

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	3807
Author:	Eddie Curry
Department:	Commercial and Operations
Contact:	Eddie Curry (Job Title: Head of Public Realm, Email: eddie.curry@nottinghamcity.gov.uk, Phone: 01158764982)
Subject:	The Derby-Nottingham Metro Area Biodiversity Action: Phase 2 Programme
Key Decision (decision valued at more than £1million):	Yes
Key Decision (decision affects 2 or more wards):	Yes
Total Value:	£1,802,573 (Capital) £323,631 (Revenue) (Type: Capital and Revenue)
Decision Being Taken:	<ol style="list-style-type: none"><li>1) To accept European Regional Development Fund funding for the Derby-Nottingham Metro Area Biodiversity Action: Phase 2 Programme, to improve the biodiversity in green/blue locations across the Trent Corridor and associated spaces, and to approve the programme of work as detailed in the attached Appendix 1.</li><li>2) To approve an extension to the capital programme and the amendments to the Medium Term Financial Plan as detailed in the attached Appendix 2.</li><li>3) To delegate authority to the Director of Neighbourhood Services to carry out the required procurement process and to enter into the contracts relating to the programme of works.</li></ol>
Reasons for the Decision(s)	The European Regional Development Fund (ERDF) funding will enable a significant programme of biodiversity and flood mitigation works to be carried out in both Nottingham and Derby. The funding has recently been secured and approval is required in order to meet the deadlines for signing funding contracts with the Ministry of Housing, Communities and Local Government.
Briefing notes documents:	Appendix 1 & Appendix 2 ERDF Biodiversity Action Phase 2.docx

**Other Options Considered:** 1) To not accept the funding. This option has been rejected as it will not allow the delivery of the beneficial projects.  
2) To scale back the projects. This option has been rejected as the programme of works have been designed to maixmise the use of available funding and to deliver the greatest benefits for Nottingham and Derby.

**Background Papers:** None

**Published Works:** None

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** None

**Any Information Exempt from publication:** Yes

**Exempt Information:**  
  
**Description of what is exempt:** The Financial Advice relating to the overall funding of the project, as the award of some of the grants is yet to be confirmed.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).** The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the decision contains details of expected funding that is not yet in the public domain.

**Documents exempt from publication:** Derby Nottm Metro Biovdiversity Action - Phase 2 - Exempt Finance Comments.docx

**Consultations:**  
Date: 27/01/2020  
Ward Councillors: David Trimble

Consultation carried out with Councillor David Trimble as the Portfolio Holder for Leisure, Culture and IT. Councillor Trimble agreed the scope of works and the use of the available external funding.

Detailed consultation will be carried out as part of the project development.

Crime and Disorder Implications:

There is no direct implications on crime and disorder. However, some of the projects will enhance the visual area and in doing so will help clean up and improve areas of land. These enhancements will therefore help reduce the negative perception of crime and disorder within the areas.

Equality:

EIA not required. Reasons: The decision does not set out proposals for changes to a policy, service or function.

Social Value Considerations:

The contracts will all be procured through either direct delivery from the Council's services, open tenders or by using existing framework contracts.

Regard for NHS Constitution:

The improvements carried out to open spaces as part of this programme of works will help improve the health and wellbeing of local communities by improving access to nature and by encouraging the community to be more active in the local area.

Decision Type:

Leader's Key Decision

Subject to Call In:

Yes

Call In Expiry date:

09/03/2020

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

This report seeks approval to receive grant funding as the lead body and then to spend the Council's share on the project. As the lead body, the Council will act as the accountable body and should put in place a collaboration/partnering agreement with Derby City Council. This should enable the Council to recover any funding if it has to repay any grant to the Ministry for Communities, Housing and Local Government. Any contract should be awarded in accordance with the Council's Financial Regulations and Contract Procedure Rules. In addition, as the proposed expenditure includes ERDF grant funding, the Council must ensure it complies with the ERDF rules on procurement and where it undertakes the work through its own resources.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 06/02/2020.

Finance Advice:

This advice is exempt from publication and is contained within an exempt appendix.

Advice provided by Susan Turner (Senior Commercial Business Partner) on 10/02/2020.

**Procurement Advice:**

**There are no procurement issues with this decision. The Procurement Team will work with the client to ensure that any procurement activities necessary to deliver the schemes are conducted in accordance with Contract Procedure Rules, and are compliant with national legislation and grant funding body requirements.**

**Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 07/02/2020.**

**Signatures:**

**David Mellen (Leader/ PH Regeneration, Safety and Communications)**

**SIGNED and Dated: 28/02/2020**

**Andy Vaughan (Corporate Director Commercial and Operations)**

**SIGNED and Dated: 24/02/2020**