

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4319
Author:	Michael Gallagher
Department:	Growth and City Development
Contact:	Michael Gallagher (Job Title: Regional Energy Project Manager, Email: michael.gallagher@nottinghamcity.gov.uk, Phone: 07864 969755)
Subject:	Private Rental Sector Enforcement Competition
Key Decision (decision valued at more than £1million):	Yes
Total Value:	£2.5m (Type: Revenue)
Decision Being Taken:	<p>1. To accept a variation to the existing Section 31 Agreement to accept an additional £2.5m of grant funding from the Department for Business, Energy and Industrial Strategy (BEIS).2. To enable Carbon Reduction Energy and Sustainability Division (Midlands Energy Hub) to design and run a competition to award funding to Local Authorities in England and Wales, (up to 60), to support them to enforce Minimum Energy Efficiency Standards (MEES) regulations in the Private Rental Sector (Executive Decision). 3. To approve part use of the 8% management fee to fund an additional two Project Support Officer roles (2 x F grade).</p>
Reasons for the Decision(s)	<p>BEIS are committed to delivering support to enable the enforcement of MEES at a Local Authority level; incentivising landlords to improve their properties for their tenants and making homes warmer and less costly to heat. This additional funding will be managed by the Midlands Energy Hub within Carbon Reduction Energy and Sustainability Division, enabling engagement on this important issues across the country in support of the low carbon economy and fuel poverty mitigation. The total competition value is being increased from £2.2million to £4.7m due to significant uptake of the competition with 116 Local Authorities applying. A portion of the funding will be allocated to the Midlands Energy Hub and the Council's CRES Division to design, deliver and monitor the competition. The Midlands Energy Hub within CRES Division is well-placed to do this, and it will generate revenue for the Council and has the potential to create jobs across the region.</p> <p>BEIS have requested CRES Division's Midlands Energy Hub support on this project due to its successful track record in project development and support, with an ability to meet challenging deadlines.</p>

Other Options Considered: To not accept the grant: this option has been rejected as it would represent a loss of revenue for the Council and would be a missed opportunity to support the improvement of private rented properties that will benefit tenants and help reduce fuel poverty and carbon emissions. Furthermore, the programme is underway and this funding is a top up that will increase the management fee available from the competition that will support MTFP.

Background Papers: None

Published Works: DD4150

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There are no direct impacts on crime and disorder as the decision is about supporting Local Authorities to improve the condition of private rented housing stock and reduce fuel poverty and carbon emissions.

Equality: EIA not required. Reasons: This decision does not represent proposed changes to a policy, service or function.

Relates to staffing: Yes

Decision Type: Leader's Key Decision

Subject to Call In: No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Councillor Anne Peach, Chair - O&S Committee
Consultation Date: 15/07/2021

The Competition that has been successfully run by Nottingham City Councils' Midlands Energy Hub had a large number of applicants. Central Government would like to increase funding to increase the number of successful applications. The deadline to inform applicants if they have been successful is 26th July. Therefore, the Variation to the MoU needs to be signed by this date in order for the funding announcement to be made in line with the agreed competition timeframes.

Advice Sought:

Legal, Finance, Human Resources

Legal Advice:

There are no significant legal issues arising from this decision and the comments provided under the original acceptance of funding (LKD 4150) still apply.

The current MoU will be varied to reflect the change in funding. The Council should continue to adhere to any provisions and expectations set out in the MoU.

Advice provided by Naomi Vass (Senior Solicitor) on 19/07/2021.

Finance Advice:

The Council seeks to accept the additional PRS Grant (see previous DD4150) from BEIS as part of its role as accountable body for the Midlands Energy Hub, with the Hub distributing the additional grant to eligible LAs through a competition.

The grant conditions within the MoU allow the council to recover a further proportion of costs while acting in its accountable body role (note, this % element differs from DD4150). The Head of regional Energy is required to ensure internal systems are created so all grant conditions are adhered to due to the council's accountable body role, this will minimise the risk of any grant clawback.

As existing FT employees are likely to extend their service to support grant delivery, provision for any additional redundancy costs if contract dates exceed 2 years in total will need to be contained within the administration element of the grant.

Advice provided by Tania Clayton Perez (Commercial Business Partner) on 03/08/2021.

HR Advice:

In terms of HR impact, 2 x Project Support Officer posts are required to support the additional work. From discussion with the report author these are essential to the delivery in order to manage the volume of applications received and to respond in a timely fashion. The job description is currently being reviewed and the report author is liaising with the Job Evaluation Team. Therefore the grade referred to is indicative at this stage, although it has been benchmarked against roles of a similar nature that are already in existence. Approval through the Vacancy Management process will be required and as part of this redeployees should be considered before going to external advert. An appropriate recruitment and assessment process should then be undertaken and the appointee supported in terms of Council Induction and personal development in accordance with performance management frameworks.

The two posts are fixed-term contracts and therefore any potential redundancy costs (where the successful candidate has continuity of service in Local Government) should be allowed for in the project budget as it would be the division that would be responsible for these costs.

Advice provided by Marie Read (HR Consultant (Departmental)) on 15/07/2021.

Signatures:

David Mellen (Leader/ PH Strategic Regeneration Communications)
SIGNED and Dated: 03/08/2021
Michael Wayne Bexton (Interim CD for Growth & City Development)
SIGNED and Dated: 03/08/2021