

City Council – 22 May 2023

Report of the Leader of the Council

Corporate Director/ Director:

James Rhodes, Acting Assistant Chief Executive/Director of Policy, Performance and Communications

Report Author and Contact Details:

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Title: Strategic Council Plan 2023-27 Refresh

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:

Green, 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 checked="" type="checkbox"/>
Child-Friendly Nottingham	<input checked="" type="checkbox"/>
Living Well in our Communities	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input checked="" type="checkbox"/>
Improve the City Centre	<input checked="" type="checkbox"/>
Better Housing	<input checked="" type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 Council will wish to consider how best to revise the Strategic Council Plan 2023-27 (SCP) in light of the local election held on 4 May 2023.

2. Recommendations

That Council agrees to:

- 2.1 Adopt the process set out in paragraphs 7.5 and 7.6 below to refresh the SCP.

3. Reasons for recommendations

- 3.1 The SCP 2023-2027 was agreed alongside the MTFP at Full Council on 6 March 2023. The cover report at that time stated at paragraph 7.2 that: "Nottingham City Council will hold elections in May 2023 and the SCP will be revised in line with the requirements of the Majority Group's election commitments and within the context of the [Medium-Term Financial Plan] MTFP after that date."

4. Other options considered in making recommendations

- 4.1 Not to revise the SCP. This was rejected as the new Administration's policy commitments are fundamental to Council policy and the SCP.

5. Consideration of Risk

- 5.1 The key risk is around deliverability of new commitments or those commitments that bring additionality to existing areas of work and the subsequent impact on the MTFP and maintaining a balanced budget. In order to mitigate the risk commitments will be assessed and reconciled within the constraints of the MTFP. The process outlined below is designed to mitigate this risk and provide the necessary assurance.

6. Background (including outcomes of consultation)

- 6.1 The SCP aims to inform residents, partners and stakeholders of the Council's priorities for the next four years. The plan sets out our vision for improving Nottingham whilst keeping residents at the heart of everything the City Council does.
- 6.2 The SCP also forms a key part of the Council's policy framework. As a part of the formal policy framework of the Council any changes to the SCP must be agreed at Full Council.
- 6.3 The SCP agreed at Full Council on 6 March 2023 was based on divisional business plans and reflects the key priorities and statutory duties of the City Council. Over late 2022 and early 2023, deliverability of divisional plans (and thereby the SCP) was assessed and confirmed within the constraints of the MTFP.
- 6.4 This process allowed the Council to demonstrate that the aims and ambitions of the Council were realistic and deliverable within available resources. The process weighed the Council's legal commitment to fulfil its statutory duties against the requirement to set and maintain a balanced budget while delivering Best Value.

7. Process for updating the Strategic Council Plan

- 7.5 The refresh of the 6 March SCP should adhere to the process that was adopted over late 2022 and early 2023 so that new work is assessed and confirmed within divisional plans and the constraints of the developing MTFP and likely in-year pressures. A key principle of the refresh will be a 'no-growth' presumption.

I. A refresh therefore must:

- i) Be in line with the manifesto pledges of the majority group following the local election on 4 May.
- ii) Include only changes to the SCP that are both deliverable and sit within the context of the MTFP.

- II. The Council is legally required to balance its budget. This may require removing or re-scoping an existing deliverable in order to ensure necessary resource is available.

- 7.6 The following high-level process is proposed:
- a) Reconciliation - The manifesto and policy commitments of the majority group are reconciled against the current SCP and MTFP Delivery Plan.
 - b) Assessment and Recommendations - new commitments or additionality not yet reflected in plans would be analysed for deliverability. Those with a significant cost implication would require a recommendation as to how to take them forward with the relevant Portfolio Holder and the Executive.
 - c) Policy commitments that are non-statutory that not included within the Majority Group's election commitments are reviewed, deprioritised and removed.
 - d) Redrafting - The SCP and Divisional Plans are redrafted to take account of the recommendations agreed with the Executive.
 - e) Adoption – Formal adoption of the refreshed SCP at Full Council (11th Sep 2023).

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

- 8.1 The refresh of the 6 March SCP should mean that new work is assessed and confirmed within divisional plans and the constraints of the developing MTFP and likely in-year pressures. A key principle of the refresh will be a 'no-growth' presumption. What this means in practice is that the council does not have financial capacity to make new expenditure commitments for the year 2023/24, with its focus being on ensuring a balanced budget can be delivered in year.
- 8.2 A refresh therefore must include only changes to the SCP that are both deliverable and sit within the context of the MTFP. Assessment will be required to quantify the implications of new/additional policy priorities as outlined in paragraphs 7.5 and 7.6 above.
- 8.3 The Council is legally required to balance its budget. It cannot commit to new expenditure commitments that are not fully funded from a known financing source, reserves or from new deliverable savings being proposed and agreed the necessary decision making forum. If the outcome of any refresh does identify a new funding need, this will need to be profiled into the Councils MTFP to a period where there is sufficient capacity to incept a new commitment or consideration can be given to removing or re-scoping existing non-statutory deliverables or policy commitments that are that not included within the Majority Group's election commitments in order to ensure necessary resource is available for the new commitments. It is the advice of the s151 officer that the likelihood of the latter is very low given the in year expenditure context against existing commitments.

Ross Brown, Corporate Director of Finance and Resources (s151) 12/05/23

9. Legal colleague comments

- 9.1 The Council's constitution defines the Council Plan as the Council's medium term strategy which sets out the Council's priorities for a defined period of time and outlines its overall strategic objectives. The Medium Term Financial Plan is the Council's financial plan to support the delivery of the Council Plan.
- 9.2 In accordance with Article 8 of the Council Constitution, the Strategic Council Plan forms part of the Council's Budget and Policy Framework. Council is responsible for agreeing Budget and Policy Framework, within which all decisions must be

taken. The Council is responsible for adopting the Budget and Policy Framework based on recommendations from the Executive. Once adopted by Council, the Executive is responsible for the implementation of the framework in relation to Executive matters.

- 9.3 The Council has statutory duties that it must fulfil by law. It cannot lawfully decide not to carry out those duties. Even where the Council is under a statutory duty to provide a service, there is often a wide discretion available to the Council about how to provide the service and the level of service provision. For other activities, the Council provides services in pursuance of a statutory power rather than a duty, and though not bound to carry out those activities, decisions about them must be taken in accordance with the decision-making requirements of administrative law.
- 9.4 Members have a duty to ensure that the Council acts lawfully. In accordance with the Local Government and Finance Act 1992 the Council must set and maintain a balanced budget. To ensure that this requirement is achieved the objectives of the Strategic Council Plan must be delivered within the constraints of the Medium Term Financial Plan and in accordance with the Council's financial regulations.

Beth Brown, Head of Legal, 27 April 2023

10. **Other relevant comments**

10.1 None

11. **Crime and Disorder Implications (If Applicable)**

11.1 N/A

12. **Social value considerations (If Applicable)**

12.1 N/A

13. **Regard to the NHS Constitution (If Applicable)**

13.1 N/A

14. **Equality Impact Assessment (EIA)**

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

No



Any relevant changes to Policy will be subject to an EIA as required.

15. **Data Protection Impact Assessment (DPIA)**

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

No



16. **Carbon Impact Assessment (CIA)**

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

No



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

17.1 None

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

[Nottingham City Council Strategic Council Plan 2023-27](#)

Councillor David Mellen
Leader of the Council