



Friday, 29 December 2023

Dear Sir/Madam

A meeting of the Cabinet will be held on Tuesday, 9 January 2024 in the Council Offices, Foster Avenue, Beeston, NG9 1AB, commencing at 6.00 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 Councillors: M Radulovic MBE (Chair)
G Marshall (Vice-Chair)
S A Bagshaw
R E Bofinger
C Carr

H J Faccio
J W McGrath
H E Skinner
P A Smith
V C Smith

The quorum for this meeting is 3.

A G E N D A

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

2. DECLARATIONS OF INTEREST

(Pages 5 - 10)

Members are requested to declare any interest as appropriate in respect of items to be considered at this meeting.

3. MINUTES

(Pages 11 - 24)

Cabinet is asked to confirm as a correct record the minutes of the meeting held on 5 December 2023.

4. SCRUTINY REVIEWS (Pages 25 - 28)
- The purpose of this report is to make Members aware of matters proposed for and undergoing scrutiny. This is in accordance with all of the Council's priorities.
5. RESOURCES AND PERSONNEL POLICY
- 5.1 BUDGET CONSULTATION 2024/25 (Pages 29 - 40)
- To report the results of the 2024/25 budget consultation exercise that took place during October and November 2023.
- 5.2 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2023/24 MID-YEAR REPORT (Pages 41 - 58)
- To provide Members with a mid-year update on Treasury Management activity and the Prudential Indicators for 2023/24.
- 5.3 CHANGE DELIVERY MANAGER TO SUPPORT THE IMPLEMENTATION OF THE SERVICE IMPROVEMENT PLAN FOR ASSET MANAGEMENT REPAIRS AND COMPLIANCE (Pages 59 - 62)
- To seek Committee approval for the appointment of a new two year fixed term post to support the delivery of the Asset Management, Repairs and Compliance Service Improvement Plan.
- 5.4 HOUSING DELIVERY TRAINEE POST TO SUPPORT THE HOUSING DELIVERY FUNCTION (Pages 63 - 66)
- To seek Committee approval for the appointment of a new post to support the delivery of affordable housing. This post will attract an apprentice levy for further study within construction management to support Housing Delivery within the Asset Management and Development Service.
6. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

6.1 STAPLEFORD SUPPLEMENTARY OFF-STREET CAR PARKING ORDER 2024 (DERBY ROAD CAR PARK) (Pages 67 - 72)

To recommend that statutory advertising be undertaken for a supplementary off-street car parking order for a new car park in Stapleford. This is a piece of enabling work for the Enterprise Hub project as part of the Stapleford Towns Deal Programme of Works. The current short stay public car park on Victoria Street provided by Broxtowe Borough Council is the proposed site for the Enterprise Hub project and therefore needs to be replaced elsewhere in the town. The site of the replacement car park is Derby Road in Stapleford.

6.2 NEW SKATEPARK LOCATION ON CENTRAL AVENUE RECREATION GROUND, STAPLEFORD (Pages 73 - 82)

To recommend the location of Central Avenue Recreation Ground, Stapleford, NG9 8PU as the site for a new skate park in Stapleford to replace the current skate park on Hickings Lane which is no longer fit for purpose. To provide a clear rationale and explanation towards the proposed, preferred location for the new skate park in Stapleford.

7. LEISURE AND HEALTH

7.1 EVENTS PROGRAMME 2024/25 (Pages 83 - 102)

To put forward proposals for the Council's Events Programme for 2024/25.

8. ENVIRONMENT AND CLIMATE CHANGE

8.1 PRIDE IN PARKS UPDATE 2023 (Pages 103 - 118)

To update Members on the progress of the Pride in Parks programme.

9. COMMUNITY SAFETY

9.1 ANTI SOCIAL BEHAVIOUR POLICY (Pages 119 - 162)

To recommend to Cabinet the adoption of an anti-social behaviour protocol and revised anti-social behaviour policy following discussions at the Policy Overview Working Group.

10. CABINET WORK PROGRAMME (Pages 163 - 164)

Cabinet is asked to approve its Work Programme, including potential key decisions that will help to achieve the Council's key priorities and associated objectives.

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. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

12.1 OPPORTUNITY TO DEVELOP FIVE NEW HOMES AND ONE REFURBISHED HOME (Pages 165 - 168)

12.2 THE FUTURE OF THE BUILDING CONTROL SERVICE (Pages 169 - 180)

13. RESOURCES AND PERSONNEL POLICY

13.1 IRRECOVERABLE ARREARS (Pages 181 - 184)

13.2 BENEFITS RESTRUCTURE AND VOLUNTARY REDUNDANCY (Pages 185 - 200)

13.3 EXECUTIVE DIRECTOR DEPARTMENT (Pages 201 - 216)

13.4 DISREPAIR (Pages 217 - 220)

MEMBER INTERESTS

Part 2 – Member Code of Conduct

General Obligations: 10. Interest

10.1 You will register and disclose your interests in accordance with the provisions set out in Appendix A of the Code of Conduct.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as defined in Appendix A of the Code of Conduct, is a criminal offence under the Localism Act 2011.

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

1. Consider whether you have any form of interest to declare as set out in the Code of Conduct.
2. Consider whether you have a declaration of any bias or predetermination to make as set out at the end of this document
3. Update Democratic Services and the Monitoring Officer and or Deputy Monitoring Officers of any declarations you have to make ahead of the meeting and take advice as required.
4. Use the Member Interest flowchart to consider whether you have an interest to declare and what action to take.
5. Update the Chair at the meeting of any interest declarations as follows:

‘I have an interest in Item xx of the agenda’

‘The nature of my interest is therefore the type of interest is
DPI/OR/NRI/BIAS/PREDETERMINATION

‘The action I will take is.....’

This will help Officers record a more accurate record of the interest being declared and the actions taken. You will also be able to consider whether it is necessary to send a substitute Member in your place and to provide Democratic Services with notice of your substitute Member’s name.

Note: If at the meeting you recognise one of the speakers and only then become aware of an interest you should declare your interest and take any necessary action.

6. Update your Member Interest Register of any registerable interests within 28 days of becoming aware of the Interest.

Ask yourself do you have any of the following interest to declare?

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land, Licences, Tenancies and Securities.

2 OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a Member or in a position of general control or management.

3 NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

A matter “**directly relates**” to one of your interests where the matter is directly about that interest. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you has a financial interest.

A matter “**affects**” your interest where the matter is not directly about that interest but would still have clear implications for the interest. For example, the matter concerns a neighbouring property.

Declarations and Participation in Meetings

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of Member and Co-opted Members or for

which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest

- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2 OTHER REGISTERABLE INTERESTS (ORIs)

2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:

- **you must disclose** the interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote** on the matter, but may speak on the matter only if members of the public are also allowed to speak at the meeting
- **you must withdraw from the room** unless you have been granted a Dispensation.

3 NON-REGISTRABLE INTERESTS (NRIs)

3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:

- **you must** disclose the interest; if it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote**, but may speak on the matter only if members of the public are also allowed to speak at the meeting; and
- **you must withdraw** from the room unless you have been granted a Dispensation.

Dispensation and Sensitive Interests

A "**Dispensation**" is agreement that you may continue to participate in the decision-making process notwithstanding your interest as defined at Section 12 of the Code of the Conduct and the Appendix.

A “**Sensitive Interest**” is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation. In any case where this Code of Conduct requires to you to disclose an interest (subject to the agreement of the Monitoring Officer in accordance with paragraph 2.4 of this Appendix regarding registration of interests), you do not have to disclose the nature of the interest, if it is a Sensitive Interest in such circumstances you just have to disclose that you have a Sensitive Interest under S32(2) of the Localism Act 2011. You must update the Monitoring Officer when the interest is no longer sensitive, so that the interest can be recorded, made available for inspection and published.

BIAS and PREDETERMINATION

The following are not explicitly covered in the code of conduct but are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests.

The risk in both cases is that the decision maker does not approach the decision with an objective, open mind.

This makes the local authority’s decision challengeable (and may also be a breach of the Code of Conduct by the Councillor).

Please seek advice from the Monitoring Officer or Deputy Monitoring Officers, if you need assistance ahead of the meeting.

BIAS

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be bias in your judgement of the public interest:

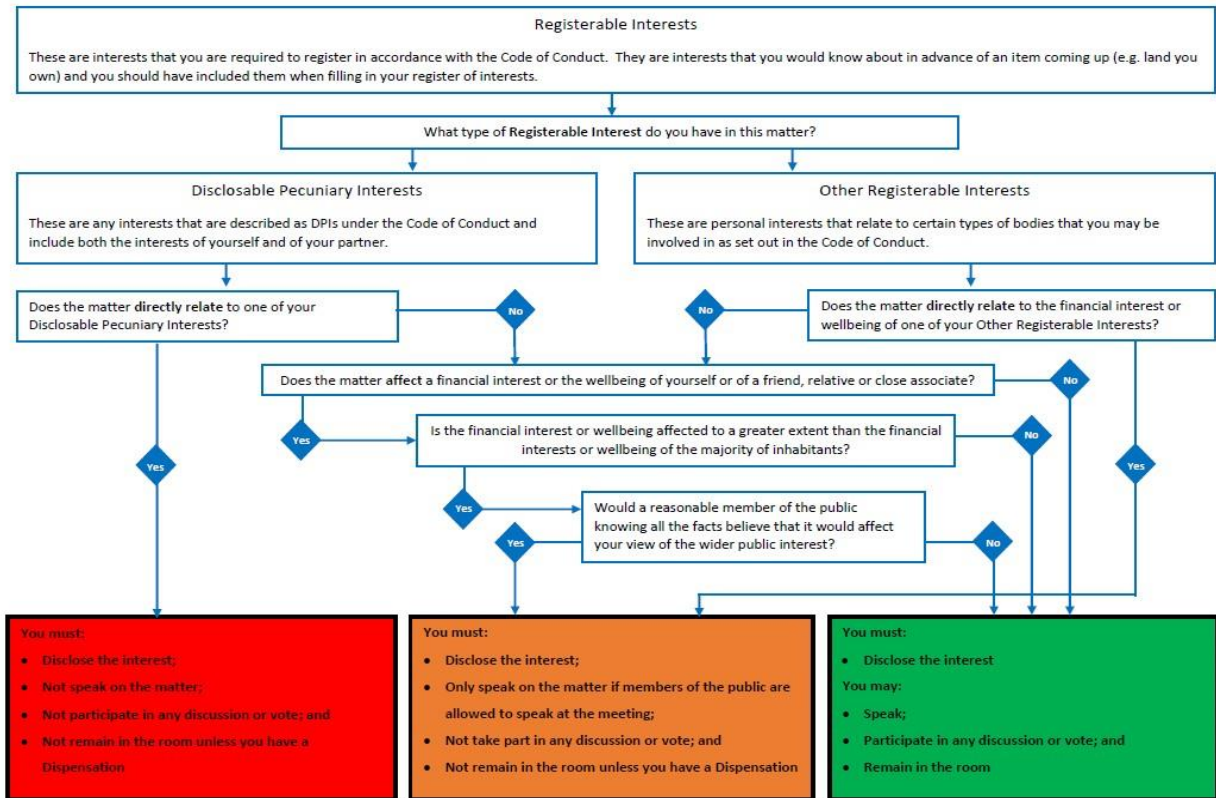
- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

PREDETERMINATION

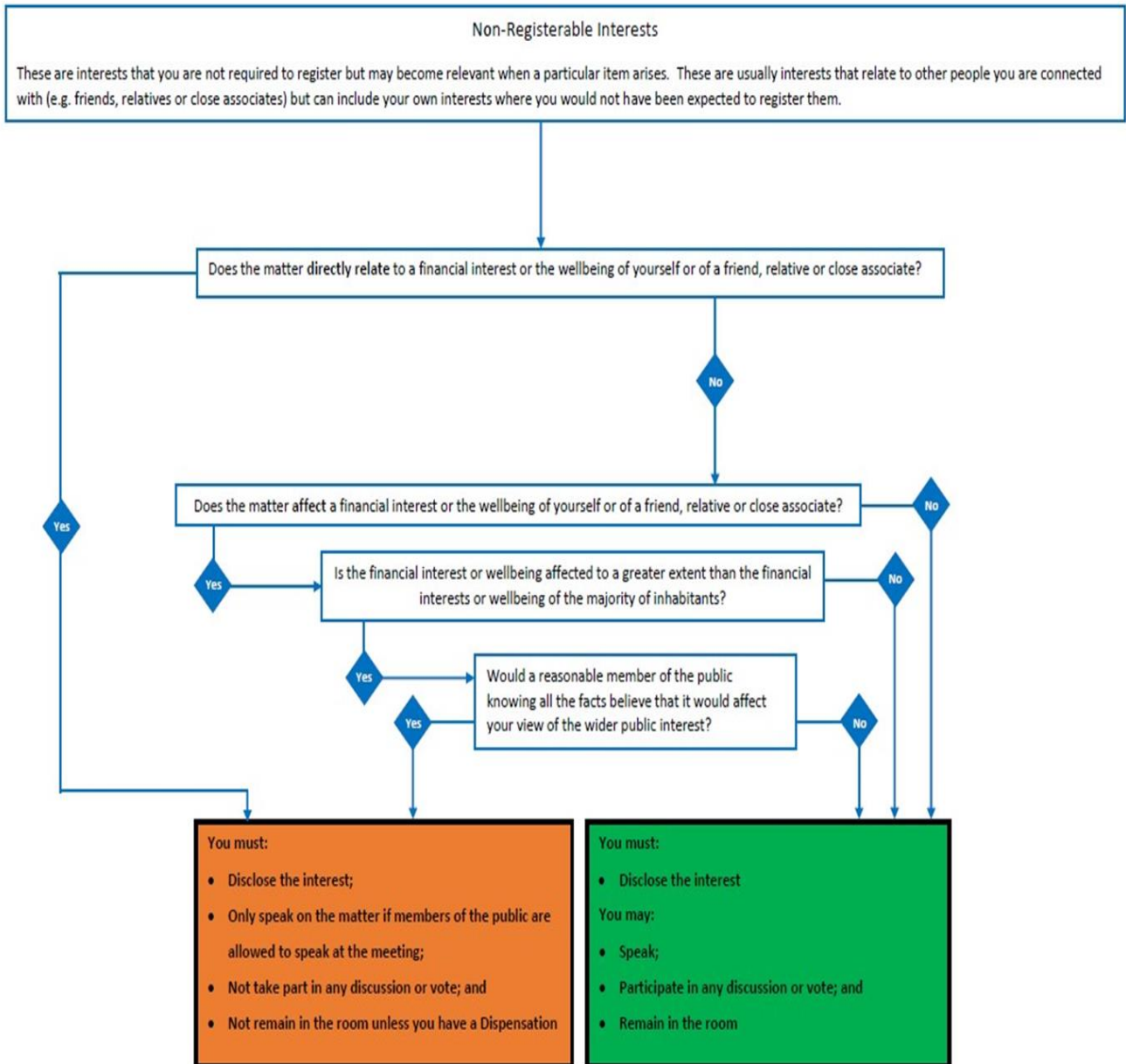
Where a decision maker has completely made up his/her mind before the decision is taken or that the public are likely to perceive you to be predetermined due to comments or statements you have made:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

Member Interest Flowchart



Member Interest Flowchart



CABINET

TUESDAY, 5 DECEMBER 2023

Present: Councillor M Radulovic MBE, Chair

Councillors: G Marshall
R E Bofinger
H J Faccio
J W McGrath
H E Skinner
P A Smith
V C Smith

84. APOLOGIES

Apologies for absence were received from Councillors S A Bagshaw and C Carr.

85. DECLARATIONS OF INTEREST

Councillor R E Bofinger declared an other-registerable interest in item 8.4 as he volunteers for the Helpful Bureau, minute number 91.4 refers.

Councillors R E Bofinger and J W McGrath declared other-registerable interests in item 8.5 as they are members of Stapleford Town Council, minute number 91.5 refers.

Councillor J W McGrath declared an other-registerable interest in item 8.4 as he provides funding for the Helpful Bureau and a non-registerable interest in item 19.1 as a member of his family is employed by Liberty Leisure Ltd, minute numbers 91.4 and 102.1 refer respectively.

86. MINUTES

The minutes of the meeting held on 7 November 2023 were confirmed and signed as a correct record.

87. MINUTES FROM OTHER MEETINGS

Cabinet noted the minutes of the Bramcote Bereavement Services Joint Committee on 15 June 2023 and the UK Shared Prosperity Fund Advisory Panel on 19 July 2023.

88. SCRUTINY REVIEWS

Members were informed of the matters proposed for and undergoing scrutiny.

89. SCRUTINY REVIEW - D.H. LAWRENCE MUSEUM

The Chair of the Overview and Scrutiny Committee presented the findings of the Committee's review into the D.H. Lawrence Museum. It was stated that the report was positive and welcomed by members of the Cabinet.

RESOLVED to:

1. **Produce new leaflets to advertise the D.H. Lawrence Museum in Nottinghamshire Places of Interest and Tourist Centres.**
2. **Request that Eastwood Town Council, add an item on their agenda for updates from the Museum and events.**
3. **Identify external funding opportunities to support appropriate projects within the D.H. Lawrence Museum.**
4. **Consider the feasibility of Sunday opening hours and the associated costs.**
5. **Review the current entrance prices to the D.H. Lawrence Museum, including the consideration of subsidies for those on low incomes.**
6. **Identify funding to support re-establishment of the Blue Line Trail and consider options for enhancing the offer digitally.**
7. **Liaise with partners such as Nottinghamshire County Council and Eastwood Town Council to improve signage around Eastwood to promote the D.H. Lawrence Museum.**
8. **Suggest to Trent Barton that the Museum be added as a departure point at the bus stop for Alexandra Street, Eastwood within their communications to passengers.**
9. **Review the D.H. Lawrence action plan and financial data in 6 to 12 months' time to allow for a full twelve months of data and for recommendations from the Arts Council to be made available as part of the Museum re-accreditation process.**
10. **Consider obtaining a blue plaque.**
11. **Carry out a review of costs six months after any implementation of the recommendations.**

Reasons

This will assist with the Council's corporate values of innovation and readiness for change, valuing employees and enabling the active involvement of everyone, continuous improvement and delivering value for money, and integrity and professional competency.

90. REFERENCES

90.1. LOCAL JOINT CONSULTATIVE COMMITTEE

Cabinet considered revisions to the Domestic Abuse Policy which was last reviewed in December 2020.

RESOLVED that the revisions to the Domestic Abuse Policy, be approved.

Reason

The revisions to the Policy will assist officers to undertake their duties more efficiently.

90.2. LOCAL JOINT CONSULTATIVE COMMITTEE

The Leave Scheme was updated in June 2023, however, subsequently, a request had been made by Heads of Service to delegate any requests of up to five days' carry-over, to Section Heads. Any requests in excess of five days would continue to be approved by the Head of Service in consultation with Human Resources.

RESOLVED that the revisions to the Leave Scheme, be approved.

Reason

The revisions to the Policy will allow Section Heads to make operational decisions.

90.3. LOCAL JOINT CONSULTATIVE COMMITTEE

The Recruitment Policy was last reviewed in September 2016. Members were informed that the Council had an existing Equal Opportunities Policy and therefore duplication was unnecessary and reference had been made to this.

RESOLVED that the revisions to the Recruitment Policy, be approved.

Reason

The references in the Policy required updating to ensure the Policy remained fit for purpose and an accurate reflection of current practices.

91. RESOURCES AND PERSONNEL POLICY

91.1. PROPOSED NEW CORPORATE PLAN PRIORITIES 2024-28

Cabinet was updated on the proposed new Corporate Plan priorities for 2024-28. It was stated that there was strong support for the five proposed priority areas captured in the survey. Members suggested that further emphasis be given to the prevention of abuse of shop employees and the establishment of dementia cafes throughout the Borough.

RESOLVED that the emerging corporate plan priorities for 2024-28 be approved.

Reason

A corporate plan provides the necessary framework and context upon which the Council can direct its decision making and significantly contributes to robust corporate governance arrangements.

91.2. REVIEW OF STRATEGIC RISK REGISTER

Cabinet noted the amendments to the Strategic Risk Register and the actions to mitigate risks that were approved by Governance, Audit and Standards on 27 November 2023.

91.3. CAPITAL PROGRAMME 2023/24 - CAPITAL BUDGET VARIATIONS

The Capital Programme for 2023/24 to 2025/26 was approved by Council on 1 March 2023 following recommendation by Cabinet on 7 February 2023. The total value of the original Capital Programme for 2023/24 was £36.244m (£32.982m excluding 'reserve items'). A number of new capital schemes and variations to the Capital Programme had since been approved by Cabinet.

RESOLVED that the capital budget variations for 2023/24, as set out in the appendix, be approved.

Reason

A number of capital schemes require re-profiling to the budgets to more accurately reflect expectations in the current financial year.

91.4. GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS, CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS, THE ARTS AND DISABILITY MATTERS 2023/24

Cabinet considered requests for grant aid in accordance with the provisions of the Grant Aid Policy.

RESOLVED that the grant aid requests be approved accordingly.

- | | | |
|----|--|---------------|
| 1. | Toton Coronation Hall Community Association | £7,000 |
| 2. | The Helpful Bureau | £9,500 |

Reason

Consideration for not awarding the grant may have a negative impact for the users and individuals relying on the service. The Council is empowered to make grants to voluntary organisations by virtue of Section 48 Local Government Act 1985 (as well as other Legislation). Having an approved process in accordance with legislation and the Council's Grant Aid Policy would ensure the Council's compliance with its legal duties

(Councillors R E Bofinger and J W McGrath, having declared an other-registerable interests in the item left the room prior to discussion or voting thereon.)

91.5. GRANT AID REQUESTS FROM PARISH/TOWN COUNCILS

Cabinet considered requests for grant assistance within the protocol for the consideration of grant aid to Parish and Town Councils. Stapleford Town Council had requested a grant of up to £2,405 towards the cost of traffic management for its Remembrance Sunday Parade.

RESOLVED that the grant request from Stapleford Town Council for £2,405 be approved.

Reason

As part of the Protocol, Grant Aid would only be given in support of specific projects or services and not as a general grant towards the services provided by a Parish/Town Council. There was no budgetary provision for Capital grants to Parish Councils. The grant aid requests were in line with the current Corporate Plan aims for supporting people to live well and provide a safe place for everyone.

(Councillors R E Bofinger and J W McGrath, having declared an other-registerable interests in the item left the room prior to discussion or voting thereon.)

91.6. GRANT AID - SECOND CHANCE JUNIOR FOOTBALL ACADEMY

Members were informed that Second Chance Junior Football Academy runs two youth football teams for under 11's and under 9's respectively. The under 11 team has 18 registered players and the under 9 team has 12 registered players. The players are refugees and all are currently residents in Nottingham City.

It was noted that, as the group was not based in Broxtowe and does not draw a significant proportion of its membership from Borough residents, the academy was not eligible for a grant under the ordinary criteria of either the Broxtowe Refugee and Asylum Seekers Fund or the Council's Grant Aid Policy. It was suggested, however, that such a grant would serve to demonstrate the Council's commitment to supporting refugees across the East Midlands, leading the way and providing a welcoming space for any young refugee.

RESOLVED that an award of up to £1,000 be granted to Second Chance Junior Football Academy and accordingly.

Reason

This funding will demonstrate the Council's commitment to supporting refugees within a neighbouring authority and the East Midlands.

91.7. COUNCIL TAX BASE 2024/25

Members considered the Council Tax Base for the year 2024/25. The Council tax base had been calculated on the estimated full year equivalent number of chargeable dwellings expressed as the equivalent number of band D dwellings in the Council's area after allowing for dwelling demolitions and completions during the year, exemptions, discounts, disabled reliefs and premiums, and estimated collection rates.

RESOLVED that based on the number of Band D equivalent properties and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, Broxtowe Borough Council calculates its Council Tax Base for the year 2024/25 as follows:

- 1. For the whole of its area 35,224.25**
- 2. In respect of Parish Precepts and Special Expenses for those parts of its area mentioned in the table below, the amounts specified therein:**

<u>Part of Council's Area</u>	<u>Area Council Tax Base</u>
Awsworth	596.93
Brinsley	752.36
Cossall	242.81
Eastwood	3,092.46
Greasley	3,753.90
Kimberley	1,898.21
Nuthall	2,255.75
Stapleford	4,240.31
Strelley	174.41
Trowell	838.10
 <u>Special Expenses Area</u>	
Beeston Area	17,379.01

Reason

The calculation of the tax base was a legal requirement and an essential part of the tax setting process. The tax base calculations for a particular financial year must comply with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 and be determined by no later than 31st January in the preceding financial year. These regulations had been made under the Local Government Finance Act 1992, as amended (LGFA 1992) and The Local Government Finance Act 2012 (LGFA 2012) includes several amendments to the LGFA 1992 that affect the calculation of the Council Tax base. These amendments require the Council to operate a Council Tax Support Scheme.

91.8. LOCAL COUNCIL TAX SUPPORT SCHEME 2023/24

Members considered the arrangements to operate the Local Council Tax Support Scheme (LCTSS) 2024/25. Cabinet was informed that Council tax benefit ceased at the end of 2012/13 and was replaced by a LCTSS defined by each local authority. Cabinet considered the LCTSS on 27 November 2012 and the new scheme was approved by Council on 19 December 2012. The new scheme was effectively the government's default scheme with due allowance being made to allow the continuation of the discretionary policy relating to the treatment of war pensions.

RECOMMENDED to Council that the current Local Council Tax Support Scheme remains in place for 2024/25.

Reason

Under section 13A (2) of the Local Government Finance Act 1992, the Council as billing authority must make a localised Council Tax Reduction Scheme in accordance with Schedule 1A to the Act. Each financial year the Council must consider whether to revise its scheme, or to replace it with another scheme.

91.9. HOUSING BENEFIT-WAR PENSION DISREGARD

The Housing Benefit and Council Tax Benefit (War Pensions Disregards) regulations 2007 allow for Local Authorities to develop a local scheme that could disregard War Pension income from the calculation of Housing Benefit.

Since the introduction of Housing Benefit, the Council had always disregarded this income when calculating a claim for Housing Benefit. The Department for Works and Pension recently requested that each local authority had their local scheme approved each year.

RESOLVED that the continuation of the current Local Scheme Disregarding War Pensions for Housing Benefit Applications in 2024/25 be approved.

Reason

The Regulations providing for this are the Housing Benefit Regulations 2006 paragraph 40(2) and schedule 5, and Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 paragraph 33(9). Sections 134 and 139 of the Social Security Administration Act 1992 provide the Council with the discretion to modify the Housing Benefit scheme by disregarding a further amount, or all, of specified war disablement pensions and payments.

91.10. ALCOHOL AND SUBSTANCE MISUSE POLICY

Members considered a report which proposed amendments to the Alcohol and Substance Misuse Policy.

RESOLVED that an amendment to the policy to allow alcohol to be consumed on Council premises at Civic functions by Councillors and their guests (excluding Council Officers), be approved.

Reason

The resolution would allow for an amendment to the Alcohol and Substance Misuse Policy to include the following exemption under Section 5 (n).

91.11. COMPLAINTS COMPENSATION POLICY

Cabinet considered the adoption of a Complaints Compensation Policy to remedy findings of fault during the Council's complaint process and to provide a framework for how compensation payments would be calculated, thereby ensuring consistency of approach.

RESOLVED that the Complaints Compensation Policy be approved.

Reason

The Complaints Compensation Policy would be used to determine all complaints where a fault has been found and a compensation payment is required. Thereby, this would ensure a consistent approach across the Council in line with the Housing Ombudsman Remedies Guidance.

91.12. ASSET MANAGEMENT AND DATA OFFICER POST TO SUPPORT THE DELIVERY OF THE ASSET MANAGEMENT PLAN

Cabinet considered the appointment of a new post to support the delivery of the asset management plan. The need for the role had been identified within the Asset Management Service Improvement Plan undertaken in October 2023 by the Head of Service for Asset Management & Development.

RESOLVED that the creation of an Asset Systems and Data Officer post (Grade 6) at £37,450 per annum including on costs be approved, to be funded from General Fund Reserves.

Reason

The recruitment process is in accordance with the Council's Recruitment and Selection policy.

91.13. STORM BABET-FLOODING RESPONSE

Cabinet noted a report which regarded actions following Storm Babet on 19 and 20 October 2023. It was stated that there were 243 properties, both domestic and commercial, that experienced flooding across the Broxtowe area. As part of the Flood Response, Nottinghamshire County Council became the lead authority with Broxtowe supplying support where appropriate.

Members expressed gratitude to Officers for the help given to residents from across all sections of the Council. It was suggested that town and parish councils should have coordinated response teams.

92. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT AND RESOURCES AND PERSONNEL POLICY

92.1. PERMIT SCHEMES FOR COUNCIL CAR PARKS

Cabinet noted that the capacity for parking in Beeston and other towns in the borough to take advantage of a maximum charge of £2 a day and agree that it is not necessary to introduce permits for employees working in businesses in Beeston or other towns in Broxtowe, be noted. Members were informed that overnight parking in Station Road was currently unavailable due to antisocial behaviour issues.

RESOLVED that:

- 1. The cost of exemption permit be increased to £172.50 where the daily tariff is £1 for up to 12 hours, and £337.50 where the daily tariff is £2 for over two hours.**
- 2. The proposed permit scheme for residents' parking in Council car parks between 4pm and 8am at a cost of £170 a year, subject to confirmation of residency, to come into effect from 1 January 2024 be approved.**

Reason

It is important fees and charges income are optimised in order for the Council's to meet its anticipated budget gap in 2024/25.

Options considered and rejected

1. No change to the discount.
2. A 10% discount.

92.2. CHRISTMAS CAR PARKING CHARGES 2023

In previous years, car parking charges had been relaxed in the Christmas period to assist local businesses and encourage footfall in Broxtowe's town centres. It was suggested that this is implemented again this year with the exception of Technology Drive and Station Road, Beeston.

RESOLVED that the cessation of parking charges in Council-owned car parks between Saturday, 16 December and Saturday, 30 December 2023, with the exception of Technology Drive and Station Road be approved.

Reason

The cessation of parking charges in the majority of Council-owned car parks over the Christmas period would assist business and encourage town centre footfall.

93. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

93.1. AUTHORITY MONITORING REPORT 2022 - 2023

Cabinet considered a report which requested the approval of the Authority Monitoring Report for the period from 1 April 2022 to 31 March 2023.

RESOLVED that the Authority Monitoring Report 2022-2023 be approved.

Reason

The Council, as Local Planning Authority (LPA), is required by section 35 of the Planning and Compulsory Purchase Act 2004 (as amended) to prepare and make public an annual monitoring report containing information as to the implementation of the local development scheme and the extent to which the policies in local development documents are achieving their targets. Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the information that must be contained within a LPA's Authority Monitoring Report.

93.2. COSSALL NEIGHBOURHOOD PLAN

Members considered a report which requested approval for the Cossall Neighbourhood Plan to be modified as recommended by the Independent Examiner and to proceed to referendum based upon the current Neighbourhood Plan Area (which is as per the pre-April 2023 Cossall Parish Council boundary).

RESOLVED that:

1. **The Cossall Neighbourhood Plan should be modified as proposed by the Independent Examiner.**
2. **Once modified as proposed by the Independent Examiner, it is considered the Neighbourhood Plan will meet the Basic Conditions.**

3. **The Cossall Neighbourhood Plan should proceed to a referendum, with the extent of the area eligible to vote to be based upon the Cossall Neighbourhood Area as shown within appendix 1 to this report.**

Reason

The Independent Examiner found that, subject to ten modifications, the Neighbourhood Plan meets the Basic Conditions and other requirements.

93.3. PUBLIC TOILET STRATEGY

Cabinet considered a report which had the purpose to develop a strategy to improve access for all to public toilet facilities across the Borough. Members stated that they were pleased to see a Changing Places facility in Beeston, however, it was requested that two benches oppose the facility be relocated in order to preserve the dignity of individuals.

RESOLVED that:

1. **The development of a public toilet strategy based upon options 4 and 5 of “Options considered to improve provision of public toilet facilities” be approved**
2. **Sufficient funding is included in future years’ budgets to ensure toilet facilities are fit for purpose.**
3. **Adopting the suggestions provided by staff for the upgrading of staff toilet facilities within Council office buildings be approved.**
4. **The possibility of siting a new public toilet facility on the ground floor of the Enterprise Hub at Stapleford is explored. The development of this facility will be dependent on the cost and space required. These factors will be known once the architects have drawn up the plans and provided costings.**
5. **A programme of publicity to promote locations and opening times of all public facilities across the Borough be approved.**
6. **People with a variety of needs are involved in the design and / or refurbishment of public and staff toilet facilities**

Reasons

Section 87 The Public Health Act 1936 (as amended) provides that a local authority may provide sanitary conveniences in proper and convenient situations. The provision of public toilets is therefore a discretionary service. The discretion should be exercised reasonably and with a clear, objective rationale, by having a strategy will ensure this is achieved.

94. COMMUNITY SAFETY

94.1. REVIEW OF POLICY ON PROVISION OF SANITARY ACCOMMODATION IN FOOD PREMISES

Members considered a revised policy on sanitary accommodation provision in premises selling food and drink and praised officers for a common sense approach to the issue.

RESOLVED that the relaxation on the number of toilets required in smaller premises providing food and drink for consumption on the premises be approved.

Reason

Section 20 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act) empowers local authorities to require sanitary facilities to be made available for the use of the public in “relevant places” defined under the Act including “places used for the sale of food and drink to members of the public for consumption at the place”. The Act gives the local authority the power to require the owner/occupier to provide sanitary accommodation of specific kinds and number, in a specified time. ‘Relevant Place’ includes a place which is used or is proposed to be normally used for the sale of food or drink to members of the public for consumption at that place.

95. HOUSING AND RESOURCES AND PERSONNEL POLICY

95.1. UPDATE TO HOUSING REVENUE ACCOUNT 30 YEAR BUSINESS PLAN MODEL 2023/24

In February 2012, the Council approved a HRA 30-Year Business Plan for the period 2012/13 through to 2041/42. The business plan included a detailed financial plan and tables modelling the capital programme and revenue position for the HRA throughout the period. The financial model has subsequently been updated and approved by Council on a regular basis. Members stated that by retaining housing stock it allowed the Council to plan for the future.

RESOLVED that the updated financial model for the Housing Revenue Account (HRA) 30-Year Business Plan be approved.

Reason

The duty to keep a Housing Revenue Account and prevent a debit balance on it and restrictions as to what may be credited or debited to the account (“the ring-fence”) are governed by Part VI of the Local Government and Housing Act 1989 (the 1989 Act). The provision of a HRA business plan (the Plan) is a requirement of s.88 of the Local Government Act 2003. The purpose of the Plan is to set out the actions to be taken in line with relevant strategies and budget available to show that the Council will continue to deliver housing services which are fit for purpose. The Council has a legal duty to budget to ensure the account remains solvent and to review the account throughout the year. The Council has a duty to disclose specified information pertaining to the HRA and its operation as set out in The Housing Revenue Account (Accounting Practices) Directions 2016.

96. HOUSING

96.1. DAMP AND MOULD POLICY

In September 2023, Cabinet considered a self-assessment of the 26 recommendations for landlords outlined in the Housing Ombudsman report: ‘Spotlight on Damp and Mould, it’s not Lifestyle’. This included some new proposed actions for inclusion in an updated Action Plan.

One of the actions approved was for a new Damp and Mould Policy to be written. The new Policy considers the expectations of the Housing Ombudsman and the Regulator of Social Housing. Government guidance: 'Understanding and addressing the health risks of damp and mould in the home' published in September 2023 had also been considered.

RESOLVED that the Damp and Mould Policy and associated procedure be approved.

Reason

The Landlord and Tenant Act 1985 as amended by the Housing (Fitness for Human Habitation) Act requires a property is fit for human habitation at the beginning of the tenancy and for the duration of the tenancy.

97. ENVIRONMENT AND CLIMATE CHANGE

97.1. UPDATE ON AIR QUALITY STATUS REPORT AND REVOCATION OF AIR QUALITY MANAGEMENT AREA 1

Members were advised of the response from the Department of Environment, Food and Rural Affairs on this authority's latest Air Quality Annual Status Report and considered a revocation of the Air Quality Management Area 1 in Trowell due to yearly Nitrogen Dioxide (NO₂) results being lower than the Air Quality Objective since 2016.

RESOLVED that the revocation of Air Quality Management Area 1 be approved.

Reason

Section 83 (2) (b) of the Environment Act 1995 allows for the revocation of an AQMA by an Order, if it appears on review that the air quality standards and objectives are being achieved, and are likely throughout the relevant period to be achieved, within the designated area.

97.2. GARDEN WASTE SUBSCRIPTION FEES 2024/25

Members considered a report which sought approval for the 2024/25 garden waste subscription fees.

RESOLVED that:

1. **The subscription fee for the first garden bin is increased by £5.**
2. **The subscription fee for additional garden bins is increased by either £1.**
3. **From the 1 October, the subscription fee for the first garden waste bin is reduced to £25 and any additional bins are discounted by 50%, be approved.**

Reason

The collection of garden waste is a non-statutory recycling service. The aim of the garden waste subscription fee is to assist the authority in the delivery of this service to those residents who chose to subscribe.

Options considered and rejected

1. The subscription fee for the first garden bin is increased by £3 or £7.
2. The subscription fee for additional garden bins is increased by £2.

98. CABINET WORK PROGRAMME

RESOLVED that the Work Programme, including key decisions, be approved.

99. 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 involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

100. RESOURCES AND PERSONNEL POLICY

100.1. IRRECOVERABLE ARREARS

RESOLVED that the arrears in excess of £7,500 on national non-domestic rates, council tax, rents, housing and council tax benefit overpayment and sundry debtors as set out in the report be written off and to note the exercise of the Deputy Chief Executive's delegated authority under Financial Procedure Rule 5.9.

Reason

The report recommends that the debts as set out in the report, be written off in accordance with the Council's procedure on debt write-off. Each debt is above £7,500. The report has set out circumstances whereby debts can lawfully be written off by the council and these include circumstances when a debt is time barred, where the debtor is deceased or gone away or is unable to be traced. In such circumstances to pursue the debt would be a very difficult and costly exercise with little or no chances of success.

100.2. RENEWAL OF THE COUNCIL'S E LEARNING PACKAGE

RESOLVED that a two-year deal for the continuation of the Council's e-learning package with Learning Pool be approved.

Reason

The procurement implications had already been considered, any subsequent contact issued as a result of the renewal will need to be reviewed by Legal Services to protect the Council's contractual position.

101. HOUSING AND RESOURCES AND PERSONNEL POLICY

101.1. AWARD OF CONTRACT FOR THE HEATING INSTALLATION PROGRAMME

RESOLVED that an exemption to the Council's Contract Procedure Rules to award a 12-month contract from 11 December 2023 via a direct award as detailed within the report be approved.

Reason

The award will allow for the benefits contained within the report to be realised.

102. LEISURE AND HEALTH

103.1. KIMBERLEY SCHOOL LEISURE CENTRE

RESOLVED that:

1. The Kimberley school request for funding as specified in the exempt report to cover their estimated Leisure Centre deficits over 3 financial years, be rejected.
2. The Kimberley School request that the Council provides uncapped contributions towards the repairs costs, including the pool plant replacements and future price increases in utility and supplies costs, not included in their assumptions, be rejected.
3. Liberty Leisure continues to discuss the delivery of a 'dry-side' gym facility to be managed at the school site, be approved.
4. The Council's Leisure Officer and Liberty Leisure seek alternative leisure sites in the north of the borough and report back to Cabinet on any viable opportunities, be approved.

Reason

The requests would diminish the Council's financial reserves.

(Having declared a non-registerable interest Councillor J W McGrath left the meeting before discussion or voting thereon.)

Report of the Monitoring Officer

SCRUTINY REVIEWS

1. Purpose of Report

The purpose of this report is to make Members aware of matters proposed for and undergoing scrutiny. This is in accordance with all of the Council's priorities.

2. Recommendation

Cabinet is asked to NOTE the report.

3. Detail

The Overview and Scrutiny Committee met on 23 November 2023. At the meeting the D.H. Lawrence Museum was reviewed. Councillor W Mee presented the report of the D. H. Lawrence Museum Working Group. The Group reviewed the marketing of the venue and potential improvements following the visitor figures reported to the budget scrutiny meeting of January 2023, and with an expected outcome to understand the role of heritage for Broxtowe Borough Council. The recommendations were presented to the Cabinet meeting held on 5 December 2023.

The Committee welcomed a report on the Budget review fees and charges setting for 2024/25 ahead of the budget meetings to be held in January 2024 for Overview and Scrutiny Committee.

The Working Group for the topic Equality, Diversity and Inclusion at the Council met on 4 December 2023. The Working Group is Chaired by Councillor S Dannheimer. Ideas were discussed at the scoping meeting including, recruitment, play parks, and access to buildings and services. The next meeting has been arranged for 15 January 2024. The group indicated the scrutiny topic would be long term as the topic covered a wide area of the Council.

A call in has been received for the exempt report on Kimberley Leisure Centre. The decision from 5 December 2023 Cabinet meeting will be reviewed by the Overview and Scrutiny Committee on 19 January 2024.

Cabinet will receive updates at each future meeting as to the progress of the Overview and Scrutiny Committee's work programme as contained in the attached **APPENDIX** and is asked to give consideration to the future programme and decision-making with knowledge of the forthcoming scrutiny agenda. It also enables Cabinet to suggest topics for future scrutiny.

4. Key Decision

This is not a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no direct financial implications arising from this report.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

There are no legal implications arising from the report.

7. Human Resources Implications

The comments from the Human Resources Manager were as follows:

No comments

8. Union Comments

The Union comments were as follows:

No comments

9. Climate Change Implications

There were no comments received.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

Not required.

12. Background Papers

Nil

APPENDIX

3.1 Topics under review:

Topic	Committee/Group	Start date	Proposed Cabinet submission
Diversity and Inclusion at the Council	Councillor S Dannheimer	23 October 2023	TBC

2. Topics Reserved for future consideration:

	Topic	Topic suggested by	Link to corporate priorities/values
1.	Disabled Facilities Grants	Councillor B C Carr	The Housing aim of a good quality home for everyone
3.	Child Poverty	Overview and Scrutiny Committee	A strong caring focus on the needs of all communities
4.	Budget Consultation	Overview and Scrutiny Committee	Continuous improvement and delivering value for money
5.	Homes for Life	Councillor S J Carr agreed by Overview and Scrutiny Committee	The Housing aim of a good quality home for everyone
6.	Building Control	Councillor B C Carr agreed by the Overview and Scrutiny Committee to put on hold. Awaiting the outcome of a report to Cabinet.	Continuous improvement and delivering value for money
7.	Review the new system of Resident Engagement for Members	Cabinet	A strong caring focus on the needs of all communities

3. Topics to be Reviewed after Six Months:

	Topic	Topic suggested by	Link to corporate priorities/values	Proposed Date to Overview and Scrutiny Committee
1.	Housing Repairs	Overview and Scrutiny Committee	Continuous improvement and delivering value for money. The Housing aim of a good quality home for everyone.	February 2024
2.	Markets in the Borough	Overview and Scrutiny Committee	Continuous improvement and delivering value for money.	June 2024
3.	D.H. Lawrence Museum	Overview and Scrutiny Committee	Continuous improvement and delivering value for money	June 2024

Report of the Portfolio of Resources and Personnel Policy

BUDGET CONSULTATION 2024/251. Purpose of report

To report the results of the 2024/25 budget consultation exercise that took place during October and November 2023.

2. Recommendation

Cabinet is asked to NOTE the outcome of the Budget Consultation and to consider the findings as part of the budget setting process for 2024/25.

3. Detail

As with earlier budget consultation exercises, a web-based survey publicised through social media has been used to consult on the 2024/25 budget. This included no reference to any specific policy options but sought views on all Council services and indications of satisfaction, or otherwise, with these as well as the way in which they are provided and with the local area generally.

Local people were asked for their preferred approach to balancing the Council's budget and to provide an indication as to which services they thought should have their funding increased, decreased or remain the same.

Residents were asked how frequently they access Council services and how satisfied they were with the way in which this can be done. They were also asked how they prefer to conduct business with the Council and if they would consider accessing services in another way. There was a question regarding the Council's approach to climate change. Finally, they were asked if they thought that the Council listened to them.

Respondents were also asked to provide demographic data, including which area of the Borough they live in so that any correlation between location and satisfaction levels could be analysed.

A total of 1,393 responses were received on the extended survey. The response rate has grown again from 2022 (1,210), which in turn was significantly higher than those received in 2021 (606), 2020 (277) and 2019 (407). The results are summarised in the APPENDIX along with a summary of the demographic data for the respondents.

4. Key Decision

This is not a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

The budget consultation with local residents provides useful feedback to inform the budget setting process that will culminate in the overall budget report being recommended to Council for approval on 6 March 2024.

6. Legal Implications

The comments from the Head of Legal Services were as follows:

Section 65 of the Local Government Finance Act 1992 places a duty upon local authorities to consult representatives of non-domestic ratepayers before setting the budget. Whilst there is no specific statutory requirement to consult with residents, local authorities were placed under a general duty to 'inform, consult and involve' representatives of local people when exercising their functions by the Local Democracy, Economic Development and Construction Act 2009. This was repealed and replaced by more prescriptive forms of involvement by the Localism Act 2011.

7. Human Resources Implications

There were no comments from the Human Resources Manager.

8. Union Comments

There were no comments from UNISON.

9. Climate Change Implications

The budget consultation exercise included asking how satisfied residents are with the Council's approach to tackling climate change. The outcome is considered in the appendix.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

As there is no change to policy an equality impact assessment is not required.

12. Background Papers

Nil.

APPENDIX

Summary of Respondents

The analysis of ethnicity indicates a bias towards White British respondents (90%). A further 5% of respondents indicated they considered themselves to be White Irish or White Other (similar to previous years). Only 69 responses, being 5%, were received from people who identified as being Asian or Chinese or Black or Mixed race and any other ethnic group categories (similar at 5% from 59 responses last year). The sample of respondents was not considered to be wholly representative of the local communities in Broxtowe.

In terms of gender, 49% of the respondents were male, with 47% female and others being another way or prefer not to say. Around 83% of respondents identified as being over 45 years old with 26% being between 45 and 59 years, 12% between 60 and 64 years, 28% being between 65 and 74 years and 16% over 75. The number of younger respondents was lower than previously with 17% of responders being under 45 compared to 18% in the previous year.

Around 24% of responders identified themselves as being disabled or with long term health problems limiting daily activity, a similar level to the previous year.

In terms of geographical location, Beeston residents responded the most (23%), with residents in Chilwell accounting for 13% of respondents and Stapleford accounting for 13% of respondents. Others included Bramcote (8%), Eastwood (8%), Kimberley (7%) and Nuthall (6%). The splits across each area were broadly similar to the previous year. There was at least one respondent from every area.

A total of 1,340 responders confirmed that they were Council Taxpayers, which at 96% was similar to previous years.

A full breakdown of gender, age ranges, ethnicity, disability and location is included later in the appendix. As a proportion of the total population of Broxtowe, the number of respondents means that the results cannot be taken as statistically significant. It is advisable to only consider the results as indications of local views rather than attempt to draw strategic conclusions from the detailed responses.

Satisfaction with Services

The questionnaire asked residents “how satisfied or dissatisfied are you with the way in which the Council provides services; and your local area as a place to live”.

In overall terms, local people are satisfied with the Borough of Broxtowe and the Council’s management of it. The results show that 71% of people (980 respondents) were either ‘satisfied’ or ‘very satisfied’ with the area in which they live which is slightly less than the 79% positive response in the previous year. Over 58% are either ‘satisfied’ or ‘very satisfied’ with the way that the Council delivers services (801 respondents), which again is less than 65% in the previous year. A further 26% had a neutral stance. However, 4% of people are ‘very dissatisfied’ with the way that the Council delivers services which is slightly up on last year’s consultation.

The outcomes are broadly similar with the latest Local Government Association (LGA) research report telephone questionnaire in October 2023 that contacted 1,000 British adults where it was found that 75% of respondents are 'very satisfied' or 'fairly satisfied' with their local area as a place to live and 56% of respondents are 'very satisfied' or 'fairly satisfied' with the way their local council runs things.

The progress with satisfaction rates between years, as part of the Budget Consultation process, can be seen in the following tables:

- Overall, how satisfied or dissatisfied are you with the way in which the Council provides its services?

	2019/20	2020/21	2021/22	2022/23	2023/24
Responses	414	275	604	1,204	1,377
Satisfied or very satisfied	58.7%	63.6%	64.7%	65.2%	58.2%
Neutral	26.1%	28.4%	25.0%	25.2%	26.5%
Dissatisfied or very dissatisfied	15.2%	8.0%	10.3%	9.6%	15.3%

- Overall, how satisfied or dissatisfied are you with your local area as a place to live?

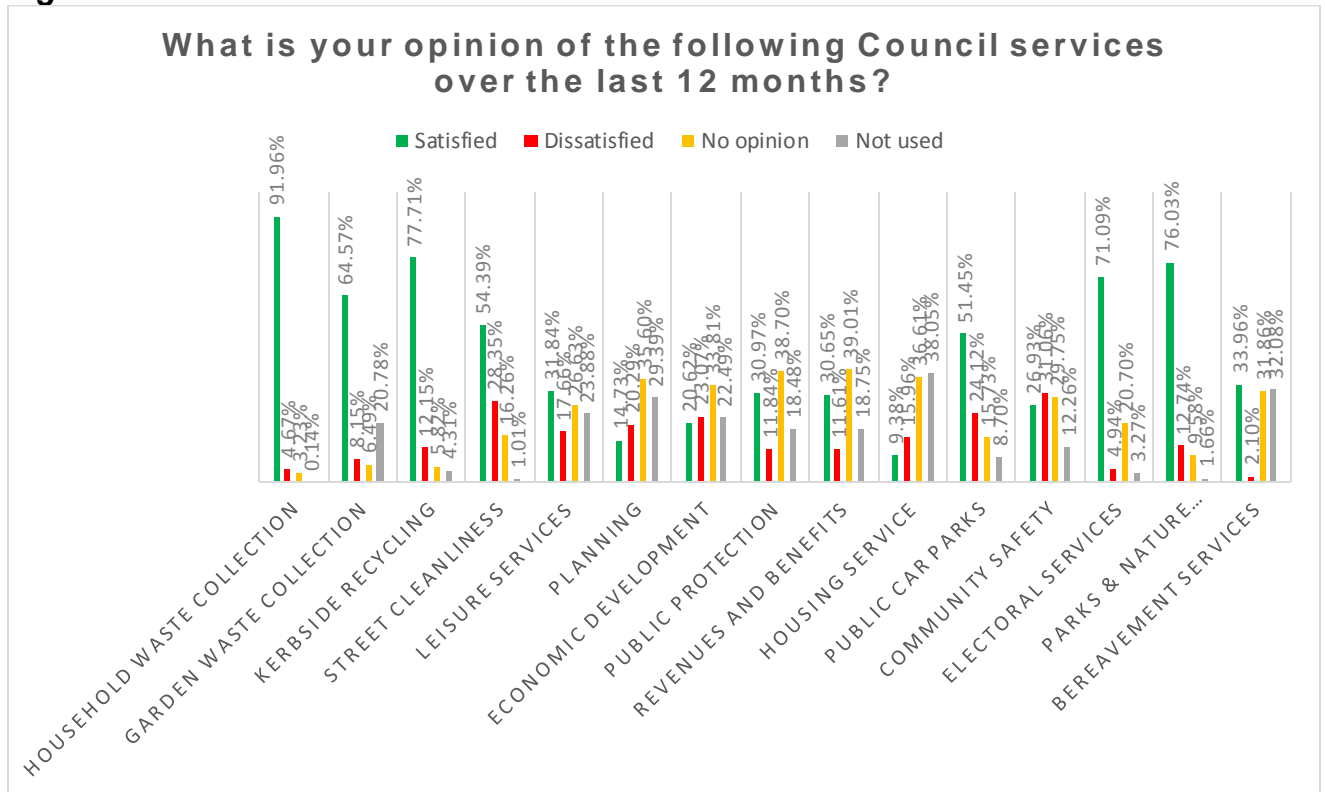
	2019/20	2020/21	2021/22	2022/23	2022/23
Responses	409	275	602	1,189	1,379
Satisfied or very satisfied	74.3%	72.7%	76.3%	76.0%	71.1%
Neutral	15.2%	10.9%	13.3%	14.1%	15.8%
Dissatisfied or very dissatisfied	10.5%	16.4%	10.4%	9.9%	13.1%

Figure 1 below analyses the level of satisfaction with individual Council services over the last twelve months. The services with the highest satisfied responses were Household Waste Collection (*black lidded bin*) with 92% (down from 94%); Kerbside Recycling (*green lidded bin, glass bag or red lidded glass bin, textiles*) with 78% (down from 84%); Parks and Nature Conservation with 76% (down from 83%); Electoral Services with 71% (down from 75%); and Garden Waste Collection (*brown lidded bin*) with 65% (down from 69%) of responders being satisfied or very satisfied.

The services with the highest levels of dissatisfied responses were Community Safety (*anti-social behaviour, domestic abuse, alcohol awareness*) with 31% (worsened from 27%); Street Cleanliness (*litter collection, graffiti removal, fly tipping, neighbourhood wardens*) with 28% (worsened from 22%); Public Car Parks at 24% (worsened from 10%); Economic Development (*support to businesses, regeneration, Town Centre Management, business growth*) at 23% (worsened from 16%); and Planning (planning applications and planning policy) with 20% of responders (worsened from 19%).

These rankings are similar to those seen in previous years.

Figure 1:



Spending on Services

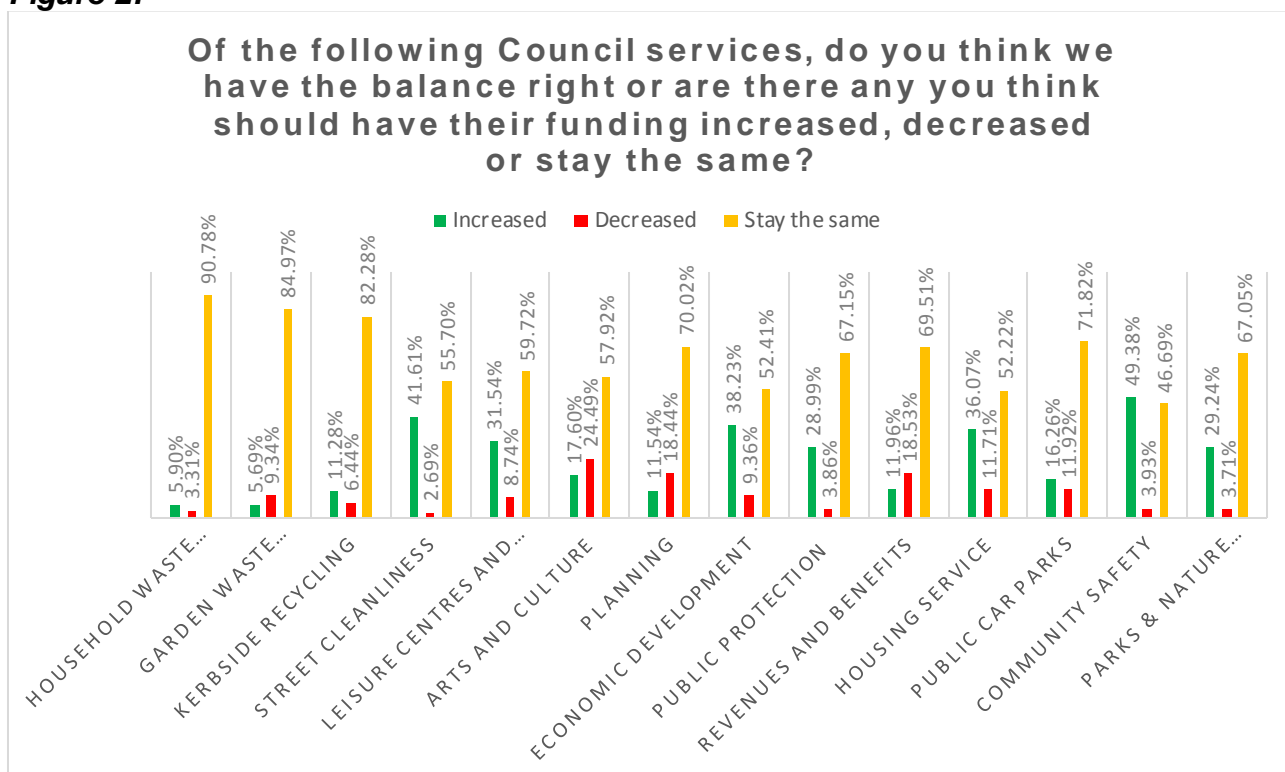
When asked about spending on services and whether the Council has the balance right or are there any services where funding should be increased, decreased or stay the same, Community Safety scored the highest again at 49% (previously 49%) in terms of respondents thinking their funding should be increased. This was followed by Street Cleanliness at 41% (previously 38%); Economic Development at 38% (down from 39%); Housing service (*housing options advice, homelessness, provision of affordable housing, tenancies*) at 36% (down from 37%); Leisure Centres and Sports Development 32% (up from 24%); Parks and Nature Conservation 29% (up from 28%); and Public Protection (licensing, food hygiene inspections, nuisance complaints) at 29% (down from 30%).

Arts and Culture at 24% (was 24%); Revenues and Benefits (*housing benefit and council tax support payments*) at 18% (was 14%); Planning (*planning applications and planning policy*) at 18% (was 17%); Public Car Parks at 12% (was 12%); and Housing Service 12% (was 10%) scored the highest in terms of respondents thinking their funding should be decreased. These were similarly ranked to previous years although the scores were generally higher.

Household Waste Collection at 91% (previously 92%), Garden Waste Collection at 85% (was 86%) and Kerbside Recycling at 82% (was 85%) scored highest in terms of respondents thinking their funding should stay the same. This could be interpreted as indicating a relationship with satisfaction levels as these services secured high satisfaction ratings. This pattern is reflected in most services with respondents consistently voting more for the funding of services to stay the same.

Figure 2 provides detailed analysis on whether spending on services should be increased, decreased or stay the same across a range of Council activities.

Figure 2:



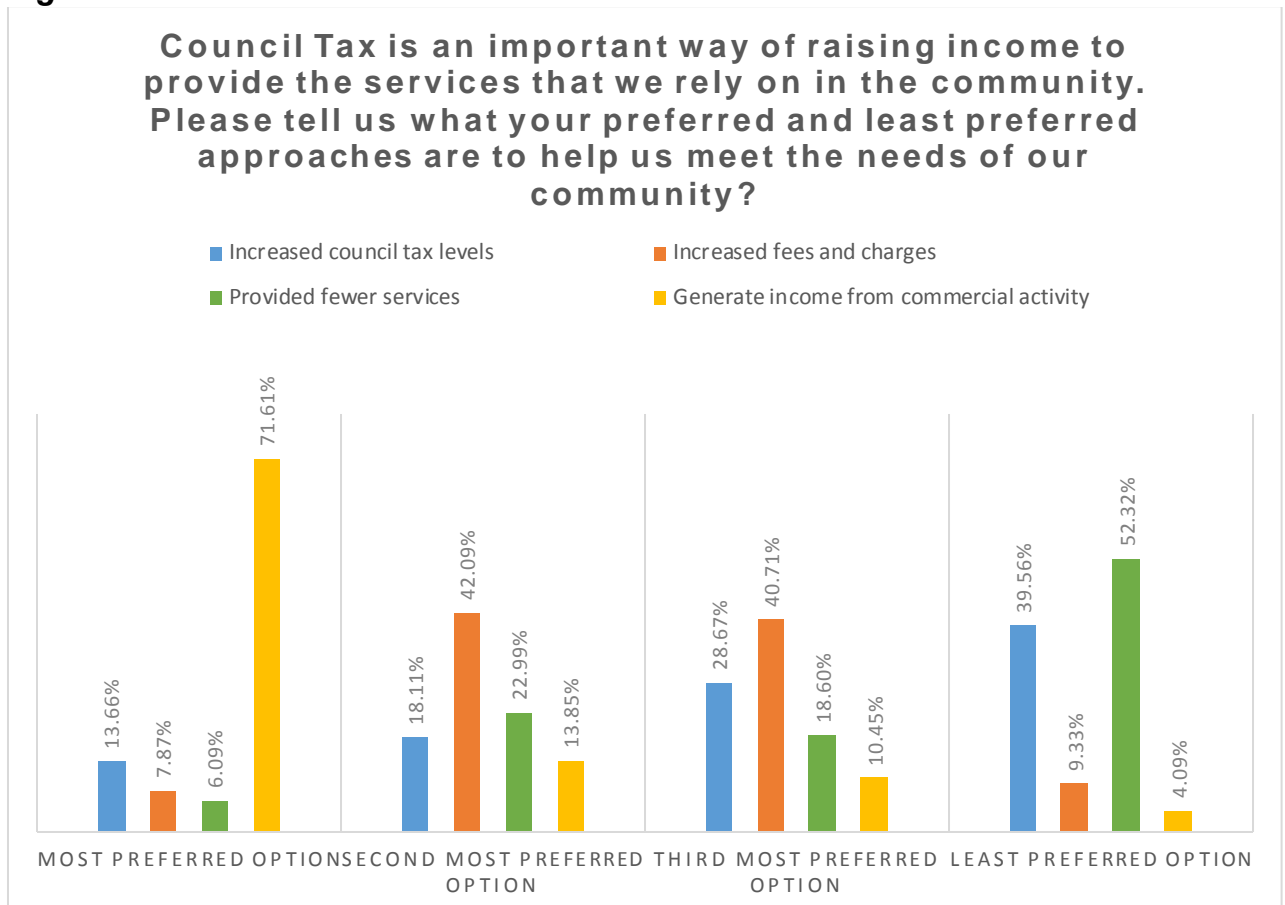
Balancing the Budget

The questionnaire asked that “Council tax is an important way of raising income to provide the services that we rely on in the community. Please tell us what your preferred and least preferred approaches are to help us meet the needs of our community”. Respondents were asked to state their preferred and least preferred approaches are to help us meet the needs of our community?

By far the most preferred option for balancing the budget was to “generate income from commercial activity” at 72% (previously 71%) with the next most preferred option being “increased council tax levels at 14% (previously 15%) and “increased fees and charges” at 8% (previously 11%). The least preferred option for balancing the budget was to provide fewer services with 52% of respondents (previously 53%) followed by increasing council tax levels with 40% (previously 39%).

Again, these rankings are similar to those seen in previous years and the responses are provided in Figure 3 below.

Figure 3:



Communicating with the Council

As in previous years, respondents were asked whether they feel the Council listens to them. Over 22% of responders agreed or strongly agreed with the statement (down from 27% previously), whilst 46% were neutral. Over 32% of responders disagreed or strongly disagreed with the statement (was 27%). This is a slightly worsened position from the previous year’s consultation.

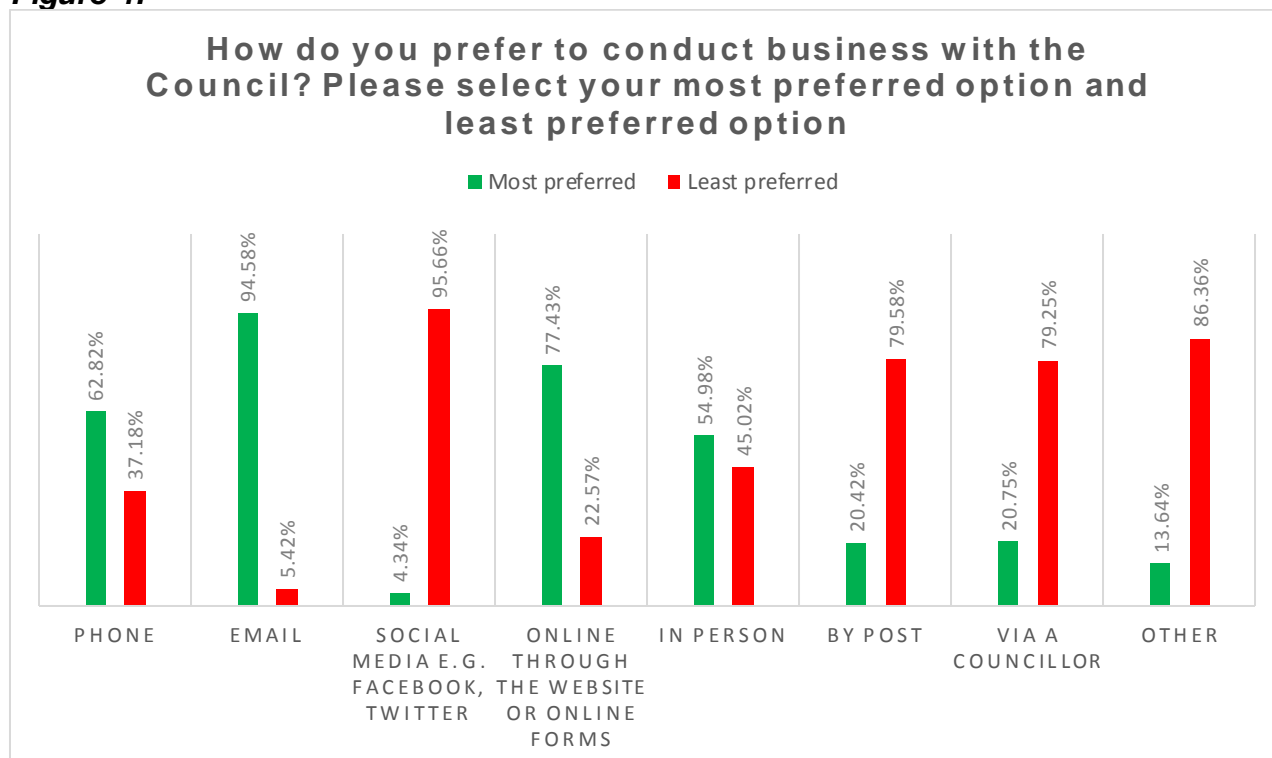
To obtain further information on how to shape services in future, local people were asked about how satisfied they are with the ways they can access Council services and how they prefer to contact the Council to do business. Over 51% of respondents were either very satisfied or satisfied with the way they can access Council services (previously 57%). Around 17% of respondents were either very dissatisfied or dissatisfied with the way in which they can access Council services (was 14%). However, 32% were neither satisfied nor dissatisfied (i.e. neutral) which is similar to previous years.

The large majority of responders at 75% only contacted the Council ‘a few times a year’ (down from 76%), with 14% of responders stating that they contact the Council on a weekly or daily basis (up from 10%).

In terms of what methods of communication local people prefer to use, there was again clearly a preference in the budget consultation for email contact (524 'positive' responses) and online which reinforced the results from recent years. It must be remembered however that all respondents were already able to access services online by virtue of them completing this survey.

Communicating via social media e.g. Facebook and Twitter was again the least preferred method of conducting business with the Council (463 responses) followed by 'phone' (187) and 'by post' (152). Further details are set out in Figure 4 below.

Figure 4:



Climate Change

The questionnaire asked “how satisfied are you with the Council's approach to tackling climate change?” This was the third time that such this question was included on the budget consultation.

Overall 26% of responders were either very satisfied or satisfied with the Council's approach (slightly down from 29% previously), with a further 62% providing a neutral response (was 60%). The remaining 12% were either very dissatisfied or dissatisfied with the approach (previously 11%).

Budget Proposals 2024/25 – Feedback from Survey

The Council's 2024/25 revenue and capital budget proposals are closely aligned to the recent feedback received from the budget consultation exercise.

The Council has developed a significant housing delivery plan, with a pipeline of new homes both through acquisitions and new build. There also continues to be a large investment in the existing housing stock covering compliance, meeting decent homes standards and decarbonisation.

In terms of economic development and regeneration, the Council is developing on a range of exciting projects funded by the Stapleford Towns Fund (£21m), Kimberley Levelling-Up (£16m) and the UK Shared Prosperity Fund (£3m).

The successful 'Greener Futures' programme, reflects the Council's ambition and delivery on climate change (e.g. electric vehicles, HVO fuel, decarbonisation plans, housing energy efficiency measures). Also, both the revenue and capital budget plans include investment in parks, open spaces, play areas and waste and recycling services.

Demographic Data

Gender	Number of Reponses	2023 %	2022 %
Male	677	49.4	44.7
Female	641	46.8	52.2
Another Way	6	0.4	0.4
Prefer not to say	46	3.7	2.7
<i>Not stated – 23</i>	1,370		

Age	Number of Reponses	2023 %	2022 %
Under 18	1	0.1	-
18 – 24	4	0.3	0.6
25 – 29	26	1.9	1.9
30 – 44	202	14.8	15.5
45 – 59	360	26.3	26.9
60 – 64	169	12.4	13.7
65 – 74	380	27.8	41.4
Over 75	225	16.5	n/a
<i>Not stated – 26</i>	1,367		

Ethnicity	Number of Reponses	2023 %	2022 %
White – British	1,219	90.1	91.2
White – Irish	10	0.7	0.8
White – Other	55	4.1	3.1
Asian or Asian British - Indian	16	1.2	0.9
Asian or Asian British - Pakistani	3	0.2	0.2
Asian or Asian British - Bangladeshi	-	-	-
Asian or Asian British – Other Background	6	0.4	0.2
British or Black British - Caribbean	5	0.4	0.3
British or Black British - African	3	0.2	0.2
British or Black British - Other Background	1	0.1	-
Mixed - White and Black Caribbean	5	0.4	0.2
Mixed - White and Black African	-	-	0.1
Mixed - White and Asian	4	0.3	0.3
Mixed - Other Background	1	0.1	0.3
Chinese	5	0.4	0.7
Any Other Ethnic Group	20	1.5	1.4
<i>Not stated – 40</i>	1,353		

Do you consider yourself as disabled or have any long-term health problems that limit daily activity?	Number of Reponses	2023 %	2022 %
Yes	332	24.4	23.5
No	1,029	75.6	76.5
<i>Not stated – 32</i>	1,361		

Which of the following areas do you live in?	Number of Reponses	2023 %	2022 %
Attenborough	34	2.5	2.9
Awsworth	17	1.2	1.3
Beeston	317	23.0	23.8
Bramcote	107	7.8	9.4
Brinsley	25	1.8	2.0
Chilwell	177	12.9	14.3
Cossall	7	0.5	0.2
Eastwood	107	7.8	8.9
Greasley	47	3.4	3.1
Kimberley	98	7.1	6.5
Newthorpe	51	3.7	3.3
Nuthall	84	6.1	5.8
Stapleford	174	12.7	12.5
Strelley	1	0.1	0.3
Toton	64	4.7	4.3
Trowell	42	3.1	1.7
Watnall	24	1.7	n/a
<i>Not stated – 17</i>	1,376		

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Report of the Resources and Personnel Policy Portfolio Holder

**TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS
2023/24 MID-YEAR REPORT**1. Purpose of report

To provide Members with a mid-year update on Treasury Management activity and the Prudential Indicators for 2023/24.

2. Recommendation

Cabinet is asked to consider and NOTE the Treasury Management and Prudential Indicators Mid-Year Report 2023/24.

3. Detail

Regulations issued under the Local Government Act 2003 require the Council to fulfil the requirements of the Chartered Institute of Finance and Accountancy (CIPFA) Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities when undertaking its treasury management activities.

As well as the Treasury Management and Prudential Indicators annual report that is presented to Cabinet in July each year, there is a regulatory requirement for Members to at least receive a mid-year review. This is intended to enhance the level of Member scrutiny in these areas.

The CIPFA Code of Practice on Treasury Management requires the Deputy Chief Executive to operate the Treasury Management function in accordance with the Treasury Management Strategy approved by Cabinet on 7 February 2023 and Council on 1 March 2023. Details of all borrowing and investment transactions undertaken in 2023/24 up to 30 September 2023, together with the balances at this date and limits on activity, are provided in APPENDIX 1. There are no issues of non-compliance with these practices that need to be reported.

Under the CIPFA Prudential Code for Capital Finance in Local Authorities, the Council is required to prepare a number of prudential indicators against which treasury management performance should be measured. The objectives of the Prudential Code are to ensure that the Council's capital investment plans are affordable, prudent and sustainable. Fundamental to this is the calculation of a number of prudential indicators, which provide the basis for the management and monitoring of capital expenditure, borrowing and investments. The Council has complied with its 2023/24 prudential indicators up to 30 September 2023 and details are provided in APPENDIX 2.

4. Key Decisions

This is not a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

This report meets the requirements of the CIPFA Code of Practice on Treasury Management and the Prudential Code for Capital Finance in Local Authorities.

All treasury management activities undertaken during the year complied fully with the CIPFA Code of Practice on Treasury Management and the approved Treasury Management Strategy. Further comments are incorporated in the narrative in the executive summary and appendices.

6. Legal Implications

The comments from the Head of Legal Services and Deputy Monitoring Officer were as follows:

Treasury Management activities have to conform to the Local Government Act 2003, the Local Authorities (Capital; Finance and Accounting) (England) Regulations 2003 (SI 2003/3146), which specifies that the Council is required to have regard to the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice and also the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 (SI 2008/414), which clarifies the requirements of the Minimum Revenue Provision guidance. This report demonstrates compliance with the legislative framework.

7. Human Resources Implications

There were no comments from the Human Resources Manager.

8. Union Comments

There were no comments from UNISON.

9. Climate Change Implications

There were no comments received.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

As there is no change to policy an equality impact assessment is not required.

12. Background Papers

Nil

APPENDIX 1

TREASURY MANAGEMENT ACTIVITY 2023/24 (Q2)

1. Introduction

The Council has adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Council to approve, as a minimum, treasury management semi-annual and annual outturn reports.

This report includes the new requirement in the 2021 Code, mandatory from April 2023, of quarterly reporting of the treasury management activity and prudential indicators.

The Council's Treasury Management Strategy for 2023/24 was approved at the Cabinet meeting on 7 February 2023. The Council continues to borrow and invest substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's Treasury Management Strategy.

2. Economic Context

Economic background: UK inflation remained stubbornly high over much the period compared to the US and Eurozone, keeping expectations elevated of how much further the Bank of England ('the Bank') would hike rates compared to the regions. However, inflation data published later in Q2 undershot expectations causing financial markets to reassess the peak in the Bank Rate. This was followed soon after by the Bank deciding to keep Bank Rate on hold at 5.25% in September against expectation for another 0.25% rise.

Economic growth in the UK remained relatively weak over the period. In calendar Q2 2023, the economy expanded by 0.2%. However, monthly GDP data showed a 0.5% contraction in July, the largest fall so far in 2023 and worse than the 0.2% decline predicted which could be an indication the monetary tightening cycle is starting to cause recessionary or at the very least stagnating economic conditions.

July data showed the unemployment rate increased to 4.3% (3mth/year) while the employment rate rose to 75.5%. Pay growth was 7.8% for regular pay which was the highest recorded annual growth rate. Adjusting for inflation, pay growth in real terms were positive at 0.6% for regular pay respectively.

Inflation continued to fall from its peak as annual headline CPI declined to 6.7% in July 2023 against expectations for a tick back up to 7.0%. The largest downward contribution came from food prices. The core rate also fell to 6.2% compared to predictions for it to only edge down to 6.8%.

The Bank of England's Monetary Policy Committee continued tightening monetary policy over most of the period, taking Bank Rate to 5.25% in August. Against expectations of a further hike in September, the Committee voted 5-4 to maintain Bank Rate at 5.25%.

Financial market Bank Rate expectations moderated over the period as falling inflation and weakening data gave some indication that higher interest rates were working. Expectations fell from predicting a peak of over 6% in June to then expecting 5.25% to be the peak by the end of the period.

Following the September MPC meeting, Arlingclose, the authority's treasury adviser, modestly revised its interest forecast to reflect the central view that 5.25% will now be the peak in Bank Rate. In the short term the risks are to the upside if inflation increases again, but over the remaining part of the time horizon the risks are to the downside from economic activity weakening more than expected.

The lagged effect of monetary policy together with the staggered fixed term mortgage maturities over the next 12 to 24 months means the full impact from Bank Rate rises are still yet to be felt by households. As such, while consumer confidence continued to improve over the period, it is likely this will reverse at some point. Higher rates will also impact business and the UK manufacturing and services sector contracted during the quarter.

Financial markets: Market sentiment and bond yields remained volatile, with the latter generally trending downwards as there were signs inflation, while still high, was moderating and interest rates were at a peak.

Gilt yields fell towards the end of the period (which aligns with PWLB borrowing plus 1%). The five-year UK benchmark gilt yield rose from 3.30% to peak at 4.91% in July before trending downwards to 4.29%. The 10-year gilt yield rose from 3.43% to 4.75% in August before declining to 4.45%, whilst the 20-year yield from 3.75% to 4.97% in August and then fell back to 4.84%. The Sterling Overnight Rate (SONIA) averaged 4.73% over the period.

Credit review: Having completed a review of its credit advice on unsecured deposits at UK and non-UK banks following concerns of a wider financial crisis after the collapse of Silicon Valley Bank and purchase of Credit Suisse by UBS, as well as other well-publicised banking sector issues, Arlingclose reduced the advised maximum duration limit for all banks on its recommended counterparty list to 35 days. This stance continued to be maintained at the end of the period.

Following the issue of a Section 114 notice, Arlingclose advised against new lending to Birmingham City Council and cut its recommended duration on Warrington Borough Council to a maximum of 100 days.

Arlingclose continued to monitor and assess credit default swap levels for signs of ongoing credit stress and although no changes were made to recommended durations over the period, Northern Trust Corporation was added to the counterparty list. Heightened market volatility is expected to remain a feature,

at least in the near term and, as ever, the institutions and durations on the Council's counterparty list recommended by Arlingclose remains under constant review.

3. Borrowing

a) Debt Activity in Year

The loan debt outstanding as at 30 September 2023 compared to the opening position as at 1 April 2023 is shown below:

Loan Type	Amount Outstanding 01/04/23 £'000	Amount Outstanding 30/09/2023 £'000
Short Term Loans:		
Bramcote Crematorium	430	435
Money Market Loans	0	0
Public Works Loan Board	7,414	7,407
Long Term Loans:		
Money Market Loans	3,000	3,000
Public Works Loan Board	77,230	77,230
Total	88,074	88,072

This level of borrowing can be considered in the context of the assets held by the Council. The latest valuation used for the Balance Sheet on 31 March 2023 showed that the Council held fixed assets with a total value of £263.3m. This included General Fund assets at £39.3m and Housing Revenue Account (HRA) assets at £224.0m [the market valuation of dwellings is estimated at £533m]. This compares favourably with the current debt portfolio.

b) Loans

The short term money market loans are from other local authorities and public sector bodies. Broxtowe did not have any money market loans as at 1 April 2023 and has not taken on any new money market loans in the year to date.

PWLB loans of £1.3 million and of £6.1 million are due to mature on 2 December 2023 and 28 March 2024 respectively. As these are due to mature within the next 12 months they are considered short term. There will be a need to replace part or all of these loans. Short term loans at 1 April 2023 included PWLB annuities of £14k. A sum of £7k was repaid on 13 September 2023 and the remaining £7k is due for repayment on 13 March 2024.

Short term loans at 1 April 2023 also included £430k that had been invested with the Council by Bramcote Crematorium. At 30 September 2023, Bramcote Crematorium had invested a further £405k with the Council plus accrued interest. A withdrawal was made to allow for a distribution of £400k to the two constituent authorities (Broxtowe and Erewash) on 29 September 2023. The total loan as at 30 September 2023 was £435k.

The major element of the long-term loans from the PWLB is the loans totalling £66.4m taken out on 28 March 2012 to make the payment to the government. This enabled the Council to exit the Housing Revenue Account (HRA) subsidy system and move to self-financing arrangements that allowed local authorities to support their housing stock from their own HRA income. These loans were for maturity periods between 10 and 20 years and were at special one-off preferential rates made available by the PWLB for this exercise of 13 basis points above the equivalent gilt yield at the date on which the loans were taken out. One of these loans at £6.5m was repaid in 2022/23 with another for £6.1m due to be paid in March 2024.

Debt is kept under review in order to match the level of borrowing with the financing requirement for assets, based on analysis of the Council's balance sheet, with the aim of maintaining borrowing at the most efficient level in line with the prudential framework for capital finance.

The planned financing of the 2023/24 Capital Programme indicates that borrowing of £21.76m in would be required to help fund the programme. This borrowing has not, as yet, been fully undertaken as the availability of large investment balances has meant that there has been no specific need to undertake this borrowing thus far.

The Council will continue to adopt a cautious and considered approach to any borrowing that it may undertake. The Council's treasury advisors, Arlingclose, actively consult with investors, investment banks and capital markets to establish the attraction of different sources of borrowing and their related trade-off between risk and reward. The Council will liaise with its advisors before making any borrowing decisions and then report these to Members.

c) Debt Rescheduling

In conjunction with the treasury management advisors, the Council continues to seek opportunities for the rescheduling of debt that could reduce its overall borrowing costs. No debt rescheduling has taken place to date in 2023/24.

Whilst the possibility of achieving savings by repaying a loan may initially appear attractive, if a replacement loan is taken out to facilitate this then the replacement loan will have to be replaced at some stage. There is a risk that, as interest rates have risen dramatically recently, new loans could be more expensive and the initial decision to pursue the repayment of the original loan could turn out to be costly in the long term.

There may be opportunities in the future to achieve discounts by repaying loans using funds that are currently invested but the Council's primary concern will be to ensure that it has sufficient liquidity available to meet its liabilities and this represents a significant barrier to debt repayment activity.

Currently most of the Council's PWLB loans would attract a premium, i.e. a penalty, on premature repayment of between 5% and 99%. Those with a

higher probability of attracting a discount in the future were interest rates to rise further (i.e. where the current premium is between 0% and 10%) are some loans that were taken out in March 2012 at preferential rates as part of the move to exit the HRA subsidy system as referred to in 1(a) above.

The Council and its treasury management advisors will continue to monitor the situation and evaluate potential opportunities where appropriate. Debt rescheduling activity will only be undertaken when annual revenue savings can be achieved and both a stable debt maturity profile and suitable interest rate structure can be maintained.

d) Cost of Borrowing and Debt Profile

i. Long-term Debt

The Council's long term debt had an average of 7.9 years to maturity at 30 September 2023 (31 March 2023 was 8.4 years). The average interest payable at that date was 3.22% (31 March 2023 was also 3.22%).

ii. Short-term Borrowing

Short-term borrowing comprises the continuing loan from the Bramcote Crematorium Joint Committee and the loans outlined in 1(a) above.

iii. PWLB Rate Changes and Future Borrowing

Most of the Council's long term debt is borrowed from the PWLB. The most recent PWLB Technical Note (published 15 June 2023) shows the current Standard Rate for PWLB loans is 100 basis points above current gilt prices. Those local authorities who submit a Certainty Rate Return, which is primarily a high-level analysis of the authority's capital programme, capital financing and borrowing plans for the next three years, are eligible to borrow at the Certainty Rate. The Certainty Rate is 20 basis points below the Standard Rate. In addition, the PWLB has introduced a HRA Rate at 60 basis points below the standard rate for the financing of HRA scheme.

Given that PWLB lending terms are currently competitive, PWLB will be considered, alongside other lenders, by the Council when looking to take out future long-term borrowing.

4. Investments

a) Investment Policy

The Council's investment policy is governed by guidance from the government, which was implemented in the Investment Strategy approved by Cabinet on 7 February 2023 and then by Council on 1 March 2023. This gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles.

The Council only places long term investments with banks and building societies which are UK domiciled and have, as a minimum, the Long Term A- (or equivalent) rating from the Fitch, Moody's and Standard and Poors credit rating agencies.

The Council is also able to invest in Money Market Funds (MMF) that are AAA rated and with the UK government, as well as with other local authorities. The maximum permitted duration of investments is two years.

The investment activity during 2023/24 to date conformed to the approved strategy. The Council had no security or liquidity difficulties.

b) Interest Received

The total interest receivable for the period ended 30 September 2023 amounted to £438k at an average rate of 4.15% (compared to £159k at 1.64% to 30 September 2022). This was linked to the incremental increases in the Bank Rate from 2.25% to 5.25% as at 30 September 2023 and the Council holding relatively high levels of cash due to the up-front receipt of capital grants. These surplus funds were included in short-term investments.

The return of Money Market Funds (net of fees) increased during the period up to 30 September 2023, with rates averaging 5.3%.

The Council's treasury advisors, Arlingclose, continues to expect the Bank Rate to remain high for the foreseeable future whilst the MPC looks to return inflation to the target of 2%. The September 2023 MPC chose to maintain the base rate at 5.25% and Arlingclose expects rates to remain high in the short term, with small incremental decreases in the medium term.

SONIA (Sterling Overnight Index Average) is an interest rate published by the Bank of England, which can be seen as the average interest rate at which a selection of financial institutions lends to one another in sterling (GBP) with a maturity of 1 day (overnight). SONIA is a benchmark rate and had an average 1-day rate over the period at 4.73%

The LIBOR interest rate is the average interbank interest rate at which a large number of banks on the London Money Market are prepared to lend one another in unsecured funds denominated GBP. The LIBOR rate is available in seven maturities, from overnight to 12-months and serves as a base rate for all sorts of other products such as savings accounts, mortgages and loans. The 1-month LIBOR average rate over the period was 5.4%.

The Council has a total of four long term investment totalling £8.0m and these along with the interest income received over the period are as follows:

- CCLA Local Authority Property Fund (LAPF) – £2.0m (£22,000)
- CCLA Diversified Income Fund (DIF) – £2.0m (£21,000)
- Royal London Enhanced Cash Plus Fund – £2.0m (£32,000)
- Ninety-One Diversified Income Fund – £2.0m (£33,000)

The £2.0m invested in the CCLA Local Authorities' Property Fund (LAPF) had a dividend yield of 1.1% during the period whilst the £2.0m invested in CCLA Diversified Income Fund had a dividend yield of 1.05%. The Royal London Cash Plus and Ninety-One Diversified Income Funds have dividend yields of 1.60% and 1.65% respectively. The average total income return for the period is 1.35%. Further details of these long-term investments are set out in 3(v).

c) Investments Placed

A summary of all investments (either short or long term) made and repaid from 1 April to 30 September 2023 is set out in the following table:

	Balance at 01/04/23 £000's	Invests Made £000's	Invests Repaid £000's	Balance at 30/09/23 £000's	Net Change £000's
<u>MMF's</u>					
Aberdeen MMF	-	27,900	(23,660)	4,240	4,240
Insight MMF	-	-	-	-	-
LGIM MMF	-	11,770	(6,770)	5,000	5,000
Federated MMF	-	21,180	(16,180)	5,000	5,000
PSDF	4,590	2,640	(2,230)	5,000	410
<u>Long-Term</u>					
Royal London Cash Plus	2,000	0	0	2,000	0
Diversified Income Fund	2,000	0	0	2,000	0
LA Property Fund	2,000	0	0	2,000	0
Ninety-One DIF	2,000	0	0	2,000	0
Total	12,590	63,490	(48,840)	27,240	14,650

The Money Market Funds (MMF) are set up as individual accounts where funds can be placed short-term, often overnight, and monies withdrawn as and when required. This has a major impact upon the number of investments made with these institutions during the period above.

Use continues to be made of MMF due to their ability to provide a secure and highly liquid place in which to invest and the reduced number of other potential counterparties available as outlined in 2(g) below.

d) Credit Risk

Security of capital has remained the Council's main investment objective. The Council aims to achieve a score of '7' or lower in order to reflect its overriding priority of maintaining the security of any sums invested. This equates to the minimum credit rating threshold of A- for investment counterparties as set out in the 2023/24 Investment Strategy.

Counterparty credit quality has been maintained at an appropriate level during 2023/24 as shown by the credit score analysis in the following table:

Date	Value Weighted Average – Credit Risk Score	Value Weighted Average – Credit Rating	Time Weighted Average – Credit Risk Score	Time Weighted Average – Credit Rating
31/03/2023	5.57	A	5.57	A
30/09/2023	4.65	A+	4.65	A+

No investments were made with institutions where the credit rating exceeded a score of 7 (i.e. lower than A-). All deposits were made with institutions achieving an average score of 5.0 or better. As such, counterparty credit quality has been maintained at an appropriate level during the period.

The table below shows how credit risk scores relate to long-term credit ratings:

Rating	AAA	AA+	AA	AA-	A+	A	A-	BBB+	BBB	BBB-
Score	1	2	3	4	5	6	7	8	9	10

e) Risk Benchmarking

The Investment Strategy 2023/24 to 2025/26 contained a number of security, liquidity and risk benchmarks to allow officers to monitor the current and trend positions and incorporate these within investment decisions. The benchmarks have been met in full bar one for the period to 30 September 2023 such that:

- the Council's maximum average credit risk score has been less than 7;
- a bank overdraft limit of £1.0m has been maintained;
- liquid short-term deposits of at least £0.5m have been available within one week;
- the average weighted life of investments has been below a maximum of six months

The following indicator has not been met for the period to 30 September 2023:

- Returns on investment have been above the SONIA average 1-day interest rate and the 1-month LIBOR average rate over the period.

The average rate achieved by the Council was 4.15% which was below the SONIA average 1-day rate of 4.75%. This was largely due to the volatility in the market causing SONIA rates to fluctuate, although the Council's overall score was affected by the lower performance in the long-term investments as shown above.

f) Counterparty Update

The Deputy Chief Executive maintains a counterparty list based upon criteria set out in the Investment Strategy. Any proposed revisions to the criteria will be submitted to Cabinet for formal approval as set out in 2(g) below.

The rating criteria use the lowest common denominator method of selecting counterparties and applying limits. This means that the application of the Council's minimum criteria will apply to the lowest available rating for any institution. For example, if an institution is rated by two agencies and one meets the Council's criteria and the other does not, the institution will fall outside the lending criteria.

Creditworthiness information is provided by the treasury management advisors, Arlingclose, on all counterparties that comply with the criteria set out in the Investments Strategy. Any counterparty failing to meet the criteria is removed from the counterparty list.

g) Changes to the Investments Strategy

Due to the level of uncertainty in financial markets, it is important that there is sufficient flexibility to enable changes to be made to the Investments Strategy at short notice should they be considered necessary by the Deputy Chief Executive.

Any such changes to the Investments Strategy will be made by the Chief Executive exercising Standing Order 32 powers following consultation with the Leader of the Council and the Portfolio Holder for Resources and Personnel Policy. A report setting out the detail behind these changes would then be presented to Cabinet at the next available opportunity.

h) Regulatory Update – Statutory Override

In July 2018, the government consulted on statutory overrides relating to the introduction of the IFRS 9 Financial Instruments accounting standard from 2018/19. It has since decided to introduce a temporary statutory override for fair value movements in pooled funds. The government accepted arguments made in the consultation responses that the un-amended adoption of IFRS 9 could result in unwarranted volatility for the General Fund and impact unnecessarily upon Council Tax and/or service expenditure. The subsequent statutory override, while requiring IFRS 9 to be adopted in full, requires fair value movements in pooled investment funds to be taken to a separate unusable reserve instead rather than directly to the General Fund.

The override applies to all collective investment schemes and not just to pooled property funds. As set out above, in order to promote transparency, the guidance requires a separate unusable reserve to be used to hold the fair value movements rather than the Financial Instruments Adjustment Account.

In April 2023, the Department for Levelling Up, Housing and Communities

(DLUHC) published the full outcome of the consultation on the extension of the statutory override on accounting for gains and losses on pooled investment funds. The override has been extended for two years until 31 March 2025 but no other changes have been made. Whether the override will be extended beyond the new date is unknown but commentary to the consultation outcome suggests not. The Council will discuss with Arlingclose the implications for the investment strategy and what action may need to be taken.

i) Prudential and Treasury Management Code Changes

The Prudential Code requires the production of a high-level Capital Strategy report to full Council covering the basics of the capital programme and treasury management. The prudential indicators for capital expenditure and the authorised borrowing limit are included in this report

The definition of investments in the Treasury Management Code now covers all of the Council's financial assets as well as other non-financial assets that are held primarily for a financial return. This is replicated in the Government's Investment Guidance in which the definition of investments is further broadened to include all such assets held partially for financial return. The Council has no such assets at present.

5. Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators:

i) Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit Risk Indicator	Target 2023/24
Portfolio Average Credit Rating	A-

The Council has complied with this indicator by achieving an average credit rating of A for its investment portfolio between 1 April and 30 September 2023.

ii) Liquidity

The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity Risk Indicator	Target 2023/24
Total cash available within 3 months	£10.0m

The Council has complied with this indicator by maintaining an average of £19.0m in cash available to meet unexpected payments within a rolling three-month period from 1 April and 30 September 2023.

iii) Interest Rate Exposures

This indicator is set to control the Council's exposure to interest rate risk. Bank rate rose by 1.25% from 4.25% on 1 April to 5.25% by 30 September 2023. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates for 2023/24 are:

Interest rate risk indicator	Target Limit 2023/24
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£1.0m
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	£1.0m

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at new market rates.

Even after the incremental increases in the Bank Rate throughout the last year, the target limits for 2023/24 have been complied with for the mid-year period.

iv) Maturity Structure of Borrowing

This indicator is set to control the Council's exposure to refinancing risk. It is intended to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Lower Limit %	Upper Limit %	Fixed Rate Borrowing 30-Sep-23	Level %	Compliance with Set Limits
Under 12 months	0	50	7,407	8	Yes
12 months to 2 years	0	50	8,166	9	Yes
2 years to 5 years	0	50	26,059	31	Yes
5 years to 10 years	0	75	35,996	42	Yes
10 years to 20 years	0	100	2,009	2	Yes
20 years to 30 years	0	100	2,000	2	Yes
30 years to 40 years	0	100	3,000	3	Yes
40 years to 50 years	0	100	3,000	3	Yes

As suggested in the Code, fixed rate investments of less than 12 months and fixed rate borrowing with less than 12 months to maturity are regarded as variable rather than fixed rate investments and borrowings as their replacement could be subject to movements in interest rates. This principle has been applied in calculating the fixed and variable interest rate exposures on debt and investments. However, the borrowing with less than 12 months to maturity at 30 September 2023 is shown as fixed rate borrowing in the maturity structure.

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

v) Principal Sums Invested for Periods Longer than a Year

The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Risk Indicator	Target Limit 2023/24
Upper limit on principal invested beyond year end	£8.0m

The Council has complied with the limit during the period, with a total of £8.0m in long term investments as at 30 September 2023 consisting of:

- £2.0m invested in the CCLA Local Authorities' Property Fund (LAPF). Although the Council can theoretically redeem part or all of its holding in the fund by giving six months' notice as set out in 2(c), this is intended to be a long term investment.
- £2.0m invested in the CCLA Diversified Income Fund. Whilst this is intended to be a long term investment, two days' notice is required should this investment need to be repaid to the Council.
- £2.0m invested in the Royal London Enhanced Cash Plus Fund. Whilst this is intended to be a long term investment, should the Council require this to be repaid then it can be done with one day's notice.
- £2.0m invested in the Ninety-One Diversified Income Fund. The minimum recommended period for such an investment is three to five years. However, should this need to be repaid to the Council then it can be done with three days' notice.

APPENDIX 2

PRUDENTIAL INDICATORS

1. Introduction

The Local Government Act 2003 requires local authorities to comply with the Prudential Code for Capital Finance in Local Authorities when carrying out their capital budgeting and treasury management activities. Fundamental to this is the calculation of a number of prudential indicators, which provide the basis for the management and monitoring of capital expenditure, borrowing and investments. The indicators are based on the Council's planned and actual capital spending.

2. Capital Expenditure and Financing 2022/23

The Council undertakes capital expenditure on assets which have a long term value. These activities may either be:

- financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resulting impact upon the Council's borrowing need; or
- if insufficient financing is available or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

Actual capital expenditure forms one of the required prudential indicators. The following table shows the 2023/24 capital programme as at 16 October 2023 compared with the original estimate for the year across each area:

	2023/24 Original Estimate £000	2023/24 Estimate at 16/10/23 £000
Housing (HRA/GF) (including Housing Delivery)	20,485	32,831
Business Growth (including Stapleford Towns Fund, LUF and UKSPF)	11,368	15,940
Leisure and Health	0	8
Environment and Climate Change	1,228	1,767
Community Safety	0	29
Finance and Resources	366	1,620
Total	33,447	52,195

The change to the original estimate is largely accounted for by the carry forward of unspent capital budgets totalling £11.5m from 2022/23 plus additional budget allocations for HRA repairs and compliance works and housing acquisitions. Although this quarterly report is to 30 September 2023, the capital budgets include adjustments approved in early October for completeness as these show an increase in planned expenditure.

Excluded from the 2023/24 capital programme are schemes totalling £3.2m that are on a 'reserve list' to be brought forward for formal approval to proceed once a source of funding is identified.

The table below shows the planned capital expenditure up to 16 October 2023 and how this will be financed:

	Original Estimate 2023/24 £000	Original Estimate at 16/10/2023 £000
General Fund	13,762	20,846
HRA	19,685	31,349
Total Capital Expenditure	33,447	52,195
Financed by:		
Capital Receipts	2,498	4,580
Capital Grants	14,540	20,146
Revenue (including Major Repairs Reserve)	6,334	5,709
Unfinanced Capital Expenditure	10,075	21,760

The increase in the estimated use of capital receipts in year is primarily due to schemes carried forward from 2022/23 and the further use of HRA capital receipts to assist the financing of capital schemes in the Housing Delivery Plan.

It is anticipated that the schemes on the 'reserve list' would be financed from capital receipts received at a future date if available. Unfinanced capital expenditure will be met from additional borrowing as set out above.

3. Overall Borrowing Need

The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position and represents net capital expenditure that has not yet been paid for by revenue or other resources.

Part of the treasury management activity seeks to address this borrowing need, either through borrowing from external bodies or utilising temporary cash resources within the Council.

As set out in 1(a) in APPENDIX 1, the Council has not fully taken out the anticipated borrowing of £21.76m in respect of the planned capital expenditure for 2023/24 shown as unfinanced above. It is likely that some of this borrowing will be delayed until 2024/25 if there is significant slippage in the capital programme from 2023/24 into the following year. Any additional borrowing to be undertaken will seek to align the Council's overall borrowing level with the CFR. As at 30 September 2023, the Council has PWLB loans of £1.3m and £6.1m that are due to be repaid in 2023/24. These may be replaced, at least in part depending upon cash flows, with other borrowing before 31 March 2024.

The Council's CFR will next be calculated as at 31 March 2024 when the financing of actual capital expenditure incurred in 2023/24 will be undertaken. This will be reported to Cabinet in July 2024.

4. Prudential Indicators and Compliance Issues

Some of the prudential indicators provide either an overview or specific limits on treasury management activity. These are as follows:

i) Gross Borrowing Compared to the Capital Financing Requirement (CFR)

In order to ensure that borrowing levels are prudent over the medium term, the Council's external borrowing must only be for a capital purpose. Gross borrowing should not therefore, except in the short term, exceed the CFR. This indicator will be calculated at the end of 2023/24 and the result reported to Cabinet in July 2024. It is presently anticipated that the Council will comply with this indicator.

ii) Authorised Limit

This is the statutory limit determined under section 3(1) of the Local Government Act 2003 and represents the limit beyond which borrowing is prohibited. It reflects the level of borrowing which could be afforded in the short term to maximise treasury management opportunities and cover temporary cash flow shortfalls, but is unlikely to be sustainable over the longer term. The table below demonstrates up to October 2023, the Council has maintained gross borrowing within its authorised limit.

iii) Operational Boundary

This indicator is based on the probable external debt during the course of the year. The operational boundary is not a limit and actual borrowing can vary around the levels shown for short times. The operational boundary should act as an indicator to ensure the authorised limit is not breached and is a key management tool for in year monitoring of treasury management activities by the Deputy Chief Executive.

	Values £000
Authorised Limit for Borrowing	121,000
Operational Boundary for External Debt	96,800
*Maximum Gross Borrowing (April to September 2023)	88,074

The maximum external debt in the period from April to September 2023 represents the gross borrowing figures as set out in 1(a) and includes the loan received from Bramcote Crematorium during this period.

iv) Proportion of Financing Costs to Net Revenue Stream

This indicator compares net financing costs (borrowing costs less investment income) to net revenue income from revenue support grant, business rates, housing revenue account subsidy, council tax and rent income. The purpose of the indicator is to show how the proportion of net income used to pay for financing costs is changing over time. The indicator will be calculated for 2023/24 at the end of the financial year and reported to Cabinet in July 2024.

Report of the Portfolio Holder for Resources and Personnel Policy

CHANGE DELIVERY MANAGER TO SUPPORT THE IMPLEMENTATION OF THE SERVICE IMPROVEMENT PLAN FOR ASSET MANAGEMENT, REPAIRS AND COMPLIANCE1. Purpose of report

To seek Committee approval for the appointment of a new two year fixed term post to support the delivery of the Asset Management, Repairs and Compliance Service Improvement Plan.

2. Recommendation

Cabinet is asked to RESOLVE that the creation of a new post of Change Delivery Manager post in the Asset Management and Development service area (as a two-year, fixed term contract at a projected Grade 15 £69,900 per annum including on costs) be approved, to be funded from the Housing Revenue Account (HRA) and General Fund balances as detailed in the report.

3. Detail

Following a detailed gap analysis and service improvement plan of the Asset Management and Development function of Broxtowe Borough Council and building on the ARK asset management strategy, the review identified the need for a Change Delivery Manager to support the implementation of the following:

- Deliver policies and procedures (Strategic asset management Retrofit, Decent Homes, Broxtowe Standard, site management and risk register)
- Support on performance management of procured activities
- To support the ARK asset management recommendations in implementing an asset performance approach through asset performance analysis.
- To support the ARK asset management recommendation in implementing an asset options appraisal approach utilising an appropriate financial appraisal system.

In regards to Housing Repairs, there has been significant work undertaken following the move of the service from Asset Management to Housing in October 2022. The first stage in the improvement plan was to implement a full restructure and fill the vacant roles on the establishment. All manager and team leader roles have now been recruited to, the Repairs Contact Centre is fully staffed and there are only a small number of vacancies in the operative teams. It is therefore appropriate to move the next stage, for which additional support is required.

This role will be key in assisting the Housing Service to:

- Review all policies and procedures used by the Repairs Service
- Work with the Performance Manager to introduce a new suite of performance reports
- Review the approach to 'first-time fixes' and recommend improvements
- Implement guidelines and templates to improve record keeping

- Design and implement a system of quality assurance checks.

This role is responsible for the delivery of a portfolio of defined projects using effective project and change management skills, ensuring best practice, project governance and the successful implementation of the underlying deliverables in this transformation programme of work with a strong emphasis upon policy and process integration.

The post holder will be managed by The Head of Asset Management and Development and will report on progress to the Housing Improvement Board given the significant strategic and operational impact across Asset Management and Repairs.

The role will be a two year fixed term full time (37 hours) position. The role has had a formal job evaluation on 9 January 2024 and the role has been graded at grade 15. The salary for this role will be advertised at £53,600.

4. Financial Implications

The comments from the Head of Finance were as follows:

The budgeted salary of the proposed Change Delivery Manager post in the Asset Management and Development service at Grade 15 is £53,600 (estimated 2024/25 pay rates), which equates to an overall cost of £69,900 including oncosts.

It is proposed that the cost of this post would be split funded between the Housing Revenue Account (HRA) and General Fund and recharged as follows:

- HRA Capital 40% - being predominantly the Head of Asset Management and Development's service areas.
- HRA Revenue 40% - being predominantly the Head of Housing's Repairs and Compliance service.
- General Fund Revenue 20% for the non-housing estate and commercial properties.

Whilst the cost of the addition of one full-time equivalent post to the establishment would be absorbed in the current financial year, full provision would need to be made in the establishment budget for 2024/25. Whilst it is proposed that part of the funding for this role will come from the Capital Programme, through the capital salaries recharges, any associated increase in prudential borrowing costs for the Housing Capital Programme will ultimately be met from the HRA.

This is proposed as a two-year fixed term post so any extension at a later stage would need further Cabinet approval.

5. Legal Implications

Comments from the Head of Legal Services were as follows:

Whilst there are no direct legal implications that arise from this report, it is important that the recruitment process is in accordance with the Council's Recruitment and Selection policy.

6. Human Resources Implications

There are no Implications

7. Union Comments

Comments from the Union were as follows:

UNISON fully support the creation of this post.

8. Key Decision

This is not a key decision.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

As there is no change to a policy an equality impact assessment is not required.

11. Background Papers

Nil.

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Report of the Resources and Personnel Portfolio Holder

HOUSING DELIVERY TRAINEE POST TO SUPPORT THE HOUSING DELIVERY FUNCTION

1. Purpose of Report

To seek Cabinet approval for the appointment of a new post to support the delivery of affordable housing. This post will attract an apprentice levy for further study within construction management to support Housing Delivery within the Asset Management and Development Service.

2. Recommendation

Cabinet is asked to RESOLVE that the creation of a new post of Housing Delivery Trainee post in Capital Works (starting at Grade 6) at £37,450 per annum including on costs be approved, to be funded from the HRA Capital Programme.

3. Detail

The need for the role has been identified under the Asset Management Service Improvement Plan (Housing Delivery) in October 2023.

The trainee will be responsible for the options appraisal of pipeline opportunities, provision of support on acquisitions and act as client side project lead on schemes that are progressing through feasibility, planning, tender and contract delivery. The apprentice will ensure close liaison with the Developer, Employers' Agents and Principle Designer ensuring these are being delivered to our scope and requirements from pre-construction through to defect management support.

At present, the Housing Delivery is being managed by solely by the interim Housing Delivery Manager acting as our sole agent and the growth of the development delivery (s106 and new build projects) is gaining momentum and additional support is required to ensure activities within development can be managed adequately.

The Council is committed to the apprenticeship programme through the Apprenticeship Strategy 2022-2024 and this would be an ideal opportunity to develop and support a trainee who is seeking to pursue further degree level study within the field of construction management and enable long term commitment and succession planning within the Housing Delivery function.

4. Key Decision

This is not a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

The total cost of the new Housing Delivery Trainee post is unknown at this stage until confirmed by a job evaluation review. It is anticipated that the starting salary for this role will be a Grade 6 but will progress upwards in grades over the course of three levels to demonstrate the professional development gained. The grading at each of the three levels, to be decided by the Job Evaluation Panel, would be based around the following:

- Level 1 is the grade the individual would start on (assumed at Grade 6).
- Level 2 would be achieved once the employee reaches Foundation Degree level and, as a result, the postholder would move up in grading associated with this achievement.
- Level 3 would be attainable when the degree has been completed and, again, the postholder would move up in grading accordingly (subject to Job Evaluation).

The budgeted salary of the proposed Housing Delivery Trainee post in the Capital Works team at Grade 6 is £29,150 (estimated 2024/25 pay rates), which equates to an overall cost of £37,450 including oncosts. Whilst the cost of the addition of one full-time equivalent post to the establishment would be absorbed in the current financial year, full provision would need to be made in the establishment budget for 2024/25. Whilst it is proposed that funding for this role will come from the Capital Programme, through the capital salaries recharges, any associated increase in prudential borrowing costs for the Housing Capital Programme will ultimately be met from the HRA.

6. Legal Implications

The comments from the Head of Legal were as follows:

Whilst there are no direct legal implications that arise from this report, it is important that the recruitment process is in accordance with the Council's Recruitment and Selection policy.

7. Human Resources Implications

The comments from the Human Resources Manager were as follows:

HR supports the utilisation of the Apprenticeship Levy.

8. Union Comments

The comments from the Union were as follows:

UNISON supports the creation of this post. It is positive to see the Council offering a training position, and an opportunity for progression.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

As this is not a change to policy an equality impact assessment not required.

12. Background Papers

Nil.

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Report of the Portfolio Holder for Economic Development and Asset Management

**STAPLEFORD SUPPLEMENTARY OFF-STREET CAR PARKING
ORDER 2024 (DERBY ROAD CAR PARK)**1. Purpose of Report

To recommend that statutory advertising be undertaken for a supplementary off-street car parking order for a new car park in Stapleford.

2. Recommendation

Cabinet is asked to RESOLVE that delegated authority be given to the Head of Legal Services and the Executive Director to finalise and undertake the required statutory consultation in respect of the new car park at Derby Road, Stapleford.

3. Detail

Public car parks are currently provided in Stapleford by the Council at Cliffe Hill Avenue, Eatons Road, Halls Road and Victoria Street. The Victoria Street car park which has 51 spaces, including 6 disabled bays, will be replaced by the newly constructed car park on Derby Road being provided by the Enterprise Hub project as part of the Stapleford Towns Deal. The new car park will have 44 spaces, including 6 disabled spaces. Parking spaces are also being explored at the Enterprise Hub site to make allowances for parking spaces within the public realm design. Cabinet approved a decision to appoint VIA EM under a single tender waiver to design and construct the replacement car park at its meeting in December 2022. However, since that time, VIA EM have declared that they no longer wish to be involved in the construction of the car park and their work linked to this project will cease after the design stage reaches final completion. The construction of the car park will now go out to open market tender. The costs relating to the new car park design and build will be met entirely from the Stapleford Towns Deal without financial risk to the Council. This will include all necessary signing.

As the car park is owned by the Council, it will take on its future management and the proposed parking charges will match those in other Stapleford town centre car parks. A supplementary off-street parking places order is needed to be in place before the car park is operational. It is expected that work on the construction of the Enterprise Hub will commence before the order comes into effect.

A summary of the necessary legal processes and timescales is given in APPENDIX 1. The proposed schedule, which will form part of the statutory advertising, is given in APPENDIX 2.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

The costs relating to the new car park design and build will be met entirely from the Stapleford Towns Deal without financial risk to the Borough Council. This will

include all necessary signing. Once parking charges are introduced the income generated will accrue to Broxtowe Borough Council in accordance with existing general budget financial projections.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The Council as the traffic authority has the powers to deal with off-street parking charges under Sections 32, 35 and 35C of the Road Traffic Regulation Act 1994 ('RTRA'), where appropriate. Section 32(1) of the RTRA gives traffic authorities powers to provide parking places where it is for the purpose of relieving or preventing congestion of traffic, and allows for the Council to provide off-street parking places together with means of entrance to and egress from them. Where an order under section 35(1)(b)(iii) of the RTRA makes provision as to the charges to be paid in connection with the use of off-street parking places, the authority making that order may vary those charges by notice given under Section 35C of the RTRA. The procedure for making and varying such orders are set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 as amended ("the Regulations"). Regulation 25 (3) of the Regulations stipulates that where an authority proposes to give a notice of variation under section 35C or 46A of the RTRA it shall be given by publishing it at least once in a newspaper circulating in the area in which the parking places to which the notice relates are situated at least 21 days before it is due to come into force. Regulation 25(4) requires that the notice of variation shall specify the date when it is due to come into force; identify every parking place to which the notice relates; specify the charges payable for the use of the parking place at the date the notice is given; the charges payable when the notice comes into force. The Council must consider all objections duly made and may modify the proposed Order in the light of objections, or re-consult on the Order if the objections are substantial.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:
No comments

7. Union Comments

The Union comments were as follows:
Not applicable.

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:
No comments

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

An equality impact assessment is not required.

11. Background Papers

Nil.

APPENDIX 1

Stapleford Supplementary Off-street Car Parking Order 2024
Approximate Implementation Timescale

Tuesday, 9 January 2024	-	Seek approval from Cabinet to advertise a new off-street parking places order and publish notice of proposal
Tuesday, 19 March 2024	-	Publish Notice of Proposals
Tuesday, 16 April 2024	- -	Objection deadline Start preparing legal notices and adverts
Officers consider any objections – between 17 April – 1 May 2024	-	Officers consider any objections and agree to making of the order
5 working days after officers' consideration meeting	-	Sealing of the order Publication of Notice of Making
6 weeks after the Order is made	-	Order comes into force, car park signs erected or amended accordingly

The following provisions apply:

1. The above is an estimated timetable and is based on the assumption that the implementation procedure runs smoothly with no unexpected delays.
2. Any substantial change made to an order after the Notice of Proposals has been published may require the publication process to be repeated, adding a substantial number of weeks to the above process. This could occur, for instance, following the consideration of objections to the proposed order by Cabinet.
3. Delegated officers would be required to consider any objections raised against the proposed Order and respond to them. Time must be factored-in for this process. A delay in response could extend the timescale.
4. Any new order is potentially subject to a challenge by application to the High Court during the 6 weeks following the making of the order (this is reflected in the final stage above).
5. Under certain circumstances, which are unlikely to affect this Council, a Public Inquiry is mandatory; otherwise, a Public Inquiry is at the discretion of the local authority. Were such an Inquiry deemed necessary, it would add substantially to the above estimate.

APPENDIX 2

Proposed schedule

Category	NAME OF PARKING PLACE	POSITION IN WHICH VEHICLE MAY WAIT	CLASSES OF VEHICLE	DAYS OF OPERATION OF PARKING PLACE	CHARGING HOURS	MAXIMUM PERIOD FOR WHICH VEHICLE MAY WAIT	SCALE OF CHARGING	
	STAPLEFORD							
B	Derby Road, Stapleford Plan Ref: TBA	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motor cycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	24 hours Except Bank Holidays, but including Good Friday.	Maximum stay 12 hours No return within 3 hours	Waiting Period	Charge
							Up to 2 hours	£1.00
							Up to 3 hours	£2.00
							Up to 6 hours	£3.00
							Over 6 hours	£15.00

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Report of the Portfolio Holders for Economic Development and Asset Management, Leisure and Health and Environment and Climate Change.

NEW SKATEPARK LOCATION ON CENTRAL AVENUE RECREATION GROUND, STAPLEFORD

1. Purpose of Report

To recommend the location of Central Avenue Recreation Ground, Stapleford, NG9 8PU as the site for a new skate park in Stapleford to replace the current skate park on Hickings Lane which is no longer fit for purpose. To provide a clear rationale and explanation towards the proposed, preferred location for the new skate park in Stapleford.

2. Recommendation

Cabinet is asked to RESOLVE that permission for Broxtowe Borough Council to approve of the new location for the Stapleford skate park on the Central Avenue Recreation Ground, to enable funding application submission and to progress the designs for the construction of the new Skate park to be approved.

3. Detail

The original Stapleford skate park on Hickings Lane was demolished in July 2022 due to it being deemed uneconomical to repair because of the extent of damage and disrepair it was in.

To support a local, user-led campaign for a new skate park in Stapleford and to coincide with a broader discussion around development in the town linked to the Towns Deal Programme of Works, Broxtowe Borough Council engaged Skate Nottingham CIC in June/July 2023 to support with the process of creating a new skate park in the town.

Since then, a variety of user engagement events and public consultation around possible locations for a new skate park in Stapleford have occurred.

This report seeks to provide detail around the viability of these possible locations and give a recommendation to Cabinet members of which site would be most suitable for the new Stapleford skate park as well as the funding implications linked to the design and construction of the new skate park.

4. Key Decision

This report is not a Key Decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

Consideration will be made for potential revenue implications for management, repair and maintenance of the skate park. However, it is important to note that Coronation Park, a park within the Borough which has already got a concrete skate park, does not require a substantial revenue budget. In addition, we will be exploring a programme of support for the ongoing maintenance and added social value activities in partnership with Skate Nottingham and other local community organisation to reduce these revenue costs.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Title investigations will need to be carried out to ensure there are no restrictive covenants prohibiting this use on the land, this is something Legal Services will be able to advise on.

7. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not Applicable.

8. Union Comments

The Union comments were as follows:

Not Applicable.

9. Climate Change Implications

The Climate Change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

An equality impact assessment is not required.

12. Background Papers

Nil.

APPENDIX 1

Details

The original skate park on Hickings Lane Recreation Ground was predominantly constructed from wood and steel. Following comments made from insurance inspectors (regular, annual procedures) regarding the state of the skate park, further inspections were commissioned to external contractors.

Results of these inspections deemed it uneconomical to repair the skate park due to the extent of disrepair, down to a combination of ageing/outdated skate park elements and their natural degradation and weathering alongside vandalism and Anti-Social Behaviour (ASB). Once demolition of the skate park had begun, further rot was identified, confirming the decision to remove the skate park was correct. Although a small budget towards the maintenance and repair of the skate park had been allocated to Parks, this amount was not sufficient in covering the cost for the full level of repairs needed.

Following the closure and demolition of the skate park in July 2022, a local user-led campaign for a new skate park in Stapleford has picked up pace, coinciding with a broader discussion around development in the town linked to the Towns Deal Programme of Works.

Broxtowe Borough Council engaged Skate Nottingham CIC in June/July 2023 in order to support a combination of user engagement and consultation; fundraising and funding strategy; procurement advice and input to the tender selection panel; and celebration, activation and promotional activities to encourage a high uptake of users to the new skate park once complete, including running beginners sessions delivered by local young people who are supported to become qualified coaches by Skate Nottingham.

Following a highly successful user engagement event back in August 2023, a clear desire for a new skate park in the Stapleford area was demonstrated through online survey results and statistics. For example, 91.6% of respondents said they would like to see a new skate park in Stapleford, despite only 32% identifying themselves as 'skate park users' which shows local support for the project to be robust.

A mixture of funding has been identified to support the development of a new skate park, including a successful Crowdfunder UK campaign, which has recently secured the first £12,000 towards the construction of a new skate park, including £4,800 match funding from Sport England.

Alongside existing funding available to Broxtowe Borough Council for a skate park, the funding raised through Crowdfunder UK will now provide sufficient funding for the required 10.8% match for an FCC Communities Foundation (previously Waste Recycling Environmental, WRE) capital grant application of up to £100,000.

However, it is important to note that one of key criteria for eligibility of the FCC Communities Foundation grant funding is that the funding must only be used at

locations which have not previously received any FCC Communities Foundation grant funding. If a location has previously received FCC Communities Foundation grant funding, further FCC Communities Foundation grant funding will not be awarded to the same location in which funding has previously supported. This has been a key factor to consider in the exploration of possible locations for the new skate park.

During the likely 12-week period prior to an FCC Communities Foundation decision, Skate Nottingham will work with Broxtowe Borough Council to apply for other funding sources, including the Local Communities Fund capital grant of up to £20,000 with Nottinghamshire County Council. The target total to be raised needs to be between £200,000 and £250,000 for a small-to-medium sized bespoke concrete skate park, designed and built by one of the current market leaders. Support will be provided by Skate Nottingham to ensure that the tender process for the appointment of the design and build contractor. Following the appointment, Broxtowe will work with the contractor to submit for planning approval for the Skate Park.

The maintenance and management of the skate park will be undertaken by Parks in the Environment Department and a formal handover of the asset will be arranged between Economic Development and Parks with support from Skate Nottingham ahead of completion. In addition, we will work with Skate Nottingham to consider voluntary activities and training that can be provided to reduce these maintenance costs as well as providing training to the community.

The locations for the skate park that were considered include; Ilkeston Road Recreation Ground, Queen Elizabeth Park, Archers Field Recreation Ground, Central Avenue and Hickings Lane. A variety of views have been taken into consideration, including those of local councillors, skate park users, their families and local residents.

To summarise the outcome of the exploration of potential site locations, Hickings Lane was discounted due to this site having previously received FCC Communities Foundation funding for £94,000 in 2019, meaning that further FCC Communities Foundation grant funding would not be awarded at this site, due to the eligibility criteria linked to the FCC Communities Foundation grant funding (as explained earlier in this report). In addition, this is not a viable site due to the impending construction of the Community Pavilion and Young Peoples Centre.

Archers Field Recreation Ground has not been put forward as our preferred location for the build of a new skate park due to the fact that it has received £18,000 this year from the Sherwood Forest Trust for woodland coppices and we would not want to impact any of this regeneration work. Furthermore, the incline across the site may require increased budget for a skate park development due to civil engineering challenges associated with this as well as the site itself having a narrow entrance on one side which could cause issues during skate park construction where heavy vehicles need access to the site.

The Queen Elizabeth Park site has been discounted due to this site receiving FCC Communities Foundation funding in 2008 (£15,000 for a fitness centre) and would therefore not be eligible for further FCC grant funding awards, a necessary element to the deliverability of a new skate park. In addition, the main park on this site is on a slope which limits the construction options and risks the potential of an increased budget.

Ilkeston Road Recreation Ground has been discounted due to the site previously receiving FCC Communities Foundation funding for the play park as well as previously partnering with Groundwork Greater Nottingham, where £50,000 was granted to support the creation of the stone path around the site and improvements to the play area. Furthermore, the site has recently benefited from regeneration through the creation of the Cycle Hub and Training Track (aspects of the Cycle Network and Associated Infrastructure Project within the Stapleford Towns Deal Programme of Works).

Therefore, Central Avenue Recreation Ground is the recommended location for a new skate park. Crucially, Central Avenue has not previously received any FCC Communities Foundation grant funding and would therefore meet the eligibility criteria within a future funding application. It is only 0.6 miles away from the previous skate park location on Hickings Lane and would therefore mean the least amount of change regarding current user commutes. Central Avenue is in need of regeneration, with the only current facility being a small play park on the site. The development of a new skate park would increase the number of facilities on the site and provide more opportunities for children and young people in this area. The site is flat, with no civil engineering challenges, which means that skate park designs could reflect the needs of its users and multiple design options would be possible. The site also benefits from having easy access which would support heavy duty vehicles in being able to conduct works without issue.

Estates and Insurance

Consideration will be made regarding the insurance required for this asset. It is proposed that the skate park will be added to the Asset Register and be captured within the Council's insurance as a whole.

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Site location	Strengths	Weaknesses	Threats	Opportunities
<p>Ilkeston Road (Option discounted)</p>	<p>Potential to reduce ASB because of more presence on the park.</p>	<p>Site already benefited from re-generation with cycle training track.</p> <p>Space may not be big enough – lose football pitches which are well used.</p> <p>Residents and Cllrs already expressed resistance to skate-park being built here – threatened to petition.</p> <p>Clash of age groups using the cycle training track and potential skate-park.</p> <p>Received FCC funding in past 5 years for play park.</p> <p>Previously partnered with Groundwork Greater Nottingham Ilkeston Road, 50k 2014. This included the stone path around the site and improvements to the play area.</p>	<p>Risk of further ASB on a site that already has ASB.</p> <p>Risk to petition from local residents/cllrs/football teams who use the facility.</p> <p>Risk of usage of cycle training track decreasing.</p>	<p>Can provide benefit on a site that already has ASB.</p> <p>Potential to increase number of new skate users by enticing current users of the park to use a new skate park.</p>

Site location	Strengths	Weaknesses	Threats	Opportunities
<p>Queen Elizabeth Park</p> <p>1.1 miles away from current location</p> <p>(Option discounted)</p>	<p>Near to main town centre.</p> <p>Not the furthest away from current location.</p> <p>Not benefitted from any re-generation in a while.</p> <p>Parks 3rd preferred option</p>	<p>Not the nearest to the current location.</p> <p>Parking issues.</p> <p>Main park is a slope – may be difficult to build skate park on.</p> <p>Tennis courts and MUGA have previously received FCC funding plus approximately 15k in 2008 for the fitness area</p>	<p>Potential to alienate current users if they cannot travel easily to new location.</p> <p>Location of other sports teams – potential to disrupt their existing schedules/grounds.</p>	<p>Potential to increase footfall in town centre due to its close proximity to central Stapleford.</p> <p>Potential to build a bigger skate park as more available land</p> <p>Potential to increase number of skate park users by enticing current users of the park to use the new skate park.</p> <p>Potential to link with Fairfield Spencer Academy – collaborate with SkateNottm.</p>
<p>Hickings Lane</p> <p>(Option discounted)</p>	<p>Current skate park is no longer usable so needs regenerating.</p> <p>No location change for current skate users.</p>	<p>No space for skate park due to Community Pavilion project.</p> <p>Received £94k FCC funding in 2019 for a play park.</p>	<p>Risk to opposition from variety of other stakeholders at new Community Pavilion project (specifically Cricket Club who are having to be relocated).</p> <p>Threat of not delivering Community Pavilion project if skate park remains here.</p>	

Site location	Strengths	Weaknesses	Threats	Opportunities
<p>Archers Field</p> <p>1.2 miles away from current location</p> <p>(Option was considered as a viable site but discounted)</p>	<p>Near an existing MUGA so making location even more multi use</p> <p>In need of regeneration – not got many facilities on at present.</p> <p>Close to A52 and a tram stop – good site for connectivity.</p> <p>Parks 2nd preferred option</p> <p>Site has received approx. £18k from Sherwood Forest Trust this year for woodland coppices.</p> <p>Although there is a road potentially being built, the option is there to move skate-park further along site at a later date if needed (Parks input).</p>	<p>Furthest location from Stapleford town centre.</p> <p>Location is furthest distance from current skate-park location.</p> <p>Woodland Coppices to be planted centre of site – see map.</p> <p>Narrow entrance on one side.</p> <p>Incline across site. This was a concern raised by the Skate Users</p> <p>No toilets in close proximity</p> <p>Incline presents challenges to civil engineering (especially rain water drain off).</p> <p>‘Fast’ transition-orientated ramp design may not be what users want.</p> <p>Access from Tram stop is not very user friendly due to crossing A52 and over 10 minute walk.</p>	<p>Potential to alienate current users if they cannot travel easily to new location</p> <p>Close proximity to George Spencer secondary school - could encourage anti-social behaviour.</p> <p>Difficulty for skate park companies to enter location due to narrow entrance.</p> <p>Incline would enable a ‘fast’ transition-orientated ramp design – unique and original feature.</p>	<p>Potential to build bigger skate park as more available land.</p> <p>Potential to increase number of skate park users by enticing current MUGA users to use the new skate park.</p> <p>Close proximity to George Spencer Academy – could collaborate with Skate Nottingham to reduce ASB.</p> <p>Potential to increase number of skate park users as near a tram stop and the A52</p>

Site location	Strengths	Weaknesses	Threats	Opportunities
<p>Central Avenue 0.6 miles away from current location (Recommended Option)</p>	<p>Nearest location to old skate park at Hickings Lane. Only current facility is a play park – need for more. Parks preferred option Not previously received any FCC funding Close location to access toilets which will be in the Community Pavilion at Hickings Lane. Skate Users were supportive of this option due to it being flat and close proximity to Hickings Lane.</p>	<p>Not a huge space so a skate park would potentially take up a lot of room. Residential area – more chance of opposition to planning/less community support.</p>	<p>Potential to aggrieve local residents as in a residential area and relatively small space to begin with so taking away their main, local green space. However, space towards the back is away from residential and close to Community Church. Therefore, risk is low.</p>	<p>Opportunity to increase number of facilities on the space.</p>

Report of the Portfolio Holder for Leisure and Health

EVENTS PROGRAMME 2024/25

1. Purpose of Report

To put forward proposals for the Council's Events Programme for 2024/25.

2. Recommendation

Cabinet is asked to RESOLVE that the proposed Events Programme for 2024/25 be approved.

3. Detail

The Council is proactive in celebrating cultural activities in Broxtowe, as well as utilising cultural activity as a means to improve health and wellbeing, economic growth, education outcomes and reducing anti-social behaviour. The Cultural Strategy 2023-26 outlines how the Council will organise cultural programmes to enhance the Borough, as well as how it will support the local community to do the same.

As part of the strategy, as well as managing the D.H. Lawrence Birthplace Museum and its programme of engagement and outreach work, the Council organises a programme of events each year. Historically, a number of large events have been organised by the Cultural Services Team and over 90 have been organised by other Council departments to deliver a programme of more than 100 annual events.

These range from large public events such as the Hemlock Happening, Play Days and Christmas Light Switch On events which attract up to 3,000 people, to Green Festivals, civic events like Remembrance Sunday and Holocaust Memorial Day and small community events aimed at specific groups such as housing tenants, businesses and special interest groups.

The Events Programme aims to target areas of relative deprivation, as well as be inclusive, reflecting the diversity of the population of the Borough by taking into account factors such as age, gender, ethnic background, religious beliefs, disabilities and the needs of other groups.

The annual budget for the Council's Events Programme is £100,000. This is supplemented with external contributions from event partners including Town and Parish Councils and County Council Divisional Funds to enhance the events. A dynamic approach to event planning is therefore required depending on any additional funds available.

Delegated authority was given to the Executive Director in consultation with the Portfolio Holder at Cabinet on 7 February 2023 to identify and provide support to cultural and community events in relation to the CCity project.

Ten events took place as part of the 2023/24 programme and highlights include:

- The Hemlock Happening attracted the largest turnout in recent years with approximately 7,500 people accessing the event.
- Friday 18 took place over ten weeks on Beeston Square and featured local musicians and songwriters. This series of music events enables culture to be celebrated, become part of everyday life and encourages prosperity as outlined in the new Cultural Strategy 2023-26.
- The successful delivery of a Playday programme that was expanded to include Beeston's Broadgate Park. Total turnout for all events was 5,600.

The Programme has been reviewed using the data captured, including factors such as turnout, feedback and costs. The analysis has informed the plans for 2024/25 to help outline a programme of popular, existing events, as well as new events which provide both good value for money and an attractive offering to residents.

The 2023/24 Event Programme analysis is contained in **APPENDIX 1**. The proposed Programme for 2024/25 is shown in **APPENDIX 2**. Further details about specific events to put the costs in context are provided in **APPENDIX 3**, with an example of other events organised by the Council shown in **APPENDIX 4**.

Alongside delivery of the events and museum service, the Communications, Cultural and Civic Services Team developed a new Cultural Strategy, which was adopted in July 2023 and which outlines the work the Council will be undertaking to enhance the Borough's cultural offer to maximise on the benefits to economic growth, education, anti-social behaviour and crime and physical and mental wellbeing.

During 2024/25 this will include completion of a cultural mapping exercise, as well as engagement with harder to reach groups and groups from different backgrounds within the community to determine how the Council can support and promote their existing events and what adjustments could be considered for future events programmes.

The team is also working with internal partners to measure the environmental impact of existing and future events. This will be achieved by creating baseline assessments of the CO₂ emissions produced for each event and the data will be utilised in an attempt to identify ways to lessen the impact for future events.

The impact will be measured using data on numbers of visitor and stall holder vehicles, distances travelled, the number and type of generators on each event site and the waste generated per event. In addition to this, single use plastics will no longer be used at Council events and an electric power source capable of being charged on site by photovoltaic panels has been purchased.

4. Key Decisions

This report contains a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

The current base budget for events is £100,000. The cost of the events programme for 2024/25, as presented, is £103,447. If Members are minded to support the proposed events programme in 2024/25, the base budget will be uplifted accordingly to £104,000 with the increase being funded directly from General Fund balances. The Cultural Services Team will continue to seek supplementary external funding wherever possible to enhance the events programme.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

There are no direct legal implications arising from this report.

7. Human Resources Implications

N/A

8. Union Comments

N/A

9. Climate Change Implications

The comments from the Climate Change Manager were as follows:

It is important to monitor and measure the carbon emissions for events in order to gain a comprehensive understanding of their environmental impact. The data collated by the Environment and Events teams will serve as a foundation for implementing strategies to mitigate and reduce emissions. This will lead to a more sustainable approach to event delivery.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

As this is a new event programme, an equality impact assessment is included in the **APPENDIX 5** of this report.

12. Background Papers

None.

APPENDIX 1

2023/24 Events Programme Analysis

This appendix contains the full events programme for 2023/24 and data linked to attendance and costs.

A little narrative to highlight feedback, successes, improvements on turnout on previous year etc.

Turnout is calculated as follows:

- Free town centre events: Max crowd capacity is measured for the location. An estimation is made based on how full the area is at a given time, less any significant structures. Following best practice, the calculation is 1 person per 0.5m²
- Free events on parks: As with town centre events, supported by clicker snapshots and flow of vehicles utilising parking provided on site.
- Where an event is an activity, such as CCity projects, turn out represents the number of people engaged through the project.

Event	Date	Corporate priority	Turnout	Cost to Council £	Cost to the Council per visitor	Generated Income (admissions and ground rent)	Partner/ Town Council Contributions	Total cost	Total Cost per visitor	Comments
Hemlock Happening	June	Health/ Environment	7500	16454	2.19	2916	3966	23,336	3.11	£2083 ex VAT additional budget approved for Coronation related activities.
Stapleford Play Day	August	Health	1500	5008	3.33	405	3000	8,413	5.60	
Eastwood Play Day	August	Health/ Environment	1200	4816	4.01	405	3875	9,096	7.58	Additional funding was received from Eastwood Town Council in order to celebrate the Coronation

Event	Date	Corporate priority	Turnout	Cost to Council £	Cost to the Council per visitor	Generated Income (admissions and ground rent)	Partner/ Town Council Contributions	Total cost	Total Cost per visitor	Comments
Chilwell Play Day	August	Health	800	6343	7.92	380	0	6,723	8.40	
Kimberley Play Day	August	Health	900	5845	6.40	405	0	6,250	6.94	
Beeston Play Day	July	Health	1200	5898	4.91	405	0	6,303	5.25	This was a new event location for 2023
Friday18 series	June-August	Business Growth, Health, Community Safety	322	1055	3.27	0	0	1,055	3.27	£1,055 total expenditure on reusable promotional banners and donations.
Stapleford Christmas Lights Switch On	November	Business Growth	2,700	6400	2.37	315	6000	12,600	4.66	Adjustments to the event in 2023/24 have removed the need for road closures, whilst still ensuring a safe and enjoyable event which has reduced costs.
Eastwood Christmas Lights Switch On	November	Business Growth	3,200	6843	2.13	500	9000	16,343	5.10	
Beeston Christmas Lights Switch On	December	Business Growth	4,500	12340	2.74	860	0	13,200	2.93	
C City Project	Ongoing	Business Growth, Health,	2,000	20,000	10.00	0	0	20,000	10.00	Activity so far has included support for an international recipe book featuring Broxtowe businesses, a children's writing competition which reached 741

Event	Date	Corporate priority	Turnout	Cost to Council £	Cost to the Council per visitor	Generated Income (admissions and ground rent)	Partner/ Town Council Contributions	Total cost	Total Cost per visitor	Comments
		Community Safety								children, support for Beeston Film, a video to showcase the different arts groups in the Borough which has been viewed 679 times, a competition to be part of an international music project and an exhibition on the history and custom of the Borough. An underspend of approximately £1,770 is anticipated for 2023/24 which will be carried forward into 2024/25 and which reduced the cost per visitor to £9.11.
Other events costs	N/A	N/A	N/A	7,500	N/A	N/A	N/A	7,500		Other costs are associated with running the events programme but cannot be attributed to specific events including the licences required to play live or recorded music at events, van hire to transport equipment to and from events etc.
TOTAL	N/A	N/A	25,822	98,502	N/A	6,591	25,841	130,934	N/A	

APPENDIX 2

Proposed 2024/25 Events Programme

This year, events organised by the D.H. Lawrence Birthplace Museum have been incorporated into the Events Programme to help provide a full picture of Council organised culture and heritage events.

Event costs have been increased in line with the current rate of inflation. Contribution from partners/Town Councils and income is estimated on the previous year's insights and there is a risk that these may not be achieved. Where this is the case, the event will be adapted to suit the total budget available.

Turn out has been calculated using the same measures as detailed in Appendix 1.

Event	Date	Corporate priority	Target Turnout	Cost to Council £	Cost to the Council per visitor	Estimated Generated Income (admissions and ground rent)	Estimated Partner/ Town Council Contributions	Total cost	Cost per visitor	Comments
Gin & Gaslight	April	Business Growth	25	150	0 (as generated income offsets cost)	360	0	0 (as generated income offsets cost)	0	Popular events that broaden the demographic of existing visitors to the Museum. The income generate enables them to be cost neutral and afford a small profit.
Hemlock Happening	June	Health/ Environment	7,600	17,523	2.30	2916	3966	24,405	3.21	Reduced financial support from partners is a possibility in 2024/25 and as a result this may impact on the size of the event. The event will include a "Green" area as part of the Green Festival approach.
D.H. Lawrence Festival	July - September	Health/ Business Growth	6,900	1,500	0.21	0	500	2,000	0.28	An expanded programme to take advantage of opportunities to engage families during the summer holidays. As in 2023/24, the festival will be co-produced with partners including the D.H. Lawrence Society, Haggs Farm Preservation Society and D.H. Lawrence Music Festival. Activities would include:

Event	Date	Corporate priority	Target Turnout	Cost to the Council £	Cost to the Council per visitor	Estimated Generated Income (admissions and ground rent)	Estimated Partner/ Town Council Contributions	Total cost	Cost per visitor	Comments
										<ul style="list-style-type: none"> The D.H. Lawrence Music Festival Children's writing competition awards event Talks, lectures Performances Signposting to other summer events like Play Days <p>Opportunities will be sought to request partner contributions to support the event.</p>
Stapleford Play Day	August	Health	1,600	5,845	3.65	405	3000	9,250	5.78	Event historically supported by Stapleford Town Council. Any additional monies will be used to enhance the event further.
Eastwood Play Day	August	Health/ Environment	1,300	5,845	4.49	405	3875	10,125	7.78	Event historically supported by Eastwood Town Council. Any additional monies will be used to enhance the event further.
Chilwell Play Day	August	Health	900	5,845	6.49	405	0	6,250	6.94	There is no Town Council to support the event so where possible, opportunities will be sought to enhance the event through business sponsorship.
Kimberley Play Day	August	Health	1,000	5,845	5.84	405	0	6,250	6.25	Historically there has not been Town Council support for the event so where possible, opportunities will be sought to enhance the event through business sponsorship.
Beeston Play Day	July	Health	1,300	5,845	4.49	405	0	6,250	4.80	There is no Town Council to support the event so where possible, opportunities will be sought to enhance the event through business sponsorship.

Event	Date	Corporate priority	Target Turnout	Cost to the Council £	Cost to the Council per visitor	Estimated Generated Income (admissions and ground rent)	Estimated Partner/ Town Council Contributions	Total cost	Cost per visitor	Comments
Friday18 series	June-August	Business Growth, Health, Community Safety	400	1,500	3.75	0	0	1,500	3.75	The 2024/25 programme is proposed to run for 8 weeks across June, July and August. The proposed increase in budget will enable performers to be given a small donation as a thanks for performing.
Broxtowe Green Festival	September	Health/ Environment	400	Met from Environment budget	N/A	0	0	N/A	N/A	Event Management provided by the team in conjunction with the Environment Team.
Gin & Gaslight	November	Business Growth	25	150	0 (as generated income offsets cost)	360	0	0 (as generated income offsets cost)	0	Popular events that broaden the demographic of existing visitors to the Museum. The income generate enables them to be cost neutral and afford a small profit.
Stapleford Christmas Lights Switch On	November	Business Growth	2,800	6,400	2.28	350	6000	12,750	4.55	Event has not yet taken place to some figures will not be available until December 2023. To aid decision making, estimates are given based on 2022/23 and planned expenditure. Opportunities for business sponsorship will also continue to be sought.
Eastwood Christmas Lights Switch On	November	Business Growth	3,300	7,287	2.20	500	9000	16,787	5.08	Event has not yet taken place to some figures will not be available until December 2023. To aid decision making, estimates are given based on 2022/23 and planned expenditure. Opportunities for business sponsorship will also continue to be sought.
Beeston Christmas Lights Switch On	December	Business Growth	4,600	13,142	2.85	860	0	14,002	3.04	Event has not yet taken place to some figures will not be available until December 2023. To aid decision making, estimates are given based on 2022/23 and planned expenditure.

Event	Date	Corporate priority	Target Turnout	Cost to the Council £	Cost to the Council per visitor	Estimated Generated Income (admissions and ground rent)	Estimated Partner/ Town Council Contributions	Total cost	Cost per visitor	Comments
										There is no Town Council to support the event so where possible, opportunities will be sought to enhance the event through business sponsorship.
Wellbeing Walks	Ongoing	Health	300	0	0	0	0	0	0	Monthly wellbeing walks delivered in conjunction with the D.H. Lawrence Birthplace Museum and Liberty Leisure Ltd. The walks provide opportunities to improve physical and mental wellbeing, as well as connection to local history, heritage and the D.H. Lawrence legacy.
Exhibitions programme	Ongoing	Business Growth, Health	600	Met from existing museum budgets	N/A	0	0	0	N/A	A programme of five exhibitions at the D.H. Lawrence Birthplace Museum including a mixture of community and heritage-led exhibits to showcase local heritage and a culture and attract new audiences to the museum.
C City Project	Ongoing	Business Growth, Health, Community Safety	2,100	20,000	9.52	0	0	20,000	9.52	Activity will focus on the themes of: <ul style="list-style-type: none"> • Music • Sport • History and custom • Food and lifestyle • Theatre and Literature • Cinema and Film • Visual arts • Youth Parliament Planned activity includes the D.H. Lawrence Writing competition.

Event	Date	Corporate priority	Target Turnout	Cost to the Council £	Cost to the Council per visitor	Estimated Generated Income (admissions and ground rent)	Estimated Partner/ Town Council Contributions	Total cost	Cost per visitor	Comments
Other events costs	N/A	N/A	N/A	7,500		N/A	N/A	7,500	N/A	Other costs are associated with running the events programme but cannot be attributed to specific events including the licences required to play live or recorded music at events, van hire to transport equipment to and from events etc.
TOTAL	N/A	N/A	33,812	103,477	N/A	7,371	26,341	137,069	N/A	

APPENDIX 3**Specific Event Details**Play Days

As each site is unique, so is the infrastructure required to facilitate the events.

All sites require the hire of mobile public toilet facilities for the events. In addition, a low level security and stewarding presence is required to facilitate safe parking and ensure the safety of attendees.

Beeston Play Day is held on Broadgate Park and does not have any public parking. Some additional security is required to guard the pavilion that is utilised as a location for event control, employees, performers and as a welfare facility.

Eastwood Play Day is held on split levels of Coronation Park. This requires more stewards to safely manage the parking and also front gate security to control infrastructure and stall vehicular access to the event site.

Christmas Lights

As each town centre is unique, so is the infrastructure required to facilitate the events.

The large turnout for each event requires Ambulances as well as First Responder support.

The firework sites all require a security presence to ensure crowd safety and restrict access to fall out and firing zones.

The Christmas Lights Switch on event in Eastwood requires additional security to facilitate road closures along Nottingham Road.

All of the events require marquees to support the market areas at each event.

APPENDIX 4

Other annual events organised by the Council which can be promoted as part of our wider events offer.

Civic Office

- Remembrance (Event support provided by Cultural Services)
- Holocaust Memorial Day
- Civic Service
- Freedom Parade (Event support provided by Cultural Services)
- Merchant Navy Day
- Commonwealth Flag Raising
- Armed Forces Flag Raising
- Mayor's charity events
- Mayor's community events

Environment

- Days of action: Combined Housing and Environment events
- Waste Action Days
- Clean and Green Community Litter picks
- School Engagement Events
- Local Community Talks including CAT Meetings
- Dog Fouling Prevention Events
- Bulb/Tree Planting/Play area Events
- Bramcote Crematorium Open Days and Services

Community Safety

- Cultural and community cohesion events
- Anti-social behaviour prevention and engagement events
- Partner events including health and wellbeing and dementia
- Dementia Friends Training events
- Holiday Activities and Food Programme
- White Ribbon Events

Housing

- Community Clean Up
- Older Persons Week Events
- Pop-up stall

Economic Development

- Food and Drink events
- Beeston Night Light
- Markets

APPENDIX 5

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect

on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Communications, Cultural and Civic Services	Lead officer responsible for EIA	Communication, Culture and Civic Manager
Name of the policy or function to be assessed:		Events Programme 2024-25	
Names of the officers undertaking the assessment:		Communication, Culture and Civic Manager	
Is this a new or an existing policy or function?		New	
<p>1. What are the aims and objectives of the policy or function?</p> <p>Aim To deliver a programme of events activity which attracts a wide range of visitors from the local community and supports the aims of the Cultural Strategy 2023-26.</p> <p>Objectives</p> <ol style="list-style-type: none"> 1. Provide a diverse programme of cost-effective Council organised events for the local community to enjoy. 2. Promote and enhance the wider cultural events and activities that take place in the Borough. 3. Provide engagement opportunities for local groups, businesses, artists and creative practitioners to promote their work. 4. Provide engagement opportunities to support wider objectives to support the Borough such as education, reducing anti-social behaviour, economic development and health and wellbeing. 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <ul style="list-style-type: none"> • Well attended, cost effective event programme. • Opportunities for a diverse group of people to take part in cultural events. • Positive impacts on education, reducing anti-social behaviour, economic development and health and wellbeing. 			
<p>3. Who is intended to benefit from the policy or function?</p> <ul style="list-style-type: none"> • Residents • Employees • Volunteers • Partner bodies and organisations • Business community • Local groups 			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <ul style="list-style-type: none"> • Residents • Town and Parish Councils • Departments across the Council 			

Directorate:	Communications, Cultural and Civic Services	Lead officer responsible for EIA	Communication, Culture and Civic Manager
<ul style="list-style-type: none"> • Schools • Partner bodies and organisations • Local groups and forums • Special interest groups e.g. D.H. Lawrence society, Haggs Farm Preservation Society • Business community • Community groups and organisations • Potential investors • The media • Employees • Elected Members • MPs • Nottingham and Nottingham Trent Universities • Broxtowe Safety Advisory Group (SAG) • Arts and cultural bodies e.g. Arts Council England, UNESCO City of Literature, • Museums' Development East Midlands • Colleagues in the Council's twin town Gütersloh and other linked European cities. • Sports clubs • Community Committee • Environmental groups including the Green Umbrella Group • Health and wellbeing groups • Community and faith leaders • Arts practitioners • Venues 			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <ul style="list-style-type: none"> • Turnout figures • Data on the reach of promotion and advertising • Number of groups engaged with • Museum visitor figures • Research from Arts Council, The Cornerstones of Culture: Commission on Culture and Local Government report • The Museum Development England Annual Museum Survey 2022: East Midlands Report 			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <ul style="list-style-type: none"> • Ward profiles • Electoral data • Cultural map (in progress) 			

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

Resident, steering group and Town Council partner feedback is utilised to make positive changes to each event within the programme.

A cultural mapping exercise is currently underway to better understand the cultural groups, organisations and events in the Borough, which when complete, will be used to undertake additional consultation and engagement work with groups when developing the event programme

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

The events programme does not adversely impact on any particular group and is able to be accessed by as many different groups as is possible. The programming of activity contained within the events encourages the promotion of diversity through the inclusion of performers, artists, local charities and interest groups from diverse backgrounds and interests.

Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?

No

Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?

Yes

Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?

Where barriers are identified, reasonable adjustments are made to ensure that these can be removed or the impact lessened. The cultural map will further support this by providing better engagement opportunities with different groups when planning the event programme.

Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?

As part of the wider Cultural Strategy 2023-26, the Event Programme is designed to celebrate Broxtowe's varied cultural and heritage offer and so is a tool by which to encourage people to come together and foster good community relations.

What further evidence is needed to understand the impact on equality?

Completion of cultural mapping exercise and consultation with these groups to identify the potential barriers to engagement and ways to overcome them.

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?

<p>Age: Engaging with specific community groups such as lunch clubs and youth groups in this area to better understand the barriers to engagement and the types of cultural events which could be considered to provide the range of age groups with opportunities to attend.</p>
<p>Disability: Engagement and consultation on the event programme and planning of the events via the Disability Forum to identify barriers to engagement and make improvements.</p>
<p>Gender: Identifying specific groups to engage with on barriers to engagements such as women's and men's activity and support groups.</p>
<p>Gender Reassignment: Identifying specific groups to engage with on barriers to engagements.</p>
<p>Marriage and Civil Partnership: Listening and responding to feedback to ensure that this group is engaged. Proactive engagement with appropriate groups and stakeholders who have a special interest in this area.</p>
<p>Pregnancy and Maternity: Listening and responding to feedback to ensure that this group is engaged. Proactive engagement with appropriate groups and stakeholders who have a special interest in this area.</p>
<p>Race: Identifying areas in the Borough with higher populations of different ethnic groups and engaging with them on the event programme, including promotion of their own cultural events as part of the wider cultural programme and understanding their needs.</p>
<p>Religion and Belief: Identifying areas in the Borough with higher populations of different religious and belief groups and engaging with them on the event programme, including promotion of their own cultural events as part of the wider cultural programme and understanding their needs.</p>
<p>Sexual Orientation: Identifying specific groups to engage with on barriers to engagements.</p>

Executive Director:

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

Signature: Executive Director

Report of the Portfolio Holder for Environment and Climate Change

PRIDE IN PARKS UPDATE 2023

1. Purpose of Report

To update Members on the progress of the Pride in Parks programme.

2. Recommendation

Cabinet is asked to NOTE progress to date and the results of the 2023 parks consultation and RESOLVE that the alignment of the 2024/25 maintenance programme with the Play Strategy review in 2025 be approved.

3. Detail

In 2017, the Council's Play Strategy (2017-2025) identified a programme of high priority improvements required for the Borough's play facilities. Since April 2018, the Council has approved £1.4 million pounds' worth of investment in parks and open spaces. Some of this funding (£250,000) was shared with the Town and Parish Councils to facilitate the maintenance of their own park facilities.

It is important for parks and open spaces to meet the required standard outlined in the Council's Corporate Plan. This uniform standard is viewed as a fair and positive approach to enhance the quality and visitor experience of these spaces. Annually, the Environment team undertake a consultation process on 20% of its parks and open spaces. The results from this year's survey are provided in appendix 1.

The current Pride in Parks programme has delivered improvements or refurbishments in 23 play areas, across the Borough and includes:

- Addition of play equipment.
- Play area resurfacing to improve accessibility.
- Replacement of old equipment.

These works were achieved through a combination of Council (£782,000) and external (£618,000) funding bids. The Pride in Parks delivery programme, along with associated costs are detailed in appendix 2.

By the end of the 2023/24 financial year, all play improvements identified through the Pride in Parks programme will have been completed.

In 2025, the Council intends to refresh its Play Strategy and develop a Pride in Parks programme that aligns with this. Asset management inspections will prioritise necessary works including for example paths, fences, gates and seating which were not included in the Play Strategy and therefore have received limited investment.

It has been recognised that a more comprehensive approach needs to be undertaken for the 2025 Pride in Parks programme which will include the Play Strategy review.

The wider asset review completed in 2023, has highlighted a number of maintenance issues that require attention in the 2024/25 programme. These are detailed in appendix 3.

4. Key Decision

This is a key decision.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications to consider with activity being contained within existing capital and revenue budgets. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Whilst there are no direct legal implications arising from this report, Local authorities have a number of different statutory powers in relation to parks and green spaces, including the Local Government (Miscellaneous Provisions) Act 1976, which gives wide powers to provide recreational facilities. The 1976 Act also permits the Council to make recreational facilities available for use by such persons as the authority thinks fit either without charge or on payment of such charges as the authority thinks fit.

7. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not Applicable.

8. Union Comments

The Union comments were as follows:

Not Applicable.

9. Climate Change Implications

The Council's Pride in Parks programme focuses on enhancing the infrastructure of parks and open Spaces. By doing so, it creates an opportunity to promote,

nature based solutions that mitigate the impacts of climate change. Improved access and enhanced facilities at these sites can help to inspire and educate residents about climate change adaptation and resilience.

10. Data Protection Compliance Implications

N/A

11. Equality Impact Assessment

N/A

12. Background Papers

Nil.

APPENDIX 1

Broxtowe Parks Standard

As part of its commitment to protect the 'Environment for the Future', the Corporate Plan emphasises the importance of ensuring that **all** parks and open spaces meet the Broxtowe Parks Standard. Having a uniform standard across all the sites is seen as a fair and positive way of improving the quality and visitor experience of the parks and open spaces.

The questions asked in the survey are as follows:

1. What is your overall impression of the park/open space?
2. How effective is the signage?
3. How would you rate the standard of cleanliness?
4. How clean is the site in terms of dog fouling?
5. How easy is it for you to get around? (for example, are there enough paths and in the right places)
6. How would you rate the standard of grass cutting?
7. How would you rate the play facilities provided? (Not applicable for Brinsley Headstocks, Pit Lane and Watnall, as these sites are nature reserves)
8. How do the current facilities meet the needs of your activity on the park/open space?
9. How are issues with vandalism and anti-social behaviour dealt with?
10. Thinking about the approach to nature and wildlife, how would you rate this aspect of the park/open space management? (For example tree planting, wildflowers)
11. How likely are you to visit the park again or recommend it to friends and family? (1 being very unlikely, 5 being very likely)

In 2022, the parks and open spaces consultation received 531 responses, which resulted in three spaces failing the parks standard. These were:

- Hetley Pearson Recreation Ground, Beeston
- Jubilee Park, Eastwood
- Redbridge Drive Open Space, Nuthall

Any failures from the previous year get carried over to the following year's consultation process. In the late summer of 2023, a consultation was undertaken to evaluate a further 20% of the parks and open spaces across the Borough (including the three failures from the previous year).

The consultation process involved an online questionnaire, which received 381 responses. This is a 28% decrease on the previous year and is a normal fluctuation, dependant on when different parks and open spaces are consulted on.

The survey was promoted on the Council's website, through social media and with posters displaying a QR code at all the participating parks and open spaces.

All sites are also inspected by officers from the Parks team to assess any concerns raised through the consultation process. This was to ensure that the scores achieved truly reflected the condition of each site.

Analysis of the 2023 Parks Standard Consultation

Fourteen parks and open spaces sites selected at random were assessed in the late summer of 2023. Two sites failed to achieve the standard, these were:

- Redbridge Drive Open Space, Nuthall (Second year)
- Archers Field, Stapleford

The detailed results are shown in table 1 below.

Area	Site Name	Fair and above (85% pass rate)	Good and above (45% pass rate)
Beeston	Beeston Fields Recreation Ground	90%	56%
Beeston	Hetley Pearson Recreation Ground	91%	59%
Bramcote	King Georges V Park	90%	79%
Brinsley	Brinsley Headstocks	89%	71%
Chilwell	Cator Lane Recreation Ground	90%	59%
Chilwell	Sherman Drive Open Space	90%	63%
Eastwood	Jubilee Park	85%	48%
Nuthall	Redbridge Drive Open Space	79% - F	44% - F
Stapleford	Archers Field Recreation Ground	75% - F	53%
Stapleford	Ilkeston Road Recreation Ground	86%	54%
Stapleford	Queen Elizabeth Park	85%	59%
Toton	Manor Farm Recreation Ground	91%	59%
Trowell	Pit Lane Recreation Ground	88%	49%
Watnall	Watnall Green Open Space	86%	73%

Table 1: Results from the 2023 Parks Standards Survey. F = Fail.

Parks and Open spaces failing to achieve less than 85% (Fair and above)

- Redbridge Drive Open Space, Nuthall (79%)
- Archers Field, Stapleford (75%)

Parks and Open spaces failing to achieve less than 45% (Good and above)

- Redbridge Drive Open Space, Nuthall (44%)

Consultation comments for each site

Beeston – Beeston Fields Recreation Ground. Positive comments about the new section of path, which opened up access. Users would like to see more shaded areas and requested more tree planting.

Beeston – Hetley Pearson Recreation Ground. Users have suggested the following improvements: A circular loop path, which could be used in all weathers, more trees and additional play equipment. Concerns were also raised about the ease of access for unauthorised encampments. This is being addressed separately.

Bramcote – King George V Park. A high scoring site. Users found this a great place to exercise and to walk dogs. They thought the park was a well maintained space, which provided a safe environment for children to play in. More wild flower planting was requested.

Brinsley – Brinsley Headstocks. Another high scoring site. Users liked how well maintained this space was and commented on how beautiful the planting was.

Chilwell – Cator Lane Recreation Ground. A number of improvements to this space have been welcomed by users, these include the development of ‘no mow’ areas and the planting of fruit trees. Feedback was to plant more and to install signs inviting people to pick the fruit.

Chilwell – Sherman Drive Open Space. Users liked the provision of good walking routes that were supported by well-maintained paths. Some areas of the park need to be addressed in terms of drainage, as they tend to get boggy in wet weather. Generally, a great family space.

Eastwood – Jubilee Park. Users commented on how nice this park was to take young children, but would like an access path from the Cemetery to make getting onto the Park even easier for local people.

Nuthall – Redbridge Drive Open Space. This is one of the two spaces that failed the Park Standard. Users wanted more play equipment and a skate park. They felt that the utilisation of space could be improved upon. During the consultation process 381 responses were received, with seven of these commenting specifically on this recreation space. The low number of responses received from the survey for this site (including that of the previous year (8)), render the resulting negative outcome as statistically insignificant.

Stapleford – Archers Field Recreation Ground. This was the second space to fail the Parks Standard. Some users did not like the additional tree planting areas that are currently being installed and wanted further paths improvements to be undertaken. There were some positive comments about the tranquillity of the space and users utilising it for their mental health and well-being. During the consultation process 381 responses were received, with 34 of these commenting specifically on this recreation space.

Stapleford – Ilkeston Road Recreation Ground. This space has become much busier since the introduction of the cycle track and play road. Users appreciated these facilities but would like to see more wild flowers and the introduction of fruit trees within this space.

Stapleford – Queen Elizabeth Park. Users would like to see more ‘no mow’ and wildflower areas across the park. This is a sentiment echoed across other park and open spaces areas.

Toton – Manor Farm Recreation Ground. Like other areas, users would like to see the addition of fruit trees across the site. For Manor Farm, this would reflect the history of the site. Very positive comments received about the maintenance of the space by Council employees.

Trowell – Pit Lane Recreation Ground. Users like the space for dog walking, but felt there was little to do for children.

Watnall – Watnall Green Open Space. Users found it a great safe space to socialise dogs. Generally, really positive comments but would also like to see additional ‘no mow’ areas and the planting of wildflowers/trees.

APPENDIX 2

Investment in the Pride in Parks programme

Table 2 below, shows the level of investment in the Pride in Parks programme from 2018 to 2024. The investment levels also include external funding.

Financial Year	Investment
2018/19	£361,000
2019/20	£320,000
2021/22	£222,000
2022/23	£145,000
2023/24	£360,000

Table 2: Pride in Parks investment

Improvements delivered by the Pride in Parks programme

Tables 3,4,5,6 and 7 below, shows the number of improvements delivered by the Pride in Parks programme from 2018 to 2024. The investment levels also include external funding (FCC, United Living and Section 106 contributions).

2018/19

Site	Improvement	Cost
Beeston - Broadgate Park	<ul style="list-style-type: none"> • Refurbishment of the play area. • Bark replaced with an accessible rubber surface. • Sand and water play. • Dish roundabout. • Easy transfer group swing. • In-floor trampoline and toddler items. 	£90k
Beeston - Leyton Crescent Recreation Ground	<ul style="list-style-type: none"> • A refurbishment of the play area. • Bark replaced with an accessible rubber surface. • Giant steel frame with nets and various play activities installed. • Inclusivity and accessibility considered with the inclusion of low level play activities. 	£110k
Eastwood - Jubilee Park	<ul style="list-style-type: none"> • Maintenance and cleansing of equipment and surfacing. 	£1k
Eastwood - Mansfield Road Recreation Ground	<p>This scheme was funded from Section 106 allocations from the Rippon Homes Development at Peacock Drive, Eastwood.</p> <ul style="list-style-type: none"> • 50% replacement of the bark surface with an accessible rubber one. • Refurbished play units and installation of a new toddler unit. 	£40k
Kimberley - Millfield Road Open Space	<ul style="list-style-type: none"> • Play area extended. • Rubber accessible surface installed. • Toddler unit with low level activities installed. 	£40k

Site	Improvement	Cost
Nuthall - Redbridge Drive Open Space	<ul style="list-style-type: none"> Play area extended Toddler unit, trampoline and group swing installed. 50% of the bark surface replaced with rubber. 	£48k
Stapleford - Central Avenue Recreation Ground	<ul style="list-style-type: none"> Maintenance and cleansing of equipment and surfacing. 	£1k
Stapleford - Judson Avenue Open Space	<p>External funding was obtained to refurbish this area, working alongside a local community group.</p> <ul style="list-style-type: none"> 25% of the bark surface replaced with rubber. Accessible dish roundabout and low level trampoline installed. 	£30k
Trowell - Salcey Drive Open Space	<ul style="list-style-type: none"> Maintenance and cleansing of equipment and surfacing. 	£1k

Table 3: 2018/19 - Pride in Parks improvements

2019/20

Site	Improvement	Cost
Bramcote - King Georges Park	<ul style="list-style-type: none"> Rubber surfacing. Low level activities and trampoline in a fenced play area. Timber units for older children. 	£130k
Chilwell - Sherman Drive	<ul style="list-style-type: none"> Play area extended and refurbished. New equipment for younger children. Installation of rubber safety surfacing to make the area more accessible. 	£30k
Stapleford - Hickings Lane Recreation Ground	<ul style="list-style-type: none"> New play area, featuring a large steel dome, climbing nets and rope ladders. Installation of a trampoline and a rubber surface. 	£160k

Table 4: 2019/20 - Pride in Parks improvements

2021/22

Site	Improvement	Cost
Beeston - Dovecote Lane Recreation Ground,	<ul style="list-style-type: none"> • Full refurbishment of the play area. • New climbing units installed. • Bark replaced with an accessible rubber surface. • Play units with low level activities installed. • Accessible basket swing. • Picnic tables. • Zip line. 	£140k
Chilwell - Swiney Way Open Space	<ul style="list-style-type: none"> • Replacement of outdated equipment. • Rubber surface installed. 	£40k
Play Area Improvements	<p>Works carried out at:</p> <ul style="list-style-type: none"> • Beeston Fields Recreation Ground. • Sandy Lane Open Space, Bramcote. • Inham Nook Recreation Ground, Chilwell. • Queen Elizabeth Park, Stapleford. <p>Works included refurbishing individual play items and installing rubber surfacing.</p>	£42k

Table 5: 2021/22 - Pride in Parks improvements

2022/23

Site	Improvement	Cost
Eastwood - Jubilee Park	<ul style="list-style-type: none"> • Extension of existing play area. • Installation of an accessible rubber surface. • Accessible basket swing and picnic table installed. 	£22k

Site	Improvement	Cost
The Spinney, Nuthall	<ul style="list-style-type: none"> Bark replaced with an accessible rubber surface. New play items installed for younger children. 	£33k
Stapleford - Pasture Road recreation Ground	<ul style="list-style-type: none"> Full refurbishment of the play area. Bark replaced with an accessible rubber surface. Accessible basket swing and picnic table installed. Installation of a fitness area 	£90k

Table 6: 2022/23 - Pride in Parks improvements

2023/24

Site	Improvement	Cost
Beeston - Cator Lane Recreation Ground	<p>Design works on this play area are currently being finalised and include:</p> <ul style="list-style-type: none"> Low level inclusive activities and additional toddler equipment. <p>Installation of accessible rubber surfacing.</p>	£35k
Bramcote - Bramcote Hills Park	<p>An extensive public consultation has been undertaken over the summer of 2023. The project will see the following:</p> <ul style="list-style-type: none"> Old play units replaced and refurbished. Improved provision for toddlers. Zip line. 	£230k
Bramcote - Sandgate Open Space	<p>Works are still being undertaken on this site and include:</p> <ul style="list-style-type: none"> New seesaw and roundabout. Rubber flooring. 	£40k

Site	Improvement	Cost
	<ul style="list-style-type: none"> • Improvements to access points. • Accessible basket swing will be installed. 	
Stapleford - Queens Elizabeth II Park	Design works on this site are currently being finalised and include: <ul style="list-style-type: none"> • An accessible basket swing. • Installation of accessible rubber surfacing. 	£25k
Toton - Banks Road Open Space	Design works on this play area are currently being finalised and include: <ul style="list-style-type: none"> • Low level inclusive activities and additional toddler equipment. • Installation of accessible rubber surfacing. 	£30k

Table 7: 2023/24 - Pride in Parks improvements

APPENDIX 3

Path maintenance works

After conducting a comprehensive programme of asset management inspections in 2023, high, medium and low priority path maintenance works have been identified across the Borough's parks and open spaces.

The high priority path improvement works identified are in the following locations:

- Alexandrina Plantation, Bramcote
- Eastcote Avenue Open Space, Bramcote
- King George V Park, Bramcote
- Hall Park, Eastwood

Further detail is provided in table 8.

A number of improvements at Colliers Wood Nature Reserve have also been identified including, refurbishment of the performance area, improvements to surfacing and accessibility to foot paths and a new accessible dipping platform. The total cost of all these improvements is £165,000 (subject to final sign off from the Executive Director and the Head of Service) and Cabinet will be asked to resolve the funding of this through the upcoming annual capital program report. A detailed list of the works is provided in table 8 below.

The improvements identified in table 8, will be the last to be completed under the current Play Strategy. The Play Strategy is due to be refreshed in 2025 and a Pride in Parks works programme will be developed to run alongside this.

Following this year's asset inspection programme review, an additional programme of works will also be developed and monitored and will capture other parks infrastructure, including, paths, fences, gates and seating.

Site	Condition	Improvement	Cost
Alexandrina Plantation, Bramcote.	Curved natural path leaving central circular route, connecting to path at boundary between Brookside Avenue & Thoresby Road. Path has suffered weathering and erosion due to construction from soft materials.	Reinstate stone and any edging material where needed to make safe.	£30k
Eastcote Avenue Open Space, Bramcote.	Path around perimeter of site connecting into Chesham Drive and Pimlico Avenue. Tarmacadam surface is in need of repair and	Patch and overlay areas worst affected and reinstate affected edgings.	£25k

Site	Condition	Improvement	Cost
	replacement due to cracking, and surface deterioration.		
King George V Park, Bramcote	Tarmacadam surface in poor condition and damaged though tree route activity.	Patch and overlay areas worst affected and reinstate affected edgings.	£40k
Hall Park, Eastwood	Consolidated stone paths through woodland areas have damaged timber edging or the path has fallen below the level of the edge. Sediment build-up also makes the paths slippery when wet.	Scrape and clear any detritus found and where possible relief channels installed to reduce water pooling.	£20K
Colliers Wood Nature reserve, Moorgreen	Consolidated stone paths are prone to erosion and wash out. Conditions have worsened over recent years and numerous repairs are having revenue implications. Performance area seating and dipping platform in need of repair and refurbishment both items original to site (25 years old).	Reinstate stone and any edging material where needed, to make safe. Resurfacing of the main path with tarmacadam.	£50K

Table 8: Works identified for urgent infrastructure works

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Report of the Portfolio Holder for Community Safety

ANTI SOCIAL BEHAVIOUR PROTOCOL AND REVISED ANTI SOCIAL BEHAVIOUR POLICY

1. Purpose of Report

To recommend to Cabinet the adoption of an anti-social behaviour protocol and revised anti-social behaviour policy following discussions at the Policy Overview Working Group

2. Recommendation

The Policy Overview Working Group RECOMMEND to Cabinet that the protocol set out in appendix 1 be adopted and the existing Anti-Social Behaviour Policy be amended as set out in APPENDIX 2 and APPENDIX 3.

3. Detail

The Office of the Police and Crime Commissioner has coordinated meetings of an anti-social behaviour taskforce to produce an agreement across Nottinghamshire to clarify roles and responsibilities between agencies for the reporting and delivery of anti-social behaviour to ensure consistency of practice across the County.

This work will assist victims in reporting ASB to the correct agency or department, prevent incidents being reported to multiple agencies causing confusion both in the response and communication with victims and prevent double counting of incidents for reporting purposes.

It is planned that the Police and District Councils will all use this document to raise awareness of what is and isn't anti-social behaviour, managing the expectations of victims and informing victims of the correct reporting procedures and possible outcomes.

The protocol is nearing completion and District Councils have been asked to commit to signing up to the agreement in readiness.

The agreement provides guidance to districts and sign up does not compel districts to implement the agreement beyond current resources.

The proposed partnership agreement and roles and responsibilities protocol attached to this report as **APPENDIX 1**. **APPENDIX 2** is the Council's Anti-social behaviour policy which has been amended to align with the Agreement and roles and responsibilities protocol, appendix 3 is a change table which shows the changes to the original policy which have been made.

In its discussions the Policy Overview Working Group proposed amendments to the section in the policy relating to anonymous complaints; suggested an

additional reference to the ability to report anonymously to crime stoppers and requested the wording relating to victims and perpetrators experiencing severe and multiple disadvantage be strengthened. These changes have been reflected in the revised policy in **APPENDIX 2**.

4. Key Decisions

This is a key decision.

5. Financial Implications

There are no additional financial, legal or data protection implications in signing up to the agreement and protocol.

6. Legal Implications

The discharge of existing statutory obligations mean that the Council already has to ensure compliance with these matters.

7. Human Resources Implications

There are HR implications purely from the point of view of clarifying roles and responsibilities of Council officers and responsibilities of partner agencies.

8. Union Comments

There were no comments received

9. Climate Change Implications

There were no comments received.

10. Data Protection Compliance Implications

This report does not contain OFFICIAL(SENSITIVE) information. There are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

There are some equalities implications from the point of view of ensuring that specific consideration is given to the mental and physical health and vulnerabilities of victims and perpetrators Anti-social behaviour is sometimes targeted at those with protected characteristics so having a robust clear and up to date policy ensures that victims can be better protected and behaviour dealt with as required.

12. Background Papers

Nil

Partnership response to Anti-Social Behaviour in Nottinghamshire

Partnership Agreement and Roles and Responsibilities Protocol

Version 0.1

Owner: Nottinghamshire ASB Taskforce
Author: TBC

Effective Date: October 2023

Review Date: October 2024

1. Partnership Agreement

Partner agencies across Nottingham and Nottinghamshire are committed to ensuring that our villages, towns, and city are clean, vibrant, and attractive places in which the people that live, work, and visit them are safe and feel safe.

This agreement has been co-developed by a range of statutory agencies across Nottinghamshire with responsibilities for reducing crime, anti-social behaviour (ASB), substance misuse and reoffending, as listed in the Crime and Disorder Act 1998.

It sets out a shared definition of ASB and a common approach to tackling ASB issues across Nottinghamshire underpinned by a national protocol of roles and responsibilities Signatories to this agreement are committed to ensuring that:

- ASB is considered strategically, across Nottingham and Nottinghamshire
- ASB Issues are prioritised effectively based on their impact on communities
- Responses to ASB are evidence-led and informed by evidence of ‘what works’
- Priority attention is given to prevention, early intervention tackling drivers of ASB
- Agencies work in partnership to tackle ASB, cognisant of their respective roles, responsibilities, powers and resources
- Data and insight relating to ASB is consistently collected and appropriately shared inform problem solving, profiling and effective case management
- Residents and communities are proactively made aware of what constitutes ASB, how to report it and what to expect as a result
- Pathways for reporting and triaging ASB cases are clear, accessible and effective
- Effective processes are in place to assess risk, vulnerability in the management and response to ASB

Signatories

Agency	Signature

2. Defining Anti-Social Behaviour (ASB)

ASB is defined under section 2 of Anti-Social Behaviour, Crime and Policing Act 2014¹ as:

(a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
 (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 (c) conduct capable of causing housing-related nuisance or annoyance to any person

The extent to which specific activities or behaviours can be classed as 'anti-social' can often be circumstance and situation-specific. Despite this, however, the Home Office Development and Practice Report '*Defining and measuring anti-social behaviour*' (2004)² identifies the following distinct categories of ASB on the basis of their nature and intent:-

Table 1: Types of ASB

Category	Sub-Category 1	Sub-Category 2
Misuse of Public Space [Nuisance]	Drug / substance misuse and dealing; Street drinking; Anti-social / aggressive begging; Kerb crawling and prostitution; Sexual Acts; Vehicle-related nuisance and inappropriate vehicle use	Drug use; Drug Dealing Kerb crawling; prostitution
Disregard for Community / Personal well-being [Nuisance]	Noise; Rowdy behaviour; Unreasonable behaviour; Hoax calls; Animal-related problems;	Domestic; non-domestic Firework-related;
Acts directed at people [Personal]	Intimidation / harassment; Hate crime related	

¹ Anti-Social Behaviour, Crime and Policing Act 2014: [Anti-social Behaviour, Crime and Policing Act 2014 \(legislation.gov.uk\)](#)

² Home Office Development and Practice report [Defining and measuring anti-social behaviour - GOV.UK \(www.gov.uk\)](#), 2004

Environmental damage [Environmental]	Criminal damage / vandalism / graffiti; Litter / rubbish; Abandoned vehicles; Unkempt Properties / Gardens	Damage; Graffiti Litter; Flytipping; Flyposting
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ASB which is persistent and ongoing can have a varied impact residents' quality of life and feelings of safety. Limited resources require agencies to target their resources on the issue and areas that they can have the greatest impact upon.

What is not ASB

Some types of behaviour are not classified as ASB and will therefore not be recorded or investigated as such³. The following activities and behaviours are NOT defined as ASB:

- Reasonable levels of household or highway noise during reasonable hours of the day - including noise from domestic appliances, DIY, lawnmowers, car repairs or vehicles carrying out their routine activities
- One off / occasional household activities which may cause annoyance, such as parties, barbecues, bonfires/incinerators or cooking smells – except where this continues for a period of time that makes it unreasonable or leads to damage, continued trespass, nuisance, intimidation or violation of a formal agreement or order
- Essential construction work carried out by contractors during reasonable hours of the day⁴. It is recognised, however, that there are times where works have to happen outside of these hours
- Children playing or gathering in their own gardens or public places - except where this leads to excessive noise, damage, continued trespass, nuisance, intimidation or violation of a formal agreement or order
- Low-level neighbour disputes (civil disputes) relating to issues such as land boundaries, trees, bins, shared driveways and parking
- Children falling out with each other or complaints of being stared at or looked at in a non-sexually intrusive way.
- Activity of emergency vehicles and essential services

³ Anti-Social Behaviour Investigation, Hate Crime and Enforcement Protocol (February 2020) Rushcliffe Borough Council

⁴ Normal hours for noisy works are 8am to 6pm Monday to Friday, 8am to 1pm on Saturday. No noisy works on Sundays and Bank Holidays

Other incidents may also be considered a criminal offence should be reported to the Police such as criminal damage and (attempted) burglary and theft and incidents in which the believed to be a hate-related incident⁵, i.e. motivated by a person's

- 1 Race or perceived race
- 2 Religion or perceived religion (or no religion)
- 3 Sexuality or perceived sexuality
- 4 Transgender or perceived transgender
- 5 Disability or perceived disability
- 6 Alternative lifestyle (dress style, physical appearance, culture) 7 Gender-misogyny /
misandry

⁵ Elements **1-5** are recorded motivating factors for hate from the Home Office (Hate crime, England and Wales, 2021 to 2022- Home Office Official Statistics); **6-7** are recorded locally by Nottinghamshire Police.

3. The Partnership Approach to Anti-Social Behaviour in Nottinghamshire

Partner agencies across Nottinghamshire share a commitment to tackling and responding to the ASB issues that are having the greatest impact on local communities as part of a joinedup evidence-led approach. In line with the national ASB action plan⁶ launched in April 2023, this includes a focus on ensuring a robust response to ASB and enabling partner agencies to make best use of their available tools and powers.

At the heart of the Nottinghamshire's approach, partner agencies across Nottinghamshire are committed to ensuring that:

- Reporting pathways for ASB are clear and accessible
- Effective triage processes are in place to ensure that ASB cases are referred to the most appropriate lead agency to respond
- Information captured by agencies is consistent and comprehensive
- Effective processes are in place to assess risk, vulnerability and severity of ASB
- Partner agencies support local problem-solving approaches that utilise the full range of tools, powers and resources available to effectively tackle ASB issues
- Agencies share data and insight to inform problem solving and our collective understanding of ASB
- Partner agencies support and contribute towards delivery of the Nottinghamshire ASB Action Plan which is reviewed and issued by the ASB Taskforce each year.

The following section provides guidance and practice advice in relation to these overarching commitments.

Ensuring Clear and Accessible ASB Reporting Routes

A wide range of options are available for those wishing to report ASB, as shown in the directory of services listed in Appendix 1. It is important that, however, that where possible incidents of ASB are reported directly to the most appropriate agency to respond, as outlined in Appendix B.

Communities and partner agencies should be informed of when and how to report ASB and what action may be taken as a result.

⁶ [Anti-Social Behaviour Action Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115447/anti-social-behaviour-action-plan-2023-2025.pdf)

Effective Triage of ASB

It is important to ensure that reports of ASB are referred to the most appropriate agency to take the lead in responding at the earliest opportunity. Referrals will be based upon the individual merits of the case in question and specific nature of the ASB being reported.

A public protocol detailing suggested lead agencies on the response to specific ASB issues is outlined at Appendix B.

It is recommended that agencies have the knowledge and information to effectively signpost service users to the most appropriate agency. In the event of multiple ASB issues relating to a single case, the primary complaint should be established in order to determine the most appropriate agency to respond.

Where a matter does not qualify as ASB according to the partnership definition (see section 2), complainants should be advised to contact the appropriate agency. This could include, for example a solicitor or citizens advice in the case of civil matters. Complainants should be advised that whilst the matter is still important, does not meet the criteria for ASB referral.

Clear and Consistent Information Capture

Once the type of ASB issue has been identified and referred to the most appropriate agency, it is advised that the lead agencies capture the following key information as part of a structured case management approach:

- Recording complainant name, date of birth, gender, ethnicity, home address
- ASB Incident location, ideally at property or postcode level
- ASB Type – as determined in section 2
- Free text description of the ASB issue / event(s)
- Date / time / duration of incident(s)
- Perpetrator details if known – including age, gender, ethnicity, home address and relationship to the complainant
- Action taken
- Outcome

Processes should be in place to effectively collate evidence and further information as part of the investigation process, including for example, signed statements, diary sheets and audiovisual evidence.

Risk Assessment and Safeguarding

The safety and welfare of victims must be the main consideration at every stage of the process. It is therefore important to identify the effect that the reported anti-social behaviour is having on the victim(s).

Risk assessment and risk management strategies should be based on full information outlining repeating and escalating patterns of incidents rather than each treated individually⁷. It is critical to offer a safeguarding response even if the person is not eligible for ASB support and a need for a clear threshold, that when breached, should result in contact with adult social care services.

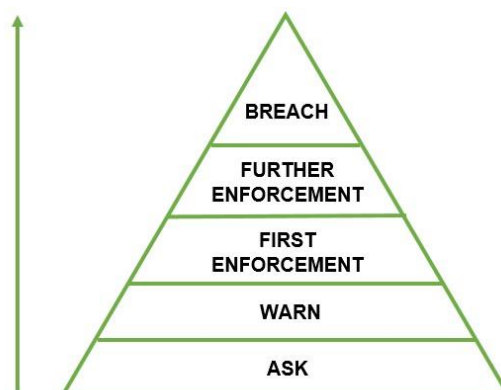
For this purpose, vulnerability questions should be part of any ASB case management process. Questions such as those set out in Table 2, are designed to help practitioners to acknowledge and record the extent to which the issue is compromising the complainant's daily life whilst leaving the complainant feeling heard and supported.

Table 2: vulnerability questions⁸

1. Is this personally affecting you or anyone you are reporting on behalf of someone else?
2. Has this happened before. If so, on how many occasions?
3. Have you reported this to anyone else. If so, whom?
4. Do you feel personally targeted
5. Would you consider you or anyone in your household to be disabled or suffering from a long-term illness
Prompt: Issue a diary sheet pack if appropriate to gather further evidence

Enforcement and escalation of ASB

It is recommended that most common forms of ASB are subject to a 'Five Stage Enforcement Model' as shown below.



⁷ [2009-Fiona-Pilkington-Leicestershire.pdf \(hampshiresab.org.uk\)](#)

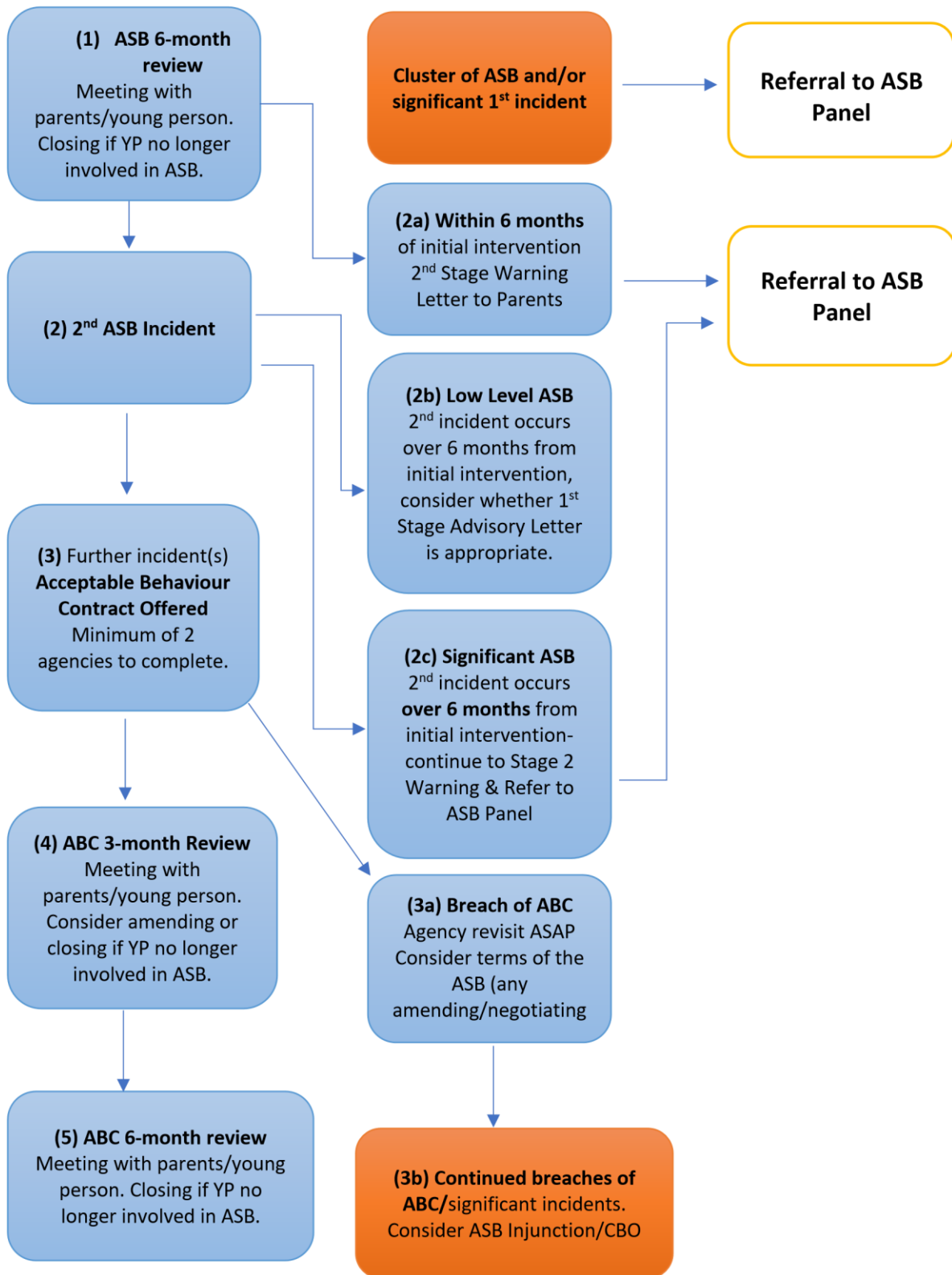
⁸ ASB call handling Broxtowe Borough Council

Typically, over 85% of ASB issues are tackled at the initial stages of 'ASK' and 'WARN'. If these approaches are unsuccessful, more serious and formal enforcement (such as Fixed Penalty Notices, or the powers listed below) will be taken. The range of powers that can be brought to bear on perpetrators of ASB is outlined in Appendix C.

Additional consideration should be given to youth-related anti-social behaviour incidents to ensure that the action taken is appropriate, proportionate and does not unnecessarily criminalise vulnerable people. A sample process for addressing ASB issues involving young people is shown below⁷:

⁷ Newark & Sherwood District Council ASB Young People Related Interventions Flowchart.

Anti-social Behaviour Process – Children and Young People



Giving due regard to differences in the level of resources available across local authorities in dealing with ASB, it is recommended that a minimum standard is established with regard to the way in which youth related ASB is managed.

Information Sharing

Information sharing is integral to an effective partnership response to ASB. Processes for sharing relevant information should be agreed at the appropriate level, but may include:

- Sharing of case management information to inform ASB panel and problem-solving processes, ensure the safeguarding, safety and wellbeing of individuals affected by ASB and implementing an ASB action plan that provides professional support to those involved in ASB.
- Aggregated depersonalised information used to improve our understanding of trends, patterns and prevalence of ASB. Data sharing protocols may not be required in such cases, however partners may wish to establish a memorandum of understanding with regard to how this information will be used.

Annex A: Reporting ASB: Directory of Services

You can report ASB issues at **any time of the day or night**, using the following non-emergency contact details:

<p>Ashfield District Council Tel: 01623 450000 info@ashfield-dc.gov.uk</p>	<p>To report ASB in the Ashfield District Council area</p>
<p>Bassetlaw District Council Tel: 01909 533533 http://www.bassetlaw.gov.uk/</p>	<p>To report ASB in the Bassetlaw District Council area</p>
<p>Broxtowe Borough Council Tel: 0115 917 7777 http://www.broxtowe.gov.uk/</p>	<p>To report ASB in the Broxtowe Borough Council area</p>
<p>Crimestoppers Tel: 0800 555111 http://crimestoppers-uk.org/.</p>	<p>To make an anonymous report of crime or ASB</p>
<p>Gedling Borough Council Tel: 0115 901 3972 http://www.gedling.gov.uk/</p>	<p>To report ASB in the Gedling Borough Council area</p>
<p>Mansfield District Council Tel: 01623 463463 http://www.mansfield.gov.uk/</p>	<p>To report ASB in the Mansfield District Council area</p>
<p>Newark & Sherwood District Council Tel: 01636 650000 http://www.newark-sherwooddc.gov.uk/</p>	<p>To report ASB in the Newark and Sherwood District Council area</p>
<p>Noise App The Noise App - Report Noise Nuisance:</p>	<p><i>The Noise App is for the public to report noise nuisance to their Local Municipality, Enforcement Agency, or Housing Provider – Rushcliffe only?</i></p>
<p>Nottingham City Council Tel: 0115 9155555 www.nottinghamcity.gov.uk/reportantisocial</p>	<p>To report ASB in the Nottingham City Council area</p>

<p>Nottinghamshire Police Tel: 101 (Non-emergency) Report Nottinghamshire Police Report antisocial behaviour Nottinghamshire Police Single Online Home</p>	<p>If you want to report ASB contact the Police non-emergency number on 101. For emergencies, if a life is at risk, or a crime is in progress, call 999. Live Chat: available between 7am-10pm, seven days a week.</p>
<p>Rushcliffe Borough Council Tel: 0115 981 9911 http://www.rushcliffe.gov.uk/</p>	<p>To report ASB in the Rushcliffe Borough Council area</p>
<p>Untaxed vehicles Vehicle Tax Your Options West Midlands Police (west-midlands.police.uk)</p>	<p>To identify an untaxed vehicle and report to the DVLA.</p>
<p>Victim CARE Helpline: 08003047575. Text message: TEXT NOTTSVC to 82228. www.nottsvictimcare.org.uk email: support@nottsvictimcare.org</p>	<p>To access support as someone affected by ASB</p>
<p>Metropolitan Thames Valley Anti-social behaviour - Metropolitan Thames Valley (mtvh.co.uk)</p>	<p>People in Rushcliffe can report ASB to the Metropolitan Thames Valley</p>

Annex B: Agency Roles and Responsibilities⁸

Type of ASB	Lead Agency	Legislation	Additional Notes
Abandoned Vehicles	Local Authority		Local Authority has a legal duty to respond to and arrange for the removal of abandoned vehicles unless the vehicle is believed stolen or has been used in crime.
Begging	Police		For areas that are constantly affected by street drinking and begging related ASB: Police can use short term dispersal powers to move groups or individuals from an area. Councils can implement a Public Spaces Protection Order to restrict behaviours in that area. Options to: Issue a CPNW stipulating the behaviours that should cease, followed on further breach, by a CPN. If the ASB continues issue a Fixed Penalty Notice to the offender for the breach of the CPN and prosecute if this is not paid. If individuals persist, seek a civil injunction to prohibit the ASB from continuing which can also compel attendance for alcohol counselling. Obtain a Criminal Behaviour Order (CBO) against anyone convicted of a related criminal offence. N.B. May be a homelessness issue.
Criminal Damage/Vandalism	Police		With support from partner agencies
Animal related problems, including dog fouling and irresponsible dog ownership	Local Authority/ Housing association		Whilst failing to pick up your dog's mess is already a criminal offence, powers under the ASB Act allow Councils the ability to further tackle irresponsible dog ownership. Councils can implement a PSPO for either a specified part of, or the whole of their area, which may, for example: Require dog owners to go equipped with the means to clear up their dog's mess; Require dogs to be always kept on leads on public highways etc; Allow dogs to be exercised off lead in agreed areas but require owners to put them on a lead if asked to do so by a authorised officers; Exclude dogs from defined areas such as children's playgrounds etc. Breach of a PSPO is an offence and can be dealt with by Fixed Penalty Notice or prosecution. Local authorities will lead on the response to dogs escaping from gardens where no injury has been caused to another animal or member of the public. Police will record all dog bites, and offences where a dog is banned breed or dangerously out of control.
Drug/Substance misuse & dealing	Police		Police are responsible for dealing with the criminal activity. Local authorities may deal with the environmental consequences of drug use and dealing, such as clearance of any drug related paraphernalia. All agencies would be expected to make referrals into drug treatment services where necessary and appropriate
Fly Tipping	Local Authority		Local authority responsibility, with potential referral to the Environment Agency

⁸ Anti-Social Behaviour Investigation, Hate Crime and Enforcement Protocol (February 2020) Rushcliffe Borough Council

Graffiti	Local Authority		Local authority responsibility for graffiti removal, working closely with the Police to apprehend perpetrators
High Hedges	Local Authority		Local authority has the legal duty to investigate. In addition to other statutory powers, they can use the ASB Act to issue a CPNW to the owner and/or occupier requiring the problem to be rectified i.e., repairs to be carried out, waste to be removed, followed by a CPN if the issue is not resolved. If the matter is not resolved by the CPN, issue a Fixed Penalty Notice to, or

Type of ASB	Lead Agency	Legislation	Additional Notes
			prosecute the recipient for breach. Undertake the necessary work itself and recover the cost of this work from the owner/occupier of the property
Hoax calls	Agency affected		Individual agency affected is responsible for investigation and follow up, however specialist assistance may be required in certain circumstances.
Homelessness	Local Authority		Local Authority lead with a view to referring into support agencies. CPNW/CPN to be issued where appropriate. PSPOs to be issued to prevent rough sleeping?
Intimidation/Harassment	Police/Local Authority		Can be 'civil' as well as a 'criminal' offence. The responsible agency should be the one who has prime responsibility for the type of ASB being used to harass. For instance, noise, littering, animal related are local authority responsibility while criminal damage and intimidation/threats are police responsibility.
Intimidating / anti-social gatherings	Police		The Police may use Dispersal Powers to direct anyone aged 10 or over who is causing ASB to leave a specified location for up to 48 hours. At the time of giving the direction the Police can also require the surrender of any item in their control used to cause ASB i.e., fireworks. Failure to comply with a direction to leave or to surrender equipment is an offence. If any of the individual perpetrators are convicted of an offence a CBO could be obtained against them which may exclude them from the area for a longer period. CPNWs/CPNs and Injunctions could also be used to tackle any individual perpetrators. Councils can consider the implementation of a PSPO for areas affected by such general ASB which can prohibit the behaviours involved.
Kerb Crawling	Police		Support agencies may be involved
Litter/Rubbish	Local Authority		May require PCSOs (police community support officers) to support in hot spot areas

Noise Nuisance	Local Authority		<p>Local authorities investigate complaints about noise that could be a 'statutory nuisance'⁹, i.e. noise that unreasonably and substantially interferes with the use or enjoyment of a home or other premises or; injures health or is likely to injure health. Councils are responsible for looking into complaints about noise from premises, land, vessels; vehicles, machinery, or equipment on the street (for example, music from car stereos). Statutory noise nuisance laws <u>do not</u> apply to noise from traffic or planes; political demonstrations and demonstrations about a cause; premises occupied by the armed forces or visiting forces.</p> <p>Local authority may be under a legal duty to act. Options include Community Protection Notice Warning (CPNW) followed on further breach, by a Community Protection Notice (CPN). If ASB continues, or is serious, obtain a Civil Injunction to prohibit the ASB from continuing. Breach of an injunction is a contempt of Court and may result in imprisonment. Obtain a Court order for the seizure/forfeiture of any equipment used to create the noise. In cases of significant and on-</p>
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Type of ASB	Lead Agency	Legislation	Additional Notes
			<p>going ASB obtain a Closure Order which may potentially shut the property for 3 months. Noise nuisance is likely to amount to a breach of tenancy.</p> <p>If local authorities agree that the statutory nuisance is happening or will happen in the future, councils have the power to serve an abatement notice which requires whoever's responsible to stop or restrict the noise. The notice will usually be served on the person responsible but can also be served on the owner or occupier of the premises.</p>
ASB alleged hate related	Police/Local Authority		<p>Case will be referred to the police. Hate Crime is, first and foremost, a crime and will be dealt with by the Police as such, but the ASB Act can help tackle such issues. If any person is convicted of a Hate Crime offence a CBO could be sought at the time of the conviction to regulate future behaviour. Where it is not possible to obtain a conviction, it may still be possible for the Police/Council to obtain a Civil Injunction against the perpetrator to regulate future behaviour. Both CBOs (Criminal Behaviour Orders) and Civil Injunction can contain positive requirements i.e., attendance at support sessions aimed at tackling the underlying cause of their behaviour</p>
Prostitution	Police		Support agencies may be involved

⁹ Environmental Protection Act 1990

Rowdy Behaviour	Police/Local Authority		Lead authority often determined by location and cause of rowdiness e.g., Youth Services may lead where young people hanging around is the cause of rowdiness
Sexual ASB	Police		Support agencies may be involved
Street Drinking	Police		Issue a CPNW stipulating the behaviours that should cease, followed on further breach, by a CPN. If the ASB continues issue a Fixed Penalty Notice to the offender for the breach of the CPN and prosecute if this is not paid. If individuals persist in ASB, seek a civil injunction to prohibit the ASB from continuing which can also compel attendance for alcohol counselling. Obtain a Criminal Behaviour Order (CBO) against any street drinker who is convicted of a related criminal offence. For areas that are constantly affected by street drinking and begging related ASB: Police can use short term dispersal powers to move groups or individuals from an area. Councils can implement a Public Spaces Protection Order to restrict behaviours in that area
Unkempt gardens	Local Authority		Legal duty to investigate falls to the Council. In addition to other statutory powers, they can use the ASB Act to tackle such issues. They can: Issue a CPNW to the owner and/or occupier requiring the problem to be rectified i.e., repairs to be carried out, waste to be removed, followed by a CPN if the issue is not resolved. If the matter is not resolved by the CPN, issue a Fixed Penalty Notice to, or prosecute the recipient for breach. Undertake the necessary work itself and recover the cost of this work from the owner/occupier of the property
Unreasonable Behaviour	All agencies		Very wide-ranging behaviour types fall into this category
Vehicle related nuisance & inappropriate vehicle use	Police/Local Authority		Lead agency will depend upon the type of ASB reported: On the street vehicle maintenance- Local Authority Speeding- Police
Type of ASB	Lead Agency	Legislation	Additional Notes
			Off road motorcycle nuisance- Police Parking- Local Authority Car Cruising - Police

Appendix C - ASB Tools and Powers

This section contains a list of general enforcement powers to address anti-social behaviour under the Anti-social Behaviour, Crime and Policing Act 2014. They may be appropriate for addressing several types of anti-social behaviour.

ASB Powers	Tools and Responsibilities
<p>Community Protection Notice (CPN)- power designed to stop a person, business, or organisation from committing ASB which spoils the community's quality of life.</p>	<p>CPNs (Community Protection Notices) are highly flexible tool that can be used by the Police, local Councils and appropriately delegated social landlords, to tackle low level ASB of any type.</p> <p>CPNs can be used where the behaviour of any person aged 16 years or over or a business organization is persistent, unreasonable and is having a detrimental effect on the quality of life of those in the locality.</p> <p>The CPN process is a two-stage process and requires a first warning to be issued before the CPN itself; any breach of a CPN is a criminal offence and it may result in the offender being issued with a Fixed Penalty notice (FPN) or being prosecuted.</p> <p>Other powers also exist on breach to enable local councils to seize items used in the commission of the offence or to carry out work that was required by the CPN.</p>
<p>Criminal Behaviour Order (CBO)- power used against the most persistent ASB perpetrators who also engage in criminal activity. It orders an individual to not engage in specific acts or go to certain locations. It is granted for a specific period and can sometimes include supervised compliance.</p>	<p>CBOs are available on conviction for any criminal offence in any criminal court. In addition to any penalty imposed for the offence for which the perpetrator has been convicted, a CBO will impose requirements which aim to regulate the offender's future behaviour.</p> <p>A court may make a CBO, upon the application of the Prosecution where: it is satisfied, beyond reasonable doubt, that the offender has engaged in behaviour that cause or was likely to cause harassment, alarm, and distress; it considers that the order will help in preventing the offender from engaging in such behaviour.</p> <p>Like most powers within the ASB Act, a CBO may impose prohibitions and/or positive requirements:</p> <ul style="list-style-type: none"> • Where the offender who is made the subject of a CBO is aged 18 years or over, the CBO must be for either a fixed period of no less than 2 years or an indefinite period i.e., has effect until further order. • Where the offender has not yet reached the age of 18 years, the CBO must be for a fixed period of not less than 1 year and not more than 3 years. Breach of a CBO is a criminal offence punishable by imprisonment or a fine or both.
<p>Civil Injunction- formal court order that can be used to tackle more serious and/or persistent cases of ASB. Whilst injunctions were available before the ASB Act came into force, the ASB Act has widened the circumstances in which they can be used.</p>	<p>The Police, local authority or a housing provider may apply for an injunction against any person who is aged 10 years or over, when that person has engaged or threatens to engage in ASB.</p> <p>As with CPNs, Civil Injunctions may impose prohibition or positive requirements:</p> <ul style="list-style-type: none"> • In certain cases, involving threats of violence or serious risk of harm, the court can attach a power of arrest to the injunction which allows the Police to arrest a person who breaches the terms of an injunction. • It may also exclude an adult perpetrator from their own home. <p>Breach of an injunction may result in the perpetrator being sent to prison and/or being fined.</p>

<p>Public Spaces Protection Order (PSPO)- flexible power designed to create local restrictions to tackle ASB issues in public places (e.g., litter, noise, street drinking).</p>	<p>Local authority only may make PSPOs (Public Space Protection Orders) (Public Space Protection Order) to prevent individuals or groups from committing ASB in public spaces. PSPOs are designed to stop behaviour that:</p>
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ASB Powers	Tools and Responsibilities
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 140</p>	<ul style="list-style-type: none"> • Is having or is likely to have a detrimental effect on those in the locality. • Is of a persistent or continuing nature and • Is reasonable <p>PSPOs may affect a small area i.e., tackle issues that are arising on an individual street or may cover large areas i.e., tackle irresponsible dog ownership across a whole city.</p> <p>Before issuing a PSPO the local authority must publish the terms of the proposed order and consult with the Police, community representatives and, as far as practical, the owners or occupiers of land within the area covered by the order.</p> <p>As with other powers in the ASB Act, PSPOs can require persons not to do something (such as drink alcohol in the street) and/or require persons to do something (such as clear up after their dog has fouled).</p> <p>The local authority making the PSPO must be able to justify any restrictions that are imposed by the order.</p> <p>PSPOs can last for a maximum period of 3 years, although this can be extended for a further period of 3 years if the local authority believes there is still a need for the PSPO in a specific area,</p> <p>Breach of a PSPO is a criminal offence and can be dealt with by the issue of a Fixed Penalty notice (FPN) or by prosecution.</p>
<p>Closure Notice-this power prohibits access to premises for a maximum of 48 hours. This can be followed by a Closure Order, which can always prohibit access by all people.</p>	<p>The ASB Act 2014 allows the Police and local authorities to seek to close premises that relate to nuisance and disorder.</p> <p>There are two stages to Closure Powers- the first stage is called a Closure Notice, and the second stage is called a Closure Order.</p> <p>A Closure Notice can be issued by the Police or the Local Authority, without the need for a court order, if the use of the premises has resulted or is likely soon to result in nuisance to members of the public or there has been or is likely soon to be disorder near those premises associated with the use of those premises.</p> <p>A Closure Notice can last for a maximum of 48 hours, and it can close premises to everyone except those who habitually live on the premises and/or the owner of the premises. Once a Closure Notice has been issued, an application must be made to the Magistrates Court for a Closure Order and this application must be heard within 48 hours or the Closure Order must be cancelled.</p> <p>The court can make a Closure Order if satisfied that:</p> <ul style="list-style-type: none"> • a person has engaged in, or is likely to engage in, disorderly, offensive, or criminal behaviour on the premises or • that the use of the premises has resulted or is likely to result in serious nuisance to members of the public or • there has been disorder near those premises associated with the use of those premises <p>A Closure Order can be made for a maximum initial period of 3 months, although this can be extended to a maximum of 6 months in certain circumstances. It can exclude all persons from the premises. Breach of Closure Notices and Closure Orders are both criminal offences and can be punishable by fine and/or imprisonment.</p>

<p>Police Dispersal Powers- flexible power which the Police only can use in a range of situations to disperse antisocial individuals/groups from an area to provide immediate short-term respite to the local community.</p>	<p>Use of Dispersal Powers can only be authorized in a particular locality by a Police Officer of the rank of Inspector or above and the authority can only be for a maximum period of 48 hours.</p> <p>Use of the powers can be authorized where it is necessary for the purpose of removing or reducing the likelihood of members of the public suffering harassment, alarm or distress or the occurrence in the locality of crime or disorder.</p>
<p style="text-align: center;">ASB Powers</p>	<p style="text-align: center;">Tools and Responsibilities</p>
	<p>When dispersal has been authorized, a Police Officer or Police Community Support Officer may direct a person who is in a public place within the specified locality to leave the locality and not to return for a specified period of up to 48 hours provided that the officer has reasonable ground to suspect that:</p> <ul style="list-style-type: none"> • The behaviour of a person has contributed, or is likely to contribute to members of the public being harassed, alarmed, or distressed, or the occurrence of crime or disorder in the locality and • She/he considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood harassment, alarm, or distress etc. <p>Directions to leave must usually be given in writing and can be given to any person aged 10 years or over. Failure to comply with a dispersal direction without reasonable excuse is a criminal offence punishable by imprisonment and/or fine.</p>
<p>ASB Case Review (formerly known as the Community Trigger) in certain circumstances, victims have a say in the out-of-court punishment of perpetrators of less serious crime and anti-social behaviour, including allowing them to consider a restorative justice approach.</p>	<p>Whilst the ASB Act gives those with responsibility for protecting victims of ASB a wide range of flexible powers capable of tackling all types of behaviours, dealing with ASB cases can be a complex process, required detailed multi-agency co-operation, and one which may not always deliver the results that the victims require.</p> <p>The Community Trigger gives victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a solution.</p> <p>Each local authority will set a threshold for the Community Trigger within its locality, but if a victim of ASB has made three complainants regarding the same matter within the previous six months period the threshold will be met.</p> <p>Requests for a Community Trigger can be made by any person on behalf of a victim including a family member, friend, carer, Councilor, and MP.</p> <p>If the threshold is met, a case review must be undertaken by partner agencies to share information related to the case, review what action has previously been taken and decide what additional actions are possible.</p> <p>Even if the threshold is not met, the relevant agencies may still choose to undertake a Community Trigger case review in the light of the persistence of the ASB complained of, the harm or potential harm caused by the ASB and the adequacy of the response to date from agencies.</p> <p>The outcome of any Community Trigger case review must be reported to the victim and where further actions are required the proposed action plan and timescales must be discussed with them.</p>
<p>Tenancy Action - where a perpetrator of ASB is a social housing tenant than the landlord can take action to end their tenancy if the behaviour does not stop</p>	

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APPENDIX 3

Policy Section	Suggested Change	Reason for Change
Title page	instead of “2021-26 change to 2024-2026	Update proposed date of adoption and date for renewal
Title page	Instead of referring to the community safety committee of Jan 2021, refer to Cabinet of January 2024, the proposed date for adoption of the amended policy	Clarify proposed date for adoption of the newly amended policy and the structure adopting it
page 2	update table with the addition of figures from 2022 and 2023	Bringing the trend information on ASB up to date
page 3	<p>insert para under “figure 1”</p> <p>“Nottinghamshire PCCs Crime Survey 2022-23 shows that 63% 63% of residents have personally experienced ASB in their neighbourhood in the last year, of which only 6% reported that the ASB had a major effect on their quality of life (8-10 on a 10 point scale). This has remained relatively stable over the last year.”</p>	<p>To update and contextualise figures in the table above figure 2.</p> <p>It has not been possible to update the figure itself with more accurate data due to the non availability of the relevant information</p>

Policy Section	Suggested Change	Reason for Change
<p>top of page 4 insert wording</p>	<p>“According to the Nottinghamshire Police and Crime Needs Assessment 2019, ASB101 remains the most common community safety issue affecting local residents. Incidents are heavily concentrated in city and town centres, correlating with concentrations violent crime and criminal damage in the night time economy.</p> <p>Questions introduced within the Nottinghamshire Police and Crime Survey (PCS) in December 2022 found that around 74% of respondents who had personally experienced ASB in their local neighbourhood over the last year did not report it, while around 15% reported the issue to their local authority and 14% reported the issue to the police, 3% reported to their local housing provider and 1% reported to Crimestoppers.</p> <p>The most common forms of ASB experienced by residents were noisy neighbours and loud parties (32%), vehicle-related nuisance (27%) and people using or dealing drugs (22%). Of these, people using or dealing drugs and vehicle related nuisance was the most frequent, with between 38% and 36% of those experiencing these ASB types stating that the issue occurred most weeks.”</p>	<p>explanatory wording</p>

Policy Section	Suggested Change	Reason for Change
substitute table on page 4	out of date information replaced by a new up to date table	updating figures
P5 under new table insert new wording	<p>“Figures show that 24% of all incidents reported to the police in the United Kingdom are classified as anti-social behaviour (www.ukcrimestats.com). To tackle anti-social behaviour effectively requires a positive approach from not just the police, but other partner organisations which have a role to play, including Broxtowe Borough Council.</p> <p>This document, which will be supported by a number of procedural guides for the relevant actions, provides a clear statement of the Council’s policy, and the way in which it will tackle anti-social behaviour”</p>	explain the newly introduced table

Policy Section	Suggested Change	Reason for Change
<p>P6 insert wording</p>	<p>insert</p> <p>“The Borough Council is a signatory to the Responding Effectively to Anti-Social Behaviour in Nottinghamshire, Partnership Agreement and Roles and Responsibilities Protocol. The signatories to this agreement are committed to ensuring that:</p> <ol style="list-style-type: none"> 1. ASB is considered strategically, across Nottingham and Nottinghamshire, giving priority attention to prevention, early intervention and tackling the drivers of ASB 2. Partner agencies work together to tackle ASB, cognisant of their respective roles, responsibilities, powers and resources 3. ASB issues are effectively prioritised on the basis of the impact they have on individuals and communities 4. Residents and communities are made aware of what constitutes ASB, how to report it and what they can expect as a result of doing so 5. Pathways for reporting and triaging ASB cases are clear, accessible and effective, with a view to minimising multiple reporting and misplaced demand 	<p>refer and cross reference to the new County wide ASB protocol to explain its purpose and remit.</p>

Policy Section	Suggested Change	Reason for Change
	<p>6. Effective processes are in place to assess and manage risk and vulnerability among those reporting or affected by ASB</p> <p>7. ASB-related data is consistently collected and shared where appropriate to inform profiling, problem solving and case management activity</p> <p>8. The response to ASB is evidence-led and informed by our knowledge and understanding of 'what works'.</p>	
page 7 para 4 addition of words	add "It should also be noted that evidence of ASB relating to the complainant gathered in investigations will also be acted upon. "	clarification
page 7 under "role as part of community safety partnership"	insert "and the Anti Social Behaviour, Crime and Policing Act 2014"	refer to relevant legislation not currently mentioned in the policy
page 8 insert words	insert "criminal damage" before "graffiti"	further clarification as to what may be crimes
page 8-9	<p>amend previous definition of ASB which defined ASB as follows</p> <p>"The police group anti-social behaviour into three categories</p> <p>Personal – anti social behaviour perceived to be targeted at an individual or group as opposed to an individual</p> <p>Nuisance – Anti social behaviour causing trouble annoyance or suffering to the Community at large rather than an individual or group</p>	introduce new definition of ASB to align with ASB protocol agreed across Nottinghamshire

Policy Section	Suggested Change	Reason
	<p>Environmental – incidents not aimed at an individual or group but which target the wider environment, eg public spaces/buildings” and instead insert the following definition which aligns with the ASB protocol</p> <p>“Anti-social behaviour is defined under section 2 of Anti-social Behaviour, Crime and Policing Act 20141 as:</p> <p style="padding-left: 40px;"><i>(a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,</i></p> <p style="padding-left: 40px;"><i>(b) Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or</i></p> <p style="padding-left: 40px;"><i>(c) Conduct capable of causing housing-related nuisance or annoyance to any person.</i></p> <p>The activities and behaviours which can be classed as ‘anti-social’ according to this definition are, therefore, often subjective and circumstance / situation specific. Consequently, partner agencies have identified the following broad categories of ASB, informed by national research² and professional experience:</p> <ul style="list-style-type: none"> • Misuse of Public Space [Nuisance] • Disregard for Community / Personal well-being [Nuisance] 	

Policy Section	Suggested Change	Reason
	<ul style="list-style-type: none"> • Acts directed at people [Personal] <ul style="list-style-type: none"> • Environmental damage • [Environmental] <p>These categories aim to distinguish types of ASB on the basis of their nature, context and the anticipated intent of the perpetrator. A further sub-category of ASB are shown overleaf, and should be used by partner agencies to support the consistent recording and classification of ASB incidents.</p> <p>Whilst agencies have a greater suite of tools and powers available to respond to persistent and ongoing issues ASB, it should be noted that ASB can also involve isolated and one-off incidents which have potential to impact negatively upon the quality of life and feelings of safety of those affected.</p> <p>Limited resources may also require agencies to target their resources on the issue and areas that they can have the greatest impact upon.”</p>	
<p>page 9 insert some and delete other bullets from the list of examples of ASB</p>	<p>insert</p> <ul style="list-style-type: none"> • unkempt gardens and high hedges • homelessness <p>delete</p> <ul style="list-style-type: none"> • verbal abuse • threats of violence • damage to property 	<p>matters inserted are the responsibility of Council departments (planning enforcement and housing” to manage and matters deleted are the responsibility of the police to enforce</p>

Policy Section	Suggested Change	Reason
	<ul style="list-style-type: none"> • keeping and failing to control an aggressive dog • using or allowing the premises to be used for illegal or immoral activity such as prostitution, handling or storing drugs and handling or storing stolen goods 	
page 10 insert words	<p>insert</p> <p>“It should be noted that it may be inappropriate to take action against someone with a diagnosed physical or mental health condition which prevents them from moderating their behaviours or complying with any order.</p> <p>The Council is unable to accept anonymous reports of anti social behaviour as it is unable to gather witness statements from the complainant as evidence to proceed, the complainant is unable to provide continued monitoring to show the persistent and ongoing nature of the ASB”</p>	<p>To explicitly clarify that consideration needs to be given to the special circumstances of people who have a mental illness or physical condition</p> <p>To align with the approach taken in the planning enforcement policy</p>
Page 10 Para 2	<p>Add – “open cases where the only evidence is”</p> <p>Remove – “accepted” and “reports of anti-social behaviour”</p> <p>Add - “Where anonymous reports are substantiated by other witness statements the</p>	POWG Committee recommendation

	anonymous report may be admissible as hearsay evidence. Anonymous reports can also be made to to CrimeStoppers to be recorded on Police intelligence systems”	
page 10 6.1 (i) addition of words	add to 6.1 (i) “and is not” at the end of the sentence	further clarification
page 11 6.1 (iv) delete “by”	the word “by” is deleted which occurs before “prioritising”	clarification
page 11 6.2	delete previous wording for (iii)	ensure complainants understand where to report complaints to and why
Policy Section	Suggested Change	Reason
	“ensure that criminal anti social behaviour reported to the council is quickly passed on to the police” and replace with “provide accurate advice to complainants where reports need to be made to other agencies in the first instance”	
page 11 6.2	introduce new (vii) “refer cases to Mediation and Victim Care where this is assessed as appropriate”	introduce a reference to mediation and victim care
page 11 6.3	Add wording to (i) fully investigate all the facts and circumstances of any matter reported to us Add wording as (ii) “act impartially in relation to evidence provided by both complainants and perpetrators”	introduce “all” before “the facts” and introduce new (ii)
P 12 para 7	addition of the following words after “intervention” in para 7	introduction of wording consistent with legal guidelines on enforcement

	“there is no duty on Local Authorities to escalate action where this is deemed unnecessary, inappropriate or is judged not to be a good use of public funds.”	
P13 wording 7.2 before 7.3	add “to both complainants and perpetrators” after the word “home visits” and after “problem” add “, establishing the full facts surrounding a case”	clarify visits may take place to both complainants and perpetrators and setting out purpose for home visits.
Policy Section	Suggested Change	Reason
P14 second para 7.8 add words	add “ has sufficient evidence and” before “is satisfied”	to clarify evidence must be available
P15 just before para 7.9	add after “unreasonable” these words “ and must take into account any diagnosed physical or mental health conditions which may affect the behaviour concerned”	ensuring regard is had to situations where there is mental or physical disability involved
P 16 7.14 add words	add “littering” before “dog fouling”	to ensure littering is referred to
P17 8.1 additional wording to bullets	<p>Make addition changes to wording of bullets</p> <ul style="list-style-type: none"> • It is evident from monitoring sheets that anti-social behaviour is no longer taking place • There is insufficient evidence to take action • Where evidence provided by the complainant is assessed as not relating to ASB or is deemed to be due to low tolerance levels • If evidence within monitoring sheets 	to emphasise the importance of evidence needing to underpin action in response to ASB cases

	<p>are not returned in the stated period</p> <ul style="list-style-type: none"> • It has been assessed that the behaviour complained of is not anti-social behaviour and therefore does not fall within the Council’s Anti-social Behaviour Policy • Where the complainant does not provide information that is reasonably requested and in a timely fashion • Where the victim or alleged perpetrator moves out and away from the area. 	
Policy Section	Suggested Change	Reason
	<ul style="list-style-type: none"> • If the lead officer has made several reasonable attempts to contact the complainant without success and therefore can no longer monitor the case • Where the complainant refuses to consent to information sharing with other agencies to facilitate the investigation 	
P17 8.2	add wording “ by both complainants and perpetrators” after “physically harmed”	clarification
P 17 para 8.3	add after “diversity” “ including those with diagnosed physical or mental health complaints which may affect their behaviour”	ensure consideration of behaviour related to physical or mental disabilities
P 18 para 8.4	add “where this consent is denied and this affects the Councils ability to investigate the complaint the case will be closed “	evidential reasons

P 18 para 8.5	replace the word “victims” with “complainants”	
P 18 para 8.5	include reference to “Youth Justice, Victim Support, Social Care, Mental Health and Fire and Rescue Service.”	refer to relevant agencies
Page 18 .5 para 1	Add “ identified through the risk assessment process and”	POWG Committee recommendation
Page 8.5 para 2	Add “ making referrals to Victim Care where appropriate”	POWG Committee recommendation
Page 18 8.5 para 3	Add “ is multi-agency”, “ and support” and “The policies for safeguarding, vulnerable people and equalities will also be referred to during this process”	POWG Committee recommendation
P 19 para 8.6	add “a Community Protection Warning, Notice or”	improve comprehensiveness
pages 20-23 para 9.8-9.17	various working changes to reflect different roles and responsibilities of key individuals	Updating to current council structures
page 24 para 10	insert “Anti Social Behaviour Case Review”	updated wording for what used to be known as the “trigger” process
page 26 appendix 1	add words to second bullet “and operationally possible”	reasonableness
Policy Section	Suggested Change	Reason
page 26 appendix 1	fifth bullet replace “diary” sheets with “monitoring” sheets- also in 8 th bullet	update terminology
page 28 appendix 1	rewording 6 th bullet to read “ Close the complaint if monitoring sheets are not returned at the end of the specified monitoring period, the monitoring sheets are not signed as being a true record of events or the monitoring sheets do contain sufficient evidence to proceed with the case “	clarification and updating terminology and emphasise need for evidence
page 26 appendix 1	introduce new 14 th bullet “ Where it is deemed	mention of relevant partner agencies who

	appropriate refer parties to Victim care or other support agencies to support their health and wellbeing”	may be able to help complainant
page 27 appendix 2	add to first bullet “criminal damage” before “vandalism” add “ aggressive dogs”	additional clarification on what should be referred to Police
page 27 appendix 2	<ul style="list-style-type: none"> • add “dog fouling” and “Persistent bonfires • Untidy gardens or high hedges • Homelessness • Persistent street drinking “ to the list of Council responsibilities	clarity about who is responsible for responding to what
page 27 appendix 2	include “ Broxtowe Mediation Partnership can be contacted on mediation@ca-broxtowe.org.uk or 01773 768363. Clients under 25 years of age will be offered an appointment with Broxtowe Youth Homelessness .”	ensure reference to relevant partners

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APPENDIX 4

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The Council has agreed that individuals having care experience will be treated as if they have a protected characteristic.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive's	Lead officer responsible for EIA	Chief Executive
Name of the policy or function to be assessed:		ASB Policy	
Names of the officers undertaking the assessment:		Chief Executive	
Is this a new or an existing policy or function?		amendment to existing policy	
<p>1. What are the aims and objectives of the policy or function?</p> <p>To set out a clear definition consistent across Notts as to anti-social behaviour To define roles and responsibilities of various agencies and internal Council sections in responding to anti-social behaviour, and to be clear about what types of anti-social behaviour to report to which agencies. To set out tools and mechanisms through which anti-social behaviour can be addressed To clarify for victims what can be expected in terms of the response of the Council to reports of anti-social behaviour To link to the process for anti-social behaviour reviews</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>Clarity and consistency of approach in handling anti-social behaviour complaints Agreement across Nottinghamshire as to which organisation deals with which type of anti-social behaviour A good experience for victims when they complain about anti social behaviour Clear expectations for victims about what response to expect from the Council</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>The community victims of anti social behaviour employees of Broxtowe BC and partner agencies</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>victims of anti social behaviour employees exercising relevant functions Police, Victim Care, Police and Crime Commissioner colleagues, Notts county</p>			

Directorate:	Chief Executive's	Lead officer responsible for EIA	Chef Executive
council and town and parish council colleagues			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>Data about current reports broken down across council sections and broken down across ASB categories; Police data; victim care data</p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p>survey data through residents surveys and surveys conducted by partner agencies – PCC, Police, County</p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p>An ASB task group convened by the PCC has resulted in an ASB agreement and protocols which has led to the need to align the policy so it is consistent with the new protocol and agreement. The task group discussions have revealed the need for consistent reporting (at the moment there is double counting because ASB reports go to multiple agencies) , clear communication so the public know where to report and what to expect. Some ASB may be under reported. On the other hand currently reports are made without being substantiated by evidence and neighbour disputes can be the cause of ASB reports.</p>			
<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p>			
<p><input type="checkbox"/> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?</p> <p>The policy is designed to have regard to people who have mental or physical disabilities, either as perpetrators or as victims .</p> <p>ASB can disproportionately impact people with protected characteristics if they are targeted by perpetrators</p>			
<p><input type="checkbox"/> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?</p>			

All protected characteristic groups and communities should find their interests protected under the application of the policy as much as anyone who does not have a protected characteristic.

Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?

Fear to report perpetrators may be a barrier. Victim care is engaged to support perpetrators in helping agencies bring perpetrators to justice

Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?

Links to hate crime are contained within the policy. By clarity around reporting and responding to ASB targeted at certain individuals, victims are supported and perpetrators are dealt with in a proportionate manner.

What further evidence is needed to understand the impact on equality?

Further evidence in relation to victims of ASB to understand the profile of victims would be helpful

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?

Age: collect data, monitor profile of victims to ascertain any patterns or trends. Education and awareness raising for young people. Diversion activities for young people

Disability: collect data, monitor profile of victims to ascertain any patterns or trends. If a perpetrator has a mental or physical disability that is impacting on their behaviour, take the information into account in responding. Be mindful of vulnerability and refer to victim support where appropriate.

Gender: collect data, monitor profile of victims to ascertain any trends or patterns. Be mindful of links to strategies such as domestic violence; violence against women and girls

Gender Reassignment: collect data, monitor profile of victims to ascertain any patterns or trends. Be mindful of links to hate crime. Refer to victim support if relevant

Marriage and Civil Partnership: collect data, monitor profile of victims to ascertain any patterns or trends.

Pregnancy and Maternity: collect data, monitor profile of victims to ascertain collect data, monitor profile of victims to ascertain any patterns or trends

Race: collect data, monitor profile of victims to ascertain any patterns or trends. Be aware of links to hate crime. Link to relevant support agencies including victim care.

Religion and Belief: collect data, monitor profile of victims to ascertain any patterns or trends. Be aware of links to hate crime. Link to relevant support agencies including victim care.

Sexual Orientation: collect data, monitor profile of victims to ascertain any patterns or trends. Be aware of links to hate crime. Link to relevant support agencies including victim care.

Care Experience: collect data, monitor profile of victims to ascertain any patterns or trends. Be aware of links to hate crime. Link to relevant support agencies including victim care. Provide support and guidance and link to social services or youth services if relevant

Chief Executive: Ruth Hyde

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

Signature:



Report of the Leader of the Council

CABINET WORK PROGRAMME

1. Purpose of Report

Cabinet is asked to approve its Work Programme, including potential key decisions that will help to achieve the Council’s key priorities and associated objectives.

2. Recommendation

Cabinet is asked to RESOLVE that the Work Programme, including key decisions, be approved.

3. Detail

The Work Programme for future meetings is set out below. Key decisions and exempt items are marked with *.

6 February 2024	<ul style="list-style-type: none"> • Budget Proposals and Associated Strategies* • White Ribbon Accreditation and Action Plan • Quarter 3 UKSPF Funding Report • Chetwynd the Toton and Chilwell Neighbourhood Plan* • Pay Policy • Strategic Plan Update including updates on Logistics Consultation* • Electric Vehicle Charging Points* • Quarry report* • Asset Management Plan* • Infrastructure Funding Statement* • Bramcote Leisure Centre* • House Building Delivery Plan
12 March 2024	<ul style="list-style-type: none"> • Grants to Voluntary and Community Organisations • Review of the Climate Change Strategy* • Sanctuary Policy and Procedure* • Serious Violence Strategy Review* • ICT Contracts*Exempt • Asbestos Policy* • LGO and HSCO Joint Complaints Policy • Green and Blue Infrastructure Strategy* • People Strategy 2023-26

4. Key Decisions

This is not key decision.

5. Financial Implications

There are no additional financial implications.

6. Legal Implications

The terms of reference are set out in the Council's constitution. It is good practice to include a work programme to help the Council manage the portfolios.

7. Human Resources Implications

There are HR implications purely from the point of view of clarifying roles and responsibilities of Council officers and responsibilities of partner agencies.

8. Union Comments

There were no comments received

9. Climate Change Implications

There were no comments received.

10. Data Protection Compliance Implications

This report does not contain OFFICIAL(SENSITIVE) information. There are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

There are no Equality Impact Assessment issues.

12. Background Papers

Nil

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