

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4537
<b>Author:</b>	Nancy Hudson
<b>Department:</b>	Resident Services
<b>Contact:</b>	Nancy Hudson (Job Title: Projects Officer - Highway & Energy Infrastructure, Email: nancy.hudson@nottinghamcity.gov.uk, Phone: 65633)
<b>Subject:</b>	Area Capital Fund Schemes - Annualised Programme (Public Realm Element)
<b>Total Value:</b>	£166,243 (Type: Capital)
<b>Decision Being Taken:</b>	To approve a spend of £166,243 from the 2021/22 Area Capital Fund (ACF) on the public realm projects as set out in Appendix 1.
<b>Reasons for the Decision(s)</b>	The ACF funding for 2021/22 is included in the Council's approved Capital Programme, and a formal and transparent route to account for spending approval is required. The ACF is made up of two main parts: the Local Transport Plan (LTP), which is an external grant, and the Council's General Fund for public realm works. This decision is in relation to the public realm works element, only. Subject to a further review and proposed new governance arrangements for approvals for area-based working coming into effect, the approval of ACF public realm priorities will be taken via delegated decision (where these decisions were taken previously by the relevant Area Committee).
<b>Briefing notes documents:</b>	ACF DDM Briefing note - not for publication.pdf, Appendix 1 Schedule of PR schemes prioritised by Ward Cllrs for ACF spend Feb 22.pdf
<b>Other Options Considered:</b>	1) To do nothing: this option is rejected as it would result in no approval of spend and, therefore, no ACF public realm schemes being delivered. Further, it would cause delay on any dual-funded LTP Traffic and Highways schemes and adversely impact the overall delivery of the LTP Capital Programme (external grant element) through the non-delivery of schemes.2) To approve every Area Capital Fund scheme by individual Delegated Decision: this option is rejected as it would result in excessive officer time being required, affecting Highways, Neighbourhood Development, Finance and Legal colleagues, and would not be a tenable process to implement.

<b>Background Papers:</b>	None
<b>Published Works:</b>	Executive Board report, 20/07/21: Pre-Audit Corporate Financial Outturn 2020/21 ( <a href="https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=177&amp;MId=9108&amp;Ver=4">https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=177&amp;MId=9108&amp;Ver=4</a> )
<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	None
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	ACF improvement programmes enhance the lives of citizens through physical regeneration and improving infrastructure for the betterment of all. Physical regeneration makes a material difference in reductions of crime and disorder.
<b>Equality:</b>	EIA not required. Reasons: The decision does not represent proposals for a new or changing policy, service or function.
<b>Social Value Considerations:</b>	The overall procurement arrangements for the ACF will include delivery of specialist elements, flexibility in programming and resource targeting, and opportunities for local training and employment by requiring contractors to source staff through the Employer Hub. The Employer Hub is the Council's local employment and training service and will deliver opportunities for local people while providing a free recruitment and training service to meet the workforce needs of suppliers and contractors.
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	04/03/2022
<b>Advice Sought:</b>	Legal, Finance, Procurement
<b>Legal Advice:</b>	There are no significant legal concerns arising from this decision. With regard to the procurement and award of contracts, any process must still be in line with the Council's Contract Procedure Rules and it will therefore be the responsibility of managers to ensure they are familiar with the requirements and seek advice from the Corporate Procurement Team.  Advice provided by Naomi Vass (Senior Solicitor) on 24/12/2021.

**Finance Advice:**

The value of this decision is included within the Council's approved Capital Programme. Therefore, following the approval of this decision, the Capital Programme will not require amending. On the basis that the proposed works do not amended the Capital Programme, this decision does not require endorsement by the Capital Board.

As the expenditure within this decision is funded by capital receipts (i.e., Council resources), any schemes with a contribution over £10,000 will require approval from the Section 151 Officer prior to the Council being contractually committed, as defined in the Amended Scheme of Delegation.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 02/11/2021 - reviewed and confirmed on 10/02/2022.

**Procurement Advice:**

There are no significant procurement concerns with the decision being sought. The Service should ensure that all contracts are procured and awarded in compliance with Contract Procedure Rules.

Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 03/11/2021 - reviewed and confirmed 16/02/2022.

**Signatures**

<b>Neghat Khan (PH Neighbourhoods, Safety and Inclusion)</b>
<b>SIGNED and Dated: 25/02/2022</b>
<b>Frank Jordan (Corporate Director, Resident Services)</b>
<b>SIGNED and Dated: 25/02/2022</b>