



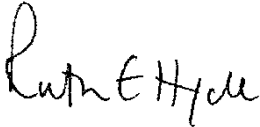
Tuesday, 9 July 2019

Dear Sir/Madam

A meeting of the Council will be held on Wednesday, 17 July 2019 in the New Council Chamber, Town Hall, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

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: Members of the Council

## AGENDA

1. APOLOGIES

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 - 10

To approve as a correct record, the minutes of the Council meeting held on 15 May 2019.

4. MAYOR'S ANNOUNCEMENTS

5. YOUTH MAYOR'S REPORT ON BROXTOWE YOUTH VOICE ACTIVITIES

6. PRESENTATION OF PETITIONS

7. LEADER'S REPORT

8. ARRANGEMENTS FOR THE DISCHARGE OF FUNCTIONS/APPOINTMENTS TO COMMITTEES/TERMS OF REFERENCE

PAGES 11 - 38

To seek approval for amendments to the arrangements for the discharge of functions and the consequent changes to the Constitution.

9. REPRESENTATION ON OUTSIDE BODIES

To appoint representatives on outside bodies in accordance with the schedule to be laid before the meeting.

10. PUBLIC QUESTIONS

11. MEMBERS' QUESTIONS

12. MEMBERS' SPEECHES ON WARD ISSUES

13. QUESTIONS ON OUTSIDE BODIES

14. NOTICES OF MOTION

14.1 The following notice of motion has been received from Councillor S J Carr:

The Council is asked to resolve that Standing Orders be amended as follows:

a) Amendment to recorded votes:

15.4. Recorded vote

If, ~~before a vote is taken on any motion or recommendation,~~ five members present at the meeting request the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. Unless in the case of Committees where a request by two members present will be sufficient to require a recorded vote to be taken.

Also insert the words "at any time". This will then read as;

15.4. Recorded vote

If five members present at the meeting **at any time** request the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. Unless in the case of Committees where a request by two members present will be sufficient to require a recorded vote to be taken.

b) Amendment of the following in the following section Protocol for Public Speaking at Development Control Committee:

Note 1 to be amended as follows:

Any member may refer an application to the Development Control Committee for a decision. Such a member may speak but not vote on the application, unless they are a member of the committee. Additionally, ward councillors also have the right to attend and speak but not to vote on an application for planning

consent for a matter affecting their ward. Speeches by members who have referred an application to committee and by ward members will be limited to five minutes' duration.

**Any ward councillor having spoken to the committee will have the right to reply before the committee votes.**

14.2 The following notice of motion has been received from Councillor H Skinner:

To that end, this council resolves to:

1. Declare a "Climate Emergency" that requires urgent action.
2. Produce a new Carbon Management Plan, which will include the setting of a net carbon neutral target for Broxtowe Borough Council by 2027.
3. Ensure that political and chief officer leadership teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline.
4. Integrate this commitment into the new Broxtowe Borough Council four-year Corporate plan which will be produced in the next few months.
5. Request that the Council and partners take steps to

proactively include young people in the process, ensuring that they have a voice in shaping the future

6. Include an assessment of climate and sustainability impact in all relevant reports to committees.
7. Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the council will take to address this emergency.
8. Work with, influence and inspire partners across the district, county and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops.

14.3 The following notice of motion has been received from Councillor M Radulovic MBE:

This Council:

- a) Expresses its thanks and support to the hard working employees of Broxtowe Borough Council for their continued commitment to provide high quality services for local people.
- b) Calls on Nottinghamshire County Council to formally and finally withdraw any plans to pursue plans for structural reform for local government in Nottinghamshire which have been an unsettling, costly and unwelcome diversion from the important task of serving local residents.

14.4 The following notice of motion has been received from Councillor R I Jackson:

This Council notes the creation of two additional committees and further notes that at current rates this will cost the taxpayers of Broxtowe approximately £48,000 over the four-year life of this administration.

This Council resolves to adjust all special responsibility allowances to ensure that costs are met from the existing budget for members' allowances so that £48,000 is spent on council services rather than being spent on members' allowances.

15. REFERENCES

15.1 Housing Delivery Plan

PAGES 39 - 52

Housing Committee  
5 June 2019

In December 2018 Housing Committee approved the recommendations of the Social and Affordable Housing Need report. It was agreed that a phased delivery plan would be brought to a future meeting.

Members considered a phased potential delivery plan for the next ten years, a potential new build delivery plan for phase 1 and the process by which this could be achieved, and were informed that any relevant decisions would be reported to the Committee.

**RESOLVED that:**

1. **The approach to development outlined in the phased Housing Delivery Plan to deliver 230 homes over 10 years be approved.**
2. **The embarkation on the process as set out in appendix 3 of the report through which the land identified in the Phase 1 Delivery Plan may in future be used for development of housing be approved.**

**RECOMMENDED to the Finance and Resources Committee to include £1,000,000 in the 2019/20 Capital Programme for the acquisition of properties for the Housing Revenue Account.**

**RECOMMENDED to Council that the Chief Executive be delegated the power to approve property acquisitions within the budget identified and land acquisitions up to £500,000 in consultation with the Chair of the Housing Committee.**

15.2 Capital Budget Variations 19-20

PAGES 53 - 58

Finance and Resources Committee  
11 July 2019

Due to the despatch of the Council agenda being on 9 July 2019 and the Finance and Resources Committee being held on 11 July 2019 Council will be updated at the meeting on the outcome of this item.

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# Agenda Item 3.

## COUNCIL

WEDNESDAY, 15 MAY 2019

Present: Councillor D A Burnett BEM, Chair

Councillors:	E H Atherton	P Lally
	S A Bagshaw	H Land
	D Bagshaw	R D MacRae
	L A Ball BEM	G Marshall
	M Brown	J W McGrath
	B C Carr	P J Owen
	S J Carr	J M Owen
	M J Crow	J P T Parker
	E Cubley	J C Patrick
	T A Cullen	D D Pringle
	R H Darby	M Radulovic MBE
	S Easom	P M Roberts-Thomson
	D A Elliott	R S Robinson
	L Fletcher	P D Simpson
	M Handley	H E Skinner
	M Hannah	C M Tideswell
	R I Jackson	I L Tyler
	E Kerry	D K Watts
	S Kerry	E Williamson
	H G Khaled MBE	R D Willimott
	L A Lally	

An apology for absence was received from Councillor J C Goold.

### 1 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2 MINUTES

The minutes of the meeting held on 6 March 2019 were confirmed and signed as a correct record.

### 3 MAYOR'S ANNOUNCEMENTS

The Mayor gave a résumé of his year in office and expressed thanks to his escort, friends and family, Council employees and fellow Council members for their valued assistance and support during the period.

4 VOTE OF THANKS

A vote of thanks to the Mayor was proposed by Councillor J M Owen, seconded Councillors M Radulovic MBE and carried unanimously.

5 ELECTION OF MAYOR

It was proposed by Councillor M Handley and seconded by Councillor R S Robinson that Councillor M Brown be elected Mayor of the Borough for the ensuing year.

**RESOLVED that Councillor M Brown be elected Mayor of the Borough for 2019/20.**

Councillor M Brown, having signed the Declaration of Acceptance of Office, thanked the Council for having elected him Mayor of the Borough. Councillor Brown stated that he would be supporting Nottingham City Hospital Trent Cardiac Unit during his year in office.

6 PRESENTATION OF FORMER MAYOR'S JEWEL OF OFFICE

The Mayor presented the Jewel of Office to Councillor D A Burnett BEM to mark his term of office.

7 APPOINTMENT OF DEPUTY MAYOR

It was proposed by Councillor S J Carr and seconded by Councillor R I Jackson that Councillor J C Patrick be appointed Deputy Mayor of the Borough for the ensuing year.

**RESOLVED that Councillor J C Patrick be appointed Deputy Mayor of the Borough for 2019/20.**

Councillor J C Patrick, having signed the Declaration of Acceptance of Office, thanked the Council for the appointment.

8 RECOGNITION OF POLITICAL LEADERS

It was noted that Councillor M Radulovic MBE is the Leader of the Council and Councillor S J Carr as the Deputy Leader. Councillor R I Jackson is Leader of the Opposition with Councillor P D Simpson as the Deputy Leader of the Opposition.

A Recorded vote to confirm the Leader of the Council was proposed by Councillor R I Jackson and seconded by at least five other councillors. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
D Bagshaw	E H Atherton	
S A Bagshaw	L A Ball BEM	
B C Carr	M Brown	
S J Carr	E Cubley	



<u>For</u>	<u>Against</u>	<u>Abstention</u>
T A Cullen	M J Crow	
R H Darby	S Easom	
D A Elliott	L Fletcher	
M Hannah	M Handley	
L A Lally	R I Jackson	
P Lally	E Kerry	
H Land	S Kerry	
R D Macrae	H G Khaled MBE	
G Marshall	J M Owen	
J W McGrath	P J Owen	
J C Patrick	J Parker	
M Radulovic MBE	D Pringle	
R S Robinson	P Roberts-Thompson	
H E Skinner	P D Simpson	
C M Tideswell	R D Willimott	
I L Tyler		
D K Watts		
E Williamson		

**RESOLVED that Councillor M Radulovic MBE be confirmed as the Leader of the Council.**

## 9 ARRANGEMENTS FOR THE DISCHARGE OF FUNCTIONS

### Appointments to committees/working groups etc.

**RESOLVED that in accordance with the powers set out in the Local Government Act 2000 and all and every power enabling, the following be appointed with the powers appropriate to each as set out in the scheme of delegation or as approved by Council it being noted that:**

- a) The allocation of seats to political groups takes account of, and includes, the rights of the Leader of the Council and the Leader of the Opposition or their nominated representatives set out in 2. below;
- b) The allocation of seats available to political groups following the Stapleford South East by election on 13 June 2019 will change in accordance with the proportionality principles set out in the Local Government and Housing Act 1989 and the Chief Executive be authorised to (i) re-calculate the seats allocated to the political groups following this by election and, then, inform the groups and members accordingly, requesting fresh nominations in respect of any changed entitlements and, then (ii) give effect to those nominations.

### Alcohol and Entertainments Licensing Committee

#### Conservative

E H Atherton  
E Cubley  
J C Goold

R I Jackson  
D D Pringle  
P D Simpson

**Labour**

D Bagshaw (Chair)  
T A Cullen (Vice Chair)  
P Lally  
J C Patrick

**Liberal Democrat**

B C Carr

**Independent**

R D MacRae

**Community Safety Committee**

**Conservative**

J C Goold  
S D Kerry  
J M Owen  
J P T Parker  
L Fletcher

**Labour**

G Marshall (Chair)  
D Bagshaw (Vice Chair)  
C M Tideswell

**Liberal Democrat**

H Land

**Independent**

R D MacRae

**Finance and Resources Committee**

**Conservative**

E Cubley  
S Easom  
R I Jackson  
P J Owen

P M Roberts-Thompson  
P D Simpson

**Labour**

D A Elliott (Chair)  
S A Bagshaw (Vice Chair)  
P Lally  
G Marshall

**Liberal Democrat**

S J Carr  
H Land

**Governance, Audit and Standards Committee**

**Conservative**

E H Atherton  
E Cubley  
S D Kerry  
J M Owen  
P D Simpson

**Labour**

R H Darby  
M Hannah (Vice Chair)  
M Radulovic MBE

**Liberal Democrat**

D K Watts

**Independent**

E Williamson (Chair)

**Housing Committee**

**Conservative**

L A Ball  
E Kerry  
H G Khaled MBE  
J M Owen  
P D Simpson

**Labour**

T A Cullen (Chair)  
H E Skinner  
J W McGrath

**Liberal Democrat**

B C Carr (Vice Chair)

**Independent**

E Williamson

**Jobs and Economy Committee**

**Conservative**

M J Crow  
M Handley  
R I Jackson  
P M Roberts-Thompson

**Labour**

M Hannah  
P Lally (Chair)  
L A Lally

**Liberal Democrat**

I L Tyler

**Independent**

R D MacRae (Vice Chair)  
E Williamson

**Leisure and Environment Committee**

**Conservative**

S Easom  
L Fletcher  
J P T Parker  
P D Simpson  
R D Willimott

**Labour**

D Bagshaw  
J W McGrath

H E Skinner (Chair)

**Liberal Democrat**

I L Tyler (Vice Chair)

**Independent**

E Williamson

**Licensing and Appeals Committee**

**Conservative**

E H Atherton  
E Cubley  
J C Goold  
R I Jackson  
P D Simpson

Substitutes: L A Ball BEM  
M J Crow  
E Kerry  
H G Khaled MBE  
P M Roberts-Thompson

**Labour**

D Bagshaw (Chair)  
T A Cullen (Vice Chair)  
J C Patrick  
M Radulovic MBE

Substitutes: D A Elliott  
M Hannah  
C M Tideswell  
R H Darby

**Liberal Democrat**

B C Carr  
I L Tyler

Substitutes: S J Carr  
H Land

**Independent**

R D MacRae

Substitute: R S Robinson

**Planning Committee**

**Conservative**

L A Ball BEM  
M Handley  
R I Jackson  
P J Owen  
D D Pringle

Substitutes: P D Simpson  
M J Crow  
J M Owen  
J C Goold  
L Fletcher

**Labour**

D Bagshaw  
T A Cullen  
J W McGrath (Vice Chair)

Substitutes: M Radulovic MBE  
D A Elliott  
H E Skinner

C M Tideswell

J C Patrick

**Liberal Democrat**

D K Watts (Chair)  
B C Carr

Substitutes: S J Carr  
I L Tyler

**Independent**

R D MacRae

Substitute: R S Robinson

**Policy and Performance Committee**

**Conservative**

M J Crow  
S Easom  
R I Jackson  
E Kerry  
P J Owen  
P D Simpson

**Labour**

S A Bagshaw  
D A Elliott  
M Hannah  
G Marshall  
M Radulovic MBE (Chair)

**Liberal Democrat**

S J Carr (Vice Chair)

**Ad-Hoc Committee**

To be appointed as necessary

**Investigating and Disciplinary Committee**

To be appointed as necessary

## **Housing Performance Group**

### **Conservative**

L A Ball BEM  
E Kerry  
H G Khaled MBE  
P J Owen

### **Labour**

S A Bagshaw (Chair)  
J C Patrick

### **Liberal Democrat**

S J Carr

### **Independent**

R S Robinson

## **Local Joint Consultative Committee**

### **Conservative**

E H Atherton  
J C Goold  
D D Pringle  
P M Roberts-Thompson  
R D Willimott

### **Labour**

R H Darby  
M Hannah  
J C Patrick  
C M Tideswell

### **Liberal Democrat**

I L Tyler

### **Independent**

R S Robinson

## **Bramcote Bereavement Services Joint Committee**

To contain the Leader, a member of the leading group and the Leader of the Opposition.

**It was noted that either the Leader of the Council or another councillor being his nominated representative, and either the Leader of the Opposition or another councillor being his nominated representative, have the right to attend any of the Council's Committees and to speak and vote thereat provided that such representatives may not be in attendance at the same meeting as their respective Leaders or either of them, as the case may be.**



## Report of the Chief Executive

**ARRANGEMENTS FOR THE DISCHARGE OF FUNCTIONS/APPOINTMENTS TO COMMITTEES/TERMS OF REFERENCE**

1. Purpose of report  
To seek approval for amendments to the arrangements for the discharge of functions and the consequent changes to the Council's Constitution.
  
2. Detail  
The Leader of the Council has communicated to officers his request to form a Personnel Committee, a Leisure and Health Committee and an Environment and Climate Change Committee.  
  
The result of the Stapleford South-East by-election in addition to the new committees has necessitated amendments to proportionality. Proposed amendments to committee terms of reference with passages to be removed struck through and those to be added in bold, are included in appendix 1. The amended Programme of Meetings is included at appendix 2.
  
3. Further information  
It has also been requested that minutes from each committee are submitted to the 'next suitable' Council meeting to allow for comments and questions. Members' Questions would therefore be limited to subjects that had not been discussed included within the minutes from previous committee meetings. A further Constitutional amendment would allow for the Leader of the Council or his nominated representative and either the Leader of the Opposition or another councillor being his nominated representative to have the right to attend any of the Council's Committees and to speak but not vote.
  
4. Financial implications  
Any budget changes required due the creation of new committees (including allowances paid to Chairs and Vice Chairs) will be presented to Finance and Resources Committee on 10 October 2019 for approval.

**Recommendation****Council is asked to RESOLVE that:**

1. **The relevant Committees be named as the Personnel Committee, the Leisure and Health Committee and Environment and Climate Change Committee.**
2. **The amended terms of reference for the Council's committees be approved.**
3. **The appointments to committees be approved in accordance with the schedule laid before the meeting.**
4. **The amended Programme of Meetings be approved.**
5. **The consequential amendments to the Constitution be approved.**

Background papers: nil

Terms of Reference for CommitteesAlcohol and Entertainments Licensing Committee

1. To determine attendance of members at conferences.
2. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
3. All the functions of the licensing authority capable of being performed by a licensing committee established under section 6 Licensing Act 2003 and section 154 Gambling Act 2005, including (for the avoidance of doubt) the powers in section 212 Gambling Act 2005 (setting of fees).
4. The Committee may appoint Panels comprising of a proportionate combination of three or five members of the main Committee.
5. The panels are delegated all the functions capable of being exercised by a Sub-Committee.

Community Safety Committee

1. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council or within the remit of any committee) and without prejudice to the generality of the foregoing to develop, adopt and implement:
  - a) policies regarding transport, save those functions in respect of hackney carriage and private hire vehicles delegated to the Licensing and Appeals Committee.
  - b) policies in respect of stray dogs.
  - c) contaminated land strategy.
  - d) And other such strategies as the Committee may from time to time decide should be adopted
  - e) ASB Strategy
  - f) Community Safety policies
  - g) Safeguarding policies
  - h) LSP strategies and policies
  - i) Public protection strategies
  - j) Strategies and policies arising from the Anti-Social Behaviour, Crime and Policing Act 2014
  - k) Policies under the Scrap Metal Dealers Act 2013
2. To authorise applications for vehicle operator's licences required for the Council's business; to authorise objections to vehicle operator licence applications made by third parties.
3. To determine enforcement under the Sunday Trading Act 1994
4. To determine all issues relating to community safety and crime reduction.
5. To develop, monitor and implement the Sustainable Community Strategy and associated documents.
6. Consider ways of achieving reductions in ongoing financial commitments through a review of essential and desirable services and service levels.
7. Identify opportunities for future income generation and cost savings.
8. Examine further procurement and collaborative working opportunities with the private sector and other local authorities.
9. To determine attendance of members at conferences.
10. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
11. To receive reports in relation to Nottinghamshire Police and Crime Panel.
12. To receive the minutes of the South Nottinghamshire Community Safety Partnership.

13. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
14. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders. (where within budget).

**Environment and Climate Change Committee**

1. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council or within the remit of any Committee) and without prejudice to the generality of the foregoing to develop, adopt and implement:
  - a) management and recycling arrangements and policies.
  - b) policies in respect of street cleansing and the removal of litter.
  - c) policies regarding energy.
  - d) Energy Conservation Strategy.
  - e) Waste Management Strategy.
2. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
3. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders. (where within budget).
4. To determine attendance of members at conferences.
5. To authorise applications for and amendments to waste transfer stations.
6. Functions under the Environmental Protection Act 1990.
7. To determine all issues relating to environmental improvements.
8. Identify opportunities for future income generation and cost savings.
9. Examine further procurement and collaborative working opportunities with the private sector and other local authorities.
10. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the committee
11. To consider ways of achieving reductions in ongoing financial commitments through a review of essential and desired services and service levels.
12. To lead on the development and implementation of the Climate Change Plan for Broxtowe Borough Council.
13. To take the Climate Change agenda forward and ensure that all departments are engaged in this process.
14. To lead on the Travel Plan.

- 15. To feed into the Nottinghamshire and Derbyshire Local Authority Energy Partnership, Nottinghamshire Climate Change Partnership and Broxtowe Borough Partnership.**
- 16. To work in partnership with service providers to identify opportunities for the delivery of services, avoid duplication and maximise resources.**

Finance and Resources Committee

1. To keep the Council's resources under review.
2. To consider and recommend to the Council the level of council house rents and the level of council tax.
3. To consider and recommend to the Council the overall capital programme and revenue budget.
  - a) To approve requests for supplementary capital and revenue estimates
  - b) To write off debts in excess of the current limit for delegation contained within Financial Regulations
  - c) To make loan repayments postponements
  - d) To determine the use of the Insurance Fund
  - e) To appoint the Council's bankers
  - f) To approve virement between budget heads above any limits prescribed in Financial Regulations
  - g) To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders.
4. To determine the means to attract external sources of funding into the Borough across the whole range of the Council's functions.
5. To determine attendance of members at conferences.
6. To make grants to individuals and bodies including those undertaking twinning visits and exchanges in accordance with the Council's approved policy.
7. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
8. To determine and approve purchases of Information Technology equipment and assistance within the Budget Policy Framework.
9. Consider in detail those areas of the revenue budgets affecting the General Fund and Housing Revenue Account (HRA) which are judged to be of the highest risk and monitor the position of the Council in relation to those areas.
10. Examine in detail the proposals for budget savings and consider such plans as are deemed to be required to bring about those savings including the effects on employees and services.
11. Receive at regular intervals information as to revenue and capital budget monitoring.
12. Receive and respond to updates on government and external funding issues which have a direct effect on the budget position.
13. Receive regular updates on welfare benefit reforms and the effects on council tenants and council tax payers.

14. Monitor the effects of the countywide business rates pooling arrangement on the finances of the Council.
15. Identify opportunities for future income generation and cost savings.
16. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
17. Functions conferred on the Council by part 4 of the Local Government and Public Involvement in Health Act 2007 in respect of the receipt of petitions and the institution, conduct and determination of a Community Governance Review.



Governance, Audit and Standards Committee

1. To determine attendance of members at conferences.
2. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
3. The functions conferred in relation to standards of conduct by the Local Government Act 2000, the Localism Act 2011 and associated legislation.
4. Without prejudice to the generality of the foregoing:
  - a) promoting and maintaining high standards of conduct for all members and officers
  - b) preparing for adoption or revision by the Council policies and codes of conduct for members, co-opted members and officers
  - c) monitoring the operation of the codes of conduct
  - d) granting dispensations to members (including co-opted members) from requirements relating to interests set out in the Members' Code of Conduct
  - e) advising and training members, co-opted members and officers on matters relating to conduct
  - f) undertaking the same duties as detailed above in respect of parish or town Councils within the Council's area
  - g) considering, determining and dealing with matters referred by the Monitoring Officer
  - h) considering, determining and dealing with matters referred by the Chief Executive or Monitoring Officer under the Council's Whistleblowing Policy
  - i) monitoring the complaints made against the Council including those made via the Ombudsman service
  - j) assessing (and reviewing if appropriate) all complaints made in respect of breaches of the Members' Code of Conduct.
5. The Committee will:
  - a) Oversee the arrangements for the maintenance of the Council's internal control environment
  - b) Monitor and make recommendations regarding the Council's corporate governance arrangements including the appointment of the external auditor
  - c) Consider ways of achieving reductions in ongoing financial commitments through a review of essential and desirable services and service levels.
  - d) Identify opportunities for future income generation and cost savings.
  - e) Examine further procurement and collaborative working opportunities with the private sector and other local authorities.
6. Consider the Council's published financial accounts and associated documents, including the Annual Governance Statement, and give approval to them when satisfied;
7. Review the work of the internal audit section including the approval of an audit strategy and annual audit plans;

8. Consider significant issues arising from internal audit reviews, make recommendations accordingly and monitor management's response;
9. Receive reports from the Council's external auditors, the Council's internal auditor and from any inspection agencies and monitor action in response to any issues raised;
10. Oversee the effectiveness of the Council's risk management procedures, the control environment and associated fraud and anti-corruption arrangements including the approval of amendments to the strategic risk register and associated action plans;
11. Monitor and review the Council's business continuity arrangements;
12. Determine employment and health and safety policies;
13. The power to make payments or provide other benefits in cases of maladministration (section 92 Local Government Act 2000);
14. To receive reports directly from the Chief Internal Auditor as and when he/she thinks fit;
15. To receive reports directly from the Council's external auditors as and when appropriate.
16. The Committee may appoint Panels comprising of a proportionate combination of three or five members of the main Committee.
17. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
18. Consider in detail polling district boundaries for the Borough Council's administrative area and any necessary changes to ensure that:
  - a) electors have such reasonable facilities for voting as are practicable in the circumstances.
  - b) as far as is reasonable and practicable, that polling places are accessible to all electors, including those who are disabled, and when designating a polling place, have regard to the accessibility needs of disabled persons.
19. Consider polling places for the Borough Council's administrative area.
20. Consider the warding arrangements for Broxtowe to ensure electoral equality in all areas.
21. Consider the boundaries of parish councils in the Borough and warding arrangements in those areas, if appropriate.
22. Consider the names of Borough Council and parish council wards.

Housing Committee

1. To determine Council policy relating to sales of council houses.
2. To determine Council policy relating to council house rent collection.
3. To provide assistance to housing associations - Housing Association Act 1985 Part X.
4. To provide financial assistance for privately let housing accommodation - Local Government Act 1988 Part III.
5. To make payments to assist tenants to obtain other accommodation - Housing Act 1988 Section 129.
6. To declare renewal areas - Local Government and Housing Act 1989 Part VII.
7. Approval of discretionary renovation grants - Part VIII.
8. To determine the improvement programme of the Council housing stock.
9. To approve housing schemes.
10. To authorise proceedings for the repayment of renovation grants and interim payments and to accept waiver of repayment or a lesser sum.
11. To determine the policy to apply to the provision of funds for aids and adaptations to Council properties.
12. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council) and without prejudice to the generality of the foregoing to develop, adopt and implement:
  - a) The Homelessness Strategy
  - b) To determine policies for the management of all buildings and lands held for housing purposes.
  - c) To determine the policy for allocating Council housing stock.
  - d) And other such strategies as Council may from time to time decide should be adopted.
13. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
14. To determine attendance of members at conferences.
15. Consider ways of achieving reductions in ongoing financial commitments through a review of essential and desirable services and service levels.
16. Identify opportunities for future income generation and cost savings.

17. The Housing Committee exercises all the Council's appellate functions from officer decisions in respect of discretionary housing payments as well as reviewing the Council's expenditure on the Discretionary Housing Payments Fund and monitoring the Council's expenditure on aids and adaptations to council housing.
18. The Housing Committee will also be responsible for determining any applications for aids and adaptations to council housing above £10,000.
19. Specific functions are delegated to the Housing Sub-Committee ("Panel") as follows:
  20. The Sub-Committee (known as Panel) comprises any combination of three members of the main Committee.
  21. The Panel is delegated all the functions capable of being exercised by a Sub-Committee under 9.1 and 9.2.
  22. To receive the minutes of the Housing Performance Group.
  23. To receive the minutes of the Housing Payments Sub-Committee.
  24. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
  25. To deal with matters delegated to any other Committee.
  26. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders (where within budget).

Jobs and Economy Committee

1. In association with the Planning Committee to propose matters of planning policy to the Council in accordance with Part II of the Town and Country Planning Act 1990.
2. To authorise the making of conservation areas.
3. To authorise supplementary planning documents, development briefs and other documents under the local development scheme.
4. To authorise directions under Article 4 Town and Country Planning (General Permitted Development) Order 1995.
5. To authorise the making of compulsory purchase orders and carry out all procedures relating thereto.
6. To perform the functions of the Council under the Planning and Compulsory Purchase Act 2004 capable of being exercised by a Committee.
7. To determine attendance of members at conferences.
8. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
9. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council or within the remit of any committee) and without prejudice to the generality of the foregoing to develop, adopt and implement the Economic Development Strategy and other such strategies as the Committee may from time to time decide should be adopted.
10. To determine the means to attract external sources of funding into the Borough across the whole range of the Council's functions.
11. Identify opportunities for future income generation and cost savings.
12. Examine further procurement and collaborative working opportunities with the private sector and other local authorities.
13. The Committee will have responsibility for considering all matters relating to the Strategic Location for Growth and the wider area including the boundaries of the site, the retention of open space, the promotion of employment, integration with the proposed and existing infrastructure including road improvements, the tram and rail links and the suitable mix of development within the site.
14. The Committee will have authority to involve others in this process including site owners, the general public, the Nottingham City Council, the Nottinghamshire County Council, HS2 Limited and any other persons who may be able to assist in considering options for the site.

15. The Committee will have responsibility for considering all matters relating to the redevelopment of the Stapleford area focussing on the site of the former Police Station together with other land in the area that is within the Council's ownership.
16. The Committee will be responsible for appropriate ways to progress the redevelopment, including consultation with the public and other stakeholders.
17. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
18. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders. (Where within budget).

Leisure and Health Environment Committee

1. To determine policies to promote artistic, sporting and cultural activities within the Borough.
2. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council or within the remit of any Committee) and without prejudice to the generality of the foregoing to develop, adopt and implement:
  - a) policies for the management of all buildings and lands held leisure purposes including leisure centres and museums.
  - b) equalities strategy.
  - c) the Arts and Events and Leisure strategies.
  - d) Policies for car parking, allotments and cemeteries
  - e) management and recycling arrangements and policies.
  - f) policies in respect of street cleansing and the removal of litter.
  - g) policies regarding energy.
  - h) Energy Conservation Strategy.
  - i) Waste Management Strategy.
3. To organise and implement twinning and friendship activities.
4. To receive the minutes of the Equalities Working Group.
5. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
6. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders. (where within budget).
7. To determine attendance of members at conferences.
- ~~8. To authorise applications for and amendments to waste transfer stations.~~
9. To approve in principle events taking place in parks, open spaces and recreation grounds owned or managed by the Council.
- ~~10. Functions under the Environmental Protection Act 1990.~~
- ~~11. To determine all issues relating to environmental improvements.~~
- ~~12. To receive the minutes of the Energy Efficiency Working Group.~~
13. Identify opportunities for future income generation and cost savings.
14. Examine further procurement and collaborative working opportunities with the private sector and other local authorities.

15. Review the Council's arrangements that each Council service area has in place to respond to individuals, who may have mental health issues and need to access Council services.



Licensing and Appeals Committee

1. To determine attendance of members at conferences.
2. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
3. The functions of the Council relating to licensing and registration and the consideration and determination of appeals against the Council's decision across the full range of the Council's functions not otherwise provided for including hazardous substances consent, intentional homelessness, grievance and disciplinary appeals, excluding all those functions conferred on the Council or on a licensing committee by the Licensing Act 2003 and the Gambling Act 2005.
4. Without prejudice to the generality of the foregoing the consideration and determination of applications for licences permits and registration not otherwise delegated.
5. The enforcement of the functions of the Committee and the making and reviewing of policies concerning those functions, save for policies reserved for approval by full Council.
6. To make determinations in respect of the Scrap Metal Dealers Act 2013.

Planning Committee

1. The functions of the Council relating to town and country planning and development control other where they are required to be exercised by full Council.
2. Without prejudice to the generality of the foregoing, the functions of the Council in the following areas:
3. In association with the Policy and Performance Committee to propose matters of planning policy to the Council in accordance with Part II of the Town and Country Planning Act 1990.
4. The determination of applications for planning permission listed building and conservation area consent, consent for the display of advertisements and all matters capable of being dealt with by a regulatory committee for development control and building control.
5. The power to enter into agreements regulating the development and use of land including s106 agreements.
6. The power to grant conservation area consent and hazardous substances consent.
7. The power to require the discontinuance of a use of land.
8. The power to serve a completion notice under Section 94(2) Town and Country Planning Act 1990.
9. The Council's powers in respect of tree preservation.
10. The Council's development control and building control enforcement powers.
11. The power to create, stop up and divert footpaths and bridleways.
12. The functions detailed in Schedules 1 and 2 to The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 in respect of:
  - a. town and country planning and development control;
  - b. footpaths and bridleways and other public rights of way;
  - c. trees and hedgerows.
13. The functions of the Council under the Planning and Compulsory Purchase Act 2004 and in particular the functions relating to local development plan documents under sections 20 to 23 and 25, 26 and 28 of the Planning and Compulsory Purchase Act 2004.
14. Enforcing section 224 Town and Country Planning Act 1990 (control of advertisements).
15. To authorise the making of conservation areas.

16. To authorise directions under Article 4 Town and Country Planning (General Permitted Development) Order 1995.
17. To determine attendance of members at conferences.
18. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.

Policy and Performance Committee

1. To keep the Council's policies (including its Constitution) under review.
2. To approve and monitor progress on the Corporate Plan.
3. To propose changes to the Constitution and other policies approved or adopted by the Council.
4. Monitor the impact of significant external projects on the Council's services.
5. To determine attendance of members at conferences.
6. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the Committee.
7. To develop, adopt and implement any other policy (other than those policy documents reserved to the full Council or within the remit of any other committee) and without prejudice to the generality of the foregoing to develop, adopt and implement:
  - a. the Emergency Plan
  - b. the Information Technology Strategy
  - c. the Asset Management Strategy
  - d. ~~the People Strategy~~
  - e. the Capital Strategy
  - f. and other such strategies as Council may from time to time decide should be adopted.
8. To acquire, appropriate and dispose of land or property and of interests in or over land
9. To let, negotiate and settle leases and rents for Council owned land or property
10. ~~To approve and amend as necessary the establishment structure of the Council within the Budget Policy Framework.~~
11. To approve policies with regard to the Council's land, buildings and assets.
12. To authorise the making of compulsory purchase orders and carry out all procedures relating thereto.
13. Identify opportunities for future income generation and cost savings.
14. Examine further procurement and collaborative working opportunities with the private sector and other local authorities.
15. To receive reports in relation to the performance of the Council against Corporate Plan targets.

16. ~~To receive the minutes of the Computer Working Group~~
17. ~~To receive the minutes of the Member Training and Development Working Group.~~
18. To provide strategic direction to any delivery body established by the Council to fulfil the purposes over which the Committee has responsibility.
19. Issues relating to the Council's structure and employees.
20. ~~To receive recommendations from the Local Joint Consultative Committee.~~
21. To receive and make determination in respect of performance.
22. To deal with matters not delegated to any other committee or reserved to Council, or where the committee cycle is such that a decision is required before the next meeting of the relevant service committee.
23. To approve the letting of contracts to third parties where the value of the contract exceeds delegation limits as set out in procurement standing orders. (Where within Budget).
24. ~~To receive the minutes of the Equalities Working Group.~~

**Personnel Committee**

1. To develop adopt, implement and review the People Strategy and any other policy or strategy concerning human resources which has been adopted by this committee or by the Council.
2. To consider and deal with issues relating to the Council's establishment structure and employees, including approval of significant changes to local terms and conditions.
3. To receive and deal with minutes and recommendations from the Local Joint Consultative Committee.
4. Approval of establishment changes where both (i) the overall financial consequences are £5,000 per annum or above and (ii) where more than five employees are affected by such changes, subject to a maximum level of £25,000 and held within existing budgets (with the Chief Executive having delegated authority for minor establishment changes up to the value of £25,000 if held within existing departmental budgets).
5. To receive reports on post-entry training and development for employees including apprenticeships and to approve the Training and Development Policy.
6. Approval of the Health and Safety at Work Policy.
7. Approval of establishment changes which have estimated additional costs to the Council of over £25,000, subject to the approval of the Finance and Resources Committee if not held within existing departmental budgets.
8. To determine responses on behalf of the Council to any government, local authority or other consultation on matters within the remit of the committee.
9. To consider ways of achieving reductions in ongoing financial commitments through a review of essential and desired services and service levels.
10. To identify opportunities for future income generation and cost savings.
11. Determine the discretionary elements of both national and local conditions of service.
12. Consideration of the Draft Pay Policy before submission to Council.
13. Approval of the Job Evaluation Scheme and pay structure arising from it, subject to the approval of Finance and Resources Committee and Council as appropriate

- 14. Taking such action regarding the appointment, suspension or discipline of chief officers (with the exception of the Chief Executive) as may be performed by a committee (with the Chief Executive having delegated authority for appointments below this tier).**
- 15. Taking such action regarding the dismissal of chief officers (excluding statutory Chief Officers).**
- 16. Providing advice, views and recommendations to Council in respect of the dismissal of any statutory chief officer, subject to the Committee containing two Independent Persons when performing this function.**
- 17. The functions of an Investigating and Disciplinary Committee under the JNC Conditions of Service Handbook for Chief Executives, 13 October 2016.**

Housing Performance GroupObjectives

1. To take an objective view of the Housing Department's performance based on assessment of evidence from a range of sources.
2. To monitor the implementation of the HRA Business Plan and its development over time to ensure a high quality service is maintained.
3. To identify spending priorities and ensure budgets are appropriately allocated for both business and service users' needs.
4. To establish priorities for reviewing performance using outcomes of assessments.
5. To identify areas for review to enable Service Review Groups to scrutinise either the whole or part of the service area and make recommendations for improvements.
6. To agree whether requested recommendations made by Service Review Groups for improvements should be taken forward.



Functions Performed by The Local Joint Consultative Committee ('LJCC')

The LJCC is the forum between members of the Council and representatives of the employees of the Council set up to consider matters of common interest, further good relations between members and officers and make recommendations to the Council, Governance, Audit and Standards Committee or any other appropriate committee.

Functions Performed by The Bramcote Bereavement Services Joint Committee

As set out in the agreement with Erewash Borough Council.

## APPENDIX 2

**Meeting dates for 22 July 2019 to April 2020**

<b>Date</b>	<b>Meeting</b>
22 July 2019	Governance, Audit and Standards Committee
24 July 2019	Planning Committee
25 July 2019	Annual Borough Parish
4 September 2019	Planning Committee
5 September 2019	Jobs and Economy Committee
10 September 2019	Alcohol and Entertainments Committee
11 September 2019	Housing Performance Group
12 September 2019	Local Joint Consultative Committee
16 September 2019	Personnel Committee
18 September 2019	Housing Committee
19 September 2019	Community Safety Committee
23 September 2019	Governance, Audit and Standards Committee
24 September 2019	Licensing and Appeals Committee
25 September 2019	Leisure and Health Committee
1 October 2019	Environment and Climate Change Committee
2 October 2019	Policy and Performance Committee
8 October 2019	Planning Committee
10 October 2019	Finance and Resources Committee
16 October 2019	Council
24 October 2019	Bramcote Bereavement Services Joint Committee*
5 November 2019	Housing Performance Group
6 November 2019	Planning Committee
13 November 2019	Leisure and Health Committee
14 November 2019	Community Safety Committee
18 November 2019	Personnel Committee
21 November 2019	Jobs and Economy Committee
25 November 2019	Environment and Climate Change Committee
26 November 2019	Alcohol and Entertainments Committee
27 November 2019	Housing Committee
2 December 2019	Governance, Audit and Standards Committee
3 December 2019	Licensing and Appeals Committee
4 December 2019	Policy and Performance Committee

Date	Meeting
11 December 2019	Planning Committee
12 December 2019	Finance and Resources Committee
18 December 2019	Council
8 January 2020	Housing Performance Group
9 January 2020	Finance and Resources Committee
15 January 2020	Planning Committee
16 January 2020	Local Joint Consultative Committee
16 January 2020	Bramcote Bereavement Services Joint Committee*
22 January 2020	Leisure and Health Committee
23 January 2020	Community Safety Committee
27 January 2019	Personnel Committee
29 January 2020	Housing Committee
30 January 2020	Jobs and Economy Committee
3 February 2020	Environment and Climate Change Committee
5 February 2020	Policy and Performance Committee
12 February 2020	Planning Committee
13 February 2020	Finance and Resources Committee
25 February 2020	Alcohol and Entertainments Committee
4 March 2020	Council
10 March 2020	Licensing and Appeals Committee
16 March 2020	Governance, Audit and Standards Committee
18 March 2020	Planning Committee
19 March 2020	Bramcote Bereavement Services Joint Committee*
22 April 2020	Planning Committee

\*Dates approved by the Bramcote Bereavement Services Joint Committee.

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Report of the Chief Executive

**HOUSING DELIVERY PLAN**

1. Purpose of report

To seek approval for a Housing Delivery Plan to meet social and affordable housing need.

2. Background

In December 2018 Housing Committee approved the recommendations of the Social and Affordable Housing Need report. It was agreed that a phased delivery plan would be brought to a future meeting. Appendix 2 is confidential because it contains financial information.

3. Detail

Housing Committee resolved that the proposal for a phased delivery plan be based on:

- Land the Council currently owns
- Purchase of already built properties
- A buy-back policy
- Remodelling of existing under-used accommodation
- Judicious use of partnerships where there is a proven business case to use this route to deliver dwellings faster or where additionality can be achieved.

A phased potential delivery plan for the next ten years which addresses all of the above is included in appendix 1. A potential new build delivery plan for phase 1 is included in appendix 2. The process through which this could be achieved is set out in appendix 3.

4. Financial implications

Housing Capital receipts available at 31 March 2019 to support the housing delivery plan totalled £3,831,225. These will be supplemented by receipts from future right to buy sales. Borrowing remains a potential source of funding and the flexibility has been enhanced by the abolition of the debt cap.

**Recommendation**

**The Committee is asked to RESOLVE:**

- 1) TO APPROVE the approach to development outlined in the phased Housing Delivery Plan to deliver 230 homes over 10 years.**
- 2) TO AGREE to embark on the process set out in appendix 3 through which the land identified in the Phase 1 Delivery Plan may in future be used for development of housing**
- 3) TO RECOMMEND to Finance and Resources Committee to include £1,000,000 in the 2019/20 Capital Programme for the acquisition of properties for the Housing Revenue Account**
- 4) TO RECOMMEND TO COUNCIL that the Chief Executive be delegated the power to approve property acquisitions within the budget identified and land acquisitions up to £500,000 in consultation with the Chair of the Housing Committee.**

Background papers

Nil

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# Housing Delivery Plan

Why a Housing Delivery Plan is needed.....	2
Need for social and affordable rented properties per annum .....	2
Social and affordable rented need by sub-area.....	2
Need for affordable home ownership products (intermediate housing) .....	2
How housing need will be met .....	3
1) Acquisition of existing properties .....	3
2) Remodelling of existing under-used accommodation .....	4
3) Partnerships with registered providers.....	5
4) New Build Developments.....	6
How housing delivery will be financed .....	7
Phased housing delivery.....	7
Housing Delivery Plan – Phase 1 – Years 1 and 2 (2019 - 2021).....	8
Housing Delivery Plan – Phase 2 – Years 3 to 5 (2021 - 2024).....	9
Housing Delivery Plan – Phase 3 – Year 5 onwards (2024 onwards) .....	10

## Why a Housing Delivery Plan is needed

The Social and Affordable Housing Need Study commissioned in 2018 and undertaken by GL Hearn, concluded that ‘overall, the analysis identifies a notable need for affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue in the Borough.’ The report stressed that ‘the amount of affordable housing delivered will be limited to the amount that can viably be provided’ and ‘suggest that affordable housing delivery should be maximised where opportunities arise.’

*Need for social and affordable rented properties per annum:*

	Per annum	2018-28
Current need	42	419
Newly forming households	384	3,840
Existing households falling into need	152	1,516
Total Gross Need	577	5,775
Re-let Supply	309	3,090
Net Need	268	2,685

Source: Census (2011)/CoRe/Projection Modelling and affordability analysis (figures may not sum due to rounding)

*Social and affordable rented need by sub-area:*

	Current need	Newly forming households	Existing households falling into need	Total Gross Need	Relet Supply	Net Need
Beeston	20	190	72	281	144	137
Eastwood	8	67	31	106	63	43
Kimberley	6	71	20	96	44	53
Stapleford	8	57	29	94	58	36
Total	42	384	152	577	309	268

Source: CoRe/Census (2011) (figures may not sum due to rounding)

*Need for affordable home ownership products (intermediate housing):*

	Current need	Newly forming households	Existing households falling into need	Total Gross Need	Relet Supply	Net Need
Beeston	112	126	18	256	29	227
Eastwood	19	34	6	59	10	49
Kimberley	23	49	6	78	16	62
Stapleford	17	25	5	47	16	31
Total	170	234	36	439	71	368

Source: CoRe/Census (2011) (figures may not sum due to rounding)



## How housing need will be met

It is recognised that the affordable housing needs of the residents of the borough can only be met through the use of a combination of the following delivery mechanisms:

- 1) Acquisition of existing properties
- 2) Remodelling of existing under-used accommodation
- 3) Partnership work with local registered providers
- 4) New build development

### 1) *Acquisition of existing properties*

Acquisition of existing properties will predominately focus on 'buying back' ex-Council properties located in areas of current social housing, particularly in the early years of the plan.

In June 2018, Housing Committee approved a Right of First Refusal and Discount Repayment Policy which outlined the approach which would be taken to determine if a property should be purchased when offered to the Council as a right of first refusal of a property previously sold under right to buy. Acquisition of properties for the purpose of meeting the need identified in the Social and Affordable Housing Need report would follow a similar appraisal process including:

- Undertaking a financial assessment including the purchase price and any repair costs to meet the lettable standard
- Establishing demand for the property
- Establishing the suitability of the property

A new Acquisitions Policy to confirm the approach and process will be brought to Housing Committee for approval.

In addition to the acquisition of existing properties, there will also be occasions where the Council wish to purchase land to supplement the Council's existing portfolio, particularly the purchase of land next to sites for development already owned by the Council. The new Acquisitions Policy to be brought to Committee will also confirm the approach and process for land acquisition.

Although any properties purchased would be subject to the right to buy the amount spent to acquire a property and to bring it up to a good standard would be included in the 'cost floor' calculation. This means that if a tenant made a right to buy application they would get very little, if any, discount. This would not guarantee that the acquired properties would not be sold, but it would be very unlikely as the incentive of a large discount would not be there.

There are many benefits to the vendor, including achieving full market value for their property and no estate agents fees. To increase the number of acquisitions the Council will also consider incentives that may be offered to vendors. A full appraisal of the options available and legal implications will be undertaken during phase 1 of the plan.

The Council will undertake a marketing campaign to encourage direct approaches to the Council to purchase ex-Council properties. Where appropriate the Council will also contact vendors advertising properties for sale to discuss the option of Council acquisition.

Average property values of properties sold November 2017 – November 2018:

Property type	Post code	No.	Average sale price	80% of average
Flats	NG9	84	£144,761	£115,809
Flats	NG16	19	£116,569	£93,255
Terraced Houses	NG9	196	£144,176	£115,341
Terraced Houses	NG16	201	£110,034	£88,027
Semi-detached	NG9	437	£190,235	£152,188
Semi-detached	NG16	329	£143,708	£114,966
Total/Average	NG9	717	£172,317	£137,853
Total/Average	NG16	549	£130,440	£104,352

Source: Zoopla, 2018

\*Flats in NG16 are based on estimated values

The 80% of average sales prices has been added to account for outliers where design and location might be beyond that which would provide value for money for the Council. On this basis, property acquisitions appear to be a cost effective route to provide additional social housing in the NG16 area whilst in the NG9 area, the difference between acquisition costs and development costs is likely to be less significant.

2) *Remodelling of existing under-used accommodation*

Remodelling unpopular or low demand housing can provide opportunities to increase the density of homes on particular sites whilst providing good quality homes that people want to live in.

The cost effectiveness of remodelling compared to new build will depend on the scope of the renovations and size of the development. Remodelling existing accommodation can lead to an increase in the number of units provided or can change the use of the accommodation to one that meets an identified housing need.

In March 2018, Housing Committee approved the recommendations of the Independent Review of the Retirement Living Service this included the recommendation that: ‘Given the issues of low demand compared to supply, and the unsuitability of some of the current retirement living stock for most older people, it is recommended that some of the retirement living stock be de-designated. De-designated stock should then be assessed for the most appropriate future role, including being let as general needs accommodation.’

Building upon the recommendations of the Independent Review of the Retirement Living Service schemes for remodelling will be identified during phase 1 of the plan. The process of exploring potential options for remodelling and consultation with tenants will also be completed during phase 1.

Remodelling existing independent living accommodation needs to be done sensitively in recognition of the vulnerability of existing tenants. Existing tenants will

be offered alternative accommodation and consideration will be given to the availability of any new build properties for this purpose.

3) Partnerships with registered providers

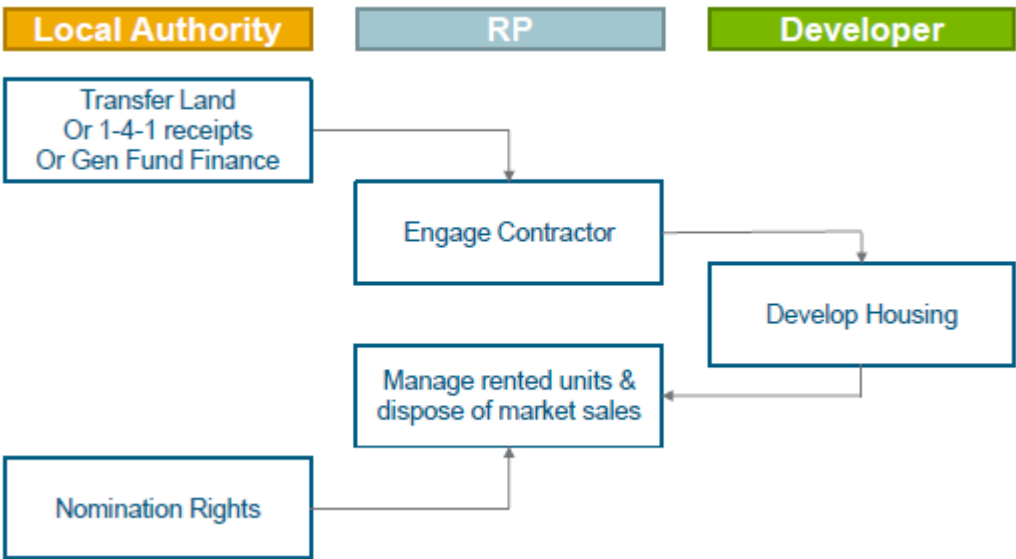
The plan is ambitious and to achieve it we will need to build strong strategic partnerships. The Council has already established good working relationships with a number of registered providers, who have built affordable housing within the Borough. Initial meetings have been held with a number of prospective partners to discuss future partnership working.

The Council already provides support to registered providers through providing support for applications for Homes England funding. In addition to this where there is a proven business case to use this route to deliver dwellings faster or where additionality can be achieved, the Council may also support registered providers financially through the provision of land or use of right to buy receipts.

If support was provided through the provision of land then the Land Disposals Policy will be followed to ensure that the requirements of the Local Government Act 1972 and Localism Act 2011 are met.

When properties are developed by a registered provider the asset is owned by the registered provider. Therefore they are responsible for the ongoing management and maintenance of the property. The Council will secure nomination rights for the properties, which means that properties will be let to applicants from the Council's waiting list. It is usual practice for Council's to obtain 100% nominations on the first let of the property and 50% nominations on any subsequent lets. Although many registered providers do not hold their own waiting list for the borough so the level of nominations provided is often much higher.

Registered provider model of housing delivery:



#### *4) New Build Developments*

Using the information provided in the recent Social and Affordable Housing Need report will ensure that we are building the right homes in the right places. We need to provide the right mix of properties to meet local need, both now and in the future.

The financial environment for HRA new build has improved significantly recently. Following four successive years of rent reductions housing rents are set to rise by CPI + 1% from 2020/21. Also, with the proposals to improve the use of right to buy receipts, backed up by the potential availability of grant funding and, of most significance, the removal of the HRA debt cap the capacity for HRA new build has improved considerably.

The Social and Affordable Housing Need report stated: 'The extent to which the council may be able to access grant is not clear at this stage. Taking a pessimistic view we can see that the council would still, without any grant, be able to embark on a programme delivering up to 230 new social rented homes over the next 10 years.'

This is based on an indicative weekly affordable rent of £118.40 at 2018/19 price levels. A significantly larger programme could be funded from the HRA. This is because the net rent income, after deducting operating costs, including voids and bad debts, management costs and repairs and maintenance is greater than the cost of the debt charges on the required borrowing.

The Council will also consider building properties for shared ownership. The recent Social and Affordable Housing Need report identified a need for affordable home ownership products in all parts of the borough. Further work is required to gauge the interest for shared ownership properties, which will be completed during Phase 1 of the plan.

The Council will apply for Investment Partner qualification with Homes England which will allow the Council to bid for funding under the Shared Ownership and Affordable Homes Programme. Assessment of applications for Investment Partner status includes financial due diligence which considers an applicant's financial and technical capacity to undertake an agreed programme of new supply. The Council can submit an application for qualification in its own right or join with an existing, qualified Investment Partner. Both options will be considered.

The Council will explore all viable options to deliver new build housing, including building larger scheme and selling some of the properties on the open market to fund affordable housing on the same scheme. Alternative delivery methods, such as modular housing will be considered where appropriate, especially on sites which may be otherwise unsuitable for redevelopment.

Irrespective of the method of construction used, the Council will provide a sustainable home for future residents, which is built to provide good levels of energy efficiency and reduced utility cost for the occupants. The Council will aim to achieve the equivalent of level 4 in the Code for Sustainable Homes.

In February 2019, Policy and Performance Committee approved an Interim Housing Delivery Manager. The cost will be met from the HRA Revenue budget.

The Interim Housing Delivery Manager's appointment will kick-start the house delivery programme. Subsequently, the programme would be handed over to a permanent Broxtowe employee. Their employment and remuneration would be subject to job evaluation and committee approval. The specialist employee would form part of the Capital Works team in Property Services.

### **How housing delivery will be financed**

Housing Capital receipts available at 31<sup>st</sup> March 2019 to support the housing delivery plan totalled £3,831,225. These will be supplemented by receipts from future right to buy sales.

Like most local authorities with their own housing stock, the Council entered into an agreement with the Government in 2012 to retain receipts from the sale of council houses, in excess of those that are required to be made to MHCLG, to fund the replacement of stock that is sold. Under the terms of the agreement, local authorities are required to spend receipts within three years and the receipts should fund no more than 30% of the cost of a replacement unit.

Borrowing remains a positive source of funding for housing delivery and the flexibility has been enhanced by the abolition of the debt cap. Any borrowing will be assessed to determine its affordability and potential impact on Housing Revenue Account (HRA) budgets.

Revenue contributions from the HRA are a potential source of funding. The balance at 31<sup>st</sup> March 2019 was £4,002,975 (subject to external audit). However a minimum working balance needs to be maintained for the HRA and this has been set at £1,000,000.

The Council will also seek to optimise potential grant funding that may be available from organisations such as Homes England. Any proposals that come forward in respect of the Housing Delivery Plan will be based upon a sound business case with recommendations to amend revenue and capital budgets as necessary.

### **Phased housing delivery**

The delivery plan is divided into three phases which each use of combination of the above delivery mechanisms:

Phase 1 – Years 1 and 2 (2019 – 2021)

Phase 2 – Years 3 to 5 (2021 – 2024)

Phase 3 – Year 5 onwards (2024 onwards)

The tables on the following pages summarise the approach to be taken in each phase.

**Housing Delivery Plan – Phase 1 – Years 1 and 2 (2019 - 2021)**

<p><b>Strategy</b></p>	<p>Consider potential sites for all phases and categorise in terms of complexity to develop</p> <p>Plan for phase 1 sites:</p> <ul style="list-style-type: none"> <li>• All within current social housing areas</li> <li>• Vacant/underutilised land</li> <li>• No obvious obstacles, for example Tree Preservation Orders</li> <li>• Select best sites to deliver 20-30 units</li> </ul> <p>Agree unit type based on housing need survey and identified housing need</p> <p>Develop cost database to inform future delivery methods</p> <p>Develop high level plan for development sites in phase 2</p> <p>Option appraisal of alternative delivery vehicles for later phases</p> <p>Consider alternative interim vehicles for acquiring properties on a short term lease</p> <p>Identify potential interest in shared ownership properties</p> <p>Utilise current right to buy receipts</p> <p>Identify existing accommodation for remodelling</p>
<p><b>Delivery</b></p>	<p>Acquisitions of existing properties, particularly in the North of the borough</p> <p>Capital Works and United Living to refurbish acquired properties to achieve the Lettable Standard</p> <p>Use framework architects</p> <p>Use local tender, potentially in lots, below OJEU threshold</p> <p>Develop partnerships with Registered Providers, where appropriate</p> <p>Deliver housing to meet the needs of ex-service personnel as a priority</p> <p>Deliver dementia friendly bungalows, where funding has already been approved</p>
<p><b>Resources</b></p>	<p>Appoint Interim Housing Delivery Manager</p> <p>Establish a working group including Housing, Planning, Economic Development, Property Services and Finance.</p> <p>Supplement with external support when required</p>

**Housing Delivery Plan – Phase 2 – Years 3 to 5 (2021 - 2024)**

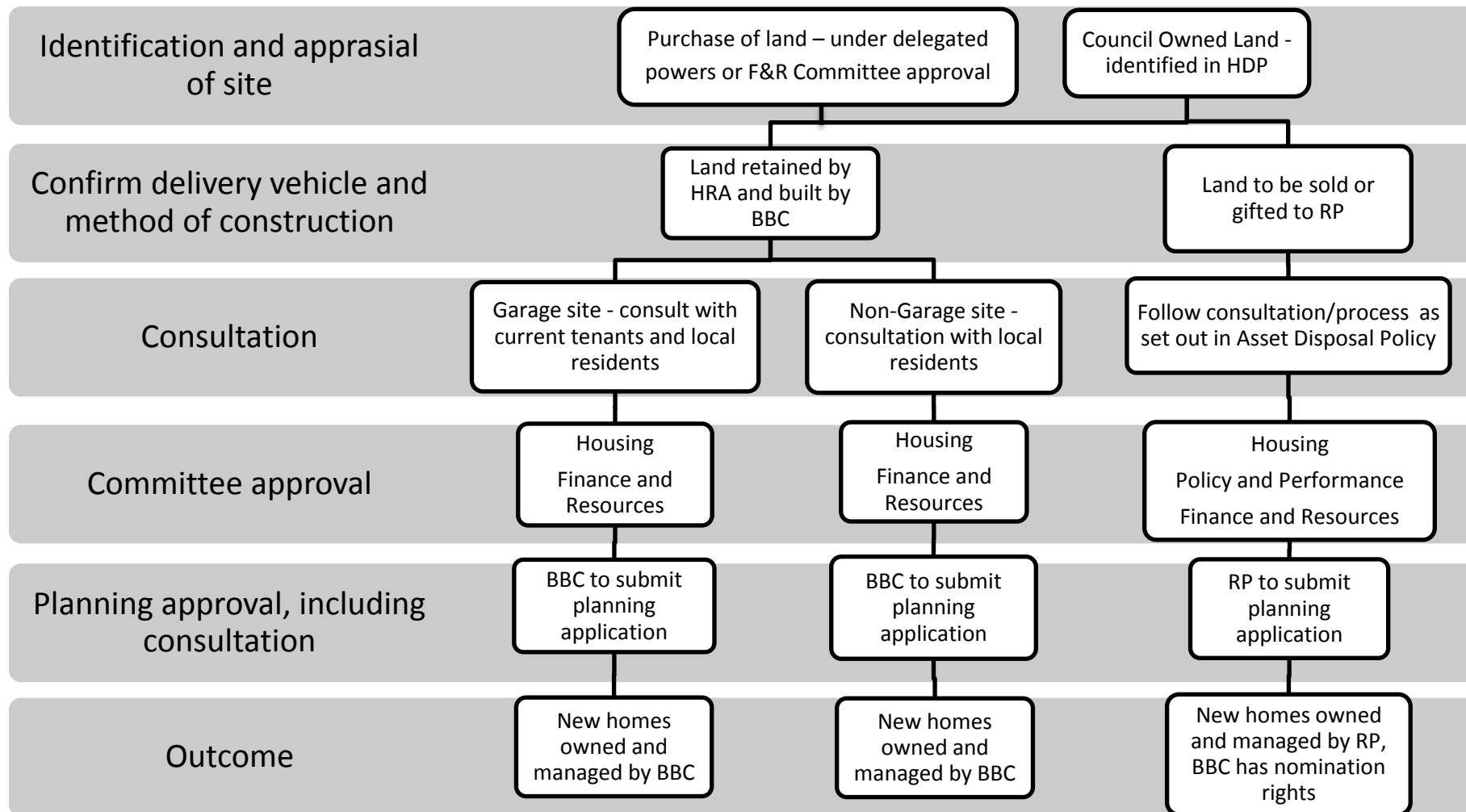
<p><b>Strategy</b></p>	<p>Review priority needs</p> <p>Bring forward phase 2 sites:</p> <ul style="list-style-type: none"> <li>• May have planning complications</li> <li>• May need 3<sup>rd</sup> party access</li> <li>• May be politically sensitive</li> </ul> <p>Review cost performance database to inform delivery vehicle decisions</p> <p>Consider selective disposal to cross-subsidise new development</p> <p>Consider exit plan for interim acquisitions</p> <p>Prepare a Development Strategy, based on insight from phase 1 and including a site acquisition strategy</p>
<p><b>Delivery</b></p>	<p>Formalise long-term delivery vehicle procurement exercise</p> <p>Consider leverage from s106 obligations on future large-scale developments</p> <p>Build market profile and publicise requirements among agents and developers</p> <p>Remodelling of existing accommodation</p>
<p><b>Resources</b></p>	<p>Interim Housing Delivery Manager to hand over to in-house resources to sustain and operate the programme</p> <p>Working group established in phase 1 to continue to progress delivery plan</p>

**Housing Delivery Plan – Phase 3 – Year 5 onwards (2024 onwards)**

<p><b>Strategy</b></p>	<p>Review priority needs</p> <p>Implement Development Strategy</p> <p>Bring forward phase 3 sites:</p> <ul style="list-style-type: none"> <li>• No current planning allocation</li> <li>• Existing use requires displacement</li> <li>• Complex 3<sup>rd</sup> party involvement</li> <li>• High political sensitivity</li> </ul> <p>Nurture long term strategic alliances (non-contractual)</p> <p>Consider disposal/future use plan for undevelopable sites</p>
<p><b>Delivery</b></p>	<p>Review delivery vehicles</p> <p>Re-tender as appropriate</p> <p>Exit interim solutions</p>
<p><b>Resources</b></p>	<p>Possible need for planning consultants on more complex sites</p> <p>Possible need for agent to identify opportunities</p>



Process for delivery of social and affordable new build housing



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## Report of the Deputy Chief Executive

**CAPITAL BUDGET VARIATIONS 2019/20**1. Purpose of report

To seek approval for a number of capital budget variations in respect of the 2019/20 financial year.

2. Background

Examination of the approved capital programme for 2019/20 has resulted in a number of proposed amendments to the 2019/20 capital programme. Further details are set out in appendix 1 with a financial summary shown in appendix 2.

Included in appendix 1 is an in-depth analysis of the anticipated expenditure and accompanying financing of the Beeston Town Centre Phase 2 Development. This provides details of expenditure incurred in 2018/19 and current projections for the scheme over the following years.

Tender invitations were sent out to a shortlist of 5 contractors on 7 June 2019. The Project Board is due to review responses on 12 August 2019 with a view to selecting a construction partner. Bids will be evaluated on a combination of quality and cost. The Council's Financial Regulations (section 9.3) requires the evaluation of tenders in excess of £25,000 that include a qualitative evaluation to be presented to the appropriate Committee with a recommendation as to the tender that should be accepted and the basis for such a recommendation. The Committee cycle will not allow for this without significant delay (and potential cost) to the project. Accordingly, the Committee is requested to waive this requirement, particularly in view of the Project Board's cross-party representation and delegate authority to the Deputy Chief Executive to award the building contract following the consideration of the tenders by the Project Board.

**Recommendations**

The Committee is asked to:

1. **RECOMMEND** to Council on 17 July 2019 that the budget in the 2019/20 capital programme for the Beeston Town Centre Phase 2 Development be increased by £1,000,000 to £3,553,850.
2. **DELEGATE** to the Deputy Chief Executive, following consultation with the Beeston Town Centre Project Board, authority to award a building contract for the Beeston Town Centre Phase 2 based on qualitative and quantitative analysis of tenders
3. **RESOLVE** that the other capital budget variations for 2019/20 as set out in appendices 1 and 2 be approved.

Background papers

Nil

## APPENDIX 1

1. Beeston Town Centre Phase 2 Development

The Policy and Performance Committee on 21 November 2017 delegated to the Interim Deputy Chief Executive responsibility for the financing of the Beeston Town Centre Development scheme (sometimes referred to as Beeston Square Phase 2)..

The 2018/19 capital programme included £539,800 for the Beeston Town Centre Development scheme. Expenditure for the year totalled £421,865. This included £282,795 paid to Atkins Limited for site investigation, work on the planning application and elements of detailed design. A planning fee of £25,535 was paid to the Council. There were also payments totalling £16,638 to Cartwright Communications for public relations work, £9,500 to Jones Lang LaSalle for valuation work and £7,000 to Grant Thornton for undertaking a financial appraisal of a potential cinema operator. There was also expenditure of £50,675 on the services of the Interim Regeneration Manager.

The expenditure of £421,865 was financed using grant income of £320,000 and borrowing of £101,865. The grant income was comprised of £70,000 received from the Nottinghamshire Pre-Development Fund and £250,000 received from the D2N2 Local Enterprise Partnership (LEP) towards the regeneration of Beeston Town Centre. The LEP grant is to be supplemented with a further £500,000 to be received in 2019/20.

A further report on this agenda seeks approval to carry forward the unspent £117,350 budget in the 2018/19 capital programme into 2019/20.

The capital programme 2019/20 to 2021/22 presently includes a total of £10,436,500 for the scheme spread across each of the three years as follows:

	£
2019/20	2,436,500
2020/21	6,000,000
2021/22	2,000,000

The budget of £2,436,500 in 2019/20 will be increased to £2,553,850 once approval for the carry forward (£117,350) is granted as set out above.

As reported to the Beeston Town Centre Project Board on 3 June 2019, it is proposed that the budget for the scheme be increased by a further £1.0m. This is to reflect a number of factors that were not envisaged at the initial viability assessment stage including a change to the cinema to include an additional screen and more seating, the need to re-locate a sub-station in the public realm and other structural changes designed to reduce the risk of and increase the speed of construction. Whilst approval to increase budget for the scheme is being requested from the Finance and Resources Committee, it is considered appropriate given the scale of the scheme to seek further approval from Full Council.

The originally-approved project budget was £10.856 million, of which £8.6 million was to be funded by borrowing. Although the total capital investment required to deliver the project has risen to an estimated £11.829 million, increased capital receipts from the sale of the part of the site for residential development has reduced the Council's borrowing requirement to £8.1 million. These figures all exclude interest on loans until such time as sufficient rental income has been generated to cover debt service.

Finance and Resources Committee on 8 January 2019 considered bids for the sale of part of the site for residential development and resolved to delegate responsibility for concluding this to the Interim Deputy Chief Executive in consultation with the three party leaders. The resulting capital receipt is to form part of the financing of the scheme. It is now apparent that this receipt will be significantly in excess of that originally envisaged to the extent that it will more than offset the additional cost of the scheme as set out above.

In addition, the resources available to finance the remaining expenditure on the scheme will be enhanced by the receipt of £500,000 in 2019/20 from the D2N2 LEP and by a further £25,250 that has been made available by the Nottinghamshire Pre-Development Fund.

It is presently anticipated that the remaining capital costs over the next three years are met by borrowing, amounting to £8,112,000. The project team will continue to actively pursue grant opportunities to offset this.

Members will note that this regeneration project is intended to be self-financing in the medium term. Over the first 5 years following completion, total rental income is forecast to be sufficient to cover interest payments on the Council's loans. After 5 years, rental income is forecast to exceed both interest and MRP, generating a profit rent of some £134,000 per annum. 5-yearly rent reviews should further improve medium- to long-term viability. This can be shown as follows:

#### **VIABILITY DASHBOARD**

	£000's		
	<b>ORIGINAL BUSINESS CASE</b>	<b>CURRENT FORECAST</b>	<b>REMARKS</b>
<b>Overall project budget</b>	10,865	11,829	Excluding interest / MRP
<b>Borrowing requirement</b>	8,595	8,112	Net of previous years CapEx
<b>Viability tests:</b>			
Initial interest cover %	Target - 100%	0.94	<u>Committed</u> rents / loan interest
FRV interest & MRP cover %	Not reported	1.34	Full rent (2025+) / (loan interest + MRP)
Profit rent on maturity	Not reported	134.95	FRV less interest & MRP

The sensitivity of the project to variations in key development components has been tested and can be summarised as follows:

Increase in costs / decrease in income needed to negate profit rent

Rental value / occupancy	25.46%
Project costs	23.43%
Interest/MRP combined	34.16%

Regular updates on the projected costs and risk profile of the scheme and its financing (including any further external contributions that may be received) will continue to be reviewed by the Project Board and reported to the Policy and Performance and the Finance and Resources Committees as appropriate.

2. Former Stapleford Police Station Redevelopment Project

As reported to the Housing Committee on 5 March 2019 and the Jobs and Economy Committee on 4 July 2019, this project involves the re-development of an under-utilised Council asset on a brownfield site. The former Police Station will be redeveloped for small business and office uses and will be charged at full market rate with an anticipated income of £16,000 rental income. The approximate running costs of the offices will be broadly offset by the additional NNDR income. It is expected that this project will create approximately 15 jobs. The estimated total project cost is £171,000, with £88,135 grant funding from the D2N2 Local Enterprise Partnership (LEP), and match funding from the Council of £82,865. If further grant funding becomes available and is secured, the Council match funding contribution will be reduced.

The additional D2N2 LEP funding has recently become available, and presents an excellent opportunity to leverage capital funding to this project. The business case for this project will be presented to the D2N2 LEP on 12 July 2019.

In order to deliver this project, Council funding of £82,865 is requested. This may be in the form of grants, capital receipts, revenue contributions or borrowing. The exact nature of the financing of the scheme will be determined when the total capital expenditure for 2019/20 is financed as part of the production of the 2019/20 accounts.

3. Disabled Facilities Grants

The 2019/20 capital programme approved at Finance and Resources Committee on 14 February 2019 includes £747,300 for Disabled Facilities Grants (DFGs). These are for the provision of adaptations to the homes of those disabled persons who qualify for the grant. Funding for these is provided initially by the Ministry for Communities, Housing and Local Government (MHCLG) to County Councils who, in two tier areas, then pass this down to District Councils through the Better Care Fund.

MHCLG announced on 9 May 2019 that Broxtowe Borough Council are to receive a DFG allocation for 2019/20 of £796,855 (net of .0 contribution to the NCC Handy Person Service) to meet its statutory duty to provide home adaptations as set out

above. The Council is permitted to spend part of this on wider social care capital projects should it wish to do so.

The 2019/20 capital budget for DFGs can now be revised from £747,300 to £796,850 accordingly.

Summary of Proposed Changes to 2019/20 Capital Programme

<b><u>No</u></b>	<b><u>Scheme</u></b>	<b><u>Budget 2019/20 (£)</u></b>	<b><u>Revised Budget 2019/20 (£)</u></b>
1	Beeston Town Centre Phase 2 Development	2,553,850*	3,553,850
2.	Former Stapleford Police Station redevelopment project	0	82,865
3.	Disabled Facilities Grants (2019/20 only)	747,300	867,200
	<b>TOTAL</b>	3,301,150	4,503,915

\*Includes carry forward of £117,350 as set out in another report on this agenda.