



29 January 2018

Dear Sir/Madam

A meeting of the Policy and Performance Committee will be held on Tuesday, 6 February 2018 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 - 4

The Committee is asked to confirm as a correct record the minutes of the meeting held on 21 November 2017.

4. FUTURE OF THE TOWN HALL, BEESTON – CONSULTATION PAGES 5 - 18

To report to Committee the outcome of the recent consultation on the future of the Town Hall in Beeston.

5. BEESTON TOWN CENTRE REDEVELOPMENT PAGES 19 - 27

To update members on progress on Beeston town centre redevelopment and to seek delegated powers, where required, to maintain progress. (Appendix 4 to the report contains confidential information and is set out at agenda item 12 below.)

6. HOUSING SITE DISPOSAL OPTIONS PAGES 28 - 35

To consider options for the disposal of ten potential housing sites.

7. WATER SAFETY REVIEW PAGES 36 - 38

To advise Committee of the outcome of water safety risk assessments that have recently been undertaken on watercourses owned or maintained by the Council and to seek funding for a consequent phased programme of water safety measures.

8. STAPLEFORD COMMUNITY CENTRE PAGE 39

To outline the situation and update on the current work towards creating a 'fit for purpose' community centre in Stapleford.

9. MEMBER SOCIAL MEDIA GUIDANCE PAGES 40 - 48

To seek approval for a new Social Media Guidance for Members.

10. WORK PROGRAMME PAGE 49

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

11. 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.

12. BEESTON TOWN CENTRE REDEVELOPMENT – APPENDIX 4 PAGES 50 - 51

13. TERMINATION OF SHARED SERVICE AGREEMENT PAGES 52 – 54

14. EMPLOYMENT MATTERS

Further information will be distributed to members in due course.

POLICY AND PERFORMANCE COMMITTEE

21 NOVEMBER 2017

Present: Councillor R I Jackson, Chair

Councillors: M Brown (substitute)
S J Carr
M J Crow
S Easom
D A Elliott
J C Goad
E Kerry
G Marshall
J W McGrath
M Radulovic MBE
P D Simpson

An apology for absence was received from Councillor A Harper.

47. DECLARATIONS OF INTEREST

There were no declarations of interest.

48. MINUTES

The minutes of the meeting held on 3 October 2017 were confirmed and signed.

49. REFERENCES

49.1 Local Joint Consultative Committee 8 November 2017 CODE OF CONDUCT

The purpose of the Code of Conduct was to signpost employees to policies and procedures the Council had already adopted and with which it expected employees to comply. Members were informed that this iteration of the Code was more stringent and the Officers' Register of Interest form demanded more information than the Councillors' version. It was stated that should members require further amendments to the form the Local Joint Consultative Committee would be requested to make further consideration.

RESOLVED that the Code of Conduct be approved.

49.2 Local Joint Consultative Committee
8 November 2017
DISCIPLINARY POLICY

The Joint Committee had 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 six and twelve months respectively.

It was queried as to whether managers would be able to use low key methods of speaking to employees following the removal of the informal warning stage and members were informed that a certain amount of discretion was available before the disciplinary process was instigated.

RESOLVED that amendments to the Disciplinary Policy be approved.

49.3 Local Joint Consultative Committee
8 November 2017
WHISTLEBLOWING POLICY

Members 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 had requested that further clarification be added to the Policy as to what support would be offered to employees falsely accused of malpractice.

RESOLVED that the amendments to the Whistleblowing Policy be approved.

50. 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:

- Information was requested with regard to the definition and the number of houses of those built in Broxtowe that were classed as 'affordable'. It was suggested that more were being built than in previous years, partly due to changes made to the affordable housing commitment, although increased numbers would be built whenever possible.
- Clarification was requested on the monitoring of increasing businesses starting in Broxtowe, with particular regard to the efficacy of Wi-Fi. It

was responded that the data collected on linger rates was of use and it would be considered whether the technology should be extended to other town centres.

- Connecting corridors would be considered in relation to the low level of biodiversity in the Borough.

51. LAND DISPOSALS POLICY

Members were informed that the Council owned over 1,000 plots of land which covered approximately 400 hectares. Current government policy was 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.

RESOLVED that the Land Disposals Policy, given in appendix 1 of the report, be approved.

52. MEDIUM TERM FINANCIAL STRATEGY AND BUSINESS STRATEGY 2017/18 TO 2020/21

The Medium Term Financial Strategy is the Council's key financial planning document. In detailing the financial implications of the Corporate Plan over a four-year period, the Strategy 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.

RESOLVED that:

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

53. WORK PROGRAMME

RESOLVED that the Work Programme be approved.

54. 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.

55. TRAM COMPENSATION

RESOLVED unanimously that the Interim Deputy Chief Executive be given delegated powers to make a reference to the Upper Tribunal (Lands Chamber) and to incur at risk the associated costs in consultation with the Leader of the Council.

56. POTENTIAL PURCHASE OF 35 SCARGILL WALK, EASTWOOD

RESOLVED to delegate the purchase of 35 Scargill Walk to a maximum value as contained in the report to the Interim Deputy Chief Executive in conjunction with external valuation advice and in consultation with the Leader of the Council.

57. BEESTON TOWN CENTRE DEVELOPMENT

RESOLVED unanimously to:

1. Proceed with the option that the Council act directly as developer for a cinema and food and beverage development at the 'top' end of the site, partly funded through the sale for residential purposes at the 'bottom' end of the site, including the preparation and submission of planning applications.
2. Delegate to the Interim Deputy Chief Executive the negotiation of the draft heads of terms and the financing of the necessary items outlined in appendix 2 of the report.

Report of the Interim Deputy Chief Executive

FUTURE OF THE TOWN HALL, BEESTON - CONSULTATION1. Purpose of the report

To report to Committee the outcome of the recent consultation on the future of the Town Hall in Beeston.

2. Background

Members will recall the report and meeting of 3 October 2017 relating to the potential future of the Town Hall in Beeston. Committee resolved to consult widely on possible options for its future.

3. Consultation

The online public consultation (plus the option to write in or complete a hard copy form) was launched on 12 December 2017 and closed on 16 January 2018. This consultation was promoted through the Council's website, social media, internal and external e-mail services and the Beeston and District Civic Society. It was also reported in the Evening Post and on regional TV news bulletins.

Appendix 1 contains details of the 1,059 consultation responses received. Over 80% of respondents wished to see the Town Hall retained in some form. There was less clarity over how continuing use could be funded.

A number of imaginative alternative uses were suggested, but most of these are considered unsustainable by both of 2 independent Chartered Surveyors commissioned to advise on potential commercial and community uses (see appendix 2). A purely commercial approach to vacating the Town Hall (ie. providing a commercial return on the asset) would require a user or users able to assume full responsibility for the building's running costs and able to pay a rent of circa £42,500pa.

It is understood that a "Save the town hall" petition will be submitted to Full Council on 31 January. The contents of this and the number of signatures received will be reported verbally to this Committee.

4. Financial implications

Any cost associated with the consultation will be met from existing budgets.

Recommendation

The Committee is asked to NOTE the consultation responses given in appendix 1 and the further investigations undertaken (appendix 2) and being undertaken in response to them.

Background papers

Nil

Consultation responses received

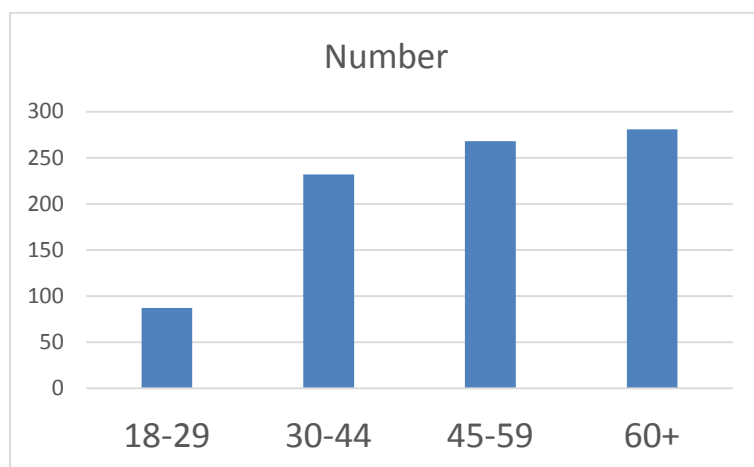
The following consultation responses were received:-

- 1037 consultation forms (979 online and 58 in hard copy form)
- 22 individually composed letters and emails

An analysis of who responded is given below:

Male	Female	Other / Not stated	Disabled?
389	471	277	87

The age range of respondents is given in the graph below:



An analysis of their interest in Beeston is given below:

Resident of Beeston	Business / work in Beeston	Regular visitor to Beeston	Other *
797	110	211	45

*mostly former residents of Beeston or people living in Nottingham / Stapleford

An analysis of the consultation forms is given below:

- What should happen to the town hall?

A – retain the town hall	B – convert it to residential	C – demolish	None of these options *	Total
499 (48%)	348 (34%)	63 (6%)	127 (12%)	1037

*mostly hybrid options involving retention in some form to varying degrees and with various uses

- If the town hall is to be retained in its current form, how should this be funded?

Cuts to services	Staff redundancies	Increase council tax	None of these (other ideas)	Blank
24	79	254	342	338

The consultation was deliberately designed to encourage suggestions for how any continued use of the town hall could be funded and also invited more general comments. The broad grouping of these suggestions and comments is given below; they amounted in total to around 50 sides of A4:

Suggestion/comment	Number	Possible response
Convert the town hall to a wedding venue/party venue/ rooms to hire/conference centre / place for wakes etc.	195	This is being further investigated, please also see the comments from two external Chartered Surveyors (appendix 2).
The town hall is iconic/a landmark/ should be listed/forms part of the civic core of Beeston / at least its façade should be retained etc.	134	Two of the three options put forward for consultation retain the external appearance of the town hall and its civic feel.
Convert the town hall to a theatre/arts centre/art gallery/ museum/use by charities/ community hub/evening class hub / tourist information centre / church etc.	115	It is very unlikely that a self-funding solution would be possible, in addition to running costs of c£100,000 per year some degree of paid staffing would also be required, to organise volunteers and ensure statutory requirements are complied with etc, unless a group of seriously interested individuals took on the responsibility to produce viable plans and proposals. Such plans and proposals could be invited. Please also see the comments from two external Chartered Surveyors (appendix 2).
Convert the town hall to an office/employment incubator centre.	71	Please see the comments from two external Chartered Surveyors (appendix 2).
The consultation itself was flawed/rushed/not publicised/ leading/had insufficient options and information/was approved at meetings to which the public had no access / was cynically timed over Christmas / was badly worded etc.	65	A typical consultation period would be 4 weeks; it was extended by 1 week to take account of Christmas and New Year. The high response rate suggests that many people were aware and participated. The free entry boxes gave good opportunity for those who objected to the options to propose others which this consultation demonstrates.
Convert the town hall to residential – perhaps social housing or for the elderly.	57	All options would need to be explored, depending on the Council's financial and social priorities. However, social housing is unlikely to achieve the best

		financial return at this particular site.
The business case to sell/demolish the town hall is flawed/overstates the savings etc./ the lift is fine and needs no replacement. <i>(the consultation document stated annual running costs of £100,000)</i>	52	A careful re-examination has been undertaken to check the “true” savings as opposed to just the present running costs. The savings are £85,000 - £95,000 per annum dependent on the eventual end use and consequent NNDR or Council Tax/New Homes Bonus secured. The lift does not meet the required DDA requirements for enhanced public access, the boilers are obsolete.
“One-off” suggestions for the town hall such as allow bands to practice in it/ recording studio / TV and film set/ hotel/ café/ spa/ swimming pool/gym /shops / youth hostel / men’s club/ decorate for Christmas and charge for tours / nursery / school / table tennis centre etc.	34	It would be time consuming and expensive to investigate all the possible “one-off” suggestions put forward. Some appear to be physically difficult (e.g. swimming pool) and some would probably have no market (e.g. recording studio or film set). Please also see the comments from two external Chartered Surveyors (appendix 2).
Give the town hall to the private sector / Beeston Civic Society/ community trust / one of the universities to run.	30	Plans and proposals could be invited. Please also see the comments from two external Chartered Surveyors (appendix 2).
Don’t waste public money on an old building / just sell it/flatten it.	29	This would yield significant financial savings.
Chop out council dead wood/ become more efficient / spend less on investigations / employ better procurement etc.	29	The Council is already considering a range of other proposals to become more efficient.
Cut the salaries/allowances of councillors and/or senior officers and/or the MP; sack specific councillors and officers (names withheld); pay staff no more than nurses.	27	Cutting the salary of the MP would not benefit the Council’s budgets. The Council is continually looking for and achieving efficiencies in its staffing arrangements.
Seek lottery funding / public donations/ philanthropic millionaire funding/ sell the trams for scrap/ increase fines for benefit fraudsters and fly-tipping/ seek sponsorship from Boots/ stop paying unemployment benefit / increase library fees etc.	26	Lottery funding may be a possibility for certain types of community conversion. Crowd funding may generate a small amount of funding. The other suggestions are either unlikely, appear to have other agendas or refer to other public agency functions.
General “political” and party	25	These are political matters beyond

political comments such as selling the family silver is no long term answer to austerity/ the Council is a victim of or is pandering to government policy/ the proposal to sell/demolish the town hall was not in any political manifesto/ tax the rich/ punish the bankers / change the government/ new Brexit vote etc.		the scope of an officer-written report.
The internal features (especially the staircase) should be preserved	23	Should members choose to sell the town hall then a covenant or long lease could be employed to protect the staircase; however this would restrict some development options and so reduce the sale price.
Sell Cavendish Lodge or Devonshire Avenue car park instead / sell the main council offices and move the staff into the town hall.	18	The sale of Cavendish Lodge is also under consideration and is not an alternative to any town hall proposal. The Devonshire Avenue car park may be required for retention as cinema car parking so sale at this stage would be premature. There is insufficient room to move the main council office staff into the town hall.
Increase council tax and/or car parking charges.	16	Either could potentially fund the town hall's retention should members choose.
Use the building for other public services such as a police station, the NHS or government offices.	15	This is very unlikely - the police station is already co-located in the council offices on a 15-year lease and the DWP have recently renewed the lease on their existing purpose-built building. All public-sector organisations are seeking to reduce their estate.
It's too close to Roundhill School to become residential.	5	Most schools are located in residential areas, so this comment is not fully understood.
Install solar panels and other energy efficiency measures to reduce costs.	4	With the significantly reduced feed-in-tariffs currently prevailing the payback period for the installation of solar panels is now in excess of 10 years. The town hall has very limited double glazing, but again this has a long payback period.
Merge with other councils to save money.	3	Many shared service arrangements are already in place and are being

		sought where there are financial and wider benefits to the council.
No more student accommodation.	3	All options would need to be explored, depending on the Council's priorities. However, student housing is unlikely to achieve the best financial return at this particular site.
Concern for the future and storage of the Council's archives	2	There may be scope for storage in other council buildings.

Letters and emails

A total of 22 individually composed letters and emails were received. A summary is given below. The attention of members is particularly drawn to a response received from Nottinghamshire County Council's Senior Practitioner Historic Buildings:

"I trust that Broxtowe BC consider that the Town Hall is a 'heritage asset' and as such will ensure that this is placed at the forefront of any consideration about the future of the building. It is a legal requirement for all local authorities and the guidance note was re-issued in 2017, link to this below:

<https://content.historicengland.org.uk/images-books/publications/managing-local-authority-heritage-assets/heag152-managing-heritage-assets.pdf/>

I recommend that you read this and remind anyone that is involved in the consideration of the Town Hall's future at Broxtowe of the requirements set out in this document.

Summary of letters:

Suggestion/comment	Number	Possible response
Convert the town hall to a theatre/arts centre/art gallery/ museum/use by charities/ community hub/evening class hub etc.	14	See previous table
The town hall is iconic/a landmark/ should be listed/forms part of the civic core of Beeston etc.	12	See previous table
Convert the town hall to a wedding venue/party venue/ rooms to hire/conference centre etc.	10	See previous table
Undertake a proper investigation of all options before making a decision	10	Further investigations have been undertaken (see appendix 2) and are being undertaken.
The consultation itself was flawed/rushed/not publicised/ leading/had insufficient options and information/was approved at meetings to which the public had no access / was cynically timed over Christmas etc.	6	See previous table
The internal features (especially the staircase) should be preserved	5	See previous table
Concern for the future and storage of the Council's archives	5	See previous table

General “political” comments such as selling the family silver is no long term answer / the proposal to sell/demolish the town hall was not in any political manifesto etc.	5	See previous table
Seek lottery funding / public donations	4	See previous table
The business case to sell/demolish the town hall is flawed/overstates the savings etc. <i>(the consultation document stated annual running costs of £100,000)</i>	3	See previous table
Sell Cavendish Lodge or Devonshire Avenue car park instead	3	See previous table
There is no active marketing of the existing ability to hire out rooms at the town hall	3	This is accepted, although it would mean staffing the facility at evenings and weekends and would also cause security concerns if widely used by a variety of groups.
Convert the town hall to apartments	2	See previous table
Raise council tax	2	See previous table
Become more efficient / reduce staff numbers	2	See previous table
Use the building for other public services such as a police station	2	See previous table
Convert the town hall to an office/employment incubator centre	1	See previous table
Keep the town hall as it is now	1	

APPENDIX 2

Commentary from external Chartered Surveyors

Two companies have previously valued the town hall and they have been asked to provide a commentary on the public consultation responses made.

Initial response to public suggestions by Innes England**Alternative Uses**

There seem to be two types of uses – a commercial use and a community use; each will be considered in turn.

Commercial Use

The third of your suggestions from the consultation suggested ‘offices’ or an ‘employment incubator hub’. We had originally envisaged a further option of a ‘serviced office’.

The first solution will be an issue in our experience. There are few requirements for an office in the region of 10-15,000 sq ft. It might be possible to split the building into smaller suites – the demand we see is for around 2-5,000 sq ft. But the market is quite demanding – and generally requires good quality space, comfort-cooled and with decent communications. These require investment in the space – which we believe will be prohibitive.

If the work is done, then rents will (as we alluded to previously) be £7.50-£8.00 per square foot. But we also see tenants in this sector seeking maximum 5-year terms with a break at year three. You would likely have two or three tenants on different terms and having to run a service charge. The void holding costs and management costs would need to be factored in. It is unlikely that this would work commercially.

As an incubator hub – this will be more difficult to justify commercially. There are a number of competing schemes (notably at MediCity at Boots and in Nottingham city centre). These are specialist facilities which need an element of critical mass or speciality (as with BioCity and MediCity). They need mentors in place and they have a very high void rate and management intervention requirement. The Town Hall, in our view, will not have sufficient size to be able to grow into a viable business.

Although headline rents in the sector are £35psf+ these are not easy to achieve – and the void rates will reduce the figures very substantially. We consider that there is too much competition to make such a use viable. It is unlikely that the net rent for a long period of time would reach £42,500.

The alternative is a business centre or serviced office – where occupiers are able to take space on “easy in easy out” terms. We have seen a shift in this market and operators are generally not taking long term leases, but rather seek a ‘management contract’ where the landlord retains responsibility for the structure and the operator only takes responsibility for letting and collecting rents.

Although rents are high (typically £28-35psf) the void rate, Non-Domestic rates and management costs reduce this substantially. Staff are generally required to run the centre on a day to day basis, which makes the initial set-up cost prohibitive. We would consider this route to be financially risky for the Council and would not expect the net income to exceed £42,500pa.

Community Use

There are a number of options put forward which need to be considered. These can perhaps be sub-divided into uses which might be able to use the current structure (perhaps with some adaptation) and others which would require some major structural works.

There may be some uses which could use the existing building – your consultation raised:

- wedding venue
- party venue
- rooms to hire
- conference centre
- use by charities
- community hub
- evening class hub
- allow bands to practice in / recording studio

In our view these are not commercial uses. We accept that if a facility were available then such uses may emerge and want to use the space. But with a baseline rent to achieve of £42,500 and a necessity to recover the non-domestic rates of circa £25,000pa – the weekly income needed is £1,300. As most of the uses listed (possibly with the exception of a wedding venue) will be used to paying £20-30 per hour there would be periods when the uses would not work and so the prospect of finding say 50 hours per week consistently, would be improbable.

No staff costs or management are built in. In the case of charities, they, by their nature, will be seeking a reduction in commercial rates. This would not be a commercial decision.

Your consultation then raised some other uses which would probably require significant capital injection:

- convert to elderly accommodation
- recording studio
- hotel
- café
- swimming pool
- gym
- arts centre / art gallery / museum
- theatre.

In each case, there would need to be a detailed appraisal of the costs to convert the building. We did consider in our original report whether there might be an ability to extract value from the current building. We considered this to be unlikely and that the real value was in the redevelopment of the site.

The building is not sufficiently large to accommodate a hotel.

The costs of conversion to recording studio or swimming pool will be prohibitive for the end value.

The location, in our view, is unsuitable for a café.

A gymnasium will only occupy part of the building and we are seeing requirements for space of c. 2-3000 sq ft – but they need changing facilities / showers and the like.

The building might be suitable for an Arts use, but we are unsure how you would receive income (the Nottingham Contemporary is free to enter). Only part of the building would be suitable for a theatre and significant work would be required to make this work.

Many of these community type uses will require works to bring the building up to a standard which is unlikely to be commercially viable. In some cases matter such as fire precautions for a public building will be significantly higher than currently exists.

At the Nottingham Contemporary art gallery, significant investment was needed in the air handling / humidity control.

Conclusion

In our opinion the retention of the building and seeking an income in lieu of a capital receipt is a difficult concept. We do not consider that there are readily identifiable uses which will give the Council adequate and risk-free return.

There may be community type uses which can repurpose the building – but we are sceptical that they can provide an adequate, long-term, viable return financially. There may be a political will to do so, but it has little commercial appeal – in our view.

We hope that this brief addendum to our original report is sufficient for your current purposes, but if you do have any further queries please do not hesitate to contact the writer. For the avoidance of doubt our original limitations on liabilities apply.

Initial response to public suggestions by Hebs**OFFICES / BUSINESS SPACE USE****Traditional Office Accommodation**

We have considered traditional office accommodation within the Town Hall. On an existing 'as is' basis the accommodation would comprise very basic specification offices which would be situated around the main central core. On the above mentioned basis we believe that the estimated rental value (ERV) would be in the region of £5.00 per sq ft for the main useable areas with a lower figure being applied to the basement and second floor accommodation which is compromised.

A letting at the above level would derive a market rent in the region of £55,000 per annum (Fifty Five Thousand Pounds)

The likely demand for basic office accommodation in the centre of Beeston would be very limited and the buildings configuration would hinder splitting the accommodation due to the cellular nature of the premises. Should occupiers be found for the premises, lease terms in the region of 3-5 years would be achievable, however, in our opinion there would be a high turnover of tenants, large letting incentives and lengthy void periods incurred. The parking ratio will also be a major factor for occupiers and this won't assist with the letting prospects.

Refurbished Offices

Should the strategy be to completely refurbish the premises and upgrade the office accommodation throughout, there would have to be a significant capital expenditure committed. Should the refurbishment be undertaken and assuming it is to a Grade A / B standard, the likely achievable rent would be in the region of £9.00 - £10.00 per sq ft.

This would derive an estimated rental value of £97,500 - £107,000 per annum (Ninety Seven Thousand Five Hundred Pounds – One Hundred and Seven Thousand Pounds)

In order to achieve the estimated rental value, the standard of refurbishment would have to be to a high quality but once again in our opinion, there would be relatively limited demand and ultimately the refurbishment will be risky without a pre-let agreed.

The nature of the building and the construction would not be in keeping with modern day office requirements with most businesses requiring open plan floorplates opposed to cellular accommodation. The Town Hall will need significant works to provide large open plan floorplates with a lot of 'dead space' being within the central core. The building itself does not easily lend itself to splitting on a floor by floor basis and therefore you would be looking at leasing the building to one or two occupiers which further limits your target audience and end operators.

In addition to the above, the parking ratio is low in comparison to competing accommodation and this will impact on letting prospects.

Serviced Accommodation

The final potential office option for the building would be to split the premises into smaller suites in keeping with its nature and offer the building on a serviced office basis.

To create fully a serviced office, you would need to provide an 'all inclusive' figure which provides the tenant with a one monthly figure for their rent, business rates, utility bills, maintenance, insurance and general upkeep of the building. On the basis the refurbishment and facilities are upgraded to a serviced centre specification the likely achievable rent for the individual suites would be based on £15.00 per sq ft.

In order to achieve the above headline rent (which includes all tenants outgoings), you would need to upgrade the property internally and look at providing further common area facilities due to the high number of potential occupiers.

The main negatives of running a serviced centre would be the void periods and high turnover of the tenants. It will also be very management intensive to run and this may require someone working full time to run and manage the building. We do believe there would be tenant demand for some of the premises however there is competing accommodation within Beeston for this type of operation and this would impact on the supply of tenants.

The parking ratio will also be a hinderance to the letting considering the volume of individual businesses a service centre will attract.

ALTERNATIVE USES

We have considered potential alternative uses for the building and have provided basic commentary on some proposed uses:

Wedding Venue / Part Venue / Conference Facility

Due to the buildings characterful nature, it is not inconceivable the premises could work for a wedding venue, a party venue and conference uses.

The main perceived negative of such uses would be the intense management and marketing of the premises and combined with the unlikely nature that users hiring the premises will need to utilise all of the building and therefore dead space will be an issue. In addition to the above, the intensity of the user's when occupied and potential void periods would therefore not assist with preserving the building and repairs will be inevitable.

Theatre / Art Centre / Museum

Without soft market testing operators for the above user's we are unable to comment on the likely market demand.

The building itself and the first floor Council Chambers would provide suitable display areas/performance for the type of operations mentioned, however, the likely rental

value and intensity of the use in our opinion, would be limited. Should you require soft market testing in relation to this, please do let us know.

Incubator Centre

This type of use is in keeping with the serviced office statement we have made above and in our opinion the offices will have to be significantly upgraded to meet the specifications required and there will be a high turnover of tenants within what will be a very management intensive operation.

Incubator centres often require high levels of business support and this is another cost which will impact on the viability.

Elderly Accommodation

The building will require significant alteration and upgrading of facilities to provide elderly accommodation.

Should the proposed use be for meeting and community space for the older/over 55s sector then the ground floor of the premises would be suitable, but the likely rental return would be limited. Should the property be converted into care or retirement living, then this would require a significant capital expenditure to convert. The buildings location in proximity to the main town centre amenities would provide demand from this sector of the market, however, the conversion and viability of the development would need to be strongly considered prior to any decisions.

Hotel

Having worked as part of the project team surrounding the Square Shopping Centre redevelopment site, it has been initially proven that there is limited hotel demand for Beeston at present.

We have not soft market tested the smaller, niche operators, however, if this was something the Council were looking to run themselves, then we do not perceive it to be a viable conversion.

Gym

The nature of the building and limited car parking would not be in keeping with modern day gym requirements.

The credible gym operators require large open plan floorplates preferably with the entire operation on one floor. In addition, they require a large amount of dedicated car parking. With PureGym already in close proximity to the subject property we believe there would be very limited demand from a credible operator within this use sector.

Café

The building itself could be adapted at ground floor to provide a café facility but consideration would need to be given to alternative uses for the remainder of the

building as a café would only require a very small percentage of the floor area. In our opinion, a café operation in this location would not assist with maintaining footfall on the high street and would therefore have a negative impact on what is trying to be achieved within Beeston town centre itself.

CONCLUSION

As detailed above, we believe that although the building has most recently been used for office accommodation and could be refurbished to provide a higher specification office accommodation, there will be limited demand.

In addition to the limited demand, there would be inevitably large void periods and letting incentives to tenants which will impact on the viability of capital expenditure. A final point regarding the continued use of offices would be the car parking ratio is low and this will impact on letting prospects.

With regards to alternative uses, without committing to undertaking market testing, we believe that although the building is suitable for alternative uses the capital expenditure required to convert might make it unviable.

Should you require any further information in relation to the above named headings, please do let us know. **LIMITATION OF LIABILITY** For the limitation of liability this report is provided for the stated purpose and for the sole use of the named client.

Report of the Interim Deputy Chief Executive

BEESTON TOWN CENTRE REDEVELOPMENT1. Purpose of report

To update members on progress on Beeston town centre redevelopment and to seek delegated powers, where required, to maintain progress.

2. Background and detail

Committee will recall the reports of 4 July and 21 November 2017 which set out progress to date on the redevelopment of the land commonly referred to as The Square Phase 2. The outcome was that the Council should act directly as developer for a cinema and food and beverage development at the top end of the site, with a residential development at the bottom end of the site, linked by public realm. The estimated cost of the development is approximately £10million.

This report seeks approval for the following elements of the project, along with delegated powers to finalise them where required:

- Project Board terms of reference (appendix 1).
- Summary of overall business case (confidential appendix 4).

Planning Committee approvals will also be required as the project progresses. A summary risk register is attached as appendix 2.

3. Maintaining progress

Extensive site investigation and topographical surveys were undertaken in January. The Council will next need to:

- Move forward rapidly to agree heads of terms with the proposed cinema operator.
- Commit financial and other resources as outlined in appendix 3 to achieve the development, including a planning application.
- Prepare all necessary documentation for the sale of the bottom end of the development.

4. Financial implications

These are outlined in appendix 3. Significant external funding bids are being made to support the process.

RECOMMENDATIONS

The Committee is asked to RESOLVE that:

- 1. The Project Board terms of reference be approved.**
- 2. The delegations to the Interim Deputy Chief Executive for the finalisation of the heads of terms and the financing of the necessary items outlined in appendix 3 be approved.**

Background papers

Nil

Project Board**Terms of reference**

The Project Board is ultimately accountable to the Council's Policy and Performance Committee for delivery of the project in accordance with the agreed success criteria. It will achieve this by constantly monitoring and scrutinising project progress towards successful delivery of the required benefits and providing the delivery team of consultants, contractors and suppliers with direction, challenge, instruction and support.

Board composition:

- Richard Jackson (Leader of the Council)
- Mel Crow (Deputy Leader of the Council)
- Ruth Hyde (Chief Executive)
- Zulf Darr (Interim Deputy Chief Executive) **CHAIR**
- John Delaney (Head of Property Services) **PROJECT SPONSOR**
- David Grose (Interim Regeneration Project Manager)

The following parties may also attend the project board in an advisory capacity:

- Colin Hallahan, Faithful and Gould (External Project Manager)
- Other advisors by invitation (such as internal or external architect, letting agents, constructor's representative)

Summary risk register

Members will recall the overall project risk summary reported to Committee on 21 November 2017.

The purpose of the following table is to highlight to members the more detailed potential risks for the Council in moving on to the next stage of the project. It is also a summary as the full version of the risk register includes appropriate assessment of these risks, along with the mitigation measures proposed, and identification of who is responsible for the mitigation. Some commercially sensitive issues have been edited to make the table suitable for publication.

	Risk Title	Risk Description	Mitigation
1	Site conditions	Underground obstructions, contamination, flood risk. Likely due to past use	Geotechnical surveys, Flood Risk Assessments etc. commenced January 2018.
2	Site conditions: Utilities diversions required	Beeston has suffered disruption already due to services in numerous construction and tram works	Surveys etc. commenced January 2018.
3	Party Wall – Phase 1.	Party Wall	Early engagement with Phase 1 tenants.
4	Cinema Operator deal not deliverable	Too onerous to enter into contract or failure to secure suitable tenants on acceptable terms.	Early engagement of Cinema operator, appointment of experienced (cinema / Food and Beverage) agent.
5	Proximity to tram	NET access rights restrict works. Potential clashes with infrastructure and service diversions etc.	Early engagement with NET. Faithful +Gould / Design Team to liaise with NET to establish constraints and design to them.
6	Commercial - Retail Tenant	Failure to find tenants / empty units / voids	Early engagement of Cinema operator, appointment of experienced agent. Allowance within Project Budget for appropriate initial incentives. Allowance in project appraisal for initial voids.
7	Existing footpath status.	Possible rights of way issues.	Establish Footpath legal status.

8	Design and Build contractor - reduce specification of building components to reduce their costs.	Post Contract contractor commercial strategy is to reduce works cost by quality reduction in material and plant.	Full RIBA Stage 4 Detailed Design prepared as basis of Works Contract. Impose novation of Architect and Structural Engineer. Contractual requirement for contractor to seek prior approval of alternative products, designs, plants etc. Any alternative to result in demonstrable better value to Client and require tenant approval prior to approval. Robust compliance monitoring and change control.
9	Late Brief Change - Incorporate changed sustainability requirements.	Redesign to incorporate policy changes.	
10	Council change in strategic direction.	Project halted/cancelled.	Engagement with Policy and Performance Committee to agree requirements early and maintain cross-party support.
11	Contractor insolvency during works	Catastrophic delay to project and significant additional costs.	Careful vetting of contractors, credit checks, references etc.
12	Lack of suitable tender returns	Project delays due to re-tendering or negotiation.	Early market engagement to promote scheme, including possible property day.
13	Finance restrictions	Onerous conditions.	Early engagement with Treasury and Public Works Loan Board.
14	Late Client design changes	Delays to project / additional costs.	Instigate a change control process, that requires client sign off of all such changes based on advised cost and programme implications.
15	Poor performance by statutory services	Late responses to quote acceptance, arrival outside of programmed dates.	Early engagement with Statutory undertakers is essential but still represents a risk
16	Design Change Post Contractor appointment by Cinema	Tenants' shell requirement evolves or changes, after contractor appointed. Contractor delaying agreeing actual costs.	Early and in depth engagement between Shell and Tenant design teams to finalise design principles early and establish change process.

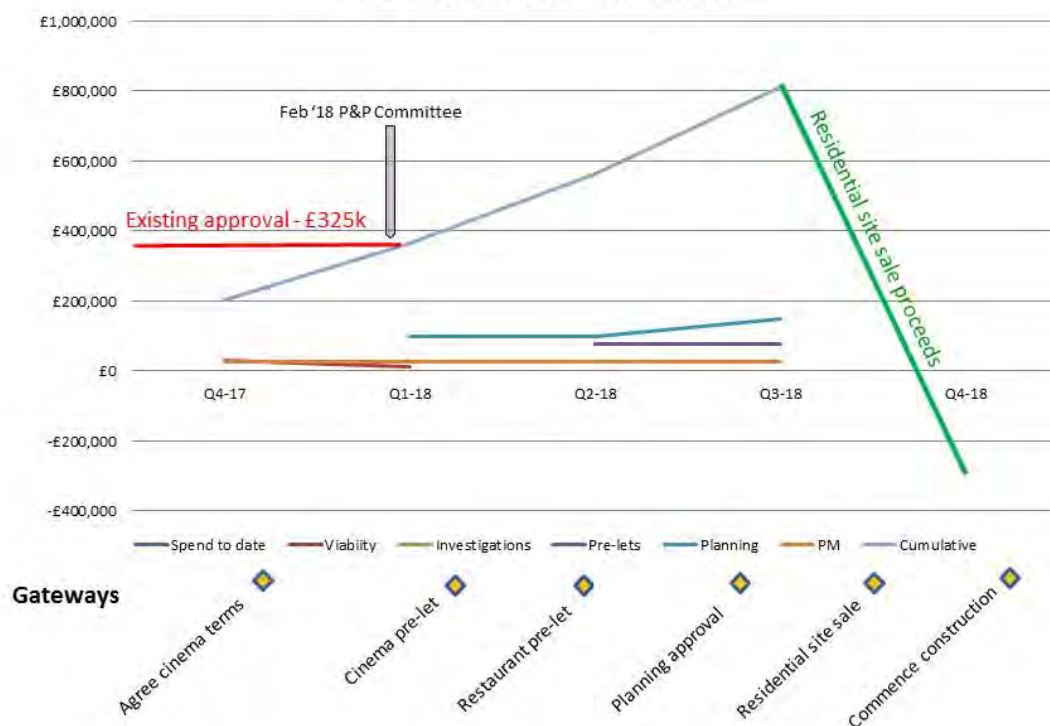
17	Building Regulation changes (post Grenfell)	Legislation to amend Fire codes and regulations.	Design team to monitor developments.
18	Poor main contractor / sub-contractor performance	Delays to project / re-work required / reputational damage.	Careful monitoring of programme and quality of work.
19	Planning requirements	Onerous conditions restrict commercial appeal of Site B.	Early engagement with Planners.
20	Tender returns over budget	Project delays due to re-design / value engineering or even re-tendering.	Prepare detailed design, detailed pricing document with Value engineer section to canvas for possible saving opportunities.
21	Out turn costs exceed budget / contract sum	Once contractor appointed, costs start escalating due to claims, variations etc.	Tender design to be taken to RIBA 4 Stage - Detailed Design. Detailed scrutiny of Contractor proposal against Employers requirements. Review of Contractor Proposal with the Cinema Operator. Approval of any proposal amendment to Tenant's detailed provision with Tenant prior to contracting. Careful management of contractual claims. Frozen design. Extremely careful VO control.
22	Design Change Post Contractor Appointment by Retail Tenants	Tenants' shell requirement evolves or changes, after contractor appointed. Contractor delaying agreeing actual costs.	Early and in depth engagement between Shell and Tenant design teams to finalise design principles early and establish change process. Strict change control processes in agreements for lease.
23	Public Space / Realm - Council enhanced requirements.	Council requires a more involved public realm scheme or added additional requirements.	Early engagement with Planners and town centre management teams.
24	Planning Objections / Judicial Review	Concerted effort by interested parties to challenge planning application or challenged via JR.	Make allowance for full planning period and JR process prior to contractor instruction.

25	Party Wall disputes and other party wall works	Risk of construction delays and disputes and additional professional fees.	Party Wall survey and report required.
26	Archaeological findings	Delays to project / watching brief required.	Early desk top assessment.
27	Existing services capacity issues e.g. main drain	Upgrades required.	M and E consultant currently being appointed. Early engagement with relevant authority.
28	Exceptionally inclement weather during the construction works	Delays to works on site / potential claim.	Possible delay to start date of project and likely groundworks.
29	Commercial Agreement - Works Contract finalisation delayed.	Successful Contractor delays agreement of terms and conditions or final contract sum.	Ensure Employers requirement are clear. Minimal amendment to standard contract forms. Equitable insurance requirements.
30	Site boundary definition	Relationship to tram, highways and wayleaves.	Property team to prepare ownership report.
31	Lack and loss of staff within Project Team	Delays to Design Stage / potential for mistakes etc.	Established detailed Project Execution Plan, common document electronic repository. Require detailed Workstage design report. Require clarification on resilience strategy from consultants.
32	Tender Process Challenged under Public Sector Procurement rules.	Challenge by Contractors who failed to pre-qualify for tender list.	Ensure PQQ process is transparent and criteria for inclusion on tender list is clearly defined.
33	Communication - Pre construction	Poor communication within Design Team leading to late or deficient tender information.	Clarify roles and responsibilities. High quality Design Team management, clear instructions and minutes etc.
34	Lack of public support for the works	Reputational damage to Client.	Early public communication engagement.

35	Ecological issues: Bats, newts and the like	Discovery of ecology restrictions.	Earlier Surveys Mid-March 2018. Brown field site. No trees and no identified bat roost or water course on site.
36	Flood Risk Constraints.	Increased cost due to flood mitigation measures.	Early Flood Risk assessment to allow provision to be incorporated into design early.
37	Communication breakdown between key Client stakeholders	Delays to Design Stage / potential for mistakes etc.	Early and regular stakeholder engagement. Establish Communications Plan. Establish Project Board to update elected members via committee process. Well managed communication flow, Project Execution Plan, meeting minutes etc.
38	Bond provision	Delay in entering Contract.	Ensure Bond requirements are in Tender documents.

Beeston Square Redevelopment

Pre-construction expenditure



The Draft capital programme 2018/19 – 2020/21 recommended for approval at Finance and Resources Committee on 15 February 2018 includes £10.865million over the next three years for the Beeston Town Centre redevelopment.

The planned financing of the capital programme assumes at this stage that the estimated £10.865million cost will be met by borrowing. Whether the Council needs to borrow the entire £10.865million or a reduced amount will be heavily influenced by the following factors:

- The sale of the residential element
- Any tram compensation that may be received
- Any funding that may be received from the D2N2 Local Enterprise Partnership.

Whilst the level of budget allocated to this initiative will be set by members, it is proposed that responsibility for deciding the methods used to finance this expenditure be delegated to the Interim Deputy Chief Executive in his role as Section 151 Officer. Details of financing measures taken will be reported to members at the earliest opportunity.

The Finance and Resources Committee on 18 May 2016 allocated a budget of £325,000 for specialist legal and procurement advice for Beeston Square. It is intended that this is met from a combination of General Fund capital receipts, tram compensation and £70,000 awarded from the Nottingham Pre Development Fund as reported to this Committee on 4 July 2017. The total expenditure incurred against this budget to date is £181,958.

The team is recommending that no construction contract is let until such time as the following have been secured:

- Cinema conditional agreement for lease
- Further agreement for lease with at least one Food & Beverage operator; preferably two
- Planning permission for leisure element
- Legally-binding sale agreement for residential site.

It should be acknowledged that securing the foregoing – together with parallel procurement of a building contractor to the point of contract award – could cost as much as £800,000 (of which £181,000) has been spent to date.

Report of the Interim Deputy Chief Executive

HOUSING SITE DISPOSAL OPTIONS1. Purpose of report

To consider options for the disposal of ten potential housing sites.

2. Background

Various sites have previously been approved for disposal as they are surplus to operational requirements and are suitable for redevelopment. They are all within the Council's Housing Revenue Account (HRA).

3. Detail

The Broxtowe Borough Council Housing Strategy 2015-2020 states that the Council will "review all garage sites to assess the need and suitability for use as residential land." A review was completed in 2015 and the Garage Strategy 2015-2020 was produced and considered by the Housing Performance Group which includes the strategic action: 'Consider the demolition and redevelopment of sites'.

Ten sites have been identified for disposal. Details are provided in the appendices. All ten sites have previously been approved for disposal by the Council's Finance and Resources Committee. Any redevelopment would, of course, also require planning permission.

4. Disposal options

Appendix 1 details the two main disposal options – 1. redevelop them for social housing, and 2. sell the sites for general housing with the income accruing to the HRA to then be spent on social housing elsewhere. Appendix 2 explains why option 2 in isolation is probably not the most appropriate way forward; but a hybrid of options 1 and 2 combined could also be considered. The hybrid option could potentially achieve many of the benefits of both options.

5. Financial implications

A successful disposal and redevelopment of the sites listed in the appendix would provide the Council's HRA with a capital receipt at the current market value of the premises offset, in part, by the loss of rental income. Subsequent housing developments should generate additional income from New Homes Bonus and Council Tax.

Recommendation

The Committee is asked to CONSIDER the two disposal options and to RESOLVE accordingly.

Background papers

Nil

APPENDIX 1

Sites identified for disposal

Several underutilised Council-owned garage and other HRA sites across the Borough have, at previous Finance and Resources Committees, been given approval to be disposed of and, subject to planning permission, be redeveloped for housing. For the purposes of this report, the following sites are relevant. The sites have been packaged up in groups to make them a more attractive proposition to sell and to ensure that some of the less desirable sites are developed alongside the more favourable ones.

Plans and photographs of most of the sites are given in appendix 2. The estimated value of the sites was given in the previous reports.

Pot 1

- Firbank Court, Chilwell – approved for disposal by Finance and Resources Committee 6/2/17
- Gayrigg Court, Chilwell (2 plots) – approved 6/2/17
- Selside Court, Chilwell – approved 6/2/17

Pot 2

- Ghost House Lane, Chilwell – approved 13/7/17
- Felton Close, Chilwell – approved 13/7/17

Pot 3

- Whitley Court, Stapleford – approved 13/7/17
- Wesley Place, Stapleford – approved 13/7/17
- Oakfield Road, Stapleford – approved 13/7/17

Two further sites have also been approved:

- Fishpond Cottage, Bramcote – approved 13/7/17
- Princes Avenue/Read Avenue, Beeston – approved 6/2/17

Options for disposal

Whilst approval to dispose of these sites has already been secured, there are two main options for their disposal:

Option 1: The sites are developed as affordable housing sites.

There is an identified need for affordable housing across the Borough and supply rarely meets demand. Under this option all the sites would be developed directly for affordable housing. This could either be through the route of some form of joint enterprise agreement, probably with a registered housing provider, or the Council could develop the sites more directly through the use of architects and contractors. Both scenarios would require the appropriate procurement route to be selected and this would take some months.

Option 2: The sites are sold on the open market.

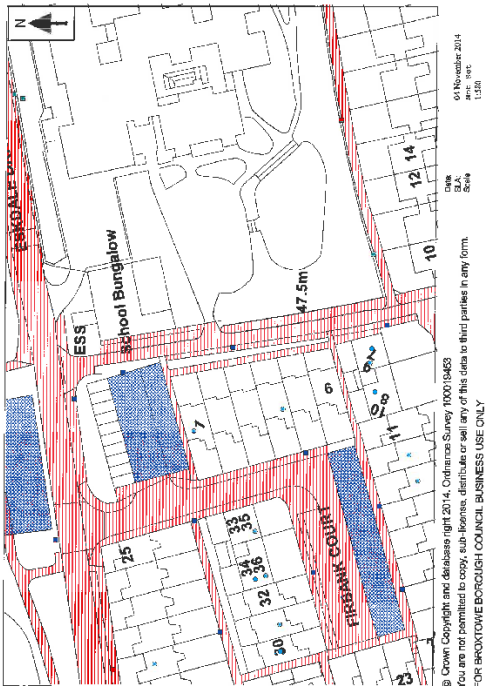
This is relatively quick and makes minimal demand on staff resources and there is already some interest from developers to buy some of these sites. The liability for upkeep of the sites would then fall to the new owners, rather than the Council, and the Council would obtain a quick capital receipt for the site.

However, any capital receipt for the sites would go into the HRA budget, rather than the general fund, and therefore could only be used for further social housing projects. These projects would themselves require land which could be costly and therefore an inefficient use of the funds. Furthermore, once a site is sold the Council loses control of it and it could be 'land banked' for future years. If this option is chosen, it is suggested that the buyers enter into a legal agreement to build the site out quickly, to circumvent this issue.

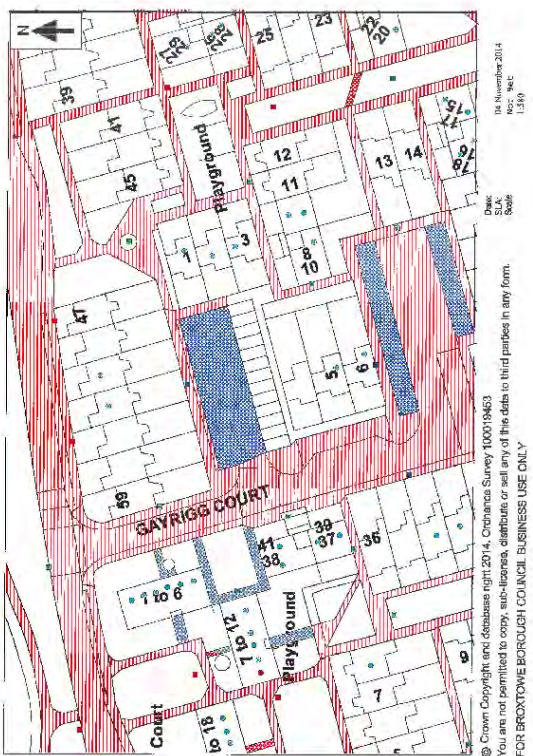
Planning

All options would ultimately require planning permission. To that end, it is suggested that planning permission is obtained by a third party wherever possible. This is because planning permission would require significant resources to secure, including staff time and several surveys, and it is more prudent to sell these sites without this burden.

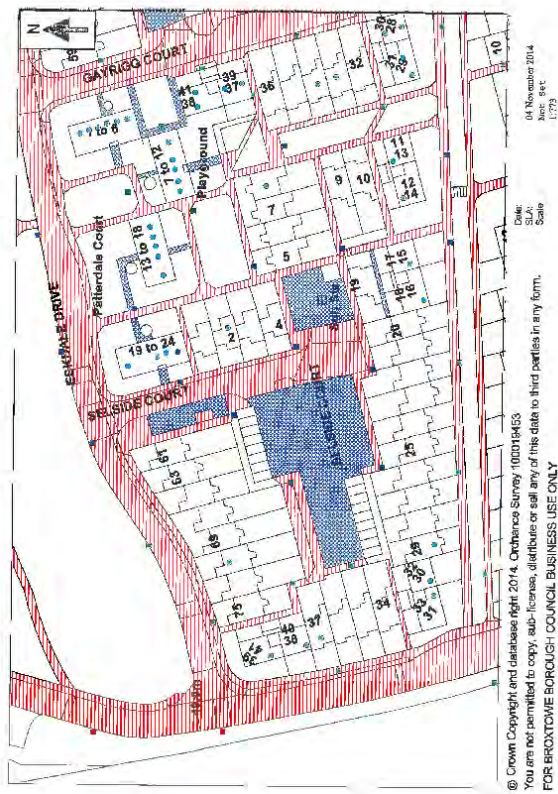
1. FIRBANK COURT, CHILWELL



2. GAYRIGG COURT, CHILWELL



3. SELSIDE COURT/ ESKDALE DRIVE, CHILWELL



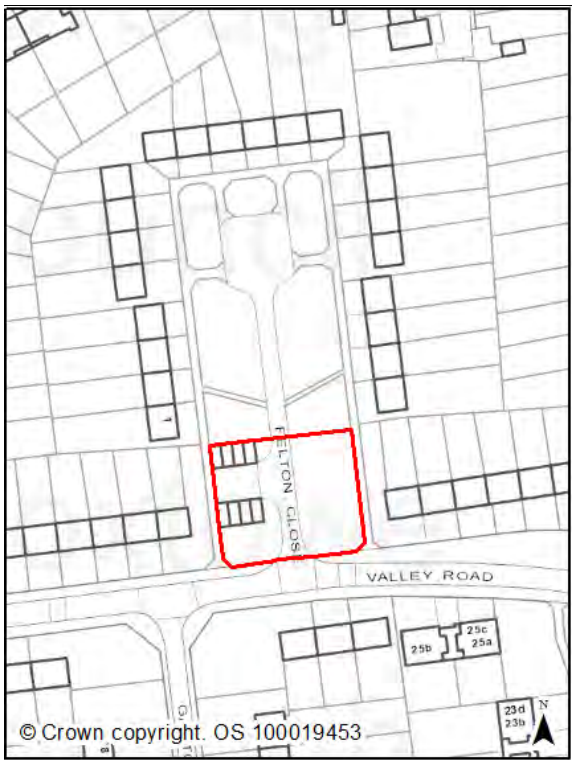
4. OAKFIELD ROAD, STAPLEFORD



5. WESLEY PLACE, STAPLEFORD AND ADJACENT LAND



6. FELTON CLOSE, CHILWELL



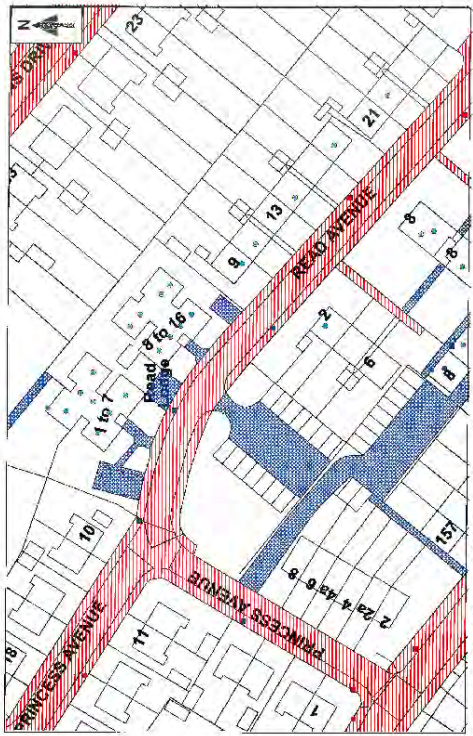
7. GHOST HOUSE LANE, CHILWELL



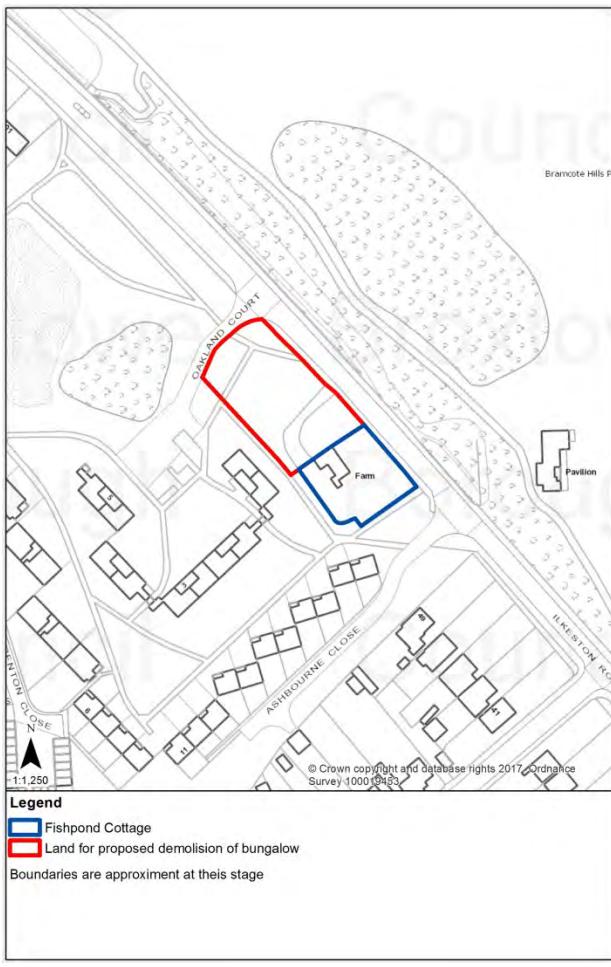
8. SITE TO SOUTH OF WHITELY CLOSE, STAPLEFORD



9. PRINCES AVENUE/ READ AVENUE, BEESTON



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Legend
 Fishpond Cottage
 Land for proposed demolition of bungalow
 Boundaries are approximat at this stage

10. FISHPOND COTTAGE, BRAMCOTE

Report of the Interim Deputy Chief Executive

WATER SAFETY REVIEW1. Purpose of report

To advise Committee of the outcome of water safety risk assessments that have recently been undertaken on watercourses owned or maintained by the Council and to recommend funding for a consequent phased programme of water safety measures.

2. Background

Following the tragic drowning of 13 year-old Josh Boothman in the River Erewash at Stapleford (Environment Agency watercourse) on 24 September 2016, it was decided that officers should initiate a systematic programme of water safety risk assessments on Broxtowe-owned or maintained watercourses. The tragic drowning of 12 year-old Owen Jenkins at Beeston Weir (Environment Agency/Canals and Rivers Trust) on 10 July 2017 further emphasised the importance of the task.

3. Methodology

The methodology used to conduct the assessments to determine a risk rating for each of the many sites across the borough included a number of factors:

- Firstly, what are the Council-owned/maintained watercourses – canals, ponds, brooks, wetlands, seasonal wetlands, ditches, etc.
- Secondly, from these different watercourses, what are the factors to be considered – location, environment, number of visitors, possible age range of visitors, paths, crossing points – clay bunds or bridges, interaction between walkers, cyclists, horse riders, fishermen, falls from height, disused locks, access and egress to and from the water, manmade and natural protection measures etc.

Further cross-organisational work is now being co-ordinated on a county-wide basis by Nottinghamshire County Council and this will need to include the many other publicly-accessible watercourses in Broxtowe which are owned and maintained by others. This will be the subject of subsequent reports.

4. Recommendations and financial implications

The outcome of the risk assessments, consequent recommendations and financial implications are given in the appendix.

Recommendation

The Committee is asked to RECOMMEND to the Finance and Resources Committee that £33,700 allocated in the 2018/19 capital programme for remedial measures to enhance the safety of watercourses that the Council has a responsibility for.

Background papers: Nil

Assessment outcome

A number of watercourses were considered during the assessment process which contained no water or very little and were noted, but would cause no issue as regards to water safety or the possibility of drowning.

A number of brooks were flanked by a path and, periodically, crossing points in the form of a bridge. These bridges had fencing on both sides in a 'V' shape whilst others had no fencing or fencing on one side of the bridge or fencing on one side of the brook. It was deemed appropriate to standardise the design of these bridges and associated fencing to enhance safety in order to prevent users from the possibility of falling into the water.

The Borough has seven ponds of note' the majority of which are protected from visitors by trees, bushes and/or marginal planting. Most open areas of these ponds contain at least one seat which invites visitors to that particular area.

Three locations are worthy of specific mention:

Colliers Wood pond at Moorgreen contains marginal planting on two-thirds of its bank; the rest is an open beach type area that contains two fenced platforms which protrude into the pond. The pond contains a number of ducks which attracts a lot of young visitors. However, visitors do have to make an effort to reach this pond. This pond currently has a risk rating of High.

Cookey's Pond at Bramcote contains marginal planting on three-quarters of its bank, the other quarter is provided with a sloping bank. The pond contains a number of ducks which attracts a lot of young visitors and borders with Westbourne Retirement Living Scheme so there is always the possibility that children may play near the pond whilst visiting a relative. In addition, it is close to a footpath used by school children of Bramcote Hills School. Therefore, visitors do not have to make an effort to reach this pond due to its location. This pond currently has a risk rating of High.

The **Nottingham Canal** stretches for many miles and is generally fringed by trees, bushes and marginal planting. There are a few entry points but it appears that the majority were made by dogs entering the water. At certain points there are bridges or clay bunds for crossing. Also there are some old locks which are built into stone walls and provide an opportunity for a fall from height. A number of sections of the canal contain ducks and swans which attracts a lot of young visitors. Sections of the canal are risk rated as Low, Medium and High (High at the lock areas).

General conclusions

The majority of watercourses that the Council has a responsibility to manage are safe and are used and enjoyed by a large number of visitors and where possible should be left in their natural state. This means that the use of fencing should be carefully thought out and only erected where deemed necessary. Most of the signage states "Deep Water" which gives encouragement to enter

the water and swim. These existing signs and any additional new signs will be changed to read “Danger Keep out of the Water” and a number will be accompanied with a “No Swimming” pictogram. In addition, water rescue equipment will be required at certain locations.

Please note that the assessment process has only been undertaken on watercourses etc owned and/or maintained by the Borough Council.

Specific locations

- 33 locations were considered in detail
- 17 were considered to be low risk and requiring no further measures other than signage in some cases
- 8 were considered to be medium risk
- 8 were considered to be high risk (Colliers Wood, Cookey’s Pond and 6 locations on the Nottingham Canal)

Measures required at the medium and high risk locations include:

- New/replacement signage (14 locations)
- Handrails/fencing (5 locations)
- Rescue aids (4 locations)

Financial implications

The estimated cost of all the required measures is **£33,700** and includes:

- 50 signs
- 9 rescue aids
- Various sections of fencing
- Various minor engineering works

Report of the Chief Executive

STAPLEFORD COMMUNITY CENTRE1. Purpose of report

To outline the situation and update on the current work towards creating a 'fit for purpose' community centre in Stapleford.

2. Background

The current lease for Cliff Hill Community Centre expires on 31 October 2018 (but with a minimum six months' notice required) and alternative options are being explored to sell the site as the lease is not being extended. This is due to the building having limited functionality, being of poor construction and uncertain longevity. Other existing community facilities in Stapleford at Ilkeston Road/Washington Drive are also underutilised and not fit for purpose in modern society.

3: Options

Whilst no overall decision has been taken, various options are currently being explored in order to ensure both suitable community facilities are provided in Stapleford and existing Council assets can be fully utilised. This may include selling and redeveloping existing sites, in part or in full, and building a new community building either on these sites, or elsewhere. Early estimates indicate that this could all be achieved whilst leaving significant surplus funds to reinvest or put into the capital programme.

As more progress is made on this area of work, the relevant committees will be updated accordingly.

Recommendations

The Committee is asked to NOTE the contents of the report.

Report of the Interim Strategic Director

MEMBER SOCIAL MEDIA GUIDANCE1. Purpose of report

To seek approval for new Social Media Guidance for members.

2. Background

Social media has become an intrinsic part of everyday life for many people and many members have a presence on these channels. Whilst it is each elected member's own decision as to whether they engage with residents in this way, the Council welcomes the use of social media and wishes to support members in their use of these channels.

Advice and training has been offered to members in the past, but it is considered that new guidance would help set out more clearly what is and is not acceptable use of these channels and how they can be used in a way that protects members and the reputation of the Council.

The Guidance should be read in conjunction with the Members' Code of Conduct.

3. Financial implications

There are no financial implications.

Recommendation

The Committee is asked to RESOLVE that the Social Media Guidance for Elected Members be adopted.

Background papers

Nil

APPENDIX 1



GUDANCE

GUDANCE:	SOCIAL MEDIA GUDANCE FOR ELECTED MEMBERS
Author:	Sarah Yates
Division:	Corporate Communications
Date:	6 September 2017
Review Date:	February 2018

Contents

1.0 Purpose2

2.0 Scope2

3.0 Protocol2

 3.1 Why use social media? 2

 3.2 Think before you post 3

 3.3 Legal issues 3

 3.4 Social media and the Member Code of Conduct 3

 3.5 Top Tips..... 4

4.0 Responsibilities4

5.0 Related Policies, Standards and Guidelines5

6.0 Further guidance5

7.0 Appendices6

 7.1 Access to social media 6

 7.2 Advice for using social media 6

8.0 Document Attributes8

1.0 Purpose

The Council welcomes Members' use of social media as a means to communicate with their constituents. This Guidance is designed to set out clearly what is and is not acceptable use of these channels and how they can be used in a way that protects Members and the reputation of the Council.

It covers:

1. Reasons to use social media
2. Potential risks and problems
3. Responsible use of social media in accordance with the Member Code of Conduct.

2.0 Scope

Social media refers to websites and online tools which allow people to share content and interact e.g. blogs or posts on platforms including, but not limited to, Twitter, Facebook, YouTube and LinkedIn.

This guidance applies to the use of social media by all Broxtowe Borough Council Members and should be used in conjunction with the Members Code of Conduct.

3.0 Protocol

3.1 Why use social media?

The many social media platforms now available have changed the ways in which elected members can communicate in their roles as Elected Members. The use of social media can increase engagement with the public for members and offers a new, instantaneous approach to reaching constituents quickly.

It is not a requirement for members to have a social media account to fulfil their role as an Elected Member. However, the Council wants those who do wish to use these channels to feel confident when using social media.

Social media can help Members:

- Engage a wider audience particularly younger people
- Be more transparent
- Offer immediate communication
- Improve democratic engagement
- Increase community engagement and connect with residents
- Support emergency and crisis communications
- Improve and protect the Council's reputation
- Gain feedback from the community
- Inform local residents what they do in their role as Councillor

3.2 Think before you post

- Any form of communication is capable of being misinterpreted. Social media in particular moves very quickly and can be shared widely, which can magnify the problem of misinterpretation.
- Any activity on social media should be done with consideration of the rules and standards you apply to the rest of your behaviour as an elected member as part of the Member Code of Conduct.
- Although social media allows for a more conversational tone, publishing to the web is still publishing and once you have posted, even if you delete it, it will be recorded on the web. Ensure your content is accurate, informative and thought through – just like you would when speaking to the media or in public.
- Do not disclose confidential information or personal data
- Do not bring the Council into disrepute – you should not publish anything that could reasonably be perceived as reflecting badly upon the reputation of the Council.
- Be mindful of how it may look to the public if you are focused on social media on your tablet or phone in a meeting, rather than on the business at hand.

3.3 Legal issues

- **Libel** – if you publish an untrue statement about a person which is damaging to their reputation, they may consider it as defamatory and consider legal action. This could also occur if someone else publishes something defamatory on your website or blog and you don't take swift action to remove it.
- **Copyright** – placing images or text on your site from a copyrighted source without obtaining permission is a breach of copyright laws.
- **Data Protection** – Data Protection laws should be followed at all times. Do not publish the personal data of individuals unless you have their express permission. If you place personal information on a public forum you should expect it to be published by others.
- **Bias and predetermination** – if you are involved in making planning, licensing or other quasi-judicial decisions do not say anything through social media (or anywhere) that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh up all the evidence and were genuinely persuadable to a different view, otherwise the decision may be later challenged.

3.4 Social media and the Member Code of Conduct

Aspects of the Code of Conduct for Members will apply to your online activity in the same way as they do to any other communication you may use.

- Be aware of whether you are, or appear to be, acting in your capacity as a Councillor rather than as a private individual.
- It can be presumed by others that you are speaking as a Councillor, even if you are clear in your own mind that you are acting in a private capacity. This also means your views can be taken as being those of your organisation or party when this may not be the case.

The following elements of the Member Code of Conduct are particularly relevant to your use of social media:

- Always treating people with respect, including the organisations and public you engage with and those you work alongside
- Having regard to the principles of – selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially
- behaving in accordance with all the Council’s legal obligations, alongside any requirements contained within this Authority’s policies, protocols and procedures, including on the use of the Authority’s resources
- promoting and supporting high standards of conduct when serving in my public post.

3.5 Top Tips

Do’s	Don’ts
Keep your personal accounts and your Councillor accounts separate. You could also consider clearly stating on your profile that your views are your own.	Post in haste or where your judgement might be impaired e.g. if you are tired or have consumed alcohol
Set appropriate privacy settings on your accounts	Post comments you would not be prepared to make on paper or face to face
Keep an eye out for defamatory or obscene posts from others on your pages or blogs and remove them as soon as possible to avoid the perception that you condone such views.	Use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about council staff, service , users, their family or friends, colleagues, other professionals, other organisations or the Council. Don’t upload or distribute any material that could also be considered abusive or offensive
Be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member	Publish confidential information that you may have learned or had access to as part of your role as an elected member, including personal information.
You can make political points but be careful about being too specific or personal if referring to individuals.	Represent your personal views as being those of the Council

4.0 Responsibilities

Members are responsible for their own personal social media pages and activity.

However, members should be aware that as Broxtowe Borough Councillor’s the information they post, regardless of whether they express personal views, cannot be completely detached from the Council.

5.0 Related Policies, Standards and Guidelines

This guidance is in addition to the Members Code of Conduct.

Members are obliged to adhere to the Local Government Recommended Practice on Local Authority Publicity under section 4 of the Local Government Act 1986, which came into force on 31 March 2011, as in the Council's Constitution.

6.0 Further guidance

The Corporate Communications Team and the Monitoring Officer(s) are happy to help with additional guidance and advice.

Some useful reading and guidance leaflets are available on the Members Area of the intranet, including an At A Glance Leaflet.

7.0 Appendices

7.1 Access to social media

WiFi facilities are available in the Town Hall for members wishing to bring their own devices.

This unrestricted access recognises the need for elected members to engage with their communities via the increasingly popular online means of communication.

To have your device configured to work wirelessly in the Town Hall. Please contact the ICT Service Desk on 0116 917 3194 or email ictservicesdesk@broxtowe.gov.uk to make an appointment.

At all times, members are reminded of their responsibility for ensuring they comply with all relevant legislation when using social media, including the Member Code of Conduct.

7.2 Advice for using social media

Social media is very different to traditional websites in offering two-way communication and an opportunity for instant feedback. As such, a very different approach is necessary when producing content for social media.

It is your personal choice whether or not you chose to participate in any kind of social media activity in your own time and the views that you express are your own.

However, as a Broxtowe Borough Councillor, you should be aware that any information you post about Broxtowe Borough Council cannot be kept entirely separate from your private views.

Hints & Tips

- **Use common sense** - common sense and good judgement should be used when posting or sharing material to avoid negative publicity. “Think before you tweet” and only post online what you would be willing to say in person. Consider your audience – what interests your target audience? Adapt language and tone to reflect the intended audience.
- **Be prepared** – social media can generate instant feedback, so be prepared to answer questions in a timely manner.
- **Use what you have** – social media does not have to take up a huge amount of time. Many councillors already produce newsletters and other communications materials on a regular basis, much of the content from which could be used in blogs, emails or updates to Facebook and Twitter, where more people can access it.
- **Commitment** – to be effective, social media requires commitment. If you are asked a question on your social media page or blog, respond in a timely manner and make sure you check and update your pages regularly.
- **Be respectful** – set the tone for online conversations by being polite, open and respectful. Use familiar language and speak as an individual. Be cordial, honest and professional at all times. Make sure that you respect people’s

confidentiality – do not disclose non-public information or the personal information of others.

- **Be credible and consistent** – be accurate, fair, thorough and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.
- **Be responsive** – The “social” in social media implies a conversation. Make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you can’t. Respond to questions and comments in a timely manner (make sure you meet user expectations for the type of social media that you’re using).
- **Be confident** – Don’t be scared of participating and seek further guidance if you need it. If you’re about to publish something that makes you even the slightest bit uncomfortable, pause to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.
- **Networks** – think carefully about which people you follow and which networks and groups you choose to join.

8.0 Document Attributes

Document Information

Title	Member Social Media Guidance
Identifier	Member Social Media Guidance
File Location	Y:\1.5 Corporate Communications\Comms\Social Media\Councillors
Description	This document provides guidance to Broxtowe Borough Council's elected members on how they can utilise social media in a way that protects both themselves and the reputation of the Council.
Keywords	Members; Councillors; Social Media
Format	Word Document
Author	Sarah Yates
Owner	Corporate Communications Manager
Classification	OFFICIAL
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Last Review Date	N/A
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Document History

Date	Summary of Changes	Version
6 September 2017	First draft	1.0
30 November 2017	Draft approved by GMT	1.0

Document Approval

Date	Name & Job Title of Approver(s)	Version

Distribution

Name / Group	Title
Members	

Coverage

Name / Group	Title
Members	

End of Document

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

17 April 2018	<ul style="list-style-type: none"> • Town Hall consultation Round 2 • Equality and Diversity Policy: Annual report • People Strategy • Regulation of Investigatory Powers Act 2000 • Electoral Services Establishment • Stapleford Community Centre
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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