

Nottingham City Council

Executive Board

Minutes of the meeting held at Loxley House, Nottingham on 21 May 2024 from 2.00 pm - 2.32 pm

Membership

Present

Councillor Neghat Khan (Chair)
Councillor Ethan Radford (Vice Chair)
Councillor Cheryl Barnard
Councillor Jay Hayes
Councillor Corall Jenkins
Councillor Pavlos Kotsonis
Councillor Sam Lux
Councillor Linda Woodings

Absent

Councillor Kevin Clarke

Colleagues, partners and others in attendance:

Beth Brown	- Head of Legal and Governance
Ross Brown	- Corporate Director for Finance & Resources
Nancy Cordy	- Head of Strategy and Service Improvement, Public Health
Lucy Hubber	- Director of Public Health
Tony McArdle	- Lead Commissioner
Colin Parr	- Corporate Director for Community, Environment and Residents Services
Paul Seddon	- Director of Planning and Regeneration
Catherine Underwood	- Corporate Director for People
Phil Wye	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 30 May 2024. Decisions cannot be implemented until the working day after this date.

1 Apologies for Absence

Mel Barrett
Sajeeda Rose

2 Declarations of Interests

None.

3 Minutes

The Board confirmed the minutes of the meeting held on 19 March 2024 as a correct record and they were signed by the Chair.

4 Levelling Up Funding for Bulwell Town Centre Regeneration

Councillor Neghat Khan, Executive Member for Strategic Regeneration, Transport and Communications, presented the report regarding £19.867M of capital funding from the Department for Levelling Up, Housing and Communities (DLUHC) that has been awarded to the City Council to deliver Bulwell Town Centre regeneration.

It is envisaged that this investment will create jobs, increase footfall, improve trade, increase access to high quality green space, restore heritage and unlock a programme of culture and creative events, helping Bulwell restore its pride and complement recent transport infrastructure investment in the area.

Resolved to

- (1) accept the £19.867M of Levelling Up Funding secured from the Department for Levelling Up, Housing and Communities to deliver a town centre regeneration in Bulwell;**
- (2) delegate acceptance of the Memorandum of Understanding, subject to the satisfactory review of the obligations contained therein, to the Corporate Director for Growth and City Development in consultation with the Corporate Director of Finance and Resources;**
- (3) approve £19.867m of expenditure into the capital programme funded by Levelling Up Funding, subject to signing the funding Memorandum of Understanding and if further third-party matched funding is secured to enhance the scheme it is approved into the Capital Programme through the relevant governance route;**
- (4) delegate final project approval, initiation of procurement activities and appointment of the contractor/s to deliver the project to the Corporate Director for Growth and City Development and through engagement with the Portfolio Holder for Strategic Regeneration and Communications, give final project approval;**
- (5) delegate approval to enter into any licences or legal agreements, as required to deliver the project, to the Corporate Director for Growth and City Development;**
- (6) delegate approval to enter into any licences or legal agreements, as required to deliver the project, to the Corporate Director for Growth and City Development.**

Reasons for decisions:

- The Levelling Up Funding represents a significant opportunity to invest in Bulwell Town Centre.
- Delegating acceptance of the Memorandum of Understanding, subject to the satisfactory review of the obligations on the Council it contains, will enable the

project to progress to programme.

- Delegating final project approval, initiation of procurement activities and appointment of the contractor/s to deliver the project will ensure that pre-contract work can progress to programme within the funding spend window.
- Delegating approval to enter into third party land agreements, will ensure that if there should be the requirement for any works to be undertaken on third party land the appropriate agreements can be entered into. This will be determined by Land Registry Title Searches undertaken as pre contract work.
- Delegating approval to enter into any licences or legal agreements required to deliver the project, will ensure that if these are required the appropriate licences/agreements can be entered into. Licences/legal agreements may be required in relation to the historical shop/building frontage works or for enhancements associated with the River Leen.

Other options considered:

- Not to accept Levelling Up funding. This was rejected as this would not provide regeneration of Bulwell Town Centre.

5 Use of ring-fenced public health grant allocation 2024/25

Councillor Pavlos Kotsonis, Executive Member for Adults Social Care and Health, presented the report setting out the planned use of the totality of the Ring-Fenced Public Health Grant (RFPHG) 2024-25 allocation for Executive Board's approval. This is an important part of the strengthened governance processes to provide assurance that all RFPHG expenditure is eligible, and has been recognised as best practice by the Office of Health Improvement and Disparities (OHID).

Along with all other unitary and upper tier authorities, Nottingham City Council receive an annual public health grant allocation from the Department of Health and Social Care (DHSC). The public health grant allocation for 2024/25 has been confirmed as £37,202,982. The public health grant is ring-fenced and must only be used where the main and primary purpose is public health. The public health grant conditions set out a range of prescribed and non-prescribed public health activity against which public health grant expenditure must be reported.

Resolved to note and endorse:

- **the additionality of the 2024/25 Public Health Grant of £0.588m from £36.615m in 2023/24 to £37.203m in 2024/25;**
- **the use of £32.574m of the ring-fenced public health grant for 2024/25 for activity commissioned and grant funded directly by public health (as set out in 2.6, Tables 1-4), in order to improve the health and wellbeing of Nottingham's population, in line with agreed relevant strategies and plans, and in line with the public health commissioning framework, and**

- **the use of £4.629m of the ring-fenced public health grant for 2024/25 to wider Council services (as set out in 2.6, Table 5) to enable the delivery of additional activity which will contribute to improved health and wellbeing outcomes for Nottingham's residents.**

Reasons for decisions:

- Nottingham City's RFPHG allocation for 2024/25 has been confirmed as £37.203m. The grant is ring-fenced for use on public health functions, meaning that the main and primary purpose of all grant expenditure is public health. The local authority circular published alongside the grant allocation sets out the conditions that apply to the grant, as well as reporting requirements. Receipt of the RFPHG supports the local authority to meet its duty to improve the health and wellbeing of the local population.
- The National Health Service Act (2006) includes a statutory duty to be informed by the health needs of the local population when deciding on the most appropriate use of the RFPHG. The Joint Strategic Needs Assessment, published on Nottingham Insight, identifies the health and wellbeing needs of the local population. This has informed the Integrated Care Strategy (for Nottingham and Nottinghamshire), the Joint Local Health and Wellbeing Strategy for Nottingham, the Public Health Divisional Plan and the Strategic Council Plan. The public health commissioning framework set out the principles and processes through which these strategies and plans, alongside other relevant drivers are translated into commissioned (and grant-funded) services/activity. The planned use of the RFPHG allocation in 2024/25, as set out in this report, is assessed as being the most appropriate allocation of resource to ensure the delivery of activity required within the conditions of the grant, as well as address the health and wellbeing needs of the local population, in line with the aforementioned statutory duty, strategies and plans.
- The conditions in which people are born, grow, live, work and age have a profound influence on health and health inequalities. Local authorities have a key role to play in shaping these conditions, and as a consequence also have a key role in terms of improving the health and wellbeing of their local population (in line with statutory duties). It is recommended that RFPHG continues to contribute to a range of wider Council services (as set out in 2.6, Table 5) in order to enable the delivery of additional activity which improves health and wellbeing. Arrangements are in place to ensure effective ongoing joint working and regular review of contributions to provider assurance that all RFPHG expenditure continues to be eligible.

Other options considered:

- There are very clear terms and conditions relating to the use of the RFPHG. Alongside the implementation of the agreed transition plan (2022/23-2024/25) public health governance processes have been strengthened to provide confidence that commissioned services deliver best impact (in relation to health and wellbeing outcomes) within the total resource available. All decisions relating to RFPHG expenditure are considered by Public Health Programme Board (PHPB). PHPB must be assured that the recommended option is an eligible,

effective and efficient use of the RFPHG prior to onward consideration and approval in line with Council processes. Consideration of alternative options is a key part of this process.

6 Future High Streets Fund - Reallocation of Funding

Councillor Neghat Khan, Executive Member for Strategic Regeneration, Transport and Communication, presented the report seeking authorisation to reallocate the Angel Row Future Highstreets Fund (FHSF) grant to an alternative project at Broad Marsh, specifically the Community Diagnostics Centre (CDC) on Lister Gate in partnership with the Nottingham Universities Hospitals Trust (NUHT).

Resolved to

- (1) agree to discontinue the Angel Row element of the FHSF project on the grounds that it is undeliverable;**
- (2) approve the reallocation of FHSF grant funding from the Angel Row project to support the delivery of the Community Diagnostics Centre (CDC);**
- (3) delegate authority to the Corporate Director for Growth and City Development to sign the MOU once/if revisions are agreed with DLUHC;**
- (4) delegate authority to the Corporate Director of Growth and City Development to agree any subsequent grant agreement and MOU with NUHT.**

Reasons for decisions:

- The decisions will allow the FHSF Grant to be retained by the city rather than being returned to DLUHC and utilised within the funding conditions.
- The additional funding will enable an optimised and enhanced CDC development to be delivered which will bring increased health, social and environmental benefits to the city.

Other options considered:

- **Alternative Schemes:** Alternative schemes within the capital programme have been considered for the utilisation of this funding, however the recommended project needed to meet the FHSF funding criteria and conditions. The alternative projects that have been investigated have ultimately been discounted due not fully meeting the funding criteria, timescales and budgetary requirements. It has therefore been determined that the NHS Community Diagnostics Centre (CDC), proposed for Lister Gate, is the most appropriate opportunity to deliver the outcomes required by the FHSF and would enable the grant to be utilised within the city and within the funding constraints.
- **Detailed Grant Agreement to specify works:** The advantage of this type of agreement is that it would give the Council greater certainty that NUHT will deliver

specific outputs as the Council expects and within the expected timescale and budget. However, a potential disadvantage is that if the Council uses the agreement to impose substantial detailed obligations on NUHT, there is a risk that this could bring the agreement within the scope of a public works contract and so be subject to public procurement legislation. This is not possible within the timeframes and an open procurement exercise is not appropriate for this scheme delivery which is being led by the NUHT.

- Forfeit FHSF Grant: Without support for the CDC project, Officers would recommend forfeiting the FHSF grant associated with the Angel Row Creative Cooperative to DLUHC.

7 Dates of future meetings

Resolved to meet on the following Tuesdays at 2pm:

- **18 June 2024**
- **16 July 2024**
- **17 September 2024**
- **22 October 2024**
- **19 November 2024**
- **17 December 2024**
- **21 January 2025**
- **11 February 2025**
- **18 March 2025**
- **22 April 2025**

8 Exclusion of the Public

Resolved to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, Paragraph 5, on the basis that, having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

9 Future High Streets Fund - Re-allocation of Funding - Exempt Appendices

The Board noted the exempt appendix.