

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

**Reference Number:**

**3943**

**Author:**

**Primrose Alegre**

**Department:**

**Development and Growth**

**Contact:**

**Primrose Alegre**

**(Job Title: Finance Support Officer, Email: [primrose.alegre@nottinghamcity.gov.uk](mailto:primrose.alegre@nottinghamcity.gov.uk), Phone: 64503)**

**Subject:**

**Midlands Engine Funding**

**Total Value:**

**Nil (Type: Revenue)**

**Decision Being Taken:**

**1) That Nottingham City Council accepts, on behalf of the Midlands Engine Executive Board a) £2m Midlands Engine Capacity Grant (from the Ministry of Housing, Communities and Local Government) and up to £2m match funding from partners in 2020/21. and b) £300,000 from Government Departments to support the Regional Leaders Summit in 2020/21 (This has a nil value element as the £4.3m does not impact NCC base budget).**

**2) Authorise dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulations 3.29 to delegate authority to the Director of Economic Development to award, finalise and sign contracts, authorising expenditure.**

**Reasons for the Decision(s)**

**Nottingham City Council has acted as the Accountable Body for the Midlands Engine since 2016. Last summer the Midlands Engine Executive Board submitted a business case to Government for additional revenue funding. As a result £2m was agreed and will be released to Nottingham City Council, as the Accountable Body for the Midlands Engine. This funding has a requirement to be match funded to the equivalent amount in local contributions.**

**All other monies and costs associated with this decision are received and spent on behalf of the Midlands Engine. Nottingham City Council is responsible for ensuring that the grant conditions and correct procedures are adhered to, managing any risk to the council. In addition, the Government has granted the Midlands Engine a further £300,000 towards the organisation costs of the Regional Leaders Summit which is to be held later this year (date to be confirmed).**

**This decision asks for dispensation from the formal procedure rules to allow the Director of Economic Development to award contracts, finalise and sign contracts authorising expenditure.**

**Nottingham City Council is the Accountable Body for the Midlands Engine Partnership and acts on behalf of decisions taken by the Midlands Engine Operating Board. The allocation of their budget is agreed by the Operating Board in partnership with the Ministry for Housing, Communities and Local Government.**

**Other Options Considered:**

**Don't approve accepting the funding. This option was rejected. Nottingham City Council has accepted the role of Accountable Body and remains committed to supporting the Midlands Engine. To not accept the funding would prevent the Midlands Engine from continuing to achieve it's aims and ambitions.**

**Background Papers:**

**None**

**Published Works:**

**Delegated Decision 2598 - Midlands Engine - Accountable Body - July 2016, Delegated Decision 3181 -Contribution to Midlands Engine - June 2018, Delegated Decision 3691 - Midlands Engine Funding and Regional Leaders Summit - November 2019**

**Affected Wards:**

**Citywide**

**Colleague / Councillor Interests:**

**None**

**Dispensation from Financial Regulations:**

**Yes**

**Consultations:**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**There are no crime and disorder implications arising from this decision**

**Equality:**

**EIA not required. Reasons: EIA not required - The decision does not constitute a change to a policy, service or function**

**Social Value Considerations:**

**Not applicable**

**Relates to staffing:**

**Yes**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

**Call In Expiry date:**

**07/08/2020**

**Advice Sought:**

**Legal, Finance, Procurement, Human Resources**

**Legal Advice:**

**This report seeks authority for the City Council as the accountable body for Midlands Engine partnership to accept funding from Government and partners totalling £4.3m. however this report does not include that amount as the total value of the report (which would otherwise make it an Executive Board decision or Leaders Key Decision). It is understood the reason for this is that the funding is not treated as revenue income to the City Council but is funding held by the City Council in its capacity as the Accountable Body on behalf of the Midlands Engine partners. The report includes a request for a dispensation from the requirement to comply with the City Council's Financial Regulations when awarding contracts and grants to be funded by the Midlands Engine. It does not authorise any exemption from the requirement to ensure that all contracts are awarded in accordance with the Public contracts Regulations 2015. The Director of Economic Development should ensure a record is kept of the decision by the Midlands Engine Executive Board when it requests the City Council to award a contract on behalf of the Midlands Engine partners. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 14/05/2020 and 17/06/2020**

**Finance Advice:**

**This decision recognises NCC as the accountable body for the Midlands Engine. As accountable body, NCC is required to receive and manage funds on behalf of the Midlands Engine partnership and is therefore responsible for ensuring grant conditions relating to any sums received are understood and correct procedures are adhered to, managing the risk to the council.**

**As the accountable body, for budget year 20/21, NCC will receive on behalf of the partnership £2.0m from the Ministry of Housing, Communities and Local Government (MHCLG), £2.0m match funding from partners and an additional £0.300m from Government Departments to support the Regional Leaders Summit.**

**Finance will support the service in the above where necessary and will ensure all funds received are accounted for and held appropriately**

**NCC is expected to continue as accountable body until the Midland Engine ceases or the accountable body role transfers to another entity.**

**Advice provided by Chanelle Poyser (Commercial Business Partner) on 05/05/2020 and 11/06/2020**

**Procurement Advice:**

**Provided that any contract arising from this decision is implemented in line with the procurement legislation, advice will be supplied by Procurement on any tender process required. The recommendations of this report raise no significant procurement issues. Advice provided by Paul Ritchie (Lead Procurement Officer) on 13/05/2020 and Steve Oakley (Head of Contracting and Procurement) 11/06/2020**

**HR Advice:**

**This decision recognises NCC's continued role as the accountable body for the Midlands Engine, which includes responsibility for the establishment, recruitment and employment of an appropriate workforce.**

**As the Accountable Body Manager, The Director of Economic Development will need to ensure the establishment of posts/staffing decisions for Midlands Engine are in accordance with NCC policy on delegated decision making as appropriate. Adherence is required to the Pay Policy in determining the remuneration of posts including job evaluation. Nottingham City Council's recruitment policy and best practice guidance should also be adhered to.**

**Those employed to established posts, will be employed on an NCC contract of employment. The Director of Economic Development will, therefore, need to ensure NCC's all HR policies, procedures and guidance are adhered to as set out in the Council's Employee Handbook and elsewhere.**

**HR will continue to support the Director of Economic Development and the management of Midlands Engine in the above where necessary and will ensure all those employed by the Midlands Engine are employed appropriately.**

**NCC is expected to continue as accountable body until the Midland Engine ceases or the accountable body role transfers to another entity.**

**Advice provided by Shilpa Arya (HR Consultant) on 11/05/2020 and 17/06/2020**

**Signatures**

<b>David Mellen (Leader/ PH Regeneration, Schools, Communications)</b>
<b>SIGNED and Dated: 31/07/2020</b>
<b>Chris Henning (Corporate Director for Development and Growth)</b>
<b>SIGNED and Dated: 24/07/2020</b>
<b>Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations</b>
<b>SIGNED and Dated: 30/07/2020</b>
<b>Chief Finance Officer's Comments:</b>