources and how we would wish to see our partners do likewise. It will enable clearer decisions to be made with less hesitation.

A working definition of policy, strategy and action plans has been developed to help embed the Councillor/Officer Protocol. This work also explains which strategic documents should sit within the Council's overall policy framework.

Key Objectives:

- The refreshed Strategic Council Plan sets out the operating context for the Council, the high-level needs in the city, and our vision for Nottingham, clearly articulating our role in delivering on that. A new Strategic Council Plan will be agreed in March 2023.
- The new policy framework and refreshed Strategic Council Plan 2021-23 includes all of the Council's activities to ensure that our whole organisation's performance is visible and managed through the governance and accountability frameworks.
- We have established high-level outcomes, with a series of detailed measures under each outcome, so that service activity/outputs are clear, and services are accountable for their contribution to our overall strategic goals.
- We will build on work done to enable performance management at all levels. Since the last iteration of this Plan was published, we have established and embedded a "golden thread" that runs from the overall strategic aims and

objectives at the top of the organisation, and the outcomes of the refreshed Council Plan, down to Divisional and Service plans and individual colleague appraisal objectives. This will ensure that operational performance and risk has a line of sight to the overall reporting of performance, as well as further embedding a culture of clear accountability for the delivery of activities in the plan.

- A strong link is being established to financial performance, corporate risk and our workforce and corporate health via our Divisional Performance Clinics. In this way the PMF can enable us to look at performance in association with financial, risk and workforce plans.
- We will be clear to citizens, businesses and stakeholders about what our priorities are and where our resources are directed.
- We will continue to explain the governance and accountability mechanisms to ensure the delivery of the plan and to enable citizens to hold us to account.

Key activity

- Continue to develop the Performance Management Framework to ensure it remains relevant and reflects current priorities and statutory duties.
- Embed new reporting processes to ensure the effective corporate management of performance.
- Develop a refreshed Strategic Council Plan for 2023 onwards that includes:

- The vision and operating context of the Council.
- New commitments to be added post-election and the Plan to be reconciled with the MTFP .
- Reflection of key Statutory responsibilities/activity and strategic projects (organised around key outcomes).
- Details of the transformation activities to put the Council onto a sustainable footing.
- Details of the governance and accountability framework.
- A statement about our current financial position and how it impacts the above.
- Ensuring all key policy and strategic plans are current or are being refreshed.
- Creating clear guidance on producing policies and strategies.
- Defining policy, strategy, and action plans to better embed the Councillor/Officer Protocol and set out what strategic documents sit within the policy framework.
- Maintaining the City Council's strategic document repository and ensuring it remains up to date.

Key Deliverables

- A new Strategic Council Plan for 2023 onwards.
- Maintain the new policy framework for the City Council.

- An up to date, evolving Performance Management Framework, which is reviewed to ensure it remains current and relevant,

Key Risks

- The new Strategic Council Plan and new policy framework failing to sufficiently take account of both the needs of citizens and businesses in Nottingham, and the views of the Improvement and Assurance Board.
- Concerns raised in the context of any departure from the existing policy framework.
- Failure to use the PMF effectively within the decision-making framework – in other words introduction of new activities without consideration of priorities, statutory duties and the available budget.
- Failure to provide the resources specified within this plan to ensure the PMF can be successfully delivered, resulting in incomplete, inaccurate and failing performance management.

Key Activity Completed

Theme 8 has already delivered a refreshed corporate plan for the City Council: the Strategic Council Plan 2021-23.

As part of the Together for Nottingham Plan, the City Council was required to review its wider policy framework in light of the new operating context in which it finds itself, including a refreshed corporate plan for the organisation that takes into account the funding and resources available to it.

Together For Nottingham

The 2019-23 Council Plan was made up of a range of activity and commitments. It was a mix of high-level indicators, performance measures and actions. The revised Strategic Council Plan for 2021-23 was drafted to reflect the City Council's budgetary position over the short and medium term.

When developing the refreshed 2021-2023 Strategic Council Plan, we reviewed the commitments in the 2019-23 Plan against the funding and resources available. We confirmed and agreed our high-level outcomes for the refreshed plan and included the Council's statutory and transformation activity that supports those outcomes. The refreshed Plan provides greater focus on the core and statutory services and activities the Council needs to provide to support our local people, places and partners. As the Council starts to prepare for the 2023 local elections, we will continue to use the refreshed Strategic Council Plan to deliver the outcomes we have agreed for the life of the Plan.

The Council consulted widely on the then draft Strategic Council Plan, actively seeking the views of local people, employees and key partners, to inform and improve the Strategic Council Plan and help ensure the policy framework we operate within is robust and focused on the right outcomes for the city and local people.

The refreshed Strategic Council Plan supports a more medium-term financial planning horizon and the achievement of a sustainable, balanced budget in the context of a refreshed policy framework and direction for the Council

A comprehensive Performance Management Framework has been put in place to underpin delivery of the plan, and provide the Improvement and Assurance Board, Corporate Leadership Team,

the Executive, the public, partners and stakeholders with the necessary assurance that performance management is being undertaken by the authority in a rigorous and transparent way. This includes appropriate oversight and reporting of the performance of the organisation being in place.

The Strategic Council Plan 2021-23 was formally adopted as Council policy at Full Council on 13th September 2021.

We have developed a new Performance Management Framework, and populated our corporate performance management system, Pentana, with our targets, commitments and indicators. Officers are responsible for keeping these metrics up to date, in line with the reporting timeframes we have agreed.

We have introduced a cycle of performance reporting to members and officers. These sessions include monthly updates to Directors and Heads of Service, and quarterly updates to DLTs, CLT and the Executive. This cycle of reporting ensures that performance is managed in a timely and effective manner, providing opportunities for appropriate challenge and for issues to be identified and addressed.

More recently, a series of monthly Divisional performance clinics have been introduced, providing a platform upon which performance against budgets, risk management, projects, Critical Indicators and other metrics can be managed and challenged within directorates.

Key amendments to the refreshed Together for Nottingham Plan

The management of the Performance Management Framework has been moved into this Theme from Theme 6.

More detail has been set out on what the Policy Framework work stream will achieve.

The current Strategic Council Plan covers the period from 13th September 2021 up to 31st March 2023.

Local elections are expected to take place in Nottingham in May 2023, the 2023-27 Strategic Council Plan will be agreed in March 2023. This will be updated following the election of a ruling group for the City Council.

Any new corporate plan will need to have regard to the Together for Nottingham Plan that runs until 2024. The new corporate plan will also have to meet the continuing need to ensure that the City Council achieves a sustainable, balanced budget in the context of a refreshed policy framework and direction for the Council. This will be aligned with transparent, effective and efficient decision-making and have regard to the resources that are available to us to deliver this on behalf of the people of Nottingham.

An indicative high-level timeline for a new Strategic Council Plan from 2023 is:

- January 2023 – First draft developed of the new Strategic Council Plan based on key statutory and ongoing delivery of key strategic projects (including capital, transformation and grant funded work)

- February 2023 – second draft of new Strategic Council Plan developed. SCP papers submitted for March Full Council.
- March 2023 – Strategic Council Plan signed off at Full Council alongside MTFP and Budget.
- May 2023 – Local election held.
- June – September 2023 – a further development of the new Strategic Council Plan and performance framework developed, including consultation and agreement/sign off with Corporate Leadership Team and elected political leadership.
- October 2023 – Consultation with employees, public and key partners/stakeholders
- November 2023 – new Strategic Council Plan endorsed at Executive Board.
- November 2023 – new Strategic Council Plan formally adopted as Council policy at Full Council.

Actions

Work-Stream	Actions/Milestones	Timescale
Review and refine existing policy framework and Council Plan	Develop an agreed methodology and approach with political leadership for refreshing the Council Plan in the context of a revised funding envelope, the Together for Nottingham Plan and the unprecedented challenges of Covid-19 to 2023.	Jan-2021 Complete
	DLUHC Improvement and Assurance Board comment on proposals.	Feb-2021 Complete
	Seek input and best practice from the LGA and other Core Cities to ensure that our plans take account of learning from elsewhere.	Feb-2021 Complete
	Based on agreed list of statutory departmental indicators and the retained Council Plan 19-23 priorities - Set out 20-30 outcomes, as part of an Outcome Based Accountability approach, each with a range of performance indicators, priorities, and outputs, with clear accountability for delivery.	Mar-2021 Complete
	Using the outcomes developed as a basis, map a proportionate and indicative set of measures from NCC's statutory duties as further priorities, indicators and performance measures to provide a clear high-level view of the Council's performance against statutory requirements.	Mar-2021 Complete
	Bring the agreed outcomes, priorities, statutory indicators and performance measures together so that a whole organisation approach is firmly developed in the first draft of the refreshed Council Plan.	Mar-2021 Complete
	A public consultation on the draft plan could be conducted to allow Nottingham's people, businesses and other key stakeholders to set out their view on what NCC should prioritise.	Mar/Apr 21 Complete
	The new recovery Council Plan is formally adopted at Full Council along with the Performance Management Framework (PMF covered in Theme 6)	Sept 2021 Complete

	Defining policy, strategy, and action plans to better embed the officer / member protocol and set out what strategic documents sit within the policy framework	Nov-21 Complete
	Service planning process to be carried out for 2022/23 to ensure deliverability of the final year of the plan and linked to the budget/MTFP process (and MTFP delivery plan (Theme One))	Feb-2022 Complete
	Development of the Policy Framework bringing together all the City Council's strategic documents in to a central repository and identifying any that are out of date	Q1 2022/23 Complete
	Establish and hold a monthly Implementation Review meeting to bring together performance on all council change activity; identifying and resolving inconsistencies and conflicts. This Implementation Review will be aligned to the 2023 Strategic Service Plan and the new MTFP	Q4 2022/23
	Conduct Service Redesign Reviews, to review service bundles based on thematic areas, using an appropriate service transformation methodology	Q3 2022/23
Performance Management Framework	Internal review of approach to creating new Performance Management Framework.	Jan-2021 Complete
	Core Group comments on and agrees work stream's recommended approach to creating a new PMF and Council Plan.	Jan-2021 Complete
	Engagement: <ul style="list-style-type: none"> • Agree methodology at CLT and nomination of lead officer(s) for each department. • Agree methodology with Leadership. • Agree methodology with Executive Councillors. • DLUHC Improvement and Assurance Board comment on proposals. 	Feb-2021 Complete
	Departments (through agreed Departmental Lead) to establish representative sample of statutory indicators.	Feb-2021 Complete
	Departmental leads to seek sign-off/approval of indicators via PFHs.	Feb-2021 Complete

	Draft Performance Management Framework developed on Statutory Indicators, plus retained elements of the existing CP.	Mar-2021 Complete
	Engagement: <ul style="list-style-type: none"> • CLT comment on and agree draft PMF. • Leadership comment on and agree draft PMF. 	Mar-2021 Complete
	Portfolio Holders sign-off the PMF (outcomes, priorities and outputs) that directorates have developed and will target for delivery. Portfolio Holders review and comment on the new Plan and agree the impact on their portfolio.	Apr-2021 Complete
	Consult Improvement and Assurance Board on PMF.	Apr-2021 Complete
	Performance Management Framework and Strategic Council Plan formally adopted at Full Council.	Sept- 2021 Complete
	Operationalise the PMF (with initial focus on SCP and Critical Indicators) including: <ul style="list-style-type: none"> • Defining baselines, targets (where applicable), accountable officers, frequency of data availability, source etc • Build new structure in Pentana • Establish data feeds (automated where possible) • Develop reporting dashboards • Initiate corporate quarterly reporting to CLT, Leadership, Portfolio Holders and Executive Panel 	January 2022 Partially complete – new reporting system still being explored, including automated dashboards

	Establish consistent approach to monthly Directorate Performance Clinics including: <ul style="list-style-type: none"> • Terms of reference and other monthly documentation • Standard agendas and other monthly documentation • A focus on performance, risk and budget • Performance and risk management of the MTFP Delivery Plan 	April 2022 Complete – meeting cycle now underway
	Recommence reporting of performance to Overview and Scrutiny	September 2022 Complete

Accountability

Lead Councillors	Portfolio Holder for Energy, Environment and Waste Services and Portfolio Holder for Highways, Transport and Parks
Lead Officer	Chief Executive in conjunction with Director for Strategy, Performance, Marketing and Comms

Further Reviews

Introduction

Since the last refresh of the Together for Nottingham Plan, published in January 2022, the full outcome of reviews into two further areas of the Council, Children's Services and the Housing Revenue Account, have become known, along with their implications and action plans to resolve the issues raised. Due to the importance of these reviews and the subsequent actions that the Council has committed to in relation to them it is appropriate that they are added into the Together for Nottingham Plan as part of the October 2022 refresh.

Ofsted

In July 2022 Ofsted, the regulatory body for Children's Services, undertook a full inspection of Children's Services at Nottingham City Council.

The findings of that review are summarised in the table below:

Judgement	Grade
The impact of leaders on social work practice with children and families	Requires improvement to be good
The experience and progress of children who need help and protection	Inadequate
The experiences and progress of children in care and care leavers	Requires improvement to be good
Overall effectiveness	Inadequate (limited by the grading within the domain of

Judgement	Grade
	children in need of help and protection)

The report was published on 5th September 2022 and taken to the Council's Executive Board later that month for consideration, confirmation of the Council's commitment to improving Nottingham's Children's Services and noting of the actions taken since the inspection and next steps.

The Council had already started to improve its Children's Services function prior to the inspection, led by a new senior leadership team. The inspectors did note that this team had a sound understanding of the challenges that it faces and that it had already delivered some improvements and positive culture shifts.

Children's Services had also been identified as part of the Council's wider transformation programme with work already having started to review the service and deliver a business case for change within it.

The Council will be issuing a formal Improvement Plan with regards to the findings of the Ofsted report within 70 days of the report's publication (which is a requirement on the Council). That Improvement Plan will be considered alongside the transformation activity already planned for Children's Services to ensure one coherent change and improvement programme for the service which is being delivered through Theme Seven of the Together for Nottingham Plan.

Taken together this will ensure that the Council delivers on its statutory requirements with regards to Children's Services and need to secure timely improvement to meet regulatory specifications and to meet the needs of children, in a way that is consistent with the Council's wider transformation agenda, underpinned by the need to deliver and demonstrate a 'Best Value' culture across the Council's services. Actions relating to this Transformation are set out in Theme Seven of this Plan.

Housing Revenue Account

Background

In late summer 2021 the Council's Section 151 Officer became concerned around how elements of Housing Revenue Account (HRA) funding were being utilised by both Nottingham City Homes, the Council's arms-length management organisation for housing and the Council's General Fund.

This led to the Council commissioning CIPFA to investigate the matter and their findings ultimately led to the Council's Section 151 Officer issuing a report under Section 114 (2) of the Local Government Finance Act 1988 in December 2021. This was accompanied by a further report from the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989. Full Council considered these notices at an Extraordinary Council meeting on the 4th January 2022 and accepted their recommendations in full.

In addition to the CIPFA report the Council also commissioned an investigation by Richard Penn to understand how the situation had arisen and to make recommendations as to how a similar situation could be avoided in future. The findings of this investigation along with an updated CIPFA report were considered alongside a number of recommendations at the Council's Executive Board in April 2022. The report contained 12 recommendations which are listed below, all of which were accepted.

"Recommendations

- 1. To receive and note the Key Findings Report from Richard Penn following his independent investigation*
- 2. To receive and note the further work undertaken by CIPFA (including appendices relating to workstreams A and B).*
- 3. To note that the current organisational arrangements between the NCC and NCH do not provide officers sufficient assurance that the HRA ring fence can be adequately protected under existing arrangements, and in turn councillors have been unable to gain the required level of assurance in relation to the HRA ring fence.*

- 4. To authorise the Corporate Director of Finance and Resources and Section 151 Officer, following the receipt of further work from CIPFA outlined in this report, to seek a Ministerial Direction from government to repay in aggregate up to £40 million from the General Fund to the HRA (subject to any mitigations to reduce this sum).*
- 5. To note the options and key lines of enquiry for funding the rectification of the breach to the HRA ring fence and to note that there will be an impact on the 2022/23 – 2025/26 MTFP which will be reported to Executive Board and/or Full Council in due course.*
- 6. To approve, the serving of a 12 months' Notice to Terminate on NCH in respect of its housing functions and to take over direct management of council housing from the expiry of that notice period or sooner by agreement.*
- 7. To note that should the recommendations of this report be accepted, there will be engagement with tenants and leaseholders to ensure a smooth transition and continuity of service about ongoing service provision. This will include how the voice of tenants will be heard by NCC as the landlord after the service is brought under direct control.*
- 8. To authorise the Corporate Director of Growth and City Development to take such steps as may be necessary to deliver an effective transfer of housing management functions back to the Council, in consultation with the Portfolio Holder for Housing, Corporate Director of Finance and Resources and Section 151 Officer and Director of Legal and Governance and Monitoring Officer. This to include, amongst other things, arrangements for the protection of employment rights for NCH staff through TUPE transfer, arrangements for effective tenant and leaseholder engagement and empowerment in the decision making about services, and the transfer of relevant third party contracts and any other relevant arrangements as may be necessary to support an effective transition.*

9. *To authorise the Corporate Director of Growth and City Development to take such steps as may be necessary to affect such short term and practical arrangements in relation to the governance arrangements of NCH to facilitate an effective transition, in consultation with the Portfolio Holder for Housing, Corporate Director for Finance and Resources and Section 151 Officer, the Corporate Director of Resident Services (in their capacity as the shareholder representative for NCH) and Director for Legal and Governance and Monitoring Officer, including positive liaison with the NCH Board and effecting any changes that may be necessary to the Articles of Association of NCH and Board appointments.*

10. *To delegate to the Corporate Director of Growth and City Development a provisional budget of £750,000 to deliver on the above recommendations from HRA funds, as a proper use of those funds, in consultation with the Portfolio Holder for Housing, Corporate Director for Finance and Resources and Section 151 Officer and Director for Legal and Governance and Monitoring Officer.*

11. *To note that a report is brought back to Executive Board and subsequently to Full Council to identify arrangements for a greater level of councillor engagement in overview and scrutiny arrangements for policy development, priority setting and holding to account for performance in relation to housing management matters, following the return of management of the council's housing stock to the council.*

12. *To note that the Overview and Scrutiny Committee will receive update reports to enable the implementation plan and consultation arrangements to be reviewed during the transition through the Council's scrutiny arrangements."*

A significant amount of work is underway to deliver these recommendations and this is summarised, through division into three project areas, through the actions shown in the Actions table below.

Actions

Work-Stream	Actions/Milestones	Timescale
Finance and Governance	Respond to and accommodate as appropriate the CIPFA and Penn reports in respect of the Housing Revenue Account	April 2022 Complete
	Complete the required funding of the misappropriation of Housing Revenue Account Funding	NCC – July 2022 Complete
		NCH March 2023
	Provide evidence that no other such failings have occurred following thorough investigation	March 2023
	Agree accounting position and processes of NCH subsidiaries	Complete
	Agree plan with NCH for future of subsidiaries	November 2022
	Complete work relating to subsidiaries	Summer 2023
	Receive ministerial direction for the use of General Fund monies to cover amounts owed to the Housing Revenue Account	Complete
	Ensure appropriate levels of internal control are in place to reduce the risk of similar occurrences happening in future.	Summer 2023
	Executive Board and Full Council reports on arrangements for greater level of councillor engagement in overview and scrutiny arrangements for policy development, priority setting and holding to account for performance in relation to housing management matter, following the return of management of the Council's housing stock to the Council.	System in place by March 2023

Bring NCH Back In House	Completion of contract due diligence	December 2022
	Tenant Engagement	Oct 2022
	Completion of TUPE	Mar 2023
	Finance Migration	April 2023
Development of appropriate in house housing management structure	Appoint a permanent Director of Housing	March 2023
	Complete permanent recruitment to Finance posts	Spring 2023

Glossary of terms

- ACOS - Appointments and Conditions of Service
- ADP – Accelerated Development Programme
- ALMO – Arm’s Length Management Organisation
- CEX – Chief Executive
- CGESC – Companies Governance Executive Sub-Committee
- CfGS – Centre for Governace and Scrutiny
- CIPFA – Chartered Institute of Public Finance and Accountancy
- CLT – Corporate Leadership Team
- C Tax – Council Tax
- DLT – Departmental Leadership Team
- DLUHC – Department for Levelling Up, Housing and Communities (formerly Ministry for Housing, Communities and Local Government MHCLG))
- DPIA – Data Protection Impact Assessment
- EDI – Equality, Diversity and Inclusion
- EE – Enviroenergy
- EIA – Equalities Impact Assessment
- FRI – Full Repair and Insuring Lease
- GDPR – General Data Protection Regulation
- HIA – Health Impact Assessment
- HOS – Heads of Service
- HR – Human Resources
- IT – Information Technology
- IPR – Individual Performance Framework
- ITP – Integrated Transformation Programme – this links to the work undertaken in Theme 7 Service Design and Delivery
- LCF – Leadership Capability Framework
- LEP – Local Economic Partnership
- LGA – Local Government Association
- MTFP – Medium Term Financial Plan (see also MTFS below)
- MTFS – Medium Term Financial Strategy
- NCC – Nottingham City Council
- NCH – Nottingham City Homes
- NHS – National Health Service
- NRB – Nottingham Revenue & Benefits
- NSR – Non-Statutory Review of Nottingham City Council, led by Max Caller CBE, on behalf of DLUHC.

- PID – Project Initiation Document
- PIR – Public Interest Report on Robin Hood Energy (see RHE)
- PMF – Performance Management Framework
- PMO – Programme Management Office – a support function to the Officers accountable for delivering elements of the plan
- Q1, Q2, Q3, Q4 – Quarter 1 (April to June), Quarter 2 (July to September), Quarter 3 (October to December, Quarter 4 (January to March).
- R&IP – Recovery & Improvement Plan
- RAG – Red, Amber, Green performance management ratings
- RHE – Robin Hood Energy
- RSG – Revenue Support Grant
- Senior Leadership Forum – an officer forum comprising of SLMG
- SLMG – Senior Leadership Management Group
- TBC – To Be Confirmed
- TOR – Terms of Reference for a Committee or Board.
- VfM – Value for Money

Index of High Level Deliverables

DLUHC Theme	Product / Outcome	Timescale	Plan Theme / Section	Location
Assurance	Improvement Board established The Board will be in place to challenge, support and improve performance, with the first meeting in January, to agree a commentary on the Council's recovery plan when it is submitted to the Secretary of State, and a forward plan of work to support quarterly evidenced based progress reports.	December 2020		3
Assurance	A three-year recovery plan submitted to the Secretary of State With actions, milestones and accountabilities to restore the financial viability of the Council's capital programme and revenue budget.	January 2021		
Finance	A robust three-year medium-term financial plan With actions to end the reliance on annual budget setting and a plan to restore financial resilience, including through long term cost reduction and building reserves (targets should be included for capital receipts).	January 2021	MTFS	27
Finance	A robust draft budget for 2021/22 With a clearly identified funding gap/ask and evidence of significant measures already included to close that gap, including asset disposals.	February 2021	MTFS	27
Finance	A detailed savings plan Including a schedule of who is responsible for each identified saving, an implementation plan, and a description of the process the council will put in place for generating further savings (star chamber model).	January 2021	MTFS	27

DLUHC Theme	Product / Outcome	Timescale	Plan Theme / Section	Location
Finance	Updated Council Plan To update the council's policy framework and revise its operating model to show clearly that the council can meet its statutory requirements; and that delivery plans have regard to its medium-term financial strategy.	June 2021	Council Plan	88
Finance	A detailed asset disposal strategy Including a review of capital assets and a disposal plan. This will include a detailed plan to deliver a very significant increase in capital receipts, for both General Fund and Housing purposes, to fund existing schemes and to fund or co-fund a capitalisation Direction. It will also detail assets or commercial ventures which should be exited, owing to a lack of expertise or rationale for remaining involved. In both cases, the plans will need a clear timetable.	April 2021	Assets	37
Finance	Debt Management Strategy This should reflect an annual step down in external borrowing and include a commitment to quarterly returns on asset disposals.		Capital Programme	53
Governance	Council adopts an updated constitution To clearly define roles and responsibilities of members and officers, the framework within which they operate, decision-making processes, performance management and procedures within the Council.	June 2021	Constitution (Governance and Decision Making)	62
	Reducing or eliminating overlap in Cabinet portfolios, with one Member with specific responsibility for performance and citizen experience.	June 2021	Constitution (Governance and Decision Making)	63
	Identifying specific skill requirements, training and development needs, as well as potential conflict of interest issues, for Councillors appointed to statutory Committees including Planning, Licensing, Appeals and Audit and Scrutiny, and also to Company Boards, including appointments to Non-Executive Company Chair roles.	June 2021	Constitution (Governance and Decision Making)	63

DLUHC Theme	Product / Outcome	Timescale	Plan Theme / Section	Location
	A revised Member Officer protocol clarifying roles and responsibilities as between members and officers.	June 2021	Constitution (Governance and Decision Making)	63
	A simplified officer structure incorporating a new senior leadership structure with sufficient seniority for strategic financial management (the S151 officer and the Monitoring Officer to report directly to the CE). This structure must ensure that Statutory Officers have effective control and/or oversight of the professional functions that provide advice to the Council. The Chief Executive to ensure sufficient permanent and interim management capacity in place to drive recovery plan at pace	June 2021	Organisation and Culture	70
	Implementing the procedure outlined in the Joint Negotiating Committee for Chief Executives, publishing the targets and performance measures agreed and cascading these into the direct reports and to the bottom of the officer structure, with appropriate mechanisms for the Chief Executive to hold officers to account	June 2021	Organisation and Culture	70
	Identify and initiate workforce development and cultural change programme for senior officers	June 2021	Organisation and Culture	71
	Adopting a standard model of delivery or using the benefits of corporate purchasing.	June 2021	Service Design and Delivery (formerly Delivery Options)	82

DLUHC Theme	Product / Outcome	Timescale	Plan Theme / Section	Location
	Clarity on the role of the Audit Committee and adopting relevant Redmond recommendations	June 2021	Constitution (Governance and Decision Making)	62
	Reforming the working practices of the Overview and Scrutiny Committee so it aligns with best practice.	June 2021	Constitution (Governance and Decision Making)	63
Commercial	Assessment of the Council's group of companies Include an assessment of which would be unlawful to bring back in-house, and a VfM assessment of current company ownership arrangements vs managed exits, with the aim of reducing risk, cost and avoiding unnecessary duplication. The conclusions should be integrated within the medium-term financial planning.	January 2021	Companies	44
Commercial	Decisions on each company Decisions on the future status of each company within the Council's group of companies, including careful sequencing and prioritisation of these decisions.	Outline Jan 2021, final plan June 2021	Companies	44
Commercial	Decisions relating to Enviroenergy Council to urgently review and determine the future of their district heating scheme, linked to the incinerator investment. Further to this, the Council must develop and implement an investment plan to ensure that residents have heating now and in the future in line with government commitments on climate change and carbon emissions.	June 2021	Companies	45
Commercial	Policy statement on roles and responsibilities of nominated non-executive directors and shareholder representatives This statement will also be reflected in the updated constitution. It should establish a common core element for the shareholder agreement together with the company specific elements and	June 2021	Companies	45

DLUHC Theme	Product / Outcome	Timescale	Plan Theme / Section	Location
	effectively impose it onto the companies they retain. It should also commit the Council to increasing its' capacity and capability for managing their commercial operation.			
Commercial	<p>Council to develop new officer shareholder executive function to support and challenge the Companies Governance Executive Sub-Committee</p> <p>The officer group's functions should include: reviewing financial and operational performance; acting as the loan committee for the council; identifying ways to drive down costs and increase dividends or reduce losses held on balance sheets.</p>	January 2022	Companies	45

City Council – 31 October 2022

Report of the Chair of the Overview and Scrutiny Committee

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Title: Overview and Scrutiny Annual Report 2021/22

Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 The Overview and Scrutiny Annual Report provides an overview of the activity undertaken by the scrutiny committees during the municipal year 2021/22, and the outputs and outcomes from the work. It also outlines the improvement activity that has taken place during the year to improve the operation of the scrutiny function and plans for the year ahead.

2. Recommendations

- 2.1 To accept the Overview and Scrutiny Annual Report 2021/22.

3. Reasons for recommendations

- 3.1 To enable Council to consider the work, and valued added by the Overview and Scrutiny function during 2021/22.

4. Other options considered in making recommendations

- 4.1 None. Council is asked to note the work that has already taken place and accept the Annual Report as an overview of that work.

5. Consideration of Risk

- 5.1 The scrutiny function has been identified as an area for improvement in the Together for Nottingham Plan and there are risks to the Council if this improvement is not delivered.

6. Background (including outcomes of consultation)

- 6.1 Overview and scrutiny is a statutory function to help improve governance and public services for the benefit of local people. It ensures that the Council's Executive is publicly held to account for its decisions and actions and promotes open and transparent decision-making and democratic accountability. It also has a wide remit to explore how the Council and its partners could improve services for the people of Nottingham by offering constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance.
- 6.2 During 2021/22 the overview and scrutiny function was carried out by the Overview and Scrutiny Committee, Children and Young People Scrutiny Committee, Health and Adult Social Care Scrutiny Committee and Call In Sub Committee.
- 6.3 The Annual Report provides an overview of the activity undertaken by the scrutiny committees during 2021/22 and some more detailed examples of specific areas of work. The Report also reflects on the outcomes of that work and how it has added value to the work of the Council and partners by holding decision makers and service providers to account and/or contributing to service improvement.
- 6.4 The scrutiny function has been identified as an area for improvement in the Together for Nottingham Plan and a review of the function was carried out by the Centre for Governance and Scrutiny in 2020/21. The Report summarises the improvement activity that has taken place during the course of the year to address to issues raised in that review and implement the actions contained within the Scrutiny Improvement Action Plan.

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

- 7.1 The contents of this report seek to accept the 2020/21 Overview and Scrutiny report. This raises no significant financial issues.
- 7.2 Any improvement areas identified needing financial support above NCC base budget would be subject to further decision making.

Tania Clayton Pérez-Senior Commercial Business Partner-Oct 22

8. Legal colleague comments

- 8.1 The contents of this report raise no significant legal issues and is supported.

Malcolm R. Townroe, Director of Legal and Governance 11 October 2022

9. Other relevant comments

9.1 None

10. Crime and Disorder Implications (If Applicable)

10.1 Not applicable

11. Social value considerations (If Applicable)

11.1 Not applicable

12. Regard to the NHS Constitution (If Applicable)

12.1 Not applicable

13. Equality Impact Assessment (EIA)

13.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report and recommendation does not relate to a new or changing policy or service.

14. Data Protection Impact Assessment (DPIA)

14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because there are no data protection implications associated with the report and recommendation.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because there are no carbon implications associated with the report and recommendation.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

17.1 Nottingham City Council Constitution

17.2 Agendas and minutes of meetings of the Overview and Scrutiny Committee, Children and Young People Scrutiny Committee, Health and Adult Social Care Scrutiny Committee and Call In Sub Committee during 2021/22.

17.3 Together for Nottingham Plan

17.4 Report of the Review of the Scrutiny Function carried out by the Centre for Governance and Scrutiny

17.5 Scrutiny Improvement Action Plan

Councillor Sam Gardiner
Chair of the Overview and Scrutiny Committee

Overview and Scrutiny Annual Report 2021/22

Introduction

Overview and scrutiny is a statutory function to help improve governance and public services for the benefit of local people. It ensures that the Council's Executive is publicly held to account for its decisions and actions and promotes open and transparent decision-making and democratic accountability. It also has a wide remit to explore how the Council and its partner organisations could improve services for the people of Nottingham by offering constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance. Its purpose is to:

- hold local decision-makers, including the Council's Executive and the Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- explore any matters affecting Nottingham and/ or its citizens
- make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure.

During 2021/22 overview and scrutiny work was carried out by:

- an Overview and Scrutiny Committee chaired by Councillor Anne Peach, which took an overview of key strategic issues relevant to Nottingham, ensuring decision-makers were held to account for their decisions and actions;
- a Call-in Sub-Committee which meet as and when required to consider requests to 'call-in' Executive decisions that had been made but not yet implemented. There were no call-in requests submitted during 2021/22 for the Sub-Committee to consider;
- a Children and Young People Scrutiny Committee chaired by Councillor Carole McCulloch, which focused on the scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people in the City;
- a Health and Adult Social Care Scrutiny Committee to carry out the statutory roles to review and scrutinise matters relating to health in the Council's area, with powers to make reports and recommendations to health service commissioners and providers, and to scrutinise Adult Social Care to ensure the wellbeing and safeguarding of adults in receipt of support. The Committee was chaired by Councillor Georgia Power.

The function was supported by the Statutory Scrutiny Officer, two Senior Governance Officers (as part of their wider role), with support from other colleagues in Governance Services.

As part of developing its evidence base, the overview and scrutiny committees often invited individuals and organisations to attend meetings and provide information about their work, experience or expertise. We would like to take this opportunity to thank all those who contributed to the work of overview and scrutiny during 2021/22.

Scrutiny Improvement

Towards the end of 2021/22 the Council commissioned the Centre for Governance and Scrutiny (CfGS) to carry out an independent review of the scrutiny function to identify areas for improvement and produce recommendations on how these improvements might be made within available resources. The review found that scrutiny councillors were generally engaged and committed to delivering effective scrutiny and passionate about improving the lives of residents in the city, but that there was recognition that the scrutiny function needed to significantly improve to add greater value to decision making by holding to account. A number of areas of concern were identified including in relation to the focus and purpose of scrutiny, organisational culture, relationships, trust, communication and use of information. Weaknesses in how scrutiny selects and prioritises its work and in the skills of councillors were identified. The review made ten recommendations for improvement. The review report was accepted by Full Council in September 2021 and responsibility was delegated to the Overview and Scrutiny Committee to develop and oversee implementation of an action plan to respond to the recommendations and address the issues raised.

As such, a key focus for 2021/22 has been reflecting on the findings and recommendations of the review to make changes that strengthen the function, enabling it to provide effective challenge and support to the Council. A Scrutiny Improvement Action Plan was approved by the Overview and Scrutiny Committee in October 2021 and that Committee has monitored its implementation during the year. Specific actions that have been taken include:

- Review and repurposing of scrutiny work programmes to focus on the Council's recovery and improvement. For the Overview and Scrutiny Committee this has meant inclusion of regular updates from the Leader of the Council on delivery of the Together for Nottingham Plan and scrutiny of key themes including the refreshing of the Strategic Council Plan, the Transformation Programme, commercial ventures, culture change and development of a four year Medium Term Financial Plan.
- The Overview and Scrutiny Committee Chair and Statutory Scrutiny Officer have met with the Council's Leadership, and the Statutory Scrutiny Officer has met with the Council's Corporate Leadership Team every month to horizon scan and support ongoing review of the work programmes to ensure that they remain relevant. A programme of regular work programming meetings has been established between the Chairs of the Children and Young People Scrutiny Committee and Health and Adult Social Care Scrutiny Committee and relevant Portfolio Holders.
- Increased visibility of the Statutory Scrutiny Officer within the organisation.

- Scrutiny committees have proactively identified the information and expertise requirements when setting their work programmes and requested additional input as necessary. For example, the Children and Young People Scrutiny Committee held an informal briefing session with colleagues from the Education Department in advance of its meeting with the Regional Schools Commissioner to help develop key lines of enquiry.
- The Committee responsible for health scrutiny has been renamed to highlight its remit in relation to adult social care. This has contributed to giving greater profile to adult social care issues by the Committee.
- Development of a comprehensive training programme to be delivered by the CfGS, including core scrutiny knowledge and skills, work programming and finance and budget scrutiny. The training programme has included bespoke mentoring for scrutiny chairs and a development session for the Executive. Positive feedback has been received about the sessions delivered so far.
- Scrutiny Chairs and Scrutiny Officers attended the national CfGS National Scrutiny Conference to learn from best practice in other local authorities and scrutiny settings. They have also engaged with relevant national and regional scrutiny networks.
- Review of the Scrutiny Committees' Terms of Reference and Overview and Scrutiny Procedure Rules as part of the comprehensive review of the Council's Constitution.
- Development of a Scrutiny Protocol between the Executive and Scrutiny which includes access to information; expectations in relation to engagement with scrutiny; provision of information and attendance at meetings; and expectations in relation to the response to, and implementation of recommendations. The Protocol was developed with input from scrutiny councillors, the Executive and the Council's senior officers, with the benefit of learning from best practice in other local authorities. Going forward the focus will be on putting the Protocol into practice.

Continuing the implementation of improvement activities and embedding improvement will be a key focus for the year ahead.

Overview and Scrutiny Committee

In 2021/22 the Overview and Scrutiny Committee aimed to offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance in order to ensure that the services delivered by the Council were fit for purpose.

The Committee continued its focus on recovery and improvement, as well as considering a number of specific topics.

Below are some examples of the work carried out throughout the year.

Recovery and Improvement

The Committee was keen to maintain its focus on the Council's planned recovery and improvement as it continued to address the issues raised in both the Report in the Public Interest concerning the Council's governance arrangements for Robin Hood Energy Ltd (PIR) and the Non-Statutory Review of Nottingham City Council (NSR), under the guidance of the Improvement and Assurance Board.

The Committee heard from the Leader at each meeting about the progress made in implementing the Council's Together for Nottingham Plan (formerly the Recovery and Improvement Plan), which helped inform its work programme throughout the year.

The Committee also heard from Sir Tony Redmond, Chair of the Improvement and Assurance Board, on his views of the progress the Council is making in its recovery and improvement journey, which included a number of key functions for the Scrutiny Committee to fulfil:

- ensure accountability of decision making
- examine Executive response to the R&IP
- oversee and challenge Strategic and Corporate decisions stemming from the plan and how they are then implemented
- examine transformation to ensure best value and robust governance remains a focus.

Streetscene

The Committee considered the split of responsibilities between residents and the Council and examined the appropriate deployment of Council resources, as well as the impact of financial constraints and how Street Scene fits into the Public Realm transformation programme and how services are contributing towards delivery of the Council's Improvement Programme, hearing from strategic transport priorities, hearing from the Head of Public Realm Services, and the Streetscene and Grounds Maintenance Service Manager in June 2021.

The Committee recognised the difficulties the service faced operating during the pandemic, and that plans were in place for services to return to their previous level of operation, but were concerned about when and how this would take place and how some areas would be brought back to the standard they were at pre-pandemic.

Transformation Programme

In October 2021 and April 2022, the Committee heard from the Portfolio Holder for Skills, Growth and Economic, the Portfolio Holder for Adults and Health, the Transformation Programme Director and the Interim Director of Strategy and Policy about the Council's progress in establishing a transformation programme to support the delivery of the Together for Nottingham Plan.

The Committee heard that the transformation portfolio was at various stages of development; ranging from projects being very much in their inception to those being delivered, and covered all areas of council services, with a clear accountability and

delivery structure arranged under directorate programmes, cross-cutting programmes and enabling programmes, but that there were some difficulties in measuring the current progress of the transformation plan as many of the projects were in a very early stage, and the Transformation Programme Director only having been appointed in July 2021.

The Committee was concerned that they often received information around services and plans too late to effectively offer feedback and scrutinise and asked for assurance that this would not be the case with the transformation programme, which was given.

The Committee also expressed concerns about the speed and depth of the transformation project, as decisions needed to be robustly taken but also there was a need for expediency whilst ensuring the Council got Value for Money whilst facing budgetary and resource pressures.

The Budget

In November 2021, December 2021 and January 2022 the Committee heard from the Portfolio Holder for Finance and Resources, and the Interim Corporate Director for Finance and Resources on the Council's budget.

The November meeting focussed on the Council's in-year budget, the financial context, and the Council's response to addressing the budget pressures.

The December meeting focussed on scrutinising the budget proposals for 2022/23 – 2025/26 with the Committee acting as a consultee.

The budget proposals involving children, adults and health, were scrutinised by the Children and Young People Scrutiny Committee and the Health and Adult Social Care Scrutiny Committee respectively, and the Chairs of those committees provided feedback on their views at the January meeting for inclusion in the scrutiny committees' response to the budget consultation.

The committees' expressed concern that the consultation was presented in such a way that citizens affected by the proposals were unaware of the impact of the proposals and, therefore, were not able to engage in the consultation, and that there had been a focus on online engagement and response, even though lack of digital access was recognised to impact large numbers of the City's citizens.

Assurance was sought that more effort would be made to highlight local impact and implications of the proposals, and that adequate funding would be available to appropriately resource the delivery of statutory services.

Future Work

Towards the end of 2021/22, the Committee had several informal discussions about its work programme and the focus it wanted to apply to its scrutiny in 2022/23. It recognised the importance of continuing its key role in scrutinising the Council's recovery and improvement through its mandate to hold decision makers to account and as the body which provides the checks and balances that ensure that the decisions that are made reflect the needs of the people of Nottingham.

Based on this decision, the Committee identified a number of areas for inclusion in its work programme for 2022/23, but also agreed to develop its work programme flexibly throughout the year, to enable timely and appropriate scrutiny of recovery and improvement. Areas already agreed for scrutiny in 2022/23 include:

- bi-monthly updates from the Leader on Together for Nottingham Plan progress
- exploration of the impact and management of Anti-Social Behaviour with the Crime and Drugs Partnership
- focused scrutiny of the Council's Medium Term Financial Strategy and Plan and budget planning for 2023/24
- pre-decision scrutiny on Selective Licensing Scheme 2, Libraries Transformation and the Municipal Waste Strategy
- pre-policy scrutiny on the Public Sculpture Policy and the Community Asset Policy
- Council Plan progress monitoring

Children and Young People Scrutiny Committee

The Children and Young People Scrutiny Committee exists to facilitate the scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people in Nottingham. Throughout 2021/22, the Committee was well attended by a range of senior managers, Executive Portfolio Holders, frontline service providers and partner organisations. Below are some examples of the work carried out by the Committee during the year.

Improvement and Recovery

In the previous year, the Committee had been concerned about the impact on children and young people of the Council's challenging financial position and the need for the organisation to focus on actions contained within the Council's Recovery and Improvement Plan. During 2021/22 the Committee continued to focus on the impact of this on children and young people in the City; and also action taken by the Service to minimise the impact of increasing demands for children in care, both in terms of numbers and complexity, and rising costs of care on the financial position of the Council as a whole. The Committee sought assurance that there is full understanding of the pressures in relation to Children's Integrated Services given that the forecast budget variance was so volatile during the year, and was concerned about whether there could be full confidence in the ability to assess pressures and forecast. This will be an area of exploration in the year ahead.

The Committee supported the prioritisation of statutory services and meeting statutory responsibilities in the refreshed Strategic Council Plan and Medium Term Financial (MTFP), but was concerned that about the risks to the Council's ability to do this in the medium-longer term in light of decisions to close children's centres and make changes to play and youth services. Based on the information presented to it at various points throughout the year, the Committee felt that such reductions in

early intervention were likely to further increase demand for statutory services, which the Council is already struggling to meet at current levels. The Committee recognised the potential of transformation to address this and progress of the transformation programme will be a key component of the Committee's work programme for 2022/23 both in terms of its contribution to the delivery of financial savings contained within the MTFP and improving the efficiency and effectiveness of services and ultimately improving outcomes for children, young people and families. During 2022/23 the Committee will also be holding decision makers to account for the delivery of agreed budget savings and monitoring the impact of those changes. For example, in the course of its work, the Committee has considered a range of evidence about the interplay between permanent exclusion from school and support from play and youth services for young people on the edge of being excluded, or who have been excluded from school. Reducing school exclusion is a priority within the Strategic Council Plan because of the impact that it has on outcomes for a young person who is excluded and this will be one of the areas that the Committee will be exploring.

In July 2021, the Committee followed up work from previous years reviewing implementation of the recommendations and action plan arising from the Independent Inquiry into Child Sexual Exploitation. The Committee concluded that, based on the information available to it at this and previous meetings, it was satisfied that the Council has learnt lessons from the Inquiry and built that learning, and outstanding issues from the action plan into core practice and the Service's wider improvement plan. In September 2021, the Committee looked at progress in implementing that wider improvement plan and received assurance from the Portfolio Holder for Children and Young People that the Service was on the right track in making improvements despite the challenges of dealing with the Covid pandemic and changes in senior leadership. The Committee welcomed the increased stability in staffing stability and capacity, although remained concerned about high caseloads for some social workers, inconsistency in core social work practice and the associated issues raised by Ofsted in their focused visit, who noted improvements but voiced concerns about the significant amount of improvement still required.

School Exclusions

Although it is not an issue that the Council has direct control over, reducing school exclusions is a priority within the Council's Strategic Plan. Therefore, the Committee spent some time this year looking at how the Council is working with schools, and other partners to reduce exclusions and, when exclusions do happen, try to minimise the impact on that child.

In May 2021, the Committee heard about the Council's work with schools to reduce the number of permanent exclusions from primary school and the support available to families and children when a child is excluded. The Committee was pleased to note that the rate of permanent exclusions from primary schools in the City is below that of statistical neighbours and that, despite the disruption to children's lives, there hadn't been a spike in exclusions following the return to face-to-face schooling after the Covid pandemic. The Committee was also pleased that no child with an

Education and Health Care Plan had been excluded from primary school in the last three years despite this being a significant factor nationally. The Committee welcomed the work taking place through Routes to Inclusion, the Fair Access Protocol and via the Intensive Support Team operating in primary schools to avoid permanent exclusions happening where possible. For those children who are excluded in spite of this, the Committee recommended that the Council produce guidance for their parents/ carers advising them of their, the school and the local authority's responsibilities in relation to their child's education and signpost further sources of support and advice. This recommendation was accepted for implementation by September 2021.

In November 2021, the Committee took a focused look at permanent exclusions from secondary schools and spoke with representatives of the following local Trusts about their approach: Djanogly Learning Trust, Archway Learning Trust and Raleigh Learning Trust. The Committee also heard from the Regional Schools Commissioner about her role in monitoring and challenging academy trusts, including intervening with under-performing trusts. She welcomed the positive partnerships between schools, multi-agency trusts (MATs) and the Council and noted the impact that positive engagement from MATs has on reducing the levels of permanent exclusions. As a result of the discussion, she offered to support in engaging those MATs operating in the City not already involved with the Inclusion Strategy.

As part of the discussion at this meeting, the Committee heard from Academy Trusts about delays in access to child and adolescent mental health services (CAMHS) and the lack of mental health support in schools. Through their relationships with vulnerable young people, youth workers have played a role in filling this gap and the Committee was concerned about the impact of reducing youth work capacity, and has referred the issue of delays in accessing CAMHS to the Health and Adult Social Care Scrutiny Committee for consideration.

Early Years Entitlement

Ensuring that at least 75% of eligible 2 year olds access free nursery provision is a commitment within the Council's Strategic Plan, in order to support early years development and help children achieve their potential by ensuring children are ready for school when they start. As a stated priority for the Council, the Committee carried out focused scrutiny of the progress towards achieving this. In the previous year, the Portfolio Holder for Children and Young People had reported progress as 'amber' and there were anecdotal reports about the impact of Covid-19 on the sustainability of early years providers and the willingness of parents to take up places in a context of already low take-up prior to the pandemic. The Committee was pleased to hear that there are sufficient childcare places available across all age groups in the City and that the quality of childcare is high with 99% of nurseries and 95% of childminders rated as 'good' or 'outstanding' by Ofsted. However, the Committee remained concerned about the take-up of these places and recommended that Service do more to tailor promotion of access to free childcare and the availability of childcare in local communities by providing information about

the entitlement and the availability of local childcare to ward councillors and Neighbourhood Development Officers; engaging with Neighbourhood Development Officers to identify appropriate local events at which availability of local childcare can be promoted; and engaging with housing associations across the City, not just Nottingham City Homes, to promote the availability of local childcare provision.

Provision for Children and Young People with Special Education Needs and Disabilities

An inspection by the Care Quality Commission and Ofsted of how well the City carries out its statutory duties in relation to children and young people with special educational needs and disabilities (SEND) took place in November 2021. The inspection did not identify any significant weaknesses requiring a Written Statement of Action but did identify some areas for development. In January 2022, the Committee reviewed how the Council and its partners were responding to this by hearing from representatives of the Council and Nottingham and Nottinghamshire Clinical Commissioning Group (CCG). The Committee welcomed the largely positive findings of the inspection and the planning taking place at that time to address areas identified for improvement. The Committee was particularly interested in the work to communicate with, and engage parents and families, both in terms of the services hearing, and understanding their issues and challenges; and ensuring parents know what services are available and how to access them. Both the Council and the CCG acknowledged that communication about the support available needs to improve particularly in areas of high deprivation, for people who speak English as an additional language and for people who experience digital poverty. It was suggested that schools and local councillors could assist in achieving this. The Committee welcomed the proposed development of a local area communications strategy to improve co-production and ensure that children and young people with SEND and their families have clear, up-to-date relevant information in a way that meets their needs, and it was decided to review progress in improving communications as part of the Committee's 2022/23 work programme.

Future Work

The Committee has identified a number of areas for inclusion in its work programme for 2022/23, including:

- Continued monitoring of progress in the delivery of improvement and recovery actions during 2022/23, including transformation of children's services and delivery of agreed budget savings. In particular, the Committee has decided to focus on changes to children's centres and play and youth services.
- Focused scrutiny of work to improve Children's Integrated Services with an emphasis on the outcomes of the anticipated Ofsted inspection of children's services and the action taken to address any arising issues, and transformation of children's services.
- Progress on outstanding actions from the HMIP Inspection of Youth Justice Services in 2020 including focused scrutiny of work with young people from black and ethnic minority communities, ensuring that the voice of young people is

heard and used to inform service delivery and the approach towards victims and the potential development of a restorative justice approach.

- Delivery of the action plan to implement recommendations from the review of SEND with a focus on work to improve communications and engagement with parents and families.
- How well the Safeguarding Children Partnership is carrying out its functions in co-ordinating safeguarding arrangements, identifying and responding to the needs of children in the City, commissioning and publishing reviews and providing scrutiny of the effectiveness of arrangements. The Committee intends to invite representatives of statutory partners, Nottinghamshire Police and Nottingham and Nottinghamshire Integrated Care Board, and the Independent Scrutineer to a meeting to discuss how current partnership arrangements are working, a couple of years after their introduction.

Health and Adult Social Care Scrutiny Committee

The review of the Council's scrutiny arrangements by the Centre for Governance and Scrutiny in 2021 recommended that scrutiny work programmes have a greater focus on the organisation's corporate recovery with emphasis on finance, the improvement plan and service transformation. It also recommended that there should be a greater focus on adult social care. This has always been within the remit of the Health Scrutiny Committee but, in order to give it greater prominence, the name of the Committee was changed to the Health and Adult Social Care Scrutiny Committee. A programme of regular informal meetings between the Chair and Vice Chair of the Committee and the Portfolio Holder for Adults and Health and Director for Adult Health and Social Care and Director for Public Health commenced to share information, discuss current and forthcoming issues and challenges and where scrutiny could add value to decision making in relation to those issues. As a result, there was a greater focus on issues relating to adult social care during 2021/22, for example examining progress of the adult social care transformation programme, workforce development and services for adults with learning disabilities. The Committee also sought input from the Portfolio Holder and Director to inform its understanding of the adult social care perspective on health issues that it scrutinised.

Alongside this, the Committee continued to carry out the Council's statutory role to review and scrutinise the planning and delivery of local health services with the aim of helping to improve the health and wellbeing of local people. The role includes:

- strengthening the voice of local people in decision making, through democratically elected councillors, to ensure that their needs and experiences are considered as part of the commissioning and delivery of health services;
- taking a strategic overview of the integration of health, including public health, and social care;
- proactively seeking information about the performance of local health services and challenging and testing information provided to it by health service commissioners and providers; and

- being part of the accountability of the whole health system and engaging with the commissioners and providers of health services and other relevant partners such as the Care Quality Commission and Healthwatch.

In addition to the broad powers held by all overview and scrutiny committees, committees carrying out health scrutiny hold additional powers and rights to require information and attendance at meetings from organisations that commission and provide NHS and public health funded services; and to make reports and recommendations to those organisations and expect a response. Health scrutiny committees also have a statutory role to consider proposals to substantially develop or vary health services to ensure that the views of patients and the public have been taken into account when making significant changes, as well as ensuring that such changes are in the best interests of local health services.

The Committee engaged with a broad range of health and social care issues during the course of the year with input from a range of councillors, senior officers, NHS commissioners, NHS providers, Healthwatch Nottingham and Nottinghamshire, voluntary and community sector providers and interested local stakeholders and citizens. Below are some examples of that work and how it contributed to improving health and social care services for the people of Nottingham.

Recovery and Improvement

Throughout the year, the Committee heard about increasing demands for adult social care, both in terms of numbers of people needing care and the complexity of their need; and the impact of this on pressures within the Council's Medium Term Financial Plan. There are pressures from both increasing demand and the increasing cost per unit of care. Conscious of the impact of decisions in previous years to, for example, freeze job vacancies in order to make financial savings on waiting times for assessment and care, the Committee has been supportive of the transformation of services to different models of delivery as a way of addressing these challenges. The Committee welcomed that transformation is building on the existing Better Lives Better Outcomes Strategy. The Committee was also pleased to note there no further staffing cuts were proposed for adult social care and there was an intention to put capacity back into the service to meet longer term pressures. The Committee is keen that staff within the service are able to engage with, and lead transformation rather than it being 'done to them' by external consultants and commented to the Portfolio Holder for Adults and Health and Director of Adult Health and Care about the importance of internal capacity to facilitate this. At the same time the Committee is acutely aware of workforce challenges facing adult social care teams within the Council, and in other social care and health providers in the City and beyond.

In January 2022, the Committee looked in detail at the workforce and organisational development aspects of transformation and the development of an Adult Social Care Workforce and Organisational Development Plan, which is a priority within the Council's recovery and improvement activity. Proposals for the Strategy came to the Committee at a relatively early stage providing opportunity to influence the approach. The Portfolio Holder for Adults and Health assured the Committee that, while

attracting and retaining staff is a challenging and long term issue, she was confident that the work to address workforce issues was going in the right direction. The Committee heard that the intended timescale for the Strategy is three years and the Committee will be reviewing the implementation of the Strategy during the forthcoming year.

In addition to engaging staff, which the Committee has welcomed the Director's emphasis on, the Committee also discussed with the Portfolio Holder and Director the importance of engagement and co-production with service users. As part of these discussions, Healthwatch Nottingham and Nottinghamshire offered to support with listening to service users and carers.

Maternity Services

In December 2020 the Care Quality Commission (CQC) published a report which re-rated Nottingham University Hospitals Trust (NUH) maternity services from Requires Improvement to Inadequate, along with the issuing of a warning notice. The Committee spoke to the Trust about this in January and July 2021. The Committee raised particular concerns about how women are listened to and involved in decisions about their care and when things go wrong; the Service's processes for hearing about when things don't go well, such as complaints and the confidence of staff to speak up when they have concerns and the extent to which learning takes place as a result; and care for women from ethnic minority groups, particularly those who require translation services, as an inability to communicate with professionals providing care can affect a woman's engagement in decisions about her care and ability to raise issues or concerns. The Committee was also concerned about the significant number of Serious Incidents still being reported. The Committee heard about the intention of NHS England and Nottingham and Nottinghamshire Clinical Commissioning Group (CCG) to jointly establish an independent thematic review into maternity services. The Committee was supportive of the principle of establishing an independent review and, on behalf of the Committee, the Chair engaged with the CCG on the scoping and development of the terms of reference for the review to ensure that it was truly independent, would engage appropriately with families and service users and that the findings and recommendations would be made public.

In September 2021, the CQC published a report of an inspection it carried out into how well the Trust is led, alongside some specific service areas in July. Following this inspection, the Trust was issued with a Section 29a warning notice under the Health and Social Care Act 2008 and rated as 'Requires Improvement', with an Inadequate rating in relation to whether services are well-led. Some of the failings identified by the CQC in relation to maternity services were also reflected in its findings of how well the Trust as a whole was being led.

During the course of the year the Committee took steps to try to understand the circumstances, encourage and support improvement and publicly hold the Trust to account for the quality and safety of the services that it was providing, particularly in relation to maternity services but aware that the failings identified by the CQC with regards to how the organisation was led would be impacting on the range of services provided by the Trust. Throughout this the Committee has been happy to

acknowledge that, while the CQC identified serious concerns with maternity services, it rated the quality of care provided by staff as 'Outstanding'.

Information and evidence has been gathered by the Committee in a range of ways including:

- Speaking to, and considering information from the Trust, this has included:
 - The Trust's Medical Director, Chief Operating Officer and Acting Chief Nurse, at that time, attending a meeting of the Committee in January 2021 to discuss the CQC's findings in relation to maternity services and actions being taken by the Trust to address identified failings.
 - The Trust's Chief Nurse and Director of Midwifery attending a meeting of the Committee in July 2021 to report on progress.
 - The Trust's Interim Chief Executive, Chief Nurse and Director of Midwifery attending a meeting of the Committee in November 2021 to discuss the CQC's findings in relation to how the organisation is being led and actions being taken by the Trust to address identified failings.
 - The Trust's Interim Chief Executive, Medical Director, Director of Communications and Engagement and Chief People Officer attending a meeting of the Committee in January 2022 to report on progress, with a particular focus on how the organisation is being led and cultural issues.
 - The Trust's Chief Nurse and Director of Midwifery attending a meeting of the Committee in February 2022 to report progress in improving maternity services.
- Considering lived experience of a range of parties, through:
 - Consideration of written information from the Nottingham and Nottinghamshire Maternity Voices Partnership (a group that aims to improve maternity services by putting the experiences of women and their families at the centre).
 - Consideration of information provided by Healthwatch Nottingham and Nottinghamshire.
 - An informal meeting with a parent whose child had died whilst in the care of NUH's maternity services to hear their perspective.
- Speaking to, and considering written information from Nottingham and Nottinghamshire Clinical Commissioning Group.
- Speaking to the NHS England Regional Medical Director for the Midlands.
- Speaking to representatives of trade unions representing employees of the Trust.
- Speaking to and considering written information from the Programme Director and Clinical Lead for Midwifery of the Independent Thematic Review of Nottingham University Hospitals Maternity Services.

Based on the information and evidence available to it over a number of months, the Committee was concerned that the Trust had been unable to demonstrate necessary improvement was taking place at sufficient pace to provide the Committee and, most

importantly, citizens with assurance on the safety and quality of services provided. The Committee felt that the situation was causing significant anxiety for the public and service users.

The Committee concluded that the scale of the issues, and the lack of evidence and assurance to it from the Trust regarding its improvement, meant that the issues needing escalating to the Secretary of State for Health and Social Care and the CQC. One of the Committee's concerns related to the need for high quality, credible leadership to drive improvement in the Trust. In February 2022 a new Trust Board Chair was appointed and the Chair met with him to discuss his role and priorities going forward and he has since attended a formal Committee meeting to discuss maternity services. A new Chief Executive for the Trust has recently been appointed and the Committee looks forward to speaking with him when he starts in autumn 2022.

In March 2022 the CQC carried out a further inspection of maternity services. Initial feedback was reported to the Trust Board in March and, while positive aspects were noted, areas of concern were identified and the CQC issued a warning notice in relation to the care women receive within triage services and how they are monitored while admitted. Around this time, the Independent Thematic Review was ended and a new review established to be led by Donna Ockenden.

During this period the Committee has sought to work constructively as part of the wider system of accountability to raise and maintain the profile of the need to improve the safety and quality of care in maternity services in Nottingham. This has resulted in significant local and regional focus, consideration of the issues at a national level and a nationally-established review which is ongoing. The quality and safety of maternity care will continue to be a priority issue within the Committee in future years, including the improvement action being taken by NUH both in response to CQC recommendations and internally driven, the findings and recommendations of the independent review and how the system as a whole is supporting improvement.

Changes to health services

Health scrutiny committees have a statutory role to consider proposals to substantially develop or vary health services to ensure that the views of patients and the public have been taken into account when making significant changes, as well as ensuring that such changes are in the best interests of local health services. During 2021/22 the Committee considered proposals relating to acute stroke services and neonatal services, both provided by Nottingham University Hospitals NHS Trust.

The Committee heard that there were currently neonatal cots at both the Queens Medical Centre (QMC) and City Hospital campuses of Nottingham University Hospital Trust, co-located with maternity units on those sites. In order to meet demand there was a need to increase the number of cots. The CCG presented a proposal to increase the expand neonatal intensive care at QMC from 17 to 38 cots and realign neonatal care between QMC and City Hospital. The Committee was informed this would help reduce the number of transfers between sites which

currently happen because there are no other children's inpatient services at City Hospital and limited access to specialised radiology. The Committee considered the national context and local case for change and anticipated impact on family and patient experience and proposals for targeted engagement on the change. The Committee concluded that, based on the information available, it did not have any concerns either about the proposals or arrangements for engagement on the proposals. The final stages of targeted engagement on this are now currently taking place.

Temporary changes to the configuration of acute stroke services were made in July 2020 to support response to the Covid-19 pandemic. To create additional admission assessment capacity on the City Hospital campus, hyper acute stroke services were brought together on the QMC site with the Hyper Acute Stroke Unit and Acute Stroke Ward moved from the City Hospital. The Committee was informed that this reconfiguration was being considered pre-pandemic based on analysis that it would be clinically beneficial and aligned with national and regional plans for stroke services. The move was accelerated on a temporary basis as part of the response to the pandemic and retained as analysis showed that the change had been beneficial, and work was taking place to look at making the change permanent. The Committee did not raise any concerns about the principles of the change but recommended that targeted engagement was carried out with those affected by the change to inform the final decision. This is currently taking place with findings due to be reported back to the Committee.

At various points during the year, the Committee considered the ongoing development of the Tomorrow's NUH programme, which is part of the Government's New Hospital Programme and includes proposals for emergency care, family care, elective care and cancer care services. The CCG is in the process of developing a Pre Consultation Business Case and the Committee wanted to ensure that the public were appropriately engaged and involved in the process. The Committee recommended that the CCG did more to ensure that engagement reaches those in typically harder to reach groups including making information available in alternative languages and considering how information is communicated to, and feedback received from those with lower literacy skills. As an example of how it responded to this, the CCG advised that the second phase of pre-consultation engagement survey was made available in the 10 most commonly used languages in the local area and circulated to groups with connections to particular local communities, such as the St Anns and Meadows Advice Centres and that the intention is to enhance this for the full public consultation. The Committee also recommended that engagement took place with NUH staff and trade unions about the proposals to seek their views and assess impact. The proposals are likely to involve a number of substantial developments and variations to health services and the Committee's engagement with this issue was also part of the CCG's duty to consult the Committee on such changes. In terms of the development of detailed service proposals, the Committee recommended that proposals for the women and children's hospital take into account the needs of trans and non-binary individuals so that they are able to access services; and that consideration is given to how the needs of those who attend the

Emergency Department in mental health crisis (which is an issue that the Committee looked at in-depth during 2020/21) can best be met. The CCG responded that it would take both of these issues on board in the development of proposals. As the areas with lowest levels of public support in the pre-consultation engagement that has taken place, the Committee will now be focusing on the specific proposals in relation to family care and outpatient care.

Mental health

The Committee has a keen interest in access to mental health services and, after discussing the Nottinghamshire Healthcare Trust's Strategy with its Chief Executive and Director of Mental Health and Learning Disabilities in May 2021, the Committee identified two services that it wanted to look at access to in more detail: Step 4 Psychological Therapies and Adult Eating Disorders. The Committee explored both of these issues in the context of the Severe Mental Health Transformation Programme, which it received a separate in-depth briefing on.

In May, the Committee had been informed that Step 4 Psychotherapy and Psychological Therapies had been particularly disrupted by the Covid pandemic as some therapies could not be delivered virtually and this had resulted in patients commonly waiting in excess of six months for treatment. The Committee was concerned about this length of wait and was informed that anyone waiting over six months would have a further review which would look at other options while they are waiting e.g. online cognitive behavioural therapy. The Committee wanted assurance that support offered during a waiting period would not delay the referral for specialist psychological support nor result in the individual being removed from the waiting list. In September the Committee spoke with the Trust's Director of Mental Health and Learning Disabilities and a Clinical Psychologist from the Step 4 Service about work taking place to improve access. They informed the Committee that, at that time, the average waiting time for treatment was 10.5 months, compared with 9 months in 2019 and a target of 26 weeks although some of the longer waits were for elective reasons. The waiting list was being managed through additional recruitment and regular updates to patients, and plans were to extend the waiting list recovery plan into 2022, increase the frequency of group intervention programmes and ensure patients are 'therapy ready' before accessing Step 4 treatment. The Trust assured the Committee that support is offered to individuals while on the waiting list with phone contact after three months to assess whether needs have changed and a face to face review offered at six months; and if an individual accesses lower levels of care while on the waiting list they will not be removed from the waiting list for the Step 4 service. The Trust acknowledged that staffing shortages had contributed to longer than ideal waiting times and said that agency and non-agency staff were being recruited to address this while permanent experienced staff were recruited. While remaining concerned about the current length of wait, the Committee welcomed the actions being taken by the Trust and, noting that the Trust had said that waiting times should be significantly improved by summer 2022, decided to review the position again at that point. The Trust has since reported that in response to scrutiny from the Committee all patients waiting over 26 weeks were reviewed. A small number were discharged and all patients who had elected to wait until face-to-

face services resumed are now in therapy and all those who elected to wait for other reasons are also now in therapy. Communication has also taken place with Local Mental Health Teams to clarify referral pathways and highlight that Step 4 is best indicated when a patient is 'therapy ready'.

Following issues raised by service users, the Committee wanted to explore access to the adult eating disorder service provided by Nottinghamshire Healthcare Trust, in particular whether Body Mass Index (BMI) is used as a threshold for treatment. In October 2021, the Committee spoke with the Trust Chief Executive and Eating Disorders Service Manager about access to the service. The Committee heard that, for Nottinghamshire, there had been an increase in referrals into the service from 307 in 2019 to an anticipated 445 by the end of 2021; and that the average waiting time for an assessment was 37 days and 43 days for treatment. The Covid pandemic had resulted in an increase in referrals alongside higher levels of staff sickness and a reduction in face-to-face meetings which mean that waiting times increased. The Committee welcomed plans to increase the Team by 6.2WTE over the next six months, with additional expansion of the Child Eating Disorder Team and recruitment of a transition worker to operate between the child and adult service; and ambitions for self-referral into the service (as already happens for the child service) once resource is in place. In response to questions from the Committee, the Trust stated that BMI is not used as a factor for acceptance to the service and a broader range of measures are used, and they would look into the specific case cited. The Trust advised that it is working with commissioners on the future vision for the service after transformation, which it is anticipated will be implemented within the next year. The Committee welcomed the Trust's plans to improve access and will be reviewing progress on this in the forthcoming year. In addition to looking at referral processes and waiting times, the Committee will also be interested in work to explore why there are relatively low numbers of patients from ethnic groups other than White British, and to improve the representativeness of the team to the population it serves.

Future work

Looking ahead to 2022/23, the Committee will continue its focus on the Council's recovery and improvement activity including the progression of the transformation of adult social care services and how the Council is addressing its financial challenges in so far as they relate to adult social care and public health. The Committee will be regularly reviewing progress of the overall transformation programme for adult social care and looking in detail at specific projects including support for independent living and workforce and organisational development. The Committee will also be interested in how the service is preparing for national changes, including to the regulatory regime.

From 1 July 2022 new NHS structures will come into existence. CCGs will be replaced by Integrated Care Boards (ICB) and Integrated Care Partnerships (ICP). Committee members will be briefed on these changes to support robust scrutiny of the commissioning and delivery of health services going forward, and health scrutiny will need to find its place within this new framework. This will benefit from the constructive working relationships that have been built with officers currently working

for the CCG who will transfer to the ICB. The Committee intends to explore the ICP's approach to equalities and seek to ensure that the necessary public engagement in development of the Integrated Care Strategy and ICB Forward Plan takes place.

The Committee continues to be interested in the provision of maternity services in the City, particularly given the findings of the most recent Care Quality Commission inspection which continues to highlight concerns, and intends to shift focus slightly to explore how the system as a whole is responding to, and supporting improvement. The Committee has invited representatives of the NHS England Regional Team and Nottingham and Nottinghamshire ICB to a meeting to discuss this.

Concerns have been raised with the Committee about the triaging of referrals, and access to neurology services provided by NUH; and difficulties in accessing dental services in the City including the Community Dental Service. Following initial investigation, these have both been included within the Committee's work programme for the year ahead.

Looking ahead

Across the scrutiny function, the major focus for 2022/23 will be to continue the scrutiny improvement activity already underway to ensure that improvement is sustained and embedded. All three scrutiny committees have taken a robust approach to planning their work programmes for the year ahead, ensuring that they continue to have a strong focus on the Council's recovery and improvement. This was supported by a training session on work programming delivered by the Centre for Governance and Scrutiny. With the benefit of regular insight from the Council's leadership and other relevant stakeholders, the work programmes will be reviewed at each meeting of the respective committee to ensure that they remain relevant and have potential to add value. A suite of training on overview and scrutiny knowledge and skills is planned for the early part of the year. This training covers core scrutiny skills, work programming and financial and budget scrutiny. While this training is targeted towards scrutiny councillors, it will be relevant to all councillors and open to everyone to attend. The Scrutiny Chairs, Executive Councillors and Scrutiny Officers also benefit from bespoke training and mentoring. During the course of the year, work will take place to identify the learning and development required for new councillors following local elections in May 2023. Progress against the Scrutiny Improvement Action Plan will continue to be closely monitored by the Overview and Scrutiny Committee.

By 1 April 2023 Nottingham City Homes will have been brought back into direct control by the Council and this function will need to be incorporated within the Council's scrutiny arrangements. Therefore, during 2022/23 a review of the structural arrangements for undertaking overview and scrutiny will be carried out to identify the most appropriate arrangement of committees for undertaking the function, including scrutiny of housing management, going forward. Another change affecting role of scrutiny committees that will be looked at is the transition to the Secretary of State for Health and Social Care's new powers in relation to the

reconfiguration of health services. As Government guidance is published, future ways of working locally will be explored with Integrated Care Board colleagues.

Contact Information

For further information about this report, and anything else related to overview and scrutiny, please contact:

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City Council – 31 October 2022

Report of the Deputy Leader of the Council

Corporate Director/ Director – Malcolm Townroe, Director of Legal and Governance

Nancy Barnard, Governance and Electoral Services Manager

nancy.barnard@nottinghamcity.gov.uk 0115 876 4312

Nottingham and Nottinghamshire Integrated Care Partnership – Amendment to Terms of Reference

Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 This report asks Council to approve updated terms of reference for the Nottingham and Nottinghamshire Integrated Care Partnership, a Joint Committee of the City and County Councils and the Integrated Care Board.

2. Recommendations

- 2.1 To approve the draft terms of reference, attached as appendix B
- 2.2 To agree to amend the Constitution to reflect the revised terms of reference.

3. Reasons for recommendations

- 3.1 In July 2022, Council established the Nottingham and Nottinghamshire Integrated Care Partnership as a Joint Committee with the County Council and the Integrated Care Board, as required by the Health and Care Act 2022. At the time the Joint Committee was established there remained a lack of clarity around how it would function. The terms of reference agreed by Council at that time were therefore agreed as Initial Terms of Reference, with an intention to bring revised terms of reference back for approval once requirements were clarified. In particular, clarification was required regarding the reporting arrangements on the Joint Committee.

3.2 Further legal advice has been obtained and the Terms of Reference have been updated for approval. In relation to voting arrangements it is anticipated that the usual process will be to reach decisions by consensus. Should this not be possible a vote will be taken with each member of the ICP eligible to cast one vote and the Chair holding the casting vote. Votes will be passed by a simple majority.

3.3 The full amended Terms of reference are attached as appendix B to this report.

4. Other options considered in making recommendations

4.1 Not to amend the terms of reference – this option was rejected as it would not achieve the desired level of clarity in the decision making arrangements for the Joint Committee.

5. Consideration of Risk

5.1 The risk of any decisions requiring a formal vote is low but clarifying the terms of reference reduces the risk of any decisions being unresolved due to lack of clarity in the voting arrangements.

6. Background (including outcomes of consultation)

6.1 See appendix A (ICB covering paper) for the full background to the decision.

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

7.1 The proposals outlined in this report have no direct financial implications. It is to be noted that there will be no additional costs to the Members' Allowances budget as a result of the establishment of this body and secretarial support for the Committee is being provided by the ICB.

Tania Clayton-Perez
Finance and Resources Senior Commercial Business Partner
20 October 2022

8. Legal colleague comments

8.1 The Integrated Care Partnership is a committee that the Council is required by law to establish jointly with the County Council and the Integrated Care Board in accordance with the Health and Care Act 2022.

8.2 The legislation is silent on the make-up of the Committee, how the Committee should be established and whether it is an executive or non-executive function.

8.3 Following the agreement of the initial terms of reference in July, further guidance has been sought and the revised terms of reference provide clarification of the voting arrangements to support the Joint Committee's decision making.

Malcolm Townroe,
Director of Legal and Governance
20 October 2022

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 the decision does not involve changing policies or services. Decisions taken by the Committee will be subject to equalities processes.

10. Data Protection Impact Assessment (DPIA)

10.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the establishment of the Committee does not have Data Protection implications.

11. Carbon Impact Assessment (CIA)

11.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the establishment of the Committee does not have significant carbon implications.

12. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

12.1 None

13. Published documents referred to in this report

13.1 Health and Care Act 2022

13.2 Report to and Minutes of the meeting of the City Council held on 11 July 2022

Councillor Adele Williams

Portfolio Holder for Finance and Chair of the Health and Wellbeing Board

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Nottingham and Nottinghamshire Integrated Care Partnership – Terms of Reference Review

Introduction

1. Section 116ZA of the Local Government and Public Involvement in Health Act 2007 (as amended by the Health and Care Act 2022), requires Integrated Care Boards (ICBs) and upper tier Local Authorities to establish Integrated Care Partnerships (ICPs) as equal partners.
2. In July 2022, the Nottingham and Nottinghamshire ICP was established as a joint committee of Nottingham City Council, Nottinghamshire County Council and NHS Nottingham and Nottinghamshire ICB.

Role of the Integrated Care Partnership and meeting arrangements

3. The initial terms of reference for the ICP were developed collaboratively across system partners and were approved by the Full Council meetings of both Local Authorities and by the Board of the ICB.
4. The primary role of the ICP is to lead on creating an Integrated Care Strategy and Outcomes Framework to reduce health inequalities and improve health and care outcomes and experiences for its population. In doing so, the ICP will be the 'guiding mind' of the local health and care system, providing a forum for NHS leaders and Local Authorities to come together with important stakeholders from across the wider system and communities.
5. As a formally established joint committee, the ICP is empowered to operate as the single decision-making forum for the Nottingham and Nottinghamshire Integrated Care Strategy.
6. The ICP is governed by a set of principles and ways of working, which are based on a combination of what has been deemed important by local stakeholders, together with national expectations.
7. The ICP's membership includes nominations from the Local Authorities and the ICB, along with citizen representatives and senior representatives from each of the four Place-Based Partnerships.
8. The ICP will be chaired by the ICB Chair supported by the two Chairs of the Nottingham City and Nottinghamshire County Health and Wellbeing Boards, acting as joint Vice-Chairs of the ICP.
9. A meeting schedule for the ICP for 2022/23 has been agreed, as follows:
 - a) Thursday 13 October 2022, 15:00 to 17:00 (Committee Room, Loxley House, Station Street, Nottingham, NG2 3NG).
 - b) Friday 16 December 2022, 14:00-16:30 (The Council Chamber, County Hall, Loughborough Road, Nottingham, NG2 7QP).

- c) Friday 17 March 2023, 14:00-16:30 (The Council Chamber, County Hall, Loughborough Road, Nottingham, NG2 7QP).
10. All formal meetings will be held in public with meeting dates, venues, agendas and papers published on the Integrated Care System's website here: [Our Integrated Care Partnership - NHS Nottingham and Nottinghamshire ICS - NHS Nottingham and Nottinghamshire ICS \(healthandcarenotts.co.uk\)](https://www.healthandcarenotts.co.uk).
11. As well as formal meetings, a wider assembly of partners has been established to enable wider engagement in, and co-production of, the Integrated Care Strategy and Outcomes Framework. The Partners Assembly will meet at least once per year and will be comprised of people who rely on care and support, unpaid carers, the full range of social care and NHS providers, the voluntary and community sector, local professional committees, the Office of the Police and Crime Commissioner, etc. The first Partners Assembly event is scheduled for Tuesday 25 October, 14:00 to 17:00 (Civic Corner, Civic Centre, Mansfield).
12. In recognition of the timeframe from its establishment to the ICP being required to approve the Nottingham and Nottinghamshire Integrated Care Strategy, two development sessions have been scheduled for ICP members. The first was held on 16 September, and a further session is scheduled on Wednesday 9 November.

Review of terms of reference

13. At the time of approving the ICP's terms of reference, it was recognised that these would need further refinement following the receipt of guidance and advice, particularly in relation to the ICP's decision-making arrangements as a joint committee in the context of the new legislation. This has now been received, and the proposed amendments to the ICP's terms of reference are attached at Appendix B. These are presented with tracked changes for ease of reference.
14. An opportunity has also been taken to incorporate feedback from the Full Council and ICB Board meetings, which has seen a greater emphasis being placed within the terms of reference on the commitment to making equity the guiding principle of the ICP.
15. The Full Council meetings of both Local Authorities and the Board of the ICB will be presented with the updated terms of reference for the ICP at their scheduled meetings in October and November 2022, which once approved, will be circulated to ICP members for information.
16. The full list of nominated ICP members is detailed at Appendix C for information.



Nottingham
City Council



Nottinghamshire
County Council



Nottingham and
Nottinghamshire
Integrated Care Board

Nottingham and Nottinghamshire Integrated Care Partnership

Terms of Reference

<p>1. Description/ status</p>	<p>The Nottingham and Nottinghamshire Integrated Care Partnership (“the ICP”) is a joint committee of NHS Nottingham and Nottinghamshire Integrated Care Board, Nottingham City Council and Nottinghamshire County Council (“the Statutory Organisations”), established in accordance with Section 116ZA of the Local Government and Public Involvement in Health Act 2007 (as amended by the Health and Care Act 2022).</p> <p>The ICP will act as the ‘guiding mind’ of the Nottingham and Nottinghamshire Integrated Care System (ICS) and is authorised to operate within these terms of reference, which set out its purpose, membership, authority and reporting arrangements.</p> <p>The ICP will not duplicate the work of the Nottingham City and Nottinghamshire County Health and Wellbeing Boards. ICP members will champion and act as ambassadors of effective partnership working for local population benefit.</p>
<p>2. Purpose</p>	<p>a) The primary purpose of the ICP is to produce an Integrated Care Strategy and Outcomes Framework for Nottingham and Nottinghamshire, setting out how the assessed health and social care needs identified by the Nottingham and Nottinghamshire Joint Strategic Needs Assessments (JSNAs) are to be met by the Statutory Organisations or NHS England, in line with their respective commissioning responsibilities.</p> <p>b) In preparing the Integrated Care Strategy, the ICP will:</p> <ul style="list-style-type: none"> i) Involve Nottingham and Nottinghamshire Healthwatch and the people who live and work in Nottingham and Nottinghamshire. ii) Consider the extent to which health and social care needs could be met more effectively through arrangements for pooled budgets, joint

	<p>commissioning and integrated delivery under section 75 of the NHS Act 2006 (as amended).</p> <ul style="list-style-type: none"> iii) Have regard to the mandate published by the Secretary of State for Health and Social Care under section 13A of the NHS Act 2006 (as amended). iv) Have regard to any further guidance issued by the Secretary of State for Health and Social Care. <ul style="list-style-type: none"> c) The ICP may also include within the Integrated Care Strategy its views on how arrangements for the provision of health-related services in its area could be more closely integrated with arrangements for the provision of health services and social care services in the area. d) To support the development of the Integrated Care Strategy, the ICP will engage with a wider assembly of partners, at least once a year, comprising people who rely on care and support, unpaid carers, the full range of social care and NHS providers, the voluntary and community sector, local professional committees (e.g. optical and pharmaceutical committees), the Office of the Police and Crime Commissioner, etc. e) The ICP will review the impact of the Integrated Care Strategy, focusing on improving outcomes in population health and healthcare, tackling inequalities in outcomes, experience and access, enhancing productivity and value for money and supporting broader social and economic development. f) The ICP will also receive reports on insights gained from service users and citizens. g) The ICP will consider the extent to which the Integrated Care Strategy needs to be revised on receipt of an updated JSNA.
3. Principles	<p>The following principles will be used to guide the work of the ICP:</p> <ul style="list-style-type: none"> a) Focus on improving equity of outcomes for people, including improved health and wellbeing, supporting people to live more independent lives, and reduced inequalities.

	<ul style="list-style-type: none"> b) Support the triple aim (better health and wellbeing for everyone, better care for all and efficient use of the collective resource). c) Enable consistent standards and policy across the ICS (strategically sound) whilst allowing for different models of delivery in accordance with diverse populations served (locally sensitive). d) Ensure all delivery mechanisms (e.g. primary care networks, place-based partnerships and provider collaboratives at scale) are equally respected and supported, in line with the principle of subsidiarity. e) Champion co-production and inclusiveness throughout the ICS. f) Put at the forefront the experience and expertise of professional, clinical, political and community leaders, and promote strong clinical and professional system leadership. g) Create a learning system, fostering a culture of innovation, bravery, ambition and willingness to learn from mistakes. h) Optimise the role of health and care as anchor organisations within the local community. i) Utilise existing networks, groups, and governance structures, including staff forums and insights gained from place and neighbourhood engagement. j) Come together under a distributed leadership model and commit to work together equally. k) Accountable to one another and the public including through transparency and building trust.
4. Membership	<p>The membership of the ICP will be comprised as follows:</p> <p><u>Nottingham City Council:</u></p> <ul style="list-style-type: none"> a) Elected Member Representative who is the Chair of the Health and Wellbeing Board b) Corporate Director for People Services c) Director of Public Health for Nottingham d) Two further partner members nominated by Nottingham City Council <p><u>Nottinghamshire County Council:</u></p>

	<p>e) Elected Member Representative who is the Chair of the Health and Wellbeing Board</p> <p>f) Corporate Director, Adult Social Care and Health</p> <p>g) Director of Public Health for Nottinghamshire</p> <p>h) Two further partner members nominated by Nottinghamshire County Council</p> <p><u>NHS Nottingham and Nottinghamshire Integrated Care Board:</u></p> <p>i) Chair of the Integrated Care Board</p> <p>j) Chief Executive</p> <p>k) Director of Integration</p> <p>l) Medical Director</p> <p>m) Representative of the Nottingham and Nottinghamshire Provider Collaborative at Scale</p> <p><u>Other:</u></p> <p>n) Representative of Healthwatch Nottingham and Nottinghamshire</p> <p>o) Chair of the Nottingham and Nottinghamshire Voluntary, Community and Social Enterprise Alliance</p> <p>p) Representative of the Bassetlaw Place-based Partnership</p> <p>q) Representative of the Nottingham City Place-based Partnership</p> <p>r) Representative of the Mid-Nottinghamshire Place-based Partnership</p> <p>s) Representative of the South Nottinghamshire Place-based Partnership</p>
5. Chair and vice-chair arrangements	<p>The ICP will be Chaired by the Chair of NHS Nottingham and Nottinghamshire Integrated Care Board.</p> <p>The Chairs of the Nottingham City and Nottinghamshire County Health and Wellbeing Boards will act as joint Vice-Chairs of the ICP.</p>
6. Substitutes	<p>Members are permitted to nominate a suitable substitute to attend a meeting of the ICP on their behalf should they be unable to attend themselves.</p> <p>Members are responsible for fully briefing any nominated substitutes.</p> <p>Substitutes need to be confirmed in writing to the Chair of the ICP ahead of the meeting.</p>

7. Quorum	<p>The quorum will be 7 members, including at least one member from each of the Statutory Organisations.</p> <p>Nominated substitutes will count towards the quorum.</p> <p>Members (or nominated substitutes) will not count towards the quorum if attending remotely.</p> <p>If any member (or nominated substitute) of the ICP has been disqualified from participating in the discussion and/or decision-making for an item on the agenda, by reason of a declaration of a conflict of interest, then that individual shall no longer count towards the quorum.</p> <p>If the quorum has not been reached, then the meeting may only proceed on an informal basis and no decisions may be taken.</p>
8. Decision-making arrangements	<p>It is expected that at the ICP's meetings, decisions will be reached by consensus.</p> <p>Should this not be possible, then a vote of the ICP's members will be required, the process for which will be as follows:</p> <ul style="list-style-type: none"> a) All members of the ICP (or nominated substitutes) who are present at the meeting will be eligible to cast one vote each. Members attending remotely will not be eligible to vote. In no circumstances may an absent member vote by proxy. Absence is defined as being absent at the time of the vote. b) A decision will be passed if more votes are cast for it than against it. c) Casting vote – If an equal number of votes are cast for and against a resolution, then the Chair of the ICP will have a casting vote. <p>Any decisions taken will be recorded in the minutes of the meeting.</p>
9. Conflicts of interest	<p>A register of the declared interests of ICP members will be maintained and published.</p> <p>In advance of any meeting of the ICP, consideration will be given as to whether conflicts of interest are likely to arise in relation to any agenda item and how they should be managed.</p> <p>At the beginning of each meeting of the ICP members will be required to declare any interests that relate specifically to a particular issue under consideration. If the existence of</p>

	<p>an interest becomes apparent during a meeting, then this must be declared at the point at which it arises. Any such declarations will be formally recorded in the minutes for the meeting.</p> <p>The Chair of the ICP will determine how any declared interests should be managed.</p> <p>ICP members must ensure that they comply with their organisational/ professional codes of conduct at all times.</p>
10. Meeting arrangements	<p>The ICP will meet at least twice per year.</p> <p>Extraordinary meetings may be called for a specific purpose at the discretion of the Chair in consultation with the Vice-Chairs.</p> <p>At least five clear working days' notice will be given when calling meetings.</p> <p>Remote attendance at meetings will be permitted at the discretion of the Chair.</p> <p>Meetings of the ICP shall be open to the public unless considering exempt information.</p> <p>The ICP is subject to the same requirements of openness and transparency as other meetings of the Statutory Organisations. As such, agendas and supporting papers, including ratified minutes of meetings, will be published.</p> <p>A protocol will be published separately for members of the public to set out arrangements for submitting questions to meetings of the ICP.</p>
11. Secretariat	<p>Secretariat support will be provided to the ICP by NHS Nottingham and Nottinghamshire Integrated Care Board.</p> <p>Agendas will be agreed by the Chair in consultation with the Vice-Chairs prior to each meeting.</p> <p>Any items to be placed on the agenda are to be sent to the secretary no later than ten clear working days in advance of the meeting. Items that miss the deadline for inclusion on the agenda may be added on receipt of permission from the Chair.</p> <p>Agendas and supporting papers will be circulated no later than five clear working days before each meeting.</p> <p>Minutes will be taken at all meetings and will be ratified by agreement of the ICP at the following meeting.</p>
12. Reporting arrangements	<p>The ICP must:</p>

	<p>a) Publish its Integrated Care Strategy (and any revised strategies).</p> <p>b) Provide a copy of its Integrated Care Strategy (and any revised strategies) to the Statutory Organisations.</p>
13. Review of terms of reference	<p>These terms of reference will be formally reviewed on an annual basis but may be amended at any time in order to adapt to any national guidance as and when issued.</p> <p>An early review of these terms of reference may be required during the ICP's first year of operation, as arrangements across the Nottingham and Nottinghamshire Integrated Care System evolve.</p> <p>Any proposed amendments to the terms of reference will be submitted to the Statutory Organisations for ratification.</p>
14. Date approved	July 2022

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Appendix C – List of nominated ICP members

Nottingham City Council nominated members	Cllr. Adele Williams	Chair of Nottingham City Health and Wellbeing Board
	Catherine Underwood	Corporate Director for People Services, Nottingham City Council
	Lucy Hubber	Director of Public Health, Nottingham City Council
	Donna Sherratt	Nottingham City Place-Based Partnership Race Health Inequalities Programme Lead
	<i>To be confirmed</i>	<i>Nottingham City Partner</i>
Nottinghamshire County Council nominated members	Cllr. John Doddy	Chair of Nottinghamshire Health and Wellbeing Board
	Melanie Williams	Corporate Director, Adult Social Care and Health
	Jonathan Gribbin	Director of Public Health, Nottinghamshire County Council
	Andrew Redfern	Chief Executive, Framework Housing Association
	Volt Sacco	Chief Executive, Fosse Healthcare
NHS Nottingham and Nottinghamshire ICB nominated members	Dr Kathy McLean	Chair of NHS Nottingham and Nottinghamshire ICB
	Amanda Sullivan	Chief Executive, NHS Nottingham and Nottinghamshire ICB
	Lucy Dadge	Director of Integration, NHS Nottingham and Nottinghamshire ICB
	Dr Dave Briggs	Medical Director, NHS Nottingham and Nottinghamshire ICB
	Anthony May	Chief Executive, Nottingham University Hospitals NHS Trust (Representative of the Nottingham and Nottinghamshire Provider Collaborative at Scale)
Other members	Jane Laughton	Chief Executive Officer, Healthwatch Nottingham and Nottinghamshire
	Jules Sebelin	Chair of the Nottingham and Nottinghamshire Voluntary, Community and Social Enterprise Alliance
	Victoria McGregor-Riley	Locality Director, Bassetlaw Place-based Partnership
	Dr Hugh Porter	Clinical Director, Nottingham City Place-based Partnership
	Dr Nicole Atkinson	Clinical Director, South Nottinghamshire Place-based Partnership
	<i>To be confirmed</i>	<i>Mid-Nottinghamshire Place-based Partnership representative</i>

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City Council – 12 September 2022

Report of the Leader of the Council

Corporate Director/ Director:

Director of Legal and Governance

Report Author:

Jane Garrard, Senior Governance Officer

jane.garrard@nottinghamcity.gov.uk

0115 8764315

Title: Decisions taken under Urgency Procedures

Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 As required by the Council's Constitution, this report informs Council of urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

2. Recommendations

- 2.1 To note the urgent decisions taken in accordance with requirements of the Council's Constitution, as detailed in the appendices.

3. Reasons for recommendations

- 3.1 To ensure compliance with requirements of the Council's Constitution.

4. Other options considered in making recommendations

- 4.1 None. It is a Constitutional requirement that Council is informed of urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

5. Consideration of Risk

- 5.1 Consideration of the risks associated with the decisions referred to in this report were published as part of each of those decisions.

6. Background (including outcomes of consultation)

- 6.1 Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

The Call-in procedure set out in Article 11 of the Council's Constitution 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. The urgency provisions require the Chair of the Overview and Scrutiny Committee (or in the absence of the Chair, one of the Vice-Chairs; or in the absence of all three, the Chief Executive) to agree that the decision proposed is reasonable in all the circumstances and that the reasons for urgency are valid. The Constitution requires that decisions taken under these urgency provisions are reported to the next meeting of the Standards and Governance Committee and Full Council.

- 6.2 Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

Where it is impracticable to give at least five clear working days notice that a Key Decision is going to be made, a Key Decision may only be made in accordance with the Special Urgency provisions set out in the Access to Information Procedure Rules (Article 13 of the Council's Constitution). The Special Urgency provisions require agreement from the Chair of the Overview and Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred. The Constitution requires that decisions taken under these urgency provisions are reported to the Standards and Governance Committee and Full Council.

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

- 7.1 Comments from Finance colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

8. Legal colleague comments

- 8.1 Comments from Legal colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

9. Other relevant comments

- 9.1 None

10. Crime and Disorder Implications (If Applicable)

10.1 Where applicable, details of the crime and disorder implications of the decisions referred to in this report were published as part of each of those decisions.

11. Social value considerations (If Applicable)

11.1 Where applicable, details of the social value considerations of the decisions referred to in this report were published as part of each of those decisions.

12. Regard to the NHS Constitution (If Applicable)

12.1 Where applicable, details of the social value considerations of the decisions referred to in this report were published as part of each of those decisions.

13. Equality Impact Assessment (EIA)

13.1 Where required, Equality Impact Assessments were published alongside each decision referred to in the report.

14. Data Protection Impact Assessment (DPIA)

14.1 Where required, the data protection impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

15. Carbon Impact Assessment (CIA)

15.1 Where required, the carbon impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 None

17. Published documents referred to in this report

17.1 Nottingham City Council Constitution

17.2 The committee reports and minutes, and delegated decisions referred to in this report, as published on the Nottingham City Council website.

Councillor David Mellen
Leader of the Council

Appendix 1 - Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

Decision Reference	Date of Decision	Subject	Decision Taker	Consultee on Urgency	Reason for Urgency
DD4668	6 July 2022	Approval to reallocate £335,000 Green Homes Grant Local Authority Delivery Phase 2 Grant Funding	Portfolio Holder for Energy, Environment and Waste Services	Chair of Overview and Scrutiny Committee	The programme of works would have been compromised affecting delivery by the Business, Energy and Industrial Strategy Department's deadline of 22 August 2022.
DD4706	31 August 2022	Grant support for Energy Efficiency Upskilling Competition	Leader of the Council	Chair of Overview and Scrutiny Committee	The Business, Energy and Industrial Strategy Department required a Memorandum of Understanding to be completed during August so that the Energy Efficiency Upskilling Competition could be launched on 5 September to ensure optimum delivery during this financial year.
DD4707	31 August 2022	Provision for commercial lease negotiations	Leader of the Council	Chair of Overview and Scrutiny Committee	The Council was engaged in a time critical negotiation process regarding this important commercial lease. A decision putting the right level of resourcing in place to support the negotiations was required urgently so as to ensure that the Council was in the most effective position possible to achieve best value.
DD4725	23 September 2022	Chewing Gum Task Force grant approval	Portfolio Holder for Energy, Environment and Waste Services	Chair of Overview and Scrutiny Committee	In order to comply with the funding agreement, the Task Force had to be 'live' within two weeks.

Appendix 2 – Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

Decision reference	Date of Decision	Subject	Decision Taker	Consultee on Urgency	Reason for Special Urgency
DD4667	5 July 2022	Private Rental Sector Enforcement Competition – Additional Funding	Leader of the Council	Chair of Overview and Scrutiny Committee	In order for the Business, Energy and Industrial Strategy Department to release the additional funding, the Council had to ensure that it was able to start transferring the grant funding to successful local authorities from the middle of July 2022. The Council needed to put measures in place to start distributing funding within the required timescales.

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City Council – 31 October 2022

Report of the Leader of the Council

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author and Contact Details:

Jane Garrard, Senior Governance Officer

jane.garrard@nottinghamcity.gov.uk

Title: Appointment of Honorary Recorder

Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 Following the retirement of His Honour Judge Greg Dickinson QC, Council is asked to consider appointing Her Honour Judge Nirmal Shant KC as the Honorary Recorder for the City of Nottingham.

2. Recommendations

- 2.1 To appoint Her Honour Judge Nirmal Shant KC as Honorary Recorder for the City of Nottingham with immediate effect for the duration of her tenure as Senior Circuit Judge, Resident Judge.

3. Reasons for recommendations

- 3.1 The previous Honorary Recorder for the City of Nottingham has retired. The post is currently vacant and the Council has the power to appoint to this position if it wishes to do so.

4. Other options considered in making recommendations

- 4.1 The Council is not required to appoint an Honorary Recorder and the post can remain vacant. However, it has been practice for Nottingham City Council to consider offering the role to the Senior Circuit Judge at Nottingham Crown Court in order to support good relations between the judiciary and the wider city.

5. Consideration of Risk

- 5.1 None

6. Background (including outcomes of consultation)

- 6.1 Historically, the Recorder of a City was charged with the duties of dispensing justice within the City at the Court of Quarter Sessions. The Courts Act 1971 transferred the jurisdiction of Quarter Sessions to Crown Courts and the function of Recorder to be discharged by judges. However, in acknowledgement of the important part in the life of a city played by the judiciary, the post of Honorary Recorder was established under powers derived from section 54 of the Courts Act 1971 and by sections 245 and 246 of the Local Government Act 1972.
- 6.2 The role of Honorary Recorder is usually reserved to Senior Circuit Judges or Resident Judges for the period that they remain in that role and then the tenure ceases.
- 6.3 The role is a purely ceremonial position regarded as an important link between the City and the Courts. It does not entail any specific duties but the Honorary Recorder may be invited to be involved with civic ceremonial events. Honorary Recorders who are also Senior Circuit Judges are authorised to wear red robes when sitting in court.
- 6.4 In Nottingham, the position of Honorary Recorder has most recently been held by His Honour Judge Greg Dickinson, who was appointed in July 2016. He has now retired from the position and it is currently vacant.
- 6.5 The Lord Chief Justice appointed Her Honour Judge Nirmal Shant KC as the Senior Circuit Judge, Resident Judge at Nottingham Crown Court with effect from 1 September 2022 following a competition run by the Judicial Appointments Commission. She was appointed as a Recorder in 2001 and as a Circuit Judge in 2015. She was appointed as Resident Judge at Derby Crown Court in 2016 and is the Honorary Recorder of Derby. Her Honour Judge Nirmal Shant KC lives in Nottingham.

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

- 7.1 The proposals regarding the appointment have no significant financial implications for the Council as the honorary role does not attract costs or any expected expenditure.

Tania Clayton Pérez-Senior Commercial Business Partner-Oct 22

8. Legal colleague comments

- 8.1 The relevant legislation pertinent to the proposed appointment is set out in the body of the report. The recommendation of itself raises no significant legal and is supported.

9. Other relevant comments

9.1 None

10. Crime and Disorder Implications (If Applicable)

10.1 Appointment to this role supports good relations between the City and the Judiciary.

11. Social value considerations (If Applicable)

11.1 Not applicable

12. Regard to the NHS Constitution (If Applicable)

12.1 Not applicable

13. Equality Impact Assessment (EIA)

13.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report and recommendation does not relate to a new or changing policy or service.

14. Data Protection Impact Assessment (DPIA)

14.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because there are no data protection implications associated with the report or recommendation.

15. Carbon Impact Assessment (CIA)

15.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because there are no carbon implications associated with the report and recommendation.

16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

16.1 Correspondence with the Judicial Office

17. Published documents referred to in this report

17.1 Courts Act 1971

17.2 Local Government Act 1972

Councillor David Mellen
Leader of the Council