

NOTTINGHAM CITY COUNCIL

EXECUTIVE BOARD

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 18 June 2019 from 1.32 pm - 2.01 pm

Membership

Present

Councillor David Mellen
Councillor Cheryl Barnard
Councillor Eunice Campbell-Clark
Councillor Neghat Khan
Councillor Rebecca Langton
Councillor Dave Trimble
Councillor Sam Webster
Councillor Linda Woodings
Councillor Kevin Clarke
Councillor Andrew Rule

Absent

Councillor Sally Longford
Councillor Adele Williams

Colleagues, partners and others in attendance:

Candida Brudenell	- Corporate Director for Resources and Strategy /Assistant Chief Executive
Ian Curryer	- Chief Executive
Chris Henning	- Corporate Director for Development and Growth
Laura Pattman	- Strategic Director of Finance
Andy Vaughan	- Corporate Director for Commercial and Operations
Kate Morris	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 28 June 2019. Decisions cannot be implemented until the working day after this date.

9 APOLOGIES FOR ABSENCE

Councillor Sally Longford - Unwell
Councillor Adele Williams – Council Business

10 DECLARATIONS OF INTERESTS

Councillor Sam Webster, declared an interest in Item 7, Housing Revenue Account Property Acquisitions Extended Second Tranche, as a member of the Board of Nottingham City Homes. This did not exclude him from speaking on the matter.

11 MINUTES

The minutes for the meeting held on 21 May 2019 were confirmed as a true record and signed by the Chair

12 TREASURY MANAGEMENT ANNUAL REPORT 2018/19

The Board considered the report of the Portfolio Holder for Finance Growth and the City Centre, setting out the 2018/19 performance in respect of the management of the Council's external debt and investments (Treasury Management). The key points highlighted were:

- (a) External debt increased by £87.7m to £953.2m. This is less than was planned and mainly related to the Capital programme;
- (b) The interest on existing debt has fallen and thanks to the hard work of Treasury Management staff the investments made have earned more than expected as a result;
- (c) Some existing debt has been transferred to long-term borrowing further reducing rates and the total amount payable in interest.

RESOLVED to:

(1) Note the performance information in relation to Treasury Management for 2018/19

Reasons for decision

Full council approved the Council's treasury management strategy for 2018/19 in March 2018. The Council has invested and borrowed substantial sums of money and as such is exposed to financial risk. Information presented in the report allows consideration of the activity and the associated risk.

Under the CIPFA Code of Practice an annual report is required to be submitted and considered by councillors. This ensures that Nottingham City Council remains compliant with Part 1 of the Local Government Act 2003 whereby the Council must have regard to the COPFA Prudential Code and the CIPFA code of Practice.

Other Options Considered

Options for debt management and the investment portfolio are continually reviewed with the overarching aim to minimise net revenue costs of NCC debt whilst maintaining an even debt profile in future years as well as maximising investment returns all within stated security and liquidity guidelines.

13 APPROVAL TO CONSULT ON DRAFT LOCAL PLAN DOCUMENTS - KEY DECISION

The Board considered the report of the Portfolio Holder for Housing, Planning and Heritage setting out the consultation process for four Supplementary planning documents (SPD's) designed to give guidance to planners, developers and citizens.. The following information was highlighted to the Board:

- (a) The Biodiversity SPD provides guidance to developers on the avoidance of loss of diversity and how to return a net gain of diversity

- (b) The Open Spaces SPD provides guidance and advice to developers on the need for provision of open space in residential and commercial development proposals, It also sets out guidance on section 106 funding;
- (c) The Caves SPD provided guidance to developers and cave owners on enhancing the heritage value of their caves, as well as advice on prevention of deterioration of cave environment, aims to ensure that the cave heritage of Nottingham City is not lost, and remains accessible to the public.

RESOLVED to:

- (1) Approve a period of public consultation for the draft Supplementary planning Documents, and Statement of Community Involvement**
- (2) Delegate authority to the Director of Planning and Regeneration to approve any minor changes required to the draft Supplementary Planning Documents prior to consultation commencing;**

Reason for Decision

If approved following the consultation period these documents will become material consideration in planning decision and will help to ensure that developments meet the City Council's development aspirations. They will offer enhanced protection for Nottingham's caves, and help meet the Council's development aspirations in terms of open space continuation and biodiversity enhancement.

A new Statement of Community involvement will ensure that communities are involved appropriately in the new planning system.

Other options considered

The alternative option considered was not to produce these SPD's this would have resulted in a lack of comprehensive planning guidance to support the Local Plan and would not have worked towards achieving the Council's development ambitions.

14 WATERSIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD) - KEY DECISION

The Board considered the report of the Portfolio Holder for Housing, Planning and Heritage seeking formal adoption by the Council of the Waterside Supplementary planning document following extensive public consultation. This document will be supplementary to the adopted Local Plan part 1: Nottingham City Core Strategy (2014).

Councillors commented that the development that had so far taken place was embedding well, and the people living there were already forming a strong sense of community.

RESOLVED to:

- (1) Adopt the Waterside Supplementary Planning Document;**

- (2) Delegate authority to the Director of Planning and Regeneration to approve any minor changes (e.g. typographical and grammatical) required to the final Supplementary Planning document prior to adoption.**

Reason for Decision

Adopting this Supplementary Planning Document will help to ensure that the Waterside Development is delivered in line with the Council's aspirations in terms of nature and disposition of uses and phases of development. The document will become a material consideration in any planning applications and will facilitate any negotiation necessary with landowners and developers.

Other Options Considered

Not producing the SPD for the Waterside development was considered but this would not have allowed the Council's aspirations for the area to be met and so this was rejected.

15 HOUSING REVENUE ACCOUNT PROPERTY ACQUISITIONS EXTENDED SECOND TRANCHE - KEY DECISION

The Board considered the report of the Portfolio Holder for Housing, Planning and Heritage requesting approval to extend the second tranche of Housing Revenue Account (HRA) acquisitions (Decision 3333 – November 2018) by 2 years to 2022 and by up to 320 properties.

RESOLVED to:

- (1) Extend the second tranche of Housing Revenue Account acquisitions (decision 3333 November 2018) by 2 years to 2022 and to the extent detailed in the report and exempt appendix.**
- (2) Include in the public sector programme a scheme of Housing Revenue Account acquisitions for use as social housing**
- (3) Delegate authority to the Corporate Director of Development and Growth to identify and determine the type of residential properties to be purchased**
- (4) Delegate authority to the Director of Strategic Assets & Property to negotiate and agree individual terms and conditions for aforementioned properties**
- (5) The Housing Revenue Account to fund 2 full time officers in property and legal services respectively for the whole period of the programme**

Reason for the decision

This decision will help the Council work towards its commitment to buy 1000 council homes using the right to buy replacement scheme, and will take advantage of the lift of the HRA borrowing cap.

The engagement of 2 members of staff dedicated to this project will ensure that costs are kept at a minimum and will prevent the need to engage costly external consultants for each acquisition.

Other options considered

The other option considered was to not extend the acquisition programme. This would fail to maximise the resource available to deliver additional affordable housing when it is in demand. Not spending the Right to Buy Replacement fund would further harm resources via the interest arrangements for repayment. For these reasons, this option was rejected.

16 THE PROMOTION AND SALE OF LAND AT GAMSTON, NOTTINGHAM - KEY DECISION

The Board considered the report of the Leader of the Council/Portfolio Holder for Regeneration, Safety and Communications recommending that the Council enter into a Promotion and Sale agreement in respect of land at Gamston, Nottingham. The proposed agreement will bring about lands change of use and sale as part of the Sustainable Urban Extension (SUE). Receipts from the sale of the land will be reinvested and used to support services to citizens.

RESOLVED to:

- (1) Enter into a Promotion and Sale agreement of land at Gamston, identified edged red on the plan published with the agenda on the terms set out in the exempt appendix;**
- (2) Approve the taking and granting any rights, licences easement's and wayleaves required over both adjoining and Council owned land to facilitate the sale of the Council's land and development of the Gamston Sustainable Urban Extension;**
- (3) Delegate authority to the Director of Strategic Assets and Property to agree variations to the terms set out in the exempt appendix. Any material variations will be agreed in consultation with the Portfolio Holder.**

Reasons for decision

Entering into this agreement will ensure that that Council owned land is promoted and bought forward for development on an equal footing with other land ownerships within the SUE and ensures that all costs associated with promoting the land to the point of sale are initially met by the promoter and refunded on sale of the land.

Using the company selected will ensure that specialist skills are experience are used to promote the land and to work together with Rushcliffe Borough council and other land owners to bring forward comprehensive development that maximises the Council's return.

As the land owned by the Council is part of the SUE it is necessary to enter into agreements with adjoining land owners and utility companies to facilitate the development of the SUE.

As it may be necessary to vary agreed Heads of Terms to facilitate the final commercial agreement, delegation of authority to the Director of Strategic Assets and Property will ensure the legal process is not unduly delayed.

Other options considered

The option to not enter into a Promotion and Sale agreement was rejected. The engagement of a third party brings specialist skills and meets all upfront planning and infrastructure costs to be repaid on sale of the Council land. Not entering into the agreement would mean that land promotion was not undertaken by specialists, and would not lead to maximisation of the Council's position.

17 LAND AT TRENTSIDE NORTH, WEST BRIDGFORD – LETTING TO NOTTINGHAM FOREST FOOTBALL CLUB - KEY DECISION

The Board considered the report of the Leader of the Council/Portfolio Holder for Regeneration, Safety and Communications requesting approval to enter into a new lease with Nottingham Forest Football Club for land and buildings at Trentside North in West Bridgford.

The Board heard that the football club will erect a replacement football stand on the land and that the replacement boat club facilities and residential units would be created. The Board agreed that this proposal would help to lift the area alongside current regeneration taking place.

RESOLVED to:

- (1) Agree to the principle of entering into a new 250 year lease with Nottingham Forest Football club for land and buildings at Trentside North, Westbridgford, Nottingham and to the erection, by the lessee (at their cost) of a replacement football stand, ancillary buildings, replacement boat facilities and residential units on the basis of the terms set out in the exempt appendix;**
- (2) Agree to the surrender of the remainder of the existing 50 year lease to Nottingham Forest Football Club, along with the surrender of other ancillary leases to boat club lessees as necessary , provided that the principle of boat club use in the area is retained;**
- (3) Delegate authority to the Director of Strategic Assets and Property to amend the agreed terms of the lease and to agree other practical matters in delivering a new lease (such as entering into Agreements for Lease or option agreements) provided that the lease term is not extended or that the principle of the decision is not materially affected by the changes.**

Reasons for Decision

The Peter Taylor stand built in 1963 are now felt to be fit for purpose and are in need of rebuilding in order to provide increased capacity, improved standards for fans and improved corporate hospitality.

The facilities of the Boat club and Nottingham & Union Club facilities are also in need of refurbishment having become too small, outdated and difficult to manage. The Boat clubs and Football clubs have entered into a joint negotiation position as set out in the exempt appendix.

The agreement as it currently stands allows both the football club and the boat club to realise their ambitions of improved facilities leading to better provision for citizens.

Under the agreement all existing rights of way will remain and the football club will take on responsibility for maintenance of the riverbanks and Trentside Road.

By delegating authority to the Director of Strategic Assets and Property any proposed changes to this lengthy and complex lease agreement in the drafting stages can be made with minimal delay.

Other option considered

There were two alternative options considered. The first was not to agree to a new lease. This option was rejected as it would fail to achieve best value for the council and would not allow the club to meet their requirements for a modern, fit for purpose stadium on their current historical site.

The other option considered was to agree to a new lease but on different terms. This was rejected as the terms have been fully negotiated before settling on. Settling for alternative terms would not result in the best position for Nottingham City Council and Nottingham Forest Football Club to the satisfaction of all parties.

18 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 as defined in paragraph 3 of part 1, Schedule 12A of the Act.

19 HOUSING REVENUE ACCOUNT PROPERTY ACQUISITIONS - EXTENDED SECOND TRANCHE - EXEMPT APPENDIX

RESOLVED to note the content of the exempt appendix.

20 THE PROMOTION AND SALE OF LAND AT GAMSTON, NOTTINGHAM - EXEMPT APPENDICES

RESOLVED to note the content of the exempt appendices.

21 LAND AT TRENTSIDE NORTH, WEST BRIDGFORD – LETTING TO NOTTINGHAM FOREST FOOTBALL CLUB - EXEMPT APPENDIX

RESOLVED to note the content of the exempt appendix