

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5218
Author:	Charlotte Tutton
Department:	Communities, Environment and Resident Services
Contact:	Charlotte Tutton (Job Title: Principal Building Decarbonisation Project Officer, Email: charlotte.tutton@nottinghamcity.gov.uk, Phone: 07773131571)
Subject:	Warm Homes : Social Housing Fund Wave 3
Key Decision (decision valued at more than £1million):	Yes
Key Decision (decision affects 2 or more wards):	Yes
Total Value:	£1,000,000,000- Please note that this is to account for the DPS and is not the value of project (Type: Capital and Revenue)
Decision Being Taken:	<p>(1) To approve the submission of a regional consortium bid for funding of up to £1 billion which covers the potential value of the Dynamic Purchasing System and also the request for approval to bid for £400 million for Warm Homes Social Housing Fund from the Department of Energy Security and Net Zero, with the Council as the Lead Authority, to be administered by the Midlands Net Zero Hub.</p> <p>(2) To delegate authority to the Head of Sustainable Warmth Programmes in consultation with the Director of Environment and Sustainability to accept the funding and enter into a Grant Funding Agreement with DESNZ under Section 90 of the Natural Environment and Rural Communities Act 2006 ("NERC") to together with associated agreements with approved consortium bid members, subject to a business case and funding conditions being submitted to and approved by the Director for Legal and Governance and the Corporate Director for Finance and Resources. (3) To extend the contracts of existing staff working on our domestic retrofit grant funded schemes on the notification of successful application and signing of the Grant Funding Agreement (GFA), with any additional recruitment require to require further approvals.(4) To update and run two Dynamic Purchasing Systems (DPS) to support consortium to procure (5) To appoint external legal support to the value of up £25,000 to support the mobilisation of the project. (6) To note that any spend of the funding received will require further approvals and support from Legal, Finance and Procurement colleagues, prior to allocation</p>

Reasons for the Decision(s) Warm Homes funding was launched on 30th September 2024 as a competition with a closing date of 25th November 24. As a result of feedback from other energy efficiency schemes such as Local Authority Delivery (LAD) (1a, 1b, 2, 3), Home Upgrade Grant (HUG) (1, 2) Social Housing Decarbonisation Fund (SHDF) (1 , 2,1), some LAs lack the capacity to submit and individual bid for funding, particularly within the required timescales. Therefore a regional submission with Midlands Net Zero Hub as the Lead Authority offers and opportunity for all LAs and Registered Providers of Social Housing (RPs) in the region to access the needed funding to support thousands of fuel poor households. The current regional delivery of domestic retrofit offers and effective route for implementation of Warm Homes Social Housing Fund across the midlands. This decision will generate and estimated £300k management fee to contribute to 25/25, 26/27 and 27/28 financial returned from the CRPP division support Medium Term Financial Plan (MTFP) projections.

Other Options Considered: Not to submit a bid- Without MNZH support, there could be a significant missed opportunity to bring financial support into Nottingham and the wider Midlands region to address the fuel poverty and domestic decarbonisation issues within social housing

Background Papers: Warm Homes Fund Scheme Guidance

Unpublished background papers: warm-homes-social-housing-fund-wave-3-scheme-guidance.pdf, warm-homes-social-housing-fund-wave-3-draft-grant-funding-agreement.pdf

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests: N/A

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: Staff costs and consortium breakdown

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

1 - Information relating to any individual	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it contains staff salaries and roles by which individuals could be identified
2 - Information which is likely to reveal the identity of an individual	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it contains staff salaries and roles by which individuals could be identified
3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it is commercially sensitive and could affect the outcomes of future bids.

Documents exempt from publication: Breakdown of Staff Costs and Grant Breakdown.xlsx

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: No implications

Equality: EIA not required. Reasons: This decision related to policies developed outside the council by central government.

Relates to staffing: Yes

Relates to Council Property Assets: Yes

Decision Type: Leader's Key Decision

Subject to Call In: No
 The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Councillor Sam Gardiner
 Consultation Date: 20/11/2024
 The bid needs to be submitted by 22nd November

Advice Sought: Legal, Finance, Procurement, Human Resources

Commissioner Comments: Commissioners are content with this report. Having sought clarity these are separate decisions - a decision to have a dynamic purchasing system and then a decision to submit a bid for the warm homes grant. Obviously, any large grant such as the warm homes grant could use a dynamic purchasing system to commission delivery.

Legal Advice: Please see attached. Advice provided by Amana Parveen (Solicitor) on 24/10/2024.
Advice documents: Legal Advice - Warm Homes.docx

Finance Advice:

REVENUE COMMENTS:
This decision does not commit the Council to additional spend revenue spend, as it is dependent upon a successful grant bid. As detailed in the recommendations any additional revenue costs will require further formal approval and supporting business case.

CAPITAL COMMENTS:
This decision commits the Council to submitting and accepting a grant funding bid, but not to incur any expenditure. Assuming the grant bid is successful a future decision which sets the split between ancillary / administrative cost and the capital improvement elements will be required before resources are committed.

Prior to this project being incepted into the Capital Programme it will also require endorsement by the Capital Board as well the formal approval to incur the expenditure.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 13/11/2024.

Procurement Advice: There are no direct procurement concerns with the decisions being sought. Procurement of the Dynamic Purchasing Systems was agreed by Commercial Oversight Board on 21st October for an upper limit value of £1bn, though please note the committed spend at this time is nil and any tenders run through the DPS will need further approvals at point of use. Procurement will be carried out in compliance with Contract Procedure Rules and the Public Contracts Regulations 2015. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 05/11/2024.

HR Advice: Fully support the bid funding as it will help the citizen of Nottingham as all LA's and Registered Providers of Social Housing (RPs) in the region to access the needed funding to support thousands of fuel poor households. Advice provided by Janade Akhter (HR Consultant) on 16/10/2024.

Property Advice: This decision outlines the reasons for submission of a regional consortium bid for funding of up to £350 million for Warm Homes Social Housing Fund. the decision outlines the benefits of this submission which Strategic Assets & Property supports. As this relates to domestic property, the Strategic Assets & Property team would not be involved in the day to day project. If any property related advice is required by the project this can be requested by the project team. Advice provided by Beverley Gouveia (Head of Property) on 10/10/2024.

Signatures:

Neghat Khan (Leader / Exec member, Strategic Regeneration)
SIGNED and Dated: 26/11/2024
Colin Parr (Corporate Director, CERS)
SIGNED and Dated: 25/11/2024