

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4971
Author:	Paul Flowers
Department:	Growth and City Development
Contact:	Paul Flowers (Job Title: Housing Strategy Officer, Email: paul.flowers@nottinghamcity.gov.uk, Phone: 01158763537)
Subject:	Statement of Intent under Energy Company Obligation
Total Value:	Nil (Type: Nil)
Decision Being Taken:	1. To approve a Statement of Intent under the Energy Company Obligation to run until 31st March 2026 or a subsequent date advised by OFGEM or Central Government.
Reasons for the Decision(s)	<p>Nottingham City Council's previous Statement of Intent and appendix approved under Energy Company Obligation 3 expired 31st March 2022 and ECO3T (Transitional) expired 30th June 2022 .</p> <p>ECO is a Central Government scheme funded by energy supply companies with up to 450,000 homes under owner occupation or private landlords expected to benefit from insulation or heating upgrades in England and Wales</p> <p>OFGEM regulated Energy Company Obligation allows local authorities to approve wider eligibility criteria within their local area under Local Authority Flexible Eligibility (LAFlex). Nationally up to 50% of ECO4 could be through LAFlex.</p> <p>The new ECO4 is subject to OFGEM guidance published and a preferred template 20/9/2022.</p> <p>NCC role is merely to determine eligibility of the resident for ECO LAFlex. ECO Installers are independent of NCC with no contract arrangements with NCC, instead ECO installers are working for and funded by energy supply companies. .</p>
Briefing notes documents:	DRAFT Statement of Intent for ECO4 version 2.docx
Other Options Considered:	Not to have an SOI - this option was rejected, as many vulnerable owner occupiers or private renters would be otherwise ineligible for assistance from ECO4 with free or discounted insulation and heating upgrades. ECO4 potentially allows up to 50% via LAFlex, compared to up to 25% under ECO3. Over 2,400 households benefited from energy efficiency measures from the previous SOI.

Background Papers:	Draft Statement of Intent
Unpublished background papers:	DRAFT Statement of Intent for ECO4 version 2 (3).docx
Published Works:	ECO4 Guidance for Local Authorities V1.2 - https://www.ofgem.gov.uk/publications/eco4-guidance-local-authority-administration
Affected Wards:	Citywide
Colleague / Councillor Interests:	Nil
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	Nil
Equality:	Please login to the system to view the EIA document: EIA ECO Statement of Intent version 2.docx
Regard for NHS Constitution:	<p>The decision conforms with the principles of the NHS Constitution.</p> <p>OFGEM prescribes the use of National Institute for Health and Care Excellence (NICE) Guidance and in allowing referral where household have been identified by NHS Foundation Trust, NHS Trust, NHS Health Board or a General Medical Practitioner as low-income and vulnerable, with an occupant whose health conditions may be impacted further by living in a cold home.</p>
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	27/06/2023
Advice Sought:	Legal, Finance, Equality and Diversity

Legal Advice:

This proposal does not raise significant legal concerns.
It has been clarified that the Statement of Intent is, in reality, prescribed and follows the OFGEM/BEIS Statement of Intent. This should mean there is little risk of the Council using the funds in a manner that risks recovery by the funder.
NCC should ensure a full record is kept of decisions on eligibility, subject to Council requirements in the retention and processing of personal data be adhered to.
One suggested variation to the draft Statement has been made, and accepted, in respect of the CEO not overseeing the process but being accountable for it.
Anthony Heath, Senior Solicitor, Contracts and Commercial, 2nd December 2022 Advice provided by Anthony Heath (Senior Solicitor) on 02/12/2022 and confirmed on 15/05/2023.

Finance Advice:

There are no financial obligations with this decision Advice provided by Michelle Pullen (Commercial Business Partner) on 28/03/2023.

Equality and Diversity Advice:

EIA has been reviewed and advice provided. There are no impacts to any of the protected characteristics and therefore happy to sign off. Advice provided by Rosey Donovan (Equality and Employability Consultant) on 26/08/2022. Advice provided by Rosey Donovan (Equality and Employability Consultant) on 12/05/2023.

Signatures

Corall Jenkins (PH Energy, Environment and Waste Services, Parks)
SIGNED and Dated: 20/06/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 15/06/2023