

## NOTTINGHAM CITY COUNCIL

### EXECUTIVE BOARD

**MINUTES of the meeting held at Loxley House on 22 December 2015 from 2.01 pm - 2.48 pm**

#### **Membership**

##### Present

Councillor Graham Chapman (Vice Chair)

Councillor Jon Collins (Chair)

Councillor Nicola Heaton

Councillor Nick McDonald

Councillor David Mellen

Councillor Alex Norris

Councillor Dave Trimble

Councillor Jane Urquhart

Councillor Sam Webster

##### Absent

Councillor Alan Clark

#### **Colleagues, partners and others in attendance:**

- |                  |  |
|------------------|--|
| David Bishop     | - Deputy Chief Executive/Corporate Director for Development and Growth |
| Sue Flack        | - Director of Planning and Transport                                   |
| Dean Goodburn    | - Policy Officer   |
| Matt Gregory     | - Growth Point Planning and Planning Policy Manager                    |
| Alison Michalska | - Corporate Director for Children and Adults                           |
| Colin Monckton   | - Director of Commissioning Policy and Insight                         |
| Glen O'Connell   | - Corporate Director for Resilience                                    |
| Nathan Oswin     | - Political Assistant to the Labour Group                              |
| Keri Usherwood   | - Marketing and Communications Manager                                 |
| Andy Vaughan     | - Corporate Director for Commercial and Operations                     |
| Geoff Walker     | - Strategic Director for Finance                                       |
| Laura Wilson     | - Governance Officer   |

#### **Call-in**

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until Tuesday 5 January 2016

#### **52 APOLOGIES FOR ABSENCE**

Councillor Alan Clark – unwell

Candida Brudenell

#### **53 DECLARATIONS OF INTERESTS**

None

## **54 MINUTES**

The Board confirmed the minutes of the meeting held on 17 November 2015 as a correct record and they were signed by the Chair.

## **55 NOTTINGHAM PLAN ANNUAL REPORT 14/15 (YEAR 5)**

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development, and Portfolio Holder for Early Intervention and Early Years report, presenting the Nottingham Plan annual report for year 5, which details the progress made against Nottingham Plan targets for 2014/15.

The Nottingham Plan to 2020 sets out a 10 year journey to help the City Council and partners achieve the vision of what Nottingham should look like by 2030.

**RESOLVED to approve the Nottingham Plan Annual Report Year 5, and note the progress against Nottingham Plan targets for 2014/15 (Year 5).**

### Reasons for decisions

To ensure that the Council continues to publicly report the performance of Nottingham Plan to 2020 targets and priorities to local citizens and partners.

### Other options considered

No other options were considered as it has been agreed that annual performance of the plan is considered by the One Nottingham Board and the City Council.

## **56 ISLAND SITE SUPPLEMENTARY PLANNING DOCUMENT**

The Board considered the Portfolio Holder for Planning and Housing's report detailing the Island Site Supplementary Planning Document that will provide guidance of the development of the Island Site in Nottingham's Creative Quarter.

### **RESOLVED to**

- (1) approve the draft Island Site Supplementary Planning Document for a period of public consultation;**
- (2) delegate authority to the Portfolio Holder for Planning and Housing to approve any minor changes required prior to public consultation.**

### Reasons for decisions

The Supplementary Planning Document will help to ensure that development delivered on the site meets the Council's aspirations for the site in terms of nature and disposition of uses and phasing of development.

Other options considered

Not producing the Supplementary Planning Document was rejected as it would not give any assurance that the Council's aspirations for the development of the site could be met.

**57 TREASURY MANAGEMENT 2015/16 HALF YEARLY UPDATE**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report setting out the treasury management actions and performance from 1 April to 30 September 2015, which includes:

- no new long term borrowing was undertaken;
- no debt rescheduling was undertaken;
- the average return on investments was 0.664% against a benchmark rate of 0.460%;
- compliance with Prudential Indicators.

**RESOLVED to note the treasury management actions taken in 2015/16 to date, detailed in the report.**

Reasons for decisions

To ensure that Councillors are kept informed of the actions taken by the Chief Finance Officer.

The Treasury Management Code of Practice requires that at least 3 reports on treasury management each year – a policy and strategy statement for the ensuing financial year, a 6 monthly progress report, and an outturn report after the end of the financial year.

Other options considered

No other options were considered as the report is required by the Treasury Management Code of Practice.

**58 BUDGET CONSULTATION 2016/17**

This decision is not subject to call-in as Councillor Brian Parbutt, Chair of the Overview and Scrutiny Committee, has agreed that the decision is reasonable in all the circumstances and should be treated as a matter of urgency as any delay will impact on the public consultation period.

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report detailing the draft proposals for the revenue element of the Council's Medium Term Financial Plan (MTFP) for 2016/17 to 2018/19. The headlines include:

- there is continued disproportionate Government funding cuts with the expectation that the Revenue Support Grant will have more than halved since 2013/14;
- local services will be increasingly funded by local tax payers as Central Government funding continues to cut local government funding;

- there is increased demand for services such as Adult Social Care and Children in Care;
- consultation covers £19.766m savings in 2016/17, subject to outcomes of the provisional settlement, following savings of £152m previously found over the last 5 years;
- savings seek to minimise the impact of service reductions and changes on vulnerable citizens;
- commercialisation opportunities are underway that will generate income and help offset the impact of Central Government grant reductions;
- savings include transforming Adult Social Care to achieve sustainable health care services in partnership with the NHS;
- the budget assumes a City Council increase in Council Tax of 1.95%, and the introduction of the additional 2% Social Care precept on Council Tax, as assumed by Central Government;
- there is a remaining budget gap in 2018/19 of a further £26.987m, with an expectation that the settlement will increase this gap further.

**RESOLVED to endorse and release the MTFP proposals, as set out in paragraph 2.6 and Table 3 of the report, for formal public consultation, noting that further details relating to individual savings are contained in Appendix 1a-j of the report.**

#### Reasons for decisions

To enable public consultation to take place on the draft savings proposals for 2016/17 to 2018/19.

#### Other options considered

Throughout the budget process a range of different options are considered including various levels of Council Tax, investment and cost reductions, which is a complex process with many iterations and possibilities. The proposals detailed in the report seek to balance levels of investment, income, cost reductions, and an appropriate level of Council Tax.

### **59 REVIEW OF 2015/16 REVENUE AND CAPITAL BUDGETS AT 30 SEPTEMBER 2015 (QUARTER 2) - KEY DECISION**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report providing an up to date assessment of the Council's current and forecast year-end financial position for the General Fund revenue account, Capital Programme and Housing Revenue Account (HRA), based on activity to the end of September 2015.

#### **RESOLVED to**

- (1) **note:**
  - (a) **the overall current (medium case) forecast net underspend of £1.788m, as set out in paragraph 2.2 and Appendix A of the report;**
  - (b) **the management action being taken to control the identified cost pressures across services, as set out on Appendix B of the report;**

- (c) the progress on the implementation of cost reductions and pressures, as set out in paragraph 2.5 of the report;
  - (d) the forecast working balance of £4.006m on the HRA, as set out in paragraph 2.7 of the report;
  - (e) the forecast position on the Capital Programme, as set out in paragraph 2.9 of the report;
  - (f) the Capital Programme projections at Quarter 2, as set out in paragraph 2.9 (table 6) of the report;
  - (g) the additions to the Capital Programme listed in Appendix E of the report;
  - (h) the variations to the Capital Programme listed in Appendix F of the report;
  - (i) the refreshed Capital Programme, including schemes in development, as set out in paragraph 2.9 (tables 7, 8 and 9) of the report;
- (2) approve:
- (a) the movements of resources, as set out in paragraph 2.6 and Appendix D of the report;
  - (b) the extension and re-profile for the rolling programme of works at Eastcroft Incinerator, as set out on paragraph 2.9 (table 7) of the report;
  - (c) an additional £0.098m of demolition costs for Stepney Court, as detailed in section 2.9 of the report;
- (3) note and endorse the allocations from the corporate contingency, as set out in paragraph 2.4 of the report.

#### Reasons for decisions

To enable formal monitoring of progress against the 2015/16 budget, and the impact of actual and planned management action.

The approval of virements of budgets is required by corporate financial procedures.

#### Other options considered

No other options were considered as the Council is required to ensure that expenditure and income are kept within approved budget levels.

## **60 PROPOSED EXPANSION OF FERNWOOD PRIMARY SCHOOL, WOLLATON**

The Board considered the Portfolio Holder for Schools' report updating the Board on the outcomes of the consultation to expand the school which took place between 21 September and 18 October 2015 with parents, carers, staff, governors, and community members.

The number of objections to the proposal exceeded the number in support, but these have been balanced against the long term need for school places, so moving to the next stage of the consultation process is recommended.

**RESOLVED to approve the move to the next stage of consultation, which is the issuing of Statutory Notices and a four week representation period.**

#### Reasons for decisions

One of the 5 key objectives of the new Council Plan is to ensure that every child in Nottingham is taught in a school that is judged good or outstanding by Ofsted.

The proposal supports the Council priorities of access to a good school close to home for every young person in Nottingham, and to guarantee a choice of places for every child at a local primary school.

Parents/carers expect their children to be offered a school place in their catchment area, and the case is strong for expanding a school which delivers a quality provision in an area where there are insufficient school places.

Although the number of objections exceeded the number in support, this needs to be balanced against the long term need for school places, and the views expressed will be considered in terms of prioritising mitigating actions to make the proposal work if it is approved.

#### Other options considered

Adding a single bulge year was rejected as it would not address the longer term issue of pupil growth in the area.

Expanding Middleton Primary School is not possible at this point as the viability of expansion needs to be assessed. The Council has identified that two additional forms of entry are required to meet the needs in the area, so regardless of whether Middleton Primary expansion progresses, the additional places are still required at Fernwood Primary.

Setting up a new free school in Wollaton was rejected as no suitable site is identifiable.

Doing nothing was rejected as it would not address the place pressure in the area, and it would not meet the needs of the local community.

### **61 SPECIAL SCHOOLS EXPANSION - KEY DECISION**

The Board considered the Portfolio Holder for Schools' report detailing the needs for additional special school places in the city and seeking approval for Phase 1 of the Special School expansion programme, the expansion of Westbury School.

**RESOLVED to**

- (1) approve the allocation of funding totalling £4.75m, as detailed in section 4 of the report, towards the expansion of Westbury School;**
- (2) approve the procurement of a design team to develop and deliver the Westbury School project using the EMPAii framework, and approve the use of consultants;**
- (3) delegate authority to the Head of Legal Services to appoint the design team following the procurement process, subject to the project being within the agreed budget figures;**
- (4) approve the procurement of the expansion works, as set out in the Business Case at Appendix A of the report, and delegate authority to the Head of Legal Services to enter into contract to deliver the construction works for the expansion, subject to the project being within the agreed budget figures.**

Reasons for decisions

Local authorities must ensure that there are school places available in areas of need, promote diversity, and increase parental choice, which includes special school places for pupils.

The demand for specialist maintained provision across a range of special educational needs is increasing, and now the requirement for places exceeds the number of places available. The need is increasing every year, and without expansion, the City Council will have to purchase additional places from outside the city boundary.

A full options appraisal has been undertaken to consider which special schools require expansion, and which design solution is preferred.

Other options considered

Doing nothing was rejected as the City Council has a duty to provide suitable places for children.

**62 SOUTHSIDE TRANSPORT STRATEGY CAPITAL PROGRAMME  
SPENDING APPROVAL - KEY DECISION**

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report detailing the funding already in place, and requesting £3.683m match funding, for the Southside Transport Strategy which includes improvements in the City Centre highway infrastructure, and public realm referred to as the Broadmarsh Environs Roadspace Transformation Programme (RTP).

Recommendation 3 was amended at the meeting to reflect that it was subject to recommendation 5.

**RESOLVED to**

- (1) approve expenditure totalling £13.425m to deliver the Broadmarsh Environs RTP, subject to acceptance of the final business case for an allocation from D2N2 Local Economic Partnership (LEP) fund;**
- (2) accept the D2N2 grant, and allocate £2.300m from the Nottingham Better Bus Area Fund in accordance with the bid approved by the Department for Transport, and £1.383m from the Local Transport Plan funding allocation, towards the schemes for the period 2015/16 to 2017/18;**
- (3) approve the first stage of the Broadmarsh Environs RTP, as set out in paragraph 2.4 of the report, subject to resolutions 1 and 2 above, and the formal public consultation identified in resolution 5 below, where appropriate;**
- (4) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, and the Portfolio Holder for Jobs, Growth and Transport, to develop and approve further stages of the Broadmarsh Environs RTP, subject to the availability of funding;**
- (5) approve the commencement of formal public consultation on the Broadmarsh Environs RTP, including advertisement of Traffic Regulation Orders for individual schemes, as necessary.**

Reasons for decisions

The approval to commit expenditure is necessary to support the detailed business case being submitted to the LEP, and considered by its Infrastructure Investment Board in December 2015.

The infrastructure investment was recognised as a key feature in the Growth Deal because it supports the redevelopment on the INTU Broadmarsh Centre, and the redevelopment and enhancement of the areas around the Centre, including Nottingham Skills Hub and the Railway Station, leading to economic growth and the creation of jobs.

Other options considered

Not accepting the funding was rejected as the delivery of the elements of the Broadmarsh Environs RTP funding package are priorities for the City Council, and funding is not available within other transport budgets to support this level of investment in the city's highway infrastructure and public realm. It could also damage the City Council's reputation for being able to deliver high profile transport schemes, which would significantly impact on the Council's ability to attract this level and nature of funding in the future.



**63 AWARD OF CONTRACT FOR CITYLINK1+2, WORKLINK 4, CENTRELINK BUS SERVICES - KEY DECISION**

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report requesting approval to undertake a tender process to provide the Citylink 1 and 2, Worklink4, and Centrelink bus services, which provide access to key employment sites in the city, provide a service to two of the city's main bus based park and ride sites, and link the two shopping centres in the city. The Centrelink service is already operating with electric buses, and it is anticipated that the Citylink and Worklink services will also be run by fully electric buses on retender.

**RESOLVED**

- (1) to authorise the procurement process for the Citylink 1 and 2, Worklink 4 and Centrelink bus services, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth to award and sign the necessary contract(s) for the operation of these services for up to 5 years, on a 3+1+1 basis, at the Council's sole discretion with respect to any extension, using electric buses or an alternative agreed with the Council, subject to contract costs being within £5.5m (£1.1m per year);**
  
- (2) in the event that there is any delay in the implementation of the new electric buses resulting in a delay in the commencement of the new contract(s), to grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to extend the existing contract for these services for a temporary period of up to one month, at a cost of no more than £0.1m, until the electric buses are available for use on the routes, or alternative arrangement are agreed with the preferred operator.**

Reasons for decisions

To enable the continued operation of these important services without any disruption for customers, and also enable the services to be procured in a more cost effective manner.

There is a need to make savings from the operation of these services as part of the Public Transport Big Ticker which can be done by their change to electric vehicles, and further network integration.

Other options considered

Continuing with the current arrangements was rejected as the existing contract is due to expire in 2016, and the services may require alterations in their routing and timetable to take account of changes in customer requirements, and the future layout of the City Centre road network.

Withdrawing the services was rejected as there is a considerable demand for them to enable citizens to access employment which is not being met by the current commercial network, and whilst the commercial sector might deliver some elements of these services commercially, this could result in additional costs to the Council.

## **64 SALE OF LAND OFF COLLEGE WAY, BILBOROUGH - KEY DECISION**

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development's report seeking permission to sell the site to enable development that will contribute towards the city's housing requirements.

### **RESOLVED to**

- (1) agree the principle of selling the Council's freehold or long leasehold interest in this site, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to agree the method of sale;**
- (2) delegate authority to the Leader/Portfolio Holder for Strategic Regeneration and Development to approve the sale terms for the site, including the price;**
- (3) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve any instructions and associated expenditure required prior to sale. Such expenditure may include, but is not limited to, the sourcing or site and ground investigations, appointment of experts or specialists in development and planning matters to obtain and planning consent prior to sale.**

### Reasons for decisions

The Playing Pitch Strategy recognises this site as surplus to the sports and recreational needs of the city. The nature of site provides a development opportunity to contribute to the city's housing need, whilst also enabling the Council to achieve a capital receipt.

The site has been identified by Property as suitable for residential development, and is a proposed residential allocation within the emerging Local Plan Part 2: Land and Planning Policies document.

### Other options considered

Not selling the site was rejected as it would be a missed opportunity for the City Council to contribute towards the city's housing need by enabling development, and would mean foregoing the capital receipt that will be achieved on sale.

## **65 EXCLUSION OF THE PUBLIC**

**RESOLVED to exclude the public from the meeting during consideration of the remaining item in accordance with section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

**66     SALE OF LAND OFF COLLEGE WAY, BILBOROUGH - KEY DECISION - EXEMPT APPENDIX**

The Board considered the exempt appendix to the Leader/Portfolio Holder for Strategic Regeneration and Development's report.

**RESOLVED to note the information contained within the exempt appendix.**

Reasons for decisions

As detailed in minute 64.

Other options considered

As detailed in minute 64.