



13 November 2017

Dear Sir/Madam

A meeting of the Policy and Performance Committee will be held on Tuesday, 21 November 2017 in the New Council Chamber, Foster Avenue, Beeston, commencing at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:

S J Carr
M J Crow (Vice Chair)
S Easom
D A Elliott
J C Goold
A Harper

R I Jackson (Chair)
E Kerry
G Marshall
J W McGrath
P D Simpson

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 9

The Committee is asked to confirm as a correct record the minutes of the meeting held on 3 October 2017.

4 REFERENCES

- 4.1 Local Joint Consultative Committee
8 November 2017
Code of Conduct

The Joint Committee considered the draft code of conduct. The purpose of the Code of Conduct was to sign post employees to policies and procedures the Council had already adopted and with which it expects employees to comply. Concern was raised over the conduct of the agency staff. The Joint Committee were informed that all agency staff are required to follow all Council policy and procedures. Additional training and information hand-outs would be made available to line managers and agency staff to emphasise the standard which was expected by the Council.

RECOMMENDED to the Policy and Performance Committee that the Code of Conduct be approved.

- 4.2 Local Joint Consultative Committee
8 November 2017
Disciplinary Policy

The Joint Committee considered amendments to the Council's Disciplinary Rules, Policy and Procedure. The existing Disciplinary Policy had been updated following the recommendations of an external investigation. Examples of misconduct and gross misconduct had been expanded and an additional Some Other Substantial Reason clause had been added in line with the Employment Rights Act 1996. The Joint Committee noted that informal warnings had been removed and the timescales of first formal warnings and final formal warnings had been amended to 6 and 12 months respectively.

RECOMMENDED to the Policy and Performance Committee that amendments to the Disciplinary Policy be approved.

- 4.3 Local Joint Consultative Committee
8 November 2017
Whistleblowing Policy

The Joint Committee considered amendments to the Council's Whistleblowing Policy. The amended policy highlights clear pathways for reporting whistleblowing concerns. The Joint Committee noted that Council's existing Disciplinary, Grievance and Bullying and Harassment policies would be followed where appropriate in relation to Whistleblowing complaints. The Joint Committee requested that further clarification be added to the Policy as to what support would be offered to employees falsely accused of malpractice.

RECOMMENDED to the Policy and Performance Committee amendments to the Whistleblowing Policy be approved.

5. REVIEW OF CORPORATE PLAN PROGRESS AND FINANCIAL PERFORMANCE PAGES 10 - 28

To report progress against outcome targets linked to Corporate Plan priorities and objectives and to provide an update as to the latest financial performance as measured against the budget.

6. LAND DISPOSALS POLICY PAGES 29 - 53

To seek approval for a policy on land and property disposals by Broxtowe Borough Council.

7. MEDIUM TERM FINANCIAL STRATEGY AND BUSINESS STRATEGY 2017/18 TO 2020/21 PAGES 54 - 66

To present an update of the Council's four-year Medium Term Financial Strategy and Business Strategy from to 2017/18 to 2020/21.

8. WORK PROGRAMME PAGE 67

To consider items for inclusion in the Work Programme for future meetings.

9. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.

10. TRAM COMPENSATION PAGES 68 - 70

11. POTENTIAL PURCHASE OF 35 SCARGILL WALK, EASTWOOD PAGES 71 - 72

12. BEESTON TOWN CENTRE REDEVELOPMENT PAGES 73 – 81

POLICY AND PERFORMANCE COMMITTEE

3 OCTOBER 2017

Present: Councillor R I Jackson, Chair

Councillors: M Brown (substitute)
M J Crow
S Easom
J C Goold
D A Elliott
G Marshall
J W McGrath
M E Plackett (substitute)
M Radulovic MBE
K E Rigby (substitute)
P D Simpson

Apologies for absence were received from Councillors S J Carr, A Harper and E Kerry.

24. DECLARATIONS OF INTEREST

Councillor M Brown declared a non-pecuniary interest in item number 7 as a member of Nottingham Wildlife Trust, minute number 29 refers. Councillors M Radulovic MBE and M Brown declared non-pecuniary interests in item number 22 as they are both acquaintances of the owner of the property, minute number 44 refers. Councillors M Brown, S Easom and J W McGrath declared pecuniary interests in item number 11 as they paid business rates in the Borough, minute number 33 refers. Councillor J W McGrath declared a non-pecuniary interest in item number 14 as he is a member of Stapleford Town Council, minute number 36 refers.

25. MINUTES

The minutes of the meeting held on 4 July 2017 were confirmed and signed.

26. REFERENCES

26.1 Local Joint Consultative Committee 7 September 2017 GRIEVANCE POLICY

The Joint Committee considered the amendments to the Grievance Policy which is circulated with the agenda. The proposed amendments to the existing policy were intended to provide employees with clear guidance on how to submit grievances relating to their employment. Amendments to the

policy include redefining the process at each stage, clarifying who may be able to hear the grievance and adjusting the grievance forms to include more details for future HR data reporting. It was noted that the policy expands the pool of officers available to hear grievances; this was to include senior and principal officers.

RESOLVED that the amendments to the Grievance Policy within the Conditions of Service for employees be approved.

26.2 Local Joint Consultative Committee
7 September 2017
BULLYING AND HARASSMENT POLICY

The Joint Committee considered amendments to the Bullying and Harassment Policy within the Conditions of Service. The proposed amendments to the existing policy, which is circulated with the agenda, were intended to provide employees with clear guidance on how to raise, and report, claims of bullying and harassment relating to their employment. It was noted that the option to undertake mediation had been included within the policy in order to provide extra support to victims of bullying at work. It was highlighted that mediation was not mandatory and would only be used should both parties agree. The Joint Committee requested that a statement be included within the policy to indicate that the refusal of undertaking mediation would not prejudice any on-going investigation.

RESOLVED that the amendments to the Bullying and Harassment Policy within the Conditions of Service for employees be approved.

26.3 Local Joint Consultative Committee
7 September 2017
PERSONAL RELATIONSHIP POLICY

The Joint Committee reviewed the Personal Relationships at Work Policy. The proposed Policy intended to provide employees guidance for any personal relationships at work including family relationships, romantic/sexual relationships and close friendships and how these should be declared. The proposed framework outlined the Council's expectations and provided guidance on the importance of transparency, perception and declaring potential conflicts of interest.

Members queried whether relationships between councillors and officers should be included in the Policy. It was agreed that the document would be approved and returned back the Committee for further consideration.

RESOLVED that the introduction of a Personal Relationships at Work Policy within the Conditions of Service for employees be approved and referred back to the LJCC to further consider declaration of officers' interests.

26.4 Local Joint Consultative Committee
7 September 2017
STRESS MANAGEMENT POLICY

The Joint Committee had reviewed the proposed amendments to the Stress Management Policy. It was noted that due to an increase in stress related sickness there had been a requirement to update the existing Stress Management Policy. The Policy was in line with guidance from the Health and Safety Executive and preventative strategies had been listed and an emphasis placed on managers to undertake a stress risk assessment in order to identify areas of concern and create a plan of action to support the employee affected.

Members considered splitting the document to individually reflect guidance for those suffering with stress and managers dealing with staff suffering with stress.

RESOLVED that the amendments to the Stress Management Policy within the Conditions of Service for employees be approved as a working document, subject to the amendments made by the Local Joint Consultative Committee and that the policy be reviewed within six months.

27. ICT STRATEGY

The Strategy had been developed in consultation with employees, managers, members and the wider ICT shared service partnership established in July 2011 between Broxtowe Borough Council, Newark and Sherwood District Council and Rushcliffe Borough Council and was the first common Strategy for ICT service delivery across all three partner organisations.

RESOLVED that the ICT Strategy be approved with effect from 3 October 2017.

28. SHARED SERVICES ANNUAL REPORT

In the Council's Shared Service Policy current shared service arrangements are categorised and a scanning exercise highlighted proposals for future development. The Policy was updated to highlight the cessation of the Shared Monitoring Officer and legal service and to include a specific requirement in for appropriate leadership to be in place for each shared service activity. Members noted the progress on improvement activity and future planned improvement action.

RESOLVED that:

- 1. The Shared Services Policy in appendix 1, including the future direction for developing shared service arrangements set out in the table under 6.1 in the report, be approved.**

2. **The appointment of a full time Procurement and Contract Monitoring Officer to discharge the duties set out in the job description included in the report be approved, subject to job evaluation.**

29. GOVERNANCE STRUCTURE FOR ATTENBOROUGH NATURE RESERVE

The Committee considered the Council's relinquishment of its shareholding in Nottinghamshire Wildlife Trust Trading Limited, which operates the current governance structure for Attenborough Nature Reserve.

Members were informed of a proposal that the Trust would work together with elected representatives and Council officers to create a forum whose objective would be to promote the safeguarding and sustainable development of the Reserve. The Committee requested assurances that a forum was a strong enough body to have a binding influence as a decision maker and officers replied that further information would be sought.

RESOLVED that the Council divest itself of its 20% shareholding in Nottinghamshire Wildlife Trust Trading Limited in favour of participation in a forum with a suggested remit set out in paragraph 3 of the report, pending assurances on the decision making capabilities of the Forum.

30. ANNUAL HEALTH AND SAFETY REPORT 2016/17

Members noted the Annual Health and Safety Report which informed of injuries sustained by Council employees and near-misses and of progress made relating to several key areas of work conducted by the Health and Safety Section.

31. COMMERCIAL STRATEGY

Members considered the draft Commercial Strategy and its Action Plan for 2017–2020. The Committee was informed that the Strategy was not a stand-alone document, but that it was also aligned to the Corporate and Business Strategies and other such areas as the Economic Regeneration Strategy. This was to ensure that the Council achieved the maximum benefit from this new way of working.

It was suggested that, although the Strategy will not provide a solution to all of the financial difficulties that the Council was facing, it would assist with the improvement of services in conjunction with financial efficiencies.

RESOLVED that:

1. **The Invest to Save Programme 2017–2020 be established.**
2. **The Commercial Strategy and its Action Plan for 2017–2020 be approved.**

32. REVIEW OF CORPORATE PLAN PROGRESS AND FINANCIAL PERFORMANCE

The Committee noted a report which outlined progress against outcome targets linked to Corporate Plan priorities and received an update as to the latest financial performance as measured against the budget. The following comments and responses were amongst those included:

- Figures for fly-tipping were positive. Sites had been identified and targeted and progress was positive. It was requested that members be made aware of fly-tipping costs to the Borough.
- The employee savings target was not being met due to challenging circumstances.
- A workshop for members concerning Beeston Town Centre would be arranged and all members would be invited.
- Information on employee sickness levels would be reported to a future Committee. It was suggested that a Personnel Committee be formed to consider employee matters.
- The number of agency staff employed at Kimberley Depot was being considered through an internal review.
- Figures on the income budget had been skewed by the Department of Work and Pensions not moving into the Council Offices.

33. BUSINESS RATES ADDITIONAL DISCRETIONARY RATE RELIEF SCHEME 2017

Finance and Resources Committee on 20 March 2017 was informed of the proposed changes in respect of business rates revaluation with effect from 1 April 2017 and the likely impact upon both businesses in the area and on the Council. As a result of the revaluation, many businesses had seen an increase in their Business Rates charge. The Committee considered a request to implement a proposed Business Rates Additional Discretionary Rate Relief Scheme 2017.

RESOLVED that the Business Rates Additional Discretionary Rate Relief Scheme 2017 be approved.

(Having declared pecuniary interests, Councillors M Brown, S Easom and J W McGrath left the chamber before discussion or voting thereon.)

34. TRANSCASH PAYMENT SERVICE WITHDRAWAL

The Council currently allowed customers to pay a range of debts via participating Post Office branches using the Transcash service provided by Santander and the Post Office. However, the Council had been informed that, with effect from 14 December 2017, no further payments would be accepted in the Post Office network from customers using a Transcash slip.

Concern was expressed that not all residents possessed bank accounts and the removal of the service would limit those residents' options. It was requested that alternative payment options be considered in Eastwood. It was responded that collection rates had risen and all those that used the system would be provided with an alternative method of payment tailored to suit their situation.

RESOLVED that the Council respond to the withdrawal of the Transcash payment service by contacting customers using the service and supporting them to use alternative methods of payment (option 3).

35. PROTOCOL FOR HANDLING ANONYMOUS COMMUNICATIONS

A new protocol had been drafted to outline procedures to be complied with by officers and members in handling anonymous communications. The oversight of handling of anonymous communications would be the responsibility of the Governance, Audit and Standards Committee which would receive reports as outlined in the Protocol.

RESOLVED that the protocol for the handling of anonymous communications be approved.

36. REQUEST FOR FUNDING FROM NUTHALL PARISH COUNCIL

The Committee considered a request from Nuthall Parish Council for a grant of £1,820 to cover the cost of traffic management arrangements in connection with the forthcoming Remembrance Day parade in its area. Further consideration was given to a donation from EEM for £1,349 which was made to reflect the Council's participation in the organisation. Members considered passing on the benefit of the community donation to Nuthall Parish Council.

It was suggested that it would be difficult to distribute the grant without knowledge of Nuthall Parish Council's budget and it was queried as to why other parish and town councils had not submitted an application. It was stated that other councils had the opportunity to make an application although no others had been received.

It was proposed by Councillor J W McGrath and seconded by Councillor G Marshall that the EEM donation be divided equally between parish and town councils next year. On being put to the meeting the proposal was lost.

RESOLVED that the funding request be approved and a greater amount be included in the budget process for all parish and town councils in the next financial year.

37. BEESTON WEIR: WATER SAFETY

The Committee noted actions taken in response to water safety concerns at Beeston Weir, following discussion at Full Council on 19 July 2017 and members gave thanks to the Chief Executive for her role in achieving the improvements.

38. FUTURE OF THE TOWN HALL, BEESTON

Members received a report at the meeting of 4 July 2017 relating to the Council offices in Beeston. Part of that report concerned the potential future of the Town Hall in Beeston. It was now considered whether to consult with all relevant stakeholders, including the public, on the future of the Town Hall.

It was decided that the rationale for the consultation should have been included in the report and that the consultation paper be balanced, rather than favouring a particular outcome.

A recorded vote was requested by Councillor D A Elliott and seconded by Councillor G Marshall. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
M Brown	D A Elliott	
M J Crow	G Marshall	
S Easom	J W McGrath	
J Goold	M Radulovic MBE	
R I Jackson		
M Plackett		
K E Rigby		
P D Simpson		

RESOLVED to consult widely on possible options for the future of the Town Hall in Beeston.

39. HS2 GROWTH STRATEGY

The HS2 Growth Strategy had been developed in consultation with key stakeholder groups, on which the Council was represented by the Leader of the Council, and included the HS2 Strategic Board and the HS2 Hub Station Delivery Board.

Members were informed that an evening meeting would be held that would be open to all groups concerned in order to look in detail at the Growth Strategy.

RESOLVED that the HS2 Growth Strategy be supported.

40. INTERIM MANAGEMENT ARRANGEMENTS

As a result of decisions made by the Ad Hoc Committee, members noted interim management arrangements which were made in mid-August and confirmed by an email circulated by the Chief Executive on 11 August 2017. Furthermore, it was proposed that discussions take place with the County Council with a view to the discharge of the Monitoring Officer function by its Legal Department through a named individual.

RESOLVED that discussions be held with the County Council concerning the discharge of Monitoring Officer responsibilities.

41. WORK PROGRAMME

RESOLVED that the Work Programme be approved.

42. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.

43. EXERCISE OF THE CHIEF EXECUTIVE'S URGENCY POWERS

The Committee noted the exercise of the Chief Executive's urgency powers.

44. POTENTIAL PURCHASE OF 35 SCARGILL WALK, EASTWOOD

RESOLVED to consider entering into negotiations to purchase 35 Scargill Walk, Eastwood.

45. SHARED MANAGEMENT SERVICE FOR REVENUES AND BENEFITS

RESOLVED that the Framework Agreement for integrated Revenues and Benefits Service be approved in addition to the job roles named as 'at risk' being removed from the list.

46. HOUSING RESTRUCTURE

A recorded vote was requested by Councillor M Radulovic MBE and seconded by Councillor G Marshall. The voting was as follows:

For
M Brown
M J Crow
S Easom
J Goold
R I Jackson
M E Plackett
P D Simpson

Against
D A Elliott
G Marshall
J McGrath
M Radulovic MBE
K E Rigby

Abstention

RESOLVED to:

1. **Permanently reduce the hours of the following Retirement Living Officer posts of H99 (to 30 hours) H121 (to 32.5 hours) H128 (to 30 hours) H126 (to 30 hours).**
2. **Delete the vacant Retirement Living Officer posts H125b, H94b, H112, and H111, Housing Inclusion Officer post H320 and Cleaner H314a.**
3. **Delete the vacant Housing Assistant posts H16b and H23b as these posts have already been replaced with post H321.**
4. **Delete the vacant Single Trade Operative posts T183, and T182.**
5. **Delete the vacant Apprentice Maintenance Operative post T163.**
6. **Delete the vacant Trainee Multi-skilled Operative post T194.**
7. **Redefine roles H39 and H13 and delegate to the Chief Executive the power to make an ex gratia payment to these employees.**
8. **Redefine the role of H142 and continue discussions with this postholder regarding their role. Delegate to the Chief Executive authority to make an ex gratia payment.**
9. **Approve the new posts of Financial Inclusion Officer, Tenancy Sustainment Officer, Research Officer, Housing System Officer, Housing Needs Assistant and the part time role of Leaseholder Officer.**

Joint report of the Chief Executive and the Interim Deputy Chief Executive

REVIEW OF CORPORATE PLAN PROGRESS AND FINANCIAL PERFORMANCE1. Purpose of report

To report progress against outcome targets linked to Corporate Plan priorities and objectives and to provide an update as to the latest financial performance as measured against the budget.

2. Background

The Corporate Plan 2016-2020 was approved by Cabinet on 9 February 2016. Business Plans linked to the five corporate priority areas of Housing, Business Growth, Environment, Health and Community Safety were approved by Committees in January 2017.

3. Performance management

As part of the Council's performance management framework and to meet the commitment to closely align financial and performance management, the Business Plans for the priority areas are considered alongside detailed revenue budget estimates, the capital programme and other financial information.

The relevant Committees receive regular reports during the year which review progress against their respective Business Plans, including a detailed annual report where performance management and financial outturns are considered together following the year-end.

This quarterly report is intended to provide this Committee with an overview of progress made towards Corporate Plan priorities and the latest data relating to Critical Success Indicators (CSI), identified as a means by which outcomes relating to corporate priorities and objectives can be measured. This summary is detailed in appendix 1.

4. Financial performance

A summary of the financial position as at 30 September 2017 with regard to the employee budgets, major income headings and progress against achieving the savings target set as part of the budget is included in appendix 2. A summary of the capital expenditure position to 30 September 2017 is also included.

Recommendation

The Committee is asked to NOTE the progress made in achieving the Corporate Plan priorities and with regard to the financial position for 2017/18.

Background papers

Nil

APPENDIX 1

PERFORMANCE MANAGEMENT

1. Background - Corporate Plan

The Corporate Plan 2016 - 2020 was approved by Cabinet on 9 February 2016. It sets out the Council's priorities to achieve its vision to make "Broxtowe a great place where people enjoy living, working and spending leisure time." Over this period, the Council will focus on the priorities of Housing, Business Growth, Community Safety, Health and Environment.

The Corporate Plan prioritises local community needs and resources are directed toward the things they think are most important. These needs are aligned with other local, regional and national plans to ensure the ambitions set out in our Corporate Plan are realistic and achievable.

2. Business Plans

A series of Business Plans linked to the five corporate priority areas were approved by the respective Committees in January 2017.

The Business Plans detail the projects and activities undertaken in support of the Corporate Plan 2016-20 for each priority area. These cover a three-year period but will be revised and updated annually. Detailed monitoring of progress against key tasks and outcome measures in the Business Plans is undertaken by the relevant Committee. This will include a detailed annual report where performance management and financial outturns are considered together following the year-end as part of the Council's commitment to closely align financial and performance management.

3. Performance management

As part of the Council's performance management framework, the Policy and Performance Committee receives a high level report of progress against Corporate Plan priorities on a quarterly basis. The report provides a summary of the progress made to date towards achieving the corporate priorities and objectives. It also provides the latest data relating to Critical Success Indicators (CSI), which have been identified as a means by which outcomes relating to corporate priorities and objectives can be measured.

Further operational performance data, such as Key Performance Indicators (KPI) and Management Performance Indicators (MPI) are monitored by the respective Committee and/or General Management Team/Senior Management Team as appropriate. Similarly, the Business Plans for the support service areas (Bereavement Services, ICT and Business Transformation, Resources and Revenues, Benefits and Customer Services) are not being considered here at this stage.

Each of the five priorities is considered separately below:

1. HOUSING

The Council's priority for Housing is "**A good quality affordable home for all residents of Broxtowe**". Its objectives are to:

Increase the rate of house building on brownfield sites (Ho1)

There were 297 houses built in Broxtowe in 2016/17, an increase of 55% on the previous year. This was the result of proactive work to bring sites forward for development and the allocation of more land for development.

Outline planning permission was granted for 46 new homes on Cossall Industrial Estate. The proposed development includes a dry ski slope and country park that will provide an area of localised biodiversity to compliment the leisure and recreation facilities in the area.

The Jobs and Economy Committee agreed the publication of the draft Local Plan Part 2 on 6 July 2017. A six week period of formal consultation then followed. The Local Plan Part 2 was published on 18 September 2017 before being subject to examination by the Planning Inspector.

Become an excellent housing provider (Ho2)

The South Nottinghamshire Homelessness Strategy was approved at Housing Committee on 20 September 2017. This is a joint strategy between Broxtowe, Gedling and Rushcliffe, with a focus on partnership working. The requirements of the Homelessness Reduction Act have been reflected in the strategy.

A new Gas Safety and Servicing Policy and Electrical Safety Policy were approved at Housing Committee in September. These were produced following an extensive review to ensure that the service provided is best practice

The Housing Department and Novus Property Solutions jointly hosted Community Events offering decorating sessions and other activities to residents in Chilwell and Brinsley. Novus Property Solutions work with Housing as one of their contractors to deliver effective maintenance solutions. These events provide tenants with the skills to keep their property in good condition and sustain their tenancy.

In August 2017 the Council launched the new Homesearch website with improved functionality for customers. A new mobile phone and tablet site was also introduced that will make it simpler for customers to search and bid for properties.

The Neighbourhood Services team has seen an increase in the number of Estate Inspections. The inspections ensure that the houses and estates are maintained to a high standard by reporting repairs and fly tipping. The team check that tenants are keeping their gardens in good condition.

Improve the quality and availability of the private sector housing stock to meet local housing need (Ho3)

A 'Warm Homes on Prescription' scheme was approved at the Housing Committee on 20 September 2017. This will comprise £65,000 of capital funds which will be targeted towards improving heating and thermal insulation for properties for people with long term health conditions made worse by cold living conditions.

There were thirteen private sector tenancies secured for people in housing need in between April and June 2017.

Critical Success Indicators for Housing

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
Supply of ready to develop housing sites	NI159	72%	100%	-	Decision taken at Jobs and Economy Committee on 26 January 2017 to address the five year housing supply shortfall in the Part 2 Local Plan which was published in September 2017.
Net additional homes provided	NI154	297	360	-	Data collected annually.
Private sector vacant dwellings that are returned into occupation or demolished	HSLocal _11	38	25	13	Total number of dwellings returned to occupation to date is 30. The target of 25 dwellings for 2017/18 has been exceeded.
Overall satisfaction	HSTOP _01	93.4%	87%	90%	Based on 437 surveys completed during Quarter 2 2017/18. Satisfaction levels remain above target.

2. BUSINESS GROWTH

The Council's priority for Business Growth is '**New and growing businesses providing more jobs for people in Broxtowe and improved town centres**'. Its objectives are to:

Increase the number of new businesses starting in Broxtowe (BG1)

A new Job Club, for jobseekers was launched in Eastwood as part of the 2017/18 Eastwood South action plan. The club offers jobseekers a chance to get advice and support on finding work. It will provide people in Eastwood the chance to meet others looking for work, build new contacts, share job hunting experiences and get advice on interview techniques, CVs and volunteering opportunities.

Attendees will gain employment related skills and find out about opportunities with local employers. Sessions are taking place on Tuesdays mornings at the Eastwood Volunteer Bureau on Wellington Place, Eastwood.

Broxtowe businesses were offered a free health check and advice at a drop in session at the Council Offices in Beeston in October 2017. Advisers from the D2N2 Growth Hub and Wren Accountancy were on hand to offer advice and support. The one-to-one sessions lasted approximately 90 minutes and gave individuals the opportunity to ask questions and get practical tips on subjects such as getting access to finance, tax advice, latest legislation, getting help to expand. The sessions were hosted by D2N2 Growth Hub and Wren Accountancy in partnership with the Council and were made possible thanks to funding from the European Regional Development fund and Wren Accountancy.

Help our town centres to compete and attract new visitors (BG2)

Children and families enjoyed the feel of the sand between their toes from 22 July to 3 September 2017 at the special 'Beeston-on-Sands' resort. The resort had a giant sand area to build sandcastles, sit in deck chairs and a crazy golf course. There were children's rides, game stalls and puppets shows as well as seaside treats in the form of ice cream, a licensed bar and hot food stalls. The beach was free to enter.

Stapleford town centre now enjoys free Wi-Fi thanks to an investment of £25,000 by the council. It is hoped this will help to attract visitors to the town centre.

A new project manager has been appointed to work to regenerate Beeston Town centre.

Complete the regeneration of Beeston Town centre and seek opportunities to regenerate town centres throughout Broxtowe (BG03)

A report from Consultants was presented to the Policy and Resources Committee on 4 July 2017 presenting the procurement options for the future of Beeston Town centre. Six options were looked at in detail and two of these, which are thought to present the best financial way forward for the council, will be looked into in more detail from the point of view of viability and risk. A workshop for Members was held in October 2017.

Critical Success Indicators for Business Growth

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
New accounts on web based Business Support Network	ERLocal_01	41	-	1	A publicity campaign has been launched to promote this service
Town Centre occupancy rates:					Targets based on average for the year.
• Beeston	TCLocal_01a	94%	92%	92%	Static from 92% in Q1.
• Kimberley	TCLocal_01b	89%	92%	94%	Increased from 92% in Q1.
• Eastwood	TCLocal_01c	90%	92%	92%	Increased from 90% in Q1.
• Stapleford	TCLocal_01d	87%	92%	86%	Static from 86% in Q1.
New accounts on web based Business Support Network	ERLocal_01	41	-	1	A publicity campaign has been launched to promote this service
Employment Land take up	ERLocal_02	11,391 sq m	-	-	Baseline year was 2016/17. Data is collected annually. Employment Sites was 352m ² Retail Sites was 11,309m ²
New retail/commercial floor space within town centres	TCLocal_05	0sqm	-	-	
Commencement of works for phase 2 of Beeston Town Centre redevelopment	BG1620_09	-	-	-	Advisor is providing financial options appraisal for consideration by members. Next stage is to tender members' preferred options.

3. ENVIRONMENT

The Council's priority for Environment is **'The environment in Broxtowe will be protected and enhanced for future generations'**. Its objectives are to:

Reduce litter and fly tipping to make Broxtowe cleaner (En1)

As part of the education programme to reduce fly tipping banners are being designed to inform residents of both the issue of fly tipping, and, duty of care obligations in relation to waste. The banners will be fitted to the side of refuse vehicles.

Maintain and improve the green infrastructure of the Broxtowe (En2)

The quality of the Council's parks has again been recognised in the Green Flag Awards. Green Flag Awards have been re-awarded to Bramcote Hills Park and Colliers Wood, and Community Green Flags were also awarded to Alexandria Plantation and Sandy Lane Local Nature Reserve at Bramcote, Brinsley Headstocks and the Old Church Tower at Bramcote. Bramcote Hills Park now celebrates 11 consecutive years as a Green Flag award winner, with Colliers Wood close behind on 9 consecutive awards.

On 25 July 2017 a workshop on the "Importance of Pollinating Insects" was held at Greenwood Community Centre. It was attended by 40 people from various local authorities, Friends Groups and other agencies involved in managing green space. The workshop also covered the reasons for their decline and how we can manage our Green Spaces to help combat this problem. The workshop was delivered in partnership with Nottinghamshire Wildlife Trust and the Friends of Toton Fields. It was very well received and helped highlight the issues and also the problems faced by the council as we move away from a cut all approach to a more relaxed approach to grass cutting in designated areas.

Increase recycling, composting, renewable and energy efficiency projects as resources allow and reduce residual waste (En3)

Residents of the Borough are helping to improve the environment by registering for the Garden Waste Scheme, which has seen an increase in the number of subscriptions in 2017.

Critical Success Indicators for Environment

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
Cleanliness of the streets and open spaces within the Borough (levels of litter)	NI195a	4%	3%	4%	The street cleansing service has not been at full capacity. A pavement sweeper has not been operational due to mechanical breakdown for a significant period.
Number of fly tipping incidents removed	SSData_01	399	420	172	The number of fly tips in quarter 1 = 72
No. of Nature Reserves	PSData_07	15	15	15	
Parks achieving Broxtowe Parks Standard %	PSData_09	96%	95%	95%	Sample sites assessed on an annual basis.
Household waste recycled and composted	NI192	41.04%	40.17%	40.30%	This is an estimate for 2017/18 as not all data was available.
Energy Consumption across all operational sites – Total kWh gas and electric ('000)	CPLocal_03	-	8,448	-	2015/16 = 8,649 This data is compiled annually. The data will not be available until the final bills for 2016/17 are available and have been inputted into the energy database.

4. HEALTH

The Council's priority and objective for Health is '**People in Broxtowe enjoy longer, active and healthy lives**'. Its objectives are to:

Increase the number of people who have active lifestyles (He1)

Four free play day events were held in Kimberley/Nuthall, Stapleford, Chilwell and Eastwood throughout August 2017. These events provided by Liberty Leisure on behalf of the Council and provided a fantastic opportunity for families to enjoy an afternoon of fun and creativity in parks around the borough. There were lots of activities to encourage children to go out in the fresh air including puppet shows and KMX Carting through to inflatables, under 5's activities and creative crafts.

Work with partners to improve the health of the local population (He2)

The results of a Food Safety Audit carried out by the Environmental Health team were reported to the Community Safety Committee on 29 June 2017. The Food Standards audit found that there were a significant number of

overdue food safety inspections, mostly in the low priority categories, and that increased staffing resources were required to address this matter. The Finance and Resources Committee agreed to provide additional resources to address the backlog.

Reduce alcohol related harm in Broxtowe (He3)

The South Nottinghamshire Community Safety strategic meeting received details of the mutual aid work being done by “New Directions” to help people who are experiencing alcohol related problems. 276 people within Broxtowe are receiving treatment.

Critical Success Indicators for Health

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
Total Attendances for Leisure and Culture	LLDATA _E03 _H01 _B01 _K01 _C01 _S01	1,712k	1,686k	463k	The number of attendances is on track to achieve target.
Total Broxtowe Leisure Cardholders	LSDATA _B02 LSDATA _K02 LSDATA _C02	52,500	54,000	46,928	Data is collected annually. The position at quarter 2 is reported for information.

5. COMMUNITY SAFETY

The Council’s priority for Community Safety is that ‘**Broxtowe will be a place where people feel safe and secure in their communities**’. Its objectives are to:

Reduce the amount of anti-social behaviour in Broxtowe (CS1)

Eastwood South has been consistently identified as a Partnership Plus area through the Countywide strategic assessment and as such receives funding from the Office of the Police and Crime Commissioner in order to improve community safety and contribute towards crime reduction.

The Council is working in partnership with Nottinghamshire Police to provide preventative measures to tackle burglary. This crime reduction initiative, funded by the Office of the Police and Crime Commissioner, will target harden identified vulnerable homes, the aim is to deter potential burglars, improve community safety and contribute towards crime reduction.

The Communities Team along with an Officer from Transform Training have brought together partners who have a remit to deliver services for adults and young people with learning disabilities. This vulnerable group have been victims of anti-social behaviour and hate crime in the past and this works aims to raise awareness amongst partners and members of the public about what services are available to them.

Community Safety drop-in sessions were hosted in Eastwood, Kimberley, Beeston and Stapleford town centres during July and August.

Twelve Council car parks have been awarded the Park Mark status. This is awarded to parking facilities that have met the requirements of a police risk assessment for safety.

Reduce domestic violence in Broxtowe (CS2)

Critical Success Indicators for Community Safety

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
Reduction in reported ASB cases in Broxtowe	ComS_011	2,237	1,832	1,649	Changes in Police recording make year on year comparisons difficult. Cases reported to Nottinghamshire Police Strategic Analytical Unit.
Reduction in ASB cases reported in the borough to Environmental Health, Communities and Housing	ComS_012 ComS_014 ComS_013	569 56 82	486	153 62 37	Number of ASB cases received in quarter 1 Environmental Health = 153 Communities = 62 Housing = 37
% of high risk domestic abuse cases referred to the Multi-Agency Risk Assessment Conference	ComS_024	-	19%	-	Data not yet available. Data expressed as a % of the total number of referrals
Domestic abuse in the borough	ComS_025	533	1,488	111	Figures represent total of domestic violence incidents and domestic abuse crime. 372 incidents and crimes to date in 2017/18.
Reduce Hospital stays for alcohol related harm	ComS_086	-	666	-	2015/16 = 666.3 per 100k population Data from Public Health England
Alcohol related referrals to Change-Grow-Live with positive	ComS_085	-	-	16	New indicator 2017/18 In quarter 1 2017/18 26 participants were referred to the Change-Grow-

Indicator Description	Covalent Code	Achieved 2016/17	Target 2017/18	Q2 2017/18	Comments (incl. benchmarking)
outcomes from Broxtowe					Live programme
Successful Outcomes from Alcohol related referrals to Change-Grow-Live	ComS_085a	-	-	24	New indicator 2017/18 In quarter 1 2017/18 24 participants had a successful outcome using the change Change-Grow-Live programme

APPENDIX 2

FINANCIAL PERFORMANCE

Employee Position

The summary position as at 30 September 2017 as regards to the employee budgets is as shown below:

Directorate	Budget to 30/09/2017 £	Actual to 30/09/2017 £	Variance £
Chief Executive's	1,039,500	993,616	(45,884)
Deputy Chief Executive's	2,885,100	2,898,418	13,318
Director of Legal and Planning Services	872,475	892,755	20,280
Director of Housing, Leisure and Property Services	2,276,875	2,157,404	(119,471)
Total	7,073,950	6,942,193	(131,757)

Any overtime in respect of September (paid in October) is not included.

The budget figures shown above exclude the 3% vacancy rate and the additional employee savings target set when the 2017/18 budget was approved. These total £539,800 for 2017/18. The table above shows that the Council is currently not meeting the vacancy rate and employee savings target.

The vacancy control process has recently been revised to enable vacant posts to be filled much quicker than previously. Whilst this may help to maintain both service delivery and minimise pressure on existing staff, it may be having a detrimental effect upon the ability to meet vacancy rate targets.

The employee budgets will continue to be closely monitored during the remainder of 2017/18.

Non Employee Expenditure Budget Variations

The most significant variations on non-employee budgets to 30 September 2017 are as follows:

Budget Heading	Approved Budget 2017/18 £	Expenditure to 30/09/2017 £	Comments
General Fund			
Homelessness – Bed and Breakfast Invoices	33,500	3,800	Expenditure in 2015/16 and 2016/17 were £5,250 and £4,850 respectively. This budget will be reviewed for 2018/19.
Miscellaneous Consultancy –	4,200	49,746	Includes external legal costs. Further investigatory work required at an estimated cost of £35,000.
Planning and Development – Advertising	13,000	13,706	There is a legal requirement for the Council to publicise planning applications. Projected expenditure for 2017/18 is £28,500.
Planning and Development – Neighbourhood Planning Support	38,800	337	There are currently 9 neighbourhood plans underway, and as such it is expected this budget will be spent by the end of the year.
Planning and Development – Local Plan Examination	80,000	293	The local plan was published on 18 September. There is a requirement that it be externally examined. However as this will not commence until January it is expected that most of this budget will need to be slipped to 2018/19.

Economic Development – Assistance to Local Businesses/Town Centre Management	54,850	8,212	Following the recruitment of a post within the team and moving the Town Centres team to within the Planning and Development function it is expected a number of initiatives will now accelerate. Eg. a business grant scheme. However it is expected that some of this budget will need to be slipped to 2018/19.
Grounds Maintenance – Subcontractors	164,500	160,369	Vacancies, seasonal pressures and additional ad-hoc orders for both internal and external works are resulting in a current projected expenditure of £225,000 for 2017/18. The Grounds Maintenance establishment is £40,966 underspent and external income is £15,502 higher than budgeted for the first half of 2017/18.
CCTV – CCTV Monitoring Contract	201,450	32,907	Invoices from Profile Security Ltd are temporarily being held until they issue credit notes for a number of incorrect invoices.

Budget Heading	Approved Budget 2017/18 £	Expenditure to 30/9/2017 £	Comments
Housing Revenue Account			
Sheltered Housing – Maintenance – Sheltered Scheme Safety	231,000	54,665	Expenditure of £340,050 incurred in 2016/17. Expenditure in 2017/18 expected to be as per the budget.
Sheltered Housing – Maintenance – Smoke Detection Equipment	25,000	16	Expenditure of £21,250 incurred in 2016/17. Testing and remedial work have been undertaken in 2017/18 and invoices are awaited.
Sheltered Housing – Maintenance – Monitoring Contract	58,000	250	Expenditure of £48,500 incurred in 2016/17. Invoices for 2017/18 are currently awaited.

Income Budgets

The position to 30 September 2017 in respect of the most significant variable income budgets is as follows:

Income	Annual Budget 2017/18 £	Income to 30/09/2017 £	Latest Projection 2017/18 £	Projected Variance to Budget £
Garden Waste Income	(591,000)	(620,937)	(625,000)	(34,000)
Sale of Glass	(25,000)	(7,247)	(24,000)	(4,000)
Sale of Wheeled Bins	(10,000)	(15,704)	(20,000)	(10,000)
Recycling Credits – Glass	(90,000)	(33,443)	(90,000)	0
Trade Refuse Income	(524,000)	(396,699)	(530,000)	(6,000)
Special Collections Income	(57,000)	(30,159)	(60,000)	(3,000)
Cemeteries – Fees and Charges	(182,550)	(92,513)	(227,700)	(45,200)
Parking P&D Income	(145,000)	(88,217)	(160,000)	(15,000)
Planning Fees	(440,000)	(234,366)	(440,000)	0
Industrial Unit Rents	(166,850)	(169,093)	(206,200)	(39,300)
Craft Centre Complex Rents	(32,900)	(20,944)	(32,900)	0
Misc. Legal Charges Recovered	(35,000)	(4,647)	(9,300)	25,700
General Properties Rents	(92,850)	(24,890)	(100,000)	(7,150)
Licence Income	(150,050)	(83,466)	(146,700)	3,350
Land Charges Income	(120,000)	(41,153)	(92,000)	28,000
Interest on Investments	(114,400)	(100,041)	(171,500)	(57,100)
Beeston Square Rent	(650,000)	(416,761)	(650,000)	0
Council Offices Rent	(55,000)	0	0	55,000
Total	(3,481,600)	(2,380,280)	(3,585,300)	(108,700)

Notes

- i) Income from garden waste, sale of glass, sales wheeled bins, trade refuse and special collections in 2017/18 is expected to exceed the original expectation when the budget for the year was set.
- ii) Income from planning fees is expected to meet the budget as a result of an increased in major applications compared to last year. It is expected major applications will start to be submitted now that the site allocations have been determined from Part 2 of the Local Plan, which will be published in September.
- iii) Income relating to the recovery of legal charges across the Council is expected to be significantly short of the 2017/18 budget. Income received in 2016/17 was £28,450.
- iv) Expected income on investments in 2017/18 is supported by the rate of return on a small number of longer-term investments, and by the gain made on early payment of funds due to the Local Government Pension Scheme.
- v) The 2017/18 Council Offices rent budget of £55,000 was set in anticipation of the Department for Work and Pensions (DWP) moving into the building. Notification has been received that the move will not happen and this income budget will not be achieved.
- vi) Income from Cemeteries is expected to exceed the original expectation when the budget for the year was set. This is because as at 30 September 2017 actual income is higher than for any of the previous 6 years for the same period.
- vii) Income from Industrial Units is expected to exceed the budget for the year due to all units being full. It is expected to continue that way through the remainder of the year. The budget is set to assume an element of voids throughout the year.

Capital Programme

Capital programme expenditure as at 30 September 2017 is summarised as follows:

	Approved Budget 2017/18 £	Actual Spend to 30/09/2017 £	Proportion of Budget Spent %
General Fund	3,442,100	820,047	23.8
Housing Revenue Account	5,004,050	2,435,072	48.7
TOTAL	8,446,150	3,255,119	38.5

The table includes all capital schemes brought forward from 2016/17, as previously approved, in addition to any other budget changes made up to 30 September 2017. No account has been taken of any invoices received but not yet paid or work that has taken place but where no invoices have, as yet, been received.

The General Fund capital programme includes schemes totalling £716,650 for which the approval to proceed will be granted once a source of funding has been identified. If these schemes were to be excluded from the table above then the proportion of the General Fund capital programme spent to 30 September 2017 would be 30.1% and the total proportion of budget spent would increase to 42.1%.

The most significant schemes with regards to spending to 30 September 2017 are:

Scheme	Approved Budget 2017/18 £	Actual Spend to 30/09/2017 £	Comments
<u>General Fund</u>			
IT Replacement Programme (2017/18)	130,000	11,570	New Ways of Working Project will inform the direction of the replacement programme
Replacement of MFD Photocopier Estate	63000	0	Statistical research started on current capacity and use
Beeston Square Phase 2 Legal, Land and Procurement Advice	236,150	35,180	Future of the scheme to be decided

Scheme	Approved Budget 2017/18 £	Actual Spend to 30/09/2017 £	Comments
<u>Housing Revenue Account</u> Central Heating Replacement	1,361,950	661,696	Work progressing and additional work being planned
Modernisation Programme	1,984,850	1,125,362	Work progressing as planned

Report of the Interim Deputy Chief Executive

LAND DISPOSALS POLICY1. Purpose of report

To seek approval for a policy on land and property disposals by Broxtowe Borough Council.

2. Background

The Borough Council owns over 1,000 plots of land which cover approximately 400 hectares. Current government policy is that surplus publicly-owned land and buildings should be disposed of where appropriate, especially where disposal would provide land for housing or stimulate economic growth. In addition, the capital receipts provide a useful source of income for use on other Council priorities.

3. Legislative requirements and scheme of delegation

The Council has fairly wide discretion to dispose of its assets (such as land or buildings) in any manner it wishes, subject to the provisions under sections 123 & 127 of the Local Government Act 1972. However, a clear Council policy would provide additional guidance to officers when dealing with land disposals or if they are approached directly by prospective purchasers and developers.

It should be noted that the proposed policy, given in appendix 1, does not over-ride the existing scheme of delegation. Disposals would still need to be approved by this Committee or by officers under existing delegated powers.

Appendix 2 gives the Equality Impact Assessment for the proposed policy.

4. Financial implications

There are no direct financial implications arising from this report. However, approval of a land disposals policy will help the Council to achieve its financial objectives both directly, through capital receipts, and indirectly through the consequent housing and economic growth.

Recommendation

The Committee is asked to RESOLVE that the land disposals policy given in appendix 1 be approved.

Background papers

Nil

POLICY GOVERNING THE DISPOSAL OF LAND AND PROPERTY OWNED BY BROXTOWE BOROUGH COUNCIL

November 2017

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Policy Aims and Objectives Overriding Principles Meaning of ‘Surplus Land or Property’ Meaning of ‘Under-utilised Land or Property’ Identifying Surplus/Under-utilised Land or Property Action following Identification for Disposal Disposal Options Obtaining ‘Best Consideration’ Disposal presumptions and priorities Marketing strategy / Preparation for Disposal Decision making		
APPENDIX 1	Legislative context	

A: POLICY AIMS and OBJECTIVES

1. It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible. The Council has fairly wide discretion to dispose of its assets (such as land or buildings) in any manner it wishes, subject to the provisions under sections 123 and 127 of the Local Government Act 1972 and section 87-89 of the Localism Act 2011.
2. The way the Council manages its land/property assets can have a significant impact both on the quality of services delivered to the public and the local environment. Effective asset management is essential in bringing 'agility' to land and property assets so that the delivery of the Council's goals and objectives are realised in a sustainable manner, at the right time and on budget. This can best be achieved by maintaining an effective and current Asset Management Plan that, although outside the scope of this policy, should be the main driver in identifying assets for disposal.
3. This Policy sets out the procedure to be adopted in connection with the disposal of surplus and under-used assets and ensures that requests to purchase Council owned assets are dealt with in a fair and consistent manner.
4. Although this Policy will normally be followed, there will be occasions where the procedure may need to be changed, particularly for larger, more complex land/property sales.
5. Right to Buy and similar disposals are governed by a separate statutory process and are excluded from this policy.
6. For the purposes of this Policy, "a disposal" means any freehold disposal, by sale or exchange, of Council owned land/property (including buildings) and any disposal by the granting of a lease or licence for a period greater than 7 years. Leases of 7 years or less or assignment of a term which has not more than 7 years to run are not covered by this Policy, as they are exempt from the statutory requirement to obtain best consideration.

B: OVERRIDING PRINCIPLES

POLICY LD001

- 1. All dealings in the Council's landed assets shall be conducted in accordance with the Local Government Act 1972 and other relevant legislation, the primary instruments being summarised in Appendix 1.*
- 2. The Council will publish details of land/property which it has declared surplus to requirements in compliance with the Local Government Transparency Code 2015.*
- 3. Any person who may have an interest in making an offer to purchase, has the opportunity to do so in circumstances no less favourable than anybody else.*

4. Each asset disposal is to be treated on its own merits and nothing in this Policy will bind the Council to a particular course of action in respect of a disposal. Alternative methods of disposal not specifically mentioned in this Policy may be used where appropriate, subject to obtaining the necessary authority.

5. Prior approval of the Council's Policy and Performance Committee (or an Officer acting under the delegated authority of this committee) is required for any disposal of land or property. When considering potential disposals the Committee must:

a. satisfy itself that the land or property in question is either surplus or under-used as defined in sections C and D respectively; AND

b. have due regard to the presumptions and priorities set out in section J.

C: MEANING OF 'SURPLUS' LAND OR PROPERTY

1: A real estate asset will be deemed surplus to the Council's requirements where:

(a) it makes no contribution to the delivery of the Council's services, strategic or corporate objectives; OR an alternative site or method of delivery has been identified which would be more cost effective in delivering the Council's services, strategic or corporate objectives;

(b) it has no potential for strategic or regeneration/redevelopment purposes in the near future;

(c) it will not contribute to the provision of a sustainable pattern of development through a lack of fitness for purpose, cost of maintenance, lack of accessibility, poor location or similar reason;

(d) it makes no significant contribution to protecting and enhancing the natural, built and historic environment, including making minimal contribution to helping to improve biodiversity.

(e) Suitable controls can be put in place to secure and sustain the contributions referenced under (d) or (e) above if ownership were to pass to a third party (for example, statutory listing of an important historical building).

D: MEANING OF 'UNDER-USED' LAND OR PROPERTY

1: A real estate asset will be deemed to be under-used if:

(a) part of the site is vacant and is likely to remain vacant for the foreseeable future;

(b) the income being generated from the site is consistently below that which could be achieved from:

i. disposing of the site and investing the income;

ii. an alternative use;

iii. intensifying the existing use;

- (c) only part of the site is used for service delivery and this could be delivered from an alternative site;
- (d) it makes no significant contribution to protecting and enhancing the natural, built and historic environment, including making minimal contribution to helping to improve biodiversity.
- (e) Suitable controls can be put in place to secure and sustain the contributions referenced under (d) above if ownership were to pass to a third party (for example, statutory listing of an important historical building).

2: In the case of open spaces, amenity areas and similar sites, the under-used test should also consider the 'community value' of the asset, which would include visual amenity and not be limited solely to income generation or whether the site is vacant, etc.

E: MEANS OF IDENTIFYING SURPLUS OR UNDER-USED LAND/PROPERTY

1: Surplus or under-used land/property may be identified as being suitable for disposal by a variety of initiatives including:

- (a) undertaking an asset management review;
- (b) the identification of development opportunities;
- (c) as the result of a corporate property portfolio review;
- (d) following a direct approach from an interested party;
- (e) where a disposal has been identified as helping to deliver other Council objectives such the provision of housing in the Borough;
- (f) where management of the land/property is considered suitable for community ownership or has been determined as an 'asset of community value'.
- (g) through the declaration of certain sites as being surplus to requirements
- (h) through Local Plan designation.

Under the Local Government Transparency Code 2015, Councils are required to publish details of all their landholdings (with certain exceptions) at least annually. To assist with bringing forward assets with disposal potential, the Council will progressively add the following voluntary classifications to its published data on landed assets:

WEIGHTING	1	2	3	4	5
Type of asset	Core business	Operational	Strategic holding	Investment	For disposal
Operational fit	Excellent	Good	Fair	Poor	Unacceptable
Utilisation	Very high	High	Reasonable	Poor	Inadequate
EPC	A/B	C/D	E	F	G
Condition	Excellent	Good	Fair	Poor	Unacceptable
Occupation costs	Economical	Below average	Average	Above Average	Uneconomical
Best use value	Yes	Partly	50-50	No	Inappropriate
Good neighbour	Excellent	Good	Fair	Poor	Bad
Cost to vacate	Low	Affordable	Marginal	Unaffordable	High
Market demand	Strong	Good	Probable	Unlikely	None
Others					

Scoring each property against the above criteria will produce a weighting that will identify those properties that it would be most advantageous for the Council to consider for rationalisation – the higher the score, the less compelling the case for retention.

F: ACTION FOLLOWING IDENTIFICATION FOR DISPOSAL

If the asset(s) identified for disposal have not previously been publicly declared as such through the Council's annual landholdings schedule published pursuant to the Local Government Transparency Code 2015, the potential availability of land or property will be brought to the public's attention for a period of not less than 21 days before progressing to realisation. This is intended to allow any interested party to register their interest in acquiring said property or make any other relevant representations.

As a minimum, a suitable notice will be posted (a) in a prominent position on or near to the site or building; (b) in an appropriate local newspaper; and (c) on the Council's website.

"Progressing to realisation" in this context means any visible action that suggests a site or building is being prepared for sale and/or redevelopment. This could include such action as site clearance, erecting a signboard (unless primarily for the purposes of alerting the public that the asset is considered suitable for disposal), publishing agent's particulars, site investigations, planning applications and similar.

Whilst some preparatory activity such as seeking independent valuation advice, clarifying ownership, legal interests and other site impediments would generally be appropriate, care must be taken to ensure that any expenditure is unlikely to be abortive in the event that alternative disposal routes emerge through publication (for example, if an adjoining owner wished to purchase a site and, because of their special interest, may be able to pay marriage value, appointing a marketing agent could be unnecessary.)

POLICY LD002

The Council will endeavour to realise, within a reasonable timescale, all surplus land and property identified for disposal within its portfolio subject to the following criteria:

1. *That the disposal does not have a negative impact on the corporate plan*
 - i. *The terms of any transaction are supported by an independent Valuation where appropriate (see below).*
 - ii. *Best financial consideration being obtained unless social, environmental or economic benefits acceptable to Council's Policy and Performance Committee are provided in lieu.*
 - iii. *The method of disposal will be determined on a case by case basis by the appropriate Committee or Officer as stated below.*
 - iv. *Any leasehold disposal transfers all liabilities to the tenant (Full Repairing and Insuring or "FRI" terms) wherever possible.*
- 2: *Normally, an Officer acting under delegated powers will choose the method of disposal which provides best consideration unless the Policy and Performance Committee authorises the taking into account of other considerations including social, environmental and economic benefits, which best secure the desired objectives/ outcomes for the land and/ or property.*

- 3: To support this, an option appraisal will be undertaken to assesses the capital and revenue implications of alternative disposal option that includes the impact of the current economic conditions (e.g. should the asset be held until market conditions improve?) and the taxation implications.
- 4: In undertaking option appraisals for other than routine or low-value disposals, an Officer acting under delegated powers will seek advice from Legal Services and external surveyors and valuers, where necessary, on the type and method of disposal.

G: DISPOSAL OPTIONS

- 1: Principal methods of disposal are:
 - i. **Open Market disposal (this will usually be the preferred method)**

For this to be effective, the opportunity needs to be widely advertised over a reasonable time period to capture all potential interest from as wide a catchment as possible. This is usually best achieved by engaging the services of a suitably experienced property agent as these will typically maintain a database of interested parties and will be able to introduce the property directly.

Care should be exercised when selecting a suitable agent, based on their profile and knowledge of the market. Whilst a local or regional firm may be best placed to market small development sites and domestic properties, more complex transactions such as investment sales or specialist properties that might appeal to a national (or even international) market, would likely be better promoted by an agent with a national presence.

When procuring services such as property agency, full compliance with the Council's Commissioning and Procurement Strategy and European Directives must be achieved.

If properties for disposal are to be marketed by the Council directly, notification of the opportunity will, as a minimum, be advertised on the Council's website and in local media. A site board with contact details can be a useful marketing tool.

There are two methods of open market disposal – informal and formal bids. Informal bids are subject to contract and, if multiple informal offers are received, it may be appropriate after a reasonable period of promotion to invite 'best and final offers' by a set date, preferably as sealed bids. Unless there are extenuating circumstances (such as the offeror being unable to provide evidence that they have sufficient funds to complete the purchase), the best offer should be accepted. The council will not respond to 'gazumping' once an offer has been accepted.

Formal bids are equivalent to exchanging contracts once the bid has been accepted – such as at auction. Because of this, comprehensive sales packs need to be produced including all searches and legal information. This can take time and incur expense, although the latter can sometimes be defrayed by charging interested parties for the packs. This method is expensive for both parties so will be used with caution.

ii. Private Treaty disposal

In certain circumstances the Council will consider disposing of an asset by Private Treaty Sale. This involves the Council negotiating with a single third party to agree terms for the disposal. This can be used for freehold disposal; leasehold interests over 7 years and short tenancies for less than 7 years where appropriate.

POLICY PD003

The Council's preferred disposal method is Open Market Disposal.

If the principle of a Private Treaty can be justified to the satisfaction of Council's Policy and Performance Committee then for a freehold or leasehold of more than 7 years an independent Agent/ Valuer will be appointed to advise and/or negotiate on the Council's behalf. For short tenancies of less than 7 years then an independent agent will be appointed where necessary. Appropriate Legal advice, up to and including Counsel's opinion, where necessary, as to the legality of the proposed arrangements, with particular reference to all relevant Local Government Acts and Regulations will be obtained.

In order to justify a Private Treaty freehold disposal, the proposal must meet one or more of the following criteria:-

- a. The proposed disposal involves both Council land or buildings and an adjoining property or piece of land owned or controlled by the prospective purchaser.*
- b. The disposal to a third party who, whilst not an adjoining landowner, would bring additional social, environmental or economic benefit in lieu of monetary consideration. (An example would be a sale to an existing major employer who could otherwise leave the area or a sale to a new major employer who would move into the area. Also the sale to a Community Association who could provide wider community benefits in line with Council priorities)*
- c. To enable a third party to relocate within the area, from a site that is "inappropriate", usually in Land Use terms, e.g. a light industrial unit adjacent to residential properties, to a site that is more suitable, e.g. an industrial estate or out of town location.*
- d. To enable the purchase of another site, which the Council considers necessary to meet its priorities and objectives.*
- e. Where the status of a purchaser is such that it is able to access grants, awards or other benefits that would (a) otherwise be inaccessible without a property interest; and (b) support the Council's strategic objectives (for example, an RSL that could secure funding to develop social housing.)*
- f. Disposal to an existing tenant.*

For the grant of permanent and non-permanent rights, as by definition these are normally a request from a third party

In all circumstances a private treaty disposal would need to produce financial and/ or non-financial benefits, such as increased capital receipt through marriage value of an adjoining site, social, economic or environmental benefits, which would be at least equivalent to those obtainable through an open market disposal. Further, realisation of benefits should be incorporated as conditions precedent in the disposal contract, accompanied by appropriate remedies for the Council in default.

iii. Development Partnership / Joint Venture

This is a complex transaction that will not usually be appropriate unless circumstances such as those listed below apply and have been demonstrated to the satisfaction of Council's Policy and Performance Committee:

- a. The Council wishes to retain a degree of control and influence over the type and pace of development that could not otherwise be achieved through exercise of its statutory powers (such as planning).
- b. There is a reasonable expectation of improved future profits that the Council wishes to secure through overage or equity share arrangements.
- c. It is appropriate for the Council to make land or buildings available to a partner agency (such as a Registered Social Landlord) for the provision of core services at below market value.
- d. To allow a third party to bring forward a site for development by such as the securing of planning consent without the financial exposure of speculative site acquisition.

The grant of a purchase option or Council retention of a head lease may also fall into this category.

Such arrangements are highly complex and expert advice will be obtained to support the Council. Care will be taken to ensure compliance with procurement and/or state aid rules.

Other than settlement of principal terms covering such as purchase price, site area and the like, additional factors that need to be considered for development partnerships will normally include:

- a. The provision of detailed information and plans of the proposed development.
- b. The timescale for completion of the development.
- c. Detailed funding arrangements and confirmation that these are in place.
- d. Evidence of end user commitment and the opportunity for Council to discuss that commitment directly with the end users in question.
- e. Details of the developer's financial offer for the property.
- f. Developer's track record with similar developments.
- g. Any partnership record with other local authorities.
- h. Full details of any proposed joint venture opportunity.
- i. Details of any conditions precedent to which the proposal is subject.
- j. Any wider/longer term regeneration benefits from the proposal. For example, employment or training opportunities during construction or from the proposed end user.
- k. Provision of any other off-site benefits or facilities.
- l. Potential for attraction of shoppers, visitors, users to the district's facilities.
- m. Capacity of the proposal for bringing other sites forward or opening up other development potential.
- n. Potential for leverage of private or other public funds and grants.
- o. Capacity of the proposal to remove or reduce other Council financial liabilities.
- p. Satisfaction of the Council's approved regeneration objectives in the Corporate Plan.

iv. Interim uses

POLICY LDO4

The Council will consider interim uses where these do not conflict with longer term disposal plans and are cost neutral or better, in order to ensure best use of resources, reduce costs and where possible stimulate local economies.

Although not required within the Local Government Act 1972, best consideration will be obtained for all short tenancy agreements (i.e. those of less than 7 years) unless lower consideration can be justified by way of social, economic or environmental benefits and is approved by the relevant Director and Chief Executive or their Deputy.

Interim uses will generally be by way of licences or leases that exclude security of tenure provisions of the Landlord and Tenant Acts. Break clauses will be used to allow for possession to be obtained if necessary for a longer-term or permanent disposal.

In this context, the Council acknowledges that short-term, insecure tenancies may not always be conducive to supporting economic activity in the Borough. Accordingly, the benefit of such arrangements will need be balanced against the potential detriment to businesses and/or residents.

v. General provisions

POLICY LD05

There is to be a presumption in favour of freehold disposals, unless a lease is more appropriate due to such as the prospective tenant's inability to afford a capital purchase, the need to retain management control or where the Council may require future possession. If a leasehold disposal is deemed appropriate, then responsibility for repairs, insurance, rates and the like should be passed to the tenant(s) wherever possible.

The Council will endeavour to recover its reasonable and proper legal and associated costs relating to a transaction from the purchaser/tenant, irrespective of the means of disposal.

In certain circumstances (the disposal of a key regeneration or environmentally sensitive site, for example), it may be appropriate for the council to retain a degree of control over future use where such control cannot be exercised through Town and Country Planning regulation or other statutory powers. Mechanisms for achieving this could include retaining the freehold interest, restrictive covenants or overage provisions. It should, however, be noted that imposing conditions or restrictions on a disposal are likely to depress the value that could be realised so the Council's Policy and Performance Committee will need to balance the need for control with the requirement to obtain best value.

H: OBTAINING 'BEST CONSIDERATION'

1. 'Best consideration' means achieving maximum value from the disposal, not just maximum price. Disposal at less than market value must contribute to the 'promotion or improvement of the economic, social or environmental wellbeing of the area'.
2. Unlike private and commercial landowners, a local authority is in the position of a trustee in relation to the land that it holds on behalf of the community and has a statutory duty to sell land at the best price reasonably obtainable. The Council will only be able to demonstrate that it achieved the best consideration by obtaining an appropriate valuation of the land. Unless the Council has a sufficient body of comparable evidence of recent and relevant transactions, an independent valuation will be necessary to this end.

3. The return from any disposal is to be maximised unless there are over-riding factors identified in the Corporate Plan or otherwise agreed by the Council's Policy and Performance Committee.

POLICY LD06

4. *Before disposing of any interest in land, the Council will ensure that a realistic valuation of that interest is obtained. This will apply even for disposals by means of formal tender, sealed bids or auction, and irrespective of whether the Council considers it necessary to make an application to seek the Secretary of State's specific consent to a sale at less than market value. By following this procedure, the Council will be able to demonstrate that it has adopted a consistent approach to decisions about land disposals by carrying out the same step by step valuation process on each occasion. Supporting documents will provide evidence, should the need arise, that the Council has acted reasonably and with due regard to its fiduciary duty.*
5. *Valuations for the land or property will be carried out by a suitably experienced and qualified independent valuer appointed by the Council in accordance with its Commissioning and Procurement Strategy.*

6. It will generally be necessary to obtain at least an independent assessment of open market value in accordance with the 'Red Book' guidance of the Royal Institution of Chartered Surveyors. In certain circumstances, advice will also be sought on such as:
 - Value in existing condition / with proposed restrictions / for currently-permitted use(s)
 - Alternative use value (subject to planning and other statutory consents)
 - Unrestricted value (when it is proposed to attach restrictions to the disposal, in order that the 'cost' of such restrictions can be understood).
7. It may also be appropriate to seek advice on the potential cost and impact on value of undertaking preparatory works such as site remediation or securing planning consent as contemplated in section K. below.

J: DISPOSAL PRESUMPTIONS and PRIORITIES

POLICY LD07

Prior to embarking on a marketing strategy to dispose of surplus or under-utilised real estate assets, consideration should be given to the following types of properties and disposal options which might justify special treatment;

- *Open Space*
- *Amenity Land*
- *Commercial properties*
- *Allotments*
- *Land of Community Interest/ Community Asset Transfers*
- *Disposals to Charities*

i. Open space (including, parks, playing fields and informal open spaces (excluding amenity land on Council housing estates) of 'public value' whether or not there is public access to it.

Assets in this category are considered to be valuable community resources, to be enjoyed by the wider community. Open space also enhances the quality of urban life, the character of residential areas, the environment etc. There will be a general presumption against declaring these assets as surplus/under-used unless:

1. alternative provision of equivalent community benefit is made in the locality; or
2. the area in question no longer provides a valued opportunity for sport, recreation or leisure; or
3. there is an excess of provision taking into account the long term recreation and amenity value of such provision; or
4. sport, recreation and leisure facilities can be retained and enhanced through the redevelopment of a small part of the site;
5. there is over provision in the area;
6. the asset is required for the regeneration of the area.

- (a) The Council is required by law to advertise the disposal of land designated as 'public open space' in a local newspaper for two consecutive weeks and to consider any objections received. No final decision about the disposal will be made until any objections have been considered by the Council's Policy and Performance Committee, as the response may be material to the decision. Public response may also be an important factor in any determination by the Secretary of State of an application by the Council for specific consent to the disposal.
- (b) If the Council is seeking advice as to development or re-development potential of open space, or it is known that the land is to be used for a different use on purchase, due regard should be had to the Council's Green Spaces Strategy.
- (c) There will be a general presumption against disposal of land designated as 'Local Green Space' either through the Local Plan or a Neighbourhood Plan unless there are exceptional overriding circumstances that can justify disposal.

ii. Amenity land

Amenity land is open space and landscaping areas that are common and valued features in most housing development. These can be provided for a number of reasons including:

- Highway verges or visibility splays to provide good safety standards for drivers, cyclists and pedestrians
- Children's play areas or informal recreation
- Areas of landscaping to improve the appearance of the housing estate

Certain rights, environmental or economic conditions may preclude the sale of amenity land for example:

- (a) the land is subject to rights of way over it;

- (b) the land is an important landscaping feature of the local environment, or designated public open space;
- (c) sale of the land would incur additional costs for the Council (for example, the re-siting of lamp posts or telephone cables) unless the applicant is willing to finance the additional costs (payable in advance);
- (d) the land has been identified for future regeneration or development by the Council;
- (e) following a request to purchase amenity land, a review identifies future regeneration or development opportunities for the Council;
- (f) the sale of the land may prejudice future development by the Council;
- (g) there are management or other issues that would cause inconvenience to the Council if the land was to be sold.

Approaches from private individuals to buy Council owned amenity land (e.g. green space land on council housing estates) to benefit their existing residential property will be considered where:

- there is a broader community benefit to the disposal e.g. a rationalisation of small parcels of 'back land' open space, either rarely used or often misused; or
- there are management/financial issues for the Council e.g. the land is costly to maintain; or
- the applicant has extenuating circumstances e.g. there are health grounds in relation to the applicant and/or their family and the sale of the land would improve their quality of life and would not adversely affect the quality of life of others in the neighbourhood – (the applicant will need to provide evidence to support and justify the application to purchase).

Where the Council considers that amenity land has development potential and agrees to dispose of the land, the valuation will reflect this. An overage clause may be applied and/or restrictive covenants placed on any future development.

The Council as landowner may, through a development agreement, engage a developer to carry out the development of the site on its behalf. Arrangements may comprise a grant of a lease of the whole site with the developer receiving a fee based partly upon the development value. In circumstances where there is a development agreement or the grant of a lease associated with the disposal, this may trigger the need for an EU tendering exercise.

Disposals of amenity land will normally be by private treaty. However, where the Council considers that the amenity land may be of interest to persons other than the applicant, the Council may dispose of the land on the open market.

iii Commercial Properties

There will be a general presumption against declaring the following categories of assets as surplus/under-used:

- units designed to meet the needs of new and developing small businesses where there is anticipated to be demand for such units from different occupiers in future;

- offices/rooms within business centres that have communal reception areas, facilities and services;
- shop units where there is a community need for continued retail occupation, or where the integrity of a building or parade of shops might be adversely affected by the sale of individual units;
- sites in industrial estates and sensitive locations where management control by the Council is required to ensure that amenity is maintained;
- land or property which provides revenue income for the Council where disposal would adversely impact on the Council's revenue budget.

iv Allotments

Where land has been purchased or appropriated by the Council for use as statutory allotments, the Council cannot, without the consent of the Secretary of State, sell, appropriate, use or dispose of the land for any purpose other than use for allotments.

The Council will consider the disposal of an allotment against the following criteria, having regard to the Secretary of State's guidance on allotment disposal:

1. The allotment in question is not necessary and is surplus to requirement;
2. The number of people on the waiting list has been effectively taken into account;
3. The Council has actively promoted and publicised the availability of other sites and has consulted the National Allotment Society; and
4. the implications of disposal for other relevant policies, in particular, the local plan and neighbourhood plan policies have been taken into account.

5. Community Asset Transfers (CAT)

The purpose of community asset transfer is to enable the transfer of surplus or under-used land and buildings from the public sector to community ownership and management - helping organisations to develop those assets and deliver long-term social, economic and environmental benefits which may not otherwise be achieved.

The 2007 Quirk Review suggested that, "optimising the use of public assets is not the primary objective [of CAT]: the over-riding goal is community empowerment". I The Council recognises the opportunity through CAT to empower the area's third sector and strengthen the wider community in line with the Council's strategic aims and minimising its future financial liability.

POLICY LD08

The Council through its Policy and Performance Committee will therefore consider any proper request for the transfer of selected and suitable assets to interested community groups where this will bring benefits to the Group and the community at large in line with the Council's strategic objectives. This will give

community groups the opportunity to manage cherished assets in the best interests of their local community while empowering the area's vital third sector.

Organisations eligible for CAT include registered charities, parish councils and community groups that can demonstrate the following:

- *A sound business case*
- *Social, economic and/or environmental benefits for the local community.*
- *They should be community-led or clearly show how their governance structure ensures strong links and/or influence by the community*
- *They should encourage diversity and work to improve community cohesion and reduce inequalities.*
- *They must have robust systems, governance and policies*
- *They must be of sufficient financial standing and have demonstrable capacity to manage the asset, including members with relevant experience and skill*
- *Their objectives must contribute to the Council's own priorities and strategic objectives.*

The Council will seek best consideration for the transfer unless social, environmental or economic benefits determined as acceptable by the Council's Policy and Performance Committee are provided.

The Council may, where appropriate, agree restrictive covenants, overage clauses or a share of future disposal proceeds to protect its position.

6. Disposals to Charitable Organisations

Prior consideration should be given to the possibility that surplus property may be suitable for charitable organisations to lease and/or purchase.

Where an organisation's objectives support the Council's priorities and targets then a discount on the rent or purchase price may be agreed. (Discounts can be offered in accordance with the Local Government Act 1972 General Disposal Consent (England) 2003 to "secure the promotion or improvement of the economic, social or environmental well-being of its area".

Factors to be taken into account when considering whether a discount is justified will include, but not be limited to:

- Market value
- Alternative uses the Council might have for this asset
- Cost Recovery objectives to achieve market rents i.e. where peppercorn rents had previously been granted it would be challenged that these should be renewed and
- any discounting will be moderate.

Any discount provided to a charitable organisation must be approved by Council's Policy and Performance Committee.

K: MARKETING STRATEGY and PREPARATION FOR DISPOSAL

Investment Prior to Disposal

Investment prior to disposal (or de-risking) can help to provide more certainty for potential purchasers for a property and deliver an increased receipt. This is particularly the case when releasing land for housing delivery. The case for investment prior to disposal should be considered as early as possible and clearly set out during the decision making process.

De-Risking activity prior to disposal could include:

- Planning: pre-application engagement offers significant potential to improve both the efficiency, effectiveness and acceptability of a Departments planning application. The approach should be tailored to the nature and potential of the proposed development and the issues to be addressed.
- Planning: preparing a development brief, securing a planning allocation or securing outline planning approval. Any decision on planning investment will be influenced by the size of the land offered to the market.
- Technical: producing technical reports and surveys such as ecology, topography and ground investigations.
- Prior works: works such as remediation, decontamination and demolition.
- Legal: identification and resolution of title issues such as restrictive covenants, rights of way, wayleaves and easements.
- Infrastructure: providing physical or social infrastructure (e.g. roads or community facilities).

The level of investment – in terms of both time and expense - should be appropriate to the size and nature of the site and be driven by the key disposal objectives. Consideration should also be given to whether investment will reduce the conditionality of bids and increase the certainty of receipt. The final decision to invest should be based on a robust analysis of the 'return on investment' of a range of options and a clear understanding of the sites viability. Where appropriate staff costs, legal costs, marketing costs, consultants costs etc. associated with any potential disposal of an asset (even where such costs do not lead to an actual disposal) will be re-charged to the cost centre where the Capital Receipt is, or would be, placed.

Timing

The timing of any marketing/disposals will be considered against the background of the Council's budgetary requirements, together with the current state of the property market. Before recommending that a disposal is to proceed, the following factors should be taken into consideration:

- The Council's requirement for capital income (receipts) to fund its Approved Capital Programme.
- Current property market conditions
- Potential for the site value to increase in the future

- Regional Planning Guidance and the Local Plan (or other such Planning Policy documents) – this will influence decisions on the disposal (and acquisition) of land, as well as the future use of individual sites.

Fraud and Money Laundering

All transactions should be carried out in accordance with the Council's Fraud and Corruption Prevention and Money Laundering Policies.

L: DECISION MAKING

Governance arrangements relating to the disposal of land or property must always align with the Scheme of Delegation as set out in the Council's Constitution.

APPENDIX 1 – LEGISLATIVE CONTEXT

Section 123 - Local Government Act 1972

In general, the Council is required to achieve the ‘best consideration reasonably obtainable’ when it is disposing of land. Section 123 imposes a duty on the Council to achieve a particular outcome (namely the best price reasonably obtainable): it is not a duty to conduct a particular process (e.g. to have regard to particular factors).

If the disposal is under the 1972 Act, there is neither express power to include covenants on a disposal, nor a prohibition. Where the disposal is a lease, that lease will contain terms and similarly, on the conveyance/transfer of freehold property or on the assignment of a lease, covenants may likewise be included by virtue of section 111 of the 1972 Act.

Under Section 123(2A), the Council must follow certain statutory requirements to advertise the disposal of land that consists of or forms part of an open space.

General Consent

If a Council seeks to dispose of land or buildings at less than the market value, then it has to obtain the consent of the Secretary of State for Communities and Local Government. However, the Secretary of State has issued a number of ‘general consents’ i.e. a set of conditions which, if they apply to a particular transfer, means that the Council does not need to obtain specific permission to transfer at an ‘undervalue’. However, the undervalue itself still needs to comply with ‘normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer’.

The most important of these consents is the General Disposal Consent 2003 (‘the General Consent’ – Circular 06/2003) which permits the Council to dispose of land at less than its market value, without the need to seek specific permission from the Secretary of State, provided that:

- (a) The purpose for which the land is to be transferred is likely to contribute to the ‘promotion or improvement’ of the economic, social or environmental well-being of the area; and
- (b) The difference between the market value* of the land and the actual price paid for the disposal (if any) is not more than £2,000,000

*('Market value' means 'the best price reasonably obtainable for the property'. This is equivalent to the definition of 'market value' in the RICS Appraisal and Valuation Manual (the 'Red Book'), but including any 'Special Value' (i.e. any additional amount which is or might reasonably be expected to be available from a purchaser with a special interest like a former owner).

The General Consent has been issued to provide local authorities autonomy to carry out their statutory duties and functions and to fulfil such other objectives as they consider necessary or desirable. The General Consent does not require the Council to undertake a tendering process i.e. to market test a disposal. However, when disposing of land at an undervalue, the Council remains aware of the need to fulfil its

fiduciary duty in a way which is accountable to local people. The Council will not divest itself of valuable public assets, unless it is satisfied that the circumstances warrant such action.

In justifying a disposal of land/property at undervalue, the Council will have regard to the following:

- what community benefits will be realised by the disposal;
- how the interests of local people will be better served by the disposal;
- the financial viability of the Council's plans for the land;
- the State Aid implications of the disposal;
- the Council's future plans for the land; the market value of the land and the difference between that and the proposed disposal value.

Allotment Acts 1908 to 1950

For disposal of land held under these Acts, the Council must obtain the consent of the Secretary of State for disposal other than for use as allotments.

Charities Act 2011

The Council is trustee of charitable land and property originally gifted to it under the terms of a trust deed. Here, the Council has additional responsibilities which arise from its role as trustee and will be subject to the more onerous disposal requirements set out in the Charities Act 2011.

It is for the Deed, Trust and Obligations Committee to consider whether charitable land/property is surplus to requirements/under-used in accordance with the requirements of the legislation, any directions issued by the Charity Commission and professional advice. The Committee must operate in a way which is in the best interests of the charities.

Housing Act 1985 (as amended)

Under s32 the local authority has the power to dispose of land and dwellings held for housing purposes. Secretary of State consent will be required unless the disposal is covered by one of the General Consents relating to the disposal of:

- vacant dwellings for owner occupation;
- occupied dwelling houses to secure tenants;
- dwellings to tenants who have the right to buy acquiring with others;
- dwellings on shared ownership terms;
- housing authority land; and
- reversionary interest in houses and flats.

Disposals are to be at market value, but discounts may be applicable to qualifying applicants.

Localism Act 2011 – Section 87-89

Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community. In many places across the country, when local amenities have been threatened with sale or closure, community groups have taken them over. In some cases, however, community groups who have attempted to take assets over have faced significant challenges. They often need more time to organise a bid and raise money than the private enterprises bidding against them.

The Localism Act requires local authorities to maintain a list of assets of community value which have been nominated by the local community. When listed assets come up for sale or change of ownership, the Act then gives community groups the time to develop a bid and raise the money to bid to buy the asset when it comes on the open market. This will help local communities keep much-loved sites in public use and part of local life.

Local Government Act 1988 – Section 25

The Council may provide a Registered Social Landlord with any financial assistance or gratuitous benefit of land for development as housing accommodation. This includes:

- land for development or access, easements and rights;
- dwelling houses for refurbishment;
- financial assistance for prevention of homelessness; and
- loans to RSLs.

The aggregate value of financial assistance or gratuitous benefit provided by the disposal or grant must not exceed £10 million.

Town and Country Planning Act 1990 – Section 233

The disposal of land held for planning purposes; follow principles similar to those of s123 of the Local Government Act 1972 and its requirement to obtain best consideration reasonably obtainable. However, it must be noted that the General Consent does not apply and a specific consent from the Secretary of State will be required if the Council is considering disposal at an undervalue.

Under s233(2), the Council must obtain the consent of the Secretary of State to dispose of common land, which may involve the requirement to provide land in exchange.

State Aid

All land/property disposals need to comply with the European Commission's State Aid rules. When disposing of land 'at less than best consideration', depending on the nature of the transaction, the Council may be 'subsidising' the purchaser. Where this occurs, the Council must ensure that the nature and amount of subsidy complies with the State Aid rules, particularly if there is no element of competition in the

disposal process. Failure to comply with the rules means that the aid is unlawful, and may result in the benefit, with interest, being recovered by the Member State (the UK) from the recipient.

Public Procurement

A straightforward disposal of land/property for a market value price will not be caught by the Public Contracts Regulations 2006 rules. However, when disposing of land the Council is involved in determining the scope of the future development of its land and its intention is to impose on the purchaser certain obligations as to the nature of the development and also perhaps the standards to which the works must be constructed (usually through a development agreement or grant of a lease associated with the disposal), then where the values involved trigger the EU threshold, it is likely that such an arrangement may be construed as a public works contract triggering the need for an EU tendering

The applicability or otherwise of the public procurement rules will depend on the particular nature of the transaction, how it is structured and its detailed provisions. As a general rule, the risk will be higher the more the Council specifies its requirements for any full development and conversely will be lower the more the Council is willing to take a 'hands off' approach. The Council must therefore give due consideration to the possibility of public procurement rules applying to any particular disposal of land and obtain case-specific legal advice before entering into any agreement.

March 2017

Property Misdescriptions Act 1991 and The Property Misdescriptions (Specified Matters) Order 1992.

This Act makes it an offence for estate agents or property developers to make false or misleading statements in the course of their business about a number of property related matters (including, amongst other things: the location or address of the property; its aspect; accommodation; measurements and sizes; physical or structural characteristics; availability of services; proximity of services; etc.).

Whilst compliance with this Act will primarily be the concern of the selling agent appointed by the Council, the practical effect of this is that any information supplied by the Council must be accurate and must not be misleading. Furthermore, all reasonable steps should be taken to check the accuracy of information before it is disclosed.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Interim Deputy Chief Executive	Lead officer responsible for EIA	John Delaney
Name of the policy or function to be assessed:	<i>Land & Property Disposal</i>		
Names of the officers undertaking the assessment:	<i>John Delaney</i>		
Is this a new or an existing policy or function?	<i>New policy</i>		
<p>1. What are the aims and objectives of the policy or function?</p> <ul style="list-style-type: none"> <i>To secure a transparent and consistent approach to appropriate disposal of Council-owned real estate assets.</i> <i>To obviate any accusations of unfairness and impropriety.</i> 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <ul style="list-style-type: none"> <i>Generate capital receipts to provide a useful source of income for use on other Council priorities.</i> <i>Provide additional guidance to officers when dealing with land disposals or if they are approached directly by prospective purchasers and developers.</i> 			
<p>3. Who is intended to benefit from the policy or function?</p> <p><i>Everyone</i></p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <ul style="list-style-type: none"> <i>Property Department Officers</i> <i>Broxtowe residents who may have or wish to acquire an interest in Council-owned property</i> <i>The wider property market</i> 			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p><i>None</i></p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p><i>None</i></p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p><i>Not applicable – none undertaken</i></p>			
<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?</p> <p><i>No</i></p> <p>In assessing whether the policy or function adversely affects any</p>			

<p>particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p>
<ul style="list-style-type: none"> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? <p><i>No, no, n/a</i></p>
<ul style="list-style-type: none"> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? <p><i>Yes</i></p>
<ul style="list-style-type: none"> Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? <p><i>No – the policy will be translated/communicated as required</i></p>
<ul style="list-style-type: none"> Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? <p><i>Possibly – eg. Through land sales to community groups</i></p>
<ul style="list-style-type: none"> What further evidence is needed to understand the impact on equality <p><i>None</i></p>
<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age: <i>None</i></p>
<p>Disability: <i>None – other than translation/communication as required</i></p>
<p>Gender: <i>None</i></p>
<p>Gender Reassignment: <i>None</i></p>
<p>Marriage and Civil Partnership: <i>None</i></p>
<p>Pregnancy and Maternity: <i>None</i></p>
<p>Race: <i>None – other than translation/communication as required</i></p>
<p>Religion and Belief: <i>None</i></p>
<p>Sexual Orientation: <i>None</i></p>

Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature of Head of Service: *John Delaney – Head of Property Services*

Action Plan – None required

Report of the Interim Deputy Chief Executive

**MEDIUM TERM FINANCIAL STRATEGY AND BUSINESS STRATEGY
2017/18 TO 2020/21**1. Purpose of report

To present an update of the Council's four-year Medium Term Financial Strategy and Business Strategy from to 2017/18 to 2020/21.

2. Background

The Medium Term Financial Strategy (MTFS) is the Council's key financial planning document. In detailing the financial implications of the Corporate Plan over a four-year period, the MTFS provides a reference point for corporate decision-making and helps to ensure that the Council can optimise the balance between its financial resources and the delivery of its priorities.

The MTFS informs the annual budget-setting process, ensuring that each year's budget is considered within the context of the Council's ongoing sustainability over the entirety of the planning period.

In order to forecast the Council's future financial position, the MTFS contains a number of assumptions. However, the bases of these assumptions are subject to regular review and change as necessary. An update of the MTFS as at 3 November 2017 is set out in appendix 3.

A further update of the MTFS will be presented to the Finance and Resources Committee on 15 February 2018 as part of the 2018/19 Budget Proposals and Associated Strategies report.

In order to address the financial challenge facing the Council, a Business Strategy has been developed setting out initiatives that will be pursued to either reduce costs or generate additional income. A number of these initiatives have already been implemented and have been taken account of in the production of the 2017/18 budget.

The latest version of the Business Strategy as at June 2017 is set out in appendix 5. This is undergoing a further review at present and the results of this will be presented to Members in due course.

Recommendations

The Committee is asked to RESOLVE that:

- 1. The updated Medium Term Financial Strategy in appendix 3 be approved.**
- 2. The revised Business Strategy in appendix 5 be approved.**

Background papers

Nil

APPENDIX

1. General Fund Revenue BudgetRevenue Support Grant

In order to aid financial planning for local authorities, in December 2015 the Secretary of State announced that 2016/17 would be the first year of a four-year funding settlement for local authorities. Councils were offered the opportunity to accept the four year settlement and the Finance and Resources Committee agreed to accept this on 19 September 2016.

This provides the Council with a clear funding path up to 31 March 2020 for Revenue Support Grant (RSG). The RSG to be received by the Council in 2017/18 is £802,336 and this will fall to £422,789 in 2018/19 and to zero in 2019/20.

New Homes Bonus

As part of the budget settlement for 2017/18, New Homes Bonus (NHB) was considerably reduced through the introduction of a minimum build threshold below which no NHB would be payable. This was set at 0.4% of the council tax base. In addition, the period for which NHB was payable was also reduced from six years to five years. This will also be reduced again in 2018/19 to four years. The reduced income has been incorporated into the Medium Term Financial Strategy (MTFS).

A significant degree of caution needs to be exercised in relying on NHB as a main income stream due to the reliance on house building numbers and the changes in the calculation of the sum due. The projections within the MTFS allow for this risk.

National Non Domestic Rates

National non domestic rates (NNDR) is more commonly referred to as “business rates”. The removal of RSG and the reduction in NHB in association with the rules limiting increases in council tax mean that business rates will become an increasingly significant funding stream for the Council. The need to develop the business rates base across the borough will become more important for the Council.

Central Government has continued to fulfil its commitment to reimburse local authorities for any loss of business rates income incurred as a result of tax changes. This is through what are known as Section 31 grants. The Council will be receiving £793,183 in 2017/18 to compensate for the 2% cap on the small business rates multiplier, the doubling of small business rates relief (SBRR) and threshold changes as well as providing rural rate relief. Additional funding will be provided for the Supporting Small Business and Support for Pubs Schemes announced in the Chancellor’s March 2017 budget but this will be received in future years.

The current business rates retention scheme sees 50% of the business rates collected retained by the precepting bodies and 50% returned to Central Government. There were plans to move towards 100% local retention of business rates from 2020/21 but these were initially placed on hold after the June 2017 General Election. However, Central Government recently announced that this remains an objective and invited local authorities to participate in a pilot exercise from 2018/19.

The Nottinghamshire authorities are part of a business rates pool. This allows business rates income that would otherwise have been returned to Central Government to be retained within the county and provides a safety net for authorities whose income falls below a defined level. The pool members have confirmed their commitment to membership of the pool for 2018/19 but decided not to participate in the 100% business rates retention pilot exercise.

Fair Funding Review

Central Government has reaffirmed its intention to undertake a “fair funding” review to accompany the move towards 100% business rates retention. It is not possible at this stage to profile what, if any, impact this may have upon the Council. However, it would appear that priority in any redistribution exercise is likely to go to those authorities with social care responsibilities.

Council Tax Base

The council tax base for 2018/19 will be presented to the Finance and Resources Committee on 8 January 2018. It is anticipated at this stage that the 2018/19 council tax base will be approximately 0.9% greater than that in 2017/18.

Additional Funding Pressures

A number of funding pressures have been identified in recent months and have been incorporated into the MTFS model. The most significant of these are:

- The pressures on the employee budget from sickness absence levels and interim staffing arrangements whilst ensuring that service standards are met has meant that the 3% vacancy rate and other employee savings targets will not be achieved in 2017/18.
- The lack of availability of capital resources (such as receipts or grants) have resulted in the Council’s reserves being identified as the funding source for a number of recent additions to the 2017/18 capital programme approved by committees. These include:
 - New Ways of Working Project (£100,000)
 - Commercial Strategy – Invest to Save (£50,000)
 - Bramcote and Kimberley Leisure Centres – Replacement Pool Hoists (£12,700)
 - Beeston Weir – Life Saving Equipment (£10,000)
 - Kimberley Depot – Roadway Repairs (£10,000)
 - Kimberley Leisure Centre – Replacement Pool Cover (£5,000)

- The 2017/18 General Fund revenue budget now includes carry forwards totalling £191,000 arising from underspends in 2016/17 that should now be spent in the current financial year.
- The MTFS model includes the effects of a capital investment of £500,000 spread equally over two years in 2018/19 and 2019/20 in play equipment at parks and recreation grounds across the borough (including at facilities owned by town and parish councils). Further details are set out in the section on capital below.
- The MTFS model assumes a 1% pay award each year in line with previous Government policy. However, although changes to this policy have been announced for certain occupations such as Police and Prison Officers, the position with regards to Local Government remains to be determined. No account has been taken of potential additional costs or of the need to comply with the requirements of the National Living Wage.
- The 2017/18 budget assumed income of £55,000 from the Department of Work and Pensions (DWP) for occupying space at the Council Offices in Beeston. Notification has been received from the DWP that their plans to move in have been withdrawn and this income will not now be received.
- A sum of £10,000 has been identified for 2018/19 to assist parish and town councils with the cost of road closures relating to the Remembrance Day parades in November 2018.
- As reported to the Finance and Resources Committee on 12 October, Beeston Shopmobility have an option to relocated from Cavendish Lodge to Oban House in Chilwell Road, Beeston. They have previously received a notional grant of £7,000 to meet the cost of their rent at Cavendish Lodge. However, they would be moving to a non-Council property and it is anticipated that they will be looking to the Council to provide funding of £7,000 for their rental costs at their new location. This would represent a cash as opposed to the current notional transaction. However, the move would help to facilitate the sale of Cavendish Lodge which, in turn , would lead to a capital receipt that would help to finance the capital programme.

2. Housing Revenue Account (HRA)

The Chancellor's announcement in July 2015 of a 1% annual reduction in rents for four years will reduce income to the HRA by £749,000 per annum based on rents at July 2015. If the increases in rents that were allowable under the previous rent-setting regime has been applied over those four years (CPI plus 1 per cent each year), the income gap would amount to £1.728m per year after the fourth year.

It was recently announced that rents can be increased by CPI plus 1 per cent each year from 2020/21 for the following five years although the present arrangements

will remain in place until that date. This will be reflected in the next annual update of the financial model that accompanies the 30 year HRA Business Plan.

In order to maintain a sufficient balance on the HRA it is necessary to reduce costs or increase income and alternative strategies have been developed, including changes in other sources of income, such as garage rents and leaseholder charges, reduction in management costs through, for example, returning to in-house provision of voids works and electrical testing, and re-phasing planned capital expenditure over the lifetime of the plan.

There is no option to borrow to increase capital spend as the self-financing system is subject to an overall 'debt cap' which the Council will reach in due course if all planned borrowing is realised. However, there are numerous variables which will affect the financial model, including the level of Right to Buy properties and new builds achieved over the next 30 years as well as changes in the level of interests rates and inflation.

The financial model makes assumptions about the levels of housing stock but these have tended to assume a level of Right to Buys in single figures. The numbers of RTB sales increased to 26 in 2014/15 and 27 in 2015/16 before falling back to 20 in 2016/17. Sales may be accelerated further if previous plans to require councils to make payments in respect of potential sales of high value properties are brought forward. The proposal, included in the Housing and Planning Act 2016, has been deferred from its original proposed starting year of 2017/18.

The Homelessness Reduction Act received royal assent on 27 April 2017. Whilst homelessness is a strategic housing issue and the primary implications are likely to fall on the General Fund, there may also be implications for the HRA. New burdens funding for the Council to accompany the Act totalling £58,357 from 2017/18 to 2019/20 was announced on 16 October 2017.

As stated above, the financial model which supports the 30 year HRA Business Plan will be modelled to assess the potential impact of these changes once clarity over the arrangements has been provided. An updated version of the model will be presented to the Finance and Resources Committee in February 2018.

3. Capital Programme

An update on the 2017/18 capital programme will be presented to the Finance and Resources Committee on 30 November 2017. As set out in this report, the lack of capital resources in terms of receipts or grants is limiting progress with schemes totalling £708,400 in the 2017/18 capital programme that are unable to proceed at present due to the lack of a source of funds.

As set out in 1 above, a political priority will be the investment of £500,000 (£250,000 in 2018/19 and £250,000 in 2019/20) on play equipment at parks and recreation grounds across the borough (including at facilities owned by town and parish councils). If the cost were to be met by borrowing then, basing minimum revenue provision (MRP) on an estimated five year life for these assets and assuming an interest rate of 3.0% per annum, the additional financing costs to the General Fund revenue budget would be as follows:

Year	Financing Cost (£)
2018/19	3,750
2019/20	61,250
2020/21	115,000
2021/22	115,000
2022/23	115,000
2023/24	111,250
2024/25	53,750

4. **Business Strategy**

A Business Strategy has been developed which is designed to ensure that the Council will be:

- Lean and fit in its assets, systems and processes
- Customer focused in all its activities
- Commercially-minded and financially viable
- Making best use of technology.

The exercise generated a wide range of suggestions leading to potential savings or increased income over the lifetime of the MTFS. Appendix 5 summarises a range of savings and additional income to help meet the budget gap as at October 2017. These savings and income have been included in the MTFS model.

A Commercial Strategy was approved by the Policy and Performance Committee on 3 October 2017 which sets out a framework for achieving further efficiencies and focusing on new income streams.

Progress on the Employee Savings Programme (including the 3% vacancy rate target built into employee budgets) is reported to the Policy and Performance Committee on a quarterly basis. A significant risk is that the staff savings targets are becoming increasingly difficult to achieve and that continued pay restraint is making it increasingly difficult to recruit some specialist skills (eg. accountants and ICT professionals) which increases the need for expenditure on agency staff.

The MTFS includes assumptions about the future distributions from Bramcote Crematorium based upon the Crematorium's own MTFS. However, possible changes to the governance framework for the Crematorium are presently under consideration with a view to a report to the Bramcote Bereavement Services Committee meeting on 11 January 2018.

The MTFS does not, at present, anticipate any material change to the annual management fee (approximately £1.2m) paid to Liberty Leisure. However, a reduced management fee would alleviate some of the financial pressures facing the Council.

During the budget process, the Business Strategy will also be updated to include savings from:

- More efficient and effective procurement of goods and services. Following approval by the Policy and Performance Committee on 3 October 2017, the Council is now in the process of recruiting a Procurement and Contracts Officer to accelerate this activity.
- Potential savings from the New Ways of Working Project.

As set out above, a revised MTFs model has been produced based upon the factors and pressures identified and is summarised below. More detail is set out on Appendix 3. However, this is a high level summary and will need further revision as the forecast outturn for 2017/18 and base budgets figures for 2018/19 are produced over the next few weeks.

	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
Surplus/(Deficit to be funded)	(1,738)	(741)	(519)	(89)
Planned use of/(addition to) reserves				
- General	1,466	-	-	-
- Earmarked	272	231	90	30
TOTAL (£1.058m):	0	(510)	(429)	(119)

A detailed table is provided at appendix 3 and a comparative table for the estimates made when preparing the budget for 2017/18 as reported to the Finance and Resources Committee on 6 February 2017 is provided at appendix 2.

If these projections were achieved, the Council's General Fund reserves would be £2.222m at 31 March 2021. A further £0.230m would be in earmarked reserves giving a total of £2.452m. The anticipated movements in reserves are shown in appendix 4.

5. Further Budget Savings

The existing items in the Business Strategy as at June 2017 are attached at appendix 5. These are being reviewed with all Heads of Service to confirm that they are still deliverable. Chief Officers and Heads of Service have also been instructed to bring forward further proposals for reducing costs or generating addition income in their respective areas totalling £200,000.

In addition the Interim Deputy Chief Executive has met with Chief Finance Officers across Nottinghamshire to develop a collaborative programme of potential efficiencies. This will focus on opportunities for sharing services and co-delivery of specialist services. This is to be explored further and the Committee will be advised of the outcome of this exercise in due course.

APPENDIX 2

GENERAL FUND FINANCIAL PROJECTIONS TO 2020/21
(as approved by Finance and Resources Committee on 6 February 2017)

	<u>2016/17</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>
Base Expenditure	10,046	10,243	9,817	9,361	9,457
Revenue developments	*10	0	50	50	50
Revenue effects of cap. prog.	*10	26	38	191	120
Increase in fees and charges	*10	(23)	(30)	(25)	(25)
Inflation Allowance - Pay	*10	97	100	100	100
Inflation Allowance - Prices	*10	0	10	10	10
Increase in e'er contributions	*10	45	17	17	20
Contingency/Policy Reserve	19	25	25	25	25
Beeston Special Expenses	25	25	25	25	25
Employee savings targets	(-118)	(406)	(165)	(165)	(165)
Gross Budget Requirement	10,333	10,032	9,887	9,589	9,617
Financed by:					
Beeston net precept	25	25	25	25	25
Revenue Support Grant	1,413	802	423	0	0
Non domestic rates	2,485	2,374	2,400	2,450	2,500
Small business rate relief	402	576	570	575	580
Collection fund surplus	87	85	85	85	85
Other grants	0	*20	87	87	87
Council tax	5,310	5,362	5,606	5,861	6,127
Total resources	9,722	9,224	9,196	9,083	9,404
Surplus/(Deficit) to be funded)	(611)	(808)	(691)	(506)	(213)
Planned use of/(addition to) reserves			-	-	-
- General	(543)	(863)			
- Earmarked	(68)	55	(11)	31	80
TOTAL	0	0	(702)	(537)	(293)
Basic Council Tax (Band D)	£161.85	£161.85	£165.09	£168.39	£171.76
Increase/(decrease) on previous year	*30.0%	*3(0.1)%	2.0%	2.0%	2.0%

Notes:

*1 Already included in base budgets

*2 Homelessness support grant already included in base budgets

*3 Increase or decrease is in overall terms after taking account of changes to Special Expense Areas

APPENDIX 3

GENERAL FUND FINANCIAL PROJECTIONS TO 2020/21 – UPDATED AT 3/11/2017

	<u>2016/17</u> <u>£'000</u>	<u>2017/18</u> <u>£'000</u>	<u>2018/19</u> <u>£'000</u>	<u>2019/20</u> <u>£'000</u>	<u>2020/21</u> <u>£'000</u>
Base Expenditure	9,884	10,243	9,997	9,344	9,164
Carry Forward from Previous Year	0	191	0	0	0
Forecast Overspend 2017/18	0	500	0	0	0
Direct Revenue Financing 2017/18	0	188	0	0	0
Revenue developments	*10	0	0	0	0
Revenue effects of cap. prog.	*10	26	(204)	70	70
Increase in fees and charges	*10	(23)	(30)	(25)	(25)
Inflation Allowance - Pay	*10	97	100	100	100
Inflation Allowance - Prices	*10	0	10	10	10
Contingency/Policy Reserve	*10	25	25	25	25
Beeston Special Expenses	25	25	25	25	25
Employee savings targets	*10	(406)	(165)	(165)	(165)
Gross Budget Requirement	9,909	10,911	9,775	9,401	9,224
Financed by:					
Beeston net precept	25	25	25	25	25
Revenue Support Grant	1,414	802	423	0	0
Non Domestic Rates (NDR)	3,176	2,374	2,400	2,450	2,500
NDR – Section 31 Grant	462	525	550	575	575
Collection Fund Deficit (NDR)	(156)	0	0	0	0
NDR Growth Levied - Returned	17	0	0	0	0
NDR Growth Levy from Pool	134	0	0	0	0
Collection fund surplus (CT)	87	85	85	85	85
Council tax	5,310	5,362	5,551	5,747	5,950
Total resources	10,469	9,173	9,034	8,882	9,135
Surplus/(Deficit to be funded)	560	(1,738)	(741)	(519)	(89)
Planned use of/(addition to) reserves					
- General	(509)	1,466	-	-	-
- Earmarked	(51)	272	231	90	(30)
TOTAL	0	0	(510)	(429)	(119)
Basic Council Tax (Band D)	£161.85	£161.85	£165.09	£168.39	£171.76
Increase/(decrease) on previous year	^{*3} 0.0%	^{*3} (0.1)%	2.0%	2.0%	2.0%

Notes:

*1 Incorporated into base budgets

*2 Homelessness support grant already included in base budgets

*3 Increase or decrease is in overall terms after taking account of changes to Special Expense Areas

Anticipated movements in reserves

	<u>2016/17</u> <u>£'000</u>	<u>2017/18</u> <u>£'000</u>	<u>2018/19</u> <u>£'000</u>	<u>2019/20</u> <u>£'000</u>	<u>2020/21</u> <u>£'000</u>
Balances @ 1 April:					
General Fund	4135	4796	3280	2770	2341
Beeston Square Capital	0	0	25	25	25
Land charges	143	137	137	137	137
Elections	0	30	60	90	0
LCTSS	87	0	0	0	0
Local Authority Mortgage Scheme	26	38	38	38	38
Vehicle renewals reserve	587	588	261	0	0
TOTAL	4978	5539	3801	3060	2541
Planned usage in year:					
General Fund	51	(1,466)	(510)	(429)	(119)
Beeston Square Capital					
Land charges	(11)				
Elections				(120)	
LCTSS	(87)				
Local Authority Mortgage Scheme					
Vehicle renewals reserve	(294)	(327)	(261)		
TOTAL	(341)	(1,793)	(771)	(549)	(119)
Planned additions in year					
General Fund	560				
Beeston Square Capital		25			
Land charges	5				
Elections	30	30	30	30	30
LCTSS					
Local Authority Mortgage Scheme	12				
Vehicle renewals reserve	294				
TOTAL	901	55	30	30	30
Net Movement in Reserves	560	(1,738)	(741)	(519)	(89)
Balances @ 31 March:					
General Fund	4746	3280	2770	2341	2222
Beeston Square Capital		25	25	25	25
Land charges	137	137	137	137	137
Elections	30	60	90	0	30
LCTSS	87	0	0	0	0
Local Authority Mortgage Scheme	38	38	38	38	38
Vehicle renewals reserve	588	261	0	0	0
TOTAL	5539	3801	3060	2541	2452

APPENDIX 5

Updated Business Strategy as at October 2017

Proposal	Responsibility	Business impact	Income	Savings	Costs	Impact from (year)	Achieved for 2017/18 Budget	Status
Revenues and Benefits and Fraud Shared Service	Revenues & Benefits (PhS)	Potential to increase sharing of service and further cost reductions		£26,150		2018/19	£37,750	Additional estimated savings from shared service as per business plan
Memorialisation and burial/crematorium fee convergence with neighbouring authorities	Bereavement Services (JD)	Increased income	£25,000			2018/19	£50,000	Further increased income projected
Growth of garden waste service	Waste and Recycling (PS)	Increase in fees and business and reduced costs	£30,000			2018/19	£41,000	Based on 2017/18 take up
Increased commercialisation of trade and bulky waste	Waste and Recycling (PS)	Increased income					£19,000	Discussions ongoing
Increase in application fees permitted but ringfenced to be spent on planning	Planning fees (SS)	Increased fee income	£80,000		£80,000	2018/19	£40,000	New staffing structure approved by Policy and Performance 4 July 2017

Proposal	Responsibility	Business impact	Income	Savings	Costs	Impact from (year)	Achieved for 2017/18 Budget	Status
Use of website and other media for advertising	Advertising (SY)	Increased income can be extended to other areas				2018/19		Update awaited
Changes to car parking arrangements	Parking (JD)	Expected reduced income not materialising	£10,000			2018/19	(£10,000)	Expected reduced income has not materialised
Leisure Services company	Leisure Services (AM)	Business surplus generated		£50,000		2018/19		Potential reduction in management fee
Commercial rents for industrial units	Building Services (JD)	Increase in rental income					£10,000	Addressed in Commercial Strategy
Communicate digitally and reduce printing/paper use	Communic'ns (SY)	Reduction in print costs					£5,000	Update awaited
Premises sweeping business	Env Services (PS)	Business income	£10,000			2018/19		Kimberley Precinct?
Bereavement Services company	Bereavement Services (JD)	NDR/tax efficiencies plus increased income opportunities				2018/19		Report to Bereavement Services Committee 11 January 2018

Proposal	Responsibility	Business impact	Income	Savings	Costs	Impact from (year)	Achieved for 2017/18 Budget	Status
Introduction of Committee administration system	Member Services (SR)	Cost reductions in printing and distribution costs		£14,000		2019/20		Update awaited
Introduction of e-agendas	Member Services (SR)	Will require capital investment but save on print, post and storage costs		£8,000		2019/20		Update awaited
Introduction of Hybrid Mail and external post room	Hybrid Mail and postroom (SR)	Internal efficiencies and overtime reduction for bulk print runs and reduced postage costs		£8,000		2018/19		Option to join with Erewash and others for print services
			Income	Savings	Costs			
			£155,000	£76,150	£80,000	2018/19		
			£151,150			Total		
			£0	£30,000	£0	2019/20		
			£30,000			Total		
			£181,150	Total				

Report of the Interim Strategic Director

WORK PROGRAMME1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

3. Work Programme

6 February 2018	<ul style="list-style-type: none"> • Draft Committee Estimates 2018/19 and Draft business plans • Trade Union recognition and consultation policy • Apprenticeship policy • Anti-Corruption policy • Attendance Management Policy • Electoral Services Establishment • Stapleford Community Centre
17 April 2018	<ul style="list-style-type: none"> • Equality and Diversity Policy: Annual report • Procurement and Commissioning Strategy • People Strategy • Regulation of Investigatory Powers Act 2000 • Christmas Decorations

3. Dates of future meetings

Additional dates are to be confirmed.

(All meetings to start at 7.00 pm)

Recommendation

The Committee is asked to consider the Work Programme and RESOLVE accordingly.

Background papers

Nil