

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3080

Author:

Ellen Cooper-Tydeman

Department:

Commercial and Operations

Contact:

Ellen Cooper-Tydeman

(Job Title: Energy Policy Officer, Email: ellen.cooper-tydeman@nottinghamcity.gov.uk, Phone: 01158763437)

Subject:

Funding from the Warm Homes Fund (WHF)

Total Value:

Requested from WHF £984,109 (Type: Capital and Revenue)

Decision Being Taken:

- 1) To act as the lead for a consortium bid into the Warm Homes Fund to deliver energy efficiency advice to householders in fuel poverty and energy efficiency measures to fuel poor households in off-gas homes.
- 2) To delegate responsibility to the Director of Commercial Infrastructure and Energy to accept grant funding if the bid is successful, and to approve further project documents including entering into a collaboration agreement with delivery partners, allocating funds, and managing grant expenditure always in accordance with the grant conditions and the Council's constitutional requirements.
- 3) As permitted under the grant, to use the grant funding towards staffing cost for project management and towards installation of central heating to off gas properties.
- 4) For the Corporate Director to approve the creation of a 2 year fixed term grade H post under scheme of delegation reference number 16 (Non-Executive decision)

**Reasons for the Decision(s)** The Warm Homes Fund has been set up by National Grid to deliver central heating to off-gas private tenure properties which are the least energy efficient E, F or G EPC. This aligns with our corporate objectives, particularly to tackle fuel poverty.

We propose to bid as a consortium with Nottingham City Homes (NCH), Nottingham Energy Partnership (NEP) and Age UK Nottingham and Nottinghamshire for:

- Revenue funding for a virtual fuel poverty team, joining up and expanding the work of teams in Nottingham City Council (NCC) Environmental Health service, NCH hospital to home project, the NCC Energy and Sustainability service and partners in Age UK and Nottingham Energy Partnership who specialise in helping fuel poor households to improve their homes. This will provide a joined-up service delivering referrals of the most vulnerable people in the coldest homes to services advising them on energy efficiency and helping them access grant funding to improve the warmth of their homes
- Capital funding to install energy efficiency measures for fuel poor households in off-gas homes. These would, again, be delivered by a partnership of NCC, NEP and AGE UK.

There will be no direct cost to the council except risk of clawback of full or partial funding, third party match of staff resource in kind, landlord contributions and a 5% retention of funds for Category 1 until completion. The funding is for 2 years and would be received quarterly in arrears.

**Other Options Considered:** No other options were considered, as the bid had to be placed by 9 February 2018 and was done so with verbal agreement from the signatories to this decision. This is a retrospective decision.

**Background Papers:** None.

**Published Works:** None.

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** Councillor Dave Liversidge is a board member of NEP.

**Consultations:**

Date: 24/01/2018

Other City Council Bodies: Domestic Energy Efficiency and Fuel Poverty Subgroup

WHF discussed at a separate meeting.

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

**This Decision will not have any direct implications on crime and disorder.**

**Equality:**

**EIA not required. Reasons: An EIA is not relevant to this decision. The decision contains no change to staffing policy or current staff members and properties identifies through existing NCC procedures. Overall, there are no changes to NCC policy or procedures.**

**Relates to staffing:**

**Yes**

**Decision Type:**

**Portfolio Holder**

**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: n/a**

**Consultation Date: 13/02/2018**

**As the bid had to be submitted by 9 February, it was submitted with the verbal agreement of the signatories before this decision could be completed. As this is a retrospective decision, it cannot be called in.**

**Advice Sought:**

**Legal, Finance, Procurement, Human Resources**

**Legal Advice:**

**The decisions set out raise no significant legal concerns. The proposal is that the Council will act as the lead in a consortium bid to access the Warm Homes Fund. If the bid is successful then the Council will enter into the grant agreement and will be primarily responsible to the funder for compliance with the grant conditions. As this is a consortium arrangement the Council will need to enter into a collaboration agreement with the consortium partners in order to ensure that each party is responsible for the delivery of the project and to ensure that the funding awarded to the consortium is flowed down to the partners.**

**In the event that any sub-contracting arrangements are required for third parties to deliver services to the Council in order for the Council to deliver its obligations under the grant, these should be subject to the Council's procurement requirements.**

**Advice provided by Naomi Vass (Senior Solicitor) on 05/02/2018.**

**Finance Advice:**

**This decision aligns with the key objective in the Council Plan [1] to tackle fuel poverty and the directorate priority within Energy Services of 'Best Partnerships'[2].**

**If the bid is successful, NCC are the responsible party for compliance with the grant conditions stated. Therefore, it is the responsibility of NCC to ensure robust financial systems are in place to minimise the risk of grant claw-back, and therefore potential financial pressure on NCC. This will be via a consortium agreement which will outline the roles of each partner, the evidence needed to meet the criteria of the grant, and stipulation that grant funds are to be released only on full compliance and therefore, in arrears. Any claw-back would be absorbed within the EWBT.**

**Any expenditure must be subject to NCC Financial Regulations (including Contract Procedure rules) and NCC procurement.**

**[1] Council Plan 2015-2019**  
**[2] Commercial & Operations Department Business Plan 2017/18, pg 24**

**Advice provided by Tania Clayton Perez (Commercial Business Partner) on 09/02/2018.**

**Procurement Advice:**

**There are no direct procurement implications to this decision. Any works undertaken by external contractors subsequent to this decision must be procured in compliance with Contract Procedure Rules. The Procurement Team should be consulted to ensure that any procurement activity is carried out appropriately.**

**Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 05/02/2018.**

**HR Advice:**

**The creation of a new role within Environmental Health and Safer Places is required to enable delivery of the project.**

**Any new role will be subject to the NCC job evaluation and recruitment processes.**

**As funding is for 2 years, the role should be recruited to on a fixed term basis with an appropriate exit strategy in place in order to terminate the contract in line with NCC guidance. Management will need to ensure appropriate timelines are in place to notify the affected employee and give appropriate notice including the opportunity for redeployment.**

**Management will also need to be aware of potential costs in any exit arrangement such as redundancy compensation should any extension of the fixed term contract result in an individual having over two years' service.**

**Management may alternatively wish to explore resourcing on a secondment basis.**

**Advice provided by Joanne Hill (Service Redesign Consultant) on 08/02/2018.**

**Signatures**

**Jane Urquhart (PH for Planning, Housing and Heritage)**

**SIGNED and Dated: 15/02/2018**

**Andrew Vaughan (Corporate Director Commercial and Operations)**

**SIGNED and Dated: 15/02/2018**