



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Cabinet, at its meeting of 10th April 2019 (DN.129), resolved to:

- (1) act as Accountable Body for the Partnership Scheme in Conservation Areas (PSiCA) capital funding and to take receipt of the funds.
- (2) That authority be delegated to the Director of Economy and Growth in consultation with the Portfolio Holder for Regeneration, Skills, Assets and Housing (and Chief Legal and Monitoring Officer where appropriate) to:
 - a) Negotiate and finalise appropriate legal agreements between the Council and Historic England.
 - b) Finalise the project appraisal, approval and claims processes for the award of PSiCA grants to third party property owners.
 - c) Finalise appropriate legal agreements between the Council and third-party property owners awarded grants through the PSiCA programme, subject to assurance on State Aid compliance, and including the arrangements and contractual terms for the payment of grant monies to such recipients in accordance with the grant conditions and the monitoring of grants thereafter.
 - d) Seek and implement further external funding where appropriate to support delivery of Heritage Action Zone objectives.

(3) That authority be delegated to the Director of Economy and Growth in consultation with the Portfolio Holder for Regeneration, Skills, Assets and Housing to ensure that all ancillary actions are completed.

As a result of changes to the scheme of delegation, the responsibility of decision making for the PSiCA with effect from 1 January 2021 is the Executive Director - Environment, Economy and Resources and Portfolio Holder Economic Growth, Housing and Tourism as constitutionally permitted.

2. Subject and details of the matter (to include reasons for the decision)

The Kasbah Partnership Scheme in Conservation Areas (PSiCA) is a partnership between The Council, Historic England and Associated British Ports (ABP). Through the partnership, capital funds from The Council (£500,000) and Historic England (£500,000) are awarded as grants to properties within the Kasbah Conservation Area for building repair and reinstatement of architectural features; roof works; shopfront repair and improvements; and to bring long-term vacant properties back into use. ABP offer rental holidays and/or reduced rents to successful grant awardees. The Council is the Accountable Body for the scheme and administers the award of grants.

In accordance with the approved process set out in an Officer Decision Notice of 11th August 2019, approval is sought to award £500,000 from the PSiCA scheme to North East Lincolnshire Council for eligible works under the scheme which are being undertaken to deliver Phase 1 of the Kasbah Creative Workspace.

The majority of the funding (69%) for the Creative Workspace is being provided by the Department for Digital, Culture, Media and Sport (DCMS) and managed by Arts Council England (ACE) via their Cultural Development Fund (CDF) programme. Developed as part of the Government's Industrial Strategy and Creative Industries Sector Deal, CDF investment of £3.2m was awarded to North East Lincolnshire in January 2019 for four strands of work, including £1.36m for the development of the Workspace.

The application submitted by The Council for CDF funding included up to £500,000 in 'match' funding from the PSiCA scheme. The cost plan for the Creative Workspace prepared by Harvey Bloor, Quantity Surveyor, shows that the full

£500,000 will be required. Due to Historic England's involvement to date with the Workspace project as part of Greater Grimsby HAZ, NELC and ACE Officers wish to see this partnership continue with the formal award of PSiCA funds.

The PSiCA grant award has been considered by the North East Lincolnshire Heritage Grants Panel, an independent panel who review all applications received for grants from the Kasbah PSiCA scheme, and they have recommended that it should be awarded.

Under the Terms and Conditions of the PSiCA grant agreement between The Council and Historic England, applications where the Historic England contribution would be over £20,000 must be sent to them for approval to award. This award for the Creative Workspace has thus been considered by Historic England and received formal approval on 8th November 2021.

3. Decision being taken

To award £500,000 from the PSiCA scheme to the Cultural Development Fund Programme Manager for PSiCA-eligible works being undertaken to deliver Phase 1 of the Kasbah Creative Workspace.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

Yes, an urgent decision is required to enable the grant to be awarded by 8th Nov.

Under the terms of the PSiCA grant agreement, payments cannot be made for works which have already begun. The eligible works itemised in the application and approved by Historic England, in particular Asbestos removal, are due to begin on the 8th of November.

5. Anticipated outcome(s)/benefits

Award of the PSiCA grant now will mean that the grant can be used for enabling works ahead of the main schedule of works in 2022, which significantly reduces the risk to the Creative Workspace project overall.

Award of this grant will mean that 50% of the PSiCA budget is allocated and will be spent several months in advance of the PSiCA scheme end date. This therefore reduces risks associated with delivering the PSiCA scheme.

Award of this grant will enable Phase 1 of the Creative Workspace to be delivered by the CDF Programme Team (Grimsby Creates).

Historic England's involvement with the Creative Workspace project as part of Greater Grimsby HAZ will continue via the award of this grant.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Do Nothing – The Council could have chosen not to award a grant, and thus not accepted the application for processing. This option has not been pursued because the award of the grant meets the PSiCA eligibility criteria and is included in the Arts Council England grant contract for the Cultural Development Fund programme.

Reduced grant award – The Council could choose to award a reduced amount of PSiCA grant funding to the Creative Workspace project. This option would result in The Council having to renege on the Arts Council England funding contract. This would pose a significant risk to the Creative Workspace Project.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

The PSiCA scheme was approved by cabinet on 10th April 2019

<https://democracy.nelincs.gov.uk/meetings/category/cabinet/list/?tribe-bar-date=2019-04-10>

The process for the award of grants under the PSiCA scheme was approved by an Officer Decision Notice on 11th August 2020 <http://www.nelincs.co.uk/wp-content/uploads/2020/09/Officer-Decision-Records-2020-Part-5-2.pdf>

The Cultural Development Fund (CDF) Programme was approved by Cabinet on 5th June 2019 <https://democracy.nelincs.gov.uk/meetings/category/cabinet/list/?tribe-bar-date=2019-06-05>

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)**10. Monitoring Officer Comments (Monitoring Officer or nominee)**

The decision to award is consistent with the Cabinet decisions and delegations referred to above. The Council is the Accountable Body for the scheme and administers the award of grants. Legal colleagues will be available to provide support as appropriate.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The grant award will be managed through the approved budget within the Council's Capital Investment Programme.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications

13. Risk Assessment (in accordance with the Report Writing Guide)

The PSiCA grant scheme for the Kasbah Conservation Area is a major project within the Greater Grimsby Heritage Action Zone, with the aim of kickstarting the regeneration of the fish docks through a number of key repair and re-use projects.

This is a complex project as part of the wider programme of regeneration within the Conservation Area, and as such there are many risks which need to be managed. A detailed delivery plan and risk assessment is in place to ensure key milestones are met and the project team are working closely with Historic England to ensure successful delivery of this grant scheme.

The risks for the PSiCA scheme are monitored within the project team, with appropriate mitigations in place all risks. Separate regular discussions also take place with ABP representatives to progress individual grant-funded projects.

Despite the mitigations in place, failure to approve the award of this substantial grant will impact on NELC's ability to achieve full grant allocation within the prescribed timeframes (by September 2024). This can be mitigated to some extent through further promotion of the scheme to the increasing number of businesses who wish to locate on the kasbah. However, much of this interest has been generated due to projects such as the Creative Workspace for which this grant will be awarded.

In addition to risks associated with the delivery of the PSiCA scheme, if this grant award is not approved, this also significantly impacts the delivery of the Kasbah Creative Workspace.

14. Has the Cabinet Tracker been updated with details of this decision?

Yes

15. Decision Maker(s):

Name: Rob Walsh

Title: Chief Executive

Signed: REDACTED

Dated: 12/11/21

16. Consultation carried out with Portfolio Holder(s):

Name: Councillor Callum Procter

Title: Portfolio Holder Economic Development, Housing and Tourism

Signed: REDACTED

Dated: 16/11/21

17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name: N/A

Title: N/A

Signed: N/A

Dated:

N/A

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.