

Policy Committee

Wednesday, 17 October 2018 at 10:30

County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of last meeting held on 12 September 2018 | 5 - 10 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | New Safeguarding Children Arrangements | 11 - 16 |
| 5 | Refresh of the Section 117 Aftercare Local Policy and Guidance | 17 - 42 |
| 6 | Changes to the way the Council calculates individual contributions towards the cost of care and support | 43 - 52 |
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16	Gedling Access Road - Land Acquisition	133 - 146
17	Work Programme	147 - 152
18	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 Schedule 12A of the Local Government Act 1972 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

19 Gedling Access Road - Land Acquisition - 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 12 September 2018 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

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

Joyce Bosnjak
Richard Butler
John Cottey
Kate Foale
Stephen Garner
Kevin Greaves
Tom Hollis
Richard Jackson
Bruce Laughton

Philip Owen
John Peck JP
Mike Pringle
Alan Rhodes
Steve Vickers
Stuart Wallace
Muriel Weisz
Jason Zadrozny

OTHER COUNCILLORS IN ATTENDANCE

Nicki Brooks
Rachel Madden
David Martin
Liz Plant
Helen-Ann Smith

OFFICERS IN ATTENDANCE

Anthony May Chief Executives Department

Angie Dilley
Keith Ford
David Hennigan
Celia Morris
Marjorie Toward
Nigel Stevenson
James Ward
Amy Callaway

Paul McKay Adult Social Care & Health

Colin Pettigrew Children and Families
Lawrence Jones

Adrian Smith
Derek Highton
David Hughes

Place

Daniel Maher

Arc Partnership

ALSO IN ATTENDANCE

Ruth Hollingsworth

Work Experience Student

1 MINUTES

The Minutes of the last meeting held on 18 July 2018, having been previously circulated, were confirmed and signed by the Chairman.

2 APOLOGIES FOR ABSENCE

No apologies for absence were received.

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

- Councillor Steve Vickers had replaced Councillor Chris Barnfather
- Councillor Tom Hollis had replaced Councillor Samantha Deakin
- Councillor Kevin Greaves had replaced Councillor Glynn Gilfoyle

3 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS.

None.

4 LOCAL GOVERNMENT REORGANISATION (LGR)

RESOLVED: 2018/069

- 1) That the approach and provisional timetable to develop a case for change as set out in the report be endorsed.
- 2) That the Committee approve funding of up to £270,000 for external support for the preparation of the case for change as outlined in paragraph 18 of the report.

5 REVISED SHORT BREAK POLICY FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITY

RESOLVED: 2018/070

That the revised Short Break policy for children and young people with Special Educational Needs and Disability, to reflect the changes to the Short Break offer approved at Children and Young People's Committee on 19th March 2018, be approved..

6 COUNTY COUNCIL PLANNING OBLIGATIONS STRATEGY – 2018 UPDATE

RESOLVED: 2018/071

- 1) That the updated version of the Planning Obligations Strategy be adopted as Council policy to replace the Planning Obligations Strategy – April 2014
- 2) That authority be delegated to the Corporate Director of Place to update, where appropriate, the online version of the Strategy to capture any subsequent new technical information, with any material updates submitted to Policy Committee for approval.

7 VISITOR ECONOMY STRATEGY

RESOLVED: 2018/072

- 1) That the emerging themes of the Council's Strategy to grow Nottinghamshire's visitor economy be agreed.
- 2) That the final Strategy be submitted to a future meeting of the Policy Committee for approval.

8 ENTERPRISE ADVISOR NETWORK

RESOLVED: 2018/073

That £50,000 funding be allocated for 2019/2020 from the Growth and Economic Development initiatives budget, to cover half the costs associated with two Enterprise Coordinators (full-time equivalent) posts, for which the Careers and Enterprise Company will provide the equivalent in match.

9 REPLACEMENT OF THE ORCHARD SPECIAL SCHOOL AND NEWARK DAY CENTRE UPDATE REPORT

RESOLVED: 2018/074

That the contents of the report be endorsed, with no further actions required at this stage.

10 LOCAL ENTERPRISE PARTNERSHIPS GEOGRAPHIES

RESOLVED: 2018/075

- 1) That the County Council proposes to Government that the existing overlap between Sheffield City Region LEP and the D2N2 be removed
- 2) That approval be delegated to the Corporate Director, Place in consultation with the Chair of Policy Committee, to consider and respond to Government on the 'Strengthened Local Enterprise Partnerships' review by their deadline of 28th September, with the final response to be circulated to Members.

11 MAJOR INFRASTRUCTURE IMPROVEMENT SCHEMES

RESOLVED: 2018/076

- 1) That funding of up to £150,000 be approved towards commissioning programmes relating to the Mansfield Ashfield Regeneration Route and the Major Route Network for the financial year 2018-2019.
- 2) That the Committee receive an update report at a future meeting.

12 PERFORMANCE OF ARC PARTNERSHIP – 2017/2018

RESOLVED: 2018/077

That, following consideration by Members, no further actions were required at this stage.

13 LAND AT FIELDS FARM CLOSE, WILLOUGHBY-ON-THE-WOLDS – SURRENDER AND GRANT OF A NEW LEASE

The Chairman informed the Committee that the appendix to this report, which had been included on the agenda as an exempt item, should instead be considered as part of this open agenda item.

RESOLVED: 2018/078

- 1) That the terms of lease detailed within the appendix to the report be noted.
- 2) That the existing 25 year lease be surrendered and a new 30 year lease be granted to the Willoughby Community Park Association, with all terms in the existing lease remaining the same as outlined in the appendix.

14 OPERATIONAL DECISIONS TAKEN OUTSIDE THE POLICY COMMITTEE CYCLE MARCH – JUNE 2018

RESOLVED: 2018/079

That, following consideration by Members, no further actions were required in relation to the issues contained within the report.

15 COUNTY COUNCILS NETWORK ANNUAL CONFERENCE 2018

RESOLVED: 2018/080

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's Annual Conference in Guildford, Surrey from 18-20 November 2018, together with any necessary travel and accommodation arrangements.

16 APPOINTMENTS TO OUTSIDE BODIES

Following discussions, Councillor Zardozy moved an amendment to Recommendation 1, seconded by Councillor Tom Hollis, proposing that Councillor Samantha Deakin, as a Council Member, be appointed to The Portland College Board as the Council's formal appointment.

Following debate and a vote, the amendment was lost.

RESOLVED: 2018/081

- 1) That Portland College Board of Governors be added to the Council's approved outside body list and a formal appointment be made to the College's Board of Governors by the Conservatives and Mansfield Independent Forum Group's Business Manager
- 2) That the Council appoints the Deputy Leader as its formal representative on the Board of Directors of Arc Partnership
- 3) That the additional political party places appointed by The East Midlands Council as outlined in paragraph 18 of the report be acknowledged.

17 WORK PROGRAMME

RESOLVED 2018/082

That, following consideration by Members, no amendments were required to the Work Programme.

18 EXCLUSION OF THE PUBLIC

RESOLVED: 2018/083

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

19 LAND AT FIELDS FARM CLOSE, WILLOUGHBY-ON-THE-WOLDS – SURRENDER AND GRANT OF A NEW LEASE – EXEMPT APPENDIX

As detailed in the minute above for agenda item 13, the Chairman ruled that the information contained within this appendix did not contain exempt information and was therefore considered as part of agenda item 13.

20 OPERATIONAL DECISIONS TAKEN OUTSIDE THE POLICY COMMITTEE CYCLE MARCH – JUNE 2018 – EXEMPT APPENDIX

RESOLVED: 2018/084

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

The meeting closed at 12.59pm.

CHAIRMAN

REPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG PEOPLE'S COMMITTEE

NEW SAFEGUARDING CHILDREN ARRANGEMENTS

Purpose of the Report

1. To provide details of the proposal for new safeguarding children arrangements under the Children and Social Work Act 2017 and Working Together to Safeguard Children 2018 and to seek endorsement of the preferred option, attached as **Appendix 1**.
2. The report also seeks approval for the lead representative functions to be delegated to the Corporate Director for Children and Families.

Information

3. The Children and Social Work Act 2017 introduced a new duty on three agencies, namely the local authority, the chief officer of police and clinical commissioning group (together referred to as the 'safeguarding partners'), to make arrangements for safeguarding and promoting the welfare of children in the area. The new safeguarding arrangements will replace Local Safeguarding Children Boards (LSCBs) which will cease to exist once the new arrangements are in place.
4. Statutory guidance¹ providing details of the new requirement on 'safeguarding partners', was published on 29th June 2018. The guidance states that the three safeguarding partners should agree on ways to co-ordinate their safeguarding services, act as a strategic leadership group in supporting and engaging others, and implement local and national learning including from serious child safeguarding incidents.
5. The local safeguarding arrangements are required to include:
 - arrangements for the safeguarding partners to work together to identify and respond to the needs of children in the area
 - arrangements for commissioning and publishing local child safeguarding practice reviews and
 - arrangements for independent scrutiny of the effectiveness of the arrangements.
6. Once agreed the safeguarding arrangements should be published. Implementation of new safeguarding arrangements is required to be started by 29th June 2019 and completed by 29th September 2019 at the latest. The safeguarding partners are required

¹ Working Together to Safeguard Children 2018

to specify which organisations and agencies should be classed as 'relevant agencies' and those agencies must then act in accordance with the arrangements.

7. Under the previous statutory guidance, LSCBs were required to review all deaths of children normally resident in the area to identify how any future deaths may be prevented. With the closure of LSCBs this responsibility will pass to the 'child death review partners' (the local authority and clinical commissioning group) and a separate piece of work to take this forward is being led by the Consultant in Public Health on behalf of the Children's Integrated Commissioning Hub.
8. Nottinghamshire County Council has been working with lead representatives from the other safeguarding partners in the area, and the NSCB Independent Chair, to develop options for the new safeguarding arrangements. This work has included a review of the current arrangements under the Nottinghamshire Safeguarding Children Board (NSCB) and an assessment of the strengths and weaknesses of those arrangements drawing on the most recent Ofsted inspection (published July 2015) which graded the NSCB as 'good'. New models being developed in other areas were also reviewed using the information provided by 'early adopters' to the Association of Independent LSCB Chairs. Members of the NSCB have also been consulted and a preferred option for the new arrangements, referred to as the 'Nottinghamshire Safeguarding Children Partnership', has now been agreed by the safeguarding partners (see **Appendix 1**).
9. The preferred option ensures that the safeguarding partners have a central strategic role and provides clarity around leadership and accountability. Under the preferred option lead representatives from the safeguarding partners will form a Strategic Leadership Group (SLG) responsible for agreeing the safeguarding arrangements, setting safeguarding priorities for the area, supporting and engaging partner organisations and ensuring that local and national learning is implemented.
10. A Safeguarding Assurance and Improvement Group sits beneath the SLG and will have a membership of senior representatives from the safeguarding partners and relevant agencies with key safeguarding performance responsibilities. The Safeguarding Assurance and Improvement Group will be led by an independent chair and be responsible for the scrutiny of safeguarding and coordination of improvement activity.
11. Connectivity with the wider partnership of agencies will be through the Nottinghamshire Safeguarding Children Partnership forum. The forum will provide the opportunity to expand engagement with organisations from the current NSCB membership (20 organisations) and strengthen links with schools, sports clubs and private providers. The focus of the forum will be communication, consultation, coordination and networking.
12. The preferred option includes two sub groups: the Child Safeguarding Practice Review Group which will lead on case reviews and the monitoring of progress against associated action plans and the Learning and Workforce Development Group which will coordinate the multi-agency training programme and manage updates to the inter-agency safeguarding children procedures.
13. The statutory guidance expects organisations and agencies to collaborate on how they will fund their arrangements. The three safeguarding partners should agree the level of funding secured from each partner, which should be equitable and proportionate, and any

contributions from each relevant agency, to support the local arrangements. The NSCB is funded, in part, via partnership contributions and a specific meeting of the safeguarding partners has been arranged to review the contributions made and agree how the new safeguarding arrangements should be financed in the future.

14. Working Together to Safeguard Children 2018 states that it will be essential that the safeguarding arrangements are strongly led and promoted at a local level by the local authority Chief Executive, Lead Member of Children's Services, Police and Crime Commissioner and chief officers in all organisations. Delegation of lead representative functions is permitted and in Nottinghamshire the Chief Executive for Nottinghamshire County Council has been briefed on the work undertaken to date and will delegate lead representative functions to the Corporate Director for Children and Families.
15. A high level plan has been developed to manage the transition to the new safeguarding arrangements in line with statutory guidance. Further detail will be developed in preparation for the publication of the arrangements in December 2018. The new arrangements will then be implemented over a three month period starting in January 2019. During this time the NSCB will continue to exist although in effect its work will be limited to any ongoing serious case reviews with responsibility for the safeguarding arrangements transferring to the Nottinghamshire Safeguarding Children Partnership. The NSCB will then cease to exist from 31st March 2019, unless there are any ongoing serious case reviews at that time in which case a 12 month grace period is allowed for the completion of such reviews.

Other Options Considered

16. Under the statutory guidance, Nottinghamshire County Council is a safeguarding partner and is therefore required to jointly develop safeguarding arrangements with the other partners. Alternative models for the safeguarding arrangements have been explored by the safeguarding partners as part of the process described earlier.

Reason/s for Recommendation/s

17. The preferred option provides the best opportunity for building on the strengths of the current arrangements and addressing the challenge of working across a large geographic area and engaging with a significant number of organisations and agencies whose involvement is needed to safeguard and promote the welfare of children

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.

Financial Implications

19. It is anticipated that the support required for the new safeguarding arrangements can be contained within the existing resources and funding for the current NSCB.

RECOMMENDATION/S

That:

- 1) the preferred option for new safeguarding children arrangements, attached as **Appendix 1**, be endorsed.
- 2) the Corporate Director for Children and Families act as the lead representative for Nottinghamshire County Council.

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

For any enquiries about this report please contact:

Steve Baumber
NSCB Business Manager
T: 0115 977 3935
E: steve.baumber@nottsccl.gov.uk

Constitutional Comments (LM 19/09/18)

20. The Policy Committee is the appropriate body to consider the contents of the report.

Financial Comments (SAS 01/10/18)

21. The financial implications of the report are contained within paragraph 19 above.

Background Papers and Published Documents

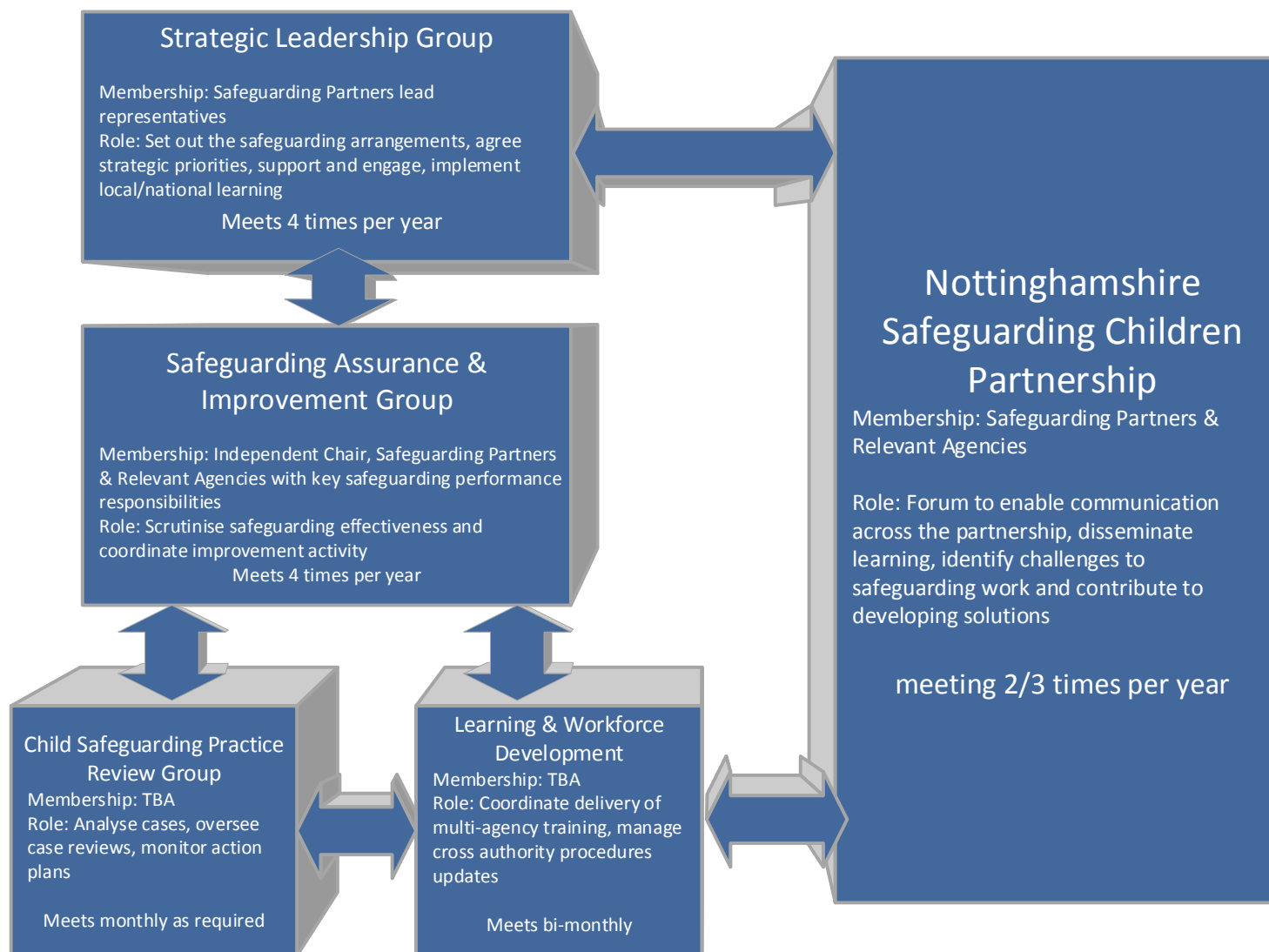
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

C1151



**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND PUBLIC
HEALTH COMMITTEE****REFRESH OF THE SECTION 117 AFTERCARE LOCAL POLICY AND
GUIDANCE****Purpose of the Report**

1. The report seeks approval of the revised Section 117 Aftercare Local Policy and Guidance, attached as **Appendix 1**.

Information

2. The policy summarises the requirements of s117 of the Mental Health Act 1983 (as amended in 2007) and provides operational guidance for implementation across Nottinghamshire County and Nottingham City. The aim is to ensure that a lawful and consistent quality of aftercare services is provided.
3. S117 of the Mental Health Act places a statutory duty of aftercare on Clinical Commissioning Groups (CCGs) and Local Social Service Authorities (LSSAs), in cooperation with voluntary agencies, to provide, or arrange to provide, aftercare services free of charge for all clients who have been detained in hospital under certain qualifying sections of the Mental Health Act 1983.
4. The previous policy was last updated in 2011 and changes to legislation and case law meant an update was required. Nottinghamshire County Council took the lead on this piece of work, however all relevant parties were involved in the refresh.
5. A person is entitled to the provision of aftercare under the following circumstances:
 - When they have been detained in hospital for treatment under sections 3, 37, 45A, 47 or 48 of the Mental Health Act, and then cease to be detained and leave hospital.
 - When they are on a Community Treatment Order (CTO) and then continue to require s117 provision after discharge from the CTO
 - When they are on section 17 Leave of Absence on the above sections.¹
6. The person's entitlement to s117 aftercare continues if:
 - The person is on authorised leave from hospital

¹ *R v Richmond LBC ex parte W* [1999] MHLR 149

- He/she is discharged from the Section and remains in hospital informally
 - He/she is returned to prison following a period of detention in hospital
 - He/she is discharged from the Section and hospital and into the community
7. The Care Act 2014 s75 (5) defines after care services as those services which have both of the following purposes:
- Meeting a need arising from or related to the person's mental disorder; and
 - Reducing the risk of deterioration of the person's mental condition (and, accordingly, reducing the risk of the person requiring admission to a hospital again for treatment for mental disorder).
8. The proposed policy and guidance was presented to the Adult Social Care and Public Health Committee on 10 September 2018 and was recommended by the Committee for approval by Policy Committee.

Summary of amendments made to the policy

9. The proposed amendments are as follows:
- a. Clarification in relation to ordinary residence. The (updated August) 2017 Department of Health Care and Support Guidance (19.654 – 19.66) indicates under s.117 of the Mental Health Act, as amended by the Care Act 2014:
 - If a person is ordinarily resident in Local Authority area A immediately before detention under the 1983 Act, and moves on to be discharged to Local Authority area B and moves again to Local Authority area C, Local Authority A will remain responsible for providing or commissioning their aftercare.
 - Should the person become ordinarily resident after discharge in Local Authority areas B or C, and subsequently detained, it would be B or C who would be responsible for aftercare. If the patient's ordinary residence immediately before detention cannot be established, the Local Authority will be the one for the area in which the patient was resident before detention.
 - Only if that cannot be established either, will the responsible Local Authority be the one for the area to which the patient is sent on discharge. However, this should be relied upon as a last resort.
 - b. Now includes a flowchart which outlines the discharge process and highlights the importance of commencing aftercare planning at the point of admission to hospital. It also confirms that it is the responsibility of Nottinghamshire NHS Foundation Trust to ensure the patient has a s117 meeting and ensure the relevant CCG is aware of individuals' funding requirements arising from the duty to provide s117 services.
 - c. Stresses the importance that all patients who are entitled to aftercare under s117 are identified and that records are kept of what aftercare is provided under that section. There is now a form which needs to be completed and uploaded onto each organisations records. This form also needs to be forwarded to the Mental Health Assessment office by the person completing it.

- d. There is no change to the local funding arrangements that the City and County CCGs and LSSAs have agreed for new s117 cases and reviews. Joint funding will generally be agreed on one of the following splits:
 - i. 70% CCG/30% LSSA – where the assessment indicates that health needs are significantly higher than social care needs
 - ii. 30% CCG/70% LSSA – where the assessment indicates that health needs are significantly lower than social care needs.
 - iii. 50% CCG/50% LSSA – where the assessment indicates little difference in the respective health and social care needs.

However, a paragraph was included which states that there may be some exceptions so each case should be considered separately. The final decision will be made upon professional judgement of the relevant section 117 panel members from the CCG and LSSA based upon a recommendation from the Nurse Assessor and Social Worker who completed the assessments.

- e. Under the Care Act 2014 a direct payment may be given to a person on a s117, if it is an appropriate way to discharge its duty under s117 of the 1983 Act.
- f. Emphasises the importance of regularly reviewing people receiving services under s117. Eligibility should be a fixed agenda item at review meetings. This will ensure that people are discharged from s117 as appropriate. Currently individuals are very rarely discharged and may therefore receive service without making an assessed contribution.
- g. Provides detailed guidance regarding the factors to be considered when deciding whether or not a discharge from s117 may be appropriate. Also outlines the procedure for ending s117 entitlement and includes a pro-forma that needs to be completed and uploaded on the databases of the relevant organisations when the decision to end s117 has been taken. This pro-forma should also be forwarded to the MHA office by the person completing it and to the relevant CCG Section 117 panel. The patient/their representatives must also be informed of this decision in writing, which should include the relevant factors and reasoning.

- 10. The revised policy and guidance is attached as **Appendix 1**.

Other Options Considered

- 11. To not update the policy in line with current legislation and case law which could lead the Council and its partners vulnerable to upheld complaints and potential Judicial Review.

Reason/s for Recommendation/s

- 12. To ensure current local policy is in line with national legislation and all parties agree on the policy to be implemented.

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.

Data Protection and Information Governance

14. A Data Protection Impact Assessment will be undertaken in relation to this initiative/arrangement to ensure that all necessary information governance arrangements are in place.

Financial Implications

15. There are no changes to the Health/Social Care split of funding around individual packages.

Human Resources Implications

16. No direct impact on staff posts has been identified in any of the changes described.

Human Rights Implications

17. The rights of citizens of Nottinghamshire to receive lawful s117 Aftercare will be protected.

Implications for Service Users

18. Service users discharged from s117 may become liable for contributions relating to social care services. They would, however, be subject to fairer charging policy, which means that any contribution would be on the basis of a financial assessment.

RECOMMENDATION

- 1) That the Committee approves the revised Section 117 Aftercare Local Policy and Guidance, attached as **Appendix 1**.

Councillor Stuart Wallace

Chairman of the Adult Social Care and Public Health Committee

For any enquiries about this report please contact:

Cath Cameron-Jones

Group Manager, Strategic Commissioning

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E: cath.cameron-jones@nottscg.gov.uk

Constitutional Comments (LM 21/09/18)

19. The Policy Committee is the appropriate body to consider the contents of the report.

Financial Comments (DG 26/09/18)

20. The financial implications are contained within paragraph 15 of 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.

Refresh of Section 117 Aftercare Local Policy and Guidance – report to Adult Social Care and Public Health Committee on 10 September 2018

Electoral Division(s) and Member(s) Affected

All.

ASCPH591 final



SECTION 117 AFTER-CARE LOCAL POLICY AND GUIDANCE: NOTTINGHAM CITY AND NOTTINGHAMSHIRE COUNTY COUNCILS, NOTTINGHAMSHIRE HEALTHCARE NHS FOUNDATION TRUST, CLINICAL COMMISSIONING GROUPS

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1. INTRODUCTION

The purpose of this policy is to summarise the requirements of s117 of the Mental Health Act 1983 (as amended in 2007) and provide operational guidance for implementation across Nottinghamshire County and Nottingham City. The aim is to ensure that a lawful and consistent quality of after-care services is provided.

S117 of the Mental Health Act places a statutory duty of aftercare on Clinical Commissioning Groups (CCGs) and Local Social Service Authorities (LSSAs) **in cooperation with voluntary agencies** to provide or arrange to provide aftercare services free of charge for all clients who have been detained in hospital under certain qualifying sections of the Mental Health Act, 1983.

The Health and Social Care Act 2012 inserted a new section (s117 (2D)) into the Mental Health Act which makes it clear that the duty on the CCG or NHS England (formerly known as the NHS Commissioning Board) is to commission rather than provide after – care services.

This guidance must be cross referenced with:

- The Mental Health Act 1983 Code of Practice (2015) Chapter 33
- The Reference Guide to the Mental Health Act (2015) Chapter 29

The Trust referred to in this document is Nottinghamshire Healthcare NHS Foundation Trust.

2. WHO DOES SECTION 117 APPLY TO?

A person is entitled to the provision of aftercare under the following circumstances;

- When they have been detained in hospital for treatment under sections 3, 37, 45A, 47 or 48 of the Mental Health Act, and then cease to be detained and leave hospital.
- When they are on a Community Treatment Order (CTO) and then continue to require s117 provision after discharge from the CTO
- When they are on section 17 Leave of Absence on the above sections.¹

The person's entitlement to s117 aftercare continues if:

- The person is on authorised leave from hospital
- He/she is discharged from the Section and remains in hospital informally
- He/she is returned to prison following a period of detention in hospital
- He/she is discharged from the Section and hospital into the community.

¹ *R v Richmond LBC ex parte W* [1999] MHLR 149

3. THE MEANING AND SCOPE OF SECTION 117 AFTERCARE

The Care Act 2014 s75 (5) defines after care services as those services which have both of the following purposes;

- a) Meeting a need arising from or related to the person's mental disorder;
- and
- b) Reducing the risk of deterioration of the person's mental condition (and, accordingly, reducing the risk of the person requiring admission to a hospital again for treatment for mental disorder)

Further guidance can be taken from the MHA Code of Practice which states that "CCGs and LAs should interpret the definition of after care services broadly...can encompass healthcare, social care...and services to meet the person's wider social, cultural and spiritual needs, if these services meet a need that arises directly from or is related to the particular patient's mental disorder, and help to reduce the risk of deterioration in the patient's mental condition"

In 2002 the House of Lords held that as s117 is a freestanding provision which imposes a duty on LSSAs and CCGs to provide aftercare services until such a time as the person is no longer in need of them free of charge. LSSAs are not entitled to charge for residential accommodation provided by them pursuant to their s117 duty.²

The duty will last until the after-care bodies are satisfied (not just the LSSA) that the patient no longer needs any after-care services for their mental disorder.

3.1. Adaptations

Adaptations to accommodation may also fall within the remit of s117 services, but only where they are related to a person's mental disorder. The Code of Practice, in Chapter 33, makes it clear that after care services are principally concerned with assisting an ex patient to "cope with life outside hospital". If it could be evidenced that a significant element of the patient being able to cope may include suitably adapted accommodation then the duty to provide may arise.

CoP
Chapter
33

4. REFUSAL OF SERVICES

There is no obligation upon the ex-patient to take up s117 after-care services that they are offered, but any decisions they may make to decline them should be fully informed. An unwillingness to accept services should not be equated

² *R v Manchester City Council ex parte Stennett* [2002] UKHL 34

with not needing those services of s117, nor should it preclude them from receiving them under s117 if they change their mind. The refusal does not discharge the s117 duty. A decision by the ex-patient to refuse should be clearly recorded. Where capacity to make that decision is in doubt, there should be evidence of an assessment of capacity in accordance with the Mental Capacity Act 2005. Where capacity is found to be lacking, any decision must be taken with regard to section 4 of the Mental Capacity Act, in the person's best interests.

4.1. Process

A care plan and risk assessment should be completed stating the intervals at which the patient's refusal should be re-assessed. If the person continues to refuse services, a Care Programme Approach review meeting would decide if the person requires after-care services. A Community Treatment Order or Guardianship should be considered at a pre discharge meeting, when planning after-care services for in patients who in the past have refused services and become unwell again.

CoP Chapter 33

5. WHO IS RESPONSIBLE FOR AFTERCARE SERVICES UNDER SECTION 117?

Local Social Services Authorities (LSSAs);

'the duty on LAs to commission or provide mental health after-care rests with the LA for the area in which the person concerned was ordinarily resident immediately before they were detained under any of the relevant sections of the Mental Health Act, even if they are discharged to another LA are upon discharge.'

Only if the person could not be considered ordinarily resident anywhere, at that point, will the original residence rule apply and in default of that, it will be where the person was sent on discharge by the hospital in which the person was detained.

When there is a dispute about ordinary residence in England, Section 40 of the Care Act 2014 provides that the local authorities in England may request a determination of ordinary residence to be made by the Secretary of State. The procedure is contained in the Care and Support (Disputes between Local Authorities) Regulations 2014.

The meaning of 'ordinarily resident'

The House of Lords stated that 'ordinarily resident' "... *refers to a person's abode in a particular place or country which the person has adopted voluntarily and for settled purposes as part of the regular order of their life for the time being, whether of short or of long duration... This is not to say that the person intends to stay where they are indefinitely... all that is necessary is*

that the purpose of living where one does have sufficient degree of continuity to be properly described as settled..."³

The duty under s117 rests with the Local Authority for the area in which the person concerned was 'ordinarily resident' immediately before they were detained under the Mental Health Act even if the person becomes ordinarily resident in another area after leaving hospital.

The (updated August) 20176 DOH Care and Support Guidance (19.654 – 19.66) indicates under s.117 of the Mental Health Act, as amended by the Care act 2014:

- If a person is ordinarily resident in Local Authority area A immediately before detention under the 1983 Act, and moves on to be discharged to Local Authority area B and moves again to Local Authority area C, Local Authority A will remain responsible for providing or commissioning their aftercare.
- Should the person become ordinarily resident after discharge in Local Authority areas B or C, and subsequently detained, it would be B or C who would be responsible for aftercare. If the patient's ordinary residence immediately before detention cannot be established, the Local Authority will be the one for the area in which the patient was resident before detention.
- Only if that cannot be established either, will the responsible Local Authority be the one for the area to which the patient is sent on discharge. However, this should be relied upon as a last resort.

Clinical Commissioning Groups (CCGs);

The identity of the relevant CCG is governed by Regs 14 and 15 NHS Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regs 2013, as amended by 2016 Regs. As detailed in the guidance: 'Who Pays?' Determining responsibility for payments to providers' issued in 2013 and revised in 2016, the responsible CCG will be largely dependent of GP registration.

The guidance notes that the responsible CCG should be established by the usual means (GP registration) but if a patient who is resident in one area (CCG A) is discharged to another area, (CCG B), it is then the responsibility of the CCG in the area where the patient moves (CCG B) to jointly work with CCG A, who will retain the responsibility to pay for their aftercare under s117 of the Act as agreed with the Local Authority.

³ R V Barnet LBC, ex parte Shah [1983] 2 AC 309

If a detained person in receipt of s117 services is subsequently readmitted or recalled to hospital, the responsible CCG will continue to be the CCG that is currently responsible for their s117 aftercare.

If a detained person who was registered with a GP in one area (CCG A) is discharged to another area (CCG B) and in receipt of s117 services is subsequently readmitted or recalled to hospital, the originating CCG (CCG A) would retain responsibility for their s117 aftercare.

The table below provides a distinction of the changing commissioner responsibilities for patients discharged under s117. However, the guidance should not be applied retrospectively in order to rebase or transfer commissioners' responsibilities. As this appears to be quoted from Jones, you will need to reference this

<ul style="list-style-type: none"> Patients discharged pre 1 April 2013 come under the pre August 2013 PCT Who Pays Guidance and the legacy/originating CCG continues to be responsible for subsequent compulsory admissions under the MHA, and current and subsequent S117 services until such time as they are assessed to no longer need these services.
<ul style="list-style-type: none"> Patients discharged between 1 April 2013 and 31 March 2016 fall under August 2013 Who Pays Guidance – CCG B would be responsible if a patient is discharged into a location in CCG B and registers with a GP in CCG B.
<ul style="list-style-type: none"> New revised guidance from 1 April 2016 will revert back to the pre 1 April 2013 position where the legacy/originating CCG continues to be responsible in most cases."

6. AFTERCARE PLANNING

The duty of both the health authorities and the LSSA is to identify appropriate after-care facilities for the patient before his/her actual discharge from hospital, and inform the patient of the options available. Good practice would be to commence after-care planning from the point of admission to hospital (MHA Code 33.10). It is certainly not acceptable to start to address this at the ward discharge meeting. **Appendix 1** outlines the discharge process in the form of a flow chart.

CoP 33.10

It is the Trust's responsibility to ensure the patient has a s117 meeting. The Trust also needs to ensure the relevant CCG is aware of individuals' funding requirements arising from the duty to provide s117 services.

Those patients who do not retain a right to an Independent Mental Health Advocate (IMHA), whose care and support needs are being assessed, planned or reviewed should be considered for an advocate under the Care Act, if they have substantial difficulty in being involved and if there is no appropriate person to support their involvement.

Local Authority staff should be informed of and invited to any s117 planning meetings. It should be noted that the Local Authority cannot be committed to providing a service and/or funding unless their staff have been involved in the

after-care planning meeting. There is no duty to provide s117 services until the patient is discharged but effective planning is imperative so as not to delay a patient's discharge.⁴

The Code of Practice reminds us:

- S117 applies also to the defined categories of patients given leave of absence under s117. We should also ensure some joint planning occurs in this situation.
- There needs to be s117 after-care planning before a First Tier Tribunal (Mental Health) is held. The joint plan should be included in the report to the Tribunal.
- This joint planning would also be required for an Associate Hospital Managers' Panel.

CoP 33.12

7. MONITORING/ RECORDING

It is important that all patients who are entitled to after-care under s117 are identified and that records are kept of what after-care is provided under that section. The after-care planning of detained patients should be included in the general arrangements for implementing Care Programme Approach (CPA), but because of the specific statutory obligation, it is important that the section 117 planning is documented separately. **The form attached in Appendix 2 needs to be completed and uploaded onto each organisations records. This form also needs to be forwarded to the MHA office by the person completing it.**

The patient should be fully involved in the after-care planning process and their involvement recorded on the form.

8. FINANCE AND SECTION 117

8.1. Charging

There is no express statutory power to charge for s117 after-care services and as such services must be provided free of charge.⁵ It is therefore the policy of Nottingham City and Nottinghamshire County Councils that no person subject to s117 shall be charged for services relevant to support their assessed mental health needs. This includes:

- Domiciliary services
- Meals at home
- Day Centre services
- Residential services. (*Nottingham City staff: Please complete Exemption form and return to Adult Residential Services, Loxley House, Station*)

⁴ *B v Camden LBC (1) and Camden & Islington Mental Health & Social Care Trust [2005] EWHC 1366*

⁵ *R v Manchester City Council ex parte Stennett [2002] UKHL 34*

Street, Nottingham; Nottinghamshire County staff: please note in relevant section in Mosaic)

The LSSA must have assessed eligibility for these services before they are offered to the patient.

It is worth noting that the DOH LAC 2000(3) guidance states “Occasionally, there may be other non-residential community care services which are not part of the s117 aftercare plan. These may relate to physical disabilities or illnesses which have no direct bearing on the person’s mental health. Such services will generally fall outside s117 after-care.” In those situations it is important to discuss the matter with the relevant manager and it might be appropriate to assess the eligibility of the person for NHS Continuing Healthcare (CHC).

8.2. Key principles in relation to charging:

The following key principles are accepted as Nottingham City and Nottinghamshire County Council policy in regard to financial aspects of s117:

- There will be no retrospective assessments which attempt to remove a person from s117 status in order to avoid local authority liability for charges.
- People who have paid for their own s117 aftercare will receive financial restitution.

The City and County CCGs and LSSAs have agreed local funding arrangements for new s117 cases and reviews which are detailed in separate policies; these were updated in 2016. Joint funding will generally be agreed on one of the following splits:

1. 70% CCG/30% LSSA– where the assessment indicates that health needs are significantly higher than social care needs
2. 30% CCG/70% LSSA– where the assessment indicates that health needs are significantly lower than social care needs.
3. 50% CCG/50% LSSA – where the assessment indicates little difference in the respective health and social care needs.

It is difficult to be prescriptive regarding the above as there may be some exceptions based on national strategic policy developments. Each case should be considered separately and the final decision will be made upon professional judgement of the relevant CHC panel members from the CCG and LSSA based upon a recommendation from the Nurse Assessor and Social Worker who completed the assessments.

8.3. Choice of Accommodation and top up funding

The Care Act Guidance Annex A (Paragraphs 44 – 50) (but also inserted by s.75 (6) of the Care Act 2014 concerns the choice of accommodation and aftercare: The Care and Support and After-Care (Choice of Accommodation)

Regs 2014 made under the Mental Health Act 1983 enable persons who qualify for aftercare under s117 to express a preference for particular accommodation if accommodation of the types specified in the Regulations are to be provided as part of that after-care. (LSSAs) are required to provide or arrange the provision of the preferred accommodation if the conditions in the Care and Support and After-care (Choice of Accommodation) Regulations 2014 are met. Where the cost of the person's preferred accommodation exceeds the standard LSSA rate then a top up agreement must be made with the patient or a third party on their behalf for some or all of the additional cost prior to a placement being made.

Section 39(4) of the Care Act is a deeming provision that applies to any person who is provided with accommodation as part of their after-care. The effect of section 39(4) is that the person is deemed, for the purposes of Part 1 of the Care Act, to be ordinarily resident in the area of the local authority responsible for the person's after-care. There are only three types of accommodation to which this provision applies, which are; nursing and care homes, supported living/ extra care housing and shared lives schemes.

Section 39(4) will apply to any person who receives after-care on leaving hospital on or after 1 April 2015, irrespective of the date that they were discharged from detention under any of the relevant provisions cited in section 117(1).

As the legislative requirement for a care and support plan under the Care Act 2014 does not apply to s117 after-care, the after-care plan should instead be drawn up under guidance on the Care Programme Approach (CPA). Care planning under the CPA should, if accommodation is an issue, include identifying the type of accommodation which is suitable for the person's needs and affording them the right to choice of accommodation set out in the regulations made under s117A. The person should be fully involved in the care planning process.

9. INTERFACE WITH OTHER LEGISLATION AND GUIDANCE

9.1. Section 117 and the Nationality, Immigration and Asylum Act 2002

The duty to provide after-care services applies to patients irrespective of their country of origin. S117 after-care does not exclude services within the meaning of Schedule 3 of the Nationality Immigration and Asylum Act 2002 and therefore nationality and immigration status is irrelevant to the consideration of whether such a duty to provide such services is owed.

It may be necessary to refer to your Legal Services for legal advice on a case by case basis.

9.2. Care Act 2014

As s117 is a freestanding provision, the Care Act (and the eligibility regulations) does not govern who should get what. The question under s117 is; what does a person need to prevent deterioration in their mental condition

and re-admission to hospital having regard to those needs that arise directly from or are related to the patient's particular mental disorder?

A person can qualify for Care Act services in parallel to those provided under s117.

9.3. Supported Housing

If supported living schemes and housing related support are part of a patient's care plan then these costs should be met under s117 responsibilities. Also if accessing such support generates any costs to the person themselves then again these costs should be met under s117 responsibilities.

9.4. Direct Payments

Direct payments are monetary payments made to individuals who request to receive one to meet some or all of their eligible social care and support needs. The legislative context for direct payments in social care is set out in section 75(7) Care Act 2014 which allows a LSSA to discharge its section 117 duty by making direct payments., and also s117 (2C) of the Mental Health Act 1983 and the Care and Support (Direct Payments) Regulations 2014.

Direct payments are also available to meet an individual's health needs. The CCGs are expanding the offer of Personal health budgets to people under s117, and direct payments are one option. The legislative context for direct payments in the NHS is set out in the National Health Service (Direct Payments) Regulations 2013, as amended by the National Health Service (Direct Payments) (Amendments) Regulations 2013. Health and social care are working together to ensure people are able to have an integrated budget and payment, when they opt for a direct payment.

The effect of the Care Act 2014 is that one of the conditions to be met for direct payments is that in respect of after-care services, it is an appropriate way to discharge its duty under s117 of the 1983 Act.

9.5. Part 3 Mental Health Act 1983 patients (concerned in criminal proceedings or under sentence)

If a person is required to live in a residential home as part of the conditions of a section 37/41 restriction order then that placement would not be chargeable.

Entitlement to aftercare applies when patients are released from prison, having spent part of their sentence detained in hospital under a relevant section of the Act.

CoP 33.9

Serving prisoners who were transferred to secure hospital facilities under Part 3 and then returned to prison to complete their sentence following an assessment or treatment episode will require a review following the end of their sentence to assess whether or not there should be a continuation of s117 liability. (See section 10)

Further guidance should be sought from your Legal Services on a case by case basis.

9.6. Care Programme Approach

The Care Programme Approach (CPA) is an overarching system for co-ordinating the care of people with mental disorders. It should be used in secondary mental healthcare to assess, plan, review, and co-ordinate the range of treatment, care and support needs of those people in contact with secondary mental health services. The CPA should be used for individuals who are at high risk of suffering deterioration in their mental condition and who need multi agency support, active engagement, intensive intervention and or support with dual diagnoses.

CoP
34.6 -
34.7

Care Act guidance: Annex A states the following.....the legislative requirement for a care and support plan under the Care Act 2014 does not apply to s117 after-care, the care plan should be drawn up under guidance on the CPA.

9.7. The Mental Capacity Act 2005

The application of the principles and legal requirements of the Mental Capacity Act 2005 must be considered. In particular, health and social care staff need to establish whether a Lasting Power of Attorney is in place for the person concerned (registered at the Office of The Public Guardian) and to consult with them where required and also to be aware of, and take into account relevant advance statements when the person is being considered for s117 after-care services.

CoP
Chapter
9

Where the effect of after-care arrangements might be that the person who lacks capacity is 'deprived of liberty' (continuous supervision/control and not free to leave), such arrangements must be authorised by the Court of Protection or the MCA Deprivation of Liberty Safeguards process as applicable.

9.8. NHS Continuing Healthcare

(See paragraphs 118-122 of the National Framework for NHS Continuing Healthcare and NHS Funded Nursing Care, November 2015)

Where a patient is eligible for services under s117, these should be provided under s117 and not under NHS continuing healthcare.

There are no powers to charge for services provided under s117 and it is not necessary to assess eligibility for NHS continuing healthcare if all the services in question are to be provided as aftercare services under s117.

However, a person in receipt of s117 aftercare services may also have needs that are not related to their mental disorder and that may, therefore, not fall within the scope of s117. Also, a person may be receiving s117 services and then develop physical health care needs (e.g. through a stroke) which may then trigger the need to consider NHS continuing healthcare only in relation to

these separate needs, bearing in mind that NHS continuing healthcare should not be used to meet s117 needs.

Where an individual in receipt of s117 services develops physical care needs resulting in a rapidly deteriorating condition which may be entering a terminal phase, consideration should be given to the use of the Fast Track Pathway Tool.

10. SECTION 117 REVIEWS

People receiving services under s117 may be part of the CPA. These people will have a review at least once a year which will include all the people involved in the patient's care (similar to those invited to the original after-care planning meeting) and should include the patient, their carer and an advocate, if requested. 34.15 of the MHA 1983 Code of Practice recommends "the care plan should be regularly reviewed. It will be the responsibility of the care coordinator (or other officer responsible for its review) to arrange reviews of the plan until it is agreed between all parties, including the patient, that it is no longer necessary". The continuing status of s117 eligibility should be a fixed agenda item at these meetings. The outcome of the review, plus any recommendation to discharge from s117 after-care will be submitted to the relevant CHC Panel.

Where people are not part of a CPA they should still have as a minimum an annual review where the continued status of s117 should be considered.

Where these people are in receipt of services commissioned by the LAAS then these reviews will be initiated by the LA as part of the regular review of the care and support services they receive. Again any recommendation to discharge from s117 after-care will be submitted to the relevant CHC Panel.

11. WHEN SECTION 117 RESPONSIBILITY ENDS

S117 (2) imposes the duty to provide services until such time as the CCG and LSSA are satisfied that the person concerned is no longer in need of such services.

The Code of Practice states: '...The duty to provide after-care services exists until both the CCG and the LSSA are satisfied that the patient no longer requires them...' The duty to provide aftercare services includes patients who, following detention under s 3, are granted leave of absence under s 17.⁶

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33.20

Aftercare under s117 may be terminated for the following reasons:

- Death of a service user
- A review has determined that aftercare is no longer required

⁶ *R v Richmond LBC ex p. Watson* [1999] MHLR 155

The authority responsible for commissioning the particular services should consider whether ending s117 is appropriate, closely consulting with the patient, nearest relative and other agencies and individuals involved. S117 obligations end only at the point when both the CCG and LSSA have come to a decision that the person no longer needs any after-care service for their mental health needs (if both involved in provision as would generally be the case). There needs to be positive evidence that a person no longer needs s117 after-care services otherwise their discharge from s117 is considered unlawful.

Aftercare services under s117 should not be withdrawn solely on the grounds that:

- The patient has been discharged from the care of specialist mental health services.
- An arbitrary period has passed since the care was first provided.
- The patient is deprived of liberty under the MCA.
- The patient has returned to hospital informally or under section 2 or
- The patient is no longer on a CTO or section 17 leave.

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33.21

Even where the provision of aftercare has been successful in that the patient is now well settled in the community, the patient may still continue to need aftercare services e.g. to prevent a relapse or further deterioration in their condition.

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33.22

The following guidance is offered about the factors to be considered regarding whether or not discharge from s117 may be appropriate:

- What are the Service User's current assessed mental health needs?
- Have the Service User's needs changed since their discharge from hospital under s117?
- What are the risks of return to hospital/relapse?
- Has the provision of after-care services to date served to minimise the risk of the service user being re-admitted to hospital for treatment for mental disorder/experiencing relapse of their mental illness?
- Are those services still serving the purpose of reducing the prospect of the Service User's re-admission to hospital for treatment for mental disorder/experiencing relapse or has that purpose now been fulfilled?
- What services are now required in response to the Service User's current mental health needs?
- Does the service user still require medication for mental disorder?

- Is there any ongoing need for care under the supervision of a consultant psychiatrist or any ongoing need for involvement of specialist mental health services such as a community mental health team?

The above list is not exhaustive, but indicators that s117 could be discharged may include any of the following:

- Stabilised mental health which no longer requires the level of care that has been provided under s117 in order to be maintained
- Services no longer needed for the purpose of reducing the risk of return to hospital or relapse
- No ongoing need for involvement of a consultant psychiatrist or specialist mental health services or for medication.

However, any decision should be taken with reference to the individual circumstances of each case and none of the indicators above should be used solely as grounds for discharge.

12. PROCEDURE FOR ENDING SECTION 117 ENTITLEMENT

The entitlement to s117 services only ends when it is discharged:

- The initial recommendation to end s117 would be made at a multi-disciplinary CPA / s117 review. The patient and carer should be present or represented and kept informed. Representatives of the LSSA, and the Trust (on behalf of the CCG) must be present in order to formulate the recommendation.
- Any recommendation to discharge must be agreed by the relevant Social Care manager and the Responsible Clinician (Consultant Psychiatrist) on behalf of the CCG.
- If there is a difference of opinion between the Trust and LSSA regarding the decision to discharge from s117, which cannot be resolved at operational level, this will need to be escalated to Senior Management within the CCG and the relevant Adult Social Care & Health department with the LSSA
- Only when representatives from the two separate organisations agree, can s117 be discharged.
- The decision to end s117 must be recorded using the proforma in **Appendix 3** and uploaded on the databases of the relevant organisations. This proforma should also be forwarded to the MHA office by the person completing it and the relevant CCG CHC Panel. The patient/their representatives must be informed of this decision in writing, which should include the relevant factors/reasoning.
- Aftercare services may be reinstated if it becomes obvious that they have been withdrawn prematurely. For example, where a patient begins to deteriorate immediately after services are withdrawn.

13. TRANSFER TO OTHER AREAS

If a person moves to a different area and residence from where s/he was admitted, then the responsible authorities, in the area of the original residence and admission, may need to purchase and /or arrange services in the new area.⁷ The only time the responsibility may change to the authorities in the new area of residence is when the person is detained again under one of the s117 applicable sections.

If the person is leaving the area – it is important to notify the relevant LSSA and Health Trusts of his/her being subject to s117 and it will be the responsibility of the Trust to arrange a joint CPA meeting to arrange the appropriate services.

Special provisions apply to the transfer of patients from England and Wales to Scotland, Northern Ireland, the Channel Islands and the Isle of Man and a pro forma is available on the Department of Health website to complete for cross border patient transfers.

14. RESUMPTION OF SECTION 117 STATUS

If someone has been subject to s117 status in the past and then requires services for his/her mental health again, then their section 117 status should be reviewed. S117 would automatically apply if they were admitted under the qualifying section again. It could apply to informal or patients in the community if the care team considered that the requirement for services was part of the same episode of mental illness and that it was in the patient's best interests to receive the services.

15. COMPLAINTS/APPEALS

LSSAs should show that they have carefully considered the needs of or requests from individual patients arising from or related to their mental disorder and carefully documented the reasons why services are either agreed or refused.

Although there is a positive duty to provide after-care services under s117, there is discretion by the after-care bodies as to level of provision. If there are any concerns regarding the s.117 after-care provision, the patient or their representative should be referred to the relevant after-care bodies complaints procedures.

The patient also has right to apply for consideration by the Local Government Ombudsman and/or Judicial Review.

16. LINKED DOCUMENTS / FURTHER GUIDANCE

⁷ *R v MHRT Ex p Hall* [1999] 3 All ER 1323, Department of Health Circular LAC (2000) 3 Paragraph 9.

Refocusing the Care Programme Approach: Policy and Positive Practice Guidance March 2008.

The National Framework for NHS Continuing Healthcare and NHS-Funded Nursing Care - November 2012 (revised)

Department of Health (2015) Code of Practice Mental Health Act 1983

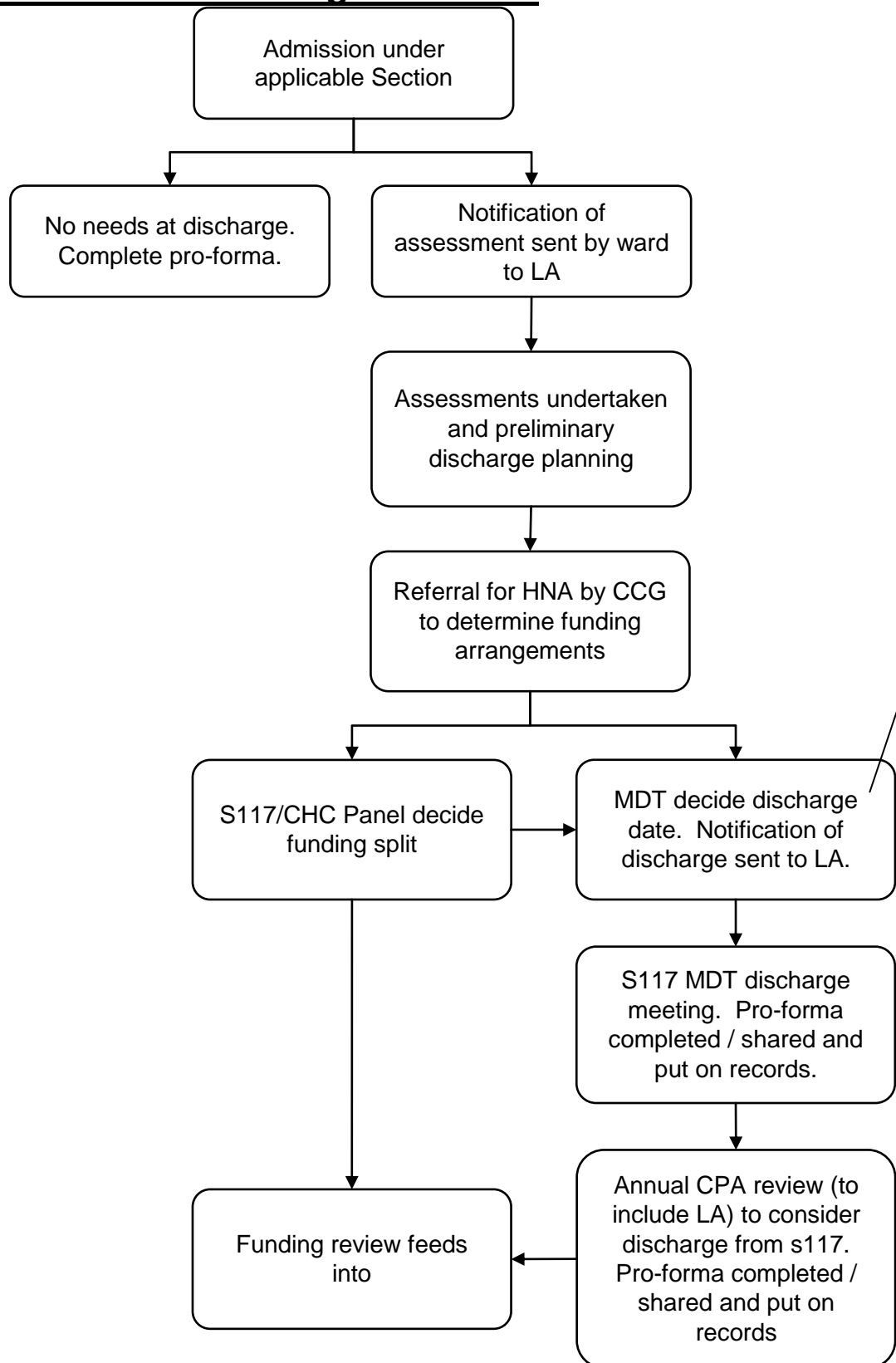
Department of Health (2015) Reference Guide to the Mental Health Act 1983

Department of Health (2013) Ordinary Residence: guidance on the identification of ordinary residence of people in need of community care services, England.

Chapter 19 and Annex H of the [Care Act 2014 guidance](#) titled 'Ordinary Residence', provides information and advice on determining ordinary residence for people requiring local community care services from 1 April 2015

Department of Health (2014) Care and Support Statutory Guidance.

'Who Pays' amendment to the section on 'persons detained under the Mental Health Act 1983', April 2016

Appendix 1 Section 117 discharge flowchart

Appendix 2



Section 117 MHA 1983 Form

Patient Name _____ Date of Birth _____

RiO Number _____

Mosaic and/or Liquidlogic number _____

Care Coordinator _____

Responsible Clinician _____

General Practitioner _____

Social Worker _____

Carer _____

Next Review Date _____

People present at the meeting _____

Services identified to meet Section 117 after-care needs:

--

Services identified that are outside of Section 117 after-care arrangements

--

Signed on behalf of the CCG by- name/title/date

Signed on behalf of ASCH by- name/title/date

Appendix 3

Nottinghamshire Healthcare
NHS Foundation Trust



Discharge from Section 117 MHA 1983 Form

Patient Name _____ Date of Birth _____

RiO Number _____

Mosaic and/or Liquidlogic number _____

Care Coordinator _____

Responsible Clinician _____

General Practitioner _____

Social Worker _____

Carer _____

Review Date _____

People present at the meeting _____

Reason for Discharge from Section 117 after-care:

Signed on behalf of the CCG by- name/title/date

Signed on behalf of ASCH by- name/title/date

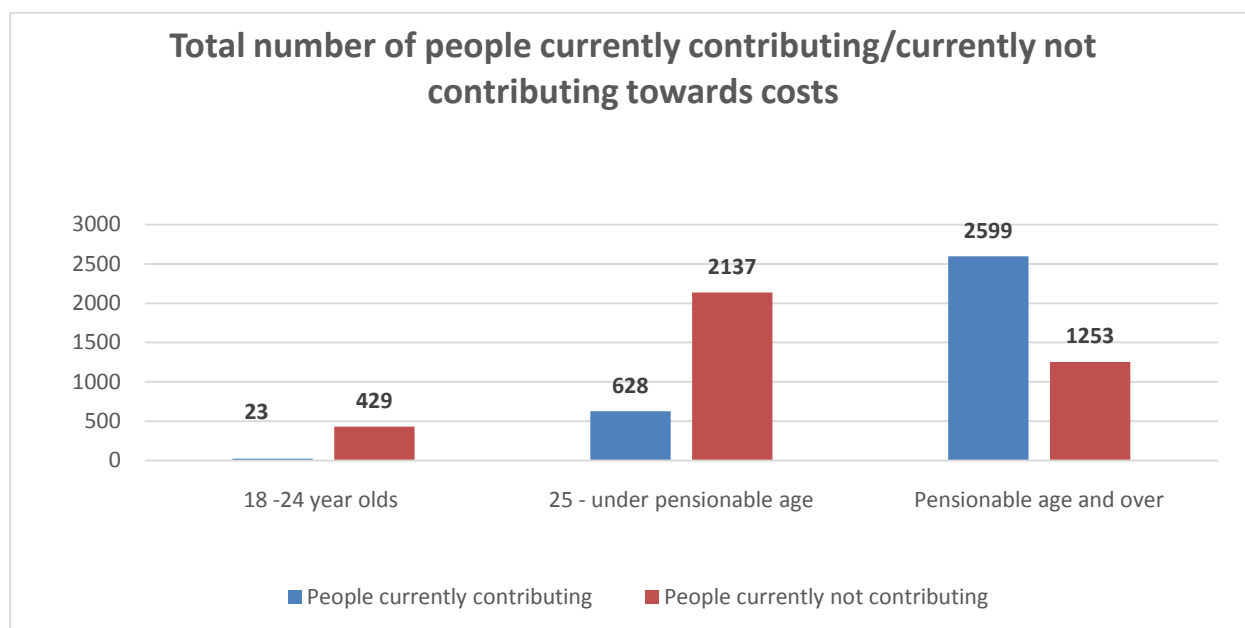
**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND PUBLIC
HEALTH COMMITTEE****CHANGES TO THE WAY THE COUNCIL CALCULATES INDIVIDUAL
CONTRIBUTIONS TOWARDS THE COST OF CARE AND SUPPORT****Purpose of the Report**

1. The report seeks approval for the Council, with effect from 12 November 2018, to adopt in full the national Department of Health Guidance to Councils about the benefits they can take into account and the Minimum Income Guarantee levels that can be applied when determining the amount people are asked to contribute to their care costs.

Information

2. Nottinghamshire County Council, like other local authorities, currently faces unprecedented financial pressures. The Adult Social Care and Public Health Department has delivered savings of £95m between 2011 and 2017/18. Additional savings of £17.83 million have been identified for delivery between 2018/19 and 2021/22. However, whilst the Council has made significant savings there is still a budget gap of £54 million.
3. The Council is always looking to provide services more efficiently to help address the budget position. In 2017, the Council consulted on a wider proposal on charging, some elements of which were progressed. After considering the feedback from the consultation, the Council made a decision not to progress a proposal to review the benefits and weekly living costs that are taken into account when assessing how much a person can afford to contribute towards their care and support, until further work had been carried out to:
 - a) better understand how this change may affect people and
 - b) to compare the benefits and weekly living costs taken into account in Nottinghamshire, when determining the amount that people can afford to contribute to their care costs, with the practice in other local authorities. This work has been completed and considered by the Committee at its meeting in July.
4. Currently, in Nottinghamshire, **7,069** people are receiving adult social care and support services to help them to remain independent at home. Of these, **3,250** people pay a contribution towards the cost of their care and support and, based on the outcome of their financial assessment, **3,819** people do not currently pay a contribution. The breakdown across each of the three age groups discussed as part of this consultation can be seen below:

Figure 1:



5. The national Department of Health and Social Care provides guidance to councils on the benefits they can take into account when determining the amount people are asked to contribute to their care costs. However, not all councils do the same when undertaking financial assessments. In Nottinghamshire, the Council has previously taken a local decision to ignore some benefits that can be taken into account, whilst other councils have chosen to adopt the Department of Health Guidance in full.
6. The Council needs to review its current position in order to ensure that services are sustainable to the Council without it impacting on the provision of care and support for people with eligible needs. The Council is considering adopting the national Department of Health Guidance for how individual contributions towards the cost of care are calculated, in full, to bring the department into line with many other local authorities. This would mean that the number of people who would contribute towards their care and support would increase from 46% of service users (3,250 people) to 58% of service users (4,112 people). 196 more people aged 18-24 years would come into charging and 601 more people aged 25 years to pensionable age would come into charging. 65 people aged pensionable age and over would come into charging. In total, 862 more people would be asked to contribute towards their care.

Figure 2:

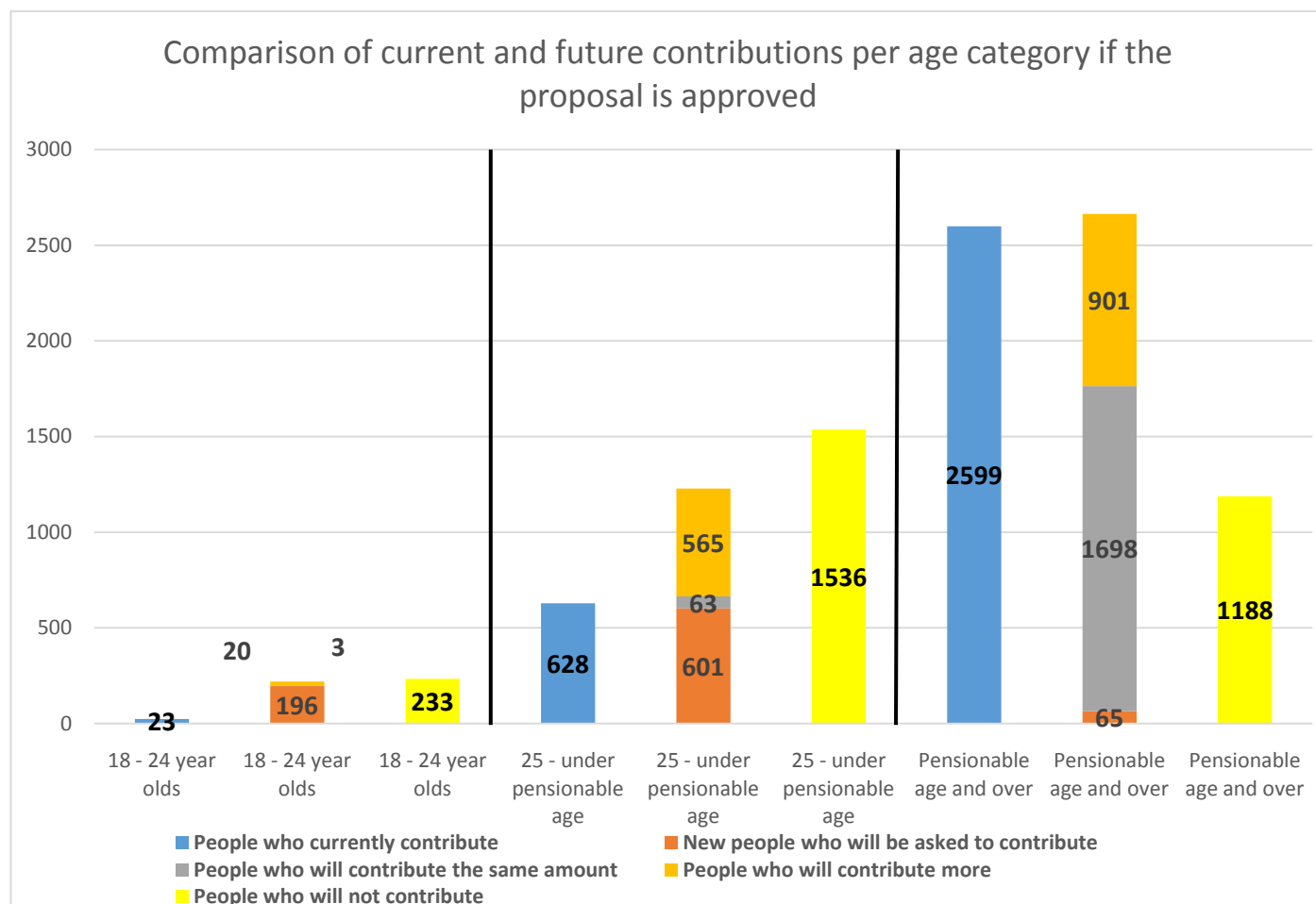


Figure 2: In the 18-24 year olds age range, 20 service users who currently contribute towards the cost of their care will be asked to contribute more and 3 service users will contribute the same.

The proposal, if approved, would mean a reduction in the cost to the Council of £3.8 million a year.

7. At the July 2018 meeting, the Adult Social Care and Public Health Committee gave approval to:
 - a) hold an eight week consultation on the proposal to change the way that the Council calculates the contribution that people can afford to make towards the cost of their care and support.
 - b) bring a further report to the Committee on the outcome of the consultation process.
8. Prior to agreeing the consultation process and wording, comments were sought from two volunteer carers from the Learning Disability and Autism Partnership Board and from the Board's service user forum. Their feedback was used to inform the methods of consultation and the language used.
9. Letters about the consultation were sent to all individuals who receive adult social care and support from the Council. An on-line survey was made available on the Council's website and paper copies of the consultation were placed in public libraries throughout

the County. A link to the survey was shared with the Experts by Experience group, carer groups and the Citizens' Panel, which is made up of over 2,000 residents. Information about the consultation was circulated to internal and external day service providers and to Supported Living providers, with a request for them to make the document available within their services. An easy read version was produced and made available through the Council's website or on request via the Customer Service Centre.

10. The consultation commenced on 2 August 2018 and closed on 25 September 2018. Between 2 August and 25 September a total of 991 people responded to the consultation. Of these responses: 194 (20%) were from members of the public; 380 (38%) from service users; and 384 (39%) from relatives, carers or friends of a service user. 33 respondents (3%) did not specify which group they belonged to. Some additional letters, e-mails and phone call responses have been received.
11. The questions people were asked to consider and the number of respondents, along with a summary of their views, are described from **paragraph 13** onwards of this report.
12. On 8th October the Adult Social Care and Public Health Committee considered the outcome of the consultation process and recommended that the Policy Committee give approval for the Council to adopt in full the national Department of Health Guidance to Councils about the benefits they can take into account and the Minimum Income Guarantee levels that can be applied when determining the amount people are asked to contribute to their care costs September 2018.

Consultation questions and responses

Benefits that are taken into account (Question 1)

13. The Department of Health Guidance allows for the higher rate of benefits to be taken into account when calculating contributions. At present in Nottinghamshire, when someone is paid the highest rate of Attendance Allowance, Disability Living Allowance care component or Personal Independence Payment, £28.30 a week is disregarded. The proposal is to take the full amount of each of these benefits into account. This means that some people will be asked to contribute more than they do currently towards their care and support.
14. **Question 1** of the consultation asked whether people thought that the Council should take the full amount of the higher rate benefit into account when determining a person's contribution towards their care and support. Of a total 991 respondents, 308 people (31%) agreed with the proposal; 520 people (52.5%) disagreed with the proposal; and 60 people (6%) said that they did not know. A further 103 people (10.5%) indicated that they neither agreed nor disagreed with the proposal.

Living costs (Question 2)

15. The Department of Health Guidance sets out the amount of money a week which people are allowed to keep to cover their daily living costs, for items such as food or bills. This is called the Minimum Income Guarantee (MIG). The Council currently allows £189 a week for everyone but the Department of Health Guidance recommends different rates for different age groups:

- 18-24 years old £132.45
- 25 years – under pensionable age £151.45
- Pensionable age and over £189.00

The proposal is that the Council uses these three rates. This means that some people will be asked to contribute more towards their care and support than they do currently and some people who have previously not paid a contribution will be asked to do so.

16. **Question 2** of the consultation asked whether people agreed that the Council should use the three specified rates. From the total response of 991, 361 people (36.5%) agreed with the proposal; 472 people (48%) disagreed with the proposal; 63 people (6%) said that they did not know; and a further 95 people (9.5%) said that they neither agreed nor disagreed with the proposal.

Response to questions 1 and 2

17. It is acknowledged that a significant proportion of respondents are not in favour of the proposal. Half of the respondents disagreed with the proposal to take the full amount of Attendance Allowance, Disability Living Allowance care component or Personal Independence Payment into account. 48% of respondents disagreed with the proposal to use the three Minimum Income Guarantee rates. However over a third of respondents agreed with the proposals.
18. The Council has made significant savings, however there is still an identified budget gap for adult social care of £54 million. This means that even if changes are approved to the way the Council calculates the contributions that service users can afford to pay towards the cost of their care, the Council will need to continue to look for other significant sources of savings in order to bridge the budget gap. Therefore, even though it is recognised that the proposal is not universally popular, in order to be able to maintain services for the most vulnerable in the community, it is considered, on balance, that it is appropriate to recommend the proposal is adopted and to work with people affected by the proposal to support them to manage the impact.
19. The consultation survey also asked people to provide information about how they thought the proposal would affect them and what support they might need. A summary of this information and the response to this is described in **paragraphs 20-30** of this report.

If these proposals were implemented, how would it affect you? (Question 3)

20. Question 3 of the consultation asked people to say how they would be affected. 732 people (74%) chose to provide information in response to this question. A wide range of responses were received. Although some people said they were unsure or anxious about how the proposal would affect them, others said that although they would need to plan for the changes they understood the reason behind the proposal and felt that on balance it was fair. Some people agreed that their family member would be able to contribute more towards the cost of their care. However, a number of respondents were concerned about the level of increase they might be asked to contribute and that this would leave them less able to manage other costs linked to their disability or long term health condition. Some people said they were worried that they would have to reduce the level

of service they accessed and that this would have an adverse impact on the quality of their and their family's lives.

Response to question 3

21. A number of people indicated that they would have less remaining money each week to manage other costs linked to their disability or long term health condition. However, the Council would continue to provide an additional disability related expenditure allowance of £20 a week to ensure that people have enough money to cover this additional expenditure. If, on an individual basis, people believe that this amount is insufficient to meet their needs, they can request an increase in this allowance through discussion with their social care worker. The Council would also continue to support service users to maximise their benefits as part of the financial assessment process by helping people to identify any benefits that they are entitled to that they are not claiming. The Council also makes an allowance for housing costs that are not covered by housing or council tax benefit and supports service users to claim their full entitlement to housing benefit and council tax discounts.
22. The Council would, as now, have the discretion to agree short term waivers from collecting contributions for reasons of financial difficulty or extreme hardship. Currently Group Managers are able to approve a temporary waiver from adult social care contributions for a maximum period of six months at which point the waiver has to be reviewed.
23. A number of respondents indicated that they felt they would need to reduce the level or quality of service they accessed as a result of the proposal: this proposal seeks only to review the way the Council assesses the level of contribution that a service user can afford to pay towards the cost of their care and support.
24. The level of service accessed would only be amended as a result of a transparent review process that the service user and their support network would be able to take part in. The Council would continue to work with people to ensure that their identified support needs are met. The level of contribution is based on the outcome of a financial assessment. This is compared with the cost of the service and the service user pays the lower of the two. A reduction in the cost of the service does not usually result in a lower contribution, as the majority of service users pay far less than the cost of their care package.

If these proposals were implemented, what help or support might you need? (Question 4)

25. 611 (62%) of respondents chose to give extra information in response to question 4 of the consultation which asked what help or support people might need if the proposals were implemented. Many of the responses were similar to those given to question 3. In addition, a number of people said that they were unsure about what help they would need or that they felt they would definitely need help and support to understand the financial impact on them and their lifestyle and to budget for any changes.

Response to question 4

26. It is acknowledged that people need to be informed as quickly as possible about any changes to their level of contribution. The Council will write to service users as soon as a

decision has been made by the Council's Policy Committee, which is scheduled to consider a report about the proposal on 17 October.

27. Those people who needed support to understand and adapt to any changes would be able, in the first instance, to talk to a Financial Assessment Officer from the Council's Adult Care Financial Services Team. The Financial Assessment Officers are experienced in benefit maximisation, assessing disability related expenditure and supporting with budget management. In certain circumstances where someone needed more help to understand the changes the Financial Assessment Officers could meet with them in person. If someone needed additional support to understand the benefits available to them beyond this, a referral could be made to the Council's Benefits, Information, Training and Advice Team or to a social care worker. In addition, support from the Reviewing Teams would be sought to review care packages where a new assessment was requested by the service user.

Other comments or suggestions (Question 5)

28. Question 5 asked people to provide any other comments or suggestions, to which 432 people (44%) responded. Although many respondents said that they agreed with the proposal to adopt the Department of Health Guidance in full, others, particularly in respect of the Minimum Income Guarantee levels, did not feel that age alone made a difference to someone's living costs. Many felt that other factors should be taken into account, such as the nature of someone's disability or their accommodation status. Some people commented that they were happy to contribute more than see cuts in services, and that contributions need to be in line with other local authorities to prevent any 'postcode lottery'. A range of suggestions were provided by people as an alternative to this proposal, such as an increase in Council Tax and business rates; stopping spending on non-essential care such as shopping and cleaning; to rent out Council rooms/properties to generate income or to spend Council reserves.

Response to question 5

29. It is acknowledged that adopting the Department of Health Guidance in full would have a greater impact on people below pensionable age and in particular on those aged 18-24 years. Although it would be the intention to adopt the three Minimum Income Guarantee levels set out in the Department of Health Guidance, the Council would (as described in **paragraph 21**) continue to take account of the extra cost incurred by people as a result of their disability or long term health condition, as well as their housing costs.
30. The Council has made significant savings, however there is still an identified budget gap of £54 million. This means that even if changes are approved to the way the Council calculates the contributions that service users can afford to pay towards the cost of their care, the Council will need to continue to look for other significant sources of savings in order to bridge the budget gap. A number of the other suggestions raised by respondents are already under consideration and the Council continues to make regular representations to Central Government about sustainable funding for social care.

Other Options Considered

31. Rather than seeking to adopt Department of Health Guidance in full, as other local authorities have done, the Council could maintain the local decision previously taken to ignore some benefits that can be taken into account and to allow a Minimum Income Guarantee level of £189 for all age groups, when calculating what a person can afford to contribute towards the cost of their care. However, whilst the Council has made significant savings there is still a budget gap of £54 million. Therefore, in order to significantly reduce costs at the same time as being able to maintain services for the most vulnerable in the community, it is considered, on balance, that it is appropriate to recommend the proposal is adopted and to work with people affected by the proposal to support them to manage the impact.

Reasons for Recommendation

32. The proposal to change the way the Council calculates individual service user contributions towards the cost of care and support, if approved, will reduce the cost to the Council by £3.8 million a year. The proposal will also bring the Council into line with many other local authorities who have already adopted the Department of Health Guidance in full.

Statutory and Policy Implications

33. 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

34. The adoption of the Minimum Income Guarantee levels recommended by the Department of Health and the inclusion of higher rate disability benefits in the calculation to assess the amount a service user can afford to pay towards their care costs will reduce the cost of packages of care and support by an estimated £3.8 million a year. This will support the Council to address some of the budget gap of £54 million identified for future years. However, even if the changes are approved to the way the Council calculates the contributions that service users can afford to pay towards the cost of their care, the Council will need to continue to look for other significant sources of savings in order to bridge the budget gap fully.

Human Resources Implications

35. Staff will be asked, on a voluntary basis, to undertake additional temporary hours if extra capacity is required to provide the support for service users described in **paragraph 27**. Any additional hours worked will be paid in line with the Council's agreed terms and conditions of employment relating to the payment of overtime.

Public Sector Equality Duty implications

36. An Equality Impact Assessment is available as a background paper to this report.

Implications for Service Users

37. The total number of people who will be asked to pay a contribution towards their care and support, as a result of the proposals contained in this report, will increase from 46% of service users (3,250 people) to 58% of service users (4,112 people). 196 more people aged 18-24 years will come into charging and 601 more people aged 25 years to under pensionable age will come into charging. 65 people aged pensionable age and over will come into charging as a result of including higher rate disability benefits in the financial assessment. In total, 862 more people will be asked to contribute towards their care. 20 people aged 18-24 years, who currently contribute towards their care costs, will be asked to contribute more if the proposal is approved. 565 people aged 25 years to under pensionable age and 901 people over pensionable age will be asked to contribute more. In total 1,486 people who currently contribute towards their care cost will be asked to contribute more. As outlined earlier in the report, the Council will provide support to service users affected by the changes and will continue to ensure that people are in receipt of all the benefits and allowances that they are entitled to.

RECOMMENDATION/S

- 1) That Committee gives approval for the Council, with effect from 12 November 2018, to adopt in full the national Department of Health Guidance to Councils about the benefits they can take into account and the Minimum Income Guarantee levels that can be applied, when determining the amount people are asked to contribute to their care costs.

Councillor Stuart Wallace

Chairman of the Adult Social Care and Public Health Committee

For any enquiries about this report please contact:

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Constitutional Comments (LM 27/09/18)

38. The Policy Committee is the appropriate body to consider the contents of the report.

Financial Comments (DG 05/10/18)

39. The financial implications are contained within paragraph 34 of this report.

HR Comments (SJ 21/09/18)

40. Any HR implications are outlined in paragraph 35.

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.

- Adult Social Care and Health Consultation - report to Adult Social Care and Public Health Committee on 9 October 2017
- Adult Social Care and Health Consultation - report to Adult Social Care and Public Health Committee on 8 January 2018
- Outcome of the Adult Social Care and Health Consultation - report to Adult Social Care and Public Health Committee on 12 March 2018
- Changes to the way the Council calculates individual contributions towards the cost of care and support - report to Adult Social Care and Public Health Committee on 9 July 2018
- Changes to the way the Council calculates individual contributions towards the cost of care and support - report to Adult Social Care and Public Health Committee on 8 October 2018
- Equality Impact Assessment
- Contributions towards a Personal Budget Guidance

Electoral Division(s) and Member(s) Affected

All.

ASCPH592 final

REPORT OF THE LEADER OF THE COUNTY COUNCIL**GAMES OF REMEMBRANCE****Purpose of the Report**

1. To consider the County Council's proposals to commemorate the end of the Great War.
2. To seek approval to commit up to £10,000 as a contribution towards the 'Games of Remembrance' being planned and delivered during 8 November 2018.

Information

3. The Christmas Truce (German: Weihnachtsfrieden) was a series of widespread but unofficial ceasefires along the Western Front of the Great War around Christmas 1914. In the week leading up to the 25th December, German and British soldiers crossed the trenches to exchange seasonal greetings and talk.
4. In some areas, men from both sides ventured into 'no man's land' to mingle and exchange food and souvenirs. Several meetings ended in prisoner exchanges, and also carol singing. The most memorable image is that of men playing football matches.
5. The Games of Remembrance is a project to educate and remember football's important role in World War 1. It includes an education and tribute programme, whilst two football matches will be held on Thursday 8 November 2018 between female and male members of the British Army and German Armed Forces.
6. Activities will include a Fan Zone, music and exhibition-education areas. A number of Sporting legends and VIP's from both countries have been invited.

The Power of Football

7. Through the power of football, the Games of Remembrance aims to bring the Great War stories of courage and sacrifice alive, 100 years after the guns fell silent.
8. Notts County Football Club will host the women's match at Meadow Lane, with a kick-off time at 12 noon. Attendance will focus on the young, with many school trips planned. It is expected that 3000+ children from Nottinghamshire will attend.
9. Nottingham Forest Football Club will host the men's match at the City Ground, with a kick-off time of 7pm. Free tickets have been made available to Community and Youth groups in Nottinghamshire.

10. Each fixture will consist of a number of features, including:
- two minute silence and impressive ball arrival;
 - players escort on to the pitch by local young people;
 - Wives Choir singing their latest single; and
 - an awards presentation to charity partners.
11. In addition, the midday fixture will feature a U10's 5 aside mini game, and an over 60's walking football mini game.
12. **Tickets** - A family ticket (for one adult, and two children) to the afternoon game will cost £5. A family ticket (two adults, two children) to the evening game will cost £10. There is a concession price to both fixtures for any uniformed services, those under 16 years of age, students and senior citizens. A number of free tickets have been made available to schools, community and voluntary groups across Nottinghamshire.

The Legacy

13. A financial contribution from the County Council will help bring the Games of Remembrance to life, ensuring the fixtures and associated campaigns, community activities and wider county events will have maximum impact.
14. The Games will give many people a fantastic and inspirational day out to aid learning learn and enable people to make tributes. Further, the Games of Remembrance is also supporting a number of Charities, including The Royal British Legion, Football in the Community, and the Defence and National Rehabilitation Centre (DNRC).

Other Options Considered

15. None.

Reason for Recommendation

16. The County Council is commemorating the 100th anniversary of the end of the Great War through a range of events and community projects during 2018. This report outlines the proposed work to commemorate the Games of Remembrance to be played in Nottinghamshire.

Statutory and Policy Implications

17. 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

18. The Games of Remembrance is led by the British Army Football Association in collaboration with a number of delivery partners and sponsorship from business and private donors.
19. The direct cost to the County Council associated with activities detailed in the report will be £10,000. It is anticipated that the costs will be met from the Contingency Budget. If approved, this use of contingency will be reported in the next Financial Monitoring Report submitted to Finance & Major Contracts Management Committee.

RECOMMENDATIONS

- 1) To approve the allocation of up to £10,000 from the Council's Contingency Budget as a contribution towards the Games of Remembrance; and
- 2) That future updates on this area of work are made to the Communities and Place Committee.

Councillor Mrs Kay Cutts
Leader of the Council

For any enquiries about this report please contact: Cathy Harvey, Community and Voluntary Sector Team Manager, T: 0115 977 3415
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Constitutional Comments [SLB 08/10/2018]

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

Financial Comments [SES 03/10/18]

21. The financial implications are set out in paragraph 19 of 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.

- None

Electoral Division(s) and Member(s) Affected

- All

REPORT OF THE LEADER

GIRLS BRIGADE – 125TH ANNIVERSARY EVENT

Purpose of the Report

1. To seek approval for hospitality at an event at County Hall on Monday 10 December 2018 at 6.00 – 8.30 pm.

Information

2. The Girls Brigade national organisation is celebrating its 125th year of existence. It has operated in Nottinghamshire since 1926 with 8 groups currently having over 300 members.
3. The Chairman and Vice-Chairman have agreed to host a celebration event on 10th December at County Hall to showcase the positive work which the Girls Brigade has undertaken in the past and in this, the organisation's 125th year of existence. The celebrations this year have focussed on three simple themes, based around the organisation's overall aim to raise hope within communities:-
 - Give Hope – with groups encouraged to undertake a social action initiative that makes a difference
 - Build Hope – by launching new groups and expanding existing memberships
 - Celebrate Hope – by sharing the impact of the Girls Brigade in the past, present and future.
4. There will be 125 representatives (young people and adults) of the local groups attending the event from Nuthall, Arnold, Daybrook, Mapperley, Beeston, Stapleford, Kirkby-in-Ashfield and Lenton.
5. The Chairman and Vice-Chairman will host the event and it is proposed that the Chairman and Vice-Chairmen of Children and Young People's Committee be invited to attend. The various political Group Leaders will also be invited to attend or send a representative from their group.
6. It is proposed that refreshments, sandwiches and cakes be served at the event with the estimated costs being £620.

Other Options Considered

7. To not provide hospitality at this event.

Reason/s for Recommendation/s

8. To seek approval for expenditure from the Corporate Hospitality budget.

Statutory and Policy Implications

9. 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

10. The estimated cost of holding the event will be £620.

RECOMMENDATION/S

1) That approval be given to provide hospitality at the Girls Brigade 125th Anniversary Event on Monday 10th December at County Hall.

COUNCILLOR MRS KAY CUTTS MBE
Leader of the County Council

For any enquiries about this report please contact:

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Constitutional Comments (SLB 03/10/2018)

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

Financial Comments (SES 02/10/2018)

12. The financial implications are set out in paragraph 10 of 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.

- None

Electoral Division(s) and Member(s) Affected

- All

**REPORT OF THE SERVICE DIRECTORS FINANCE, INFRASTRUCTURE
AND IMPROVEMENT AND CUSTOMERS, GOVERNANCE AND
EMPLOYEES****CHIEF EXECUTIVE'S DEPARTMENT - SENIOR MANAGEMENT STRUCTURE****Purpose of the Report**

1. To seek approval of the management structure of the new department and the consequential staffing reductions and other actions required to implement the changes identified within the report.

Information

2. The financial challenges facing local government and the County Council remain. The Medium Term Financial Strategy (MTFS) approved in February 2018 indicated a funding shortfall of £54.2m over the next 3 years. In order to protect front-line services as much as possible corporate services have delivered significant savings and will continue to do so over the planning horizon. The vast majority of the costs of the new Chief Executive's Department is staffing and consequently any options for change to reduce costs will inevitably fall upon staffing structures.
3. Full Council on 22 March 2018 approved the creation of the new Chief Executive's Department and changes to the high level management of the County Council's corporate services. That report also included a recommendation for the subsequent review of the management structure of the new Department. The purpose of the review was to ensure that the structure of the new department is fit for purpose and provides value for money. This review was set against the principles of:
 - being customer focussed,
 - being modern and creative,
 - being efficient and effective
4. The reduction in high level management of the department brought together a number of functions. Within the current structure there are a number of anomalies that require addressing, such as:
 - a. Ensuring appropriate spans of control and reporting lines
 - b. Coherence and synergy of service delivery
 - c. Rationalisation and removing duplication of functions

5. This report sets out proposals for the senior management structure of the two divisions of the new Chief Executive's Department, as it develops and implements a new operating model at the Corporate Centre of the Council.

Finance, Infrastructure and Improvement Division

6. Following consultation with staff, the recognised trade unions and colleagues across the Council it is proposed that the management structure in this division is reduced from 8 to 6 Group Managers. The proposed and current structures are set out in Appendices A and B.
7. The significant changes are as follows:
 - a) The creation of a strategic service offer that brings together the core financial and performance governance arrangements, such as audit, governance of our transformation and high governance programmes together with Risk and Insurance and Performance Management disciplines under one line management of Assurance. Together these provide the core assurance to the authority on finances, risk, transformation and performance.
 - b) Grouping the remaining financial services, including pensions and treasury management, under one Group Manager for Financial Services providing the necessary oversight of the Medium Term Financial Strategy and the financial management support provided across the Council. The reduction in the time allowed for preparation of the statutory accounts has driven much closer working between strategy, compliance and financial management functions. This Group Manager would become the statutory Deputy Section 151 Officer.
 - c) Procurement and Contract Management would remain as a key service driving change and improvement in procurement and commissioning activity across the Council. An area of work that the Council needs to improve is the management of contracts. Consequently, with the support of Corporate Directors the remit of this Group will expand in order to strengthen the support provided to these important and highly skilled resources with the aim of improve outcomes and drive efficiencies.
 - d) A well performing Transformation and Change function is vital to the delivery of the Council Plan, Departmental Strategies and transformation of services to deliver savings and responding to legislative changes. Consequently, a core offering supporting departments in the delivery of their programmes is required. As the enabling function supporting ICT and business change it would appear consistent to bring these two disciplines under the management of one Group Manager. This will better reflect aspirations to drive and support transformation on behalf of the Council and better reflect the wide range of skillsets embedded within the team such as Portfolio, Programme and Project Management, Technology Partners, Business Analysis, Data Analysis, Deployment Specialists and Project Management Office support. The responsibility for driving improvements from our investment in the business reporting management information system (BRMI) will remain with this group.

It is also intended to include support to departments in developing and supporting their commercial strategies within this Group.

- e) The ICT Design Group and the ICT Operational Delivery Group would change slightly to reflect the move of Change and Engagement functions. Further changes to these functions would await the journey to the cloud operating model review.
- 8. In addition, the bringing together of ICT and the Programme and Project Groups, combining the two enabling services of ICT change management and business change management, has provided the opportunity to review the Council's approach to management of change and transformation. Consequently a review of the Council's approach has been commissioned in order to set the framework, function and define the new operating model for the management of the Council's future transformation and change programmes. This will be the subject of a further report to members.

Customers, Governance and Employees Division

- 9. The Customers, Governance and Employees Division is made up of the following areas of service:
 - Human Resources
 - Health and Safety
 - Customer Services
 - Business Support
 - Business Service Centre
 - Legal and democratic services
 - Complaints and Information Governance
 - Communications and Marketing
 - Design, print and document management services
 - Equalities
- 10. Some of these service areas (for example, business support) already have ongoing savings and transformation programmes underway for the current and next two financial years. New service models and structures are also under development in HR, Workforce and Organisational Development (HR, W&OD) to implement an integrated structure under one Group Manager; following deletion of the other Group Manager post from April. This will enable better integration of workforce planning, organisational and workforce development activity with day to day HR support. This is reflected in a new more flexible and agile service offer which has been agreed with departments.
- 11. Responsibilities for the corporate equalities lead have transferred from the Policy and Performance Management team in the previous Corporate Services structure to the Customers, Governance and Employees Division of the new Chief Executive's Department. There is 1fte post currently undertaking this work across the Council. This post, post holder and any associated budgets to support this work will transfer to the HR, W&OD team and be integrated within the work of this team. This will be included in the work currently underway within the service area to identify further opportunities for greater alignment of activities to ensure that

equalities is consistently embedded in day to day advice, support and service delivery.

12. An external review of the Communications, Marketing and Document Services functions has been commissioned. The scope of this review includes looking at the current approach, strategy, operating models and structures; consideration of the Council's future needs and priorities; comparison with best practice in this area and benchmarking with other organisations where appropriate. Further, more detailed proposals will be presented to Policy Committee on the findings of the review. It is anticipated that savings in the order of 25 to 30% will be delivered by the implementation of recommendations arising from this review process.
13. The proposed senior management structure for the Customers, Governance and Employees Division is set out in Appendix C. This reflects the previous deletion of the post of Group Manager HR and Service Director Communications. The new structure proposes an integrated Communications function including Communications, Marketing, Digital, Design, Print and Document Services. In doing so the structure combines three existing Group Manager posts to create one integrated Group Manager role for the whole of the Communications, Marketing and Document Services functions.
14. In order to be able to implement the review findings and deliver savings it is important to appoint to the new post of Group Manager, Communications. It is proposed to appoint to this post as soon as possible to continue to provide professional and technical expertise in this service area to support service delivery day to day and ensure the effective development and roll out of the new model and structure.
15. The remaining Group Manager posts will transfer to the new Customers, Governance and Employees Division of the Chief Executives Department as set out in Appendix C. Further reviews will be undertaken on a service by service basis to ensure that services reflect changing organisational requirements, deliver further savings and new structures and operating models as necessary. Any proposed changes will be reported to the relevant Committee for approval.
16. Staff and trades union colleagues are aware of the proposed high level Group Manager structure and the approach to the review and will be engaged in more detail in the process as set out in the report.

Other Options Considered

17. A number of alternative options for the Finance, Infrastructure and Improvement Division have been considered, the alternatives were discounted because they were not considered sufficiently radical in their approach given the Council's current financial circumstances or would jeopardise major ICT developments such as the Journey to the Cloud Programme.
18. The option of making no change at this stage to the senior management structure of the Customers, Governance and Employees Division was considered.

However, it was felt that this would not provide sufficient support at the right level to undertake the Communications review and continue to deliver day to day activities and would result in a delay in the implementation of the findings of the Communications review.

Reason/s for Recommendation/s

19. To ensure that the County Council's corporate services functions remain effective and efficient and are reconfigured to meet organisational and service priorities and enable organisational change whilst reducing costs.

Statutory and Policy Implications

20. 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

21. The MTFS already includes a savings option of £250,000 (£50,000 in 2019/20 and £200,000 for 2020/21) for the ICT budget in anticipation of a change to the operating model post the journey to the cloud. Consequently, a review of the ICT operating model is required. The timing of this review should coincide with the completion of the cloud transfer in order to minimise any potential disruption to this major ICT programme. In order to ensure ICT continues to be fit for purpose preparation for an external review of the ICT operating model will be scoped now with the aim to commission and complete this work in mid-2019. The new operating model for ICT should be implemented by January 2020.
22. The structure proposals set out in this report in the Finance, Infrastructure and Improvement Division will reduce the number of Group Managers from 8 down to 6 with anticipated savings of £180,000 in a full year, depending on any grading implications.
23. As mentioned above in paragraph 12, it is anticipated that the external review of the Communications function will deliver savings of between 25 and 30% of the total budget. Work is ongoing in the remaining functions within the division to meet existing identified saving targets or to consider how further efficiencies can be made. Any further savings proposals from within the Customers, Governance and Employees division will be submitted to Personnel Committee for approval.

Human Resources Implications

24. The proposals will streamline the senior management arrangements for the Chief Executive's Department and present a further opportunity for additional savings to be made across the revised structure. The specific detail of this further work will be undertaken by the newly appointed Group Managers. The County Council's agreed employment processes will be used at all stages.

RECOMMENDATION/S

That Committee approve the new structure for the senior management structure of the two divisions of the Chief Executive's Department as set out in the body of the report and Appendices A and C.

Nigel Stevenson

Service Director – Finance, Infrastructure and Improvement

Marjorie Toward

Service Director – Customers, Governance and Employees

For any enquiries about this report please contact:

Nigel Stevenson

Nigel.stevenson@nottsc.gov

Marjorie Toward

Marjorie.toward@nottsc.gov.uk

Constitutional Comments (SLB 08/10/2018)

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

Financial Comments (SES 09/10/18)

26. The financial implications are as set out in paragraphs 21, 22 and 23.

HR Comments (GE 4/10/18)

27. The HR comments are included within the report. The implementation of the recommendations will be undertaken in accordance with the Council's agreed employment policies and procedures including consultation good practice, enabling, redundancy and redeployment. Staff and trades union colleagues will be involved in any service reviews referred to in the report and have the opportunity to contribute to the reviews. The implementation of the findings of the Communications review will be the subject of formal consultation with staff and trades union colleagues and will follow the agreed procedures and timescales as outlined above.

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

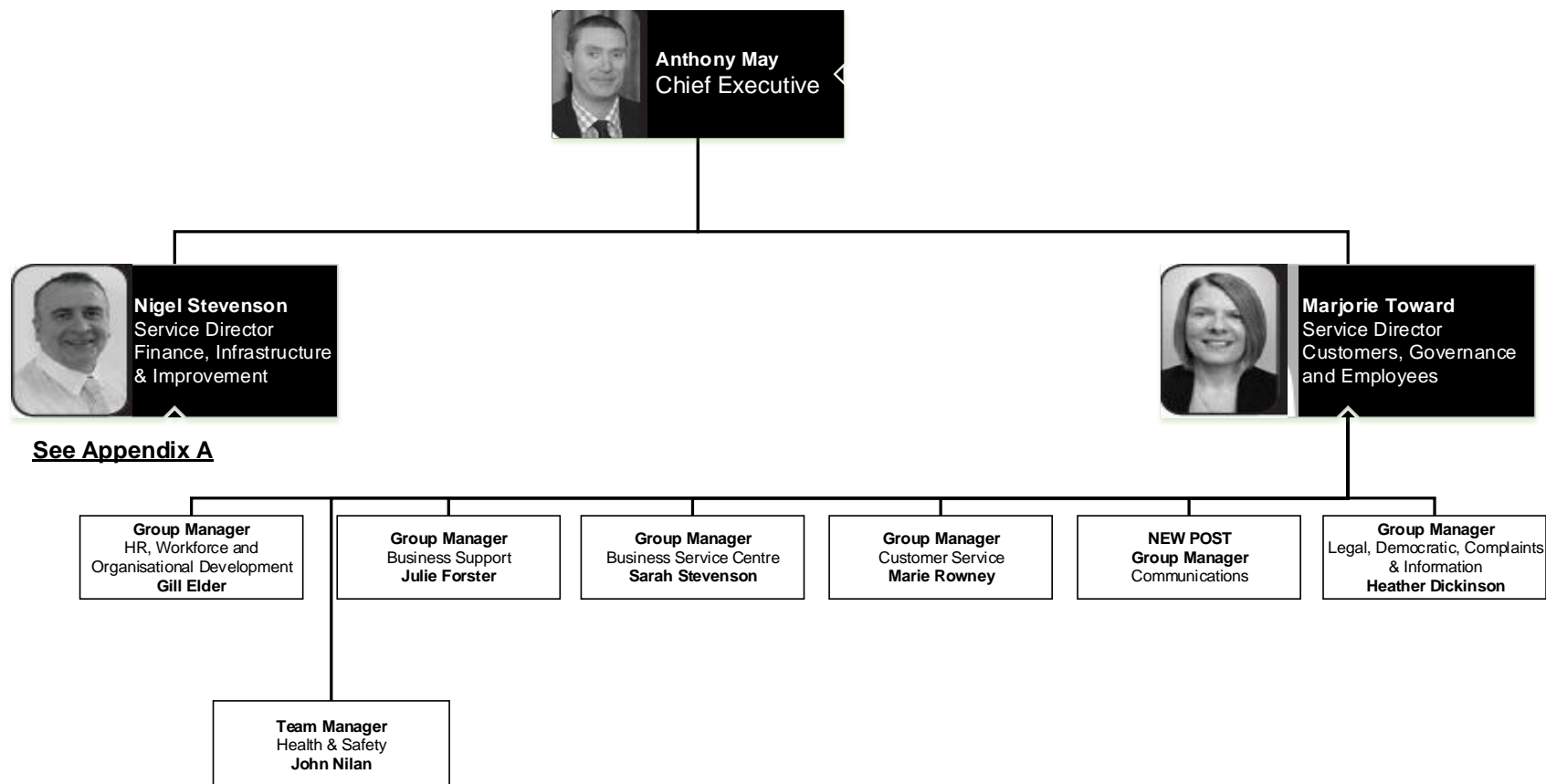
Proposed Structure

Financial Services Group	Financial Strategy & Compliance Financial Management Pensions & Treasury Management
Assurance Group	Internal Audit Risk & Insurance Programme Assurance Performance, Intelligence & Information Management
Procurement & Contract Management Group	Procurement Contract Management Support
ICT Design Group	ICT Architecture Technical Design & Build
ICT Operational Delivery Group	ICT Infrastructure Service Management Schools and commercial services Service Support (inc. Service Desk)
Transformation & Change Group	Change and Engagement (ICT) Department Programmes & Projects Corporate Programmes & Projects Data Analysts BRMI PMO

Current Structure

Financial Management Group	Financial Management
Financial Strategy & Compliance Group	Financial Strategy & Compliance Pensions & Treasury Management Risk & Insurance
Internal Audit Group	Internal Audit
Performance & Improvement Group	Programmes & Projects PMO Performance, Intelligence & Information Management Data Analysts BRMI
Procurement Group	Procurement
ICT Design Group	ICT Architecture
ICT Operational Delivery Group	ICT Infrastructure Service Management Schools and commercial services Service Support (inc. Service Desk)
ICT Build, Change & Engagement Group	Change and Engagement (ICT) Technical Design & Build PMO

Appendix C – Proposed Structure



**Nottinghamshire
County Council**

**Chief Executive's Department
Structure Chart**

REPORT OF THE LEADER OF THE COUNCIL**TOTON HS2 – MOVING FORWARD WITH DELIVERY****Purpose of the Report**

1. This report seeks approval in principle of entering into a Memorandum of Understanding between Nottinghamshire County Council and London & Continental Railways (LCR) as work progresses towards the establishment of a formal locally led development body in the future.

Background

2. Policy Committee has previously agreed the East Midlands HS2 Growth Strategy and further endorsed the importance of HS2 to Nottinghamshire in February 2018. The economic opportunities for growth and regeneration are clearly set out in the region's strategy and are a key component of the Council Plan and Place Strategy. This was further supplemented through the HS2 Resource Plan agreed at our meeting on the 20th June which paved the way for significant work to develop a clearer approach to delivering our growth ambitions linked to the proposals for Toton Station.
3. The work commissioned has included the business case for the Housing Infrastructure Fund (HIF) bid; a planning framework; a Land Strategy, design and costings for key access roads. Together the work is helping to provide greater clarity on the required approach to delivery that is the subject of this report.
4. As recently announced by the Chancellor of the Exchequer at the Conservative Party Conference, the Government, supported by the Midlands Engine and Nottinghamshire County Council, intend to create locally-led development body for the promotion of growth and infrastructure in and around Toton. Speaking at the Conservative Party conference in Birmingham Mr Hammond said: "As a sign of our commitment to the Midlands Engine, I want to start today by announcing funding to support the creation of a new, locally-led development body for the area around Toton in the East Midlands, to attract investment, create jobs and provide opportunities in this area of huge economic potential."
5. In advance of establishing a new locally led development body, the County Council, working with our partners, need to continue to address the priority issues including land assembly and planning in the context of a delivery strategy. To support this process, it is proposed to create a new partnership with London & Continental Railways (LCR).

6. LCR is an organisation that is wholly owned by the Department for Transport that brings commercial expertise specialising in the delivery of homes, jobs and investment around rail stations. As such it forms part of the wider public sector. LCR have been supporting the region in the development of the Growth Strategy for some time. They have also supported the establishment of the HS2 delivery team, and through a Service Level Agreement provide the Council's Programme Director for HS2.
7. The delivery team and governance structures for the Toton 'Growth Zone' are now in place with a specialist team of advisors; an established officer working group structure; and a refreshed Delivery Board chaired by the County Council. This provides the framework for a collaborative planning approach working closely with neighbouring authorities in recognition of the close proximity and direct impacts and links that need to be made with their communities in addition to those of Nottinghamshire.
8. The first meeting of the HS2 Toton Hub Station Delivery Board took place on the 8th October 2018. It brings together leading Members and senior officers from the following organisations:
 - Broxtowe Borough Council
 - D2N2 LEP
 - Derby City Council
 - Derbyshire County Council
 - Erewash Borough Council
 - Leicestershire County Council
 - Nottinghamshire County Council (Chair)
 - Nottingham City Council
 - North West Leicestershire
 - A University Representative
 - East Midlands Chamber of Commerce
 - HS2 Ltd
 - Department for Transport & Ministry of Housing Communities & Local Government
 - East Midlands Councils; and
 - Ex Officio Members: Chair & Vice Chair of the Strategic Board
9. Membership of the Board was agreed through consideration of summary Terms of Reference at a meeting of the HS2 Strategic Board on the 23rd July 2018.

The need for Intervention

10. The County Council's and indeed the wider region's ambitions for the Innovation Campus and Garden Village at Toton and Chetwynd are clear and distinct from the original published HS2 plans for a parkway station and from the low density suburban form of housing subject to current plans.

11. The local and national government family and stakeholders are clear in their resolve to optimise the opportunities for homes, jobs and investment presented by HS2. That is why the team have successfully secured a further £1.8m of funding from the Department of Transport to further develop the plans.
12. There is no doubt that the costs associated with the enabling infrastructure (social, environmental and transport) and the development of the alternative vision will require significant upfront investment by national government (e.g. Housing Infrastructure Fund) ahead of benefits being realised over a timeframe up to and beyond the opening of the station in 2033. As such this is not a standard commercial model.
13. It will be essential for the public sector partners to work harder to position this opportunity through the assembly of land, funding and delivery of infrastructure and preparation of land so that it is attractive to the market i.e. the land, planning and supporting infrastructure have been suitably de-risked.
14. Advice from a range of internationally recognised advisors including Cushman & Wakefield and Arup is clear in recommending that the public sector partners need to invest in the site in order to open up the opportunity for a development Joint Venture Partnership and subsequent locally-led development body.

The proposed partnership

15. LCR are recognised world leaders in this field having led the formation of partnerships and joint ventures with Argent (Kings Cross); Lend Lease (Stratford International Quarter) and U&I (Manchester Mayfield). They are currently working in partnership with a number of local authorities to deliver regeneration around new and existing railway stations including in Leeds, Sheffield and Staffordshire County Council .
16. There is a jointly recognised need to provide certainty around planning, land and property management and disposal, utilities and technical considerations including High Voltage Cable undergrounding. It is clear that this once-in-a-lifetime proposal for Toton, Nottinghamshire and the East Midlands will require significant additional support, capacity and capability.
17. Whilst the new station is not due to open until 2033, a number of key moves need to happen now to ensure the longer term opportunity isn't lost. Current proposals that benefit from planning permission are at odds with the regions ambition.
18. The transition to a formal development body as described by the Chancellor will take time and may be subject to Parliamentary assent. There is much work to progress whilst this negotiation with Government takes place. The Council has taken a leading role with partners in the Housing Infrastructure Funding proposals, and is developing plans for land asset acquisition to enable the realisation of benefits and value associated with HS2. It is at an advanced stage in negotiations with key partners.
19. Concurrently, the Council has been in discussions with LCR to form strong partnership based on an MOU. Working to the Toton Delivery Board, Nottinghamshire will lead on the

acquisition of land and LCR will provide a range of support including development management, programme management, managing working capital and technical services to prepare the land and package up for a more formal locally led development body in the future once negotiations with Government and partners have concluded.

20. The objectives of the proposed working arrangement between Nottinghamshire County Council and LCR are set out at Appendix 1. LCR provide an experienced partner who can bring instant credibility, capacity and capability to the programme.

Other Options Considered

21. The 'do nothing option' was discounted, as it is clear that the complexities associated with the scale of undertaking require particular expertise and understanding that neither Nottinghamshire County Council and the wider local government family in the East Midlands are able to progress in the time available. LCR are uniquely placed as a partner as they are an established public sector body, wholly owned by the Department for Transport and therefore able to bring both the expertise and the input of Government to our local plans for delivery. We are both committed to delivering the growth ambition and by bringing on-board an experienced partner the Council strengthens its ability to manage the risks. The new campus, "garden village" development and infrastructure developments will help us meet this priority and will have a transformative impact on the economy and quality of life for the people who live here. The proposal outlined in this paper will provide a key means of delivering the ambition.

Reason for Recommendations

22. The HS2 programme is vital to the economic prosperity of the County and work needs to commence at pace to build upon the excellent progress made to date. The initial partnership will add value by better managing the risks and certainty for investors.

Statutory and Policy Implications

23. 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

24. Investment in the initial arrangements with LCR might be seen as patient investment for the long term. However, it also improves the attractiveness to secure government backed investment in the shorter term through management of risk and certainty. Costs associated

with this report will be funded from Department for Transport grant and will be reported back to a future Policy Committee alongside any future investment decisions.

Implications for Service Users

25. From the outset, the Council and its partners have been determined to get the best deal on HS2 for the whole of Nottinghamshire, our communities and our businesses in terms of mitigation, compensation, better connectivity and a share of economic benefits. There is a huge wealth of experience and potential and the Council can be the driving force in growing a regional economy and ensuring Nottinghamshire remains a well-connected County for the benefit of all. Again, this proposal will help to realise that potential.

RECOMMENDATIONS

It is recommended that Policy Committee:

- 1) Approves the principles of the Memorandum of Understanding in support of the objectives outlined in Appendix 1
- 2) Receives detailed terms of the agreement for approval and a plan for the creation of a new locally led delivery body, as recently announced by the Chancellor of the Exchequer.

COUNCILLOR MRS KAY CUTTS MBE
Leader of the County Council

For any enquiries about this report please contact:
David Hughes, Director for Growth & Investment

Constitutional Comments (SSR 9.10.2018)

26. Policy Committee is the appropriate body to consider the contents of this report. The department is required to comply with the Council's Financial Regulations and The Public Contract Regulations 2015 in respect of any agreements entered into.

Financial Comments (GB – 21/09/18)

27. A future report to Policy Committee will be required setting out the financial implications of this project on the Council's resources.

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.

- *HS2 East Midlands Growth Strategy – Delivery Phase* – Report to Policy Committee, published 14 February 2018

Electoral Division(s) and Member(s) Affected

- All

Proposed Objectives in relation to a Memorandum of Understanding between LCR & Nottinghamshire CC

1. Aims & Objectives

1.1 London & Continental Railways Limited ("**LCR**") and Nottinghamshire County Council ("**Notts CC**") (together the "**parties**") wish to work together to achieve the following:

- i. to deliver jobs, homes and investment in and around the Hub station area of the proposed Toton Hub Station and surrounding Growth Zone;
- ii. to promote development activity that accords with the aspirations of the East Midlands Hs2 Growth Strategy;
- iii. to provide a delivery framework for the Growth Strategy for the area;
- iv. securing third party funding where required for development, land acquisition and infrastructure e.g. Housing Infrastructure Funding (HiF), including access road, land and undergrounding high voltage cables;
- v. promoting and securing best value through comprehensive development of the area in conjunction with other third parties;
- vi. to assist in strategic relocations of key employers currently located within or impacted by the development of the Toton Growth Zone and associated infrastructure, including identifying potential development projects;
- vii. to promote high quality development and place making;
- viii. to promote sustainability through all aspects of the work of the joint venture; and
- ix. such other objectives identified and agreed between the parties from time to time

together the "**Objectives**".

1.2 In order to achieve the Objectives, the parties have agreed to formalise their relationship by way of a memorandum of understanding.

1.3 It is proposed that the initial memorandum of understanding between LCR and NOTTS CC, with the above shared aims and objectives, in anticipation of establishing a formal Delivery Vehicle Joint Venture Partnership in the future.

- 1.4 Through this partnership, Nottinghamshire County Council will lead on the acquisition of land and LCR will provide a range of professional services including development management, programme management, managing working capital and technical services to prepare the land and package up for more formal development JVP arrangements with development partners in the future

REPORT OF THE LEADER OF THE COUNTY COUNCIL**LOCAL AUTHORITY ACCELERATED CONSTRUCTION FUND FOR
COUNCIL OWNED DEVELOPMENT SITES****Purpose of the Report**

1. For the Committee to decide on whether to accept in principle the proposed funding from Homes England.
2. To delegate authority to the Corporate Director, Place in consultation with the Chair of Policy Committee as well as the Service Director Finance, Infrastructure & Improvement, and the Group Manager, Legal, Democratic & Complaints, to agree the terms on which the funding agreements are accepted.
3. To delegate authority to the Corporate Director, Place in consultation with the Chair of the Policy Committee and the Service Director for Finance, Infrastructure & Improvement, and the Group Manager, Legal, Democratic & Complaints to develop and/or dispose of the sites referred to in the report at Paragraph 8 in order to maximise the available grant funding.

Information

4. The Council Plan Your Nottinghamshire, Your Future sets out the commitment that Nottinghamshire is a great place to live, work, visit and relax. We will work with the Government, developers, house-builders and our local partners to provide a supply of good quality, affordable housing in attractive areas, close to employment. In order to enable the supply and pace of housing growth in the county the Council has been working closely with Homes England and has secured a substantial offer of grant funding of approximately £11 million which will enable the delivery of more than 1,800 new homes.

Background to the Bid for Homes England Funds

5. The Council has been offered provisional funding from the Homes England Local Authority Accelerated Construction Fund (LAAC) to assist the development of sites in its ownership. The fund aims to make the best possible use of public sector land to increase the supply of new homes by helping to remove the barriers facing local authorities with development on their sites. It also seeks to promote Small to Medium Enterprises (SMEs) in the housing industry as well as Modern Methods of Construction (MMC).
6. A timeline has been submitted to Homes England for the Council sites which demonstrates what needs to be done in order to start construction of the housing prior

to the deadline of the end of March 2021. This deadline is a key requirement of Homes England as all infrastructure and enabling works must be completed and funding drawn down by this date. In order to achieve this the deadlines for each stage of the development process need to be followed closely. To ensure delivery within these timescales an agreement from Committee is required at this stage to enable terms to be agreed as soon as possible to allow the maximum time from receiving the funding agreement to starting on site otherwise meeting the Homes England deadline is at risk.

Nottinghamshire County Council Sites

7. The recommendations of this report relate to the following sites which have previously been declared surplus to the Council's operational requirements and have allocations in either adopted or draft Local Plans for residential development.

- Rolleston Drive, Arnold
- Top Wighay
- The Paddocks, Radcliffe on Trent
- Low Moor Road, Kirkby-In-Ashfield
- Beck Lane, Sutton – In – Ashfield
- Abbey Road, Mansfield
- Stuart Avenue, Mansfield
- Cauldwell Road, Mansfield

The Key Homes England Funding Agreement Conditions

8. As with any grant offer there are conditions attached. The offer from Homes England is made up of a funding agreement which is a standard country wide document with specific sections relating to the offer itself. It provides the details of the amount of grant funding for each site as well as the conditions relating to the grant. It is expected that the terms will be negotiated depending on the expectation for the level of pace, the proportion of Modern Methods of Construction (MMC) and the disposal approach. In addition, all investment must be drawn down by March 2021. MMC involve off-site manufacture or assembly and are factory, system built approaches to housing construction rather than traditional methods.
9. Homes England have set up a Delivery Partner Panel 3 (DPP3). The DPP3 has been procured through the Official Journal of the European Union (OJEU) processes, and can be used to enable the efficient procurement of housing-led development on land owned by public sector bodies and Homes England. As part of the LAAC funding agreement it is a preference of Homes England for local authorities to sign up to and use the Panel. By using the DPP3 this allows the Council the fastest route to engage housebuilders and developers on the panel who have already been procured.
10. It is expected that the Council will deliver the agreed number of housing units for each site, and will work with housebuilders to secure the agreed levels of pace and MMC. In most cases Homes England would expect this to be achieved through the use of a Building Lease. Freehold disposal of sites will be restricted until completions as these do not allow sufficient control of the requirements around delivery pace and MMC.
11. Clawback conditions are part of the funding offer whereby any profit over and above the clean site value will need to be paid back to Homes England up to the amount of the funding offer.

12. If there are bids that don't eventually meet the specified pace or MMC requirements, or initial soft market testing suggests that these grant conditions may be unachievable, Homes England will discuss with the Council how best to progress with the sites at this point. This may result in the grant funding not being made, or an alternative route being considered.
13. Homes England will work with the Council to agree a set of core delivery milestones. If the core milestones are not achieved, and no resolution can be found to the issues causing the delays, Homes England can terminate the funding agreement and prevent further draw-down, or ask for the grant to be repaid.

Next Steps

14. In order to move forward quickly the Council will need to carry out a development appraisal for each site; to sign up to the DPP3 and commence discussions with developers in order to check the levels of pace and MMC. And, to negotiate with Homes England and agree to the funding offer on terms suitable to the Council. Delegated authority is therefore sought from the Committee because of the tight timescales which will be conditions of the funding body.

Other Options Considered

15. There is the potential to market and sell the sites individually without accepting the potential LAAC funding offers. This would mean that the timeframes and conditions set by the funding agreements would not need to be adhered to but, for many of the sites, the Council would still require significant upfront funds in order to achieve the best capital receipt and in some cases the funding from Homes England may be required in order to make the scheme viable. The intention of the Council is for each of these sites to be developed in order to promote growth and to provide additional homes in the County and the conditions set by the funding agreement are likely to be in accordance with the aspirations of the Council. It is therefore recommended to consider accepting the fund, subject to the further investigations and negotiations to be carried out as outlined in the next steps section of this report.

Reason/s for Recommendation/s

16. To obtain the initial funding required to provide the infrastructure and utilities into each site which will allow the plots to be sold and residential units to be developed.
17. In order to meet the deadline for starting development on site by the end of March 2021, approval is required to allow the Corporate Director, Place (in consultation) to make the delegated decisions subject to negotiations which will take place with Homes England.

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.

RECOMMENDATION/S

- 1) To accept in principle the proposed funding offers from Homes England subject to the decisions of the Corporate Director, Place (in accordance with recommendation 3 below).
- 2) To delegate authority to the Corporate Director, Place in consultation with the Chair of the Policy Committee and the Service Director for Finance, Infrastructure & Improvement, and the Group Manager, Legal, Democratic & Complaints, to agree the terms on which the funding is accepted.
- 3) To delegate authority to the Corporate Director, Place in consultation with the Chair of the Policy Committee and the Service Director for Finance, Infrastructure & Improvement, and the Group Manager, Legal, Democratic & Complaints to develop and/or dispose the sites referred to in the report at Paragraph 7 in order to maximise the available grant funding.

Councillor Mrs Kay Cutts MBE
Leader of the County Council

For any enquiries about this report please contact: Steve Keating, Property & Estates,
Tel: 0115 9939397

Constitutional Comments [CEH 21/09/2018]

19. The recommendations fall within the delegated authority to Policy Committee under its terms of reference. The grant funding agreements with Homes England will need to be in a form agreed by the Group Manager, Legal, Democratic and Complaints.

Financial Comments [GB 24/09/2018]

20. The financial implications of this report will remain unclear until further questions with regard to the conditions of the grant are resolved.

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- Ward(s): Newstead, Radcliffe on Trent, Arnold North, Sutton North, Kirkby North, Sutton Central & East, Mansfield South
- Member(s): Councillors Chris Barnfather, Kay Cutts MBE, Pauline Allan, Michael Payne, Helen Ann-Smith, John Knight, Samantha Deakin, Stephen Garner, Andy Sissons

REPORT OF THE LEADER OF THE COUNTY COUNCIL**CORPORATE PROPERTY TRANSFORMATION PROGRAMME****Purpose of the Report**

1. To approve a new Corporate Property Strategy for the County Council and for a further update report to be brought back to Policy Committee at a later date.

Information

2. The Property Transformation Programme commenced with the appointment of Turner and Townsend following Policy Committee approval in June 2018. The Transformation Programme has a clear vision – “to establish a high performing Property function for Nottinghamshire County Council that sits at the heart of the council’s growth and prosperity agenda”.
3. Although Turner and Townsend were appointed in June 2018 Improvements have been underway since April 2018 with the appointment of seven new professionally qualified property staff to reduce reliance upon interims and improve the capability and performance of the property functions. Existing staff have also been fully engaged with the programme to ensure “buy in” and support for the transformational agenda. Although it is too early to quantify improvements against the emerging Key Performance Indicators, there are a number of significant achievements that indicate the programme is having a positive impact namely:
 - Successful review of priority property deals and catalysing completions.
 - Reducing the backlog of approvals on estate transactions.
 - Ongoing improvement of the relationship with client services e.g. protocols for rent reviews of Early Year Service properties.
 - Securing third party investment and grant aid e.g. £11m of Homes England Investment to unlock County owned sites for housing.
 - Successful transfer of the Turbine Managed Workspace Centre, Retford from a third party management contract to inhouse management arrangement which will generate savings and increase capability for managing multi let properties.
 - Ongoing improvement of the intelligent client performance for the commissioning of services through ARC.
4. The Corporate Property Strategy (Appendix 1 – to be circulated prior to the meeting) is now complete and put forward for approval by Policy Committee. The Strategy can be summarised as follows:

Corporate Property Strategy (Appendix 1)

- The Property Strategy workstream will provide an overarching, coherent plan to set out how the Council estate will support the delivery of Council and Place targets. The Property Strategy Workstream defines how objectives and targets in property asset-related matters are set, how property strategy is developed and implemented and how organisational policies such as sustainability and service transformation are incorporated.
5. Substantial progress has been made on the other workstreams which will be reported to Committee for approval in December 2018. The remaining workstreams can be summarised as follows:

Governance

- The Governance workstream will review and address existing governance challenges such as Property's representation at the corporate level, and the business areas decision making/approvals processes. Successful delivery of the workstream will result in improved corporate governance arrangements that support the effective management of the Council's land and assets.

Operating Model

- The purpose of the Operating Model workstream is to establish: 1. a high level structure that enables the Property function to provide a high performing estates management service for the Council and 2. the level 2 and 3 processes that are required for the delivery of 'Business as Usual'. An Operating Model will give the council Property function a clear structure and plan to effectively manage their estate at both the strategic and operational levels.

Capability and Capacity

- The purpose of the Capability & Capacity workstream is to understand the technical skill gaps in the councils existing staff structure, in order to inform the development of, and subsequently recruit for the positions identified in, the new Property function staff structure (which is being developed under Operating Model workstream).

Policies and Standards

- The purpose of this workstream is to ensure that the council has an up to date suite of policies and standards are available for use by all Property staff. Furthermore the workstream will ensure that all Property policies and standards are effectively communicated across the Council and are clearly owned, enforced and regularly updated by the appropriate authority.

Data Management and Information Systems

- The Data Management & Information Systems workstream will ensure that property data requirements are clearly understood and documented across the organisation. It will ensure that the property data central database is comprehensively populated, accurate, secure and readily accessible for key decision makers, managers and all other users, whether internal or 3rd party.

Delivering Capital and Revenue Spend

- The purpose of this workstream is to create a process to outline how capital and revenue spend is initiated, evaluated and managed. The foundation for this process will be the creation of a new delivery lifecycle which will also be used by the council to aid Property projects and programme delivery. An established lifecycle will give the council the tools required to make proper investment decisions, and therefore prioritise funding allocations.

Performance Management, Audit and Review

- The Performance Management Audit & Review workstream will devise a set of performance management tools for the future which will ensure that the council's estate can deliver both the Place directorate and wider Council corporate objectives. Furthermore it will establish a Performance Management Office that will track organisational activities that are evaluated through Key Performance Indicators and produce reporting as required.
6. As the programme progressed it has been possible to utilise internal resources to pick up responsibility for a range of tasks. Programme Monitoring will be delivered internally and staff in the property sections are assuming responsibility for completing tasks with technical support from the Turner Townsend Team.

Other Options Considered

7. The Property Transformational Programme is approved and ongoing. Options for undertaking programme management using in house support have been explored to reduce external costs for services procured with Turner and Townsend.

Reasons for Recommendations

8. To approve the Property Strategy, attached in appendix 1 to provide an overarching, coherent plan to set out how the Council estate will support the delivery of Council and Place targets..

Statutory and Policy Implications

9. 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

10. The costs of the Property Transformation Programme are being met from existing, approved budgetary provision.

RECOMMENDATION/S

- 1) That Committee approves the new Corporate Property Strategy included in the appendix to the report subject to a review within the first 12 months of operation.
- 2) A further report is brought back to Policy Committee to seek approval for the remaining workstreams where appropriate.

Councillor Mrs Kay Cutts
Leader of the County Council

For any enquiries about this report please contact: David Hughes, Service Director, Investment & Growth, Tel: 0115 977 3825

Constitutional Comments [SSR 03/10/2018]

11. The recommendations fall within the scope of decisions which may be approved by Policy Committee

Financial Comments [GB 05/10/2018]

12. 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.

- Policy Committee June 2018

Electoral Division(s) and Member(s) Affected

- All

Report
Corporate Property Strategy

Nottinghamshire County Council

Nottinghamshire County Council

Corporate Property Strategy

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0 Foreword

Property assets are an important contributing factor to the quality of public services. Well designed, well maintained and well used buildings help support services, promote confidence, and act as a stimulus for the wider growth and prosperity of the County. Importantly the location of service provision and the environment in which services are provided are an essential link between citizens and the Council. Together they provide a sense of identity, community, function and image.

As the nature of public services change and new ways of working and new technologies are adopted in response to the constrained public expenditure and expectations of service quality increase, the Council's portfolio of land and property assets must also change.

This Corporate Property Strategy provides a broad vision for our future and sets the framework for action that, over time, will see the Council's portfolio of land and property assets adapt to this new environment and play a greater role in regeneration and economic development across Nottinghamshire.

In this context, the Corporate Property Strategy is intended to promote a common understanding of emerging issues and priority actions. It is not a static document but part of a process designed to engage Members, Officers, Partners and Customers in a debate about the nature of and future management direction for the Council's land and property resource.

To support delivery of our Corporate Property Strategy, a Property Transformation Programme is underway delivering eight workstreams of improvement themes to establish a high performing Property Function for Nottinghamshire that sits at the heart of the Council's growth and prosperity agenda.

The Programme also helps us build on our Place values and behavioural framework of being open and accountable; embracing diversity, being courageous and ambitious and working collaboratively.

I would encourage you to embrace this Strategy and work in collaboration with the Property Function to deliver its outcomes.

Cllr Kay Cutts, Leader of the Council, October 2018

1 Executive Summary

Our portfolio is significant – the Council occupies over 1,100 sites including schools, libraries, social care buildings, county offices including County Hall, youth clubs, and small holdings.

The total annual running cost is in excess of £30m per annum and the total value of the corporate estate, encompassing land and buildings is in excess of £700m. This value includes all locally managed schools but excludes academies.

In common with other public sector organisation the Council portfolio has outstanding backlog maintenance which is currently in the order of £94m.

Group Manager Property Asset Management, who leads the Property Function has the responsibility to plan and manage our land and property as a corporate resource and has overall responsibility for the Corporate Property Strategy, the Property Asset Management Plan and the Service Asset Management Plans.

This Corporate Property Strategy (2018-2023) provides a framework to support the development and management of the Council's land and property assets to achieve our ambition of delivering collaborative property solutions which achieves corporate objectives.

Our Corporate Property Vision as agreed by the Council's policy Committee in June 2018 is to:

“Our vision is to create an efficient, safe and sustainable land and property portfolio that supports delivery of more integrated customer focused services, delivers value for money and supports regeneration and economic growth”.

We will achieve this through the delivery of our 5 corporate property asset priorities:

- **Priority 1** – Property being managed corporately to support the Council's Corporate Objectives and Priorities
- **Priority 2** – Supporting and empowering people
- **Priority 3** – Providing Value for Money
- **Priority 4** – Supporting regeneration and economic growth
- **Priority 5** - Working effectively with partners to maximise shared opportunities.

The strategy follows guidance set out in the RICS Public Sector Asset Management Guidelines which break down the property asset management process into three core elements:

- **The Property Strategy** – “articulates our vision and *what we want to achieve*”

- **The Property Asset Management Plan** - “articulates ***how*** we will deliver our vision”
- **The Property Asset Management Action Plan** - “***prioritised*** activity to delivery our vision”.

The Corporate Property Strategy should be read in conjunction with the Property Asset Management Plan and should be seen as a joined up set of documents setting out our vision, how we will achieve it and monitor its progress.

2 Introduction

2.1 Purpose

Welcome to the Nottinghamshire County Council's Corporate Property Strategy covering the period 2018 to 2023.

The purpose of the Corporate Property Strategy and the associated Property Asset Management Plan is to provide a framework to support the development and management of the Council's land and property assets to achieve our ambition of delivering **collaborative property solutions which achieves corporate objectives**.

The Strategy is also a tool to communicate the Council's approach to strategically managing property to both internal and external stakeholders.

2.2 Context

Property asset management is a key part of business planning which connects, at a strategic level, decisions about an organisation's business needs, the deployment of its land and property assets and its future investment needs.

We need to ensure that our land and property assets:

- Provide value for money
- Meet the needs of customers and services
- Supports regeneration and economic growth across the county
- Are efficient and effective.

Our land and property assets are an important part of supporting and enabling us to achieve our corporate objectives and it is therefore essential that we have an innovative and forward thinking strategy in place.

"Strategic Property Asset Management is the process which aligns business and property asset strategies, ensuring the optimisation of an organisation's property assets in a way which best supports its key business goals and objectives" RICS Public Sector Asset Management Guidelines 2nd Edition

As outlined in the RICS Public Sector Asset Management Guidelines, there are three core elements to the Property Asset Management planning process. These are:

- The Property Strategy – "articulates our vision and **what** we want to achieve"
- The Property Asset Management Plan - "articulates **how** we will deliver our vision"
- The Property Asset Management Action Plan - "**prioritised** activity to delivery our vision"

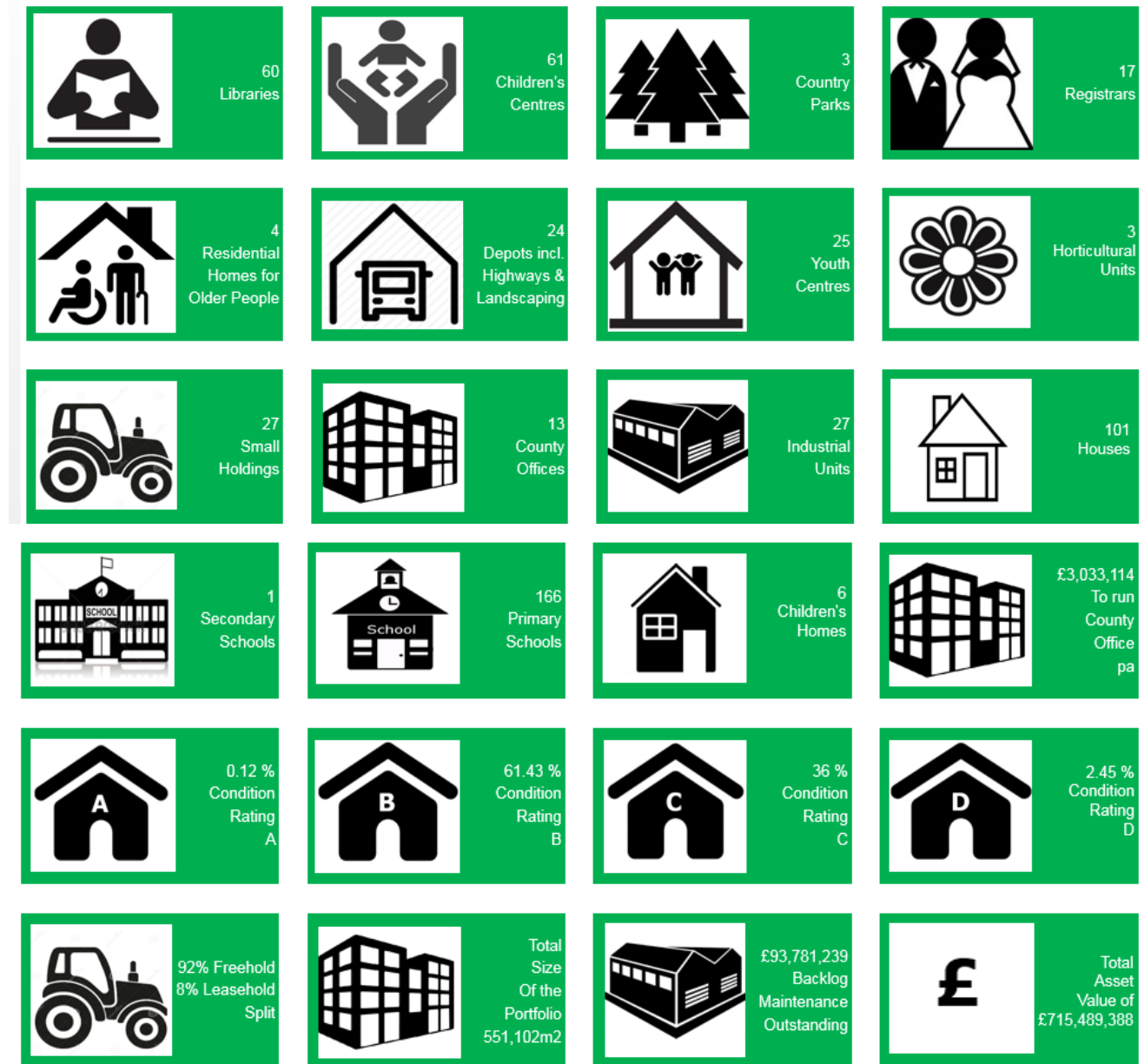
The strategy and policy will remain in place until 2023, while the Property Asset Management Plan and Action Plan will be updated annually and form part of the Place Business Plan for each year.

2.3 Who is this document for?

This Corporate Property Strategy provides the framework for a single approach to land and property asset management and decision making across the Council and will:

- Assist all **Officers** who are involved in property related issues to understand the corporate vision and their role in achieving this
- Provide insight and support for **Service Directors** and **Elected Members** involved in decision making and influencing property related projects
- Assist our **Public Sector Partners** as we move forwards with our ambition to work more collaboratively
- Form the basis for interaction with other key **stakeholder groups** including our property service provider, other service provider partners, outsourced service providers and community organisations.

3 Headline facts & figures



4 Nottinghamshire County Council Plan

4.1 Overarching Council Plan

There is a 'golden thread' that connects our Corporate Property Strategy to the wider council, through the Council Plan, the wider departmental plans and the Place Departmental Strategy supporting the delivery of the Council's overarching vision "***Your Nottinghamshire, Your Future***".

This thread from the overarching vision to the five Corporate Property priorities is shown in the diagram below.



Section 5 of this Strategy outlines in more detail the five priorities that the Corporate Property Strategy is built on and which in turn underpin both the Place Departmental Strategy and the Council's overarching Plan and informs the Property Asset Management Plan and Service Asset Management Plan.

4.2 Place Departmental Strategy

Effective and efficient management of the Council's land and property assets will help to underpin delivery of the Place Departmental Strategy in a number of ways and supports the four Place Commissioning Programmes, which are:

- Investing in place and community
- Investing in opportunity areas
- Investing in economic and social regeneration

- Investing in skills and aspiration.

Property will also contribute to the following success measures outlined in the Place Departmental Strategy:

- More families will live in good quality housing
- Children and young people are provided with sufficient early years provision and school places in their local communities
- People live in communities supported by good housing and infrastructure
- High quality business accommodation is available for business to start and grow.

4.3 Property Asset Management Plan (*note in development*)

The Property Asset Management Plan (PAMP) is aligned to the Corporate Property Strategy that sets out 'how' we will deliver each of the priorities including the governance arrangements, resources, tools, policies and systems and will underpin strategic decision making at Corporate Landlord level across the Council.

The PAMP covers the Council's interests in land and property assets and its main purpose is to:

- Set out the Council's objectives, priorities, programme and performance in relation to land and property assets
- Provide a clear statement of direction for other land and property stakeholders and customers.

The PAMP is a 5 year plan and is updated on a yearly basis following engagement with services.

4.4 Service Asset Management Plan (*note in development*)

Service Asset Management Plans (SAMPs) are used to clearly articulate a services land and property needs. They are updated on a yearly basis and reviewed by Senior Officers and Members. They will inform bids for capital investment and will enable the Council to develop a strategic approach to addressing the services asset requirements within the overall Property Asset Management Plan. Each SAMP contains:

- Anticipated changes to the service
- A property asset demand profile
- A property asset supply profile
- A supply and demand comparison

- Prioritised solutions and an outline business plan.

The development of each capital bid will follow the Gateway Review Process as articulated in Section 8.1.

5 Corporate Property Strategy

The Corporate Property Strategy is owned and driven forward by Group Manager Property Asset Management through the Corporate Landlord function.

It is intended that the Corporate Property Strategy is dynamic and under constant review to capture and reflect changes in policy, circumstances or priorities and be formally reviewed every year in line with the Capital Investment Strategy.

The key principles of this Corporate Property Strategy are to:

- Embed the **Corporate Landlord** approach to property management with its centralised, streamlined operating model adopted as the corporate approach to property management to ensure property has strategic control of the portfolio and is able to challenge departmental demand and occupation.
- Provide a clearly defined **framework** for the Council to manage its land and property assets to enable the delivery of the Corporate Property Strategy priorities.
- Ensure that all decisions are made (or recommended to Members) on an **auditable and evidence** based basis, balancing service needs with corporate objectives.
- Ensure efficient and sustainable utilisation of our land and property assets to provide **value for money** for the Council.
- Support and enable **regeneration and economic growth** across the County.

However, the Strategy is about more than just bricks and mortar; it is about working with Services as a critical friend to challenge current perceptions of property need, provide examples of best practice from across the Country and propose innovative solutions that help to deliver our property vision.

It is also about collaborating with partner organisations across the public, private and voluntary sector to explore possibilities for shared use of property and joint working initiatives.

5.1 Our Corporate Property Vision

Our Corporate Property Vision as agreed by the Council's Policy Committee in June 2018 is set out below.

“Our vision is to create an efficient, safe and sustainable land and property portfolio that supports delivery of more integrated customer focused services, delivers value for money and supports regeneration and economic growth”.

5.2 Property Strategy Priorities

The focus of the Corporate Property Strategy is to ensure that the Council's effort is on activities that deliver real value and help us to achieve our vision. They are:

- **Priority 1** – Property being managed corporately to support the Council's Corporate Objectives and Priorities
- **Priority 2** – Supporting and empowering people
- **Priority 3** – Providing Value for Money
- **Priority 4** – Supporting regeneration and economic growth
- **Priority 5** - Working effectively with partners to maximise shared opportunities.

The priorities are described in detail overleaf:

Priority 1	Property being managed corporately to support the Councils Corporate Objectives and Priorities
Rationale	<p>Managing our property and land holdings corporately means a strategic, joined up approach to maximising their contribution to Council objectives and identifying opportunities for economic regeneration and development.</p> <p>The property portfolio can be managed effectively and the right money spent on the right buildings at the right time by a forward facing Property Function with a clear understanding on what it needs to deliver.</p>
We will achieve this by	<ul style="list-style-type: none"> • Re-introducing a Corporate Landlord model to proactively manage property and land at a corporate level and as a corporate resource taking into account our vision for the portfolio • Preparing a Property Asset Management Plan (PAMP) which is a technical plan to deliver the Corporate Property Strategy • Having a clear corporate decision making framework • Having a comprehensive property policy framework including but not exhaustive to compliance, ways of working, office accommodation standards and land and property transactions to provide officers with clear and accurate instructions. • Managing all land and property investment through a Gateway Review process to provide control, assurance and value for money • Having a clear property maintenance regime that reflects both policy and legislation and is planned to reduce the likelihood of reactive expenditure. • Challenging the portfolio and its use by departments through locality planning and strategic property forums such as the Corporate Asset Management Group and continually challenging future ways of working by Services • Engaging with all Council departments to understand their property needs and working with them to prepare Service Asset Management Plans (SAMPs) in line with our vision for the portfolio • Ensuring all land and property data and information is up to date and accurate on our Property Information System 'P2'

	<ul style="list-style-type: none"> • Ensuring land and property assets comply with all Statutory regulations • Incentivising the efficient use of our buildings to promote improved energy efficiency, space utilisation and sharing of common facilities • Managing and safeguarding our surplus land and property assets through considering invest to save initiatives and pro-actively managing Health & Safety, maintenance and security issues that arise through vacating properties.
How will we know we've been successful?	<ul style="list-style-type: none"> • Corporate Landlord model is embedded across the whole Council and all Departments use Property as the “go to service” in all matters relating to land and property assets • Property successfully challenges departments use, occupation and management of the portfolio • The Corporate Property Strategy and Property Asset Management Plan are socialised across the Council, are available to all Council employees and stakeholders and are recognised as the definitive documents to explain what Property does and why • Decision making on use, occupation and investments in property and land are corporately made based on clear evidence/data and are supported by a Business Case that clearly supports the investment decision – a clear process for challenging the need for a project is in place and used Council wide • Locality reviews are carried out on a regular basis and pro-actively inform the management of our land and property assets • Our Property Information System P2 is a trusted tool for helping to make decisions on property – its information is up to date, accurate and informative • We share space and work collaborate with our Public Sector Partners and the Voluntary Sector • We have an accurate baseline of the current performance of our land and property assets that includes revenue, capital, occupation, utilisation, compliance and functional suitability metrics. • Gross property costs per m2 GIA of the operational estate are below CIPFA average for similar County Councils

	<ul style="list-style-type: none"> • We are managing the delivery and monitoring the success of the Corporate Property Strategy via a set of meaningful KPIs • There is 100% Statutory Compliance across the estate • A robust maintenance regime is in place focused on planned maintenance and the reduction in reactive maintenance.
Case study	<p>Smarter Working Programme</p> <p>The project was to model the impact of the Smarter Working Programme on the future requirements for office space in Nottinghamshire.</p> <p>The challenge was to identify and bring together a number of data sets into a single coherent model to inform decision making and the business case for funding.</p> <p>Property contributed to the development of the model in several ways:</p> <ul style="list-style-type: none"> • They provided a number of relevant data sets and advised on how they could be utilised within the model • They acted as a critical friend to the development of the model and the assumptions behind it. • They supported the development of the options, providing accurate valuations cost for future maintenance, refurbishment and development. <p>Officers from Property brought years of highly relevant experience and operational knowledge to the project. This allowed a quality model to be delivered at pace and this was subsequently well received by Councillors at the Member Reference Group.</p> <p><i>"It was very reassuring to be able to tap into the experience and knowledge of the officers from Property Services"</i> Iain Macmillan, Programme Manager</p>

Priority 2	Supporting and empowering people
Rationale	<p>We require the use of a range of properties facilities in order to deliver our service outcomes - the right property, fit for purpose and in the right location to meet current services and to plan for the future.</p> <p>It is vital that the Property Function understands service needs as the design, location and management of a property asset can impact on a services ability to operate to their maximum potential. It is therefore essential that we operate effectively with clear policies and processes, ways of working, sufficiently qualified and experienced staff who can communicate effectively to our customers.</p> <p>Supporting and empowering our staff to be more confident in influencing property solutions and improving our decision making to make our Property Function more pro-active and bold in its approach to delivering Property Services.</p> <p>It will help to maximise the use and value of our land and property assets to provide the right assets, fit for purpose, in the right place to meet Service needs.</p>
We will achieve this by	<ul style="list-style-type: none"> • Having the right people, with the right tools and technology and the right capability for Property in the right roles • Staff are clear on their roles and responsibilities within the Property Function • Having a comprehensive property policy framework including but not exhaustive to compliance, quality briefs for capital investment and maintenance works, ways of working, office accommodation standards and land and property transactions to provide officers with clear and accurate instructions with clear direction and leadership • Ensuring property support the delivery of more integrated customer focused services • Ensuring property is secure, safe to use and fulfilling statutory requirements • Ensuring property is suitable and sufficient to meet service needs • Maximising the benefits of agile working to empower staff to work with the maximum of flexibility and minimum constraints to optimise performance • Ensuring property is flexible, can adapt to changing Service needs and supports the Wellbeing of staff

	<ul style="list-style-type: none"> • Working with Services to understand their long term requirements to plan for the future • Maximising the opportunities for agile working to empower staff to work with the maximum flexibility across our estate • Promoting innovation in property asset management through the use of technology, tools and real time data capture • Better communicating both within the Property Function and with our external stakeholders and customers.
How will we know we've been successful?	<ul style="list-style-type: none"> • Services will have the right accommodation, in the right place, at the right time for their Service delivery • We have an up to date and accurate property policy framework that is managed, accessible, reflects both legislation and wider council policy and our staff are empowered to use it to inform decision making • We will have an empowered Property Function that make bold decisions and are pro-active in the way they delivery Property Services • There will be stronger more trusted working relationships with Services • Communications are clearer and both our Property Team and their stakeholders understand what their roles are and how they deliver their services.

Priority 3	Providing Value for Money
Rationale	<p>To ensure the Council's land and property assets deliver the best returns for the people of Nottinghamshire.</p> <p>Money from rents, leases and property sales will be re-invested in the County and surplus property sold at market value is more likely to be purchased by viable businesses that can provide the best employment opportunities and growth and add the most value to our economy.</p> <p>Value for money is a core principle for the Council and Property has a significant role to play in making sure the people of Nottinghamshire benefit from a Property Function that offers both value for money and a cost efficient and effective portfolio that maximises capital receipts from the disposal of surplus property assets.</p>
We will achieve our aim by	<ul style="list-style-type: none"> • Having an accurate baseline of the performance of the land and property portfolio that includes revenue spend per land and property asset • Ensuring property is suitably managed and maintained within budget constraints • We will identify and plan our portfolio needs to ensure optimum utilisation and cost efficiency. • We will gather service requirements through the SAMP process • Having clear corporate decision making processes and • We will continually review our buildings and land holdings through the PAMP process to ensure they meet business needs • Rigorously challenging the portfolio and its use through strategic property groups such as the Corporate Asset Management Group to ensure we make the right investment decisions • Actively seeking the best uses for our surplus sites and releasing properties for sale in a timely and co-ordinated way • Selling surplus property at market value, unless it is better suited to ongoing public use or other use in the public interest • Actively managing and maximising our commercial properties and seeking businesses that generate the greatest return for Nottinghamshire • Understanding the full running costs of our land and property assets from not just a capital but a revenue perspective • Using Council property effectively to reduce private sector rental charges where appropriate based on an approved business case

	<ul style="list-style-type: none"> • Using the One Public Estate programme or local devolution to transfer property to others who can get more value from it or use it more efficiently • Seeking efficiencies in occupancy and utilisation of our properties • Challenging the cost of property activities to drive improvement in running and operational costs of the estate by minimising energy and water consumption, CO2 emissions and waste and maximising renewable energy solutions • Maximising emerging new technologies to deliver Property services more efficiently and effectively • The performance of the Council's land and property assets is measured and monitored through an effective sets of KPIs that are owned by the Property Function.
How will we know we've been successful?	<ul style="list-style-type: none"> • The portfolio is managed and maintained within the annual agreed Property budget • We have accurate baseline of revenue spend per property. • Market rates are consistently achieved for selling surplus properties and land • Capital and revenue investment in the Council's land and property assets is continually monitored and challenged to ensure the right money is spent, on the right buildings, at the right time through the Gateway Process.

Priority 4	Supporting regeneration and economic growth
Rationale	<p>Our land and property assets can be a major contributor and facilitator to unlocking development opportunities, delivering solutions and stimulating regeneration, economic growth and inward investment which can grow regional businesses and create jobs.</p> <p>We recognise a strong link between our property asset management policies and regeneration as well as the quality and design of our buildings which can also improve the public realm and be a stimulus to attracting people and businesses to the County.</p>
We will achieve this by	<ul style="list-style-type: none"> • Proactively working with our colleagues in the Economic Regeneration team to identify where property and land can maximise the value of regeneration projects, stimulate income generation and create local employment and training opportunities • Working with colleagues in Highways and Planning to ensure we have a more strategic approach to developments and information is shared between the services • Using properties and land to proactively stimulate, support and create regeneration and inward investment opportunities • Pro-actively buying sites with long term growth potential and identifying a future supply of land suitable for housing and regeneration opportunities • Working with the wider council to identify where property and land can stimulate income generation and create local employment and training opportunities • Working with the HS2 team to identify growth opportunities for the County as well as supporting disposals and acquisition of land and property as part of relevant partnerships/Government initiatives for HS2 • Maximising funding opportunities - Economic Regeneration can attract money through funding applications and we will link this with Property funding such as Homes England, One Public Estate and Sustainable Transformation Plans to maximise Regeneration opportunities • Contributing to the Visitor Economy Strategy which aims to attract and retain visitors to Nottinghamshire through heritage and culture.

<p>How will we know we've been successful?</p>	<ul style="list-style-type: none"> • There will be an increased number of regeneration and economic growth projects delivered per annum where Property have been part of the delivery team • More joined up working with the Economic Regeneration Team to secure additional funding and inward investment from external bodies for projects • We will generate additional income from the Council's land and property assets • We will have secured additional land suitable for housing and employment needs • There will be greater returns and better use of our Green Space land and properties.
<p>Case study</p>	<p>Mansfield regeneration – Lindhurst scheme.</p> <p>Council partnership with Private Sector and Homes England</p> <p>The Council owns various sites around the County which have been promoted for development with the local authorities.</p> <p>One such is Lindhurst, and this project will help to provide new jobs and homes and improve the prospects for the whole area. It will deliver 1 million square feet of employment and over 1,700 homes, and provide a community park, shops and bus links. It will also include green routes, a new school, sports and other community facilities. The development accommodates growth and embraces sustainability that will play a vital role in future well-being of Mansfield as well as surrounding areas.</p> <p>Lindhurst is a major undertaking through a complex partnership arrangement. The objectives are to obtain planning, maximise the value of the net developable land, procure the infrastructure to enable individual plots to be sold and share costs and income.</p> <p>Property Services actively engages as the Council's formal representative in the partnership by providing expertise and knowledge. The Service has brought forward the Council's own land ownership interest to form the partnership which has enabled a more holistic and comprehensive approach to the scheme's delivery.</p> <p>The scheme is now well under way to delivering the growth opportunities and homes to this region and the council property has made a significant contribution to achieving this.</p>

	<p>Significant challenges have been overcome and sales completion of Phase One have now concluded with all the residential plots sold to house builders with a total plan to deliver 519 residential units.</p> <p>This is a great example of the Council working in partnership with the Private Sector and Homes England in order to delivery significant economic growth in an area of need.</p>
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Priority 5	Working effectively with partners to maximise shared opportunities
Rationale	<p>Working with our Delivery Partners, Public Sector Partners and the Voluntary Sector is key to delivering our Corporate Property Strategy and will maximise shared land and property opportunities, leading to reduced property costs, more collaborative working to deliver services, and ultimately greater benefits for the people of Nottinghamshire.</p> <p>Working more effectively with our Delivery Partners will bring forward and complete more projects on time, on budget and that meet the end users requirements. Sharing property can realise efficiency savings and unlock surplus property for other income generation uses.</p>
We will achieve this by	<ul style="list-style-type: none"> • Developing the joint venture contract with ARC into a mature partnership where the Council is an Intelligent Client who effectively commissions ARC services with clear, concise briefs that avoid ambiguity on what is to be delivered • Developing a more strategic approach to the use and development of public sector assets with partners • Continuing participation in both the One Public Estate Programme (Eastwood being the first project to be delivered) and the North Midland Sustainable Transformation Plan for the NHS • Identifying further One Public Estate projects and investing resources into these to strengthen High Speed 2 (HS2), Defence Infrastructure Organisation/Ministry of Defence relationships that are key to delivering their regeneration priorities • Setting up and chairing Public Sector Partner and Voluntary Sector working groups to explore shared property solutions • Identifying council properties and land that could be used to facilitate co-location and joint service delivery • Where appropriate sharing space with other Public Sector Partners and the Voluntary Sector • Maximising external funding and investment opportunities • Build our relationships and trust with our other existing partners such as VIA, Inspire and ARC as well as the NHS
How will we know we've been successful?	<ul style="list-style-type: none"> • The ARC joint venture contract has developed into a mature, trusting relationship with the Council which benefits both organisations in delivering projects on time and to cost • ARC receive, understand and deliver on clear, concise project briefs

	<ul style="list-style-type: none"> • Increased number of shared sites and buildings between the Council and Public Sector Partners and Voluntary Sector joint working • Delivery of OPE Eastwood project and further joint projects being developed and delivered • Improved partnership working and relationships with Via. Inspire and the NHS leading to more collaborative projects being delivered on time and to cost.
Case study	<p>Sherwood Forest Visitor Centre</p> <p>The original visitor centre was built in the mid-1970s and though innovative for its time was no longer fit for purpose and was expensive to maintain and to service.</p> <p>The site had also been designated as a Special Area of Conservation (SAC) under the European Habitats Directive which meant that buildings and structures within the site were no longer deemed by government to be conducive to 'favourable conservation status' and permission would not be granted to renovate or replace them.</p> <p>A new site was purchased adjacent to the SAC for a new centre and the Council sought an external partner to design, build and manage a new centre and the country park. The RSPB were successful and the limited capital the Council had earmarked for the project (£4.1m) was made available to them with the RSPB finding the remainder.</p> <p>Property has assisted with land acquisition and negotiation of leases, design requirements for the new centre and oversight of the build by the project partner along with input into the competitive dialogue procurement process.</p> <p>A new visitor centre with associated infrastructure opened in summer 2018 just over 40 years since the original centre opened. Sherwood Forest now has an eye-catching modern visitor offering fit for the 21st century</p>

6 How we will deliver this strategy

The Corporate Landlord and wider Property Function is committed to delivering the following initiatives which will underpin and facilitate the delivery of the Corporate Property Strategy. They are to:

- **Adopt a Corporate Landlord model** in regard to the management of the Council's land and property assets and investment decisions
- **Deploy property and land assets for the successful delivery of the priorities of the Council** as identified within the Corporate Strategy
- **Support the work of the Growth and Economic Development Team** in its proposals for regeneration and economic development
- Carry out **regular asset reviews at both an individual building and locality level** (especially where it is possible to explore opportunities for co-location of services)
- **Embrace the ethos of "One Public Estate"** by participation in the North Midlands Partnership, public sector Local Estates Forums and collaboration with other public sector partners
- **Implement an investment strategy** which will support the financial health of the Council and in particular the capital investment strategy and encourage entrepreneurial activity.

The PAMP sets in detail '**how**' we will work to deliver each of the priorities including the governance arrangements, resources, tools, policies and systems and will underpin strategic decision making at Corporate Landlord level across the Council.

7 Managing Risks

Significant changes, improvements and efficiencies have been achieved in the existing estate in recent years as the portfolio has evolved to meet changing service requirements.

Looking ahead it is recognised that a range of risks exist which will need to be addressed if our land and property assets are to continue to provide fit for purpose facilities and serve the needs of the people of Nottinghamshire.

Key strategic risks and impacts can be summarised as:

- Failure to invest sufficiently in maintaining our land and property assets impacts upon service delivery, efficiency and reputation
- Failure to co-ordinate adequately with Public Sector Partners on evolving delivery model impacts on ability to optimise opportunities for shared space and efficiency within the estate
- Lack of capital and revenue funding to take forward priority land and property projects, impacts on service delivery and efficiency
- Failure to improve working relationships with our Partners such as ARC leads to continued sub-optimal delivery of property initiatives
- Failure to implement the Property Transformation Programme impacts on the expected transformation benefits and the ability to build a resilient, dynamic Property Function.

These risks and others that will arise during the period of this Strategy, will be owned by Group Manager Property Asset Management and minimised using mitigation plans through a Property Risk Register that feeds up to the Place Directorate Risk Register.

8 Property Governance

The decision making structure and leadership at a senior level in Property are essential for the successful implementation of this Corporate Property Strategy.

A new governance structure, for the Property Function will be developed to:

- Improve the degree of co-ordination between Property and the wider Council/Departmental business planning, including financial, workforce and IT planning
- Reinforce the role of the Corporate Landlord to provide clarity of leadership, decision making and assurance for Council officers
- Set up clear leadership and separation between property commissioning and client functions
- Put in place corporate governance arrangements that facilitate the sharing of space and management of resources across the organisation, leading to more efficient and effective use of resources and the delivery of value for money.

8.1 Corporate Landlord

The Corporate Landlord approach provides a clear framework and leadership for the management of land and property assets within council. The approach includes a new strengthened governance structure which will follow the Gateway Review Process for all land and property investment schemes considering the full development and whole life operating costs of schemes, clearer benefits realisation, funding, income and risk management plans.

The **Corporate Asset Management Group (CAMG)** is the key group that will support the Corporate Landlord in land and property asset decision making. CAMG is a Senior Officer Group with a clear remit and function to be the single officer point of contact in all capital and asset matters across the organisation with clear accountability and a sufficiently high level of authority and decision-making power within the limits of delegated responsibility.

The terms of reference for the Groups will need to be updated to reflect:

- The Corporate Property Strategy
- The Property Asset Management Plan
- The Corporate Landlord
- The Gateway Review Process.

8.2 Gateway Review Process

A key principle of this Corporate Property Strategy will be to ensure the Council's significant investment are managed effectively through the adoption of a streamlined Gateway Review Process that will ensure that:

- Money is well-invested
- Proposals are thoroughly assessed and align with Corporate and Place objectives
- Change is delivered to a high standard
- Projects and Programmes are delivered on time, to budget and quality
- Benefits are clearly-defined from the outset, and are tracked to assess if all project objectives have been met
- Projects have been through the appropriate approval process
- Capital Spend assessments over the next 5 years are more accurate as are longer term views of spend
- Communications are improved and clearer across projects and programmes.

The process provides a framework for ongoing due-diligence across the project lifecycle as shown in the table below:

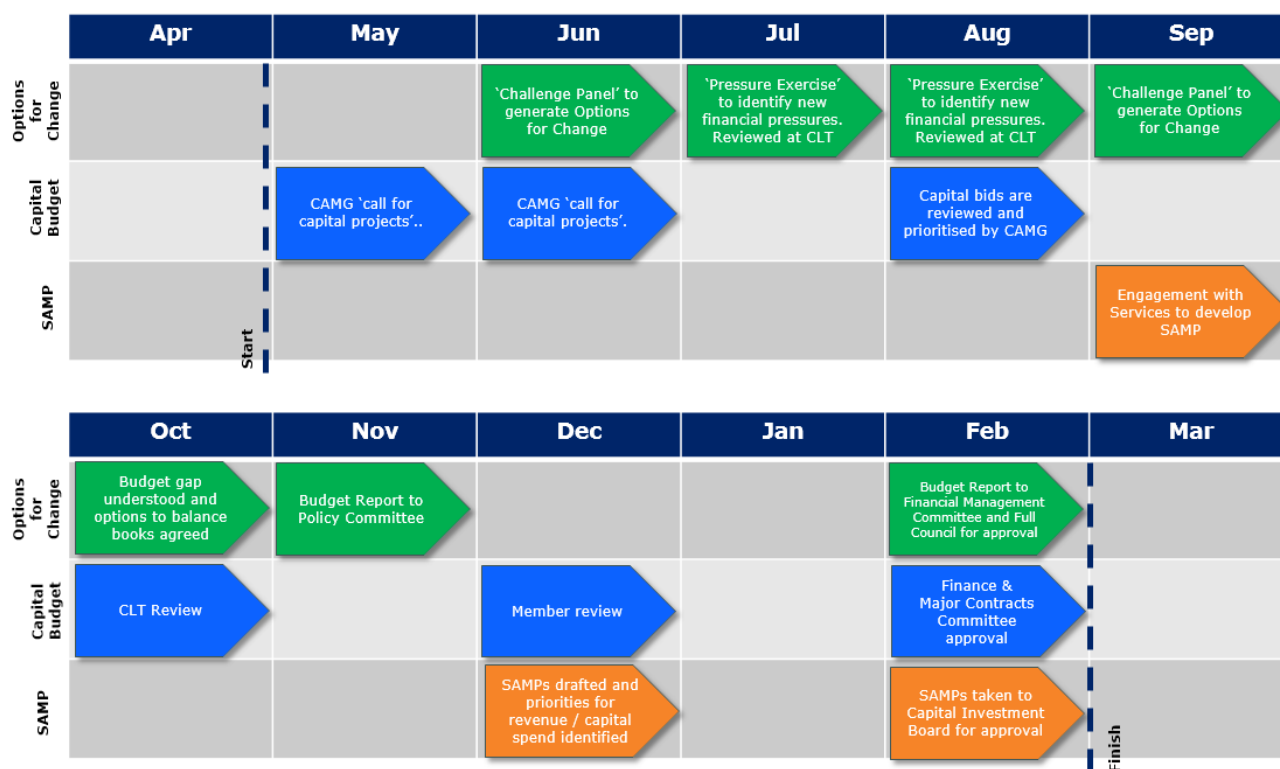
Gateway		Stage
Pre Gateway	Setup	Project Initiation – Identify Service need
Gateway 0	Strategic Business Case	Option Appraisal – Agree Client Brief
Gateway 1	Option Appraisal	Feasibility – Outline Proposals
Gateway 2	Commit to invest	Detailed Design
Gateway 3	Detailed Design	Procurement & Costing
Gateway 4	Commit to Construct	Mobilisation & Site Construction
Gateway 5	Practical Completion	Project Close Down – Defects Period & Final Account
Gateway 6	Project Closed	

The Gateway Review Process is owned by the Corporate Landlord and will be managed by the Corporate Asset Management Group (CAMG) who will use a weighted scoring process against pre-defined criteria, then recommend and provided assurance to the key decision makers including where Member decisions are required that the capital project or programme proceeds.

Each gateway has clear owners with defined roles and responsibilities to progress matters. The gateway decision makers will review progress to date, providing assurance to enable successful progress to the next stage. The principle will be that the minimum of time should be taken, to provide the necessary assurance and where appropriate Gateways are combined.

8.3 Property Management Cycle

Outlined below is the timeline for the property management cycle in line with the wider council's capital budget setting and options for change process that supports and underpins this Corporate Property Strategy:



9 Our People

The officers who will deliver this Corporate Property Strategy are key to its success and intended outcomes.

To achieve success, we will make sure our people have the right skills to deliver an effective Property Function.

We will recruit and retain the best professionals we can, who will understand the Place Plan and the wider corporate objectives of the Council.

We want a Property Function to be:

“A place where our people will want to come to work and they should enjoy the work they do”.

With this in mind, the council's Property Function will:

- Be led by a Group Manager Property Asset Management / Corporate Landlord
- Value its employees
- Empower its employees through priorities, clear objectives, ways of working, policy and accountability
- Be a place where our people give of their best
- Support skills and personal development
- Actively put in place succession planning and employ younger people through supporting apprenticeships and training programmes
- Be a resilient team
- Encourage and implement a Wellbeing Programme
- Build and maintain trusted relationships with Services, Stakeholders and Partners.

Our aim will be for our employees to recommend Property as a great place to work, be seen as a ***‘Trusted Partner’*** for the rest of the Council to rely on and be supportive in all land and property matters.

10 Measuring our success and performance

The implementation of this Strategy will be measured through the successful delivery of our five priorities.

We will also be monitoring a number of Key Performance Indicators (KPIs) detailed in the Corporate Business Plan to ensure that we are providing efficient and effective office accommodation for our people.

Our Property Transformation Programme is also tracking and measuring the benefits and outcomes expected from its eight improvement Workstreams.

The following KPIs will enable us to monitor and report against our performance to deliver this strategy.

A summary of these measures are provided below:

Asset Management:	<ul style="list-style-type: none"> • Review of strategies and expenditure. • Building occupancy and utilisation. • Estate energy efficiency and sustainability.
Property and Estates:	<ul style="list-style-type: none"> • Customer feedback performance. • Compensation performance.
Property Compliance:	<ul style="list-style-type: none"> • Estate statutory compliance. • Inspections and Health & Safety performance. • Cost of required maintenance.
Departmental Services:	<ul style="list-style-type: none"> • Planned maintenance planning and delivery performance. • Maintenance spend.
Arc:	<ul style="list-style-type: none"> • Delivery performance. • Response times. • End User satisfaction. • Project schedule performance.

Appendices

A – Property Asset Management Plan – in development

B – Service Asset Management Plan(s) – in development

C - Property Asset Management Policy Statement – in development

REPORT OF THE LEADER OF THE COUNTY COUNCIL**A614 / A6097 MAJOR INFRASTRUCTURE IMPROVEMENT SCHEME****Purpose of the Report**

1. This report highlights the Government's intention to award £18m of funding to support major infrastructure improvement schemes on the A614 / A6097 from Lowdham Roundabout up to Ollerton Roundabout.

Information

2. The Place strategy, presented to Policy Committee January 2018, highlighted the importance of growth to Nottinghamshire and identified a number of key corridors, including the A614/A6097, for future investment to support the growth agenda. This Committee also, more recently (September), approved funding to enable the design work on such major transport improvements to be enhanced ready for any bidding opportunities.
3. Nottinghamshire County Council has been working with Midlands Connect to identify some early priority schemes for approval from the Department of Transport (DfT), linked to their Major Road Network (MRN) proposals. The A614 has been recognised as a corridor of growth and development both by the County Council and Midlands Connect.
4. The DfT recently consulted on designating a Major Route Network (MRN) to support the existing Strategic Route Network (as operated by Highways England). Additional funding opportunities are to be available to enhance the capacity of this MRN, potentially from 2021.
5. However, in advance of formal approval of the MRN, the Government opened the opportunity for significant schemes to be put forward. Working with Midlands Connect, a submission was made for investment in improvements along the A614/A6097. The Secretary of State for Transport, Chris Grayling MP announced at the Conservative Party Conference that £18m of DfT investment was being allocated to our A614 scheme.
6. The scheme consists of a series of 6 Junction improvements along the A614 / A6097 corridor designed to increase traffic capacity to enable both future residential and employment traffic to be accommodated and reduce journey time delays to support wider economic growth. The proposed schemes of improvement will provide additional traffic lanes and in some case different forms of junction with increased traffic carrying capacity. These will be designed to restore the operating conditions so that the junctions operate within capacity and peak period queues and delays are removed.

7. The proposed junction improvements would need to be phased rather than having a common start date. A Preliminary Design for the improvement of the A614/A616/A6075 Ollerton roundabout junction is completed whilst other designs are on-going. An Outline Business Case for the Ollerton roundabout junction is nearing completion. A sketch scheme design and broad economic case assessment has been produced for the A6097 / A612 Lowdham roundabout improvement. Detailed design of junction improvement schemes are still to be undertaken and statutory processes to be attended to i.e. where third party land take would be necessary. The biggest challenge to delivery will be land acquisition i.e. where third party land is required, this will be acquired by negotiation, wherever possible. Statutory CPO procedures are to be run in parallel to land negotiations to minimise delivery timeframes. Detailed design will focus on delivering improvements within the confines of the existing public highway wherever possible.
8. The A614/A6097 corridor passes through Bassetlaw, Newark and Sherwood, Gedling and Rushcliffe. A number of committed and allocated development sites are located along and adjoining this corridor. The Council's Place Strategy document identifies the location of the major development sites. One of the key sites is the proposed redevelopment of the Thoresby Colliery (adjacent to the A614/A616/A6075 Ollerton roundabout) which is earmarked for 850 new houses and 250,000 sq. ft. of new employment. The promoter of the Thoresby Colliery development site at Edwinstowe (Harworth Group Plc) has identified a potential S106 contribution of £1.198m (subject to planning permission). NCC will need to make a financial investment towards this package of junction improvements to accord with external funding conditions. The improvement of the 6 junctions will enable the major development sites to come forward in the short term.
9. The removal of peak period traffic congestion at key intersections on the A6097/ A614 corridor will bring very significant journey time benefits to commuters and business operators alike. The value of the journey time savings are forecast to be very significant, for example the journey time savings forecast at the A614/A616/A6075 Ollerton Roundabout improvement alone are valued at over £27.5m (at discounted 2010 market prices).
10. Further details of the announcement will follow from the Department with updates provided to Policy Committee and Communities and Place Committee when they become available.

Other Options Considered

11. The 'do nothing option' was discounted, as good infrastructure is one of Nottinghamshire County Council's priorities by making "Nottinghamshire a great place to start and grow your business". The County Council is committed to promoting improvement to our transport and technology infrastructure to make Nottinghamshire a great place to invest and do business. The Council has for a long time said that more investment in transport and infrastructure in the East Midlands could have a transformative impact on the economy and quality of life for the people who live here.

Reason for Recommendations

12. The major infrastructure programme is vital to the economic prosperity of the County and work needs to commence at pace to build upon the excellent progress made to date. Any expenditure will not be abortive as it is reasonable to anticipate further funding opportunities and Policy Committee's approval to commissioning work now, will better place the team to bid for these and secure funding.

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 cost of the proposed work will be dependent on further discussions with the DfT but initial allocations were approved at the previous September Committee.

Implications for Service Users

15. From the outset, the Council has been determined to get the best deal on infrastructure for the whole of Nottinghamshire, our communities and our businesses in terms of better connectivity and a share of economic benefits. There is a huge wealth of experience and potential, the Council can be the driving force in growing a regional economy, and ensuring Nottinghamshire remains a well-connected County for the benefit of all.

RECOMMENDATIONS

16. It is recommended that:

- a. Policy Committee acknowledge the announcement of the MRN investment in the A614 and further develop the scheme
- b. Delegate responsibility to Corporate Director Place to engage in dialogue with the Department for Transport and Midlands Connect.

COUNCILLOR MRS KAY CUTTS MBE
Leader of the County Council

For any enquiries about this report please contact:

David Hughes, Service Director for Growth & Investment, ext. 73825

Kevin Sharman, Transport Planning and Programme Development ext. 72970

Constitutional Comments

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

Financial Comments

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

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- Rushcliffe
- Gedling
- Newark and Sherwood

**REPORT OF THE LEADER OF THE COUNCIL
MIDLANDS ENGINE TRADE MISSION TO CHINA – NOVEMBER 2018****Purpose of the Report**

1. To inform Policy Committee about the Midlands Engine Trade Mission to China from 23 to 30 November 2018 which the Chief Executive of the County Council, Anthony May has been invited to join.

Information**Midlands Engine**

2. The Midlands Engine is a partnership organisation between Local Enterprise Partnerships (LEP's), local councils, businesses and local government across the Midlands with the single ambition of promoting regional economic productivity and growth across the region. A key factor in delivering this will be through increased trade and investment with overseas markets, post Brexit.
3. China is the second largest economy in the world (\$11.8 trillion GDP) and has seen sustained rapid growth in recent years. Closer working with China is a priority in both the Midlands Engine Trade and Investment, and China strategies.
4. The County Council has engaged proactively with the Midlands Engine, support of the commitment in Your Nottinghamshire, Your Future, to make Nottinghamshire a great place to invest and do business. Recent announcements about road improvements to the A614 and a locally-led development body at Toton are tangible outcomes from the Council's engagement with the Midlands Engine.
5. The County Council's Chief Executive, Anthony May, is the Chair of the Midlands Engine Operating Board. Anthony led the development and publication of the Midlands Engine Vision for Growth report (published in September 2017). Vision for Growth underpins the current activity and strategic direction of the Engine.
6. In addition, the Council's Friendship Agreement and links with the Zhejiang province have been central to the Midlands Engine China Strategy, particularly because the Friendship Agreement complements the work of the City of Nottingham and the University of Nottingham in Ningbo, which is the second city of Zhejiang.

The Trade Mission

7. Building on successful UK Government backed Midlands Engine Trade Missions in 2016 and 2017, the 2018 Mission will be focused on progressing high profile Midlands-China business to business discussions by capitalising on sector strengths in sports, aviation links, air freight, big data, artificial intelligence, innovation and space.

8. Anthony May has been invited jointly the Mission Sir John Peace, the Chair of the Midlands Engine. The Mission will comprise a small delegation of business leaders, sector specialists and decision makers.
9. The Mission will visit two provinces; Guizhou in Eastern China and Zhejiang in South West China. The purpose is to explore projects and business opportunities across the following sectors:
 - i. **Sports**
 - ii. **Space and astronomy**
 - iii. **Innovation**
 - iv. **Aviation and freight links**
 - v. **Big data and artificial intelligence**
10. The Mission will be supported by the Department of International Trade (DIT), the Foreign and Commonwealth Office (FCO), Innovate UK, the Zhejiang Foreign Affairs Office (FAO), the Chinese Embassy and the British Consulate General in Shanghai.

Benefits for Nottinghamshire – Friendship Agreement with Zhejiang

11. In 2016 Nottinghamshire developed a Friendship Agreement with Zhejiang. This link builds on the connections that the University of Nottingham (UoN) has established in the province – UoN has a globally unique campus in Zhejiang's second city of Ningbo (one of only a small number of international universities with a fully established satellite campus in China). Ningbo is the sister city of Nottingham.
12. Since 2016 Zhejiang and Nottinghamshire's commercial connections have increased. The Zhejiang CCPIT (Chinese Council for the Promotion of International Trade) and East Midlands Chamber have established a cooperation agreement. The CCPIT has led over 150 Zhejiang businesses to visit Nottinghamshire since the signing of this agreement and two Zhejiang businesses have invested into Nottinghamshire during this period (Hangzhou Creative and Design Centre into Hockley and Zhejiang Shelf Company into Mansfield). These investments have created 40 jobs.
13. As recently as September, 7 Nottinghamshire based businesses attended the 12th Hangzhou Cultural and Creative Industry Exposition 2018 marked the launch of the first UK Pavilion at the Exposition.
14. Nottingham Forest Football Club also has strong links in Zhejiang. Nottingham Forest (in partnership with Nottingham based business China-Britain Football Centre) has visited Zhejiang three times to run training sessions for local PE teachers and pupils – engaging with 5,000 children. During the 2018 November visit Nottingham Forest will run similar training sessions and hope to agree extensions to the Club's China programmes.
15. The formal launch of the 2018 Mission will take place in Nottingham 23 November with a cultural exchange with the visiting Zhejiang Conservatory of Music. This relationship has been established by the University of Nottingham and is an example of existing connections between the two regions.

Other Options Considered

16. The Council could decline the invitation but this would prevent the County from benefitting from the opportunities it offers.
17. Over the past two years links with Zhejiang have resulted in 40 direct jobs in Nottinghamshire, over 500 business to business meetings and exciting new sporting and cultural links. Zhejiang is a province of 55 million people and is one of China's economic engines growing at over 7% per year. This connection presents a unique opportunity for the County.
18. The Midlands Engine China Strategy is focussed on Zhejiang as a 'lead province'. During the 2018 Mission, this lead province relationship will translate into a 5 year plan. It is important that Nottinghamshire is central to this lead partnership arrangement, as it has the potential to add further value to the Council's Friendship Agreement.

Reason/s for Recommendation/s

19. This report is for information and endorsing.

Statutory and Policy Implications

20. 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

21. The Midlands Engine will meet all costs associated with the Chief Executive's participation in the Trade Mission. No costs will fall upon the Council.

RECOMMENDATION/S

That Policy Committee notes:

- 1) The successful engagement of Nottinghamshire with Zhejiang through Friendship Agreement
- 2) The opportunity to further enhance the relationship and activity, both for the County Council and the Midlands Engine through participation in this Trade Mission

Councillor Mrs Kay Cutts MBE
LEADER OF THE COUNCIL

For any enquiries about this report please contact: Paula Mullin, Senior Executive Officer,
Tel: 0115 9774298

Constitutional Comments (SLB 05.10.18)

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

Financial Comments (NR 05.10.18)

23. The financial implications are stated in paragraph 18 of 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.

Electoral Division(s) and Member(s) Affected

All

REPORT OF THE LEADER OF THE COUNCIL**REPORT BACK FROM LOCAL GOVERNMENT ASSOCIATION ANNUAL
CONFERENCE AND EXHIBITION – JULY 2018****Purpose of the Report**

1. To report to Committee the key messages from the Local Government Association (LGA) annual conference, which took place in Birmingham between 3 and 5 July 2018.

Information and Advice

2. Following Committee approval on 16 May 2018, Councillor Cutts MBE, Councillor Adair and Councillor Rhodes and Anthony May attended the LGA annual conference.
3. The conference was organised by the LGA which is a politically-led, cross-party organisation that works on behalf of councils as a voice for local government. It is a membership organisation made up of 415 authorities in 2018.
4. This year the conference was focused around the future of local authority finance, transformation, housing, health and social care, children's services, devolution and Brexit,
5. Conference attendees heard speeches from the Chairman of the LGA, Lord Porter, and the Secretary of State for Housing Communities and Local Government the Rt Hon James Brokenshire MP.
6. Attendees also participated in workshops and plenary sessions which focused on the challenges of making commercialism happen, the role of local government post-Brexit, and the future for local government funding.
7. During the conference attendees joined the County Councils Network for a reception where the Secretary of State talked about the challenges facing local government.
8. Details of the presentations and speeches can be found on the [LGA website](#).

Chairman of the Local Government Association

9. In his keynote speech, Lord Porter, Chairman of the LGA made a plea to Government for local government funding to be put back on a "sustainable financial footing". He emphasised that a blend of adequate funding and more local powers are needed to allow councils to help the Government tackle the challenges facing the nation.

The Rt Hon James Brokenshire MP – Secretary of State for Housing, Communities and Local Government

10. In his speech the Secretary of State focused on the challenges around funding in local government, particularly the pressures in adults and children's services. The Secretary of State pointed to the Social Care Green Paper, due for publication in the autumn, which will include proposals to reform social care, better integrate services and put social care on a long-term sustainable funding.
11. A major announcement during the speech was the creation of a new Brexit Ministerial Local Delivery Board to include representatives from the LGA, County Councils Network and the Core and Key Cities Groups to share updates and views on the latest Brexit developments.

Other Options Considered

12. None

Reason/s for Recommendation/s

13. To feedback to elected Members on the outcomes of the LGA conference.

Statutory and Policy Implications

14. 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

15. The cost of attending the conference was set out in the report to Policy Committee on 16 May 2018.

RECOMMENDATION/S

That members consider whether there is any follow up work they require in relation to the topics covered in this report, and if so, that they be delegated to the Chief Executive for action.

Councillor Mrs Kay Cutts MBE
Leader of the Council

**For any enquiries about this report please contact: Paula Mullin, Senior Executive Officer,
Telephone: 0115 9774298**

Constitutional Comments (KK 25092018)

16. Policy Committee is the appropriate body to consider the content of this 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 (SS 25092018)

17. There are no specific financial implications arising 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.

- [Report to Policy Committee – 16 May 2018](#)

Electoral Division(s) and Member(s) Affected

- All

REPORT OF LEADER OF THE COUNTY COUNCIL**GEDLING ACCESS ROAD (GAR) – LAND ACQUISITIONS
RANCH KENNELS, WHITWORTH DRIVE, BURTON JOYCE AND GLEBE
FARM, LAMBLEY LANE, GEDLING****Purpose of the Report**

1. To seek approval to the acquisition of land required for the GAR on the terms as set out in the exempt appendix relating to 0.189 acres of land at The Ranch Kennels on Whitworth Drive in Burton Joyce and 4.6 acres of land at Glebe Farm on Lambley Lane in Gedling.

Information

2. This report contains an exempt appendix, which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) (Information relating to any individual and the business affairs of a particular person (including the authority holding that information)). The exempt appendix provides details of the terms agreed with private landowners and forms part of confidential negotiations and disclosure of this information would not be in the public interest. To disclose this financial information would prejudice the parties' commercial interests and those of third parties.
3. In addition, terms have been agreed in accordance with the Ministry of Housing, Communities and Local Government (MHCLG) guidance in respect of factors for an acquiring authority to consider when offering compensation in advance of a Compulsory Purchase Order (CPO). Section 3 of this guidance provides that an acquiring authority should consider the costs of order promotion and dealing with objectors in seeking to reach early agreement. In reaching agreement, assumptions have been made regarding potential future heads of claim that are not capable of assessment at the date of this report. In the event an order is made and confirmed compensation will be assessed with strict adherence to the matrix of enactments and case law that make up the compensation code. Disclosing the exempt appendix could prejudice the position of Nottinghamshire County Council (NCC) as acquiring authority and would therefore not be in the public interest.
4. NCC has been safeguarding proposals for a Gedling village bypass for over 50 years. This scheme forms part of proposals for the A612 Nottingham Eastern Outer Loop Road which has, with the exception of the eastern most section around Gedling village, been successfully completed by NCC. The Gedling Access Road (GAR) will connect directly to the most recently constructed phase (the Gedling Major Integrated Transport Scheme) which opened to traffic in 2007.

5. The role of GAR is twofold. Primarily, GAR will enable the sustainable redevelopment of the former Gedling Colliery site for mixed-use purposes by providing safe and adequate access to the proposed residential, employment and community related uses proposed for the site. GAR will also provide a 'bypass' around Gedling, providing improved connectivity to the wider road network. In doing so, GAR will ease traffic congestion on other roads surrounding the former colliery site that at present are either at or nearing capacity.
6. The GAR is being delivered by NCC in partnership with Homes England (HE), Gedling Borough Council and Keepmoat Homes Limited (housing developer for the Chase Farm site). At its Full Council meeting in February 2014 NCC resolved to incorporate funding of £5.4m into its capital programme to support GAR.
7. At the Transport and Highways Committee meeting of 19 March 2017 approval was given to make, advertise, obtain confirmation and implement a CPO and Side Road Orders (SRO) required to construct the GAR. This report detailed the process to implement the Orders including information related to a Public Inquiry. The CPO and SRO will be made during October 2018.
8. In accordance with guidance published in 2018 (updated from 2015 to reflect legislative changes and case law) by the MHCLG, NCC has consulted with stakeholders during the process and are seeking to acquire the necessary land and rights by agreement where possible.
9. HE as part of its funding agreement with NCC is making £7m available to draw down funds for land acquisitions as they progress. As land purchases are agreed and approved, NCC will submit invoices to the HE for the purchase monies as necessary.
10. The MHCLG guidance provides that where land and rights are purchased by agreement the acquiring authority should pay compensation as if the interest has been compulsorily acquired. The valuations for Glebe Farm and Ranch Kennels have been prepared in accordance with Rule 2 of Section 5 of the Land Compensation Act 1961 and the professional standards to the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards 2017 and the RICS Valuation – Professional Standards UK (January 2014, revised April 2015), commonly known together as the red book. The level of payment offered has also taken into account the accepted compensation principles running through CPO legislation.
11. Without acquiring these parcels of land, the proposed works cannot be delivered. Previous Committee approvals stipulate that where ever possible, land will be acquired by agreement and early access to the land will enable site clearance works and landscaping to be implemented to help mitigate the impact of GAR during construction and its operation.

Ranch Kennels, Whitworth Drive

12. The Ranch Kennels is situated at the top of Whitworth Drive in Burton Joyce and the land in question is currently under freehold private ownership and the property is occupied. The property is a detached home in approximately 2.5 acres of grounds configured as two rectangular plots with the house in 1 acre of gardens to the south and a paddock of 1.5 acres abutting to the north. The land required for construction of the GAR is part of the paddock land equating to 0.189 acres.

13. Whitworth drive is a private road with a single point of access from Nottingham Road Service Road off the Burton Road / A612 junction. Currently the aspect of the property is semi-rural with views over open countryside to the north and west. Following the construction of the GAR the boundary of the new carriageway will be approximately 30m from the western elevation of the house. The boundary treatment will comprise of a close boarded fence, landscaping buffer and noise attenuation fence which will abut the highway verge.
14. The outlook at Ranch Kennels will be changed by the GAR and when mature the landscaping buffer alongside the new road will provide some screening but it is anticipated that larger vehicles passing in either direction will be visible above the close boarded fencing. Whilst the property experiences some existing traffic noise from the A612 (Colwick Loop Road) it is expected that there will be an increase in noise levels when the scheme is in use, this will be minimised by the introduction of acoustic fencing on the Whitworth Drive side of GAR.
15. The area of land required on the Ranch Kennels site is shown on drawing HW00590/199 and a location plan of the site on HW00590/200.

Glebe Farm, Lambley Lane

16. Glebe Farm is situated on Lambley Lane in Gedling and partial acquisition of Glebe Farm site is required to facilitate the construction of GAR. The parcel of land in question is currently under freehold private ownership with vacant possession. There is currently a short-term grazing licence on the site.
17. The area of the Glebe Farm site in its entirety is approximately 6.46 acres. The land required for construction of GAR is 4.6 acres, this includes derelict farm buildings that will be demolished to deliver GAR.
18. The area of land on the Glebe Farm site required to deliver GAR is shown on drawing HW00590/197 and a location plan of the site on HW00590/198.

Other Options Considered

19. To leave the acquisition until the CPO is confirmed. This adds an element of uncertainty as to the level of compensation due to the landowner should the CPO be confirmed. It is likely that without this agreement an objection to the CPO and SRO will be forthcoming. If objections to the CPO and SRO are made, then the likelihood of the Secretary of State requiring a public local inquiry to consider both orders increases.

Reason/s for Recommendation/s

20. To secure the land necessary to deliver the GAR in a timely and cost effective manner.

Statutory and Policy Implications

21. 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 below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Finance Implications

22. This land acquisition will be funded from an external grant.

RECOMMENDATION/S

It is **recommended** that:

- 1) That approval is given to the acquisition of land required for the GAR on the terms as set out in the exempt appendix relating to 0.189 acres of land at The Ranch Kennels on Whitworth Drive in Burton Joyce and 4.6 acres of land at Glebe Farm on Lambley Lane in Gedling.

Councillor Mrs Kay Cutts
Leader of the County Council

For any enquiries about this report please contact:

Mike Barnett, Team Manager Major Projects and Improvements (Via East Midlands)
T – 0115 977 3118

Constitutional Comments (CEH 21/09/2018)

23. The recommendation falls within the delegation of Policy Committee under its terms of reference.

Financial Comments (GB 20/09/2018)

24. The financial implications are set out within the report.

Background Papers and Published Documents

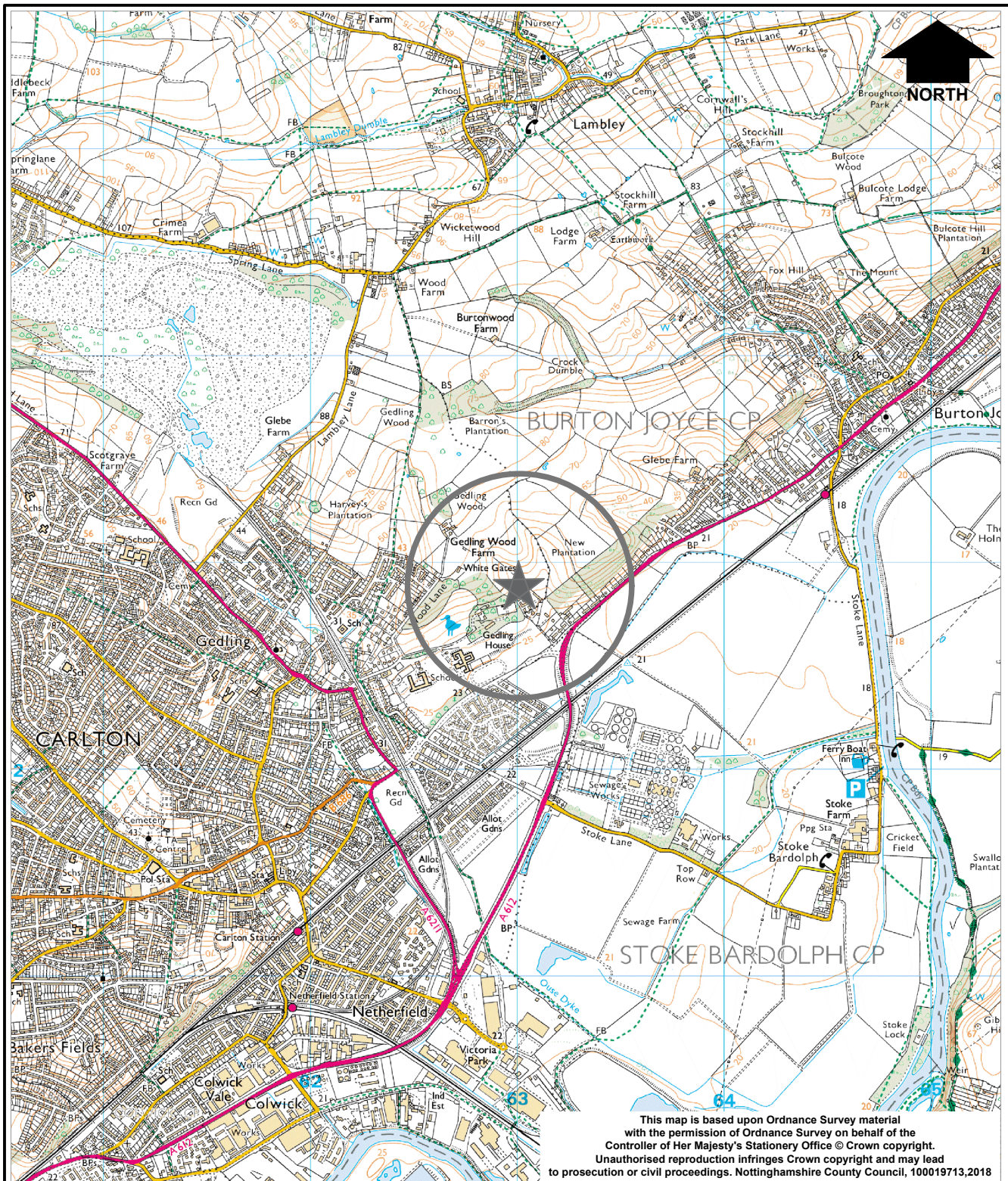
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Communities and Place dated 8th March 2017
Gedling Access Road – Scheme Update
- Transport and Highways Committee Report dated 16th March 2017
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
- Finance and Property Committee Report dated 19th September 2016
Gedling Access Road - Scheme Update and Funding Agreement
- Transport and Highways Committee Report dated 21st September 2016
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
- Greater Nottingham (Broxtowe Borough, Gedling Borough, Nottingham City) – Aligned Core Strategies Part 1 Local Plan – Adopted September 2014
- Finance and Property Committee Report dated 24 March 2014
Gedling Access Road, Scheme Development and Funding Agreements

- Report to County Council dated 27 February 2014
Capital Programme 2014/15 to 2017/18
- D2N2 Local Growth Fund – Local Assurance Framework – Available at:
http://www.d2n2lep.org/write/Local_Assurance_Framework_final_version.pdf

Electoral Division(s) and Member(s) Affected

Arnold North	Councillors Pauline Allan and Michael Payne
Arnold South	Councillors John Clarke and Muriel Weisz
Carlton East	Councillors Nicki Brooks
Carlton West	Councillors Errol Henry and Jim Creamer
Calverton	Councillor Boyd Elliott
Newstead	Councillor Barnfather



in partnership with



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County Council**

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Bilthorpe, Nottinghamshire NG22 8ST

Project

Gedling Access Road

Status

Project No.

HW00590

Title

Ranch Kennels, Whitworth Drive, Burton Joyce
Location Plan

Drawing No.

HW00590/200

Drawn

AL

Chkd

MB

Auth

MB

Date

12/09/18

Date

12/09/18

Traced

Scale

1:25000
@ A4

Rev



Key



Area for Freehold purchase

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Bilthorpe, Nottinghamshire NG22 8ST

Project

Gedling Access Road

Status

Project No.

HW00590

Title

Ranch Kennels, Whitworth Drive, Burton Joyce
Land Acquisition

Drawing No.

HW00590/199

Drawn

AL

Date

12/09/18

Chkd

MB

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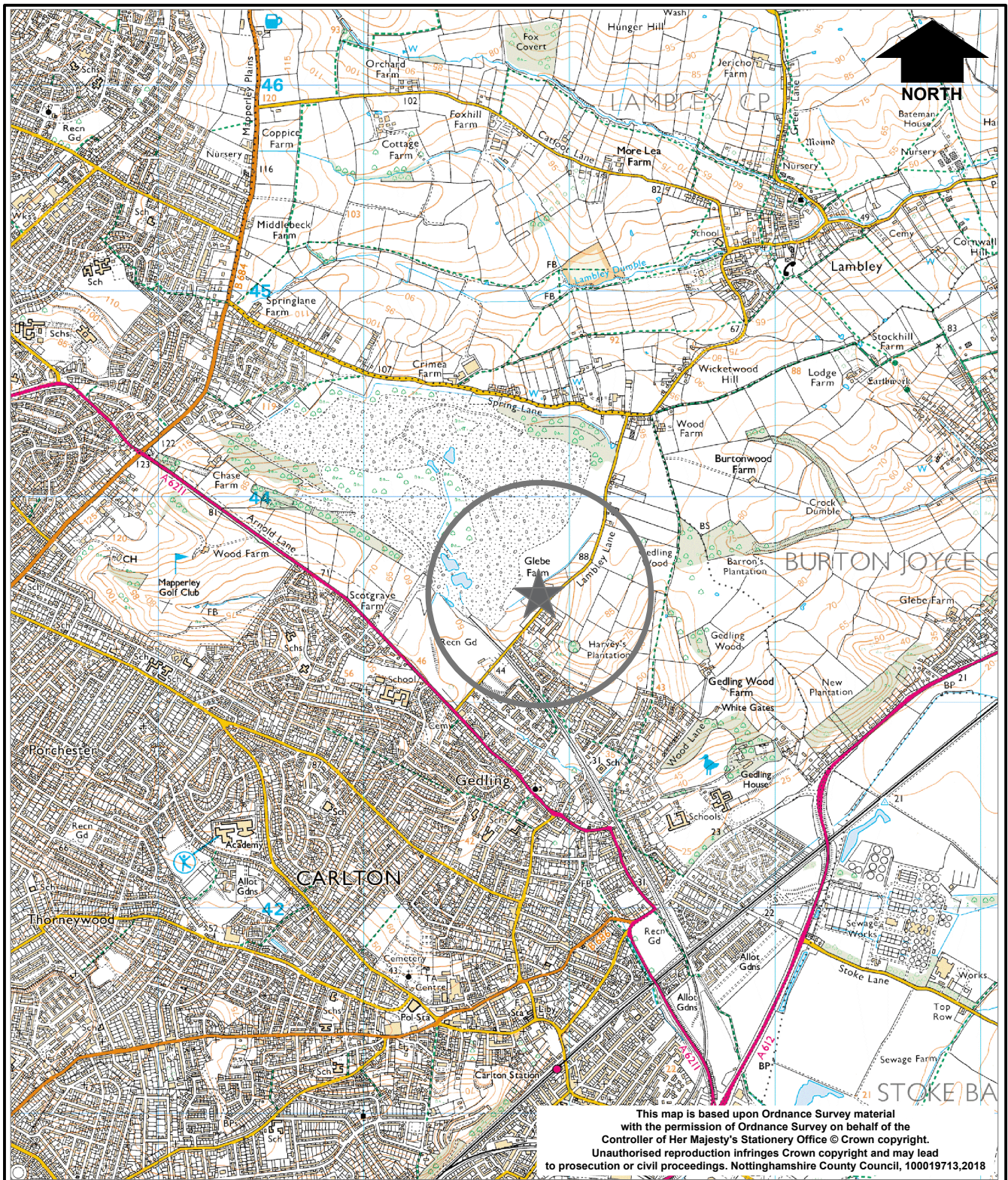
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Project

Gedling Access Road

Status

Project No.

HW00590

Title

Glebe Farm, Lambley Lane, Gedling - Location Plan

Drawing No.

HW00590/198

Drawn

AL

Chkd

MB

Auth

MB

Date

12/09/18

Date

12/09/18

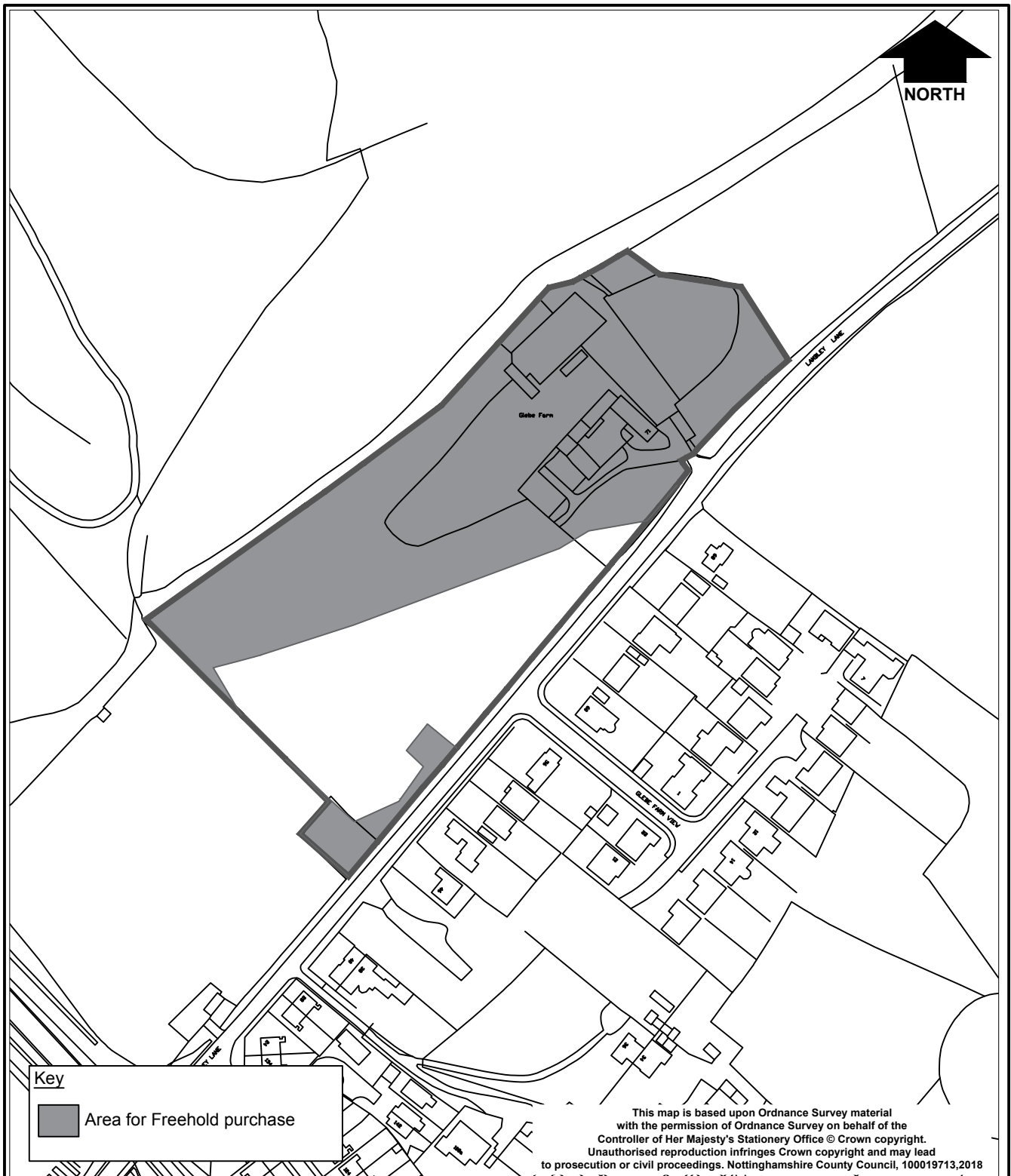
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 Bilsthorpe, Nottinghamshire NG22 8ST

Project		Drawn	Date
Gedling Access Road		AL	12/09/18
Status	Project No.	Chkd	Date
	HW00590	MB	12/09/18
Title		Auth	Traced
Glebe Farm, Lambley Lane, Gedling - Land Acquisition		MB	
Drawing No.		Scale	
HW00590/197		1:2000 @ A4	
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**REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND
EMPLOYEES****WORK PROGRAMME****Purpose of the Report**

- 1). To review the Committee's work programme for 2018.

Information

- 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 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 agenda for October 2018:-
 - Gedling Access Route - Land Acquisition – Ranch Kennels, Whitworth Drive, Burton Joyce and Glebe Farm, Lambley Lane, Gedling
 - Local Authority Accelerated Construction Fund for Council Owned Development Sites – N.B. this report incorporates the scheduled update report on Rolleston Drive
 - Corporate Property Transformation Programme
 - Girls Brigade – 125th Anniversary Event
 - Business Case for the Establishment of a Regional Adoption Agency for Derby, Derbyshire, Nottingham and Nottinghamshire Councils (D2N2)
 - Toton HS2 – Moving Forward With Delivery
 - Games of Remembrance
 - Midlands Engine Trade Mission to China – November 2018
 - A614 / A6097 Major Infrastructure Improvement Scheme

- 5.2. The following items were deferred from October to November 2018:-
- Pilgrim Roots
 - Regional Adoption Agency Business Case and Operating Model
- 5.3. The following item was brought forward from November to October to 2018:-
- Land Acquisition, Glebe Farm, Lambley Lane
- 5.4. The following items were added to the work programme for November 2018:-
- Disposal of Land at Broomhill Farm, Nottingham Road, Hucknall
 - White Hill Federation Trust
 - Business Case for the Establishment of a Regional Adoption Agency for Derby, Derbyshire, Nottingham and Nottinghamshire Councils (D2N2)

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

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

Marjorie Toward

Service Director, Customers, Governance and Employees

For any enquiries about this report please contact: Keith Ford, Team Manager, Democratic Services, Tel: 0115 9772590

Constitutional Comments (SLB)

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

Financial Comments (NS)

- 10) 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 9 OCTOBER 2018)

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>Lead Officer</u>	<u>Report Author</u>
14 November 2018			
White Hill Federation Trust		Adrian Smith	David Hughes / David Cox
Disposal of Land at Broomhill Farm, Nottingham Road, Hucknall	To decide on whether to accept the offer from Bellway Homes for the purchase of the site now that their exclusivity period has come to an end.	Adrian Smith	David Hughes / Steve Keating
Pilgrim Roots	A programme of NCC county-wide activities that complement regional and national 2020 commemoration events	David Hughes	Nicola McCoy-Brown
Review of the Council's approach to Inward Investment	An inward investment proposition that would help create and deliver a strategy to attract new businesses and employers to the area and retain existing employers	David Hughes	Nicola McCoy-Brown
Ruddington Youth & Community Centre	Proposed Disposal	Adrian Smith	David Hughes/David Cox
Local Government Reorganisation Update	To provide an update on the case for change for local government in Nottinghamshire.	Anthony May	Celia Morris
Director of Public Health 2018 Nottinghamshire Annual Report	To seek approval for the publication and promotion of this Annual Report	Jonathan Gribbin	Kay Massingham
Update on City of Nottingham and Nottinghamshire Economic Prosperity Committee, the Local Enterprise Partnership and the Midlands Engine	Six monthly update report from Matthew Wheatley, Interim Chief Executive of the Local Enterprise Partnership.	Adrian Smith	Nicola McCoy-Brown
Council's Approach to Connected and Autonomous Vehicles (CAVs)	A proposal for adapting the County for connected and autonomous vehicles	David Hughes	Nicola McCoy-Brown
19 December 2018			
Update on the work of East Midlands Councils	To provide an update from Stuart Young, Executive Director.	Anthony May	Stuart Young
Safety at Sports Ground Policy and Safety at Sports Grounds Enforcement Policy	To approve updated guidance to reflect changes in Government guidance.	Adrian Smith	Wendy Harnan-Kajzer
Safer Nottinghamshire Board Update	To provide an update on the work of the Safer Nottinghamshire Board Page 151 of 152	Anthony May	Anthony May

LEADER Programme Staffing Proposal 2019-2020	To propose staffing resources required to ensure operational cover	David Hughes	Nicola McCoy-Brown
Better Broadband for Nottinghamshire Update	Update on the Better Broadband for Nottinghamshire Programme	David Hughes	Nicola McCoy-Brown
The Arc Partnership quarterly performance report	Quarterly performance report on the Arc Partnership	Adrian Smith	Derek Highton
23 January 2019			
Business Parks and Employment Strategy	A strategy to deliver a network of high quality and innovative business park to promote the conditions that will help businesses thrive and prosper.	David Hughes	Nicola McCoy-Brown