

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	5033
<b>Author:</b>	Nicholas Hibberd
<b>Department:</b>	Growth and City Development
<b>Contact:</b>	Nicholas Hibberd (Job Title: Regeneration Team Leader, Email: nicholas.hibberd@nottinghamcity.gov.uk, Phone: 0115 8761668)
<b>Subject:</b>	Broad Marsh Acceptance of Homes England Grant and progression of Business case development
<b>Total Value:</b>	£400,000 (Type: Revenue)
<b>Decision Being Taken:</b>	<p>To accept £200,000 of grant funding from Homes England to undertake the development of a more detailed business case on the Broad Marsh site.</p> <p>To allocate £200,000 from funds approved for Broad Marsh re-development under decision ref: Executive Board October 2020.</p> <p>To enter into a grant agreement with Homes England, the form of which is yet to be determined, and delegate authority to Director of Planning and Transport to agree the final form and enter into the agreement.</p> <p>To grant authority to commence the procurement process, in compliance with Council's Contract Procedure rules, to appoint all necessary resources to complete the business case. To delegate authority to the Director of Planning and Transport to enter into the procured contracts.</p>
<b>Reasons for the Decision(s)</b>	<p>The Council are currently developing the master plan for the Broad Marsh redevelopment, a more detailed business case is necessary to identify a viable delivery and procurement strategy on completion of the final master plan.</p> <p>Homes England has offered a £200,000 grant towards the cost of the business case development and this offer needs to be formalised through conclusion of a Grant Agreement.</p>
<b>Briefing notes documents:</b>	Briefing note re consultants.docx
<b>Other Options Considered:</b>	Not accepting the grant on offer - This option was rejected as not accepting the grant would be a significant lost opportunity of funding to the scheme, and the Council would have to fund this element of the business case work from other sources.

<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<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>	None
<b>Equality:</b>	EIA not required. Reasons: EIA not required as this decision is not related to new or changing policies, services or functions.
<b>Relates to staffing:</b>	Yes
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	17/10/2023
<b>Advice Sought:</b>	Legal, Finance, Procurement, Human Resources
<b>Legal Advice:</b>	Prior to accepting any grant there needs to be clarity on the terms and conditions attached to it and confidence that the required outcomes and outputs can be met. This would also include a full understanding of associated risks and any clawback provisions. Any procurement of external solicitors, if deemed necessary, would need to take place in conjunction with, and approved by, the Director of Legal and Governance or the Head of Legal Services. Advice provided by Malcolm Townroe (Director of Legal and Governance) on 27/09/2023.

**Finance Advice:**

The October Executive Board 2020 approval for Broad Marsh included an allocation of revenue resources to fund capital works at the site. A proportion of these resources are held within the Council's revenue reserves for capital purposes. As detailed in this decision £200k of these revenue resources will be reallocated as match funding for the Homes England Grant.

Due to the grant and match funding being used for business case development it is considered to be revenue expenditure, the budget manager is required to ensure that all expenditure incurred meets the criteria set out in the Homes England grant conditions.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 22/09/2023.

**HR Advice:**

The service propose to commission consultants to produce a detailed business case for Broadmarsh redevelopment. The service have considered if the work can be delivered in house, however it has been determined the expertise required is not held within the council.

Comisssioning of consultants will need to follow NCC procurement guidance and the roles will need to be assessed in relation to IR35 regulations to determine if workers need to be set up via NCC Payroll for tax purposes. Advice provided by Andrew Griffiths (Service Redesign Consultant) on 20/09/2023.

**Procurement Advice:**

This decision is looking to spend up to £400k on resources to develop the Broad Marsh business case. In essence there are five elements which will be procured compliantly through the following routes: -

- Property Consultant - utilise Perfect Circle
- Economic Regeneration Consultant - seek three quotes as below £100k
- Legal Resources - either utilise in house service or a compliant framework
- Finance Resources - either utilise in house service or a compliant framework
- Technical Support - continue to use Perfect Circle

Procurement will continue to provide support to source the services. All of the above are compliant routes to source the services for this project. Further requirements beyond this element of the project will need to be considered separately.

Advice provided by Steve Oakley (Head of Contracting and Procurement) on 27/09/2023.

**Signatures**

David Mellen (Leader/ PH Strategic Regeneration & Communications)

SIGNED and Dated: 09/10/2023

Sajeeda Rose (Corporate Director of Growth & City Development)

SIGNED and Dated: 02/10/2023