

## **Policy Committee**

**Wednesday, 15 November 2017 at 10:30**

**County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP**

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### **AGENDA**

- |    |  |          |
|----|--|----------|
| 1  | Minutes of last meeting held on 18 October 2017  | 5 - 10   |
| 2  | Apologies for Absence  |          |
| 3  | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |          |
| 4  | Update on the Work of East Midlands Councils   | 11 - 32  |
| 5  | Policy for Pupil Place Planning and New School Funding Route   | 33 - 52  |
| 6  | Watnall Road, Hucknall, Housing Development – Free School<br>Presumption Permission Request  | 53 - 74  |
| 7  | Local Improvement Scheme - an Integrated Funding Strategy  | 75 - 84  |
| 8  | The Future of the Nottinghamshire Economic Development Capital<br>Fund   | 85 - 88  |
| 9  | LEADER Programme and Digital Business Growth Programme -<br>Additional Staffing  | 89 - 94  |
| 10 | Engaging on the Council Plan 2017-21 with Partners   | 95 - 98  |
| 11 | Goosemoor Lane, Ordsall, Retford - Land Acquisition  | 99 - 106 |

12	Appointments to Outside Bodies	107 - 110
13	Sky Lanterns Policy	111 - 114
14	Request for Additional Funds for the Lindhurst Development Scheme	115 - 120
15	Work Programme	121 - 126
16	EXCLUSION OF THE PUBLIC	

The Committee will be invited to resolve:-

“That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

#### **Note**

If this is agreed, the public will have to leave the meeting during consideration of the following items.

#### **EXEMPT INFORMATION ITEMS**

- |    |  |
|----|--|
| 17 | Request for Additional Funds for the Lindhurst Development Scheme- Exempt Appendix |
|----|--|
- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

#### **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting **POLICY COMMITTEE**

Date **Wednesday 18 October 2017 (commencing at 10.30 am)**

**membership**

Persons absent are marked with 'A'

**COUNCILLORS**

Mrs Kay Cutts MBE (Chairman)  
Reg Adair (Vice-Chairman)

Chris Barnfather  
Joyce Bosnjak  
Richard Butler  
John Cottee  
Samantha Deakin  
Kate Foale  
Steve Garner  
Glynn Gilfoyle  
Richard Jackson

Tony Harper  
Philip Owen  
John Peck JP  
Mike Pringle  
Alan Rhodes  
Stuart Wallace  
Muriel Weisz  
Jason Zadrozny

**OTHER COUNCILLORS IN ATTENDANCE**

Nicki Brooks  
Steve Carr  
Kevin Greaves

Errol Henry JP  
Diana Meale  
Liz Plant

**OFFICERS IN ATTENDANCE**

Anthony May	Chief Executive
David Pearson	Adult Social Care, Health and Public Protection
Colin Pettigrew	Children, Families and Cultural Services
Adrian Smith Jas Hundal Nicola McCoy-Brown Sara Williams	} Place
Carl Bilbey Martin Done Keith Ford Jayne Francis-Ward Michelle Welsh	} Resources

**MINUTES**

The Minutes of the last meeting held on 13 September 2017, having been previously circulated, were confirmed and signed by the Chairman.

## **APOLOGIES FOR ABSENCE**

The following temporary change of membership, for this meeting only, was reported:-

- Councillor Tony Harper replaced Councillor Bruce Laughton

## **DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

Councillor Tony Harper declared a private interest in agenda items 12 and 16 – White Hill Park Federation Trust – Transfer of Land and Exempt Appendix, in relation to his personal connections with this academy, which did not preclude him from discussing or voting on those items.

Councillor Richard Jackson declared a private interest in agenda items 12 and 16 – White Hill Park Federation Trust – Transfer of Land and Exempt Appendix, in relation to his personal connections with this academy, which did not preclude him from discussing or voting on those items.

## **FUTURES ADVICE, SKILLS AND EMPLOYMENT GOVERNANCE ARRANGEMENTS**

### **RESOLVED: 2017/056**

- 1) That the transfer of internal 'ownership' of Futures Advice, Skills and Employment (Futures) from the Service Director of Commissioning, Resources and Culture in Children, Families and Cultural Services to the Service Director for Investment and Growth within the Place Directorate be noted.
- 2) That it be noted that the contract management of existing services delivered for and paid by the Council for children's services would remain with existing contract holders.
- 3) That the political representation on the Futures Board be placed with a combination of Members - one from Communities and Place Committee and one from Children and Young People's Committee.
- 4) That the outcome of the strategic review of Futures' relationship with the Council be noted and the Council seek to identify opportunities to work with Futures in order to continue building an employment and skills focused partnership aligned to the County Council's Place Plan implementation, which will enable greater utilisation of the intelligence held within Futures (the aim of which was to enable Futures to successfully bid for funding that enables greater impact on Nottinghamshire residents and businesses as well as aiding the organisation's long-term sustainability).

## **MIDLANDS ENGINE VISION FOR GROWTH**

### **RESOLVED: 2017/057**

That Policy Committee receives an update on the outcome of the submission of the Vision for Growth to the Secretary of State for Communities and Local Government.

## **THE BUDGET PROCESS FOR 2018/19, BUDGET CONSULTATION 2018/10 AND THE RESIDENTS SURVEY 2017**

### **RESOLVED: 2017/058**

- 1) That the budget process and timetable for the 2018/19 budget, as set out in the report, be approved.
- 2) That the budget consultation process for 2018/19, as set out in the report, be approved.
- 3) That the questions and methodology for the annual residents survey, as set out in the report, be approved.

## **COUNTY COUNCILS NETWORK ANNUAL CONFERENCE 2017**

### **RESOLVED: 2017/059**

That approval be given for the Leader, Deputy Leader and Leader of the Main Opposition Group and one Chief Officer to attend the County Councils Network Conference in Marlow, Buckinghamshire from 19-21 November 2017, together with any necessary travel and accommodation arrangements.

## **LATEST ESTIMATED COST - EARLY YEARS 30 HOURS PROGRAMME 2017**

During discussions, Members requested further information about the decision-making around this funding and the role which Councillors had played within that.

### **RESOLVED: 2017/060**

That the Latest Estimated Cost report for the building works at Holgate Primary and Nursery School and Robert Mellors Primary and Nursery School be approved and the variation to the capital programme be approved.

## **BIOMASS BOILERS IN COUNTY COUNCIL PROPERTIES**

During discussions, Members requested clarification as to whether the biomass boiler at Abbey Gates Primary School had been replaced.

### **RESOLVED: 2017/061**

- 1) That future replacement be determined based on assessments of risk, operational effectiveness and economic life.
- 2) That the feasibility study, as outlined within the report, be commissioned.
- 3) That a further report be presented to Policy Committee on the results of the feasibility study.

## **ACQUISITION OF LAND FOR A REPLACEMENT PRIMARY AND NURSERY SCHOOL IN BESTWOOD**

Following initial discussions it was agreed that the decision on this item should be taken under the exempt appendix item on the agenda.

## **DISPOSAL OF LAND AT BROOMHILL FARM, NOTTINGHAM ROAD, HUCKNALL**

**RESOLVED: 2017/062**

That approval be given to enter into an exclusivity agreement with the preferred bidder for a period of 3 months on terms outlined in the exempt appendix.

## **WHITE HILLS PARK FEDERATION TRUST – TRANSFER OF LAND**

In line with Committee Procedure Rule 49, the Chairman of the Committee gave consent to Councillor Carr to speak at the meeting in relation to this item which affected his division.

**RESOLVED: 2017/063**

- 1) That the sale of the Council's freehold of Poly 1 and 2b, as outlined within the report, be approved.
- 2) That the acceptance of land west of plot 2b as a future expansion site for Bramcote Primary School be approved.
- 3) That a development agreement with White Hills Park Federation Trust and Cornerstone be established to facilitate a joint planning application for plots 1 and 4, as outlined in the report.
- 4) That a further report be submitted to Policy Committee, outlining in detail the proposed design layout of the development and implications for future funding to implement the approved planning permission.

## **NOTTINGHAMSHIRE DELEGATION TO CHINA – SEPTEMBER 2017**

**RESOLVED: 2017/064**

That, as a means of developing the Friendship Agreement between Nottinghamshire County Council and the People's Government of Zhejiang:-

- a) the proposed activities set out in paragraph 14 of the report be undertaken by Nottinghamshire County Council;
- b) the proposed activities for delivery by other partners be endorsed.

## **WORK PROGRAMME**

**RESOLVED: 2017/065**

That no further changes were required to the work programme.

## **EXCLUSION OF PUBLIC**

### **RESOLVED: 2017/066**

That the public be excluded for the remainder of the meeting on the grounds that the discussions were likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information

## **ACQUISITION OF LAND FOR A REPLACEMENT PRIMARY AND NURSERY SCHOOL IN BESTWOOD – EXEMPT APPENDIX**

During discussions it was agreed that clarification of access issues to the site (both during the construction phase and thereafter) should be made public.

### **RESOLVED: 2017/067**

- 1) That approval be given to the acquisition of land on terms outlined in the exempt appendix.
- 2) That the information set out in the exempt appendix be noted.

## **DISPOSAL OF LAND AT BROOMHILL FARM, NOTTINGHAM ROAD, HUCKNALL – EXEMPT APPENDIX**

### **RESOLVED: 2017/068**

That the contents of the exempt appendix be noted.

## **WHITE HILLS PARK FEDERATION TRUST – TRANSFER OF LAND – EXEMPT APPENDIX**

### **RESOLVED: 2017/069**

That the information and documentation set out in the exempt appendix be noted.

The meeting closed at 12.17 pm.

CHAIRMAN





## **REPORT OF THE LEADER OF THE COUNCIL UPDATE ON THE WORK OF EAST MIDLANDS COUNCILS**

### **Purpose of the Report**

1. To inform members of the work of East Midlands Councils

### **Information and Advice**

2. Members have requested a regular update report on the work and activities of East Midlands Councils. The Executive Director of East Midlands Councils has agreed to produce a quarterly report for Members. The latest report on the work of East Midlands Councils is attached at Appendix 1.

### **Other Options Considered**

3. None

### **Reason/s for Recommendation/s**

4. Members have requested regular updates on the work of East Midlands Councils.

### **Statutory and Policy Implications**

5. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

6. There are no direct financial implications arising from this report.

## **RECOMMENDATION/S**

That Policy Committee:-

- 1) considers the information and decides if there are any further actions required;
- 2) agrees to receive a further update in February 2018.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the Council**

**For any enquiries about this report please contact:**  
Jayne Francis-Ward, Corporate Director – Resources

### **Constitutional Comments (SLB)**

7. Policy Committee is the appropriate body to consider the content of the report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (SES)**

8. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All

## Policy Committee Report (November 2017)

### East Midlands Councils

#### 1. Background

- 1.1 East Midlands Councils is the membership organisation for the region's local authorities. It is a voluntary membership body that focuses on issues of significance and common priorities for councils in the East Midlands and where a collective approach is likely to be effective.
- 1.2 It also provides training and development programmes for councillors and staff of councils in EMC membership (at no additional or marginal cost), access to low-cost services and consultancy, e.g. recruitment and HR, and governance and organisational change support.
- 1.4 EMC also hosts lead members networks for 'portfolio holders' of Children's Services, Adult Social Care and Health and Wellbeing Board.
- 1.5 The following policy report includes detail on:
  - a) Economic Growth and Infrastructure
  - b) Asylum and Refugee Resettlement Programmes
  - c) A Summary of EMC's Support and Service Provision to Councils
- 1.6 Nottinghamshire County Council is a key partner in this work, and EMC welcomes the advice on these and any other matters of policy development and delivery.

#### 2. Economic Growth and Infrastructure

- 2.1 This report updates members on the latest position on the:
  - a) Levels of public investment in the East Midlands
  - b) Midlands Engine
  - c) Midlands Connect
  - d) East Midlands Rail Franchise competition
  - e) The cancellation of investment for the electrification of the Midland Mainline.
  - f) HS2 and the publication of the HS2 Growth Strategy

**a) Levels of Public Investment in the East Midlands**

- 2.2 Partners have long suspected that the region is losing out in terms of public expenditure – and now the most recent HM Treasury report confirms this.<sup>1</sup> Of particular concern are the comparably low levels of infrastructure and economic development funding – with an obvious implication for future rates of local and regional economic growth.
- 2.3 The recent trend has worsened rather than improved and in summary, Government statistics demonstrate that in 2015-16, the East Midlands has:
- The lowest level of public expenditure on ‘economic affairs’.
  - The lowest level of public expenditure on transport, in total and per head.
  - The lowest level of public expenditure on rail per head.
  - The 3<sup>rd</sup> lowest on health care.
  - The 3<sup>rd</sup> lowest on education.
  - The 3<sup>rd</sup> lowest total of public expenditure on services, in total and per head.
  - Total UK public expenditure per head indexed (UK = 100); the East Midlands = 91, North East = 104, North West = 103.
- 2.4 The full HM Treasury report, data table and analysis is available [here](#).
- 2.5 Table 1 shows the total identifiable expenditure on services per head in real terms, 2011-12 to 2015/16; examples include spending on health, transport, economic affairs, education, and social protection.
- 2.6 Between 2011-12 and 2015-16, total expenditure on services has fallen in the East Midlands (as is the general trend elsewhere and nationally). However, it has remained consistently below the England average (£579 per head lower in 2015/16). If the Northern Powerhouse is seen as a primary competitor for investment funds, then it has been given a head start (£980 per head better funded than the East Midlands). The West Midlands, at a little over £500 per head better off, fares comparably well too.

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<sup>1</sup> The data has been drawn from the HM Treasury publication *Public Expenditure: Statistical Analyses 2017* published in July 2017. The most recent data available is 2015-16.

Table 1: Total identifiable expenditure on services in real terms 2011-12 to 2015-16 (£ per head, in descending order for 2015-16 outturn)

	<b>2011-12 outturn</b>	<b>2012-13 outturn</b>	<b>2013-14 outturn</b>	<b>2014-15 outturn</b>	<b>2015-16 outturn</b>
<b>London</b>	10,584	10,263	10,099	10,002	10,129
<b>North East</b>	9,781	9,612	9,549	9,448	9,472
<b>North West</b>	9,516	9,409	9,282	9,301	9,387
<b>UK</b>	9,204	9,063	8,995	9,011	9,076
<b>England</b>	8,929	8,791	8,729	8,754	8,816
<b>Yorks &amp; Humber</b>	8,950	8,780	8,683	8,729	8,791
<b>West Midlands</b>	8,907	8,774	8,664	8,787	8,750
<b>South West</b>	8,385	8,298	8,319	8,408	8,361
<b>East Midlands</b>	<b>8,291</b>	<b>8,238</b>	<b>8,164</b>	<b>8,229</b>	<b>8,237</b>
<b>East</b>	8,062	7,947	7,943	8,066	8,163
<b>South East</b>	7,880	7,825	7,871	7,854	7,977

- 2.7 Table 2 show the level of expenditure on economic affairs, 2011-12 to 2015-16. This area of expenditure includes enterprise and economic development, science and technology, employment policies, agriculture, fisheries and forestry, and transport.
- 2.8 Given the importance of transport, this data is specifically highlighted and confirms that for both economic affairs more widely, and for transport, the East Midlands is the lowest funded region per head of the population, with the lowest % increase in funding between 2011-12 and 2015-16.

Table 2: Identifiable expenditure on Economic Affairs, and Transport (2011-12 to 2015-16, £ million, in descending order of % increase - excludes inflation)

	<b>Economic Affairs</b>			<b>Of which: Transport</b>		
	<b>2011-12 outturn</b>	<b>2015-16 outturn</b>	<b>% increase</b>	<b>2011-12 outturn</b>	<b>2015-16 outturn</b>	<b>% increase</b>
<b>South East</b>	416	591	42.1	213	365	71.4
<b>West Midlands</b>	430	505	17.4	206	342	66.0
<b>London</b>	869	1,196	37.6	649	973	49.9
<b>England</b>	534	664	24.3	298	444	49.0
<b>South West</b>	443	508	14.7	188	277	47.3
<b>Yorks &amp; Humber</b>	510	615	20.6	259	380	46.7
<b>North West</b>	496	603	21.6	275	401	45.8
<b>UK</b>	596	703	18.0	319	441	38.2
<b>North East</b>	527	558	5.9	223	299	34.1
<b>East</b>	543	610	12.3	286	365	27.6
<b>East Midlands</b>	<b>465</b>	<b>475</b>	<b>2.2</b>	<b>209</b>	<b>260</b>	<b>24.4</b>

Table 3: Breakdown of Total Identifiable Expenditure on Transport, 2015-16 (£ million, in descending order for rail spending).

	National Roads	Local Roads	Local Public Transport	Railways <sup>2</sup>	Other Transport
England	2866	4274	2347	13725	1129
London	24	406	1264	6473	272
South East	709	644	140	1615	159
North West	333	640	299	1453	155
East	302	586	90	1159	83
Yorks & Humber	452	441	112	972	73
West Midlands	374	457	111	823	199
South West	239	531	152	515	81
East Midlands	277	327	113	427	74
North East	155	241	67	288	32

Table 4: Total Identifiable Expenditure on Railways, per head 2015-16

	£ per head
London	746
England	251
North West	203
East	191
South East	180
Yorks & Humber	180
West Midlands	143
North East	110
South West	94
East Midlands	91

### Implications for Midlands Connect

- 2.9 The decline in the relative and absolute performance of the East Midlands in securing public investment, particularly transport spend, is an important and concerning issue.
- 2.10 In consideration of this decline over a 4-5 period, it could be seen as firm justification for the current joint work with the West Midlands through Midlands Connect (and Engine). Similarly, it could also be seen as a helpful ‘marker’; a problem now identified and the solution is to be partly found through Midlands Connect.

<sup>2</sup> Following implementation of ESA2010, Network Rail is now classified as Central Government. Consequently Total Managed Expenditure (TME) includes Network Rail spending, however the actual expenditure of Network Rail only appears in the Department for Transport budget from 2015-16.

- 2.11 The key challenge is simple; Midlands Connect needs to demonstrate its value by securing investment against agreed strategic transport infrastructure priorities. The corollary of this, however, is that unless investment levels improve as a result of working through Midlands Connect, it will become increasingly difficult to present compelling arguments as to the benefits of this approach.
- 2.12 The terms of trade for Midlands Connect appear to be straightforward; partners from the East Midlands work with colleagues from the West Midlands to support DfT in developing a realistic programme of priority transport investment schemes that have local and regional support and will deliver the greatest level of return. In exchange, there is an expectation that DfT will deliver on the agreed strategic priorities and the level of investment will increase.
- 2.13 It is on these latter two points where there is growing concern; EMC will continue to work with the partnership in order to achieve and demonstrate early success and value.
- 2.14 Midlands Connect has a central challenge – and that will be to ensure that the region secures a greater proportion of transport spending, otherwise it is simply reinforcing the status quo. The PESA transport data is therefore instructive as it provides a proxy measure against which the effectiveness of immediately past, current and future interventions on securing investment through Midlands Connect and wider local/regional activity can be considered.
- 2.15 East Midlands Councils has highlighted this challenge to the Department for Transport and the Midlands Connect partnership.

## **Conclusions**

- 2.16 From the evidence briefly presented here it is clear that the East Midlands is not receiving the share of public sector investment or expenditure on services it would be reasonable to expect, particularly when compared to levels of expenditure in other regions, London and England as a whole (and often when compared to the West Midlands).
- 2.17 In presenting any case for investment to Government, either directly or through partnership bodies such as Midlands Engine/Connect, it is important that it is built on robust evidence.



- 2.18 The HM Treasury PESA data is consistent, credible, comparable and independent (from regional and local partners) and is instructive in confirming the underfunding of the region, both in real terms and when compared to other regions; particularly within the context of recent spending decisions e.g. MMLe.
- 2.19 The data is also useful in supporting the arguments that greater economic growth and productivity could be achieved if public investment was better targeted not necessarily on 'those regions losing out' but to those regions (i.e. the East Midlands) that are underfunded but able to deliver greater rates of return from this investment.
- 2.20 This is this key point and will require some additional work. In presenting any argument to Government on the need for greater infrastructure (and wider) investment, regional partners have to be able to counter the argument that 'there is less investment in the East Midlands as there is evidentially, less need'. The reverse argument has, after all, been used to grand effect, with London successfully arguing for ever-greater investment on the basis of greater need.

**b) Midlands Engine (Strategy, 'Vision for Growth' Action Plan and Governance)**

- 2.21 The Midlands Engine, chaired by Sir John Peace, was established late 2015. In rebalancing the UK economy and delivering the Industrial Strategy, the Midlands Engine has an important role to play.

**Midlands Engine Strategy and 'Vision for Growth'**

- 2.22 Government's publication of both the UK's Industrial Strategy and the Midlands Engine Strategy (9<sup>th</sup> March 2017) was a significant step forward in confirming a role for the Midlands Engine. With this came a clear expectation that the Midlands Engine should develop a credible, focused and achievable Action Plan (the 'Vision for Growth').
- 2.23 Given the need to respond to Government in a coherent and compelling way, Metro Dynamics was commissioned to assist in the completion of the Action Plan. This included developing a consensus view of the Midlands Engine, working across the region, with a wide cross section of partners. In summary, the 'Vision for Growth':
- Sets out a clear statement of purpose for the Engine, with some underpinning principles and a vision statement.
  - Establishes 5, evidence-based packages of work, with priorities, which can be developed into firm business cases and implementation plans.

- Frames the ambition for Government, in the short, medium and long term.
- Details commitments for the £4m of Government support for operating and other costs.
- Offers a platform for further negotiation with Government and for a communications and engagement plan with stakeholders across the region.

2.24 The final draft of 'Vision for Growth' was endorsed by the Supervisory Board on 8<sup>th</sup> September 2017, and is available [here](#). Sir John Peace has also written to the Prime Minister to update on the progress of Midlands Engine and to identify agreed priorities for the consideration by Government. This is in addition to meetings with the Secretary of State (DCLG) and attendance at the recent party conferences.

### **Governance**

2.25 The publication of the Industrial Strategy, the Midlands Engine Strategy and 'Vision for Growth' brought with them a recognition that the previous, loose governance were no longer adequate.

2.26 Revised governance arrangements for the Midland's Engine were agreed by the Supervisory Board on 8<sup>th</sup> September 2017. In summary:

- Midlands Engine Executive Board will be the high level strategic decision making body of the partnership. It will meet on a quarterly basis.
- The Midlands Engine Business Advisory Board will be the business representative forum.
- The Midlands Engine Operating Board will be appointed by the Executive Board and will be accountable for the operational management of the Midland Engine programme
- The Midlands Engine Strategic Programme Groups will be responsible for the delivery of specific parts of the Midlands Engine programme.
- The Midlands Engine Nomination Committee will lead on governance matters.
- Midlands Engine Partnership Forum will support consultation and engagement with its members, decision makers and potential investors. It will support the development of strategy and help decide investment priorities.

2.27 The region's representatives on the newly established Midlands Engine Executive Board that provides for 3 representatives from both the East and West Midlands, are confirmed as Cllr Martin Hill (Lincolnshire County Council), Cllr Jon Collins (Nottingham City Council) and Cllr Barry Lewis (Derbyshire County Council).

- 2.28 Midlands Engine has appointed an Interim Programme Director with the recruitment for the permanent Chief Executive Officer, Programme Director and other Secretariat roles underway at the time of writing this report. It is anticipated that a full team will be in place by January 2018.

**c) Midlands Connect**

- 2.29 Similar to the governance arrangements for the Midlands Engine Executive Board, the leadership board for Midlands Connect includes 3 Local Authority leaders from the East Midlands; Cllr Kay Cutts, Cllr John Collins (Nottingham City Council), and Cllr Nick Rushton (Leicestershire County Council).
- 2.30 Following the publication of the Midlands Connect Three Year Plan, this report updates members on two key areas of work:

**Major Road Network**

- 2.31 Following the publication of an independent report by the Rees Jefferys Road Fund in 2016, the Government has committed to the establishment of a 'Major Road Network' (MRN) for England. The MRN would cover the busiest and most economically important 'A' roads that are not currently managed by Highways England. It would form a 'middle tier' of roads between the national Strategic Road Network (SRN) and local roads which would continue to be managed by Local Transport Authorities.
- 2.32 DfT is proposing to allocate a proportion of the National Roads Fund to the MRN and it has been suggested that this could be up to £1 billion per year across England. This would represent additional cash to Local Transport Authorities.
- 2.33 Where they exist, the Government will seek the advice of emerging Sub-National Transport Bodies like Midlands Connect to define the MRN for a given area. As a result, Midlands Connect is undertaking a study that will look to establish:
- The make-up of the MRN within the Midlands, and in areas close to our borders.
  - The role the MRN plays in the current economy of the Midlands.
  - The role the MRN will play in the forecast growth (economy and housing) of the Midlands.
  - Identify those roads in the Midlands MRN which provide a nationally important role.

- Identify the opportunities for collaboration across Local Highway Authority areas and the Strategic Roads Network around setting standards for operational management, information/data sharing and future proofing.
- Identify and prioritise those roads within the MRN most in need of future investment.

2.34 Whilst this technical work is at an early stage, Transport Directors have considered initial options for the East Midlands element of a MRN for consideration by the Transport for the East Midlands Board on the 1<sup>st</sup> December 2017 (with Nottinghamshire County Council represented by Cllr Kay Cutts).

### **Statutory Sub-National Transport Body**

2.35 The previous Government made a commitment to establish Midlands Connect as a statutory Sub-National Transport Body by the end of 2018, similar to the status proposed for Transport for the North.

2.36 Whilst the current voluntary arrangements have been successful, the Government's Transport Investment Strategy published July 2017 highlights the added value of statutory status:

*"....This unprecedented access to investment decision making is only possible as a result of STB's unique role as the single voice for their region and the legitimacy that statutory status gives them to prioritise potential investments based on their regional transport strategies" (para 4.23).*

2.37 Following two well attended member workshops and discussion with transport directors from across the Midlands, an initial proposition for a Midlands Connect STB has been developed with the following functions:

- To establish a statutory regional transport strategy for the Midlands which must be recognised and formally responded by central Government and its delivery agencies, and by councils within and adjoining the Midlands.
- To establish recommended priorities for major road and rail investment in the Midlands, which the Department for Transport, Highways England and Network Rail would have to have regard to when setting their investment strategies.
- To identify a 'Major Road Network' (MRN) for the Midlands to complement the national network managed by Highways England.

- To work with Local Transport Authorities, Combined Authorities and other bodies (such as West Midlands Rail and EMC) to specify the development and delivery of rail franchises and to be a statutory consultee on changes to services which are wholly within or run through the Midlands Connect area.
- To act jointly with the Local Transport Authorities and Combined Authorities to create multi-modal ticketing schemes to cover the whole or any part of their combined areas (subject to the Bus Services Bill).

2.38 However officials have subsequently made clear that despite the strong policy commitment, the necessity for secondary legislation and the priority given to Brexit means there will be insufficient Parliamentary time to establish Midlands Connect as a statutory STB before 2020. In addition, at the last meeting of the Midlands Connect Strategic Board, at least one local authority leader expressed scepticism about the move to statutory status.

2.39 As a result, officers have been working with DfT officials to develop a revised timetable for progression towards statutory status and including interim steps that would help build political confidence. These might include a period of ‘shadow running’ of a full STB, and the establishment of more formal joint working with Highways England along the lines of the ‘Highways North’ arrangements.

#### **d) East Midlands Rail Franchise Competition**

2.40 The Government published the [East Midlands Franchise Competition Prospectus](#) on the 16<sup>th</sup> of November 2016. The document contains a summary of EMC’s position (page 20) as agreed by the EMC Executive Board in April 2016.

2.41 To provide a clear mandate for engagement with the Department for Transport and bidders, the EMC Executive Board agreed the following documents, available on the EMC website [here](#).

- EMC Strategic Statement which sets out regional objectives for new franchise.
- EMC Social Value Statement which sets out social, economic and environmental objectives for the delivery of the franchise under powers contained in the Public Services (Social Value) Act 2012.

2.42 The Government published the formal [consultation document](#) on the 20<sup>th</sup> July 2017 - 8 months later than originally planned. The document sets out the Government’s

vision for the next franchise and asks a series of detailed questions on what should set out in the specification against which operators will bid.

- 2.43 The document also confirms the Government's decision to cancel the electrification of the Midland Main Line through Derby, Leicester and Nottingham. Instead, the Government wants to explore the potential of using bi-mode rolling stock and 'alternative technologies' to achieve benefits similar to high speed electric trains – although it is not clear how these services would be compatible with HS2.
- 2.45 As a consequence of the delay to the consultation, DfT has also had to:
- Re-run the 'expressions of interest' phase for franchise bidders. Originally three operators had been shortlisted to bid for the franchise. Re-running the exercise may lead to more or fewer operators coming forward; and
  - Make another direct award to the existing franchise holder (East Midlands Trains) of 6 months, which would mean the next franchise starting in late 2019.
- 2.46 The region's response, as endorsed by TfEM and the Executive Board is available [here](#).

**e) Cancellation of Midland Main Line Electrification**

- 2.47 The Government's decision to cancel, rather than postpone, the full electrification of the Midland Main Line was announced on the 20<sup>th</sup> July 2017 - the day before the summer Parliamentary recess and just prior to a statement from the Secretary of State supporting Crossrail 2 (estimated to be £30bn+ in today's prices).
- 2.48 The written statement to Parliament by the Secretary of State for Transport, The Rt Hon Chris Grayling MP is available [here](#). The key points (as stated) include:
- The [Midland Mainline] upgrade will enable reduced journey times and more seats for long distance passengers during the peaks, as well as more capacity for commuters with dedicated services with longer trains. Journeys will improve from 2020 and, once the full benefits are realised, there will be almost twice as many seats into London St Pancras in the peak compared to today.
  - The next [franchise] operator will be required to deliver modern, fast and efficient trains. This includes a brand new fleet of bi-mode intercity trains from 2022, delivering more seats and comfort for long-distance passengers.

- The provision of these trains will replace plans to electrify the line north of Kettering to Sheffield and Nottingham, improving journeys sooner, without the need for wires and masts on the whole route, and causing less disruption to services.
- The Government does not intend to proceed with plans to electrify the line from Kettering to Sheffield and Nottingham, and there will be further investment to come to ensure Sheffield is HS2-ready.

2.49 All the indications are that the business case for the full electrification of the Midland Main Line remains strong. It would significantly reduce the running costs of the railway, reduce CO2 emissions, improve air quality and enable the faster acceleration and deceleration of trains. It would also promote the future integration of the HS2 and classic rail networks by enabling classic compatible running. At the time of the cancellation, it is understood that the project was being implemented successfully within the agreed budget and timescales by Network Rail.

2.50 In response to the Government's announcement, EMC has requested an urgent meeting with the Secretary of State (also involving the Chair of Midlands Connect Sir John Peace). As yet, EMC has not received any response from DfT and no date for this meeting has been confirmed.

2.51 The concerns are primarily:

- We are not aware of any examples elsewhere in the world where alternative fuels have been used to power inter-city trains (i.e. 125 mph) on a commercial basis. Bi-mode for the East Midlands in 2022 is therefore likely to mean electric and diesel, which means a continuation of diesel traction throughout most of the region – including the Air Quality Management Areas in Derby, Leicester and Nottingham – for the foreseeable future.
- It is not at all clear that electric/diesel bi-modes can deliver the same level of performance as high speed electric trains or make the most of the line speed improvements now being implemented on the MML. Bi-modes are heavier as they have to carry an additional power unit and fuel, and experience from the Great Western Line suggests they can struggle to deal with gradients and take longer to accelerate/decelerate. There is also no evidence that bi-modes bring the reliability or reduced track/wheel wear and tear that an all-electric fleet can deliver.

- Electrification would appear essential for running HS2 classic compatible services - which is why the Government is committed to electrifying a small part of the Erewash Valley Line and the MML north of Clay Cross by 2033 to allow Sheffield to be served by HS2 classic compatible trains. Provision for HS2 classic compatible services serving Leicester is a key part of our vision for HS2 in the East Midlands. It is not at all clear that bi-mode trains could deliver the same level of performance as HS2 classic compatible trains.
- The current 40 year old HSTs will become non-compliant with regulations on disability access and emissions in 2020 - at least 2 years before the new bi-modes are planned to enter service. We are unclear on the proposals of Government for dealing with this 2 year gap.
- The cancellation of electrification will inevitably have an impact on jobs and businesses, particularly in the rail engineering sector - which is heavily represented in the East Midlands. We would like to discuss Government proposals for working with our rail sector to maintain investor confidence and drive innovation.
- The case for electrification remains strong. Electric trains are cheaper to run, quicker, more reliable, quieter and less polluting than the alternatives – which is why HS2 will use electric traction. In addition, it would appear the Government remains committed to the de-carbonisation of the economy and to addressing air quality.

2.61 EMC's Executive Board advised that a 'twin track' approach should be followed that combines continued engagement through the franchise process to secure service enhancements where possible with a vigorous campaign to secure reinstatement of electrification. As a result, the following actions have been undertaken or are proposed:

- A meeting to scope out Parliamentary support was held with key regional MPs on the 14<sup>th</sup> September 2017.
- Officers are reviewing available evidence to produce a revised briefing note on the wider benefits of electrification.
- EMC agreed write to the Chair of the Transport Select Committee suggesting an inquiry into the decision.
- EMC and the East Midlands Chambers of Commerce are hosting a major summit on the 'Future of Transport and Infrastructure Investment in the East Midlands' on 27<sup>th</sup> November 2017.



**f) HS2 in the East Midlands**

- 2.62 The East Midlands HS2 Emerging Growth Strategy was submitted to Government in September 2016, available on the EMC website [here](#).
- 2.63 The document sets out initial plans to use HS2 connectivity to boost economic growth from just below to above the projected UK trend - equivalent to an additional 74,000 local jobs and an extra £4 billion to the UK economy.
- 2.64 The Growth Strategy, attached as Appendix 6(a) is structured around the following:
- ‘People’ – summarising earlier work on the scale of the economic prize, the challenges of planning for ‘generation z’ and the key elements of our skills and supply chain strategy.
  - ‘Place’ – setting a clear strategic context for using HS2 to add value to existing strengths and assets across the East Midlands including ambitious proposals for new high quality mixed use development based around two ‘growth zones’; an East Midlands Hub Growth Zone focused on the proposed Hub Station ‘innovation village’ development and ‘garden village’ proposals at Stanton and Chetwynd Barracks; and Northern Derbyshire Growth Zone (focused on Chesterfield and Staveley).
  - ‘Connectivity’ – setting out a strategic approach to linking people and growth opportunities to the HS2 network from the strategic right down to the very local, and integrated into our emerging designs for the Hub Station, the ‘innovation village’, and the areas around Chesterfield station and Staveley.
  - ‘Delivery’ summarising the ‘key moves’ from all three sections necessary to implement the growth strategy, and the immediate asks of Government required to safeguard future opportunities, including the necessary provisions in the Phase 2b Hybrid Bill.
- 2.65 While the publication of the Growth Strategy represents an important milestone in the Strategic Board’s work – in reality it is just the start of a much longer implementation phase. The key immediate priorities are:

- Establishing a Shadow Delivery Body: To provide the focus and critical mass necessary to drive forward the implementation of the Growth Strategy the current informal partnership will need to move to a more substantive arrangements. A meeting of council leaders chaired by Cllr Kay Cutts took place on 25<sup>th</sup> September to discuss potential options. A business case will be made to secure £5m over 5 years through the Chancellor's 2017 Budget to support the establishment of a 'shadow delivery body'.
- Phase 2b Hybrid Bill and Environmental Statement: Work to develop the provisions of the Hybrid Bill and the Environmental Statement describing the Bill scheme will take place primarily over the next 12 months. It will be important to ensure that there is maximum complementarity between the Growth Strategy and the Government's proposition, to minimise the need to secure changes to the Bill through the Parliamentary petitioning process.

### **3. Asylum and Refugee Resettlement**

#### **a) Dispersal of Asylum Seekers**

- 3.1 The East Midlands has been an asylum dispersal area since 2001 but it continues to be the case that the distribution of asylum seekers is uneven across the country and within the East Midlands - with areas in the north and midlands accommodating the majority of asylum seekers in urban centres of population.
- 3.2 Since the last Executive Board there have been no new offers of potential new dispersal areas brought forward within the region. The position remains that unless sufficient numbers of local authorities consent to becoming an asylum dispersal area, the power to impose asylum dispersal on a local authority area could be invoked by the Secretary of State.
- 3.3 Asylum seekers are located in 6 dispersal areas across the East Midlands; with approximately 800 in Derby City, 1000 in Leicester City, 950 in Nottingham City, 15 in Broxtowe and 55 in Oadby & Wigston. Gedling Borough Council has also agreed to become an asylum dispersal area but no placements have yet taken place. The latest information on the dispersal on asylum seekers supported under Section 95 of the Immigration and Asylum Act 1999 can be found [here](#).

- 3.4 The current COMPASS accommodation contract comes to an end in 2019 and the Home Office are consulting with local government, via EMC's Regional Migration Board, on future asylum dispersal arrangements.

**b) Refugee Resettlement**

- 3.5 In July 2017, the Government announced that the Syrian Vulnerable Persons Resettlement Scheme would be extended to cover persons displaced by the conflict in Syria and will no longer exclusively cover Syrian nationals (now termed the Vulnerable Persons Resettlement Scheme).
- 3.6 Over the summer, there were 38 additional arrivals as part of the Vulnerable Persons Resettlement Scheme bringing the regional total to 414 refugees.
- 3.7 Local Authorities that have participated in the resettlement of refugees through the programme are Derbyshire (Chesterfield, Derbyshire Dales, High Peak, South Derbyshire), Leicester City, Leicestershire (Blaby, Charnwood, Melton, Rutland, North West Leicestershire), Nottingham City, Nottinghamshire (Ashfield, Broxtowe, Gedling, Mansfield, Newark and Sherwood, Rushcliffe) and Northamptonshire (Northampton). Nationally nearly 8000 refugees have been resettled.
- 3.8 A schedule of arrivals has been agreed with the Home Office for 2017/18 and the East Midlands is being asked to accept 250 refugees as part of the ongoing commitment to the programme. Currently the region is 'below-profile' against this year's target and pledges from new and existing areas are being sought. The next charter flight of arrivals is due in November 2017.
- 3.9 Across the East Midlands, the key challenge to successful implementation of the scheme remains the identification of suitable accommodation. Councils in the East Midlands have continued to support the scheme and additional funding for void costs and adaptations has been welcomed.
- 3.10 EMC is working with East Midlands Further Education Councils (emfec) on mapping ESOL provision and drawing together best practice to support the roll-out of additional English language training and integration services. The final report is due imminently.
- 3.11 The Home Office are continuing to seek offers of pledges for the Vulnerable Children's Resettlement Scheme (VCRS). The scheme applies to children and their families

outside of Europe in refugee camps in the Middle East and North Africa, with the same funding levels as the current resettlement scheme.

- 3.12 Based on a proportion of the population, the number of refugees the East Midlands might be expected to support under the scheme would be just over 200. Two local authorities have indicated willingness to accept VCRS cases going forward.

**c) Unaccompanied Asylum Seeking Children (UASC) and Additional Resettlement Requests**

- 3.13 The UASC National Transfer Scheme (NTS) is based on regions taking a proportion of UASC in relation to their current looked after child population, with no region expected to exceed 0.07% UASC of refugee children as a proportion of the total child population.

- 3.14 While all local authorities in the region continue to be engaged in the ongoing discussions and planning, funding arrangements and local placements/capacity constraints have prevented some local authorities in the region from participating in the scheme itself, specifically:

- Derby City has indicated that due to funding and capacity it is not able to participate at this time.
- Leicestershire County Council have disengaged from the scheme until such time as the Government meets the full costs of placements and service provision; makes adjustments to the operation of the scheme to make it practical to deliver; or makes participation in the Scheme mandatory.
- Lincolnshire County Council's Executive has agreed to participate in the scheme subject to the participation of all East Midlands authorities.
- Nottinghamshire County Council confirmed on 17<sup>th</sup> July 2017 that its involvement in voluntary transfer schemes, namely the National Transfer Scheme, Regional Transfer Scheme and Dubs Scheme, be suspended in light of the funding shortfall.

- 3.15 As of August 2017, the total number of UASC in the region stood at 306. Less than 20% of total UASC numbers are a result of participation in the National Transfer Scheme; to date, 57 UASC have been transferred to the region directly from France, from Kent/London Boroughs, or in-region from Northamptonshire (note, these figures include 10 Dubs arrivals and 1 VCRS arrival).

- 3.16 The often experienced seasonal spike in the numbers of UASC presenting during the summer months did not materialise in any significant way during 2017. However, 6

local authorities have experienced spontaneous UASC arrivals in recent weeks which may indicate a delay in arrivals rather than a removal of the peak. Numbers will continue to be monitored by the UASC officer leads and the Regional Migration Board.

### **Funding and Costs**

- 3.17 The UASC costs report has been sent to the Home Office, County Councils Network and Local Government Association. As agreed, EMC's leadership wrote to the Immigration and Education Ministers highlighting concerns regarding funding and capacity.
- 3.18 The Home Office announced a review of UASC funding and EMC has submitted a regional response. This was primarily based on the regional UASC Costs Report (previously submitted in its entirety) along with a summary of the key points highlighting the current funding shortfall to the region of £7.46m per annum, the contribution of 'legacy' UASC (arrivals before 1<sup>st</sup> July 2016) to this figure of £5.65 million, and the projected deficit to the region when UASC numbers reach the 0.07% threshold of £14.7m.
- 3.19 The Home Office has indicated that they intend to publish the conclusions of their review in January 2018, with implementation in the 2018-19 financial year.

### **4. A Summary of EMC's Support and Service Provision to Councils**

- 4.1 Alongside the policy and programme work highlighted in this update report, I also wish to provide Nottinghamshire County Council with a summary of EMC's service provision to member councils.
- 4.2 The 4 pillar approach continues to provide the framework for EMC's work with our focus on being an all-member organisation, policy development, collective work and lobbying, and improving communications.
- 4.3 As an 'all-member organisation'; we routinely offered all councillors and officers in the region opportunities to attend our briefing, skills development and training events with 1,942 councillors and officer places taken throughout the year (5% increase).
- 4.4 We have continued to offer advice, access to low cost services and capacity support to our member councils - and all councils in membership accessed at least one of these discounted services during 2016/17 with EMC increasing the level of savings it has

delivered on behalf of its member councils estimated to be £858,000 – a return of over 3:1 against total member subscriptions.

- 4.5 We provided direct organisational support and HR services on 43 different assignments to councils in the region.
- 4.6 We provided advice to councils on 144 employment related requests.
- 4.7 We successfully held the first East Midlands Local Authority Challenge initiative that provided locally-centred support to develop and train over 100 local authority junior managers.

**Stuart Young**  
**Executive Director**  
**East Midlands Councils**



# East Midlands Councils



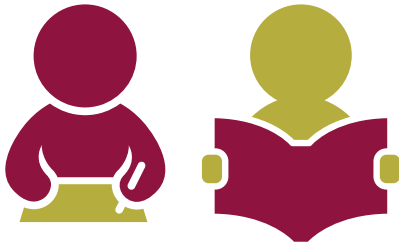
**£858,000**

savings delivered, a return of over 3:1 against subscriptions



**2000**

councillors sent our weekly policy brief



**37** different  
HR assignments undertaken



**1942** councillor and officer places  
taken on EMC training and development  
programme (5% up on last year)



**£22m** secured  
for Midlands Connect



**147** separate employment related  
requests for information and advice  
– all completed



**52** **11** organisations and  
of coaches in EMC's coaching  
network



**100%** of member councils that  
benefitted from at least one of  
EMC's service offers

**REPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG PEOPLE'S  
COMMITTEE****POLICY FOR PUPIL PLACE PLANNING AND NEW SCHOOL FUNDING  
ROUTES****Purpose of the Report**

1. The report seeks Committee approval of the Pupil Place Planning and School Capital Policy (attached as **Appendix 1**), which reflects both the 'presumption route' and 'direct route' processes where the building of new schools is required, as a result of house building and/or increases in the local population (Basic Need Programme).

**Information and Advice****Place Planning and Schools Capital Policy and Free School Presumption Process**

2. At the Children and Young People's Committee meeting on 19 December 2016, it was agreed to promote the 'direct route' to identify sponsors for any new school. Since then, the County Council has received further information from the Office of the Regional Schools Commissioner (RSC) as to the routes by which new schools can be established.
3. It remains the case that there are two distinct routes to open new schools:
  - a) the 'direct route', whereby an interested party perceives there to be a need for a new school and applies to the Department for Education (DfE) central free schools programme to establish a free school. If the bid is successful, the DfE will then source a building/site, fund the school build and also fund the revenue gap throughout the early years of operating the school.
  - b) the 'Free School Presumption Route' is used once a local authority has identified the need for a new school. The local authority would then secure funding, procure a site and deliver a school. The revenue funding for this is subject to the agreement of the Schools Forum. It should be noted that basic need or Section 106/Community Infrastructure Levy (CIL) preclude the use of these funding routes to address set up revenue costs.
4. In January 2017, as encouraged by the Education Skills Funding Agency (ESFA) and the New Schools Network, the Council's place planning officers provided a detailed briefing to Members and delivered two public events to key stakeholders, including multi academy trusts, indicating where new schools in Nottinghamshire were likely to be required as a result of housing development. This event was in response to a request by



the DfE and Housing Minister to work in partnership to ensure that the Government's target to open 500 new Free Schools by 2020 could be met. It has since become evident that the ESFA was no longer in a position to forward fund new schools through the direct route, when addressing demand for places by new housing developments.

5. The DfE and the ESFA have now indicated that councils will need to follow the 'presumption' route to secure new schools arising from housing developments, despite earlier requests to work more closely with the DfE's Free School teams to secure sponsors through the direct route.
6. This means that the Council is required to undertake the presumption route process to open new schools in the County. Capital funding for any new school, as a result of a housing development, is secured through a Section 106 agreement or CIL.
7. Members will be aware that the final selection of the sponsor of a new school, through either the free school presumption or direct routes, will be the decision of the Secretary of State for Education, through the Office of the RSC. The Council is expected to undertake the process to identify the sponsor of any new school in a fair and transparent manner and is able to make a recommendation to the RSC as to their preferred sponsor. When running a selection process to establish a new school, the Council must use the process and template prescribed by the DfE (see links to background papers below).
8. In order to maximise available funding resources, the Council will need to work closely with planning partners to ensure effective delivery of a sufficiency of school places. As new housing developments are built and existing Section 106 triggers are met, it will be essential that the Council continues to work in conjunction with local planning authority partners to secure the trigger payments in a timely manner.
9. It should be noted that many existing Section 106 agreements are for 1 form entry schools and in a small number of cases for 0.5 form entry schools. However, as the RSC has indicated a preference for larger primary schools of at least 2 forms of entry to ensure financial viability, the Place Planning Policy seeks to secure at least two form entry schools, wherever this is appropriate to meet the demand for school places.

### **Other Options Considered**

10. No other options have been considered, as there are no other routes available to councils to open new schools as a result of new housing.

### **Reason/s for Recommendation/s**

11. The existing Place Planning Policy does not allow for the use of the Free Schools Presumption route to secure funding for new schools. As this is the only route open to councils, when new housing requires a new school, the updated Policy allows for this option, as well as the Direct Route, which is available to other providers, such as a multi-academy trust.

### **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty,

safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That the Pupil Place Planning and School Capital Policy, attached as **Appendix 1**, be approved.

**Councillor Philip Owen**  
**Chairman of the Children and Young People's Committee**

**For any enquiries about this report please contact:**

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### **Constitutional Comments (SLB 06/11/17)**

13. Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments (GB 06/11/17)**

14. There are no financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The establishment and funding routes for new schools – report to Children and Young People's Committee on 19 December 2016

<http://ws43-0029.nottscc.gov.uk/dmsadmin/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/3792/Committee/482/SelectedTab/Documents/Default.aspx>

Creation of Additional Places to Support Demand

<http://www.nottinghamshire.gov.uk/media/127201/additional-places-to-support-demand.pdf>

Establishing New Schools:

New Legislation and the Implications for Policy and Strategic Decision-Making (DfE)

[Education Act 2011](#)

Proposal to Establish a New School – Process and Templates (DfE)

Establishing a new school: free school presumption - GOV.UK

Nottinghamshire: Primary and Secondary Planning Areas: May 2017

<http://www.nottinghamshire.gov.uk/media/127203/primary-and-secondary-planning-areas.pdf>

County Demographic Trend Data – Pupils Attending Nottinghamshire Schools at County and District levels

<http://www.nottinghamshire.gov.uk/media/127202/demographic-trend-data-pupils-attending-schools.pdf>

**Electoral Division(s) and Member(s) Affected**

All.

C1042

# **PUPIL PLACE PLANNING AND SCHOOL CAPITAL POLICY**



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## **Statement by the Chairman of Nottinghamshire County Council's Children & Young People's Committee and the Corporate Director for Children's Services**

Nottinghamshire County Council is an ambitious and progressive local authority committed to securing the best for Nottinghamshire and our residents.

Nottinghamshire is a great place to bring up a family and we want all children to have the best possible start to life. We believe that by working in partnership with early years' providers, schools, colleges and universities we will make sure that **people** have the opportunity to acquire the skills and qualifications to build a rewarding life and career as well as contribute to a vibrant local economy.

We want all children to have access to and attend good schools, where they enjoy their learning and achieve their potential, regardless of their background.

We have the legal responsibility to ensure there are the right number of school places. Our Education Learning and Skills Service manages this strategy and makes recommendations to the Members, who are accountable for our place planning and sufficiency arrangements.

The Government encourage all local authorities to "play a substantial and significant role in fostering and supporting free school proposals in their areas, particularly where there is a need for additional or high quality school places."

This Policy is a key document enabling the Local Authority to meet its statutory duty to provide sufficient places for the children and young people of Nottinghamshire. It provides a context for all to understand the pressures and considerations when addressing demand for the expansion of existing provision or the creation of new provision across the County.

This policy seeks to:

- provide the context for planning statutory school places, special school places, alternative provision and early years places, underpinned by relevant data;
- describe the process by which demand for places is forecast on a District and planning area basis;
- include key principles that will govern decisions on planning and delivering additional school places to provide parental preferences of schools which are good and outstanding wherever possible.

In addition, the Policy outlines the process of establishing a new school in Nottinghamshire bases on the current legislative framework within which the process is bound.

### **Key Stakeholders**

In order to deliver sufficient school places various County Council departments work closely with a wide range of partners. These include:

- all schools, academies and other relevant learning providers;
- Multi academy trusts and academy sponsors
- Local planning authorities, housing developers and their agents;
- the relevant Church of England and Roman Catholic Diocesan Authorities and District and Borough Councils to ensure there can be a shared understanding of the

need to secure appropriate levels of developer contributions when new housing developments are being planned.

This policy seeks to provide key stakeholders with the rationale that underpins this strategy. It will outline how decisions are reached about pupil place planning and how funding decisions are made in relation to capital funds from Basic Need funding and Section 106/CIL.

In the context of a changing and dynamic national education policy, this policy seeks to provide key stakeholders with the rationale that underpins this strategy. It will outline how decisions are reached about pupil place planning and how funding decisions are made in relation to capital funds from basic need funding and Section 106/CIL. Key stakeholders include:

- All schools, academies and other relevant learning providers;
- The relevant Church of England and Roman Catholic Diocesan Authorities;
- Local Planning Authorities, housing developers and their agents;
- District Councils to ensure there can be a shared understanding of the need to secure appropriate levels of developer contributions when new housing developments are being planned.

NCC is committed to working collaboratively with all key stakeholders to secure a sufficiency of school places for the children and young people of Nottinghamshire, putting families at the heart of the decision-making process. This County Council is committed to ensuring every family can access a good or outstanding provision.



Cllr Philip Owen  
Chairman  
Children and Young People's Committee



Colin Pettigrew  
Corporate Director  
Children, Families and Cultural  
Services



## Context

There is a new relationship evolving between the Education and Skills Funding Agency (ESFA), the Offices of the Regional Schools Commissioner (RSC) and local authorities to engage in a more active way to deliver free school proposals in the future. It is noted that ESFA colleagues are keen to support local authorities in maximising developer contributions for new schools and new school places through Section 106 agreements/community infrastructure levies (CIL).

The Education Act 1996 confirms that Nottinghamshire County Council (NCC) has a duty to secure school places for all children of statutory school age (5-16 years old) whose parents want them to be educated in a state-funded school. Subsequent Education Acts have built upon this, but the obligation placed on Local Authorities has not changed.

As the Local Authority's role shifts to that of being a 'commissioner' of school places, it will be necessary to work in a different way with a diverse range of providers and different models of governance. The future landscape of education provision in Nottinghamshire is expected to be a 'mixed economy' approach, characterised by a wide variety of schools, academies and other providers. The distribution of pupils in the types of Nottinghamshire schools is outlined below:

Type	Pupils
Academy Converter	45,429
Academy Sponsor Led	17,256
Academy Special Converter	107
Academy Special Sponsor Led	70
Community	45,009
Community Special	785
Foundation	752
Studio schools	127
Voluntary Aided	5,436
Voluntary Controlled	4,959
<b>Grand Total</b>	<b>119,930</b>

Recent changes in legislation have increased the numbers of school governance models in Nottinghamshire. More specifically, there has been a rise in the number of academies, including within the primary sector. As a result of government policy, all new schools will be free schools. As at May 2017, in Nottinghamshire 27.2% of primary schools are academies and 92.8% of secondary schools are academies. The tables below provide an analysis, as at May 2017, of the governance status of primary and secondary schools across each of the seven districts.

Nottinghamshire School Governance Status: May 2017								
Area	School	Academy	Community	Converting	Voluntary Aided	Voluntary Controlled	Foundation	Total
Ashfield	Primary	6	24	2	2	3	-	37
	Secondary	7	-	-	-	-	-	7
	Special	-	2	-	-	-	-	2
Bassetlaw	Primary	10	23	1	10	5	-	49
	Secondary	6	-	-	-	-	-	6
	Special	-	1	-	-	-	-	1
Broxtowe	Primary	6	27	-	1	2	-	36
	Secondary	5	-	-	-	-	1	6
	Special	1	-	-	-	-	-	1
Gedling	Primary	9	25	2	3	2	-	41
	Secondary	6	-	1	-	-	-	7
	Special	-	2	-	-	-	-	2
Mansfield	Primary	8	25	1	-	1	-	35
	Secondary	6	1	-	-	-	-	7
	Special	1	-	2	-	-	-	3
Newark	Primary	10	20	2	5	8	-	45
	Secondary	4	-	-	1	-	-	5
	Special	-	1	-	-	-	-	1
Rushcliffe	Primary	12	19	1	2	4	-	38
	Secondary	7	-	-	-	-	-	7
	Special	-	1	-	-	-	-	1

The national agenda is for popular schools to prosper and where appropriate consider growing thus delivering improved quality and standards across the education sector. The County Council supports this approach in principle, and in the role as commissioner, makes proposals to meet a 'basic need' which seek to achieve this. However, it is noted that some historical section 106 agreements are attached to schools which are no longer good or outstanding. Given the time lag between analysis of data and decisions regarding expansion and funding, it is also the case that a small number of schools has been expanded ahead of the projected need.

When new provision is needed due to a shortfall of places, good or outstanding schools will be encouraged to expand:

- where the proposal is to meet the statutory need;
- where it is physically possible and is deliverable in a timely manner;
- where it represents good value for money;
- where there is strong support from: local elected member(s) and school governors for increasing the size of the school;
- where the impact of increased vehicle movements (cars) can be mitigated effectively with improved access and sufficient parking facilities;
- where there is evidence that the expansion will lead to the continued provision of good education; and
- where there is evidence that the expansion will improve the future financial viability and sustainability of the school(s).

For long term planning, it is assumed that all schools have the potential to be good or outstanding. Ofsted judgements are factored in to decisions governing where schools are to be expanded and which sponsors should be supported when opening new schools.

The County Council will work in partnership with local state funded schools, multi academy trusts, local elected members and academy sponsors in the expectation that solutions will be found in the majority of circumstances.

### **Viability and Sustainability**

The preference of the Local Authority is to expand primary schools in half or whole forms of entry (1 form of entry constitutes 210 pupils) unless there is no other option available. Expansions will endeavour to bring the facilities of rural schools as up to date as possible. Whilst rural small schools will continue to play an essential role in providing much needed capacity, it is nonetheless the case that financial security within the primary sector must be an important consideration.

Ideally, school expansions and new primary schools will endeavour to create two forms of entry with viable secondary schools providing at least seven forms of entry to ensure efficient delivery of the curriculum. This would secure primary schools of 420 pupil places, and secondary schools (11-16) with 1,050 pupil places wherever possible.

In some areas of the County, particularly rural communities, small schools will be inevitable. However, given the scale of financial challenge facing schools at this time, governing bodies of small rural schools are being advised and supported by the County Council to agree formal collaborations, federations or membership of multi academy trusts to secure longer term viability and address the needs of local children.

If a school becomes either educationally or financially unviable and local reorganisation remains the only option, the County Council will work closely with the governing body and other stakeholders, such as the Diocese, the Regional Schools Commissioner, the local elected member(s) and ESFA, to identify potential solutions, but with a presumption of the school remaining open and with closure as a last resort.

### **Demographic Context**

The total number of pupils attending Nottinghamshire schools as of the May 2017 statutory school census was 111,480 of which 46% attend maintained, foundation, voluntary aided or voluntary controlled schools and 54% attend academies. A summary of pupils of statutory school age attending schools in Nottinghamshire is shown below.

All Schools	Children Attending Nottinghamshire Schools: Statutory School Age by Type of School												
	Primary						Secondary						Special
	YR	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Y11	All Ages
	9625	9735	9545	9290	9268	9056	8749	8288	8217	7881	7566	7468	729
	65,268						39,420						729
	105,417												

### Key Nottinghamshire Statistics (May 2017)

282 state-funded primary schools, 45 state-funded secondary schools, 11 state-funded special schools

111,480 pupils attending state-funded schools in Nottinghamshire

65,268 pupils attending state-funded primary schools in Nottinghamshire

39,331 pupils attending state-funded secondary schools

6,881 pupils attending state-funded post 16 schools

956 pupils attending state-funded special schools

27.2% of primary aged pupils attending primary academies

92.8% of secondary aged pupils attending secondary academies

19% attending special academies

### Demographic Trends

Across the whole of the County, the number of four year olds began to increase around 2010/2011. Given the falling rolls of previous years, this sharp increase in numbers of four year olds did not initially impact on the County's overall ability to provide pupil places where they were needed. However, as smaller cohorts of older children were replaced by larger cohorts of younger children, overall pressure on primary places resulted in Nottinghamshire County Council investing in excess of £70M basic need funding to create 5409 permanent primary places to ensure demand for primary school places could be met (see Document 1 in the Background Papers for detailed information).

Further details on the demographic trends in the County and districts can be found in the background papers provided separately.

## Special School Provision

Nottinghamshire County Council is responsible for ensuring that pupils with an Education, Health & Care Plan (EHCP) or statement of special educational needs attend a school that is appropriate to their needs, promotes high standards and the fulfilment of potential, and that is near to where they live. The Council recognises that pupil population growth and changes in pupils needs over time require an increase in the provision and range of high quality special schools, which minimises the need for unnecessary travel distances from home.

Where an assessment of need identifies a specific school which is rejected by parents/carers for a more distant one, the transport costs of attending the alternative will be borne by the parents/carers.

Approximately 1800 pupils across the county (1.3%) have an Education Health and Care Plan or Statement of Special Educational Need, 58% of whom attend one of 11 Nottinghamshire special schools/academies. This is very low in comparison to Nottinghamshire's statistical neighbours at an average of 2.5% and lower still when compared with the national average at 2.7%.

All Nottinghamshire special schools/academies are judged to be at least *good* by Ofsted, with the exception of one, which is currently *inadequate*, but is improving rapidly. This means that 96% of pupils are educated in a special school/academy which is good or better. In addition, one of the special academies remains uninspected since it converted to an academy but their current self-evaluation shows that if inspected now they would be judged as good.

Nationally there is an insufficiency of special school places but this is a complex issue and is due to a number of factors and, as a result, some Nottinghamshire children and young people have been placed at other schools outside of their locality or with independent providers.

This means that some children with SEND travel greater distances than we would wish, potentially isolating them further from their local community.

NCC recognises that there is always likely to be a small number of children who will always require a higher level of specialist provision than we are able to provide. However, the Council is committed to reducing the number of children travelling too long a distance to school and the number of children attending independent non-maintained schools by expanding the number of special school places and broadening the specialist offer within the County

If this demand for special school places is projected forward, there will be a demand for a further 140 additional special school places in Nottinghamshire in the next five years. This is addressed through a coherent plan for the expansion of special school places.

Most special schools are aligned to localities within a district and meet the needs of a broad range of pupils. Some special schools have particular specialisms in working with certain types of need.

Sixty per cent of children and young people attend a special school within five miles of their residence, thirty percent within 5 and 10 miles, and ten percent live 10 to 25 miles from

home. There are significant transport cost implications to this pattern of place delivery.

Additional factors to consider in the context of special school places include:

- raising the participation age and the extension of care for those with special educational needs to include those up to 25 years;
- the issue of offering childcare to those between two and four years old;
- parents can state a preferred school for their child to attend in the Education Health and Care Plan process;
- significant current and planned housing developments;
- increased number of exclusions for children and young people with SEND;
- increased numbers of children surviving from birth with multiple medical conditions.

### **Forecasting Pupil Numbers**

Projecting the demand for school places is critical if the County Council is to fulfil its statutory duty to secure a sufficiency of places. Nottinghamshire uses a Capita ONE module, in line with many other authorities, and it provides an efficient and well supported process.

Nottinghamshire County Council groups schools across the county into 'planning areas', which have been created following an analysis of the movement of children across school catchment areas, moderated by local knowledge of natural and man-made geographical boundaries, such as rivers and trunk roads, that restrict access to some schools. Using this approach will provide a more accurate reflection of the specific areas and schools within the county that are likely to become pressure points. (See documents 4 and 5 in the Background Papers for details).

### **Forecasting Methodology**

The methodology employed by the County Council for forecasting pupil numbers is the same as that used by many other Local Authorities and is approved by the Department of Education on an annual basis.

Population profile data is aggregated to postcode and age group, which enables the numbers of children in each cohort to be mapped against school catchment areas. In turn, this data is aggregated to the planning areas. This provides the number of young people living in each planning area organised by National Curriculum year cohort.

The statutory school census data for an individual school for each of the past 3 years is compared to the corresponding population profile data for the planning area in which the school is located. This results in a 3 year period percentage intake from the planning area. These 3 percentages are averaged; however, the average is weighted towards the more recent census year.

This percentage is then applied to the appropriate population profile data for the next 5 years to create a first admission and infant to junior projection for the following 5 years.

There is always a degree of movement into and out of schools throughout the year and this is calculated to produce a 'cohort flux', losses or gains between one school year and the next. The average cohort flux for each year group over the past 3 years is calculated for the school and is applied then to each cohort projection to project numbers for the following year. If

there are any known housing developments, the pupil yield from these is recorded against the appropriate school(s).

This approach takes account of shifts in population and the expression of parental preferences to a degree. However, parental preference can fluctuate over short periods of time, as can inward and outward migration, and factors such as these pose significant challenges to providing highly accurate projections of pupil numbers.

At secondary level, the planning of school places will recognise the wider geographical area served by secondary schools, and the greater flexibility they have in accommodating changing numbers. For these schools, assessments of future pupil numbers will be based initially on the historic transfer data from the current linked primary schools and analysis of previous parental preference.

Forecasts of pupil numbers for secondary schools are based on the historic transfer of pupils (usually the average of the last three years) from their linked primary schools. Individual school intakes are adjusted to recognise parental preference, admission numbers, the usual number of successful appeals and general in and out catchment movement trends.

The staying-on rates into post 16 education within school sixth forms (Years 12 and 13) are based on recent staying-on rates.

Where the assessment of future pupil numbers confirms that a change is needed in the capacity of an existing school or a change of age range, the County Council will work closely with the school(s), governors, and the Regional Schools Commissioner and Education and Skills Funding Agency to ensure that there is clarity regarding the future pupil numbers, and that there are effective arrangements in place during any years of transition.

### **Statutory Processes Relating to Expanding and Opening New Schools**

The co-ordination and management of all Local Authority school place planning is located in the Children, Families and Cultural Services Department of the County Council. Recommendations regarding the allocation of relevant capital resource is overseen initially by the Corporate Director for Children's Services and by the Corporate Director for Place. Where additional funding is necessary, the Council's Corporate Asset Management group (CAMG) will consider such business cases. Operationally, expansions and new builds are monitored by the team managers within Children, Families and Cultural Services and Place Services through the mechanism of the coordinated meetings. All recommendations are decided upon by elected members.

Where any proposals for change require the Council to follow the prescribed statutory process, as set out in the guidance 'Making Prescribed Alterations to Local Authority Maintained Schools' published by the Department for Education (DfE) 28 January 2014 and updated April 2016 (based on The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013), the Corporate Director for Children, Families and Cultural Services will ensure that the appropriate timescales and processes are followed, notices published accordingly so as to make clear the proposed change, the rationale for this, including what other options (if any) might be considered, the anticipated timescales, key consultees and means of response.



Where proposals relate to academies and other providers, NCC will work closely with the Department for Education (DfE), Regional Schools Commissioner and Education and Skills Funding Agency to give contextual information and other advice to enable decisions to be taken by the Secretary of State for Education.

The Department for Education website contains full guidance on making changes to school organisation and provides links to relevant statutes. This can be found at [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)

As a commissioner of school places, NCC will fulfil its statutory duty by:

- promoting good choice and diversity of education providers across the county;
- ensuring that, through effective school place planning, Nottinghamshire County Council supports the most vulnerable children including those in care, at risk of social exclusion, and those who have special educational needs or require alternative provision; and
- seeking to support local solutions for the provision of additional school places to meet need and to secure financial viability.

NCC will develop a capital programme (Basic Need and Section 106/CIL) which reflects the commitment to the delivery of sufficient school places utilising creative solutions, such as amalgamation, federation, the expansion of good schools.

#### Underlying principles for expanding school places

- We shall include a review of school's performance in the planning process for the whole estate in order that more children and young people can attend successful schools. In reviewing the Local Authority's basic need requirements, acknowledgment of popular schools will be factored into any plans for expanding school provision wherever possible.
- Permanent expansions will be preferred to the installation of temporary (mobile) classrooms.
- If there is a requirement to expand a school, it will be enlarged to the next level of capacity which lends itself to good classroom organisation (e.g. 105, 210, 315, 420, 525, 630 places) wherever possible.
- We shall seek to align capital development at schools to secure good value and ensure minimum disruption to the operation of the school (for example, refurbishment of a school will be delivered alongside expansion of places where it is sensible to do so).

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#### Need

NCC receives a budget allocation from central government to fund the provision of additional places that are required to alleviate pressures, identified as Basic Need. This allocation is based upon the annual School Capacity Report (SCAP) return (see below) that each Local Authority is required to produce. When this occurs, place planning officers will evaluate all



available data to inform a report of the Service Director, to make recommendations for elected member approval.

The SCAP sets out the capacities of individual schools and planning areas, together with the equivalent forecast demand for places for a five year period for primary schools and a ten year period for secondary schools. Following a rigorous quality assurance process, this translates into a calculation of the number of additional places required across the county in order to satisfy demand. This, in turn, allows the DfE to allocate a percentage of the nationally available funding to each Local Authority. Both the DfE and the National Audit Office have, on a number of occasions, accepted that these Basic Need allocations may not cover the true capital building cost of school places.

### **Section 106/CIL funding for creating additional spaces resulting from housing developments**

NCC is a statutory consultee of the Local Planning Authorities (LPA) whenever new housing developments are proposed. Officers in Policy, Planning, Corporate Services and Support to Schools Service analyse the impact this new housing would have on the supply of and demand for school places. Where necessary, and within specific parameters, NCC requests formally an educational contribution which is incorporated within the wider section 106/CIL agreements negotiated between the district councils and the developers. In a small number of these agreements, NCC is a co-signatory. It is of concern that some district councils do not always agree or secure the necessary contributions for the delivery of sufficient school places. Officers are exploring ways in which to address the shortfall.

NCC's *Planning Obligations Strategy* sets out the County Council's standard requirements, enabling developers to take into account the potential costs of a proposed development at the earliest stage. The strategy does not have any statutory status but if development proposals do not comply with the requirements set out then it could be used as a reason for refusal of planning permission by the Local Planning Authority. The County Council's *Planning Obligations Strategy* was adopted by the Policy Committee in **April 2014**, but this policy is under review currently.

In addition to the Planning Obligations Strategy, NCC Resources has developed a Section 106 protocol which defines the ways of working with each district/borough. The Council's ambition is that all district and borough councils will adopt this way of working.

### **Establishing a New School**

If a new school is required to either satisfy demand for places from a new housing development or through population pressures, the 'free school presumption' can be triggered. Following the Academies Act 2010 and the Education Bill 2010/11, the Education Act 2011 requires Local Authorities to publish proposals for the establishment of a free school whenever they identify a need for a new school. Section 37 of the Act became law on 1 February 2012 and makes changes to part 2 of the Education and Inspections Act (EIA) 2006 to include the 'Academy/Free School presumption'.

The presumption route is led by the County Council which will be responsible for running a free school presumption competition process and is responsible for some of set up costs associated with the new schools. This is likely to represent a new cost pressure for the

County Council.

There is an alternative mechanism whereby potential school sponsors make an Expression of Interest (EOI) direct to the Regional Schools Commissioner (RSC), thus removing Nottinghamshire County Council from the decision making and establishment costs. This is known as the 'Free Schools Presumption - Direct route'.

Document 2 'Procedures for establishing new schools – the free school presumption' in the separate document of background papers outlines the formal process which will be adopted by NCC to run any presumption competition. The Place Planning and Admissions Board has approved the proposal to progress towards adopting the proposal outlined in this document.



**REPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG PEOPLE'S  
COMMITTEE****WATNALL ROAD, HUCKNALL, HOUSING DEVELOPMENT - FREE SCHOOL  
PRESUMPTION PERMISSION REQUEST****Purpose of the Report**

1. The report seeks approval to run the presumption process to identify the sponsor for the required new school on the Watnall Road site in Hucknall, to be opened on a phased basis from September 2019.

**Information and Advice**

2. The building of a new free school is required as a result of the Section 106 agreement between Rolls Royce PLC, Ashfield District Council and Nottinghamshire County Council, signed on 14 November 2014. The first trigger was met in March 2017, meaning the land is now available for transfer to Nottinghamshire County Council ownership.
3. The Hucknall planning area is one which has witnessed housing growth over the last five years. 420 additional school places have already been created in existing schools to meet the demand from population growth, funded through Basic need and/or Section 106 contributions. The additional places are in the following schools:

Beardall Fields	from 210 to 420 creating 210 additional places
Leen Mills	from 350 to 420 creating 70 additional places
Broom Hill Junior	from 240 to 300 creating 60 additional places
Butler's Hill Infant	from 180 to 225 creating 45 additional places
Edgewood Primary	from 280 to 315 creating 35 additional places
4. The building of a new school is now essential to meet the projected demand from the new housing development on the Watnall Road site in Hucknall.
5. It is recommended that pupil recruitment to the new school should be on a staggered basis with a 'First Admission' number of 30 and a lower published admission number (PAN) of 15 in year groups 1 to 6 initially. This mechanism would manage the demand for places arising from the Watnall Road development over time.
6. The information, including application form and criteria for assessment, inviting a submission to become the sponsor of the proposed new school at Watnall Road,

Hucknall, is attached in **Appendix 1**. This document is informed by DfE advice on inviting bids for new Free Schools.

7. Once a sponsor has been approved by the Department for Education (DfE), the Council is expected to work with the sponsor to agree a reasonable and mutually acceptable funding allocation to cover the revenue costs when opening new schools through the presumption route. The exact level of these costs is unclear, but they cannot be paid from either Section 106 contributions or Basic Need grants.
8. The new school site on the Watnall Road housing development became available to the County Council on the occupation of the hundredth dwelling. This means that the Council now has access to the site and sufficient funds to commission design work. The design work has already begun. The identification of a sponsor for the new school is now urgent so that work can begin on the establishment of staffing structures and governance arrangements, in readiness for the opening of the new school in September 2019.

### **Other Options Considered**

9. On 23<sup>rd</sup> January 2017, potential sponsors were informed of the need for a new school on the Watnall Road site in Hucknall. They were invited to consider expressing an interest in becoming a sponsor and applying to the DfE under the 'direct route' to open a new school on this site. No sponsors have approached the Education and Skills Funding Agency (ESFA) to express an interest. Therefore, the presumption route is the only route available to open a new school on the Rolls Royce site.

### **Reason/s for Recommendation/s**

10. The presumption route has been identified as the most appropriate means for the Council to secure sufficiency of school places on this occasion.

### **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

12. Whilst Section 106 contributions of £3.6 million (plus indexation) have been secured in relation to the building of the new school on the Watnall Road site, additional capital may be required should the build costs be more than the Section 106 contribution.

### **RECOMMENDATION/S**

- 1) That approval is given to run the presumption route to identify a sponsor for the required new school on the Watnall Road site in Hucknall, to be opened on a phased basis from September 2019.

**Councillor Philip Owen**  
**Chairman of the Children and Young People's Committee**

**For any enquiries about this report please contact:**

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**Constitutional Comments (LM 07/11/17)**

13. The Policy Committee is the appropriate body to consider the content of the report

**Financial Comments (GB 06/11/17)**

14. The financial implications are set out in paragraph 12 of the report. A variation to the capital programme is required to approve the Section 106 contribution into the capital programme. Further variations to the capital programme will also be required if project costs exceed the Section 106 contribution or if Section 106 triggers are not in line with funding requirements.

**Background Papers and Published Documents**

None.

**Electoral Division(s) and Member(s) Affected**

All.

C1052



## **INVITATION TO SUBMIT A PROPOSAL TO RUN A NEW PRIMARY SCHOOL**

### **Introduction**

Nottinghamshire County Council (NCC), as the Strategic Commissioner of Education Provision in the County, is responsible for ensuring there are sufficient high quality places for all learners, while at the same time fulfilling the Local Authority's other responsibilities to raise education standards and be the champion of children and their families in securing good quality education.

The Local Authority has been working closely with its partner Planning Authorities to identify where significant housing development will require new school place provision.

The opening of new schools will be the subject of discussion with the appointed Free School Sponsor to ensure they are timed to meet demand for places from the new housing.

### **A New School for Hucknall**

This area that has experienced significant population growth in recent years creating 420 additional school places since 2012.

The future demand for primary and secondary school places will come from the development of the Land at Watnall Road (former Rolls Royce site) which has secured section 106 funding together with the land required to create a single-form entry primary school. This will meet the immediate projected shortfall for 2019/20. Given that the local plan suggests there will be further house building, the recommendation is that the current school is built in such a way it allow further expansion in the future.

The Local Authority will require an additional 189 primary school places and 144 secondary school places to meet the demand for education provision directly arising from the development of this site.

This primary school will be a linked primary to the Holgate (Secondary) Academy.

### **'Your Nottinghamshire, Your Future' - the Vision for Nottinghamshire**

We want Nottinghamshire to stand out as -

- A great place to bring up your family
- A great place to fulfil your ambition
- A great place to enjoy your later life
- A great place to start and grow your business



The Local Authority has made twelve commitments to the people of the County, and set out its vision for the next five years. The full statement can be seen at [here](#).

## **Education Vision**

Nottinghamshire County Council's vision for education is expressed within the County's Vision Statement.

We want all children to attend good schools, where they can enjoy their learning and achieve their potential, regardless of their background. We will work to ensure there are sufficient school places so that parents have choice. We believe all local schools should be able to achieve at least a "good" standard, as judged by Ofsted, and we will work with our schools and academies to achieve this. Where schools are not hitting this target, we will stand up for parents and children by challenging the schools to improve quickly, offering the necessary support for them to do so.

We will continue to support children and young people who have special educational needs and disabilities. We will help to break down barriers and encourage greater independence, by working closely with families, schools and partners in the health services.

When young people leave school, it is important that they move on to a destination which suits them and enables them to get a good job. We will work with our schools, colleges, universities and training providers to ensure that our young people have a range of education and employment options, so that they can choose the direction which best matches their particular talents and interests.

Working in partnership with early years' providers, schools, colleges and our universities, we will make sure that people have the opportunity to acquire the skills and qualifications they need to build a rewarding life and career.

We will focus on encouraging those children who are high performers, whilst supporting those who are not yet achieving their full potential, for whatever reason. We want all children to have the same opportunities and life chances.

NCC wants all children to have the chance to realise their potential so they can enjoy a happy and prosperous life, where high aspirations are the norm. Children and young people who are healthy are more able to enjoy life, achieve their ambitions and carry this success into adulthood. We will support families to make informed and healthy lifestyle choices for their children.

## Key Dates

Event	Date
Invitation to submit a proposal published	5/1/18
New school community consultation opens	5/1/18
Deadline for receipt of applications	2/2/18
New school community consultation closes	2/2/18
NCC informs DfE of all proposals received	5/2/18
Promoter Assessment Panel meets	26/2/18
NCC submits all proposals to the Secretary of State	9/3/18
Secretary of State appoints the successful promoter	Tbc

## Project Details

### Curriculum

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake and should:
  - promote children's engagement in learning by developing skills, dispositions and attitudes to learning
  - develop children's spoken language, reading, writing and vocabulary as integral aspects of the teaching of every subject (*JP - taken from 6.1 of Stat Guidance for National Curriculum KS1-4 Dec 2014*)
  - prepare children for a future in a rapidly changing world by developing their intellectual, practical, aesthetic, spiritual, social and emotional capacities
  - enable all pupils to set their life and society in a relevant cultural, historical and geographical context and understand the nature of the world in which they live
  - help pupils acquire the knowledge, concepts, basic and transferable skills, values and attitudes which will serve them now and in the future
  - provide pathways into work that meet the specific need of each individual pupil
- Strategies for measuring pupil performance effectively and setting challenging targets so that:
  - Pupils' starting points and capabilities are recognised and used to tailor a curriculum to ensure they make all the progress of which they are capable
  - achievement and development in every individual's personal growth and academic results are recognised
- A staffing structure that will deliver the planned curriculum within the expected income levels; with a focus on outstanding teaching (including strategies for effective performance management)
- The needs of all children(*including those who are disadvantaged or vulnerable learners*) are fully provided for and how the school will be fully inclusive so that pupils can:
  - reflect sensitivity to issues of gender and culture, and commitment to whole school action in the pursuit of good practice in these important areas
  - overcome any barriers to achievement and curriculum engagement in order to become resilient, independent and successful learners
- Enrichment and extended services, for example, breakfast clubs, sports clubs, homework clubs and music/art clubs that:
  - provide a wide range of high quality learning experiences which engage students and stimulate their imagination
  - provide opportunities for aesthetic and creative development, including

- interpreting, performing, designing, making and problem solving
  - provide opportunities for taking part in a wide range of physical activities, sports and games to promote lifelong healthy living
- The school's approach to: PHSE; the Prevent Duty; safeguarding and welfare; and promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs)

## **Admission Arrangements**

The published admission number (PAN) for the school will be 30. It is expected that there would be a clear commitment to serve the local community of the new development at Watnall Road, and to support the creation of a community in this area. The school is intended to serve families living within walking distance of the school in order to reduce the need for car journeys.

The promoters will become the admission authority for the school.

Admission authorities of maintained schools in England have a statutory duty to act in accordance with the relevant provisions of the School Admissions Code (SAC). This includes setting admission arrangements, participating in Nottinghamshire County Council's (NCC) coordinated scheme for the normal admission rounds and NCC's Fair Access Protocol.

The admission authority for the new school will need to comply with the School Admission Appeals Code and other guidance and law that affect admissions and admission appeals in England.

## **The School Buildings**

The schools will be procured by NCC and built to the agreed Education & Skills Funding Agency (ESFA) specification for a one-form entry primary school, including provision of all FFE. The site and buildings will be leased to the Academy Trust for 125 years.

## **Revenue Funding**

Given that the educational landscape is maturing, with Multi-Academy Trusts developing their own infrastructure and capacity, it is the view of the County Council that all publicly funded stakeholders should ensure that available resources are pooled to meet the need for new school places.

There is a shared duty that Multi-Academy Trusts, Local Authorities and the DfE should work together to maximise resources and minimise the duplication of effort, and waste of any kind. Therefore, this Local Authority will not forward fund senior leadership salaries as we expect that Multi-Academy Trusts will have the capacity to do so.

NCC will provide a financial contribution of up to £200,000 towards revenue costs associated with pre-opening and early operation which will commence from January through to 31 August prior to the new school opening on 1 September 2019. On

opening, the new school will be funded directly by the Education & Skills Funding Agency (ESFA).

NCC will not pay leadership and governance costs to the Promoter. Therefore, potential promoters will need to confirm that they would be prepared to proceed on this basis if they are selected.

The Local Authority must make provision in their growth funds to support increases in pupil numbers related to basic need. Therefore, NCC will make Pupil Growth Funding available in accordance with the policy established by NCC. The primary school will be able to access Primary Pupil Growth Fund under the terms agreed by the School Forum.

## **Application Process and Assessment Criteria**

Potential proposers are asked to complete the full application form available on the Nottinghamshire County Council webpage.

**The full application form should be sent electronically no later than noon on 2 February 2018 to [place.planning@nottscc.gov.uk](mailto:place.planning@nottscc.gov.uk)**

## **School Specification**

The new primary school will be located at the Watnall Road development on the former Rolls Royce site, as shown in the attached map. It will be a single-form entry primary school with provision to enable it to expand to become a 1.5-form entry primary school should demand for primary school places requires.

## **Expected Opening Date**

It is anticipated that the school will open in September 2019.

## **Age Range**

The age range of the schools will be Reception to year 6. In addition there will be a 26 place early years provision on the school site.

## **Capacity**

The capacity of this school will be 210 pupils when fully operational, with provision in design and construction to enable expansion to a 1.5-form entry primary school (315 pupils) if required.

There are a number of key principles that guide how the Authority wishes the see the new school opened.

- There should be sufficient places to ensure that families moving into the new housing developments are able to secure places at the school(s);

- That the school(s) serving the new housing developments do not open in a way that causes problems at the existing primary school(s) within a two-mile radius;
- That the school(s) should be part of the NCC Admissions arrangements; and
- That the school(s) shall take part in the NCC agreed Fair Access protocol.

NCC would wish to work with the Promoter to agree a pattern for opening of place provision to ensure this policy is maintained, whilst working with and supporting the existing local schools. These proposals will form part of the evaluation of bids.

### Anticipated Structure of the School

It is anticipated that the school may develop thus –

	<b>September 2019</b>	<b>September 2020</b>	<b>September 2021</b>	<b>September 2022</b>	<b>September 2023</b>
<b>Reception</b>	30	30	30	30	From this stage in its growth, it is anticipated that the budget will be determined by numbers on roll and the school budget allocation.
<b>Year 1</b>	15	30	30	30	
<b>Year 2</b>	15	15	30	30	
<b>Year 3</b>	15	15	15	30	
<b>Year 4</b>	15	15	15	30	
<b>Year 5</b>	15	15	15	15	
<b>Year 6</b>	15	15	15	15	
<b>Indicative Pupil Funding</b>					

NCC will evaluate proposals received and provide the DfE with copies of the proposals and the assessment of them. The assessment criteria mirrors, as far as possible, those used by the DfE. These focus on strategic vision, educational capacity and performance, financial planning and operational capacity and governance.

NCC Elected Members will make a recommendation to the Secretary of State as to its preferred provider, following evaluation according to our published criteria. It is recognised that the Secretary of State, through the office of the Regional Schools Commissioner, will decide on which promoter with whom he/she will enter into a Funding Agreement.

The DfE will consider entering into a funding agreement with an approved sponsor only. If you are a new proposer, you will need to go through the DfE's sponsor approval process and should contact the DfE as soon as possible and before submitting your full application form to the Local Authority.

Additionally, the Local Authority would expect promoters to demonstrate –

- How they will ensure that pupil achievement and rates of progress are above national expectations;

- How they will ensure vulnerable groups of pupils perform as well as other children;
- That they have a strong culture of working collaboratively with other education providers locally and in other parts of Nottinghamshire, and specifically in and around the Hucknall area;
- How they will support the integration and the development of the new community within Hucknall including their commitment to working in partnership with local stakeholders; and
- How they will work in close partnership with NCC.

You will need to submit a focused and coherent education plan as part of Section C of the application. Also, you will need to submit a 3 year budget plan as part of Section D of the application.

## **Background Documents**

<http://nottscc.gov.uk/your-nottinghamshire-your-future-the-new-council-plan-for-2017-2021>

<http://nottscc.gov.uk/localoffer>

<http://www.nottinghamshire.gov.uk/education/school-admissions>

<http://www.nottinghamshire.gov.uk/education/special-educational-needs-and-disabilities-send>

[Place Planning Strategy – when published]

<http://www.nottinghamshire.gov.uk/education/school-discipline-and-exclusions>

LINK TO PUPIL GROWTH FUND IN HERE.

## APPLICATION FORM

### NEW PRIMARY SCHOOL AT Watnall Road, Hucknall, NOTTINGHAMSHIRE

<b>Section A: Applicant details (personal information will be treated in accordance with the Data Protection Act)</b>	
<b>Main contact for this application</b>	
1	Name
2.	Address
3.	Email address
4.	Telephone number
<b>About your organisation</b>	
5.	Please give details about your organisation or group
6.	Has your organisation/group been approved by the DfE as an academy sponsor?  Yes/No
7.	Outline some context about schools with whom you are working currently –  a) Please provide details of the schools you are running/sponsoring currently; and b) To what extent are you supporting and/or working with other schools in their school improvement and what impact has this had, or is having?
8.	How many schools do you have DfE approval to open in the next two years?
9.	Did you put together this application with support from another company or organisation?  Yes/No



10.	If Yes, please list the name(s) of the organisation(s) and describe clearly the role they played in developing your application. Please describe the role (if any) you envisage for them in setting up and/or running the Academy if your application is successful.
11.	Through its members, directors or otherwise, does the company limited by guarantee have any formal or informal links (e.g. financial, philosophical or ideological) with any other organisations within the UK or overseas? These may include other Academy or Free School groups, other institutions, charitable bodies and/or commercial or non-commercial organisations.  Yes/No
12.	If yes, please provide details
13.	Would your proposed school be designated as having a religious character or have a faith ethos? Please give details below.
14.	Declaration of Personal/Business Links with Elected Member(s) and/or Senior Officer(s) of Nottinghamshire County Council
15.	Have you submitted an application to the ESFA to open a primary school at this site through the Direct Bid route already?  Yes/No

<b>Section B: Strategic vision</b>
<b>Section C: Education Plan</b>
<b>Section D: Relationship with other schools, the Council and the wider education community</b>
<b>Section E: Capacity and capability</b>
<b>Section F: Financial planning and viability</b>

**We confirm that:**

We will comply with the requirements of the School Admissions Code (SAC), and other guidance and law relating to admissions	Yes/No
We accept the funding arrangements for set up and resourcing the school, including the fact that we will receive no further “Project Management Funding”	Yes/No
We will participate in Nottinghamshire County Council’s agreed Fair Access protocol	Yes/No
We will accept the Local Authority’s policy on Safeguarding and implement it within the school	Yes/No

We understand that Nottinghamshire County Council does not bind itself to accept any of the submissions, and will not be responsible for any costs, expenses or losses of whatever nature incurred in connection with the process.

Signature .....

(Print Name .....)

Date .....

**Note: Application forms must be returned electronically no later than**

**[Date]**

**to:**

**[place.planning@nottscc.gov.uk](mailto:place.planning@nottscc.gov.uk)**

**NCC Assessment Criteria  
(Based on Criteria developed and published by the DfE –  
The Free School Presumption Protocol Annex C)**

Applications to promote a Free School will be assessed using the criteria detailed below. These relate to the sections and numbering on the application form. The responses will be evaluated by a working group of officers and elected members.

**Strategic Vision (*Section B of the Application Form*)**

The Local Authority will be using two criteria to assess this section of your application.

**Criterion B1 - Provides a clearly focused, coherent vision that underpins the application with a compelling rationale for establishing the school.**

You must:

- set out clearly why you are seeking to promote the school;
- identify any particular ethos you wish your school to have (including any religious or other beliefs);
- identify how your vision and ethos (including any religious or other beliefs) are reflected in the education plan and the curriculum; and
- set out your aspirations for the achievement of individual pupils, and the school as a whole, demonstrating your commitment to achieving outcomes and rates of progress above national expectations.

**Criterion B2 - Sets out how proposers will demonstrate they support UK democratic values**

You must:

- provide evidence that you support UK democratic values including respect for the basis on which UK laws are made and applied, and respect for democracy; and
- support for individual liberties within the law, including mutual tolerance and respect, and how you will ensure the academy meets this objective.

**Education Plan (*Section C of the Application Form*)**

The Local Authority will be using eight criteria to assess this part of your application.

You should only seek to address criterion **C8** if you are intending to be a faith ethos school, a school designated as having a religious character or if you are proposing a school with a particularly distinctive educational philosophy and worldview.

**Criterion C1- Explains the rationale for the proposed curriculum, how it reflects the needs of the anticipated pupil intake and the plans for their progression and transition.**

**Criterion C2 - Sets out a viable curriculum plan with appropriate focus on breadth and balance, core areas of learning, and calendar and timetable.**

You must:

- describe the curriculum, setting out how it will be broad and balanced; and
- detail your expectations around the length of the school day, term and year.

**Criterion C3 - Shows how the staffing structure will deliver the planned curriculum.**

You must:

- set out plans showing an appropriate and phased development of the staffing establishment in line with planned pupil numbers and financial resources;
- describe the final staffing structure and show how it is sufficient, affordable and appropriate to deliver the education vision and plan; and
- set out the structure of the senior leadership team, middle leaders, teaching staff and any non-teaching support staff, as well as a clear description of their roles and responsibilities, both in the development phase of establishing the staffing structure and when at full capacity.

**Criterion C4 - Sets out a clear strategy for ensuring that the needs of pupils with differing abilities are met.**

You must:

- demonstrate an awareness of the varying needs of individual pupils and have an effective strategy for meeting them, including supporting those who need it and stretching the most able (gifted and talented pupils);
- show how you will use ICT, other agencies and partners' resources to support the learning and maximise the achievement of pupils of varying abilities and needs;
- describe the strategies you will use to overcome barriers to learning and achievement, such as having English as an additional language;
- set out how you will have regard to the Special Educational Needs Code of Practice; and
- set out your approach to supporting disabled pupils and pupils with special educational needs, including those with and without a statement of special educational needs to ensure they are fully included;
- set out your approach to ensure that Children in Care and disadvantaged children make more than expected progress utilising the Pupil Premium; and
- set out how you will work with the NCC approach to the graduated SEND process.

**Criterion C5 - Details the definitions and measures of success which will deliver their aspirations for pupil achievement.**

You must:

- outline the targets that are proposed, why they are suitable to measure the delivery of your education vision, and what your strategy will be to achieve them;
- describe the proposed success measures for individual pupils and the whole school, including teaching;
- explain how these success measures will be monitored, reviewed and reported, including your plans to develop pupil assessment and tracking systems;
- explain how pupil progress will be reported to parents/carers, how their views will be gathered and how parents/carers will play an active role in improving their child's progress, and
- confirm your willingness to engage in annual standards and performance review with the Local Authority.

**Criterion C6 - Describes the admissions policy, confirming commitment to fair and transparent admissions practices.**

You must:

- set out your proposed admissions policy, including the criteria to be used to set priorities for places if your school is oversubscribed. The admission arrangements must comply with the School Admissions Code (SAC) and related admissions law that applies to maintained schools in England.

**Criterion C7 - Describes how the approach to behaviour management, pupil safeguarding, pupil wellbeing and attendance will improve pupil outcomes.**

You must:

- set out detailed strategies for promoting good behaviour and attendance;
- describe how you will promote pupil well-being, including through pastoral care and strategies for tackling bullying;
- describe how these strategies are informed by your education vision and linked to raising standards and educational outcomes; and
- explain how you will help to achieve Nottinghamshire's vision of zero permanent exclusions.

**Criterion C8 - (If Appropriate) The application to set up a faith ethos Free School, a school designated as having a religious character, or one with a particularly distinctive educational philosophy and worldview, shows how the needs of all children are fully provided for within the education plan.**

If you are proposing a school designated as having a religious character or a school with a religious ethos, you must:

- describe how you will ensure that the school will be welcoming to pupils of all faiths and none, and show how the school will meet the needs of pupils of other faiths and none. You will need to set out how you think school policies will impact on these pupils. You will need to consider uniform and the wearing of religious symbols, the school meals you will provide and whether there will be dietary requirements, your religious education curriculum and the nature of collective worship; and
- explain how the school's religious character or ethos will be reflected in the curriculum, including what percentage of your timetable will be devoted to religious education and other faith-related subjects and why this percentage is appropriate. Please set out what alternatives will be available for pupils not of the faith.

If you are proposing a school with a particularly distinctive educational philosophy and worldview, you must:

- describe how you will ensure that the school will be welcoming to all pupils within the local community. You will need to set out how you think the curriculum and school policies will impact on all pupils and how you will explain the curriculum to parents and pupils who are not familiar with this alternative method; and
- confirm what percentage of time is devoted to each subject.

**Relationships with other Schools, the Local Authority and the Wider Education Community (*Section D of the Application Form*)**

The Local Authority will be using one criterion to assess this section of your application.

**Criterion D1 - Demonstrates how the promoter will work with and for the local community and is committed to work for the benefit of the wider education community.**

Proposers need to demonstrate/provide details on:

- your understanding of the community that the Free School will serve and how your education plan addresses the needs of that community;
- how you will make the school attractive to pupils of different backgrounds and abilities. This should include pupils from deprived or disadvantaged families;
- arrangements for home to school partnerships and communications to ensure parents are fully engaged in all aspects of their child's development and achievement;
- how you will demonstrate your commitment to working collaboratively with other schools, and in particular the existing local primary school(s), and in close partnership with Nottinghamshire County Council;
- how you will support the vision of the Nottinghamshire County Council as set out in the policy statement 'Your Nottinghamshire: Your Future'; and
- arrangements you will put in place to make the building and facilities available to the local community outside of school hours.

Proposers need to demonstrate how they will respond to the Local Authority's stated position on revenue funding at the inception of the project to open this new school, viz. that, given the educational landscape is maturing and Multi-Academy Trusts are developing their own infrastructure and capacity, it is the view of the County Council that all publicly funded stakeholders should ensure that available resources are pooled to meet the need for new school places.

There is a shared duty that Multi-Academy Trusts, Local Authorities and the DfE should work together to maximise resources and minimise the duplication of effort, and waste of any kind. Therefore, this Local Authority does not envisage forward funding senior leadership salaries as we expect that Multi-Academy Trusts will have the capacity to do so.

**Capacity and Capability (*Section E of the Application Form*)**

The Local Authority will be using three criteria to assess this part of your application.

**Criterion E1 - Demonstrates a clear understanding of the respective roles of the company members, governing body and principal in running the school.**

You must:

- describe clearly in both writing and in a diagram the structure, lines of accountability and methods of escalation between the company members, the school's directors (who also act as governors and trustees) and the principal;
- define clearly and set out the respective roles and responsibilities of the company members, the directors (who also act as governors and trustees), any proposed committees and the principal; and
- set out your protocols for avoiding and minimising conflicts of interest, confirming any you have already identified, and for securing independent challenge to executives.

**Criterion E2 - Shows how the promoter will access appropriate and sufficient educational, financial, and other expertise to deliver their vision.**

You must:

- show that you have identified the educational resources, people and skills that you will need to set up and operate a school;
- show that you have identified the resources, people and skills that you will need to set up arrangements for and undertake the financial management of a school;
- show that your group has identified other relevant expertise, such as individuals or organisations with successful experience of setting up a new organisation or business, school governance, human resources, ICT, property/construction, marketing and project management;
- confirm sufficient time commitments to the project from relevant individuals;
- explain how work on this school will be balanced against the development of others if your group is seeking to establish more than one school; and
- set out clear and detailed plans for identifying and securing any necessary expertise currently missing from your group.

**Criterion E3 - Provides realistic plans for recruiting a high quality principal, other staff and governors in accordance with the proposed staffing structure and education plans.**

You must:

- set out plans for recruiting your school's principal (head teacher) and the role you envisage him/her playing in the pre-opening phase;
- set out your plans for recruiting and developing high quality members of staff;
- identify for NCC any individuals you have identified already as prospective governors and their relevant skills and expertise; and
- describe how you will identify and appoint committed governors with the necessary skills to oversee both the establishment and running of a school.

**Financial Planning and Viability (*Section F of the Application Form*)**

The Local Authority will be using one criterion to assess this part of your application.

**Criterion F1 - Provides accurate financial plans that are consistent with the rest of the application and based on realistic assumptions about income and expenditure.**

You must:

- set out your views on the key financial challenges you might encounter and how you will seek to address these;
- detail the systems you would put in place to ensure that the school's finances are properly managed;
- outline your assumptions in estimating the income and expenditure for the school, and confirm which benchmarking data you have used;
- explain any unusual items of income and expenditure in the financial plans;
- show that you have allowed for unforeseen contingencies;
- demonstrate that any third party income you have included is realistic and achievable; and



- confirm agreement to proceed according to the local authority's revenue funding arrangements set out in the 'Invitation to Submit a Proposal'.

## **REPORT OF THE LEADER OF THE COUNCIL**

### **LOCAL IMPROVEMENT SCHEME - AN INTEGRATED FUNDING STRATEGY**

#### **Purpose of Report**

1. The purpose of this report is to seek approval for the opening and launch of a Local Improvement Scheme Integrated Funding Programme and Strategy 2018-21 to provide support to help Nottinghamshire communities to be vibrant and sustainable.

#### **Information and Advice**

2. In line with the Council's strategic priorities – to put local people at the heart of everything it does and enable vibrant and supportive communities to grow – the Local Improvement Scheme Integrated Funding Programme and Strategy 2018-21 (Appendix 1) will contribute to supporting communities to be strong and resilient by:
  - Focusing on helping people to help themselves through encouraging volunteering and involvement in local organisations and charities,
  - Working in partnership to protect communities from crime and anti-social behaviour so people can be more confident about their safety,
  - Promoting healthier lifestyle choices,
  - Protecting and developing the local environment and heritage.

#### **Background**

3. Grant Aid funding is a contribution to services/projects delivered by the Voluntary and Community Sector (VCS) that contribute to the Council's priorities. The County Council adopted a Corporate Grant Aid Strategy in 2011 to set out a transparent framework for engagement with the VCS, the allocation of Grant Aid and to:
  - Be Member led – ensuring that Members take a strategic lead on decision making,
  - Take a corporate approach – decisions are aligned to the Council's priorities,
  - Recognise the role of the VCS – valuing the enormous contribution made across the county,
  - Have centralised administration – a streamlined process for the administration of Grant Aid across the Council,
  - Be proportionate at all stages – simple application, 1 or 2 payments each year, simplified monitoring,
  - Make better use of IT – application and monitoring processes,

- Have longer agreements – where possible awards to be for a period of 3 years to enable the VCS to forward plan,
  - Ensure that grants should contribute towards provision, not to directly purchase key services – making Grant Aid distinct from commissioning.
4. As agreed by Members, the strategy has been refreshed over the years to reflect changing corporate strategic priorities, including measures to address the budget situation. This has resulted in improved effectiveness and efficiencies.
  5. The current Corporate Grant Aid programme has proven to be successful, with a wide and varied range of voluntary and community organisations having received funding and officer support. This 3 year programme ends 30<sup>th</sup> June 2018, providing the opportunity to review the strategy and also bring the following pots of money; Corporate Grant Aid, Supporting Local Communities Fund, and Community Safety Commissioning and Initiatives Budget which the Council uses to support local communities, together into one place. The new amalgamated fund will bring together aspects of the above.

### **Shaping the Future – Approach**

6. The County Council has a strong record in supporting voluntary and community groups across Nottinghamshire and is committed to supporting local communities to help people help themselves and their communities. Building on this, the Council is bringing together its available discretionary funding in order to maximise existing resources and provide important opportunities to support local communities in making Nottinghamshire a great place to live, work, visit and relax.
7. The new Local Improvement Scheme Integrated Funding Strategy will consolidate the Council's approach to investing in and supporting local communities to be more resilient through encouraging active community support, volunteering and seeking wider funding opportunities. Consolidating these funds will remove any duplication and will ensure that targeted support for communities is provided in a single coherent strategy by:
  - Encouraging a more streamlined approach for the administration of discretionary grant funding,
  - Building on the importance to communities and people of the value and reach of this financial support,
  - Helping local people to feel more in control of work taking place to improve our communities through having a single point of access for funding opportunities as well as specifically targeted support, help and guidance,
  - Supporting Members in their roles as community leaders to respond to local ideas that bring community and economic benefit to Nottinghamshire.

### **Key Features**

8. The appendix attached to this report provides a strategy to support the best use of these funds, delivering value for money through outcomes-focused approaches which help to deliver the Council's priorities. The new Local Improvement Scheme Integrated Funding

Strategy, in addition to maintaining good practice as outlined in paragraph 3 of this report, will:

- Provide opportunities for communities to apply for capital and revenue funding.
- Set a maximum per year for applicants for capital funding of £50,000 and £30,000 for revenue funding, with a minimum of £1,000 for each.
- Maintain a 3 year funding commitment for revenue funding, subject to satisfactory monitoring outcomes.
- Maintain an annual application process for capital funding, with an agreement that funding needs to be spent within 2 years of an application being awarded.
- Offer an annual small grants fund to maintain support to talented athletes, with support from external clubs, and also provide opportunities for commemorating significant events for the communities of Nottinghamshire, globally, nationally and locally.
- Encourage applications from partnerships of voluntary and community organisations seeking to deliver countywide activities/projects.

### **Implementation and Communication**

9. To launch the new Local Improvement Scheme Integrated Fund and encourage, receive, assess and approve applications, Committee is asked to approve the following timetable:
  - November 20<sup>th</sup> 2017 – Launch of 2018-21 Local Improvement Scheme Revenue Funding Programme and 2018-19 Capital Programme,
  - Applications for both programmes closes on 8<sup>th</sup> January 2018,
  - February 2018 – Annual Council Budget Meeting approves Fund allocation,
  - April 2018 – Communities and Place Committee considers applications for funding,
  - April 2018 – All applicants notified of decision. Unsuccessful applicants offered programme of support.
10. Appropriate communication of the Council's approach to supporting local communities and inviting applications for funding will be carried out.

### **Other Options Considered**

11. To cease providing this type of support; however the Local Improvement Scheme Integrated Funding Strategy will provide a clear focus for working with people to improve their communities by being part of well-networked communities and having the right support to play an active role in their neighbourhoods.

### **Reasons for Recommendations**

12. Maximising the impact of the Council's discretionary funding is important to achieving the Council's Strategic Priorities' ambitions.

## **Statutory and Policy Implications**

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

14. The value of providing discretionary investment through grants for Nottinghamshire Voluntary and Community Sector (VCS) is important in supporting a diverse sector which plays a significant part in providing important services to individuals and communities across the county. The level of investment contributes to helping people to live in vibrant and supportive communities where they can be empowered to be creative, resilient, healthier and live independently for as long as possible.
15. Final funding allocations for this programme will be approved at the Council's annual budget meeting.

## **RECOMMENDATIONS**

1. To approve the Local Improvement Scheme Integrated Funding Strategy 2018-21 (see Appendix 1).
2. To launch the Local Improvement Scheme Integrated Fund, based on the timetable outlined in paragraph 9.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the Council**

### **For any enquiries about this report please contact:**

Cathy Harvey, Community and Voluntary Sector Team Manager,  
T: 0115 977 3415  
E: [cathy.harvey@nottsc.gov.uk](mailto:cathy.harvey@nottsc.gov.uk)

### **Constitutional Comments (SLB 17/10/17)**

Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 18/10/17)**

The financial implications are set out in the report.

### **Background Papers and Published Documents**

None

**Electoral Division(s) and Member(s) Affected**  
All

For any enquires about this report please contact:  
Cathy Harvey 0115 977 3415



## Appendix 1:

### Your Nottinghamshire, Your Future: Local Improvement Scheme - An Integrated Funding Strategy

#### Our approach

Nottinghamshire is a place people are proud to call home. Its countryside, historic market towns and villages are precious, with strong and vibrant communities at the heart of everything the Council does.

The Council wants its towns and villages to be vibrant places where younger and older people appreciate, support and benefit from each other's knowledge and experience.

The Council wants local people to feel more in control of work taking place to improve their communities as well as empowering people to remain independent for as long as they can.

#### Shaping the future

The way in which we live our lives is changing at an unprecedented rate and this is a fantastic opportunity to support local communities in making Nottinghamshire a great place to live, work, visit and relax.

Through the careful stewardship of our Local Improvement Scheme funding the Council wants to help develop strong and resilient communities by:

- Focusing on helping people to help themselves through encouraging volunteering and involvement in local organisations and charities.
- Working in partnership to protect communities from crime and anti-social behaviour so people can be more confident about their safety.
- Promoting healthier lifestyle choices.
- Protecting and developing the local environment and heritage.

#### Key principles

We will be guided in the choices and decisions we make by a set of principles:

**A Member Led approach** – ensuring that elected members in their roles as community leaders take a strategic lead on decision making.

**A Corporate approach** – decisions are aligned to the Council's priorities.

**Recognition of the VCS** – valuing the enormous contribution made across the county.

**Centralised administration** – a streamlined process for the administration of the Local Improvement Scheme Integrated Fund across the Council.

**Proportionality at all stages** – a simple application, 1 or 2 payments each year, monitoring simplified.

**Making better use of IT** – application & monitoring processes.

**Using resources well** – spending money wisely.

**Supporting creativity and innovation**

**Longer agreements** – where possible revenue awards to be for a period of 3 years to enable the VCS to forward plan.

**A maximum award of £30,000** – for revenue funding per year per application.

**A maximum award of £50,000** – for capital funding per year per application.

**Partnership working applications are encouraged**

**Revenue grants** – should contribute towards provision, not to directly purchase key services, making the Local Improvement Scheme Integrated Fund distinct from commissioning.

**Capital grants** – must be delivered within 2 years of application being approved.

**Annual Small Grants fund** – will be available to support individuals and activities such as talented athletes and summer play-schemes.



## Types of funding available

## Capital

## Revenue

## Small Annual Fund

Local Improvement Scheme Integrated Funding provides a unique and powerful tool to support and contribute to people and communities being better prepared for future challenges.

The Council is encouraging innovative and creative applications which support the priorities of 'Your Nottinghamshire – Your Future'.

Funding is available for revenue and capital support as described here. This strategy should be read in conjunction with our Guide to the Local Improvement Scheme Integrated Fund, Priority Descriptions and Local Improvement Scheme Integrated Fund Terms and Conditions.

All funding will be aligned to the Council's Strategic Plan. The priorities of particular relevance are outlined below.

Capital funding is available to help various groups, organizations and volunteers deliver community-based improvement schemes.

This can help fund schemes that deliver a new asset or improve an existing asset, such as land, buildings, play equipment etc. The asset we help to fund or improve will also need to remain in public use for more than a year after we've funded the scheme.

More detailed guidance is available on our webpage.

Revenue funding is available to community and voluntary groups – to contribute towards provision, not to directly purchase key services.

More detailed guidance is available on our webpage.

The small annual fund is a specifically targeted fund and available to:

- Individuals – specifically, talented young athletes,
- Summer play schemes,
- A priority approved by elected members.

More detailed guidance is available on our webpage.

## **FUNDING PRIORITIES**

<b>Priority</b>	<b>Theme</b>	<b>Examples</b>	<b>Outcomes anticipated</b>	<b>Type of grant available</b>
A great place to live, work, visit and relax	Communities, Environment & Place	Community-based improvement schemes, e.g. war memorials, gateway signs and youth facilities.	To help deliver local economic and community benefits.	Capital / Annual
People live in vibrant and supportive communities	<p>Connected communities</p> <p>Building community resilience and cohesion</p> <p>Promoting independence</p> <p>Information, advice and support networks</p> <p>Infrastructure support</p>	<p>Supporting volunteering – helping people have stronger links with their communities.</p> <p>Promoting independence – increased confidence and self-worth.</p> <p>Community transport – affordable mobility solutions improving quality of life.</p> <p>Information and advice – promoting independence and resilience.</p> <p>Community cohesion.</p> <p>Work with Community Safety Partnerships.</p>	<p>Communities playing an active role in supporting good support systems and social networks.</p> <p>People better placed to help themselves and each other.</p> <p>People can support themselves through a better use of digital technology or through community networks.</p> <p>Age Friendly communities are supported to tackle loneliness and isolation.</p>	Revenue

Priority	Theme	Examples	Outcomes anticipated	Type of grant available
People are Healthier	Promoting healthier lifestyles	<p>Sport development and involvement including participation and volunteering.</p> <p>Maintenance of physical / emotional / mental wellbeing, e.g. falls prevention.</p> <p>Improve the quality of creative arts for residents.</p> <p>People are equipped with skills to support self-management and independence, e.g. exercise.</p>	<p>People are encouraged to be more active.</p> <p>Healthy life expectancy.</p> <p>Physical and emotional wellbeing improves.</p>	Revenue
People live independently for as long as possible		<p>Live at Home Schemes.</p> <p>Social / Neighbourhood networks.</p>	<p>People remain independent for longer in their own communities.</p>	Revenue
People can access the right care and support at the right time		<p>Provision of information and advice to promote and improve independence, resilience and quality of life.</p>	<p>People are healthy and independent.</p> <p>Age Friendly communities are supported to tackle loneliness and isolation.</p>	Revenue
Families prosper and achieve potential	Young people are safe and happy	<p>Providing children and young people with early help and support.</p> <p>Good quality targeted youth services.</p> <p>Play Forum Support.</p> <p>Talented Athletes.</p> <p>Summer Play Schemes.</p>	<p>Improved physical and mental health.</p> <p>Young people enjoy a happy, safe and prosperous life.</p>	Revenue / Capital



## **REPORT OF THE LEADER OF THE COUNCIL**

### **THE FUTURE OF THE NOTTINGHAMSHIRE ECONOMIC DEVELOPMENT CAPITAL FUND**

#### **Purpose of Report**

1. To consider the future of the Nottinghamshire Economic Development Capital Fund (NEDCF), with a view to transferring the unallocated balance to act as a contribution towards the priorities arising from the emerging Place Department Strategy such as: influencing and supporting innovation and productivity, investing in infrastructure and raising the skills levels of local people.

#### **Background**

2. Policy Committee approval was received on 16<sup>th</sup> October 2013 to allocate previously unspent capital investment from the Local Improvement Scheme, to a capital fund of £6,000,000 focused on economic development and growth.
3. The scheme is a non-statutory activity, through which non repayable grant payments are made to Nottinghamshire businesses based on applications and an independent assessment process. There have been four rounds of grant awards contributing to job creation and training opportunities for local residents and businesses.
4. The grants have been predominantly used for: investment in land or property to facilitate economic development activity; purchase of productive plant or machinery and; investment to enable expansion of existing/or the development of, new business premises.
5. Over the course of the four rounds, a total of £4,140,217 has been spent, which has contributed to the creation of jobs in the county.
6. There are a further 7 applicants in round four waiting to be informed by the Council if their applications have been approved. The NEDCF operates as a ring-fenced discretionary fund for which the Corporate Director, Place in consultation with the Chair of Policy Committee, has delegated authority to award grants.

#### Rationale for change

7. There is no doubt that the NEDCF played an important role in supporting the beneficiaries of the fund. However, as the following paragraphs articulate, there are a number of factors in favour of closing the NEDCF and redirecting the remaining balance.

8. 'Your Nottinghamshire, Your Future', the new Council Plan for 2017-2021 sets out the strategic ambition for the future of Nottinghamshire and the Council for the next four years. The Plan is focussed around four vision statements:
- a great place to bring up a family
  - a great place to fulfil your ambition
  - a great place to enjoy later life
  - a great place to start and grow a business
9. The vision statements are supported by 12 overarching commitments, and success factors upon which progress can be measured. The Council Plan will be complemented by the Place Department Strategy which is under development and due for consideration at Policy Committee in December.
10. The Place Department will look to drive productivity and growth to maximise the potential and competitive advantage of the County and will draw upon other key growth strategies, such as: the Midlands Engine Vision for Growth, East Midlands HS2 Growth Strategy and the D2N2 Local Enterprise Partnership Strategic Economic Plan.
11. Emerging priorities include the Council influencing and supporting innovation and productivity as well as investing in infrastructure and raising the skills levels of local people. In order to successfully implement the priorities, there is a pressing need to review how we allocate the available resources to economic development priorities.
12. The NEDCF has a current balance of £1,859,783. There are 7 outstanding bids to the scheme from a number of businesses in the county, seeking £1,247,000 of grant. If we were to consider and approve these bids, the available resource would reduce to £612,783.
13. It is proposed that as part of the review of resources, the current fund is brought to a close and the balance of the fund considered against new priorities in the Council Plan and Place Strategy. Clearly there are risks and implications in closing this scheme at this stage. However taking all those issues into account balanced against the other demands on resources and the alternative funding streams available to bidders it is considered that this decision is balanced and reasonable.
14. There are a range of alternative sources of funding and support for these local businesses including through the Local Enterprise Partnership, the Growth Hub and through the availability of business loans from the commercial market. It should be noted that there are also other publicly backed funds that offer loans to businesses, as opposed to grants that are not repaid, for which businesses in the county could bid.

## **Other Options**

15. The NEDCF ring-fence takes vital resources away from other useful projects that it is considered will provide better outcomes and have more effect than the Fund currently delivers.

## Reasons for Recommendations

16. The new Council Plan and Place Strategy have a wide range of priorities and actions to take forward. In doing so we will need to ensure we allocate resources against priorities. There are applicants in round four waiting to be informed by the Council of the outcome of their application to the fund. Those applicants have been kept in abeyance to provide Policy Committee the opportunity to debate the appropriateness of the continuing or closing the final round of the NEDCF. Whilst the companies have been informed of the situation, the Council will need to revert back to them as soon as practicable in relation to their individual application for a grant under the scheme. As appropriate, the bidders will be directed to other sources of funding.

## Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described in the body of the report.

## RECOMMENDATIONS

18. Policy Committee is invited to:

- a) agree to a review of the resources allocated to economic development priorities through the Place Strategy and Council budget
- b) agree to close the Economic Development Capital Fund and to vary the capital programme accordingly
- c) inform the outstanding applicants that they will not be awarded the grant they are seeking, for which they will be directed to other sources of funding

**COUNCILLOR MRS KAY CUTTS, MBE**  
**Leader of the Council**

**Report author:** Nicola M<sup>c</sup>Coy-Brown, Growth and Economic Development

**For any enquiries about this report please contact:** Nicola M<sup>c</sup>Coy-Brown, ext 72580

## Constitutional Comments [SSR 3.11.2017]

The recommendations set out in the report fall within the scope of decisions that may be approved by Policy Committee.

## Financial Comments [GB 30/10/2017]

The financial implications are set out in the report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- *Nottinghamshire Economic Development Capital Fund* – Round 3 Update – report to Economic Development Committee – 6 December 2016, published
- *The Nottinghamshire Economic Development Capital Fund* – report to Economic Development Committee Report - 22 March 2016, published
- *The Nottinghamshire Economic Development Capital Fund* – report to Economic Development Committee Report - 8 September 2015, published
- *Nottinghamshire Economic Development Capital Fund* – report to Economic Development Committee Report - 3 February 2015, published
- *Nottinghamshire Economic Development Capital Fund* – report to Economic Development Committee Report - 16 September 2014, published
- *Nottinghamshire Economic Development Capital Fund* – report to Economic Development Committee Report - 11 February 2014, published
- *Economic Development Capital Fund* – report to Economic Development Committee Report - 12 December 2013, published

### **Electoral Division(s) and Member(s) Affected**

The NEDCF operates across Nottinghamshire, potentially impacting all electoral divisions. Approvals impacting specific divisions and members have been alerted as projects progressed.

**REPORT OF THE LEADER OF THE COUNCIL****LEADER PROGRAMME AND DIGITAL BUSINESS GROWTH  
PROGRAMME: ADDITIONAL STAFFING****Purpose of the Report**

1. This report seeks approval to increase on a temporary basis the Growth and Economic Development Team resource to support the accountable body functions and delivery for the Nottinghamshire LEADER and Digital Business Growth (DBG) programmes:
  - Two staff posts for the Nottinghamshire LEADER programmes.
  - One staff post for the Digital Business Growth programme.

**Background**

2. Previous reports to Policy and Economic Development Committees have established the programmes and approved the funding, including that for the management and staffing.
3. Both programmes have suffered delays arising from issues outside the Council's control. As a result extra team members are now required to deliver the programmes and achieve the agreed outputs over a reduced period of time.
4. Funding is already available to increase staff within the previously approved programme administration budgets as there is currently an underspend which has principally arisen due to the delayed recruitment of the existing programme staff.
5. The North and South Nottinghamshire LEADER programmes form part of the Rural Development Plan for England (RDPE). As such all costs for the Programmes (including management and administration costs) are met by the Rural Payments Agency (RPA). The combined fund for the two programmes is £3.4Million. There is no financial contribution from the Council.
6. The Council Acts as Accountable Body for the DBG programme on behalf of the Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2 LEP). The DBG Programme is part-funded by the European Regional Development Fund with further contributions from the programme partners. Funding for the programme is £4.5Million which includes £210K from the Council.



7. The LEADER and DBG Programmes have ambitious targets, supporting businesses, enterprises, community groups and organisations across the County.
8. LEADER programmes across the rural areas of Nottinghamshire are aiming to deliver around 180 jobs, supporting business growth, start-up and diversification alongside supporting rural services and tourism. Attracting around £1.6million private sector match funding.
9. Across the D2N2 area the DBG programme will support over 800 new and existing businesses. Supporting over 600 of which to introduce new digital products to their business. Attracting around 2.7Million private sector match funding.

### **Proposed staffing**

10. For the LEADER programmes, as the volume of work the team needs to process has accelerated rapidly, and is likely to increase as the programme comes to an end, two further posts are requested on a one year, fixed term basis:
  - a) One FTE (grade 4) business support officer, doubling the current business capacity, processing applications, supporting appraisals, processing claims and general programme administration
  - b) One FTE (band A) programme coordinator, managing the programme delivery and the accountable body function, including arranging the marketing, comms, events and promotion of the programme. Also directing the work of the business support officers and supporting the work of the programme officers. This post will also free up time of a senior member of the growth and economic development team, minimising the contribution required by the senior staff.
11. For the Digital Business Growth programme additional resource will contribute to the programmes ability to competently deliver the accountable body function and the agreed outputs in what is now a compressed timescale. A further post is requested, on a fixed term basis, for the duration of the programme until 30<sup>th</sup> June 2019:
  - a) One FTE Business support post (Grade 4). To undertake project support processes, including; creating reports, monitoring and supporting the external grant claim requests. Manage and monitor the collation of programme information across the partners. Liaise with partners and customers, to ensure the timely submission of grant information. Be responsible for the preparation of meetings and events and support the Contracts and Partnership Manager with audit activity.

### **Risks**

12. Without further staffing resources the risk is not allocating the full amount of grant funding and thus not achieving the growth and jobs to the businesses and communities of Nottinghamshire that the programmes offer.
13. Also reputational risk and poor customer service associated with an under resourced programme, as applications, grant awards and claims are not processed in a timely manner.
14. For the LEADER programmes failing to commit the full amount of grant funding could also expose the Council to a financial risk associated with the Management and Administration (M&A) budget. As the M&A budget is a proportion (16.5%), of the grants awarded, if the programmes are unable to commit all the funds, then the Council may only be able to claim up to 16.5% of the grants committed, leaving the Council to fund the remaining costs.
15. This risk has been understood and accepted by the Council when it undertook the role of Accountable body for the programmes. However, as the risk has increased as the delivery period is now shorter, increasing the programme staff is the best way to mitigate against this by providing the capacity to invite and process applications swiftly enough to commit all funds within the time available.

#### **Other options considered**

16. Not increasing the staffing resource for the programmes and continuing to deliver the programmes with the currently established programme teams. However, this was discounted due to the risk to which this would expose the Council and the programmes.

#### **Reason for Recommendation**

17. Both programmes have suffered delays to their respective starts and as such are delivering the same targets and outputs over a reduced period of time. Previously agreed budgets are available to increase the staffing resource. Therefore, it is felt that this is the best way to mitigate the risks arising from the delay and to ensure the agreed outputs are delivered.

#### **Statutory and Policy Implications**

18. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### **Finance implications**

19. There are no additional financial implications arising from this report, the overall budgets for both programmes have previous Council approval. LEADER programme funds being provided by the RPA.

## **RECOMMENDATION**

20. It is recommended that Policy Committee:

- a) Approves the establishment of two new temporary (fixed for 1 year) staff posts for the Nottinghamshire LEADER programmes:
- b) Approves the establishment of a new temporary (fixed until 30<sup>th</sup> June 2019) staff post for the Digital Business Growth programme:
- c) Notes that funding for these posts are contained within existing programme budgets and that no additional costs to the council will be incurred.

**Cllr Mrs Kay Cutts, MBE**  
**Leader of the Council**

**For any enquiries about this report please contact:**  
Phil Berrill ext. 74641

### **Constitutional Comments (SLB 06/11/2017)**

Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 03/11/2017)**

The financial implications are set out in the report.

### **HR Comments (JP 06/11/2017)**

The HR implications are contained in the body of the report. The grade for the Programme Coordinator post will be subject to full job evaluation.

## **Background Papers**

### **LEADER Programmes**

- *Nottinghamshire Leader Programmes – Status Update: report to Economic Development Committee, 4 October 2016, published*
- *Nottinghamshire Leader Programmes – Status Update: report to Economic Development Committee, 8 September 2015, published*
- South Nottinghamshire LEADER Delivery Plan – 31 July 2015
- North Nottinghamshire LEADER Delivery plan – 31 July 2015
- *Establishing the Nottinghamshire LEADER Programmes Accountable body function: report to Economic Development Committee, 3 March 2015, published*
- *LEADER rural development programme – outcome of submission results: report to Policy Committee, 10 December 2014, published*
- South Nottinghamshire Local Development Strategy submission.
- North Nottinghamshire Local Development Strategy submission.

- *LEADER Rural Development Programme – Nottinghamshire proposed submissions:* report to Policy Committee, 2 July 2014, published.
- *LEADER Rural Development Programme – opportunity to submit application:* report to Economic Development Committee, 1 April 2014, published.

### **Digital Business Growth Programme**

- *D2N2 Digital Business Growth Programme*, report to Economic Development Committee, 6th December 2016
- *D2N2 Digital Business Growth Programme*, report to Economic Development Committee, 6th September 2016
- *ESIF Programme: D2N2 Digital Business Growth Programme*, report to Economic Development Committee, 19th January 2016
- *European Structural Investment fund: ERDF ICT Funding Call*, report to Economic Development Committee, 8th September 2015
- *Additional proposals for Economic Development budget 2015-16*, report to Economic Development Committee, 7th July 2015

### **Electoral Division(s) and Member(s) Affected**

ALL



**REPORT OF THE LEADER OF THE COUNCIL****ENGAGING ON THE COUNCIL PLAN (2017-2021) WITH PARTNERS****Purpose of the Report**

1. To seek approval for a programme of engagement to embed the understanding and awareness of the 'Your Nottinghamshire, Your Future' Council Plan with key partners.

**Information and Advice**

2. At County Council on 13 July 2017 Elected Members approved 'Your Nottinghamshire, Your Future'- the County Council's strategic plan for 2017-2021.
3. The purpose of 'Your Nottinghamshire, Your Future' is to set out the Council's vision, commitments and approach, and communicate this to the public.
4. 'Your Nottinghamshire, Your Future' is an ambitious plan which aims to raise the profile of the County. It is focused on the future of Nottinghamshire as a prosperous place where people want to live, work, visit and invest.
5. The Plan is structured around four vision statements:
  - A great place to bring up your **family**
  - A great place to fulfil your **ambition**
  - A great place to enjoy your **later life**
  - A great place to start and grow your **business**
6. These four vision statements are supported by 12 commitments each of which is underpinned by success factors. Progress against these success factors will be measured by a number of performance indicators.
7. The Plan also outlines the administration's key principles for achieving these ambitions. These are to:
  - Put local people at the heart of everything we do
  - Spend money wisely
  - Be creative and work in new ways
  - Stand up for local people
  - Empower people and support their independence.

8. In supporting the delivery of these objectives, this report sets out an approach for how the Council Plan could be communicated with key partners in a way that will bring it to life and explain what it means for the people of Nottinghamshire.
9. Work is also underway to develop plans for engagement with other audiences including Elected Members, employees and the public. These plans will be reported separately as necessary.

## **Partner Engagement**

10. As part of our regular business, we have already had meetings with district councils and other partners about the new Council Plan. Over and above this, we need to engage with two other key partners. These are parish and town councils and the business community.
11. This report recommends that two events are organised during December and January to meet with representatives from these groups to:
  - Provide feedback on our plans and priorities for the future
  - Initiate a process of on-going engagement and dialogue
  - Feed partner views into our strategic planning process and the implementation of our Place Department strategy.
12. A detailed programme is currently under development, with each event being led by the Leader of the Council with support from the Chief Executive.
13. Both events will be at minimal cost to the Council, with external sponsorship being sought to contribute to the cost of hospitality for the business event. Any costs funded by the County Council will be met from within existing revenue budget provision.

## **Other Options Considered**

14. The Council could decide not to pursue these events, however partner engagement is important in contributing to the outcomes of the Council's new 4-year plan and underpinning principles.

## **Reasons for Recommendations**

15. To raise awareness of the 'Your Nottinghamshire, Your Future' Council Plan with key partners.

## **Statutory and Policy Implications**

16. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATIONS:**

It is recommended that:

- 1) Policy Committee approves the programme of engagement on the Council Plan with key partners as outlined in the report.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the Council**

**For any enquiries about this report please contact: Paula Mullin, Senior Executive Officer**  
[Paula.mullin@nottsc.gov.uk](mailto:Paula.mullin@nottsc.gov.uk) T 0115 977 4298

### **Constitutional Comments (SLB 02/11/2017)**

Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments (RWK 02/11/2017)**

The financial implications are set out in paragraph 13 of the report.

:

### **Human Resources Implications**

### **Electoral Division(s) and Member(s) Affected**

All





**REPORT OF THE LEADER OF THE COUNTY COUNCIL****GOOSEMOOR LANE, ORDSALL, RETFORD – LAND ACQUISITION**

1. To seek approval for the acquisition of land adjacent to Goosemoor Bridge to allow improvement to pedestrian facilities over the bridge.

**Information and Advice**

2. The land adjacent to Goosemoor Bridge (as identified on the attached plan), is required to allow the proposed improved pedestrian facilities to be constructed.
3. The proposals were approved as part of the 2017/18 Integrated Transport Report and Programme at the Transport and Highways Committee on 16<sup>th</sup> March 2017. The bridge is a busy road with an existing narrow footpath. The proposed improved facilities include a cantilevered footpath on the external wall of the bridge over the River separating the pedestrians from the traffic moving across the river. The proposal will make the footpath much safer for pedestrians using the bridge.
4. The parcel of land in question is currently under the freehold ownership of the Ranmoor Piscatorial Society. They are also the riparian owners to the centre point of the River Idle.
5. In order for the proposed works to be done, the freehold parcel of land equating to 64.4m<sup>2</sup> (0.016 acres) is required along with a licence to occupy an additional area of 80.30 m<sup>2</sup> (0.020 acres) during the construction stage.
6. In order to compensate the Ranmoor Piscatorial Society the negotiations include a value to purchase the freehold parcel, a fee for the licence to occupy a parcel during construction and a value for the loss of income to the club for the ongoing impact once the new footway is in place.
7. The cantilever design for the new footpath will incur a loss of earnings for the club as it will restrict the location they can stand in the River Idle when casting. The members have to pay an additional fee to fish using this technique throughout the autumn, winter and early spring.
8. The value of compensation is based on the club losing two fishing positions once this footway is constructed.
9. Without acquiring this parcel of land, the proposed works cannot be delivered.
10. The project will commence March 2018 and be complete by May 2018 and be project managed by Via EM.

## **Terms of Agreement**

11. Property: Land adjacent to the River Idle at Goosemoor Lane Bridge, Ordsall, Retford

12. Vendor: Ranmoor Piscatorial Society

13. Purchase Price: £6,320.00 (Six Thousand, Three Hundred and Twenty Pounds)

14. Conditions of Sale:

The County Council shall make a contribution to the Vendor's reasonable legal costs associated with the proposed transaction - the exact level to be determined upon receipt of an estimate of costs.

The Vendor shall grant the County Council a licence to occupy the additional parcel during the construction work.

## **Other Options Considered**

15. Other options were considered such as traffic signals, a separate footbridge or widening of the existing bridge. The decision for this method was based on an optimum scheme which is both affordable and deliverable. There are no alternative solutions for delivering this method of improved footpath without acquiring third party land.

## **Reason/s for Recommendation/s**

16. The purchase of this small freehold parcel will allow the improved pedestrian facilities to be delivered reducing the safety risks for pedestrians when crossing the River Idle on foot.

## **Statutory and Policy Implications**

17. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That approval is given to the acquisition of land adjacent to Goosemoor Bridge, Ordsall, Retford to facilitate the proposed improved pedestrian facilities on terms set out in the report.

**Councillor Mrs Kay Cutts**  
**Leader of the County Council**

**For any enquiries about this report please contact: Anabel Christmas 0115 977 2293**

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### **Constitutional Comments (EP 19.10.2017)**

18. The recommendation falls within the remit of the Policy Committee by virtue of its terms of reference

### **Financial Comments (GB 17.10.17)**

19. The cost of this land acquisition is to be funded from the 2017/18 Highways Infrastructure programme.

### **Background Papers and Published Documents**

20. None.

### **Electoral Division(s) and Member(s) Affected**

21. Ward(s): Retford East  
Member(s): Councillor Steve Vickers

File ref.: /AC/SB/new  
SP: 3277  
Properties affected: 07769 - Ordsall Mill Bridge



## GENERAL

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Goosemore Lane Walkway  
1521B Ordsall Mill Bridge

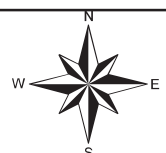
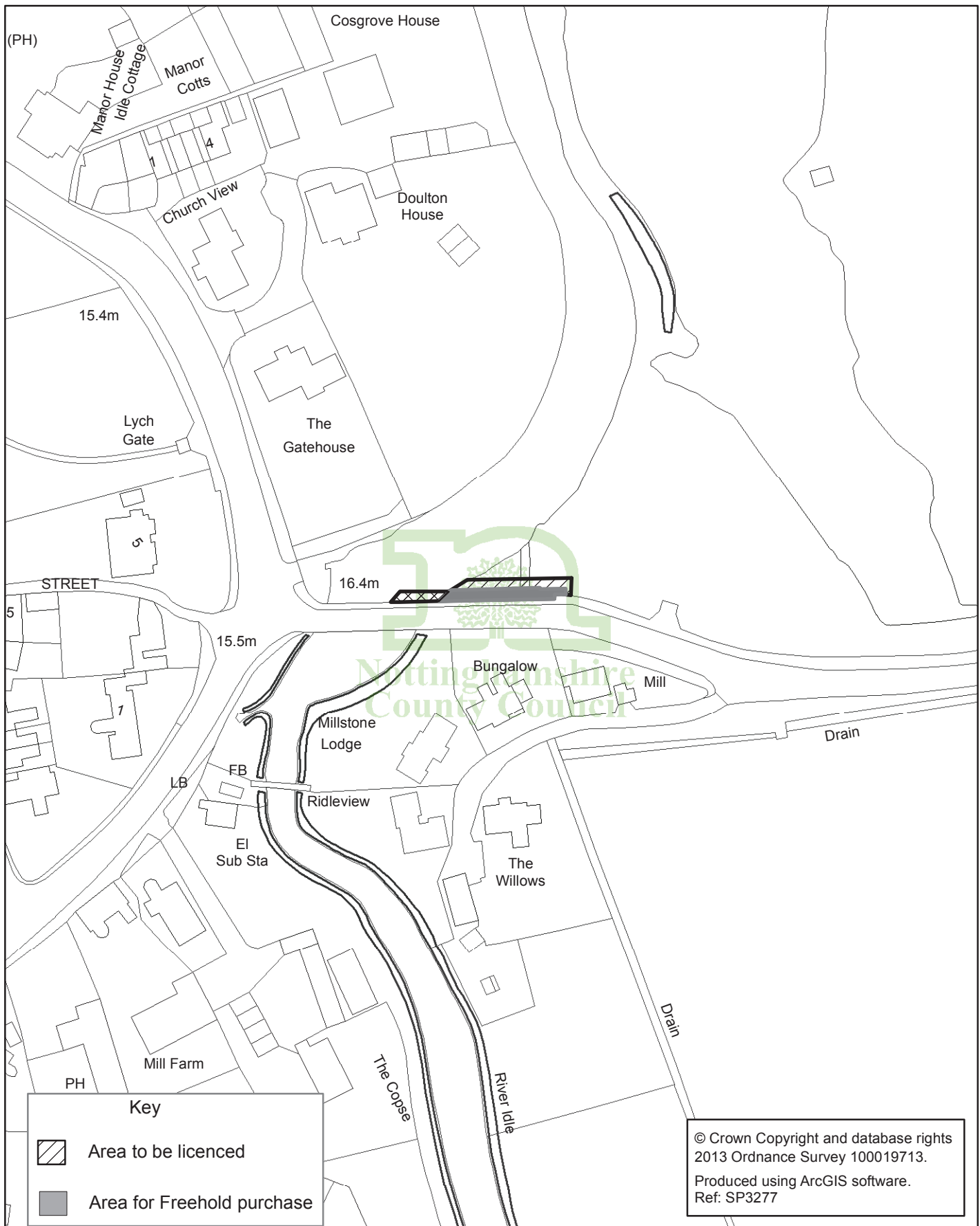
## General Layout

### North Elevation Walkway

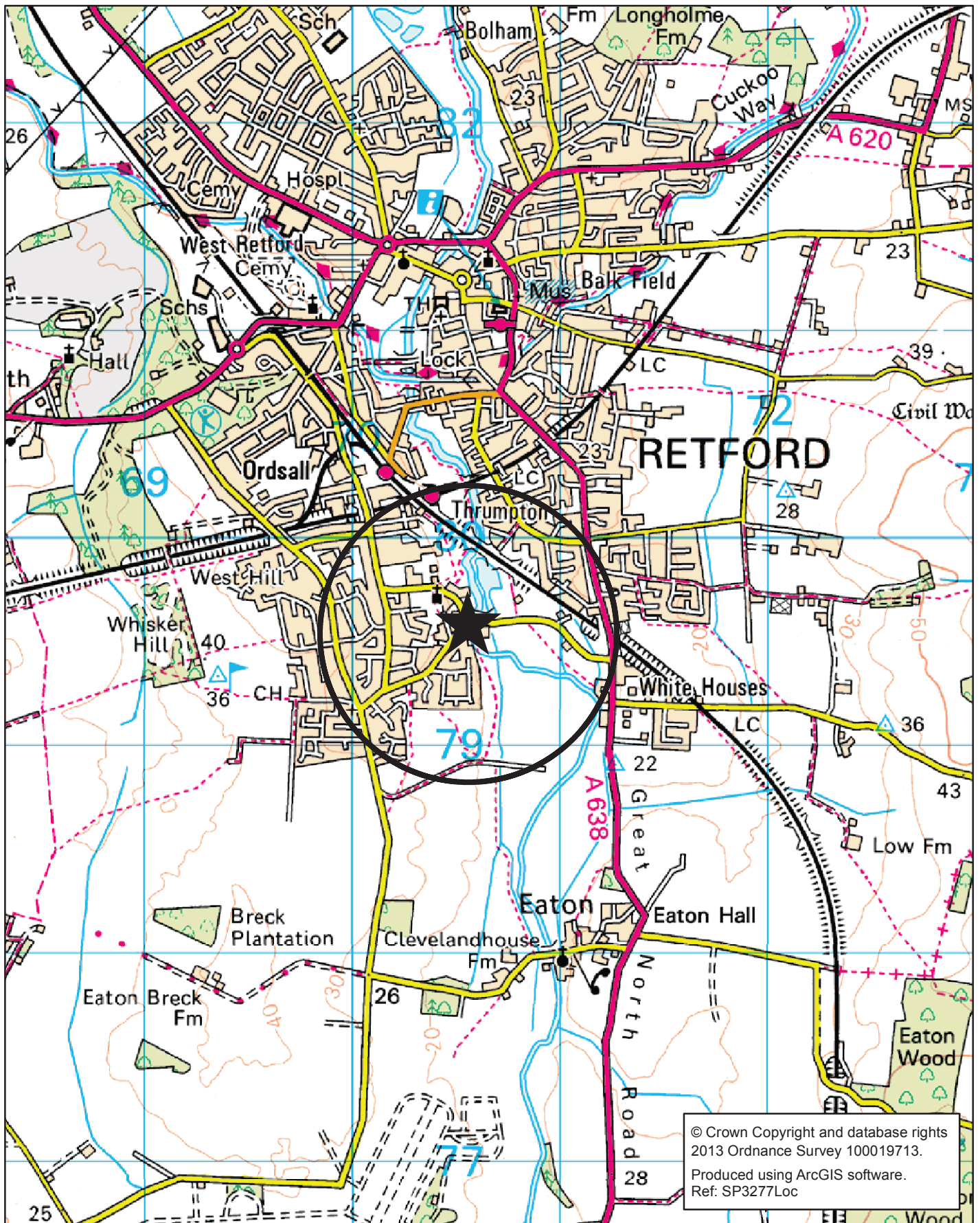
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## **REPORT OF THE BUSINESS MANAGER**

### **APPOINTMENTS TO OUTSIDE BODIES**

#### **Purpose of the Report**

1. To seek approval to add the Local Authority Pension Fund Forum (LAPFF) to the Council's approved outside body list and to appoint the Chair of the Pension Fund Committee and the Service Director for Finance, Procurement & Improvement as the Council's representatives.
2. To acknowledge Rushcliffe Borough Council's Bingham and Radcliffe on Trent Growth Board's split into two Boards and to appoint a Councillor to each Board as the Council's representatives.

#### **Information and Advice**

##### LAPFF

3. Best practice in the management of Local Government Pension Scheme (LGPS) funds requires that trustees/investors regularly engage with the management of the companies in which funds have been invested, in order to ensure that, as far as is practicable, the principles of good corporate governance are being followed. It is widely recognised that companies that follow these principles are generally better managed and thereby generate a better long term return for investors.

It would not be efficient for every LGPS fund to engage separately with publicly listed companies. However, the LAPFF - formed in 1990 - provides an opportunity for all the UK's local authority pension funds to discuss investment issues, commission research and undertake shareholder engagement. It exists to promote the long-term investment interests of UK local authority pension funds, and in particular to maximise their influence as investors to promote corporate social responsibility and high standards of corporate governance amongst the companies in which they invest. It also:

- Provides a forum for information exchange and discussion about investment issues.
- Facilitates the commissioning of research and policy analysis of issues in a more effective manner than individual members could achieve.
- Provides a forum for consultation on shareholder initiatives.
- Provides a forum to consider issues of common interest to all pension fund administrators and councillors.

##### Bingham Growth Board and Radcliffe on Trent Growth Board

4. At the July 2017 meeting of the Bingham and Radcliffe on Trent Growth Board it was agreed to split the existing Board into two separate Boards due to:
- recommendations from the Radcliffe on Trent masterplan to establish a Radcliffe on Trent Action Group that practically mirrors the membership and remit of the Growth Board. It is therefore proposed that a Radcliffe on Trent focused Growth Board could perform this function. The Radcliffe on Trent Growth Board will be coordinated by the Borough Council for a period of 12 months at which point the remit of the group will be reviewed to ascertain if this should be a Parish Council led group;
  - large scale development planned in Bingham which requires an appropriate level of focus and resource commitment from the Borough Council.

### **Other Options Considered**

5. Policy Committee could decide not to add the bodies to the Council's list of Outside Bodies but this would not enable the Council to be appropriately represented.

### **Reason/s for Recommendation/s**

6. To enable the County Council to link in to the work of these organisations as appropriate.

### **Statutory and Policy Implications**

7. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

None arising from the report.

### **RECOMMENDATION/S**

- 1) That the Local Authority Pension Fund Forum to be added to the Council's approved outside body list and the Chair of the Pension Fund Committee and the Service Director for Finance, Procurement & Improvement be appointed as the Council's representatives.
- 2) That the Bingham Growth Board and Radcliffe on Trent Growth Boards be added to the Council's approved outside body list and a County Councillor appointment be made to each Board.

**Councillor Richard Butler**

**Business Manager, Conservatives and Mansfield Independent Group**

**For any enquiries about this report please contact: Sarah Ashton, Assistant Democratic Services Officer, Telephone number 0115 9773962**

#### **Constitutional Comments (KK 23/10/2017)**

8. The proposals in this report are within the remit of the Policy Committee.

#### **Financial Comments (RWK 07/11/2017)**

9. There are no specific financial implications arising directly from the report.

#### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Various e-mails from the LAPFF and nominated representative form
- LAPFF Constitution
- Various e-mails from Rushcliffe Borough Council
- Rushcliffe Borough Council's Cabinet Report on Growth Boards (12 September 2017)

#### **Electoral Division(s) and Member(s) Affected**

- All



## **REPORT OF THE LEADER OF THE COUNCIL**

### **SKY LANTERNS POLICY**

#### **Purpose of the Report**

1. To adopt a County Council policy to ban the use and sale of sky lanterns (also known as Chinese lanterns) on land or property owned and/or controlled by the Council.

#### **Information and Advice**

2. The use of sky lanterns is becoming more popular at weddings and festivals. Their increased usage is having a harmful impact on livestock and on the environment due to litter. This is having a particular impact on the marine environment, farming industry and parks. In addition, there have been incidents of fires started by sky lanterns dropping from the sky and causing widespread damage.
3. The Community Safety Committee considered and approved a report on 25 November 2014 to ban the use and sale of sky lanterns on land or property owned and/or controlled by the Council. At the time, this decision was never formalised into a policy and whilst there is a link in the Council Policy Library to the Community Safety Committee report, this report seeks to formalise the position.
4. The Policy is straightforward and entirely in accordance with the decision previously made by Committee

#### **Other Options Considered**

5. To have no Policy but it is difficult to enforce without a formal Policy decision

#### **Reason/s for Recommendation/s**

6. A ban on the sale and release of sky lanterns would reduce the risk of harm and fire as outlined above.
7. The Fire Service, RSPCA and many other organisations including the Marine Conservation Society, Women's Food & Farming Union, Soil Association and National Farmers Union all support a ban on sky lanterns.

#### **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working,

sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

The Committee is asked to agree:

That the policy to ban the use and sale of sky lanterns on land or property owned and/or controlled by the Council be approved and communicated to all relevant parties.

**Councillor Kay Cutts**  
**Leader of the Council**

**For any enquiries about this report, please contact:**

Matthew Garrard  
Team Manager, Performance, Intelligence and Policy  
T: 0115 9772892  
E: [matthew.garrard@nottsc.gov.uk](mailto:matthew.garrard@nottsc.gov.uk)

## **Constitutional Comments**

The recommendation is within the remit of Policy Committee under its terms of reference. [CEH 02.11.17]

## **Financial Comments (SES 03/11/17)**

There are no specific financial implications arising directly from this report.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Division(s) and Member(s) Affected**

All

### Policy Library Pro Forma

This information will be used to add a policy, procedure, guidance or strategy to the Policy Library.

**Title: Sky Lanterns Policy**

**Aim / Summary:** This policy sets out the County Council's ban on the use and sale of sky lanterns (also known as Chinese lanterns) on County Council land or property.

#### Document type (please choose one)

Policy	x	Guidance	
Strategy		Procedure	

**Approved by:**

**Version number:**

**Date approved:**

**Proposed review date:**

#### Subject Areas (choose all relevant)

About the Council		Older people	
Births, Deaths, Marriages		Parking	
Business		Recycling and Waste	
Children and Families		Roads	
Countryside & Environment	x	Schools	
History and Heritage		Social Care	
Jobs		Staff	
Leisure	x	Travel and Transport	
libraries			

**Author: Karen Moss**

**Responsible team: PIP**

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[Karen.moss@nottscc.gov.uk](mailto:Karen.moss@nottscc.gov.uk)

#### Please include any supporting documents

1.

2.

3.

**Review date**

**Amendments**



# Sky Lanterns Policy

## Context

1. The County Council, as is reflected in its Council Plan 2017-2021, has a duty to shape the environment in which we live and has a commitment to making Nottinghamshire a great place to live, work, visit and relax.
2. This policy sets out the County Council's ban on the use and sale of sky lanterns (also known as Chinese lanterns) on land or property owned and/or controlled by Nottinghamshire County Council.
3. Their increased usage is having a harmful impact on livestock and on the environment due to litter. In addition, they have been the cause of many fires with resultant injuries and damage to the environment.
4. The Fire Service, Royal Society for the Prevention of Cruelty to Animals (RSPCA) and many other organisations including the Marine Conservation Society, Women's Food and Farming Union (WFU), Soil Association and National Farmers Union (NFU) all support a ban on sky lanterns.

## Scope of this policy

4. The principles and commitments set out in this policy apply to all services and decisions of the County Council and to our contractors and partners delivering county council services on our behalf.

## Principles and Commitments

5. The County Council will:
  - Refuse permissions for the release of any sky lanterns from any Council owned land regardless of the purpose for the release;
  - Refuse the sale of any sky lanterns at any Council event or property;
  - Require Council 'standard conditions of contract' relating to outdoor events and organised functions on land or property owned and/or controlled by Nottinghamshire County Council to prohibit the release of any sky lantern regardless of purpose.

## Key actions to meet the commitments set out in the policy

6. The County Council will ensure that all relevant officers involved in the organisation and granting of permissions for outdoor events on Council owned land are aware of and implement this policy.

**REPORT OF THE LEADER OF THE COUNTY COUNCIL****REQUEST FOR ADDITIONAL FUNDS FOR THE LINDHURST  
DEVELOPMENT SCHEME****Purpose of the Report**

1. To seek additional funds to ensure flexibility with the cash flow for the Lindhurst Development Scheme.
2. That delegated approval is given to the Corporate Director, Place in consultation with the Service Director Finance, Procurement & Improvement to agree the terms on which any such additional sums are contributed to the Scheme..

**Information and Advice**

3. Some information relating to this report is not for publication by virtue of Schedule 12A of the Local Government Act 1972 because the information relates to the financial and business affairs of the Council and the Lindhurst collaboration partners. Having regard to all the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would add a limited amount to public understanding or the issues but would significantly damage the commercial position of the Council and the Lindhurst collaboration partners. The exempt information is set out in the exempt appendix.
4. County Councillors are no doubt aware that the Mansfield area needs new opportunities for employment and housing for its economic and social well-being. The Lindhurst Scheme will help to provide new jobs and homes and improve prospects for the whole area. It is a new neighbourhood which will have 23 hectares of land earmarked for new businesses, build up to 1,700 new homes and provide a community park, shops and bus links. It will also include green routes, a new school, sports and other community facilities.
5. The Committee should note that this is a major landmark development in the Mansfield area which will bring over £70m of investment, creating many jobs and economic growth opportunities from new businesses.
6. The 3 land owners, LJL Ltd, Nottinghamshire County Council and W Westerman, have entered into a developer collaboration arrangement to promote their land for development. This area of land comprised of some 96.522 hectares (238.55 acres) which is located to the east of the Council owned Rushley Farm site. The master plan for the site is shown on Plan A **attached** to the report.

7. The principal objectives of the Lindhurst collaboration arrangements are to obtain planning for the Lindhurst Scheme, maximise the value of the net developable land, procure the infrastructure to enable individual plots to be sold and share costs and income in "Agreed Proportions".
8. In June 2010 the Council entered the First Supplemental Agreement with the collaboration partners. This supplemental agreement provided for the variation to the "Agreed Proportions" for the division of shared costs and shared income between the three parties as being 52.367 % W Westerman 25.229% to Lindhurst (Jersey) and 22.404% to the Council.
9. This agreement also included a rolling cap of £250,000 on the Council's contribution to shared costs until Project Implementation. This contribution has been paid in full but the Council's proportion of the shared costs in regard to the scheme was £107,432 higher than the £250,000 cap. This shortfall was funded by the W Westerman and Lindhurst (Jersey) Limited the Council's collaboration partners.
10. In January 2013 the Finance and Property Committee approved the signing of the S106 Agreement, increased the County Council's contribution to shared costs for the life time of the project by an additional £1m, and also approved project implementation.
11. In April 2013 the Council entered the Second Supplemental Agreement with the collaboration partners. This provided a £1.m 'rolling cap' as a contractual arrangement between the Council and the collaboration partners. It does not limit the liabilities that arise from contractual obligations of the parties to carry out the Lindhurst Scheme to third parties including Section 106 Agreement. This is a commercial risk the County carries as a landowner and partner of the Lindhurst Group.
12. The Third Supplemental Agreement made arrangements for the Lindhurst Group to receive a Home and Community Agency Loan for £8.372 million. The Council is not a direct party to the HCA Loan and no Legal Charge can be granted over the Council's land.
13. In the last quarter of 2016, The Lindhurst Group entered into contract with two housing developers for the sale of the first phase of the scheme. The basis of the sale for the third contract were agreed at the same time, and following approval from the HCA recently, the contract is now ready for engrossment. All the contracts were based on the delivery of serviced plots to be completed between the period of November 2017 and December 2017. In order to provide these serviced plots, significant infrastructure works commenced in March 2017 with a view to completion by the last week of November 2017.
14. A draw-down facility from the Homes and Communities Agency was agreed with LJJ Ltd and W Westerman to fund the infrastructure works. It was initially forecast that this would cover the works up to the first payment from the housing developer.
15. As a result of the difficulties in obtaining necessary approvals, the start of the infrastructure work was delayed, and this has impacted adversely on completion of the delivery of the plots. Consequently the payments from the residential

developers may be delayed by up to two months. This may cause a shortfall in the cash flow up until the first payments are received from the housing developers.

16. A number of mitigation measures are in place by the Lindhurst Group to remedy the shortfall, including seeking an external bridging loan facility from the HCA.
17. The Committee is reminded that the project is financially viable in the medium to long term and it is anticipated that additional temporary funding required from the HCA bridging loan, and temporary capital from the collaborators, will be paid back by March 2018 and the following financial year from the surpluses in the project which are not required for infrastructure works.
18. In the event that the proposed measures set up to alleviate the shortfall in the cash flow do not materialise, a maximum sum of £1.2 million will be required for The County Council for its share to continue to keep the project progressing, along with approx. £4.2 million from LJJ Ltd and W Westerman during 2017/18.

### **Reason/s for Recommendation/s**

19. To ensure the continued viability of the project to provide 1,700 new homes, including affordable housing, over 40 acres of high-tech offices and commercial and industrial premises, a new school and many other much needed community facilities in the area

### **Statutory and Policy Implications**

20. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

- 1) That approval is given to increase the Scheme by the sum of £1.2 million in the Capital Programme to enable the Council to contribute its proportion of the additional funding that may be required to the existing rolling cap.
- 2) That approval is given to delegate approval to the Corporate Director, Place in consultation with the Service Director Finance, Procurement & Improvement to agree the terms on which any such additional sums are contributed to the Scheme.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the County Council**

**For any enquiries about this report please contact: Steve Keating 0115 9939397**

**Constitutional Comments (SSR 3.11.2017)**

21. The recommendations set out in this report fall within the scope of decisions that may be approved by Policy Committee.

**Financial Comments (GB 6.11.2017)**

22. The financial implications are set out in the report.

**Background Papers and Published Documents**

23. None.

**Electoral Division(s) and Member(s) Affected**

24. Ward(s): Sutton Central & East  
Member(s): Councillor Samantha Deakin

File ref.: /SK/SB/

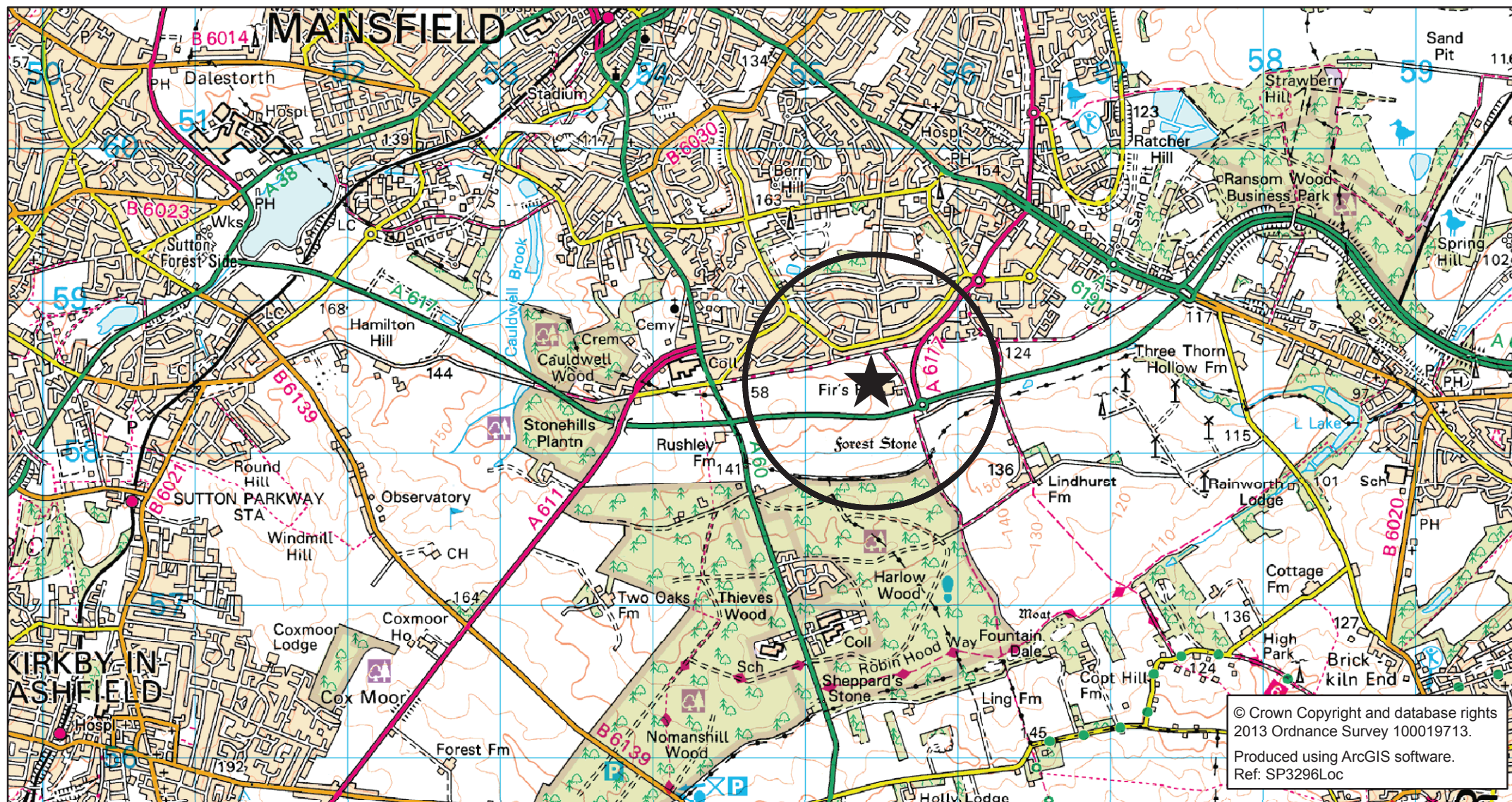
SP: 3296

Properties affected: 00728 - Land at Rushley Farm









## **REPORT OF THE CORPORATE DIRECTOR OF RESOURCES**

### **WORK PROGRAMME**

#### **Purpose of the Report**

- 1). To review the Committee's work programme for 2017/18.

#### **Information and Advice**

- 2). The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
- 3). The attached work programme includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
- 4). The Policy Committee will be asked to determine policies, strategies and statutory plans developed or reviewed by other Committees of the Council. Committee Chairmen are invited to advise the Policy Committee of any additional policy reviews that are being considered.
- 5). The following additional changes have been made since the work programme was published in the agenda for the last meeting:
  - 5.1. The following items were added to the November 2017 agenda:-
    - The Future of the Nottinghamshire Economic Development Capital Fund
    - Appointments to Outside Bodies
    - Engaging on the Council Plan (2017-2021) with Partners
    - Sky Lanterns Policy
    - Watnall Road, Hucknall, Housing Development – Free School Presumption Permission Request
  - 5.2. Items deferred from November 2017 to January 2018:
    - Great War Commemorations 2018
    - Modern Slavery and Human Trafficking
  - 5.3. The Regulation of Investigatory Powers Act – Annual Report – to be dealt with by Governance & Ethics Committee



- 5.4. Edwinstowe House removed from November 2017 due to further work being undertaken.
- 5.5. Items added to December 2017:
- Adult Social Care Strategy
  - School and Early Years Funding
  - Trading Standards Enforcement and Prosecution Policies
- 5.6. Financial support for students in post-16 education added to February 2018
- 5.7. Home to School and Post-16 Transport Policies 2019-20 added to March 2018

### **Other Options Considered**

6). None.

### **Reason for Recommendation**

7). To assist the Committee in preparing and managing its work programme.

### **Statutory and Policy Implications**

8). This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

1) That the Committee considers whether any amendments are required to the Work Programme.

**Jayne Francis-Ward**  
**Corporate Director - Resources**

**For any enquiries about this report please contact:** Nerys Davies, Executive Officer, Tel: 0115 9772229

### **Constitutional Comments (SLB)**

The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

### **Financial Comments (NS)**

There are no financial implications arising directly from this report.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

**Electoral Division(s) and Member(s) Affected**

All



## **POLICY COMMITTEE - WORK PROGRAMME (AS AT 2 NOVEMBER 2017)**

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>20 December 2017</b>			
Statement of Community Involvement	Approval sought for revised Statement.	Adrian Smith	Sally Gill
Nottinghamshire Health & Wellbeing Strategy	Approval sought for a refreshed version of the strategy.	David Pearson	Barbara Brady / Nicola Lane
Report back from CCN conference	Report on the issues raised at the conference.	Anthony May	Paula Mullin
Report from Improvement and Change Sub Committee on performance	Six monthly feedback report.	Jayne Francis-Ward	Celia Morris
Approval of departmental strategies	Departmental strategies which support the Council Plan and are part of the Planning and Performance Framework.	Anthony May	Jayne Francis-Ward
Adult Social Care Strategy	Approval of the adult social care strategy	David Pearson	Jane North
School and early years funding	Agreement of the local funding formula for 2018/19	Colin Pettigrew	Marion Clay
Trading Standards Enforcement and Prosecution Policies	Approval of the reviewed and updated policies	Adrian Smith	Mark Walker
<b>24 January 2018</b>			
Developer Contributions Strategy	To approve the strategy	Adrian Smith	Sally Gill
Property Operational Decisions Quarterly Report	Update report on operational decisions taken by officers in the quarter July – September 2017	Adrian Smith	Mona Walsh
Update on the work of East Midlands Councils	Quarterly Update from Stuart Young, Executive Director.	Jayne Francis-Ward	Stuart Young
Councillor Code of Conduct	To consider revised Councillor Code of Conduct.	Jayne Francis-Ward	Keith Ford
Corporate Services Review	To approve the findings of the review of the Council's corporate services offer.	Jayne Francis-Ward	Jayne Francis-Ward
Great War Commemorations 2018	To agree the approach to the commemorations in 2018	Adrian Smith	Neil Bettison
Modern Slavery and Human Trafficking	Annual performance update on the Council's approach to tackling modern slavery and human trafficking, including any new risks and progress.	Jayne Francis-Ward	Marjorie Toward
<b>14 February 2018</b>			
New School – Rolls Royce site, Hucknall	Approval of terms for the purchase of land for a new primary school	Adrian Smith	TBC

Waste Strategy	Approval sought for the new strategy	Adrian Smith	Mick Allen
Financial support for students in post-16 education	To approve the arrangement for financial support for students in post-16 education	Colin Pettigrew	Marion Clay
<b>28 March 2018</b>			
Futures, Advice, Skills & Employment Governance Arrangements	To approve a revised approach to the Council's involvement in the skills agenda.	Adrian Smith	Nicola McCoy-Brown
Update on City of Nottingham and Nottinghamshire Economic Prosperity Committee and the Local Enterprise Partnership	Update report as requested by Policy Committee on 11 November 2015.	Adrian Smith	Nicola McCoy-Brown
Home to school and post-16 transport policies 2019-20	To approve the home to school and post-16 transport policies	Colin Pettigrew	Marion Clay
<b>16 May 2018</b>			
Update on the work of East Midlands Councils	Quarterly Update from Stuart Young, Executive Director.	Jayne Francis-Ward	Stuart Young
Property Operational Decisions Quarterly Report	Update report on operational decisions taken by officers in the quarter October – December 2017	Adrian Smith	Andrew Stevens