

## NOTTINGHAM CITY COUNCIL

### EXECUTIVE BOARD

**MINUTES of the meeting held at Loxley House on 22 March 2016 from 2.02 pm - 2.51 pm**

#### **Membership**

##### Present

Councillor Graham Chapman (Vice Chair)

Councillor Alan Clark

Councillor Jon Collins (Chair)

Councillor Nick McDonald

Councillor David Mellen

Councillor Alex Norris

Councillor Dave Trimble

Councillor Jane Urquhart

Councillor Sam Webster

##### Absent

Councillor Nicola Heaton

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

- |                   |  |
|-------------------|--|
| David Bishop      | - Deputy Chief Executive/Corporate Director for Development and Growth |
| Candida Brudenell | - Strategic Director/Assistant Chief Executive                         |
| Pat Fielding      | - Director of Education  |
| Alison Michalska  | - Corporate Director for Children and Adults                           |
| Glen O'Connell    | - Corporate Director for Resilience                                    |
| Nathan Oswin      | - Political Assistant to the Labour Group                              |
| Toni Price        | - Executive Officer to the Leader                                      |
| Keri Usherwood    | - Marketing and Communications Manager                                 |
| Andy Vaughan      | - Corporate Director for Commercial and Operations                     |
| Ceri Walters      | - Head of Commercial Finance   |
| Laura Wilson      | - Governance Officer   |

#### **Call-in**

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until Friday 1 April.

#### **87 APOLOGIES FOR ABSENCE**

Councillor Nicola Heaton – leave

Ian Curryer

Alison Michalska

#### **88 DECLARATIONS OF INTERESTS**

Councillor Jon Collins declared an other interest in agenda item 10 (minute 97) – Progress of City Centre North Development – Key Decision, and left the room prior to discussion of the item.

## **89 MINUTES**

The Board confirmed the minutes of the meeting held on 23 February 2016 as a correct record and they were signed by the Chair.

## **90 PROPOSED EXPANSION OF FERNWOOD PRIMARY SCHOOL, WOLLATON - KEY DECISION**

The Board considered the Portfolio Holder for Schools' report detailing the proposals to expand Fernwood Primary and Nursery School from an 840 place school to a 1050 place school from September 2016.

A four week consultation on the proposed expansion ran from 21 September 2015 to 18 October 2015, engaging parents, carers, staff, governors and community members. The proposals for the expansion of Fernwood Primary include the provision of four Key Stage 2 Classrooms which will allow the school to continue to grow by 30 reception pupils each year until all seven year groups are full.

### **RESOLVED to**

- (1) approve the expansion of Fernwood Primary and Nursery School from an 840 place school to a 1050 place school, from September 2016;**
- (2) approve the allocation of £1.250 million of funding, as set out in section 4 of the report, for the expansion of Fernwood Primary and Nursery school, noting that £0.750 million has already been approved in March 2016 for two classrooms (Delegated Decision reference 2370);**
- (3) approve the procurement of the works as set out in the Business Cases in Appendix A;**
- (4) delegate authority to the Head of Legal Services to enter into contract following the procurement process, subject to the project being within the agreed budget envelope.**

### Reasons for decision

Fernwood Primary is an outstanding school, very popular and oversubscribed with significant waiting lists across the year groups. As a result, more places are needed to meet the significant increase in the number of local children requiring a school place.

The number of catchment children for Fernwood Primary has increased significantly since September 2014 and to support this, the School has admitted an additional Reception class this year to accommodate the additional catchment children requiring a school place but a longer term solution is needed.

Other options considered

No other options were considered at this stage as they were considered earlier in the process and presented in the Executive Board report approved at the December 2015 meeting.

**91 NOTTINGHAM GO ULTRA LOW CITY PROGRAMME - KEY DECISION**

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report proposing the acceptance of the external Go Ultra Low City Grant Award and the delivery of the Nottingham Go Ultra Low programme 2016 – 2020. In January 2016, the Office for Low Emission Vehicles (OLEV) confirmed Nottingham as one of four national winning cities securing funding through its Go Ultra Low City Fund. As a result, Nottingham City Council, in partnership with Nottinghamshire County Council and Derbyshire City Council, will benefit from £6.120 million investment between 2016 and 2020 to deliver a series of activities across the partnership to:

- expand charging infrastructure provision, including at key public transport interchanges;
- introduce a support package to encourage businesses to take up ULEVs;
- convert public sector pool cars and vans to ULEVs;
- deliver a programme of community roadshows, events and online information provision to encourage private uptake;
- support a programme of business networking, promotion and best practice sharing as part of the D2N2 Low Carbon Transport Technology Centre;
- introduce ULEV's into the car club scheme;
- contribute towards the creation of a city centre Clean Air Zone;
- contribute towards the creation of a Low Emission Corridor comprising shared Bus/ULEV lanes (linked to the Southern Growth Corridor infrastructure improvements).

**RESOLVED to**

- (1) accept the external Go Ultra Low City Grant Award of £6.120 million for the delivery of the Nottingham Go Ultra Low programme 2016-2020 awarded by the Office for Low Emission vehicles;**
- (2) approve the funding allocations to the Nottingham Go Ultra Low City programme 2016-2020, as set out in Table 1 in Appendix A to initiate the programme, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, and Portfolio Holder for Jobs, Growth and Transport, to make variations to the programme;**
- (3) approve the initiation of procurement activities, as set out in Table 2 of Appendix A, and delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, and Portfolio Holder for Jobs, Growth and Transport, to appoint preferred suppliers following the completion of appropriate procurement and tendering activity.**

Reasons for decision

Acceptance of the funding to deliver a series of innovative projects will help the Council to achieve its aspirations for becoming a Low Emission City. Delivering the initiatives over the period 2016-2020 will support the city's ability to meet Council Plan objectives around supporting local growth, carbon reductions, air quality and energy.

Other options considered

Rejecting the funding was rejected as it would mean the Council is unable to meet its Council Plan objective to introduce a network of charging infrastructure and achieve the UK Air Quality Directive objectives by 2020.

Varying the programme proposals was rejected to ensure that the Council remains compliant with the terms and conditions of the funding award.

**92 SCHOOLS BUDGET 2016/17 - KEY DECISION**

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 the Department for Education (DfE) set clear timelines for the schools budget to be set, approvals gained by Schools Forum, budgets issued to schools and constitutional approval gained, They require constitutional approval to be gained at the latest by the end of March, and call-in would prevent this.

The Board considered the Portfolio Holder for Schools' report proposing the Council's Schools Budget for 2016/17.

**RESOLVED**

- (1) in relation to the Dedicated Schools Grant to:**
  - (a) note the value of the 2016/17 Schools is £243.280 million;**
  - (b) approve the in-year budget transfers and payments to schools, Private and Voluntary Charitable and Independent settings and Academies totalling £230.354 million, as per Table 3 in the report;**
  - (c) approve the external spend associated with centrally retained expenditure. This allocation is £13.876 million, as per Table 3 in the report;**
  - (d) note that any unallocated DSG will be transferred to the Statutory Schools Reserve (SSR) as noted in section 4.5 of the report;**
  - (e) note the procurement of external placements will be in accordance with the financial regulations, gaining approval through the appropriate processes;**
- (2) to approve the allocation of Pupil Premium and early Years Pupil Premium to setting in accordance with the grant conditions;**

- (3) to approve spend of up to £2.2 million to support the increased levels of permanently excluded pupils in 2016/17 as set out in section 4.9 of the report. This is funded from the SSR and aligns to the report presented to Executive Board on 19 January 2016;**
- (4) to delegate authority to the Portfolio Holder for Schools, and the Corporate Director for Children and Adults, to approve any final budget adjustments.**

Reasons for decision

To establish schools budgets for 2016/17 and to ensure that appropriate constitutional approvals are gained in advance of the deadline of the end of March 2016.

Other options considered

No other options were considered as the proposals comply with financial regulations issued by the DfE.

**93 PROPOSED CHANGES TO CITY POLICE STRUCTURE**

The Board considered the Portfolio Holder for Community Services' report updating Councillors on recent announcements affecting the leadership of Nottinghamshire, Leicestershire and Northamptonshire police forces.

Under the proposed structure for Nottinghamshire Police, the City Division would cease to exist and the most senior officer in the city would be at the rank of Superintendent. Reductions will also be made in the numbers of Chief Inspectors, Inspectors and Sergeants.

**RESOLVED to**

- (1) note the report;**
- (2) note that a Leaders' Key Decision will be taken to outline the Council's position on the proposals.**

Reasons for decision

The proposed structure has clear implications for the future policing capacity in Nottingham. Nottingham has made significant progress in reducing crime in the last ten years, however, a significant reduction in the policing capacity in the city has the potential to seriously exacerbate this.

Other options considered

The report is for information only and therefore no other options were considered.

**94 EXCHANGE BUILDINGS CHEAPSIDE AND SMITHY ROW, NOTTINGHAM - REFURBISHMENT WORKS - KEY DECISION**

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development's report detailing proposals for refurbishment works to the Exchange Buildings, which forms part of the Council House complex. Plans include the restoration of the building to its original open plan layout providing good quality and modern office space across four levels to those seeking well located city centre offices in a prestigious landmark.

**RESOLVED to**

- (1) approve the expenditure detailed in the exempt appendix on detailed design work and costing of refurbishment works to provide good quality open plan offices suitable for offering to let on the open market;**
- (2) 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 specific allocations of spend and enter into contracts, subject to identification of sources of funding as per the exempt appendix;**
- (3) include provision in the capital programme for the scheme, as set out in the exempt appendix.**

Reasons for decision

There is a shortage of quality offices in the city centre and refurbishing the property will provide the Council with an acceptable return on investment by leasing good quality office space.

Other options considered

Doing nothing was rejected as in its current state, there is little prospect of securing long-term office occupiers for the property.

Disposing of the long leasehold interest was rejected as the potential receipts anticipated for the property in its current condition would be low.

Selling the freehold interest was rejected as the Council owns the freehold interest of the entire property complex and there is an opportunity to invest in refurbishing the building.

**95 SALE OF THE FORMER BESTWOOD DAY CENTRE, BESTWOOD ROAD, NOTTINGHAM NG6 8SS - KEY DECISION**

The Board considered the Leader/Portfolio Holder for Strategic Regeneration and Development's report detailing proposals for sale of the former Bestwood Day Centre, Bestwood Road, Nottingham. The site was marketed and an informal tender process concluded on 8 January 2016.

**RESOLVED to**

- (1) enter into a conditional contract for the sale of the freehold interest in the former Bestwood Day Centre site with the chosen developer, as set out in the exempt appendix, noting that an extensive open marketing campaign has taken place;**
- (2) approve that, should the chosen developer not proceed for any reason, to enter into a conditional contract for the sale of the freehold interest in the former Bestwood Day Centre site with the next highest bidder, as set out in the exempt appendix;**
- (3) delegate authority to the Director of Strategic Assets and Property, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to agree the final terms of sale including the final sale price.**

Reasons for decision

The decision will ensure that the sale of the former Bestwood Day Centre is carried out in a timely fashion and at best consideration, whilst delivering family homes on a disused brown field site. This helps to fulfil the Council Plan commitment to provide 2,500 new homes by 2020.

Other options considered

Leaving the site vacant and unsold has been rejected as the periodic costs for maintenance and security would escalate and the capital receipt for the land would remain unrealised.

**96 ADOPTION OF BUSINESS CHARTER**

The Board considered the Portfolio Holder for Jobs, Growth and Transport's report outlining the proposals to adopt a Business Charter for Nottingham City Council. The Charter will establish a new working relationship between Nottingham City Council and local businesses in the City to strengthen the impact of how the Council works locally, improving the overall economic performance across Nottingham.

**RESOLVED to agree the adoption of the Business Charter.**

Reasons for decision

The Charter will provide:

- support for the creation of employment and training opportunities for local residents, including people with disabilities and support people into work and work experience;
- support and encouragement for local businesses and those who contract with the Council to commit to paying the Nottingham Living Wage, or have a clear plan for moving to paying the Nottingham Living Wage;
- encouragement to those who the Council contract with to conduct their business locally, therefore maximising the Nottingham pound;

- encouragement to those who the Council contract with to be environmentally responsible by adopting the “reduce, reuse and recycle” philosophy.

#### Other options considered

Not adopting the Charter was rejected as evidence of the benefits secured through this approach elsewhere suggests that this would not be a sustainable course of action.

Councillor Jon Collins left the room and Councillor Graham Chapman took over as Chair for the remainder of the meeting.

### **97 PROGRESS OF CITY CENTRE NORTH DEVELOPMENT - KEY DECISION**

The Board considered the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration’s report updating Councillors on the sale of the Guildhall site, which comprises of the Guildhall, Fire Station House, the existing Central Police and Fire Stations (but excludes the EON building).

#### **RESOLVED to**

- (1) appoint Miller Birch as preferred bidder for the sale of the Guildhall site on the basis of the offer set out in exempt Appendix A, subject to satisfactory contractual documents being finalised accordingly, and satisfactory commitments from the key pre let being received;**
- (2) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in conjunction with the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration, to finalise acceptable terms for the sale of the Guildhall site, subject to such terms achieving an acceptable minimum sale price as outlined in exempt Appendix A;**
- (3) delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in conjunction with the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration, to approach an alternative bidder should arrangements with Miller Birch not be concluded satisfactorily.**

#### Reasons for decision

The proposals offered by Miller Birch represent best value and the disposal of the Guildhall site will lead to game changing redevelopment that will regenerate an important area of the city.

#### Other options considered

Selling to the second bidder was rejected as it did not offer the same rounded offer package and value.



**98 EXCLUSION OF THE PUBLIC**

**RESOLVED to exclude the public from the meeting during consideration of the remaining item(s) 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 in the public interest in disclosing the information.**

**99 EXCHANGE BUILDINGS CHEAPSIDE AND SMITHY ROW, NOTTINGHAM - REFURBISHMENT WORKS - KEY DECISION - EXEMPT APPENDIX**

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

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

Reasons for decision

As detailed in minute 94.

Other options considered

As detailed in minute 94.

**100 SALE OF THE FORMER BESTWOOD DAY CENTRE, BESTWOOD ROAD, NOTTINGHAM NG6 8SS - KEY DECISION - EXEMPT APPENDIX**

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

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

Reasons for decision

As detailed in minute 95.

Other options considered

As detailed in minute 95.

**101 PROGRESS OF CITY CENTRE NORTH DEVELOPMENT - KEY DECISION - EXEMPT APPENDICES**

The Board considered the exempt appendices to the Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration's report.

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

Reasons for decision

As detailed in minute 97.

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Other options considered

As detailed in minute 97.

**102 ADOPTION OF BUSINESS CHARTER - EXEMPT APPENDIX**

The Board considered the exempt appendices to the Portfolio Holder for Jobs, Growth and Transport's report.

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

Reasons for decision

As detailed in minute 96.

Other options considered

As detailed in minute 96.