



Monday, 28 October 2024

Dear Sir/Madam

A meeting of the Cabinet will be held on Tuesday, 5 November 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)	T A Cullen
	G Marshall (Vice-Chair)	H J Faccio
	P J Bales	J W McGrath
	G Bunn	H E Skinner
	C Carr	V C Smith

## 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 - 12)

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

3. Minutes

(Pages 13 - 18)

Cabinet is asked to confirm as a correct record the minutes of the meeting held on 1 October 2024.

4. Appointment of Deputy Portfolio Holders

At the Council meeting held on 9 October 2024, it was agreed that the Constitution be amended to allow for the appointment of Deputy Portfolio Holders.

**Cabinet is asked to RESOLVE that Councillor G Bunn be appointed as the Deputy Portfolio Holder for Economic Development and Asset Management.**

5. Scrutiny Reviews

(Pages 19 - 22)

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.

6. Chief Executive Urgency Powers

(Pages 23 - 26)

To update Cabinet on the use of the Chief Executive's Urgency Powers.

7. References

7.1 Future of EM Devco Ltd

(Pages 27 - 34)

Advisory Shareholder Sub Committee  
14 October 2024

Members were provided with a review of the EM DevCo Ltd. Throughout the three-year period, the DevCo has developed important strong relationships with a wide range of key stakeholders, including Government Agencies and had helped to put the region on the map. There had been significant progress made with emerging projects and developments. The Board of Directors with support of the Oversight Authority reviewed the future of the company and agreed that the DevCo should explore the scope for closer alignment with East Midlands Combined County Authority with further agreement that the work of EM Dev Co had naturally come to an end with a voluntary dissolution of the company being considered. The existing local authority Members had expressed their desire to seek alignment with East Midlands Combined County Authority, there was no clear source of additional funding and the Board was satisfied that it was in the best interests of the Company that it was dissolved.

**The Advisory Shareholder Sub Committee  
RECOMMENDS that Cabinet:**

- 1) Supports the necessary steps being taken by the Board of Directors to bring forward the voluntary dissolution of EM DevCo Limited.**
- 2) Delegates authority to the Chief Executive and the Leader of the Council, to consent and sign the resolutions to enable to dissolution of the EM Dev Co Limited.**

**8. RESOURCES AND PERSONNEL POLICY**

**8.1 Quarterly Complaint Report (Pages 35 - 60)**

To provide Members with a summary of complaints made against the Council.

**8.2 Capital Programme – Budget Variations 2024/25 (Pages 61 - 66)**

To approve a number of necessary budget revisions to the Capital Programme for 2024/25.

**8.3 Medium Term Financial Strategy 2024/25 to 2028/29 and Business Strategy 2025/26 (Pages 67 - 86)**

To approve the Council's updated Medium Term Financial Strategy and the delivery of the latest Business Strategy.

**9. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT**

**9.1 Affordable Housing Unit Charge (Pages 87 - 90)**

To update Members and seek approval for changes to the amount that the Council asks developers for in affordable housing payments.

**9.2 Energy Company Obligation (ECO4) Delivery (Pages 91 - 94)**

To seek approval to terminate an existing contract for the delivery of ECO4 funded works to private sector housing within the Borough and to implement a new approach.

10. HOUSING

10.1 Damp and Mould Investigations in Private Rented Property (Pages 95 - 112)

To detail the approach to dealing with damp and mould in private rented properties.

11. ENVIRONMENT AND CLIMATE CHANGE

11.1 Parks Standard (Pride in Parks) (Pages 113 - 128)

11.2 Household Energy Survey (Pages 129 - 136)

To seek agreement from Cabinet to circulate a Household Energy Survey.

11.3 Hydrotreated Vegetable Oil Update (Pages 137 - 144)

To update Members on the transition to Hydrotreated Vegetable Oil (HVO) for the Council's fleet vehicles.

12. Cabinet Work Programme (Pages 145 - 146)

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.

## Report of the Monitoring Officer

### DECLARATIONS OF INTEREST

#### 1. Purpose of Report

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda. The following information is extracted from the Code of Conduct, in addition to advice from the Monitoring Officer which will assist Members to consider any declarations of interest.

#### **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.

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.**

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#### **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/ORI/NRI/BIAS/PREDETERMINATION  
'The action I will take is...'

This will help Officer 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 Members in your place and to provide Democratic Services with notice of your substitute Members 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 28days of becoming aware of the Interest.

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### **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) anybody 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.

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## **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.
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#### **Dispensation and Sensitive Interests**

A “Dispensation” is agreement that you may continue to participate in the decision-making process notwithstanding your interest as detailed 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 biased 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.

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## Registerable Interests

These are interests that you are required to register in accordance with the Code of Conduct. They are interests that you would know about in advance of an item coming up (e.g. land you own) and you should have included them when filling in your register of interests.

What type of Registerable Interest do you have in this matter?

### Disclosable Pecuniary Interests

These are any interests that are described as DPIs under the Code of Conduct and include both the interests of yourself and of your partner.

### Other Registerable Interests

These are personal interests that relate to certain types of bodies that you may be involved in as set out in the Code of Conduct.

Does the matter directly relate to one of your Disclosable Pecuniary Interests?

No

Does the matter directly relate to the financial interest or wellbeing of one of your Other Registerable Interests?

No

Does the matter affect a financial interest or the wellbeing of yourself or of a friend, relative or close associate?

No

Is the financial interest or wellbeing affected to a greater extent than the financial interests or wellbeing of the majority of inhabitants?

No

Would a reasonable member of the public knowing all the facts believe that it would affect your view of the wider public interest?

No

You must:

- Disclose the interest;
- Not speak on the matter;
- Not participate in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

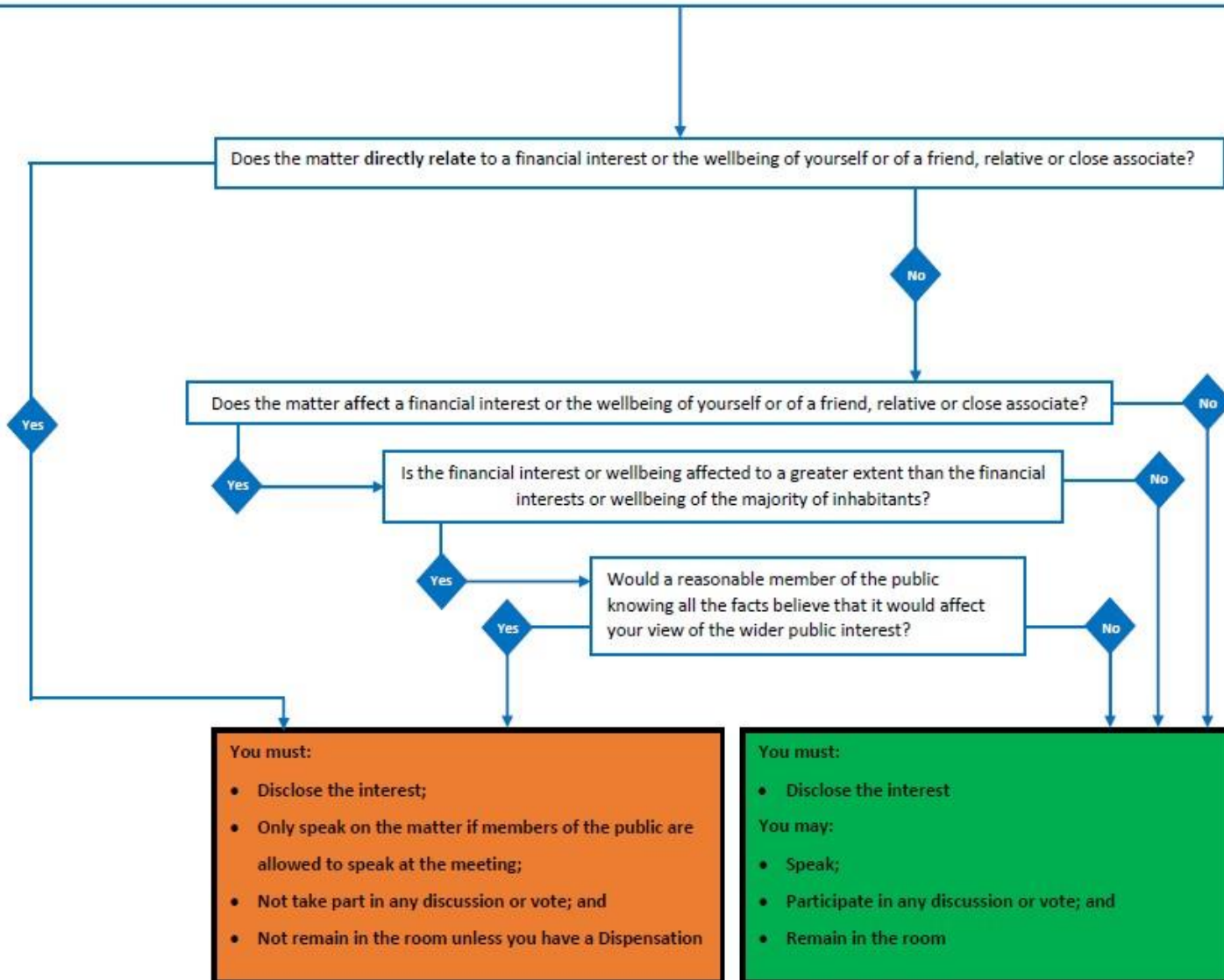
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

- Disclose the interest
- You may:
- Speak;
  - Participate in any discussion or vote; and
  - Remain in the room

## Non-Registerable Interests

These are interests that you are not required to register but may become relevant when a particular item arises. These are usually interests that relate to other people you are connected with (e.g. friends, relatives or close associates) but can include your own interests where you would not have been expected to register them.



## CABINET

TUESDAY, 1 OCTOBER 2024

Present: Councillor M Radulovic MBE, Chair

Councillors: G Marshall, Vice-Chair  
P J Bales  
G Bunn  
C Carr  
T A Cullen  
H J Faccio  
J W McGrath  
H E Skinner  
V C Smith

### 49 DECLARATIONS OF INTEREST

Councillor J W McGrath declared an other-registerable interest in item 5.2 as he is a member of Stapleford Town Council, minute number 51.2 refers. Councillor T A Cullen declared an other-registerable interest in item 5.3 as she the Chair of Trustees at the Beeston Rylands Community Association, minute number 51.3 refers.

### 50 MINUTES

The minutes of the meeting held on 3 September 2024 were confirmed and signed as a correct record.

### 51 SCRUTINY REVIEWS

Cabinet noted the matters proposed for and undergoing scrutiny.

#### 51.1 BUDGET TIMETABLE AND CONSULTATION 2025/26

Cabinet considered the report on the budget timetable and budget consultation 2025/26. The budget consultation process proposed was similar to previous years, using a web-based survey that was publicised through social media. Promotional activity would include social media messages, 'email me' bulletins, press releases, website promotion and direct engagement with groups, organisations, and individuals on the Council's stakeholder map.

On consideration, Members suggested minor amendments question 1 to separate the diverse list, to question 5 to give residents the opportunity to add reasons for their answers, to question 12 to give consideration to the frequency of access to Council services, and to question 16 to add Watnall to the list of locations.

**RESOLVED that the budget-setting process for 2025/26 and the Budget Consultation questionnaire, as amended, be approved.**

Reason

Section 65 of the Local Government Finance Act 1992 places a duty upon local authorities to consult representatives of non-domestic rate payers before setting the budget. 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 Local Democracy.

51.2 GRANT AID REQUESTS FROM PARISH AND TOWN COUNCILS

Cabinet considered requests for grant assistance within the protocol for the consideration of grant aid to Parish and Town Councils. Nuthall Parish Council had requested a grant of up to £2,350 towards the cost of traffic management for its Remembrance Sunday Parade, two requests were made from Kimberley Town Council of up to £1,996 towards the cost of traffic management for its Remembrance Sunday Event and £1,500 towards the cost of traffic management and security for its Christmas Market, and a request from Stapleford Town Council for £2,505 towards the cost of traffic management for its Remembrance Sunday Event.

**RESOLVED that the grants requests be approved accordingly:**

1. **Kimberley Town Council – £1,996 and £1,500**
2. **Stapleford Town Council – £2,505**
3. **Nuthall Parish Council – £2,350**

Reason

Consideration was given in respect of awarding grants. 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.

(Councillor J W McGrath, having delated an other-registerable interest, left the meeting without voting or discussion thereon.)

51.3 GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS, CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS, THE ARTS AND DISABILITY MATTERS 2024/25

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

**RESOLVED that the grants be made as follows:**

	£
<b>Beeston Rylands Community Association</b>	<b>12,000</b>
<b>Rushcliffe Community and Voluntary Service</b>	<b>7,000</b>
<b>Jo Cox Foundation</b>	<b>500</b>
<b>Eastwood and District Darts and Dominoes</b>	<b>500</b>

Reason

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.

(Having declared an other-registerable interest Councillor T A Cullen left the meeting before discussion or voting thereon during consideration of the award of a grant to the Beeston Rylands Community Association.)

51.4 CAPITAL GRANT AID REQUEST-THE ROYAL BRITISH LEGION (BEESTON) SOCIAL CLUB

An application for capital grant funding had been received from the Royal British Legion (Beeston). This was considered in accordance with the provisions of the Council's Grant Aid Policy.

**RESOLVED that the application for capital grant funding of £6,500 be approved.**

Reason

The funding will assist the Royal British Legion to continue to respond to the changing needs of the Armed Forces community, providing small interventions to life-changing and sometimes lifesaving support.

52 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

52.1 GREATER NOTTINGHAM STRATEGIC PLAN - PUBLICATION VERSION

Strategic policies for the Greater Nottingham area are currently set out in the adopted Core Strategies for the Greater Nottingham authorities (Broxtowe Borough, Gedling Borough and Nottingham City Councils, adopted in September 2014; the adopted Core Strategy for Erewash Borough Council, adopted in March 2014; and the adopted Core Strategy for Rushcliffe Borough Council, adopted in December 2014). Collectively these are referred to as the Aligned Core Strategies and they provide a consistent and coherent strategic spatial planning framework for the Nottingham Core (Greater Nottingham) Housing Market Area.

The Aligned Core Strategy was adopted in September 2014 and forms Part 1 of the Broxtowe Local Plan, providing the strategic context for the Part 2 Local Planning Document which was subsequently adopted in 2019.

Cabinet considered the report and a number of reassurances were sought from Opposition Members who were given permission to ask questions in relation to flooding, cabling and access and egress from the A610 and Shilo Way regarding the development at Bennerley.

It was confirmed that six-weeks was the statutory period for consultation and that gypsy and traveler requirements met those of the national policy.

**RESOLVED that:**

- 1. The Publication Draft Greater Nottingham Strategic Plan and supporting documents be approved in so far as it relates to Broxtowe Borough, to allow a period of public representations.**
- 2. Authority be delegated to the Head of Planning and Economic Development to make any minor editing changes such as typographical, formatting or changes to imagery necessary to the Publication Draft Greater Nottingham Strategic Plan.**

Reason

There is a legal requirement to review local plans every five years. Broxtowe is preparing the Greater Nottingham Strategic Plan with Gedling Borough, Nottingham City and Rushcliffe Borough Councils. The next stage of plan preparation is to undertake a consultation on the Publication Version of the Strategic Plan. The Regulation 19 representation period is the last stage of public engagement before submitting the draft plan to the Inspectorate for examination. Once adopted, the Greater Nottingham Strategic Plan will replace the Aligned Core Strategy.

**52.2 ACHIEVING DECENT, GOOD QUALITY AND SAFE HOMES**

Cabinet noted the Council's efforts in delivering planned maintenance works to meet the Decent Homes Standard and the new Consumer Standards and that the Council was currently re-procuring its planned maintenance services to commence from April 2025. Members were informed that the current level of Decent Homes was 98%.

**53 LEISURE AND HEALTH**

**53.1 AED PROVISION ACROSS THE BOROUGH**

On 16 July 2024, Cabinet requested that consideration be given to the installation of trauma bleed control kits, alongside any Automated External Defibrillators (AEDs) following recommendations from the Nottinghamshire Coroner. Members considered a report which detailed the 46 Council owned sites that were assessed regarding their suitability for the installation of AEDs and were informed that there were currently 123 known AEDs across the Borough. These had either been installed by local businesses, sports clubs or through grant funding schemes by the Council's Capital Works team.

The options in the report were considered and it was thought that option three should be favoured as it proposed the installation of AEDs along with trauma bleed control kits at sites that already have a sports pavilion and suitable electrical infrastructure, whilst addressing the recommendations of the Coroner. This initiative could be developed in partnership with various sports clubs throughout the Borough, where the clubs become the guardians and undertake the weekly checks and maintenance of the equipment. Members stated that a review should be undertaken that involved Councillors, in conjunction with officers, to examine potential sites in detail and recognise what the potential needs were.

Members were reminded that each one of the appliances had to be maintained in order to be fit for purpose. It was important that third parties were responsible for kits that they owned.



**RESOLVED that:**

- 1. Option 3 as detailed in appendix 1 of the report be approved.**
- 2. A Task and Finish Group be formed to consider a mapping exercise of provision and sites in the Borough.**

Reasons

1. Given the Coroner's report and the fact that the 14 pavilions already possess the necessary infrastructure for AEDs and trauma bleed control kits; it is prudent to recommend option 3 as an initial way forward. This will be undertaken as a phased delivery to be completed in two phases; the first phase by 31 March 2025 and the second phase 31 March 2026. During phase two, the Council will explore in collaboration with key stakeholder's, other high priority areas, such as town centres, to help enhance community safety.
2. A Task and Finish Group will allow for Member involvement in the process.

Options Considered and Rejected

Option 1 – As the provision of AEDs is not a mandatory requirement, the Council could have maintained the current provision of AEDs managed by the various clubs and organisations in the Borough.

Option 2 – This involved a phased installation programme for AEDs across 30 Parks and Open Spaces sites.

54 CABINET WORK PROGRAMME

**RESOLVED that the Work Programme be approved.**

55 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, 3 and 7 of Schedule 12A of the Act.**

56 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

This will assist with the Council's aim to deliver cost effectiveness.

57 OPTIONS APPRAISAL ON WASTE DEPOT

**RESOLVED that the design costs to undertake an options appraisal on the Kimberley Depot be approved, with the one-off revenue development of £25,000 being funded from General Fund Reserves in 2024/25.**

Reason

This will allow for agreement on the best approach for the redevelopment of the depot.

58 REQUEST TO SEEK NEGOTIATED TENDER

**RESOLVED that the request to enter into a negotiated tender process to develop four houses to social rent be approved.**

Reason

This will assist with the corporate priority of Housing – a good quality home for everyone.

## 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 26 September 2024 and welcomed the Leader of the Council who confirmed that a Task and Finish Group would be arranged with the Deputy Leader of the Council to consider the recommendations from the first Equality, Diversity and Inclusion report that was presented to Cabinet on 3 September 2024, in addition to other employee related issues. The Leader of the Council also suggested that the Overview and Scrutiny Committee consider the governance arrangements of the East Midlands Combined County Authority. The Chief Executive has proposed to update all Members of these governance arrangements at a date to be confirmed. The Committee therefore put the Leaders request on hold until further information was made available.

Members of the Committee considered the Environment Enforcement Fines and agreed to add the item to its work programme and gave consideration to scoping the topic at a future meeting.

The request from the Chair of the Licensing Committee to consider the GamCare recommendations was deferred to the next meeting of the Overview and Scrutiny Committee.

The Committee reviewed its current work programme and agreed that Disabled Facilities Grants, Homes for Life, and Resident Engagement Review be removed and a suggestion to add Committee Agendas would be considered with a Task and Finish Group agreed to scope the topic.

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. The work programme also enables Cabinet to suggest topics for future scrutiny.

**4. Key Decision**

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

**5. Updates from Scrutiny**

Not applicable.

**6. Financial Implications**

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

There are no direct financial implications arising from this report.

**7. Legal Implications**

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

There are no legal implications arising from the report.

**8. Human Resources Implications**

The comments from the Human Resources Manager were as follows:

Not applicable.

**9. Union Comments**

The Union comments were as follows:

Not applicable

**10. Climate Change Implications**

The climate change implications are contained within the report.

**11. 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.

**12. Equality Impact Assessment**

Not required.

**13. Background Papers**

Nil.

Appendix

1. Topics under Review:

Topic	Committee/Group	Start date	Proposed Cabinet submission
Equality, Diversity and Inclusion at the Council	Councillor S Dannheimer	23 October 2023	First part of the Scrutiny report 3 September 2024 Second part 7 January 2025

2. Topics Reserved for Future Consideration:

	Topic	Topic suggested by	Link to corporate priorities/values
1.	Child Poverty	Overview and Scrutiny Committee	Support people to live well, A good quality home for everyone
2.	Budget Consultation	Overview and Scrutiny Committee	All Corporate Priorities
3.	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.	A good quality home for everyone
4.	Committee Agendas	Councillor T Marsh	Protect the environment for the future.
5.	Environmental Enforcement Fines	Cabinet	Protect the environment for the future.

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.	Markets in the Borough	Overview and Scrutiny Committee	Invest in our towns and our people.	November 2024
2.	Housing Repairs	Overview and Scrutiny Committee	The Housing aim of a good quality home for everyone and to support people to live well.	January 2025
3.	D.H. Lawrence Museum	Overview and Scrutiny Committee	Invest in our towns and our people	March 2025
4.	Equality, Diversity and Inclusion at the Council. (Report to Cabinet 3 September 2024)	Councillor S Dannheimer	Invest in our towns and our people, Support people to live well, Protect the environment for the future, and a good quality home for everyone.	June 2025

## Report of the Chief Executive

### Chief Executive Urgency Powers

#### 1. Purpose of Report

To update Cabinet on the use of the Chief Executive's Urgency Powers.

#### 2. Recommendation

**Cabinet is asked to NOTE the exercise of the Chief Executive's Urgency Powers for the approval of budget for the procurement of the Firewall replacement; directly awarded to NG Security UK and fully contained within the existing capital budget.**

#### 3. Detail

A firewall is the first line of defence protecting the Council from external cyber-attacks. ICT Services replace the firewall solution every five years as part of the ongoing replacement and development programme. This approach reduces the risk of performance issues, hardware failures, and ensures the latest cyber security technology is adopted to protect the Council's information assets.

As a result of vacancies and difficulties in recruitment, ICT Services were unable to prioritise the replacement of the firewall in the first half of this financial year. The firewall replacement must take place in quarter 3 in order to avoid paying another £30k in maintenance for a product that is now presenting with a number of performance issues.

To ensure value for money, ICT Services reached out to three known suppliers, and requested proposals to include leading firewall technologies. All proposals received were compared against quality and pricing to identify the most appropriate solution. NG Security UK met all requirements and was able to demonstrate value for money.

Urgency powers were necessary in order to directly award the contract to NG Security UK, due to the time necessary to complete the research and negotiations and the time limit placed on the offer by the supplier it was not possible to address this matter through the normal reporting arrangements. The Chief Executive has consulted with the Leader, Deputy Leader and Leader of the Opposition.

#### 4. Key Decision

Not applicable.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Head of Finance were as follows:

The approved Capital Programme for 2024/25 includes a budget for ICT Technical Infrastructure Architecture at £441,000 (including unspent budget brought forward from 2023/24). The total value of this firewall replacement contract over a five-year period will be £149,400, which can be accommodated within the existing Capital Programme.

7. Legal Implications

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

The Council has the power to enter into the proposed contract arrangement under section 1 of the Localism Act 2011 (the “General Power of Competence”). The General Power of Competence states that a local authority may do anything a person can do so long as it is not specifically prohibited (under that Act or other legislation not prohibited). A local authority may exercise the General Power of Competence for its own purpose, for a commercial purpose or for the benefit of others.

Chapter 2 Part 1 paragraph 24.1 of the Council Procedure Rules in the Council’s Constitution states:

In consultation with the Leader of the Council and where possible the Leader of the opposition, the Chief Executive has the power to authorise the taking or carrying out of action, notwithstanding anything in the Council’s Procedure Rules, Financial Regulations all other delegations, where they consider that circumstances exist that make it expedient or necessary for action to be taken prior to the time when such action could be approved through the normal Council procedures. A report on such action, and the circumstances justifying the exercise of the delegated powers, shall be made to the next meeting of the Council as appropriate.

Legal Services has reviewed and advised on the content of the Contract.

8. Human Resources Implications

Not applicable

9. Union Comments

Not applicable



10. Climate Change Implications

Not applicable

11. Data Protection Compliance Implications

This report does not contain OFFICIAL(SENSITIVE) information. There are no data protection implications.

12. Equality Impact Assessment

As this is not a change to policy or a new policy an equality impact assessment is not included.

13. Background Papers

Nil.

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## Report of the Leader of the Council

### **Future of EM DevCo Ltd**

#### 1. Purpose of Report

To update Members on a review of EM DevCo Ltd in the context of the establishment of the East Midlands County Combined Authority (EMCCA) and to seek approval for the winding-up of EM DEvCo Limited as part of a transition of activities to EMCCA.

#### 2. Recommendation

**The Advisory Shareholder Sub Committee is asked to RECOMMEND that Cabinet:**

**1) Supports the necessary steps being taken by the Board of Directors to bring forward the voluntary dissolution of EM DevCo Limited.**

**2) Delegates authority to the Chief Executive and the Leader of the Council, to consent and sign the resolutions to enable to dissolution of the EM Dev Co Limited.**

#### 3. Detail

In February 2019, the Government approved funding for a two-year programme to explore the business case for a locally led development delivery vehicle for the East Midlands and asked the Midlands Engine to lead the work. The Midlands Engine was asked to consider three locations in the East Midlands: specifically, Toton and Chetwynd Barracks and Ratcliffe on Soar Power Station site (both in Nottinghamshire), and the East Midlands Airport Area (in Leicestershire). The programme also explored how a Development Corporation might have wider application across the East Midlands as a whole.

Between 2019 and 2021, Broxtowe Borough Council was involved in this regional conversation facilitated by Midlands Engine. It culminated in a case being made for a new type of development corporation that would require legislative change. This was to provide for the creation of what is known as a Locally Led Urban Development Corporation (LLUDC). This work led to the creation of EM DevCo Ltd by five authorities, including this Council, in May 2021, as a company limited by guarantee. The company was to operate as an interim vehicle prior, paving the way for the proposed new type of statutory development corporation (LLUDC).

The five member local authorities of EM DevCo also include Nottinghamshire County Council, Leicestershire County Council, North West Leicestershire District Council and Rushcliffe Borough Council. The governance arrangements

for the company were designed to mirror those of originally envisaged for the LLUDC model. The day to day running of the company rests with an independent skills based Board of Directors chaired by Sir Chris Haworth with six independent private sector Non-Executive Directors alongside nominated local authority directors. Broxtowe is represented on the Board by Ruth Hyde, Chief Executive. The work reports into an Oversight Authority meeting of elected members from the five local authority owners of the company. The Leader of Broxtowe represents Broxtowe on the Oversight Authority.

When the five councils established EM DevCo it was agreed that Nottinghamshire County Council would host the company and each council approved funding contributions to EM DevCo. Broxtowe Borough Council agreed a contribution of £500,000 spread equally over three financial years from 2021/22 to 2022/23 was financed from General Fund reserves. The final contribution of £166,000 was made in 2023/24.

### **Context**

Development corporations are recognised by Government as “important tools for delivering large scale development” which “bring a number of advantages to complex projects” including a singular and dedicated focus that can provide certainty and confidence to public and private sector investors. Development Corporations have statutory status with a range of powers including planning, land assembly and fund raising. They are distinct from Freeports and Investment Zones in looking across sectors including homes and wider place making with a view to proactively bringing forward sites and infrastructure comprehensively.

Development Corporations are intended to supercharge a new era of regenerative and inclusive growth. When EM DevCo was established as an interim vehicle, the context included planned investment in HS2 in addition to the Freeport designation and recognition of the region’s status as a major trade and logistics gateway. The initiative was also an opportunity to plan strategically in a way that built on the region’s environmental, place, people and business assets, including in research and development and industrial innovation. A comprehensive and integrated approach to development facilitates a more cohesive plan for infrastructure investment.

There are a number of changed circumstances that have directly impacted on the programme, and these also have a strong influence on the future direction. EM DevCo has needed to adapt and pivot its activities during this time but has continued to build momentum and secure support from partners on a number of related workstreams.

In the three years since the creation of EM DevCo Ltd. significant progress has been made, despite very challenging circumstances. The next section of the report highlights some of the achievements, although beforehand it is important

to highlight some of the changing circumstances that have shaped the programme and the next steps.

In the three years since the creation of EM DevCo, the plans for the expansion of high speed rail through HS2 have fundamentally changed on two separate occasions. Members may recall that the initial plan for HS2, when the DevCo was created in 2021, envisaged a new East Midlands Hub Station serving the region from Toton, Nottinghamshire. The subsequent publication of an 'Integrated Rail Plan' in November 2021 shifted the focus onto a more distributed model with the proposal for HS2 services to stop at East Midlands Parkway on route to Nottingham, Derby and Chesterfield and then northwards. However, in October 2023, proposals for new HS2 lines beyond the West Midlands were abandoned by the Government and as it stands the region is not due to receive HS2 services.

These significant changes have had implications for site masterplanning and the proposed growth assumptions. However, each of the sites remains well located and of a sufficient scale to present significant growth and infrastructure opportunities in their own right. The significance of these opportunities led the Department for Transport to ask EM DevCo to lead on overseeing and co-ordinating an East Midlands Stations Growth Strategy review on behalf of the region with £1.75m of funding over two years. This funding is granted to Nottinghamshire CC with staff at EM DevCO (now with EMCCA) supporting the delivery. This work focusses on the four stations that were originally intended to see HS2 stopping services i.e. East Midlands Parkway (EMP), Nottingham, Derby and Chesterfield. This work is demonstrating the significant opportunities for growth and place-making alongside infrastructure investment proposals and the findings are due to be considered through the East Midlands Stations Growth Board and expected to be published early in 2025.

The emergence of West Burton Power Station in Bassetlaw, Nottinghamshire, as the preferred home of STEP Fusion is another significant development that will have national and international significance. EM DevCo has been invited by Nottinghamshire County Council, Bassetlaw District Council and the UKAEA to support a visioning exercise to consider the potential around the three former coal fired power stations of West Burton, Cottam and High Marnham with STEP being a key catalyst.

East Midlands Freeport has continued to develop and four of the EM DevCo member local authorities are also part of the Freeport i.e. Leicestershire County Council, Nottinghamshire County Council, North West Leicestershire District Council and Rushcliffe Borough Council. This particularly relates to parts of the East Midlands Airport area and Ratcliffe Power Station.

Provision for LLUDCs, based on the original EM DevCo model, formed part of the Regeneration and Levelling Up Act, 2023. However, the establishment of the East Midlands County Combined Authority (EMCCA) provides for additional regional devolution with an elected Mayor. Given the origins of the DevCo as

part of a regional conversation about large scale development and infrastructure, this is particularly significant. The creation of EMCCA also brings with it alternative options for creating a development corporation if the need and appetite emerges i.e. a Mayoral Development Corporation. Given this, together with the fact that the company's work has gravitated towards working with local authorities within the EMCCA geography, including through the Stations Growth Strategy, the member local authorities have encouraged closer working with the newly formed County Combined Authority.

In this context and given the company was originally established for an interim period of three years, the Board of EM DevCo Ltd, has been reviewing the future of the company.

### **Achievements**

The DevCo has continued to make positive progress and the Council's contribution of £500,000 (£166,000 per annum over three years) has leveraged more than £4.75m from Government and our other local authority partners.

During the three years, the company's work has highlighted the scale of opportunity presented both in the three initial sites in focus but also setting these in the context of wider regional opportunities including through the Stations Growth work. In 2021/22, following a competitive process, the company appointed a commercial partner, Areli Developments Ltd, to act in an advisory capacity.

Areli are the team responsible for the regeneration of Battersea Power Station and the Northern Line extension in London amongst other projects. They concluded their work on a potential vision for the sites in scope in 2023 with the benefit of £1.5m match funding from DLUHC. This culminated in the publication of the EM Eye Vision for Growth Prospectus advancing the case for integrated and co-ordinated planning at scale and the size of the prize. In terms of next steps, the DevCo has worked with Areli and JTP to develop a plan to engage key stakeholders in the next, more detailed stages of the vision build specifically in relation to Toton and Chetwynd, Attenborough Great Park and Ratcliffe Power Station. This will be something the team will be discussing further with the EMCCA.

In addition to Areli and their wider team, the DevCo has provided access to expert advice with an independent skills-based board of Non-Executive Directors bringing together some of the UK's leading experts in the development and commercial real-estate sector.

As mentioned above, EM DevCo has secured significant funding contributions through various Government departments linked to the procurement of a commercial partner (Areli), work on the East Midlands Stations Growth Strategy and as one of 25 design code pathfinders. The latter process involved public consultation and provided a clear focus on place making and the importance of

designing for nature-based regeneration and zero carbon innovation amongst other key design considerations.

The DevCo continues to oversee and co-ordinate work on the East Midlands Stations Growth Strategy work. The outputs of the first year successfully made the case for the release of the second tranche of funding from the Department for Transport (£750,000). Accountability for this work is provided through the East Midlands Stations Growth Board, which brings together local authority leaders from across the region. This will culminate in a Growth Strategy with a focus on the development and infrastructure potential relating to the four stations in scope as mentioned earlier in this report. This work is crucial to considering the potential for growth and local infrastructure linked to East Midlands Parkway, as it will help set growth here in context of other key stations in the region to ensure complementary development and infrastructure investment. The work will continue, and the findings will be reported later in the year through the East Midlands Stations Growth Board with the support of EMCCA and our local, regional and national partners, will help to shape plans and thinking with the key statutory agencies.

Together, these various initiatives are shaping a vision for a destination and public transport interchange at East Midlands Parkway/Ratcliffe, with measures to reduce the need to travel and other net zero carbon solutions working closely with our universities and industry. It is helping shape some of the thinking behind the statutory planning processes including the Greater Nottingham Strategy Plan.

More recently, EM DevCo, with Areli, is undertaking work on STEP Fusion & Megawatt Valley visioning, funded by NCC, Bassetlaw and UKAEA. This is looking to develop a regional scale of ambition around the three former power station sites in North Nottinghamshire at West Burton, Cottam and High Marnham. This work is reporting into a Strategic Collaboration Group of key stakeholders. This should enable a sharing of good practice that links well to the redevelopment of Ratcliffe Power Station.

Generally, the programme summarised in this report, has provided the region with Development Corporation expertise, which successfully led to the inclusion of provisions for locally led urban development corporations (LLUDC) in the Levelling Up and Regeneration Act of October 2023. As mentioned earlier the LLUDC model was developed through the East Midlands programme and provided profile within Government.

Throughout the three-year period, the DevCo has developed important and strong relationships with a wide range of key stakeholders, including Government agencies, together with national, regional and local stakeholders and partners, helping to put the region on the map, more recently, this includes close working with the EMCCA.

In relation to Toton and Chetwynd, the DevCo commissioned much of the work underpinning the Toton & Chetwynd Barracks Strategic Masterplan SPD, Design Code Pathfinder, and Erewash Riverside Study which provide a basis for the next stages of planning and delivery.

In the above context the opportunities presented at the three initial sites which include Toton and Chetwynd Barracks continue to be well positioned for investment.

### **Moving Forward**

At the turn of the calendar year, the Board of Directors with the support of the Oversight Authority, embarked on a review of the future of the company. This was in recognition that the initial three-year duration of the interim vehicle ran to the end of March 2024. It was also in the context of the changing circumstances highlighted in this report. The Board recognise that the governance landscape is crowded and the DevCo's areas of interest spanning Nottinghamshire and Leicestershire potentially adding to the confusion. In this context it was agreed that the DevCo should explore the scope for closer alignment with EMCCA. Concurrently to enable this, the duration of the company's initial three-year interim period was extended to enable these discussions.

The outcome of the review is that, in the circumstances outlined above, the Board of Directors consider the time is right for the local authority members to take the necessary steps to close EM DevCo Ltd. This would be with a view to materials and activities created by, and on behalf of, DevCo being transferred to EMCCA as well as being available to the member authorities. The on-going use and management of information held will be subject to a 'statement of principles to be established between the five member local authorities. This provides that in situations where a member local authority intends to publish material, the other members are to be given notice. As part of any information sharing, and/or publication, it should be made clear whether the material reflects the adopted policies of the respective local authorities.

In summary, the work of EM Dev Co has naturally come to an end and a voluntary dissolution of the company is now considered to be in the best interests of the company.

### **Options**

The consideration of options would be dependent on additional sources of funding being available to sustain the company. There is no clear source of additional funding and the existing local authority members have made clear their desire to seek alignment with EMCCA. Given the wider context outlined in this report, the Board has not advocated an alternative funding solution and no viable alternative option been identified.



**4. Financial Implications**

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

There are no financial implications to consider for 2024/25 as the company is operating within its reserves generated from prior year contributions. The company's cash flow is being carefully managed by the Board of Directors to ensure it remains a going concern and that it can meet its commitments and liabilities, including the filing of annual accounts. Any surplus held upon dissolution of the company will be shared in accordance with the Members Agreement.

**5. Legal Implications**

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

EM Dev Co is solvent, and the Board is satisfied that it is in the best interests of the Company that it is dissolved given the natural conclusion of its activities and the creation of EMCCA.

The process to dissolve a company is a voluntary strike-off. Once the Company has been struck-off the Register of Companies it will cease to exist. The voluntary strike-off procedure is relatively quick and simple and is provided for under ss1003 to 1011 of the Companies Act 2006. The Board is satisfied that it has undertaken all necessary due diligence and that the application can be submitted and will be accepted by Companies House.

The decision to dissolve the Company is a matter to be ultimately determined by the Members of which this Council is one. This report seeks confirmation that consent can be given at the appropriate time to sign the consent and resolutions necessary to dissolve EM Dev Co.

Copies of all company records and business documentation is required to be retained for a period of 7 years after the company is successfully struck off and closed down with HMRC.

**6. Human Resources Implications**

No implications for Broxtowe Borough Council.

**7. Union Comments**

Not Applicable.

**8. Climate Change Implications**

There are no negative climate change implications arising from this report.

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. EMDevCO will reach agreement with its Constituent shareholders regarding the ownership and future treatment of any commercially sensitive information.

10. Equality Impact Assessment

Not Applicable.

11. Background Papers

Nil.

REFERENCE

## Report of the Portfolio Holder for Resources and Personnel Policy

### Quarterly Complaint Report

#### 1. Purpose of Report

To provide Members with a summary of complaints made against the Council.

#### 2. Recommendation

**Cabinet is asked to NOTE the report.**

#### 3. Detail

This report outlines the performance of the Council in dealing with complaints, including: at stage one those managed by the service areas, at Stage 2, those managed by the Complaints and Compliments Officer and at Stage 3 passed to the Local Government Ombudsman (LGO) or Housing Ombudsman (HO).

- **Appendix 1** provides a summary of the Council's internal complaints statistics.
- **Appendix 2** provides a summary of the complaints investigated by the Council formally under Stage 2 of the Council's formal complaint procedure.
- **Appendix 3** provides a summary of the complaints determined by the Ombudsman.

Overall, of the 107 Stage 1 complaints received, 22 were investigated under the Stage 2 complaints procedure and none were investigated by the LGO or HO. Under the Stage 2 complaints procedure, 13 complaints were not upheld, 9 complaints were upheld. Further details can be found in **Appendix 2**. The Ombudsman did not investigate any of the complaints made against the Council in quarter 1. Further details can be found in **Appendix 3**.

The new Housing Ombudsman's "Complaint Handling Code" became statutory on 1 April 2024, meaning that Landlords are now obliged by law to follow its requirements. Section 40 of the Social Housing (Regulation) Act 2023 introduces this statutory provision by amending Schedule 2 (2) (1) to the Housing Act 1996. A key change the Act introduced is to have scrutiny and oversight embedded in the process, this will be undertaken by the incorporation of a Member Responsible for Complaints (MRC). This being the Portfolio for Resources and Personnel Policy.

The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the Council's complaint handling performance. The Portfolio for Resources and Personnel Policy will have access to suitable information and staff to perform this role and report on their findings.

In addition to the Complaints Handling Code, it is important to note that the Council's approach to handling complaints is within the parameters of the following key pieces of legislation: Part III of the Local Government Act 1974 and Chapter 6 of the Localism Act 2011 (for Housing Services complaints).

4. Key Decision

Not applicable.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

The cost of compensation is charged either directly to the service or recognised in a central corporate budget. There are no additional financial implications associated with this report. Any significant additional budgets required, above virement limits, would require approval by Cabinet.

7. Legal Implications

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

The new Housing Ombudsman's "Complaint Handling Code" became statutory on 1 April 2024, meaning that Landlords are now obliged by law to follow its requirements. Section 40 of the Social Housing (Regulation) Act 2023 introduces this statutory provision by amending Schedule 2 (2) (1) to the Housing Act 1996. A key change the Act introduced is to have scrutiny and oversight embedded in the process, this will be done by the incorporation of a Member Responsible for Complaints (MRC).

The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the Council's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings. In addition to the Complaints Handling Code, it is important to note that the Council's approach to handling complaints is within the parameters of the following key pieces of legislation: Part III of the Local Government Act 1974 and Chapter 6 of the Localism Act 2011 (for Housing Services complaints).

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.

10. Climate Change Implications

The climate change comments were as follows:

Not applicable.

11. 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.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.

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## Appendix 1

**Summary of Complaints and Compliments  
1 April 2024 – 30 June 2024**

**Breakdown of complaints over the last 3 years (annual figure)**

Year	Stage 1	Stage 2	Ombudsman
2023/24	407	73	10
2022/23	302	72	13
2021/22	244	41	10

**Breakdown of number of complaints upheld (quarter 1 2024/25)**

Determination	Stage 1	Stage 2	Ombudsman
Upheld	47	9	0
Not Upheld	60	13	0

**Complaints received**

	Total	Chief Executive	Deputy Chief Executive	Executive Director	Monitoring Officer	LLeisure Ltd
Number of Stage One complaints	107	77	11	18	1	0
No. of complaints concluded under Stage Two	22	21	0	1	0	0
No. of complaints determined by the Ombudsman	0	0	0	0	0	0

The Council has registered a total of 107 stage one complaints in the first quarter. A total of 22 complaints have been concluded under stage two of the complaint procedure and no complaints have been determined by the Ombudsman. A further breakdown of departmental complaints by section is shown below.

**Breakdown of Complaints and Compliments by Department and Section****Chief Executive's Department**

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Development Control	8	5	0	0
Housing and Income	5	1	0	6
Housing Repairs	38	9	0	9
Housing Operations	20	4	0	23

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Housing Strategy	4	1	0	0
Communities	1	1	0	0
Environmental Health	1	0	0	1
<b>Total</b>	<b>77</b>	<b>21</b>	<b>0</b>	<b>39</b>

### Deputy Chief Executive's Department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Capital Works	6	0	0	1
Revenues	5	0	0	0
<b>Total</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>1</b>

### Executive Director's Department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Civic	0	0	0	1
Environment	2	0	0	2
Waste and Recycling	15	0	0	0
Bereavement Services	1	1	0	8
<b>Total</b>	<b>18</b>	<b>1</b>	<b>0</b>	<b>11</b>

### Monitoring Officer's Department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Democratic Services	1	0	0	1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>

### Liberty Leisure Ltd

Service Area	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Bramcote Leisure Centre	0	0	0	0
Chilwell Leisure Centre	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

The Business Development Manager of Liberty Leisure has confirmed that no formal complaints have been received and provided reassurance that only service requests and minor service issues have been identified that did not require escalation to a complaint.



**Stage 1 - Formal Complaints to the Service Department****Time taken to acknowledge receipt of stage one complaints:**

	Total	Chief Executive	Deputy Chief Executive	Executive Director	Monitoring Officer	Liberty Leisure Ltd
Time taken to acknowledge complaints – 1 to 5 days	107	77	11	18	1	0
Time taken to acknowledge complaints - more than 5 days	0	0	0	0	0	0

**Time taken to respond to stage one complaints:**

	Total	Chief Executives	Deputy Chief Executive	Executive Director	Monitoring Officer	Liberty Leisure Ltd
Less than 10 working days	102	72	11	18	1	0
Over 10 working days	5	5	0	0	0	0

The following tables highlight the service areas that failed to respond to complaints within the target time in the first quarter, and the number of complaints where the target date was extended.

It should be noted that there has been a reduction in complaints being concluded outside of 10 working days.

Five complaints fell outside of the 10 working day due to Officer leave. The complaints were not correctly re-assigned to an appropriate Officer to deal with during the absence.

The Complaints Team continues to monitor the performance of the Housing Repair complaints to ensure that they continue to be dealt with in line with the complaints procedure.

The Housing Repairs Team has been reminded by the Complaints Team of the need to contact complainants where the initial deadlines cannot be met. Furthermore, the Housing Repairs Team has been provided a reminder to respond to the complainant with the full response or to agree an extension with the Complaints Team when the 10 working day deadline cannot be met. Where issues have been identified, such as Housing Repairs, the

Complaints Team works with the Head of Service to implement improvements in areas that are required. This is further reviewed by the Housing Improvement Board (HIB). The role of the HIB is to ensure that the Housing stock and practises are fit for purpose. The Complaints Team reports to the HIB on its findings regarding complaints and the learning outcomes that have been and require implementation.

Directorate / Section	Chief Executive	
	Number responded to outside of 10 working days	Number of complaints where an was extension sort
Housing Repairs	5	5
<b>TOTAL</b>	<b>5</b>	<b>5</b>

## Appendix 2

**Stage 2 - Formal Complaints**

A total of 22 formal complaints have been responded to in the first quarter; all of which were acknowledged within the five working day timescale. The complainant was notified that the initial 20 working day deadline could not be met. An extension was required to a stage 2 complaint due to conflicting information and records on the Housing Repairs system.

Reasons for the delays include:

- Further information being required from the complainant.
- Further information being required from the department complained about.
- Complexity of the complaint including in-depth research required.
- Resource issues.

**Time taken to respond to stage two complaints:**

	Total	Chief Executives	Deputy Chief Executive	Executive Director	Monitoring Officer	Liberty Leisure Ltd
Less than 20 working days	21	20	0	1	0	0
Over 20 working days	1	1	0	0	0	0

**1. Complaint against Planning**

Response – 20 working days

**Complaint not upheld**Complaint

The complainant contacted the Council and complained that there had been a lack of action to undertaken enforcement measure against a neighbouring property.

Council's response

The Council had actively investigated the issues that had been raised and had provided the complainant with the correct advice.

As the development the complainant had raised the enforcement issue against does not have enforceable conditions attached to it, the Council was unable to take action.

Furthermore, the Environmental Health Team had been in regular contact with the complainant regarding the noise issues and had provided the correct advice by requesting that diary sheets were filled in and returned in order to monitor the noise. As the

complainant did not provide the diary sheets, the Environmental Health Team was unable to take any further action.

### Head of Service Comments

The Council correctly investigated the reported breach of planning conditions.

## **2. Complaint against Housing Repairs**

Response – 20 working days

### **Complaint upheld**

#### Complaint

The complainant contacted the Council and stated that there had been a lack of action to remove damp and mould from their property.

#### Council's response

There had been unreasonable delays in the Housing Repairs Team logging and completing the necessary works and keeping the complainant updated.

These delays occurred due to the Council not attending an inspection/or recording the result of the inspection. Due to the Council records being incomplete, this resulted in the Council delaying the works necessary to remove the damp and mould.

Furthermore, the Housing Repairs Team delayed procuring a contractor to repair the bathroom leak that may have been contributing the damp and mould at the property. Part of these works were to apply anti-fungal mould wash that were also delayed.

This delay occurred due the Housing Repairs Team not approving the quote for the works in a timely manner. This further delayed the repairs to the property.

This resulted in a six-month delay in the Council initially undertaking the repairs to the bath and mould treatment.

The complainant was offered £2,000 compensation. This was broken down in to:

- £500 for the delays and inconvenience caused by the repairs not being booked in a timely manner in the first instance.
- £500 compensation for the distress and/or hardship caused by the poor communication provided by the Housing Repairs Team and for the delays that occurred in repairs being booked.
- £1,000 toward the items that have been damaged by the damp and mould.

### Head of Service Comments

The Council recognises the inconvenience caused by agreeing to undertake the works and then delaying them. The Housing Repairs Team has been reminded of their responsibility in booking works in a timely manner.

### Complaint Team Recommendations/actions

- The responsibility to effectively communicate with tenants/complainants, especially where delays were anticipated or had occurred.
- To accurately log necessary works in a reasonable period and to prioritise repairs where necessary.
- To monitor all works to ensure that they completed in a reasonable timeframe whether being completed by the Council or referred to Contractors.
- To keep the tenant/complainant updated of any issue that would delay the completion of the works.
- Additional training was provided to the Housing Department in March 2024 regarding record keeping, complaint handling and monitoring the outcome of complaints. The Housing Repairs Team was required to actively monitor any repairs scheduled as part of complaints to ensure their completion following this training.
- The Housing Department had undertaken a self-assessment against the Housing Ombudsman's Record Keeping Guidance. The Council had implemented actions to ensure that records are regularly monitored and updated.
- The Housing Repairs Team had since updated their process for logging repairs. This includes, giving Housing Repairs Inspectors allocated times for logging works to ensure that these are done promptly.

### **3. Complaint against Planning**

Response – 20 working days

**Complaint not upheld**

#### Complaint

The complainant contacted the Council and stated that there had been a lack of action to undertaken enforcement measures against a neighbouring property.

#### Council's response

The Council had actively investigated the issues raised and had provided the correct advice. The Council had determined that no further action was required as the development would likely have been approved if the correct application had been submitted. Furthermore, it was determined that the structure did not affect the complainant's amenity and the complainant's local Councillors did not wish to pursue this matter following consultation.

The Council had taken the correct action while investigating this issue.

#### Head of Service Comments

The Council correctly investigated the reported breach of planning conditions.

#### **4. Complaint against Housing Repairs**

Response – 20 working days

#### **Complaint upheld**

##### Complaint

The complainant contacted the Council and complained that there had been a lack of action to repair a storage heater at their property and to make secure a roof that was letting pests in. This took place during the complainant's pregnancy.

##### Council's response

There had been unreasonable delays in the Housing Repairs Team logging and completing the necessary works and keeping the complainant updated.

These delays occurred due to the Council not correctly logging and undertaking the repairs. This was further exacerbated by the Housing Repairs Team not following up on the completion of these repairs following their logging and cancelling them incorrectly.

Furthermore, when the repair was initially undertaken, the Housing Repairs Team did not have the correct part which further delayed the repair to the heater.

While the heater in the hallway had failed, the heating for the rest of the property was functioning correctly.

The Council recognises that the complainant had experienced an issue with pests at the property due to the coving not being sealed correctly. The Council attended to this issue when reported but it was recognised that this has caused further distress.

The complainant was offered £1,180 compensation. This was broken down in to:

- £500 for the inconvenience, delays, distress and/or hardship caused by Council delaying the repair of the heater in the winter months and during the complainant's pregnancy.
- £500 compensation is for the inconvenience, distress and/or hardship caused by the poor communication provided by the Housing Repairs Team.
- £180 for a pest control service.

##### Head of Service Comments

The Council recognised the inconvenience caused by agreeing to undertake the works and then delaying them. The Housing Repairs Team was reminded of its responsibility in booking works in a timely manner.

##### Complaint Team Recommendations/actions

- To monitor all works to ensure that they were completed in a reasonable timeframe whether being completed by the Council or referred to contractors.

- To keep the tenant/complainant updated of any issue that would delay the completion of the works.
- Additional training was provided to the Housing Department in March 2024 regarding record keeping, complaint handling and monitoring the outcome of complaints. The Housing Repairs Team is required to actively monitor any repairs scheduled as part of complaints to ensure their completion following this training.
- The Housing Department has undertaken a self-assessment against the Housing Ombudsman's Record Keeping Guidance. The Council has implemented actions to ensure that records are regularly monitored and updated.
- The Housing Repairs Team has changed the process for how jobs are abandoned on the logging system to ensure that repairs are being abandoned correctly and not in error. This involves checking the repairs to ensure that the appropriate action has been undertaken before it is closed.

## **5. Complaint against Housing Repairs**

Response – 20 working days

**Complaint not upheld**

### Complaint

The complainant contacted the Council and stated that there had been delays in the Council repairing the floor at their property. Due to the extensive works, temporary accommodation was offered to the complainant. The temporary accommodation offered to the complainant was poor due to other guests staying at the location.

### Council's response

The Housing Repairs Team undertook the appropriate action to repair the flooring and sourcing an alternative accommodation while the repairs took place.

In recognition of the complainant's items being removed from the lounge to the bedroom to facilitate the repair, the Council sourced the complainant alternative accommodation.

The Council expressed sympathy that the complainant did not feel comfortable at the temporary accommodation. However, there was no information to suggest that the Council acted inappropriately when sourcing this accommodation.

Furthermore, the Council undertook the repairs to the floor in a timely manner with works commencing on 2 April 2024 and being fully completed on 4 April 2024.

### Head of Service Comments

The Council had taken the appropriate action by inspecting and advising the complainant in a timely manner.

## **6. Complaint against Housing Repairs**

Response – 20 working days

**Complaint upheld**

### Complaint

The complainant contacted the Council and stated that there had been difficulties in contacting the Out of Hours' Service and operatives did not wear overshoes when entering their property.

### Council's response

There were was an issue with the complainant contacting the Out of Hours Service in the first instance and the Out of Hours operative who initially attended the property did not have overshoes. As the operative did not have overshoes, the complainant did not let them into the house and this caused an initial delay in the boiler being repaired.

The Council completed the repairs to the boiler when they were reported and the correct action was undertaken in undertaking surveys to determine the fault. Each repair was completed over bank holiday periods without the need for the complainant to wait until normal office hours to receive the service. However, a delay occurred when the Out of Hours operative did not check the condensate pipe in the first instance. This was identified in follow up visit and was repaired.

A technical issue arose which meant that the calls were not being correctly transferred to the Out of Hours Service. The Council is continuing to monitor this to ensure that the systems are working as intended.

The complainant was offered £250 compensation. This was due to the inconvenience, delays, distress and hardship caused by Council delaying the repair in the first instance due to the fault in the telephone service and for the operative not having overshoes.

### Head of Service Comments

The Council recognises the inconvenience caused the technical difficult in reporting the repair in the first instance and for the operative not having overshoes.

### Complaint Team Recommendations/actions

- Ensure the Housing Repairs Team and Out of Hours operatives are reviewing the condensate pipes in the first instance to ensure this is not the cause of the fault when attending to boiler repairs.
- Monitor the Out of Hours Service phone lines to ensure these are working correctly. This is being monitored by the Council's Tenant Panel and by the Housing Repairs Team.
- Remind the Out of Hours operatives to always carry overshoes with them and not to be taking shoes off during repairs.
- Remind the Out of Hours Service to correctly manage the expectations of individuals.

## **7. Complaint against Housing Operations**

Response – 20 working days

**Complaint not upheld**



### Complaint

The complainant contacted the Council and stated that their neighbour had stolen part of their garden and the Council was not assisting in rectifying the issue.

### Council's response

The Council had informed the complainant of which garden was allocated to their property in 2020. The entirety of the rear garden had been sold to the leaseholder in 2003 under the Right to Buy scheme. Therefore, this garden no longer belonged to the Council.

While the complainant had been granted access to the rear garden by the owner, this access has been removed.

The Council was unable to grant access to this garden as it no longer belonged to the Council and is owned legally by their neighbour.

The complainant had been informed of this and that the Council cannot return part of the rear garden.

### Head of Service Comments

The Council had undertaken the correct action by providing the complainant the details of which garden belonged to them.

## **8. Complaint against Housing Income**

Response – 20 working days

### **Complaint upheld**

### Complaint

The complainant contacted the Council and stated that the Housing Income mistakenly sent a text message intended for them to their neighbour.

### Council's response

The Housing Income Team incorrectly sent a text message that was intended for the complainant to their neighbour. The text message requested that the complainant contact the Housing Income Team and did not disclose any further information.

While the text message did not disclose any personal details to the neighbour the Council recognises that this had caused distress.

### Head of Service Comments

It was recognised that the text message was incorrectly sent. A reminder of the importance of data protection was provided to the Housing Income Team.

## **9. Complaint against Housing Repairs**

Response – 20 working days

### **Complaint upheld**

#### Complaint

The complainant contacted the Council and stated that there were delays in repairing the guttering at their aunt's property despite being reported on several occasions.

#### Council's response

There had been unreasonable delays in the Housing Repairs Team identifying the necessary repairs in the guttering at the complainant's aunt's property.

While the Housing Repairs Team had attended the aunt's property in a timely manner and undertook works to remove blockages from the guttering, there was a failure to identify that the guttering required repairing to fix the leak on a permanent basis.

This resulted in the Council not permanently repairing the gutter for two years and caused an issue with damp and mould at the property.

The complainant and their aunt were offered £250 and £1,945 compensation. This was broken down in to:

- £250 compensation is for the inconvenience, distress and/or hardship caused by the poor communication provided by the Housing Repairs Team and for the complainant having to repeatedly register the repair to the guttering on behalf of their aunt.
- £1,695 for the replacement of the decorating and carpet that have become damaged by the leak.
- £250 compensation for the inconvenience, delays, distress and/or hardship caused by Council not identifying the leak and permanent repair to the guttering in the first instance.

#### Head of Service Comments

The Council recognised the inconvenience caused by agreeing to undertake the works and then delaying them. The Housing Repairs Team was reminded of their responsibility in booking works in a timely manner.

#### Complaint Team Recommendations/actions

- Ensure that all repairs are fully investigated to ensure they are fully completed in the first instance.
- Ensure that tenants and their representatives are provided updates and communication in a timely manner and as requested.
- Specific training relating to complaint remedies and compensation was provided to all complaint handlers at the Council on 31 January 2024 and 7 February 2024.

## **10. Complaint against Housing Repairs**

Response – 20 working days

**Complaint upheld**

### Complaint

The complainant contacted the Council and stated that there were delays in repairing a back door at their property.

### Council's response

There had been unreasonable delays in the Council repairing the back door of the property and not providing communication to ensure that the complainant was informed of the repairs progress.

These delays occurred due to a contractor not returning to the property following the initial visit and not providing an update to the issue in acquiring the necessary parts to complete the works.

The Council failed to monitor the progress of the repair and only picked this up following the registration of the stage 1 complaint.

The complainant was offered £250 compensation. This was broken down in to:

- £150 compensation is for the inconvenience, distress and/or hardship caused by the delays in the repair being undertaken and in recognition of the added inconvenience of not having access to the back door.
- £100 is for the inconvenience, delays, distress and/or hardship caused by Council not effectively communicating with you regarding the repairs and their progress.

### Head of Service Comments

The Council recognised the inconvenience caused by agreeing to undertake the works and then delaying them. The Housing Repairs Team was reminded of their responsibility in booking works in a timely manner.

### Complaint Team Recommendations/actions

- Ensure that all repairs are fully monitored through to completion.
- Ensure that tenants and their representatives are provided updates and communication in a timely manner, especially where delays are expected to occur.

## **11. Complaint against Housing Repairs**

Response – 30 working days

**Complaint upheld**

### Complaint

The complainant contacted the Council and stated that there were delays in the Council removing damp and mould at their property and not correctly replacing skirting board.

### Council's response

As the Council's records did not indicate that the full replacement of skirting board had been completed and that it had been reported that the original skirting board had been used again, the complaint was upheld. The Housing Repairs Team attended the property to undertake the full replacement of the skirting boards as per the original works quoted.

There was no information to suggest that the Council had acted inappropriately when dealing with the mould in the upstairs areas of the property. The Council had attended the property in a timely manner and determined that mould washes and repairing the bathroom walls are appropriate. In this instance, the Council had determined that while the moisture in the bathroom was caused by atmospheric condensation and it would be beneficial to replace the plasterboard with a thermal plasterboard to help reduce the moisture. The quote to undertake this work had been approved and the Council was due to make the necessary arrangements to complete the repairs.

### Head of Service Comments

The Council recognised the inconvenience caused by not undertaking the full repair as originally quoted. The Housing Repairs Team attended the property to ensure that this was done correctly.

### Complaint Team Recommendations/actions

- An instruction has been issued to monitor all works to ensure that they are completed in a reasonable timeframe whether being completed by the Council or referred to our Contractors.
- An instruction has been issued to record completion of works and ensure that they are completed as exactly as required.

## **12. Complaint against Housing Operations**

Response – 20 working days

**Complaint not upheld**

### Complaint

The complainant contacted the Council and stated that there were delays in the Council offering the complainant a property and not progressing the adaptation of the property offered.

### Council's response

The Council processed the application on the housing register correctly and banded the complainant accordingly at band 1, high priority. However, the type of property required as recommended by their Occupational Therapist and within their chosen location were limited in number and currently were unavailable due to being occupied.

The Council was obligated to act upon the information provided by Occupational Therapists and therefore the Council was unable to offer alternative properties outside of that recommendation.

Furthermore, the Council correctly processed the application for adaptations. The delay occurred due to the requested information not being supplied by the complainant in a timely manner. The Council made regular contact with the complainant to provide updates and request the outstanding information.

#### Head of Service Comments

The Council was required to follow process defined by the Allocations Policy. This ensures fair treatment of all tenants.

### **13. Complaint against Bereavement Services**

Response – 20 working days

**Complaint not upheld**

#### Complaint

The complainant contacted the Council and complained that the Bereavement Team advised that a dog could attend an ash scattering services. However, when attending the dog was refused access the gardens where the ashes were scattered.

#### Council's response

The Council had correctly informed the complainant that dogs were not permitted into the area where ashes are scattered. This in accordance with the policy and procedures of the Crematorium. Furthermore, there was no information to suggest that prior notification was provided to the Crematorium Team that a dog was attending.

The complainant's correspondence and booking of the ash scattering service was undertaken through a funeral director. No direct correspondence had occurred between the complainant and the Bereavement Team.

As part of the complaint, the Council had reminded all funeral directors that use the Council's Services that dogs were not permitted to attend ash scattering services.

#### Head of Service Comments

The Council was required to follow process defined by the Crematorium's policies and procedures. This ensured fair treatment of all users.

### **14. Complaint against Housing Operations**

Response – 20 working days

**Complaint not upheld**

#### Complaint

The complainant contacted the Council and stated that the Housing Operations Team caused them distress when requesting that they vacate temporary accommodation

provided during their homeless application. The Housing Operations had not considered their mental health when undertaking this action.

### Council's response

The Council had assisted the complainant through the homelessness process by arranging temporary accommodation earlier than normal to assist with their mental health and the issues they were experiencing with their private rented accommodation.

The Council further supported the complainant through the period of them not vacating the temporary accommodation when requested. The Housing Options Team visited and met with the complainant on multiple occasions to explain the process and consequences of not leaving the property. Furthermore, the Council had worked with and signposted the complainant to support networks, such as Citizens Advice, to assist with their homelessness case.

### Head of Service Comments

The Council was required to follow process defined by the Allocations Policy. This ensured fair treatment of all tenants.

## **15. Complaint against Housing Repairs**

Response – 20 working days

### **Complaint upheld**

### Complaint

The complainant contacted the Council and complained that the Housing Repairs Team had not repaired an issue with a hot water cylinder which resulted in the property only having 10 minutes of hot water at a time.

### Council's response

The Housing Repairs Team had attended the property on each occasion the complainant had reported that they were unable to access hot water after 9/10 minutes of use. The Council had been unable to locate any faults with the hot water cylinder. The hot water cylinder only provides hot water for 9/10 minutes before it is required to re-charge the element that provides hot water.

The Housing Repairs Team had confirmed that this was working correctly.

While the Council was unable to locate any information to suggest that the hot water cylinder was not working correctly, the Council recognised that its record keeping and communication were not to a satisfactory standard.

The complainant and their aunt were offered £250 compensation for the inconvenience, distress and/or hardship caused by the lack of record keeping, the failure to return a telephone call and that advice/explanation surrounding the use of the hot water cylinder not being clear.

Head of Service Comments

While the correct action had taken place regarding the inspection of the hot water cylinder, the record keeping and communication surrounding the work and operation of the water cylinder could have been better as to not increase the complainant's distress.

Complaint Team Recommendations/actions

- An instruction has been issued that all records are to be correctly recorded and updated so repairs can be investigated fully and promptly.
- An instruction has been issued that all communication and telephone calls are to be undertaken promptly to avoid confusion or distress.
- An instruction has been issued that advice provided regarding the use of the hot water cylinder is clear and consistent.

**16. Complaint against Housing Operations**

Response – 20 working days

**Complaint not upheld**

Complaint

The complainant contacted the Council and stated that the Council had not adequately dealt with an issue of dog fouling and unsupervised dogs in a communal area.

Council's response

The Council had actively investigated the concerns raised regarding the dog fouling and unsupervised dogs in the communal area.

The Council was required to work with the complainant's neighbour to ensure that the situation was resolved. The Council would not look to tenancy enforcement in the first instance but would look to assist and educate the complainant's neighbour regarding the concerns that have been raised.

The Council continued to do this through the Housing and Dog Warden Teams and improvements were currently being made.

Head of Service Comments

The Housing Operations Team was required to thoroughly investigate concerns regarding ASB to ensure any actions are appropriate and proportionate.

**17. Complaint against Housing Operations**

Response – 20 working days

**Complaint not upheld**

Complaint

The complainant contacted the Council and stated that the Council had not adequately dealt with an issue of cars being sold at a property and lack of action to cut an overgrown hedge.

Council's response

The Council had actively investigated the concerns raised regarding the sale of cars and the overgrown hedge.

On this occasion, the evidence submitted to support the concerns was not sufficient for the Council to demonstrate a breach of tenancy. The Council had promptly informed the complainant of this.

Action was undertaken to ensure that the overgrown hedge was cut in a timely manner.

Head of Service Comments

The Housing Operations Team was required to thoroughly investigate concerns regarding ASB to ensure any actions were appropriate and proportionate.

**18. Complaint against Planning**

Response – 20 working days

**Complaint not upheld**

Complaint

The complainant contacted the Council and complained that the Council had altered a planning method statement resulting in the change of delivery times permitted at a development site.

Council's response

There was no information to suggest that the Council had altered the planning method statement. The revised statement had been provided by the applicant with the revised wording. The Planning Team had considered this application and statement and had concluded with their professional judgement that the statement was acceptable. The wording was created or changed by the Council.

Head of Service Comments

The Planning Team appropriately considered the revised statement. These statements were not altered by the Planning Team but are considered when they are submitted by an applicant.

**19. Complaint against Communities**

Response – 20 working days

**Complaint not upheld**



### Complaint

The complainant contacted the Council and stated that the Senior Communities Officer had spoken disrespectfully to their daughter when issuing a Community Protection Warning by using the phrase “how would you feel”.

### Council’s response

There was no information to suggest that the Senior Communities Officer acted inappropriately or unprofessionally during a visit to issue a Community Protection Warning.

Furthermore, Nottinghamshire Police, who also attended the visit had confirmed that they did not witness any inappropriate behaviour by the Senior Communities Officer nor that the phrase “how would you feel” was used.

### Head of Service Comments

The Senior Communities Officer acted professionally and appropriately during the visit to issue the Community Protection Warning.

## **20. Complaint against Planning**

Response – 20 working days

**Complaint not upheld**

### Complaint

The complainant contacted the Council and stated that the Planning Team had failed to achieve full compliance with regards to conditions 7, 8 and 12 prior to the sale and occupation of the dwellings.

### Council’s response

The responsibility for the discharge of the planning conditions rests with the developer. It was the responsibility of the Council to undertake action to ensure compliance with these conditions. On this occasion, the Council was undertaking works to ensure the developers complied with these conditions through the Planning Enforcement Team.

The exact nature of the works could not be confirmed to the complainant as there was potential for this information to be used as part of a legal case.

### Head of Service Comments

The Planning Enforcement Team had correctly started the investigation into the failure to achieve compliance into the conditions when this was reported. This issue required thorough investigation and the details cannot be confirmed due their legal nature.

## **21. Complaint against Housing Repairs**

Response – 20 working days

**Complaint upheld**

### Complaint

The complainant contacted the Council and stated that the Housing Repairs Team had not undertaken the appropriate repairs to their property before the commencement of their tenancy.

### Council's response

There had been unreasonable delays in the Housing Repairs Team undertaking and completing the necessary works and keeping the complainant updated.

These delays had occurred due to the Council not progressing the works or monitoring their completion to ensure that they were undertaken in a timely manner. Furthermore, works that should have been identified and undertaken were only raised when a complaint was made to the Council.

This was further exacerbated by the Housing Repairs Team not following up on the completion of these repairs despite them being registered as part of the complaint made to the Council. While the Housing Repairs Team had acknowledged and logged the repairs, these were not monitored to ensure their completion.

While the works would not have stopped the complainant moving into the property, the Council recognised that due to the extent of works, further consideration should have been given as whether the property was ready to let.

The complainant was offered £1,500 compensation. This was broken down in to:

- £1,000 for the inconvenience, delays, distress and/or hardship caused in the works being undertaken despite being investigated as an official complaint.
- £500 compensation is for the inconvenience, distress and/or hardship caused by the poor communication provided by the Housing Repairs Team.

### Head of Service Comments

The Council recognised the inconvenience caused by agreeing to undertake the works and then delaying them. The Housing Repairs Team had been reminded of their responsibility in booking works in a timely manner.

### Complaint Team Recommendations/actions

- The responsibility to appropriately communicate with tenants/complainants.
- To accurately log necessary works in a reasonable period and to prioritise repairs where necessary.
- To monitor all works to ensure that they were completed in a reasonable timeframe whether being completed by the Council or referred to contractors.
- To keep the tenant/complainant updated of any issues that would delay the completion of the works.
- To action and monitor complaints, within agreed timeframes until they were satisfactorily concluded.

- The Housing Letting Team have been advised to thoroughly check before releasing a property that it is in a condition to be let or if works are required that this is properly communicated and works are addressed in a timely manner.
- Additional training was provided to the Housing Department in March 2024 regarding record keeping, complaint handling and monitoring the outcome of complaints. The Housing Repairs Team was required to actively monitor any repairs scheduled as part of complaints to ensure their completion following this training.
- The Housing Department has undertaken a self-assessment against the Housing Ombudsman's Record Keeping Guidance. The Council has implemented actions to ensure that records are regularly monitored and updated.

## **22. Complaint against Planning**

Response – 20 working days

**Complaint not upheld**

### Complaint

The complainant contacted the Council and stated that the Planning Team had failed to make reasonable adjustments toward their neuro divergence and deliberately delayed issuing responses toward their enquiries.

### Council's response

The Council had provided detailed explanations, as requested, as part of the complainant's neuro divergence. The correspondence had been polite and factual and adjustments were made when notification was provided to the Council regarding the neuro divergence.

There was no information to suggest that the Council had purposefully delayed any of the correspondence being sent. All correspondence was issued within one to two days.

### Head of Service Comments

The Planning Team had correctly made adjustments to support the complainant's neuro divergence upon being alerted to this. All correspondence was issued in a timely manner.

**Appendix 3**

**Stage 3 – Complaints to the local government ombudsman/housing ombudsman**

No complaints against the Council have been determined by the Local Government/Housing Ombudsman in the first quarter.

## Report of the Portfolio Holder for Resources and Personnel Policy

### Capital Programme – Budget Variations 2024/25

#### 1. Purpose of Report

To approve a number of necessary budget revisions to the Capital Programme for 2024/25.

#### 2. Recommendation

**Cabinet is asked to RESOLVE that the capital budget variations for 2024/25, as set out in the appendix, be approved.**

#### 3. Detail

The latest Capital Programme for 2024/25 to 2026/27 was approved by Council on 6 March 2024 following recommendations by Cabinet on 6 February 2024. The total value of the original Capital Programme for 2024/25 was £38.2m (£34.1m excluding 'reserve items'). A number of new capital schemes and variations to the Capital Programme have since been approved by Cabinet.

A number of capital schemes require re-profiling of the budgets to more accurately reflect delivery expectations in the current financial year. In all cases the capital financing will not be adversely affected, with schemes either being funded by capital grants or through previously agreed prudential borrowing which will now be moved back into later periods to match spends.

These schemes include the Disabled Facilities Grants, Housing Capital Works, elements of the Housing Delivery Programme and Economic Regeneration Projects (including Kimberley Means Business and UK Shared Prosperity Fund). These are set out in the **Appendix** including the amendments identified in the current Capital Programme together with likely financing which will be confirmed at the end of the financial year.

Any further changes to the Capital Programme will be reported to Cabinet as necessary for approval.

#### 4. Key Decision

This report a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it results in in the Council incurring revenue or capital expenditure or savings of £250,000 or more and is significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

The financial implications are included in the report narrative and appendix.

7. Legal Implications

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

There are no direct legal implications that arise from this report.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The Council's response to Climate Change is a key consideration as part of the budget setting process.

11. 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.

12. Equality Impact Assessment

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

13. Background Papers

Nil.

## Appendix

**Capital Programme 2024/25 – Proposed Capital Budget Changes**1. Disabled Facilities Grants and Warm Homes on Prescription

The approved Capital Programme for 2024/25 includes an £800,000 budget for Disabled Facilities Grants (DFG), including the Warm Homes on Prescription scheme (WHOP). This scheme provides grants to improve facilities for disabled people living in private sector dwellings. The budget is financed by Nottinghamshire County Council through the Better Care Fund (BCF). A further £624,600 (DFG) and £53,900 (WHOP) was approved for carry forward from unspent budgets in 2023/24.

The Council has since received confirmation of the DFG budget for 2024/25. An allocation from the BCF of £1,073,265 is expected (less £114,713 retained by NCC as the Council's contribution to the handyman scheme managed by the County on behalf of all Nottinghamshire districts). The finalised budget brought forward from 2023/24 is £685,925. This gives a total net budget of £1,644,500, with the proposed split of £1,544,500 for DFG and £100,000 for WHOP. The additional £166,000 will be recognised in the Capital Programme and be fully funded by capital grants (BCF).

<b>DFG Schemes</b>	<b>Approved Budget 2024/25 £</b>	<b>Budget Brought Forward £</b>	<b>Total Budget 2024/25 £</b>	<b>Revised Budget 2024/25 £</b>
Disabled Facilities Grants	800,000	624,600	1,424,600	<b>1,544,500</b>
Warm Homes on Prescription	-	53,900	53,900	<b>100,000</b>

2. Housing Capital Works

The approved Capital Programme for 2024/25 includes a budget of £316,600 for window and door replacement. This budget is currently forecast to be overspent by at least £16,000 based on works already commissioned. In addition, it is anticipated that emergency works to doors will be required, for example when the emergency services are required to make a forced entry into a property, which will further increase this overspend.

Conversely, the budget for heating replacement and energy efficiency works at £2,536,700 is forecast to be significantly underspent based upon current activity with an indicative total spend of around £1.5m in 2024/25.

Accordingly, it is proposed to transfer £200,000 between these budgets to fund the anticipated overspend on Window and Door Replacement. These schemes are funded by a mixture of contributions from the Major Repairs Reserve and prudential borrowing.

<b>Housing Capital Works Schemes</b>	<b>Approved Budget 2024/25 £</b>	<b>Budget Brought Forward £</b>	<b>Total Budget 2024/25 £</b>	<b>Revised Budget 2024/25 £</b>
Heating Replacement and Energy Efficiency Works	1,940,000	596,700	2,536,700	<b>2,336,700</b>
Window and Door Replacement	300,000	18,600	318,600	<b>518,600</b>

### 3. Housing Delivery Programme

The nature of the housing delivery programme means that the delivery of some new build schemes can slip, often beyond the control of the Council and its contracted partners.

Where the scheme budgets are unlikely to be fully utilised in 2024/25, it is proposed that a proportion of the budgets is rolled forward into future years to reflect updated delivery profiles for the schemes. The profiling of these budgets in future years will be considered as part of the budget setting process for 2025/26, although at this stage the overall cost of the individual schemes remains the same as approved.

The following variations will be made to the 2024/25 capital budget for the new build schemes below:

- Chilwell and Watnall former garage sites – Total budget £3.95m; completion anticipated for July 2025; roll forward £500k into 2025/26.
- Felton Close, Selside Court and Gayrigg Court – Total budget £3.2m; now on-site and expected to be completed by July 2025; roll forward £1.0m into 2025/26.
- Chilton Drive and Spring Close – Total budget £1.4m; price to be confirmed with developer, although anticipated to be in line with budget; start on-site in January 2025; roll forward £700k into 2025/26.
- Land at Bramcote Crematorium – Total budget £9.37m; contracts due to be exchanged in October; payment structure agreed starting in Q4; only require up to £1.0m in 2024/25, so roll forward £3.7m into 2025/26.

These schemes are being financed from a mixture of housing capital receipts, Section 106 contributions, capital grants and prudential borrowing.

Finally, the capital budget for 'New Build Housing Feasibility Costs' has risen as a result of accumulated budgets underspends being brought forward from earlier years. This has seen the budget increase from £300,000 to almost £919,000 in 2024/25. It is proposed to reduce this back to the original budget.



<b>Housing Delivery Programme Schemes</b>	<b>Approved Budget 2024/25 £</b>	<b>Budget Brought Forward £</b>	<b>Total Budget 2024/25 £</b>	<b>Revised Budget 2024/25 £</b>
New Build – Chilwell and Watnall Garage Sites	2,790,000	1,158,500	3,948,500	<b>3,448,500</b>
New Build - Felton Close Selside Court, Gayrigg Court	1,000,000	2,200,000	3,200,000	<b>2,200,000</b>
New Build - Chilton Drive and Spring Close	800,000	600,000	1,400,000	<b>700,000</b>
New Build - Land at Bramcote Crematorium	2,500,000	2,272,700	4,772,700	<b>1,072,700</b>
New Build - Housing Feasibility Costs	300,000	613,800	913,800	<b>300,000</b>

#### 4. Economic Regeneration – Kimberley Means Business

A total budget of £16.5m for Kimberley Means Business has been included in the Capital Programme, originally spread across the 2023/24 and 2024/25 financial years, to be fully funded by capital grants (LUF). The current year budget of £15.614m includes a carry forward of £3.748m of the underspent budget from the previous year.

The government has released £5.269m in grant funding for the project to date. MHCLG recently announced that the next round of central monitoring reports would be delayed until after the Chancellor of the Exchequer's autumn budget in late October. This means that the next release of grant from the government will also be delayed until February or March 2025.

As such, there is an opportunity to re-profile the budget to recognise that not all of the project will be delivered in this financial year. Following discussion with the Economic Regeneration team, it is considered prudent to deliver the project within the limits of the grants received to date. In order to mitigate any budget risks on the upside, it is also proposed to include half of the anticipated spend in the first quarter of 2025/26 as a 'contingency' in the current financial year, particularly if there is positive news from the autumn budget.

It is therefore proposed to roll forward £8.3m of the current Kimberley Means Business budget into the 2025/26 Capital Programme. The updated 2024/25 capital programme will be as follows:

<b>Kimberley Means Business Schemes</b>	<b>Approved Budget 2024/25 £</b>	<b>Budget Brought Forward £</b>	<b>Total Budget 2024/25 £</b>	<b>Revised Budget 2024/25 £</b>
Overall Total	11,866,000	3,748,100	15,614,100	<b>7,314,100</b>

For information, the total scheme budget of £16.539m has been allocated to the various schemes relating to the Bennerley Viaduct Project (£1.984m); Cycle Routes (£3.330m); Industrial Units (£5.534m); New Sports Facility (£749k); Business Grants (£695k); Kimberley Illuminations (£469k); Kimberley Hub (£3.577m) and Programme Management (RDEL) (£201k).

#### 5. Economic Regeneration – UK Shared Prosperity Fund

The Council will receive an overall allocation of £2.605m in revenue, capital and capacity funding from the UK Shared Prosperity Fund (UKSPF) for the three financial years 2022/23 to 2024/25. The final year funding of £1,643,526 has been received for 2024/25. This funding includes a 4% maximum allocation for administrative purposes (circa £65,750) with a 20% minimum spend as capital.

Given the timing of the confirmation of the grant award, only £200,000 of the total UKSPF budget for 2024/25 was recognised in the Capital Programme, with the balance of £1,443m being included in the revenue budget.

There is now an opportunity to amend the budgets in order to recognise the progress that has been made with these schemes. The revised budgets are shown in the table below following discussions with the Economic Regeneration team. The combined capital and revenue budget in 2023/24 remains at £1,643,526 (excluding underspent budgets brought forward from earlier years) being fully funded by UKSPF grants. The planned spends are fully grant funded so the net impact on the Council's budget is nil.

The revised capital budget of £997,000 has been allocated across various schemes within 'Community and Places' (£517k), 'People and Skills' (£12k) and 'Business Support' (£468k).

<b>UKSPF Schemes</b>	<b>Approved Budget 2024/25 £</b>	<b>Budget Brought Forward £</b>	<b>Total Budget 2024/25 £</b>	<b>Revised Budget 2024/25 £</b>
UK Shared Prosperity Fund (Capital CDEL)	200,000	55,700	255,700	<b>997,000</b>

## Report of the Portfolio Holder for Resources and Personnel Policy

### Medium Term Financial Strategy 2024/25 to 2028/29 and Business Strategy 2025/26

#### 1. Purpose of Report

To approve the Council's updated Medium Term Financial Strategy and the delivery of the latest Business Strategy.

#### 2. Recommendation

**Cabinet is asked to RESOLVE that the updated Medium Term Financial Strategy and the Business Strategy 2025/26 be approved.**

#### 3. Detail

As reported to Cabinet on 23 July 2024, there was an underspend of £1.826m on the General Fund revenue budget in 2023/24 resulting in a General Fund balance of £6.060m as at 31 March 2024. This was predominantly due to a variety of underspends, additional income, budget carry forwards, changes in provisions, government grants and effective financial management across the Council.

There are a number of significant issues concerning local government finance that will have a major impact upon the financial position of this Council. These include the prevailing economy; the financial impact of inflation on pay and prices; uncertainty on the outcome of financial settlements from central government; and the delayed Fair Funding Review that intends to review the level of Business Rates retention. Further details of these and how they may impact upon the General Fund, Housing Revenue Account and the Capital Programme are set out in **Appendix 1**.

It is important to highlight two significant budget pressures continuing to impact on the Council's 2024/25 and 2025/26 budgets, namely the level of pay awards (the 2024/25 pay award has not yet been agreed by the unions) and inflationary pressures on the cost of energy, fuel, construction and property services.

The Medium Term Financial Strategy (MTFS) is the Council's key financial planning document. An updated MTFS based upon the latest information and assumptions is set out in **Appendix 2**.

In order to address the financial challenges facing the Council, a Business Strategy is maintained that sets out initiatives that will be pursued to reduce costs, generate additional income and/or improve services. A number of these

initiatives have already been implemented and were taken into account in the production of the 2024/25 budget. Further details of the Business Strategy 2025/26 are set out in **Appendix 3** for consideration.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it will result in in the Council incurring revenue or capital expenditure or savings of £250,000 or more and be significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

No applicable.

6. Financial Implications

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

The financial implications are included in the report narrative and appendices.

7. Legal Implications

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

The Local Government Act 2003 places a duty on a local authority's Chief Finance Officer to advise on the robustness of the proposed budget and the adequacy of reserves. The Medium Term Financial Strategy is a policy framework document that is required by law to be adopted by Council.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The Council's response to Climate Change is a key consideration as part of the budget setting process.

11. 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.

12. Equality Impact Assessment

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

13. Background Papers

Nil.

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## Appendix 1

**1. General Fund Revenue Budget**Introduction

There was an underspend of £1.826m on the General Fund revenue budget in 2023/24 resulting in a General Fund balance of £6.060m as at 31 March 2024. This was predominantly due to a variety of underspends, additional income, budget carry forwards, changes in provisions, government grants and effective financial management across the Council.

There are a number of significant issues concerning local government finance that continue to impact upon the financial position of this Council and others, especially the significant impact of inflation on pay, energy, fuel, construction, property and other commodities. The rate of inflation (CPI), having peaked at over 11% in recent years, has only recently started to move back towards the Bank of England's 2% target and even then services inflation continues to be stubbornly higher than this target.

The Chancellor of the Exchequer has not yet announced any details on local government funding. It is difficult at this stage to determine exact impact on the Council's future financial position and it is expected that any additional spending will be targeted at health and social care. As such, the assumptions within the Medium Term Financial Strategy (MTFS) assume modest increases in the Council's spending plans for future years, although some growth allowance for the current inflationary pressures has been made in the short-term. Also, no further information is available on the Fair Funding Review, which intends to review the level of Business Rates retention. A further uncertainty is inflationary pressures impacting on the economic and financial environment. It is difficult to assess accurately financial forecasts and will be subject to revision as more information becomes available.

There are significant budget pressures highlighted that will impact on the Council's 2025/26 budget. Firstly, the cost of the forecasted pay awards in both 2024/25 and 2025/26. Secondly the financial impact of the cost of living with inflationary pressures on energy, fuel, construction and property prices. Finally, with higher interest rates potentially impacting on the cost of future prudential borrowing to support the Council's capital investment programmes.

The MTFS is the Council's key financial planning document. An updated MTFS based upon the latest information and assumptions is set out further below in appendix 2. In order to address the financial challenges facing the Council, a Business Strategy is maintained that sets out initiatives that will be pursued to reduce costs, generate additional income and/or improve services. Further details of the Business Strategy 2025/26 are set out below in appendix 3.

### Financial Settlement 2025/26

The Chancellor of the Exchequer has announced that she will present the Autumn Statement 2024 to Parliament on 30 October 2024. The finer details of the local government financial settlement for 2025/26 will then follow in December. As such, the most reasonable financial planning assumptions have been made when refreshing the MTFS.

Central government's financial settlement allocates funding to its priority areas over the medium term such as health, housing, environment, defence, local government and welfare spending. Additional monies have previously been allocated to health and it is anticipated that any additional funds for local government will be directed to demand led services such as adult social care and children's services.

At this stage, the MTFS does not assume the receipt of any additional government grants relating to inflationary pressures, although the previous Core Spending Power (CSP) Funding Guarantee has been uplifted by an assumed 2% year-on-year increase across the period.

### National Non Domestic Rates

National Non-Domestic Rates (NNDR) is more commonly referred to as 'business rates'. The removal of some central government grants and significant reductions in New Homes Bonus (NHB), along with the rules limiting increases in Council Tax, mean that business rates have become an increasingly significant funding stream for the Council. The need to develop the business rates base across the Borough is important for the Council.

The Nottinghamshire authorities are part of a Business Rates Pool. This allows business rates income that would otherwise have been returned to central government to be retained within the county. It also provides a safety net for local authorities whose income falls below a defined level.

The current Business Rates Retention Scheme sees 50% of the business rates collected retained by the precepting bodies and 50% returned to central government. The previous government had announced plans to move towards 75% local retention of business rates from 2020/21, but this has not taken place as the Fair Funding Review has not yet been completed. The Nottinghamshire Business Rates Pool has continued in 2024/25 and it is expected that the Pool will continue into 2025/26 and beyond.

Membership in the Nottinghamshire Business Rates Pool has allowed the Council to maximise the benefits of public and private capital investment in the Borough which, in turn, has generated significant business rate growth. Furthermore, the Council continues to benefit from investing more resources to ensure that business premises are identified and properly rated.



### Fair Funding Review / Business Rates Review

The previous government was expected to undertake a Fair Funding Review to accompany the move towards 75% business rates retention. It is not possible at this stage to profile what, if any, impact this would have upon the Council. However, it would appear that priority in any redistribution exercise is likely to go to those authorities with social care responsibilities. The Business Rates Retention Scheme has continued into 2024/25 and is expected to continue into 2025/26.

### New Homes Bonus

The Council's income from New Homes Bonus (NHB) has reduced considerably in recent years from a peak of £829k in 2016/17 to just £19k in 2021/22. The NHB allocation to Broxtowe for 2024/25 was £255k due to the growth in domestic properties. This settlement did not benefit from earlier legacy payments which have now fallen out.

No new allocations of NHB have been assumed for the 2025/26 settlement, although the MTFS does assume that NHB funding will remain at 2024/25 levels across the medium-term period.

### Council Tax and the Tax Base

For the purposes of the MTFS, the Council Tax increases have been calculated based upon a 2% price increase. Any potential for further increases in Council Tax charges are considered further in the attached Business Strategy.

The Council Tax Base for 2025/26 will be presented to Cabinet on 3 December 2024. In recent years the Council Tax Base has increased by around 1% over the previous year and this has been assumed again for the MTFS.

### Other Funding Opportunities

The Council will continue to strive to make the most of funding opportunities available for both capital investment projects and ongoing revenue costs.

The Council was successful in its bid for the Government's Towns Deal funding to regenerate Stapleford, with £21.1m being received for development projects in Stapleford over a five-year period.

The Council was also successful in its bids for a significant allocation of £16.5m secured investment for 'Kimberley Means Business from the Levelling Up Fund and allocations from the UK Shared Prosperity Fund.

The Council is a non-constituent member of the recently established East Midlands County Combined Authority (EMCCA), led by a new regional Mayor, and will be seeking funding opportunities through EMCCA to support its regeneration and housing objectives.

The above demonstrates that the Council is striving to make the most of these funding opportunities for capital investment; working successfully in partnership to attract funding; and is at the forefront of some of the most strategic economic development opportunities in the East Midlands.

## 2. Housing Revenue Account (HRA)

The previous government announced that rents can be increased by CPI plus 1% each year from 2020/21 for the following five years. This is currently reflected in the annual update of the financial model that accompanies the 30-year HRA Business Plan. In view of economic conditions with high inflation, the previous government capped the increase in rents to a 7% ceiling for 2023/24. From 2024/25 onwards, the guidance was that rent caps will increase by CPI (as at September of the previous year) plus 1.5% annually. This guidance may be subject to change. There has not been an announcement as yet from the new government as to what, if any, rent caps will be in place for 2025/26. It is expected, however, to be CPI plus 1%.

The 30-year HRA Business Plan is regularly reviewed. A progress update report on the Plan, including the HRA medium-term financial position, will be presented to Cabinet later in 2024/25.

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

The removal of the capital borrowing cap has allowed for new-build housing projects to be funded, subject to viability and business case. There are numerous variables which affect the financial model, including the level of property 'Right to Buy' sales (RTB) and new builds achieved over the next 30 years as well as changes in the level of interest rates and inflation. There is also significant extra pressure on the HRA budget caused by increased emphasis on regulatory compliance and higher legislative standards for buildings, as recommended by the housing regulator.

The financial model makes assumptions about the levels of housing stock but these have tended to assume a level of RTB in single figures. The numbers of sales since 2014/15 were 26; 27; 20; 39; 37; 17; 16; 34; 29 and 16 in 2023/24.

The Council has appointed an Interim Housing Delivery Manager to accelerate the delivery of the approved housing delivery plan, which includes new-build, housing acquisitions and re-modelling of existing housing stock.

### 3. Capital Programme

Regular updates on progress with the approved Capital Programme are provided to General Management Team and to Members. This occasionally includes capital budget variation reports to Cabinet when required.

There has been pressure on delivering the Capital Programme, with delays on schemes being attributed to a number of factors including a lack of internal resources to deliver (both financial and non-financial); a shortage of available contractors; supply chain issues; and the impact of price inflation in the construction industry.

There has also been a lack of capital resources, in terms of capital receipts and/or unrestricted grants that can be applied to General Fund schemes. This is limiting progress with delivering some reserve schemes in the Capital Programme which have been unable to proceed at present due to the lack of a source of funds.

Whilst funding resources may not have been readily available, the General Fund Capital Programme has been boosted by significant capital grants earmarked towards schemes associated with the Stapleford Towns Fund, Kimberley Means Business (Levelling-Up Fund) and the UK Shared Prosperity Fund.

All new borrowing on both General Fund and HRA schemes, including Housing Delivery, needs to be prudential, affordable and sustainable. Any new scheme which requires prudential borrowing will be subjected to stringent review and will need to have a robust and supported business case before progressing. The base budget currently meets the anticipated borrowing costs for the existing Capital Programme.

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## Appendix 2

## GENERAL FUND FINANCIAL PROJECTIONS 2024/25 TO 2028/29

	Revised Estimate <u>2024/25</u> £'000	Estimate <u>2025/26</u> £'000	Estimate <u>2026/27</u> £'000	Estimate <u>2027/28</u> £'000	Estimate <u>2028/29</u> £'000
<b>BASE BUDGET</b>	14,603	15,720	15,960	16,542	17,086
<b>CHANGES TO BASE</b>					
Revenue Developments – Net changes in year not required going forward	877	(522)	41	200	-
Inflation – Pay Award/JE Outcomes	131	542	306	312	318
Inflation – Energy and Fuel Prices	Included	71	33	29	30
Inflation – Price Others	Included	94	96	98	100
Increased Fees and Charges (General)	Included	(76)	(76)	(77)	(79)
Capital Borrowing Costs – MRP and Interest	109	131	182	(19)	(156)
<b>BUDGET REQUIREMENT BEFORE SPECIAL EXPENSES</b>	<b>15,720</b>	<b>15,960</b>	<b>16,542</b>	<b>17,085</b>	<b>17,299</b>
Beeston Special Expenses	25	25	25	25	25
<b>BUDGET REQUIREMENT</b>	<b>15,745</b>	<b>15,985</b>	<b>16,567</b>	<b>17,110</b>	<b>17,324</b>
<b>FINANCED BY:</b>					
NNDR Business Rates	3,793	3,869	3,946	4,025	4,106
NNDR Share of Previous Years Collection Fund Deficit	19	-	-	-	-
NNDR Section 31 Grants	3,068	3,129	3,192	3,256	3,321
NNDR Growth Levy/Safety Net to/from Pool	(1,311)	(1,337)	(1,364)	(1,391)	(1,419)
NNDR Returned Levy from Notts Business Rates Pool	800	800	800	800	800
Council Tax	6,602	6,801	7,006	7,218	7,436
CT Share of Previous Years Collection Fund Surplus	72	-	-	-	-
Government Grant - Revenue Support Grant	129	129	129	129	129
Government Grant - Services Grant	20	20	20	20	20
Government Grant - New Homes Bonus	255	255	255	255	255
Government Grant - CSP Funding Guarantee	471	480	490	500	510
Beeston Special Expenses	25	25	25	25	25
<b>TOTAL RESOURCES</b>	<b>13,943</b>	<b>14,171</b>	<b>14,499</b>	<b>14,837</b>	<b>15,183</b>
<b>DEFICIT/(SURPLUS) TO BE MET BEFORE MOVEMENT IN RESERVES</b>	<b>1,802</b>	<b>1,814</b>	<b>2,068</b>	<b>2,273</b>	<b>2,141</b>
<b>MOVEMENT IN RESERVES</b>					
Movement into Earmarked Reserves	30	30	30	-	30
Movement from Earmarked Reserves	-	-	-	(200)	-
<b>PLANNED (SURPLUS)/DEFICIT AFTER MOVEMENT IN RESERVES TO BE FUNDED FROM GENERAL FUND BALANCE</b>	<b>1,832</b>	<b>1,844</b>	<b>2,098</b>	<b>2,073</b>	<b>2,171</b>

	Revised Estimate 2024/25 £'000	Estimate 2025/26 £'000	Estimate 2026/27 £'000	Estimate 2027/28 £'000	Estimate 2028/29 £'000
<b>FORECAST BALANCES - 31 MARCH</b>					
General Fund Opening Balances	6,060	4,228	2,384	286	(1,787)
In-year Net Movement in Reserves	(1,832)	(1,844)	(2,098)	(2,073)	(2,171)
<b>General Fund Closing Balances</b>	<b>4,228</b>	<b>2,384</b>	<b>286</b>	<b>(1,787)</b>	<b>(3,958)</b>
<b>BALANCE OF RESERVES</b>					
Minimum Balance	1,500	1,500	1,500	1,500	1,500
Available Reserves	2,728	884	<b>(1,214)</b>	<b>(3,287)</b>	<b>(5,458)</b>
(Figures in <b>bold</b> - below minimum balance)					
Earmarked Reserves Opening Balance	2,778	1,528	1,558	1,588	1,388
In-year Net Movement in Reserves	(1,250)	30	30	(200)	30
Earmarked Reserves Closing Balance	1,528	1,558	1,588	1,388	1,418
Council Tax Base	35,224	35,576	35,932	36,292	36,654
Basic Council Tax	£187.42	£191.17	£194.99	£198.89	£202.87
Change on previous year	2.94%	2.0%	2.0%	2.0%	2.0%

## APPENDIX 3

**BUSINESS STRATEGY**

Since 2015 the Council has developed a Business Strategy which is designed to ensure that it will be:

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

A number of initiatives within the Business Strategy have been implemented and have resulted in either reduced costs or additional income and/or improved services for the Council.

The Business Strategy is complemented by the Commercial Strategy, which seeks to implement a more business-like approach to service analysis and delivery. A number of initiatives within both the Business Strategy and the Commercial Strategy have been implemented.

The latest refreshed Business Strategy proposals for 2025/26 are set out below and will be incorporated within the Medium Term Financial Strategy once agreed. A number of these proposals will arise from discussions with officers and will require further detailed engagement and development.

**BUSINESS STRATEGY 2025/26 AND 2026/27 PROPOSALS**

Proposal	Business Impact	Financial Impact – Additional Income/ Reduced Expenditure
<b>2025/26 Proposals</b>		
Business Rates Growth	An assessment of a reasonable target based on the latest economic forecasts, local knowledge and estimated performance of property inspectors.	£50,000 additional income
Council Tax increase	<p>Assuming that the Government’s Council Tax increase referendum limits are retained at the same level as recent years, then a Council Tax increase at £5 for a Band D equivalent equates to an increase of around 3% compared to the current MTFS forecast which includes a 2% rise for 2025/26.</p> <p>However, if the Government changes its referendum limits and allows districts to increase Council Tax up to 5%, then the further 2% increase would result in an additional £120,000.</p>	£60,000 additional income (MTFS assumes 2%, whilst £5 increase Band D provides to an additional 1% rise).
Garden Waste Income	Expected similar volumes of service users in 2025/26. Additional income assumes a rise of £2 to £45 per annum and no additional attrition.	£47,000 additional income
Beeston Phase 2 development income	Rental income to include new operators and a full review of the budget. The total additional income will be confirmed as part of the forthcoming budget setting process.	£65,000 additional income
Industrial units income	Planned increase in industrial unit rents over a two year period, but remaining below market rents.	£30,000 additional income



Proposal	Business Impact	Financial Impact – Additional Income/ Reduced Expenditure
Durban House income	Following refurbishment of Durban House, additional income is anticipated from lettings income	£43,000 additional income
Enforcement income	Net income collected by enforcement allocated to the Environment Services	£10,000 additional income
Homelessness government grant income	Government grant allocated to assist the management of the homelessness service , including the impact of Ukrainian refugees	£150,000 additional income
Bramcote Crematorium	<p>Potential additional income from the introduction of a pre-paid cremation deed, and other possibilities for Bramcote Bereavement Services, following the previous development and implementation of a new marketing strategy.</p> <p>The impact of the new cremators on energy savings also needs to be considered with an anticipated 2024/25 installation. The cost of fuel to heat the Crematorium offices and water should be completely offset by the introduction of the heat exchange system. Furthermore, the efficiencies derived from the new cremators should result in additional income and reduced gas consumption, although this may be offset by the cost of borrowing for the new cremators. Fee income is directly impacted by the prevailing death rate and a better assessment of income will be known following the launch of the pre-paid cremation deed in October 2024.</p> <p>It is anticipated that the rise in the cremation fees will generate approximately an additional £100,000 income.</p>	£50,000 additional income

Proposal	Business Impact	Financial Impact – Additional Income/ Reduced Expenditure
Staffing efficiencies	<p>Leverage technology and the use of new software, taking advantage of vacancies to restructure to save money, manage vacancies and reduce administration. Where possible, the Council will aim to bring together and consolidate services under fewer senior managers where turnover allows and services can be improved. Also, continually aiming to reduce reliance on agency staff.</p> <p>The current General Fund (GF) staffing budget in 2024/25 is forecast to significantly underspend, and therefore over-achieve the £600,000 turnover target (4.1% of GF salary budget).</p> <p>In view of the inflationary increases and growth in the overall salaries budget it is recommended to increase the savings target to £750,000 (4.9% of the anticipated GF salary budget £15.2m).</p>	£150,000 reduction in salaries expenditure, due an increase in the savings target
Price inflation (non-contractual)	The MTFS assumes a level of price inflation on premises, supplies and services budgets at 1% (energy and fuel budgets see a higher percentage and are shown separately), which adds around £60k to the base budget in 2025/26. There is an opportunity freeze those budgets at current levels, thereby challenging budget managers to absorb this inflationary cost within operational activity. The impact would be spread across the General Fund services.	£60,000 reduction in costs
Insurance Portfolio – Premiums	A significant increase in insurance premiums was anticipated in advance of the scheduled 2024/25 tender exercise due to increased property sums insured and a hardening insurance market. This was duly recognised in the base budgets. The outcome of the insurance tender was better than expected and has resulted in a budget saving for the General Fund, Housing Revenue Account and Liberty Leisure Limited. The target reduction for the General Fund in 2025/26 is included here.	£80,000 additional savings

Proposal	Business Impact	Financial Impact – Additional Income/ Reduced Expenditure
Reshape the Leisure Offer	<p>Current cost of the annual leisure management fee paid to Liberty Leisure Limited is £369,000. Proposal to reduce the management fee to £269,000 in 2025/26. Some of this saving will be achieved by implementing the outstanding recommendations of the efficiency review of the company, carried out by 'Active-4-today', which identified additional savings and income totalling £300,000. It is assumed that the remaining elements of the review can be implemented in 2025/26.</p> <p>Liberty Leisure Limited held general reserves of £442,033 as at 31 March 2024.</p>	£100,000 saving from further reduction in the management fee
Council Tax Single Persons Discount	Completion of the Single Persons Discount review in 2024, it is expected that additional Council Tax income can be achieved.	£5,000 additional income
Review of Council Tax discounts and exemptions	Completion of a review of Council Tax discounts and exemptions, including second homes and empty homes.	£50,000 additional income
	<b>Total 2025/26 additional savings and income identified</b>	<b>£950,000</b>
<b>Additional savings and income proposals considered – no financial targets recommended in 2025/26</b>		
Procurement	Re-packaging and re-tendering contracts will bring efficiencies and savings, which will be predominantly capital savings.	Capital budget savings
Trade Waste Income	No additional income should be expected as the introduction of food waste for trade waste customers is likely to have an initial revenue cost which will negate any planned increase.	Nil

Proposal	Business Impact	Financial Impact – Additional Income/ Reduced Expenditure
Leasing of Council Offices	Lease of newly refurbished office space to public, voluntary or private sector organisations, taking advantage of businesses re-locating out of other nearby office buildings. Further opportunities for letting will be continually investigated following the refurbishment of the ground floor reception area.	Nil
Grant Aid to Parish and Town Councils	A review of grant aid provided to parish and town councils, and consideration of bid writer to support parish and town councils accessing various external grants thereby allowing a reduction in Council's grants.	Nil
Planning Income	Planning income in 2024/25 is significantly below its income budget (£253,000 forecast shortfall), therefore no further increases are proposed in the income budget.	Nil
Housing - Lifeline Income	Potential income from the additional marketing of lifeline. No further income targets for this service.	Nil
Homelessness – Reduce bed and breakfast.	Effective management of homelessness with the aim of reducing the use of bed and breakfast accommodation may generate a saving on the current base budgets. No savings targets proposed for this service.	Nil
<b>2025/26 – 2026/27 Proposals subject to commercial negotiations</b>		
Sale of Crematorium Land (capital receipt)	Commercial negotiations with a developer to sell land adjacent to Bramcote Crematorium. Any proceeds would be shared 50/50 with Erewash Borough Council. The site has planning approval for housing.	Revenue savings arising from the use of capital receipts can replace borrowing costs (MRP and interest) and result in revenue savings.

<b>Proposal</b>	<b>Business Impact</b>	<b>Financial Impact – Additional Income/ Reduced Expenditure</b>
Tram Compensation	Tram compensation negotiations with Nottingham City Council have been completed, with final balance of settlement anticipated in 2023/24.	Provide resources for the capital programme.
Sale of the 'Argos' block in Beeston Square	Following Cabinet approval, commercial negotiations are progressing with a developer on converting the 'Argos' block into a medical centre. This could generate a significant capital receipt.	Revenue savings arising from the use of capital receipts to replace borrowing costs (MRP and interest).

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## **Report of the Portfolio Holder for Economic Development and Asset Management**

### **Affordable Housing Unit Charge**

1. Purpose of Report

To update Members and seek approval for changes to the amount that the Council asks developers for in affordable housing payments.

2. Recommendation

**Cabinet is asked to RESOLVE that the new affordable housing amount of £85,000 per unit be approved.**

3. Detail

There is a high housing need for affordable housing in all areas of the Borough. It is therefore important that the Council increases the number of affordable units built to help meet this demand. For housing developments over 10 units, there is a requirement to provide a proportion of affordable housing. This proportional requirement varies across the Borough, based on housing market areas, but in-line with planning policy developers must provide affordable housing, either on site or as an off-site payment.

When an off-site payment is sought and agreed, the cost per unit is currently £45,000. This has been the case for approximately ten years and is no longer fit for purpose. The off-site contributions are used to fund additional affordable housing units on alternative sites. The provision of on-site affordable housing and an off-site contribution should be comparable in cost to the developer. Currently if a developer makes an off-site contribution this is a significantly cheaper option than providing on-site provision. It is therefore proposed that this amount be increased to £85,000. The increased cost will support the Council to deliver the developments identified in the Council's Housing Delivery Plan.

This proposal has been reached following various assumptions and methodology and has been supported by HEB Surveyors. When residential developers are undertaking financial appraisals to calculate affordable housing contributions on any particular scheme, their first consideration will be to consider the market value of the completed dwellings and to then apply a discount from the full market value.

The discount applied to arrive at an affordable housing value will be between 40% and 60% of market value depending on the specific tenure requirements of the particular planning authority, i.e. social rent, affordable rent etc, but as an

average a developer will generally apply 50% discount in their financial appraisal.

In terms of the methodology in calculating a standard commuted sum figure for the Borough, if one was to consider that most affordable housing can be categorised as two/three bed terraced housing, it is possible to look at the UK Government House Price Index for Broxtowe and reference the average value of a standard terraced house value and then apply the discount that developers would also apply when undertaking their own site development appraisal.

In this case, a standard terrace house has an average value in Broxtowe of £186,298 as at August 2024. This figure is derived from the sale of all properties, so includes both new builds and second hand properties. To adjust to the figure to take into account the mixed nature of the data there has been the application of a 10% increase in value, which increases the average value to £204,928.

Applying the 50% discount to assess the value of an affordable dwelling produces a figure of £102,464. Some deduction is allowable from this reduced value to account for any significant abnormal costs a site may derive. This results in a figure of £85,000, which is proposed as the figure to be used as the per unit cost from now onwards.

#### 4. Key Decision

This report is a key decision as it affects more than two wards and could in some cases result in significant amounts of money.

#### 5. Financial Implications

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

The proposal to increase the offsite affordable housing contributions from developers from £45,000 to £85,000 per unit is supported. The increased contributions from developers will support the Council in providing valuable capital resources to meet the new house build developments within its Housing Delivery Plan.

#### 6. Legal Implications

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

The Council has a general power of competence under section 1 of the Localism Act 2011 this is the power to do anything an individual can do provided it is not prohibited by other legislation. The Council has the power under section 111 of the Local Government Act 1972 to do anything which is calculated to facilitate or is conducive or incidental to the discharge of its functions.



7. Human Resources Implications

Not applicable.

8. 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.

9. Equality Impact Assessment

Not Applicable.

10. Background Papers

Nil.

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## Report of the Portfolio Holder for Housing

### Energy Company Obligation (ECO4) Delivery

#### 1. Purpose of Report

To seek approval to terminate an existing contract for the delivery of ECO4 funded works to private sector housing within the Borough and to implement a new approach.

#### 2. Recommendation

**Cabinet is asked to RESOLVE that the existing contract be terminated and implementation of the proposed approach detailed in the Appendix, be approved.**

#### 3. Detail

The Energy Company Obligation (ECO4) and the Great British Insulation Scheme (GBIS) are government energy-efficiency schemes in Great Britain, designed to tackle fuel poverty and help reduce carbon emissions. Both schemes run in their current form until March 2026.

ECO4 and GBIS are obligations placed on energy companies to deliver energy efficiency measures to domestic premises. The schemes are not grant based. It is up to the energy companies to determine which retrofit projects they choose to fund, the level of funding they provide and the installers that they choose to work with. The funding is therefore paid directly from the energy company to the installer; not to the Council or resident. The Council's role with the ECO4 and GBIS schemes is to check and issue declarations for eligibility of applicants. This report relates to the delivery of ECO4 and GBIS to the private sector (owner occupiers and private renters).

#### 4. Key Decision

As ECO4 and GBIS delivery will be Borough wide, this report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

#### 5. Updates from Scrutiny

Not applicable

#### 6. Financial Implications

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

There is a cost to the Council in managing this service with the use of Officer time and resources within the Capital Works team. The proposal to implement a charge of £50 to installers for each application submitted would generate a nominal but useful income stream to contribute towards these costs. The impact of the proposed charge would be monitored and a suitable nominal income budget added as part of the budget setting process for 2025/26.

7. Legal Implications

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

It is important to terminate the contract in line with the termination clauses of the contract to ensure the Council are not in breach of contract terms and to allow a smooth termination process. Legal services are able to assist with drafting the termination letter.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.

10. Climate Change Implications

The climate change implications are contained within the report.

11. Data Protection Compliance Implications

Not applicable.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.

## Appendix

**Proposed Approach:**

The Council signed an agreement with EON in summer 2023 for the delivery of ECO4 funded works to owner occupiers and private tenants. Under this agreement EON would develop a resident engagement strategy to engage with residents and appoint an installer to deliver ECO4 funded works within the Borough. This agreement was subsequently updated in summer 2024 to include GBIS. Enquiries regarding ECO4 received by the Council could be referred to EON for assessment. However, it is considered that the Council would be better placed to achieve its aims if the current contract were to be terminated and the following approach be adopted. For information, under the terms of the contract, termination can be invoked with three months' written notice.

Installers interested in delivering ECO4 and GBIS works within the Borough will be invited to on board with the Council. This process will include obtaining copies of certifications, insurances and policies. All installers on boarded would have to be registered with the Government endorsed quality standard Trustmark. A data sharing Agreement will also be implemented. The list of on boarded installers will be published on the Council's website with contact details for local residents to make contact direct. Installers will be issued with copies of the Council's application forms. Annual checks will be conducted to ensure the information the Council holds about an installer remains up to date (i.e. insurances).

Currently, it is the installer's responsibility to complete the application forms and obtain the necessary financial evidence to support the applications. The installers then submit the application for checking and sign off by the Council. If the application meets the eligibility requirements, the Council will issue a declaration confirming eligibility to the installer and record and report the application to OFGEM.

This service is being managed within the Capital Works team. The on boarding and application process along with queries generated about the scheme takes up Officer resources. As the funding goes directly from the energy company to the installer, this is costing the Council Officer time without any revenue income. It is proposed to implement a £50 charge across all installers for each application submitted. This would be charged to the installer and not the resident/ applicant. This revenue would support the cost of Officer time. The number of applications that the Council will receive is not yet known, but as an example if the Council received five per month, this would result in revenue income of £3,000 over the course of a year. Other local authorities have taken a similar approach and are charging installers for the checking of applications and issuing declarations. The Agreement with the existing supplier, also had a £50 charge per application written into the contract.

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## Report of the Portfolio Holder for Housing

### **Damp and Mould Investigations in Private Rented Property Policy**

#### 1. Purpose of Report

To detail the approach to dealing with damp and mould in private rented properties.

#### 2. Recommendation

**The Policy Overview Working Group RECOMMENDS that Cabinet is asked to RESOLVE that the Damp and Mould in Private Rented Property Investigation Policy and associated procedure be approved.**

#### 3. Detail

In light of the tragic case of Awaab Ishak, and in response to requests from the Secretary of State, the Council has completed a review of its response to the issue of damp and mould in private rented properties. A review has already been undertaken in relation to the Council's duties as a landlord and a policy to deal with damp and mould within the Council's properties was approved by Cabinet in December 2023.

Damp and Mould in private rented properties is already assessed by Officers when dealing with inspections and complaints from tenants, both as part of a specific set of criteria under the Housing Health and Safety Rating Scheme (HHSRS), licence inspections where applicable and where a specific concern has been raised. Any action required to improve standards would be taken using the powers already available to us and as detailed in the Council's Enforcement Policy and Housing Civil Penalties Policy. The Council's approach to damp and mould in private rented housing is complementary to other approaches and includes a completed project in relation to the Minimum Energy Efficiency Standards (MEES) when landlords of rented properties with no or lower EPC ratings were contacted about their responsibilities, the Warm Homes on Prescription (WHOP) grant to provide measures where eligible householders have conditions worsened by cold living conditions and participation in the multiagency cost of living group. The Council also continues to signpost and provide advice to private landlords through a variety of methods including the joint landlords' forum and has considered the recommendations for landlords outlined in the Housing Ombudsman report: 'Spotlight on Damp and Mould, it's not Lifestyle' and the Government guidance: 'Understanding and addressing the health risks of damp and mould in the home' published in September 2023.

It is expected that the HHSRS review expected in 2025 will include a revised section on the assessment of damp and mould and additional training of Officers

would be undertaken following this update. The Policy is included in **Appendix 1** and an equality impact assessment in **Appendix 2**.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as the approach outlined applies to all wards of the Borough.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

There are no additional financial implications for the Council with costs being contained within existing budgets. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

7. Legal Implications

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

In its capacity as regulator of housing standards the Council has statutory duties and powers for keeping private sector properties in a reasonable state of repair and free from hazards, which are also applicable to damp and mould. The detail of the relevant legislation is contained within the main body of the report at paragraph 4.0. This policy addresses how the Council will deal with such properties.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.



#### 10. Climate Change Implications

The Damp and Mould in Private Rented Property Investigation Policy and associated procedure highlights the importance of having well-insulated homes in preventing mould and damp issues. Proper insulation not only enhances living conditions but also contributes to energy efficiency, reducing the need for excessive heating. The efficiency aligns with climate change mitigation efforts by lowering energy consumption and carbon emissions.

Some of the works that will be completed by landlords in response to investigations of damp and mould will help increase the energy efficiency of the private rented housing stock.

#### 11. 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.

#### 12. Equality Impact Assessment

As this is a new policy, an equality impact assessment is included in the **Appendix 2** to this report.

#### 13. Background Papers

Nil.

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**DAMP AND MOULD IN PRIVATE  
RENTED HOUSING  
INVESTIGATION AND  
ENFORCEMENT  
POLICY**

July 2024

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## **1.0 Scope**

The Policy outlines the approach to dealing with damp and mould in private rented properties within the Borough. Landlords must ensure that the accommodation that they provide is free from serious hazards, including damp and mould, and that homes are fit for human habitation. Landlords must deal with cases of serious disrepair, including cases of damp and mould, promptly to protect their tenant's health.

Reports of damp and mould received about properties owned by the Council will be referred to Housing Repairs for investigation and are dealt with under a separate Policy.

The Policy should be read in conjunction with the Corporate Enforcement Policy, the Housing Civil Penalties Policy and the wider procedures for investigating issues of disrepair in private rented properties and the Housing Health and Safety Rating (HHSRS) process.

## **2.0 Purpose**

The Policy outlines the approach that the Council will take in regards to reports of damp and mould in private rented properties and this includes where damp and mould is identified as part of other housing work such as licence inspections or wider housing complaint investigation.

The Policy will ensure that effective investigations are undertaken to identify the cause of any damp and mould identified, and where assessed under the HHSRS as a Category 1 or high Category 2 hazard, that appropriate action is undertaken by landlords and/or managing agents to address it, which may include the need for them to instruct specialists to investigate causes and any remediation required.

## **3.0 Aims and Objectives**

The Policy will:

- Ensure that all reports of damp and mould in private rented properties are responded to promptly, assessed and action is taken in accordance with the Council's investigation and enforcement procedures and policies.
- Aim to provide a safe and healthy home for occupiers of private rented properties within the Borough
- Comply with all relevant guidance, statutory requirements and good practice including recommendations made by both the Ombudsman and Central Government

## **4.0 Regulatory Code and Legal Framework**

The Policy is aligned with the regulatory framework of the Ministry of Housing, Communities and Local Government.

Relevant legislation includes:

- Housing Act 2004 including the Housing, Health and Safety Rating System (HHSRS)
- Homes (Fitness for Human Habitation) Act 2018
- Landlord and Tenant Act 1985
- Environmental Protection Act 1990
- Decent Homes Standard
- The Domestic Minimum Energy Efficiency Standard 2018 (MEES)
- Landlord and Tenant Act 1985
- Defective Premises Act 1972
- Housing (Suitability of Accommodation) 2012
- Building Regulations 2010 (when undertaking work to heating, ventilation and windows)

## **5.0 Policy Outline**

### **5.1 Risk management**

It is important to recognise that not all damp and mould presents the same risk. The most immediate and serious risk relates to severe mould growth which presents airborne toxicity. The risk is higher if mould growth is found in multiple areas or if the mould growth is in bedrooms. Minor instances of mould such as around window frames and in silicone is considered lower risk and should be treated as not urgent. Once mould appears in any degree on ceilings, walls and soft furnishing it becomes higher risk.

Serious disrepair in private rented properties may include a number of hazards which may, or may not, include damp and mould.

Private Sector Housing Officers will investigate reports of damp and mould and other disrepair in private rented properties. Officers will use the HHSRS process to systematically assess the hazards present and categorise hazards. Where appropriate, additional checklists, such as one for damp and mould will also be utilised. Cases where a higher risk (Category 1, or high Category 2 hazards, or a cumulative impact) has been identified, follow up action will be prioritised and the various enforcement options will be considered and implemented depending on the situation and in accordance with the Council's enforcement Policy.

### **5.2 Types of damp**

To be able to treat the damp and mould correctly and completely resolve the issue, the type of damp must be identified correctly. Private sector housing officers are trained in identifying and assessing hazards. Use of a moisture meter as well as heating and ventilation provision will all be considered. Landlords may be required to carry out further investigations into damp and mould at particular premises.

## **Rising Damp**

This is the movement of moisture from the ground rising through the structure of the building. This is caused by building defects, such as a breakdown of a damp proof course, which allows moisture to enter the property. This can be identified by wet patches on walls; flaking or bubbling plaster and rotting skirting boards. If a damp proof course has broken down, there may also be a tide mark line around the perimeter of the room.

## **Penetrating Damp**

Penetrating damp is water that gets into the building from outside due to defects in the walls, roofs, windows or floors or defective or blocked rainwater pipes and guttering or poor original design or workmanship.

## **Traumatic Damp**

Traumatic damp can be caused by leaking water from waste and heating pipes, overflowing baths or sinks, burst pipes or defective water storage vessels inside the building. Traumatic damp can also originate from outside the property, for example from another building or from environmental flooding.

## **Condensation**

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. The conditions that can increase the risk of condensation include:

- Inadequate heating, including undersized radiators and tenant not using the heating
- Inadequate ventilation, including lack of or blocked vents and mechanical extraction and these not being used correctly
- Inadequate insulation, including missing or defective cavity wall insulation or loft insulation
- High humidity, including not covering pans when cooking or drying laundry inside
- Lack of space around possessions and storage, that prevents air flow through the property
- Poor building design and construction, such as specific cold areas (bridging) which are integral with the building construction
- Overcrowding, which increases moisture levels.

## **5.3 Mould**

Mould is a natural organic compound that develops in damp conditions. Mould will only grow on damp surfaces. It is often present in situations where there is condensation. If moisture accumulates, mould growth will often occur on indoor surfaces.

In order to reproduce, mould produces tiny particles called spores. Spores are carried in the air and may cause health problems if inhaled by people who are sensitive or allergic to them. It is important to note that most people will not experience any health problems from coming into contact with mould. However, mould exposure can cause a runny or blocked nose and irritation of the eyes and skin.

## **5.4 Investigation Process**

The Council will provide support and assistance to ensure that private rented tenants are able to raise concerns or issues relating to damp and mould.

If the tenant has contacted the landlord and they have not responded in a satisfactory or timely manner, further support will be provided as below:

### **Council Responsibilities**

- The Council shall investigate complaints to determine the cause of damp and mould. An Officer will contact the tenant in the first instance to gather further information. The team will ask some questions regarding the severity of the issue. This may include asking for photographs. This information will then determine how the team deals with the complaint. We aim to do this within five-working days.
- The Council's regulatory duties and powers enable us to carry out a visit to the property, sometimes resulting in a more formal full inspection. When the Council is investigating a complaint, the Council's first visit to a property will usually be a verification visit arranged solely with the tenant. The landlord would not usually be asked to be there on that first visit. Some tenants do not want their landlord to be involved at the earliest stage of a complaint for fear of retaliatory (revenge) eviction.
- Where low or medium risk is identified, the matter will be dealt with informally with the landlord unless they refuse to rectify the issue.
- Where a high (Category 1) or severe risk is identified, or the landlord has refused to carry out work at the informal stage, the team will organise a full inspection of the property and will take appropriate enforcement action to ensure work is carried out to rectify the issue. Timescales for the works to be completed will be discussed with the tenant as this can vary between individual cases.
- To ensure relevant staff understand the aims of this Policy and can support and deliver it
- If the causes of damp and mould are not related to the fabric of the property, the council will signpost tenants to other agencies who may be able to provide further support.

### **Tenants' Responsibilities**

- To ensure concerns regarding damp and mould have been notified to the landlord in a reasonable timeframe
- To use heating and ventilation systems at the property adequately throughout the term of the tenancy
- To wipe down condensation on windows and treat any areas of mould growth which appear using a fungicidal treatment



- To allow access to Officers to fully investigate any concerns. If access cannot be obtained to assess the conditions at the property, we may not be able to pursue further action against the landlord
- To give the landlord reasonable access to obtain quotes and carry out the works

### **How to report any concerns regarding damp and mould.**

Items of disrepair need to be reported to the landlord in the first instance before contacting the Private Sector Housing Team for assistance

By email at [psh@broxtowe.gov.uk](mailto:psh@broxtowe.gov.uk)

By phone on 0115 9173438

## **5.5 Training**

All Private Sector Housing Officers will be appropriately trained, including in HHSRS, causes and remedies of damp and mould, relevant legislation and enforcement options.

## **6.0 Related Policies, Procedures and Guidelines**

This Policy should be read in conjunction with the:

- Council Enforcement Policy
- Housing Civil Penalties Policy
- Damp and Mould in Council Housing Policy

## **7.0 Review**

The Policy will be reviewed every five-years unless an earlier review is appropriate due to:

- Changes to legislation or statutory guidance
- Recommendations from the Housing Ombudsman
- Response to internal learning
- New relevant best practice from other local authorities becoming available.

## **8.0 Document History and Approval**

Date	Version	Committee Name
TBC	1.0	Cabinet

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## Appendix 2

**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 resolved to treat people with care experience 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:	CEO	Lead Officer responsible for EIA	Head of Environmental Health, Licensing and Private Sector Housing
Name of the policy or function to be assessed:	Damp and Mould In Private Rented Housing		
Names of the officers undertaking the assessment:	Head of Environmental Health, Licensing and Private Sector Housing		
Is this a new or an existing policy or function?	New strand already covered by existing wider enforcement policies.		
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>The Policy outlines the approach that the Council will take in regards to reports of damp and mould in private rented housing to ensure landlords take suitable action to investigate and remediate it. This includes where Officers identify damp and mould through other interventions or where it is reported by tenants specifically or as part of wider housing disrepair issues.</p>			
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>The Policy will:</p> <ul style="list-style-type: none"> <li>• Ensure that all reports of damp and mould are responded to and investigated in accordance with all relevant guidance, statutory requirements and good practice</li> <li>• Improve housing standards for tenants in private rented accommodation</li> <li>• Link to the Council's Enforcement Policy</li> </ul>			
<p><b>3. Who is intended to benefit from the policy or function?</b></p> <ul style="list-style-type: none"> <li>• Tenants in private rented accommodation</li> <li>• Private sector housing officers</li> </ul>			
<p><b>4. Who are the main stakeholders in relation to the policy or function?</b></p> <ul style="list-style-type: none"> <li>• Tenants in private rented accommodation</li> <li>• Landlords</li> </ul>			

- Private sector housing officers

**5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?**

There are records on the case management system of the number of complaints and investigations in relation to housing standards (wider than damp and mould) although these do not specifically record data on the equality strands.

**6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?**

There is information available on the impact of housing conditions, particularly damp and mould on the young, older population and those with long term health conditions. In addition the Housing Ombudsman's spotlight review on damp and mould highlights that ethnicity may heighten vulnerability, as well as people who experience difficulty with communication or people living on low incomes.

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

The Council completed an online survey in 2023 where tenants had the opportunity to highlight concerns about damp and mould. Landlords are signposted to guidance on dealing with damp and mould and provided with information at events like the annual joint landlord's forum.

**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:**

- 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?**

The Policy is only for privately rented tenants, so will exclude those that are Council tenants, although this group is covered by a specific separate policy and procedure.

The Housing Health and Safety Rating System (HHSRS) assesses the risk from specific hazards and this assessment is based on the risk to the potential occupant who is most vulnerable to that hazard.

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

All private rented tenants will have equal access to report issues of damp and mould. The communication plan accompanying the Policy will need to ensure it reaches the groups who are most likely to need to benefit from it.

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

Some tenants may be reluctant to report issues with their home. The Council encourages tenants to report issues so that they can be investigated. The Council will carry out property inspections where issues of disrepair, including damp and mould will be identified.

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

The Policy is in regard to individual properties, so it is unlikely that it will have a harmful impact regarding relations between different groups.

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

Ongoing consideration of the number of complaints relating to damp and mould in privately rented properties and how they are resolved.

**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:** Damp and mould may affect some tenants of different ages more significantly (children and older people) and this will be considered in any investigation and assessment of hazards.

**Disability:** Damp and mould can exacerbate some health conditions. Assessment will consider those tenants who have a higher risk of impact on their health from damp and mould.

**Gender:** It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Gender Reassignment:** It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Marriage and Civil Partnership:** Tenants that are married or in a civil partnership are more likely to be joint tenants, equally responsible for their tenancy.

**Pregnancy and Maternity:** If a tenant is pregnant or has young children, they will be at higher risk of impact on their health from damp and mould and this will be considered in any assessment.

**Race:** Care will need to be taken to ensure communication and engagement with people from different ethnic groups does not present a barrier to reporting or implementation of mitigating actions. The Council will use its stakeholder network to ensure appropriate groups are communicated with effectively.

**Religion and Belief:** It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Sexual Orientation:** It is not anticipated that the Council will need to take any further action in order to enable access for this group. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Care Experience:** People with care experience may be more likely to live in poorer housing conditions and therefore may be a vulnerable group

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 Portfolio Holder for Environment and Climate Change

### **Parks Standard (Pride in Parks)**

#### 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 2024 parks consultation.**

#### 3. Detail

There are currently 62 Parks and Open Spaces (covering 236 hectares) and 14 Local Nature Reserves across the Borough. 37 of these spaces has a play area, which in total contains 323 pieces of play equipment. Out of the 37 spaces, 33 have inclusive and accessible play equipment.

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 £1.5 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.
- Additional inclusive play equipment

These works were achieved through a combination of Council (£917,000) and external (£634,000) 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 were completed.

In 2025, the Council intends to refresh its Play Strategy to a Play and Parks Strategy. Asset management inspections will prioritise necessary works including for example, paths, fences, gates and seating which were not included in the current Play Strategy and therefore received less focussed investment, a wider Pride in Parks programme will be developed to align with this.

4. Key Decision

Not applicable.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

The approved Capital Programme for 2024/25 includes a budget of £173,250, including capital salaries, for the Pride in Parks scheme. Further details on progress and financial implications are provided in Appendix 2.

7. 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.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.

**10. 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.

**11. 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.

**12. Equality Impact Assessment**

As this not a change to policy or a new policy an equality impact assessment is not included in the report.

**13. Background Papers**

Nil.

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## Appendix 1

**Parks and Open Spaces Consultation Results**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 were 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 Hemlockstone, as this site is a 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 2023, the parks and open spaces consultation received 381 responses, which resulted in two spaces failing the parks standard. These were:

- Redbridge Drive Open Space, Nuthall
- Archers Field Recreation Ground, Stapleford

Any failures from the previous year get carried over to the following year's consultation process. However, the decision was taken not to consult on Redbridge Drive. This is due to the site consistently receiving a low number of responses rendering any results as statistically insignificant.

Throughout the summer of 2024, a consultation was undertaken to evaluate 20% of the parks and open spaces across the Borough (including Archers Field, Stapleford that failed the previous year).

The consultation process involved an online questionnaire, which received 450 responses this is an 18% increase on the previous year.

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 2024 Parks Standard Consultation

Twelve parks and open spaces sites were selected to be assessed from the 10 July to 30 August 2024.

The results from the survey are shown in table 1

Area	Site Name	Fair and above (85% pass rate)	Good and above (45% pass rate)
Attenborough	Long Lane Recreation Ground	87%	56%
Beeston	Dovecote Lane Recreation Ground	93%	69%
Beeston	Weirfields Recreation Ground	88%	56%
Bramcote	Alexandrina Plantation/Sandy Lane	88%	59%
Chilwell	Inham Nook Recreation Ground	88%	60%
Eastwood/Greasley	Coronation Park	87%	62%
Eastwood/Greasley	Mansfield Road Recreation Ground	91%	57%
Kimberley	Hall om Wong Open Space	85%	62%
Stapleford	Archers Field Recreation Ground	78% - F	47%
Stapleford	Central Avenue Recreation Ground	77% - F	40% - F
Stapleford	Hemlockstone Open Space	90%	50%
Toton	Banks Road Open Space	91%	59%

Table 1: Results from the 2024 Parks Standards Survey. F = Fail.

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

- Archers Field, Stapleford (78%)
- Central Avenue Recreation Ground, Stapleford (77%)

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

- Central Avenue Recreation Ground, Stapleford (40%)

Analysis for sites failing to achieve the Parks Standard

Archers Field, Stapleford

There were a total of 41 responses for the ten survey themes. This equates to 9% of the overall response rate. The results for the park are shown in Figure 1.

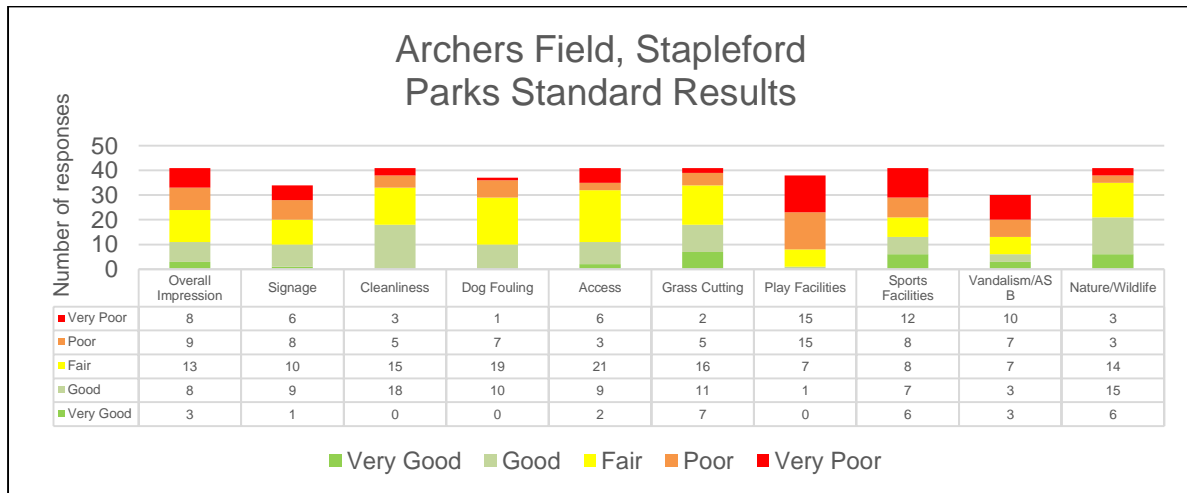


Figure 1: Archers Field, Stapleford Park Standard responses.

41% of respondents said that the overall impression for Archers Field was either poor or very poor. The main concerns for the space fall around play facilities (79% responded poor or very poor), Sports facilities (49% responded poor or very poor) and vandalism/ASB (57% responded poor or very poor). It should be noted that not all respondents gave an answer on each theme.

Central Avenue Recreation Ground

There were a total of 31 responses for the ten survey themes. This equates to 7% of the overall response rate. The results for the park are shown in Figure 2.

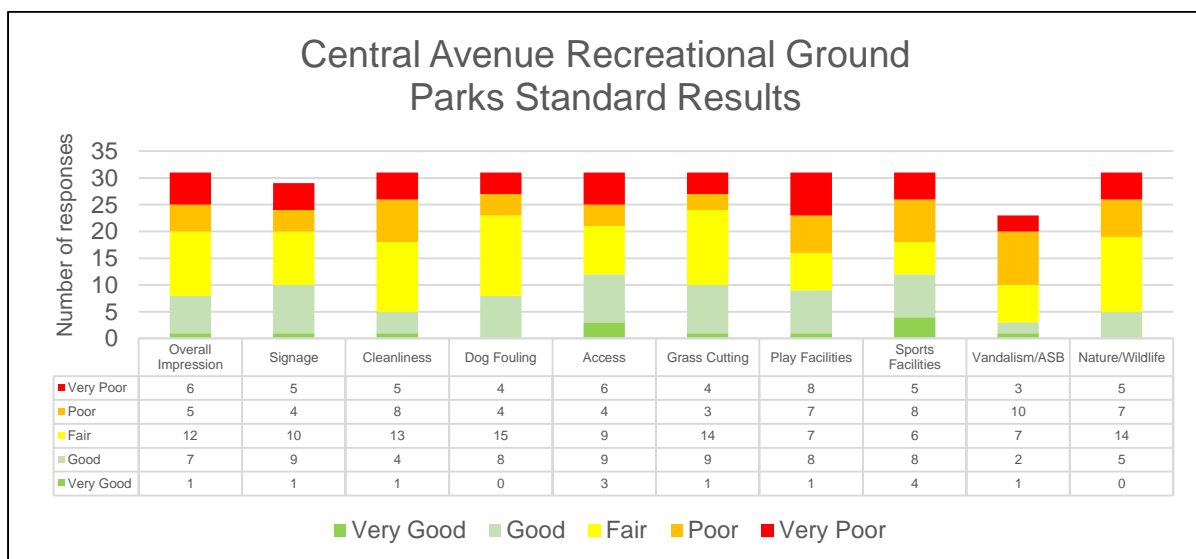


Figure 2: Central Avenue Recreation Ground, Stapleford Park Standard responses.

35% of respondents said that the overall impression for Central Avenue Recreation Ground was either poor or very poor. The main concerns for the space fall around play facilities (48% responded poor or very poor), Sports facilities (42% responded poor or very poor) and vandalism/ASB (57% responded poor or very poor). It should be noted that not all respondents gave an answer on each theme.

#### Consultation comments for each site

**Attenborough - Long Lane Recreation Ground.** Users would like to see more bins on site along with further provision of play equipment for older children.

**Beeston - Dovecote Lane Recreation Ground.** A high scoring site. Users found this a great well maintained space to exercise and for family activities. Users thought the park provided a peaceful space to rest even at peak times.

**Beeston - Weirfields Recreation Ground.** Site is primarily used for football and received positive comments around the standard of grounds maintenance. Users also made positive comments on the cleanliness of the site and praised the cleansing teams for excellent work.

**Bramcote - Alexandrina Plantation/Sandy Lane.** Users commented on how clean the site is and that Friends of Bramcote Ridge played an important role in helping to achieve a well maintain the site.

**Chilwell - Inham Nook.** Popular site with users commenting that they use the open space every day. Positive comments around how the space is utilised with a good mix of woodland, relaxed mowing and native wild flowers alongside a play area and skate park.

**Eastwood/Greasley - Coronation Park.** Positive comments that the site was a good open space for children and dog walkers along with a great alternative route to the Eastwood Town Centre. Users would like to see upgrades to the play area that will hopefully be addressed in the coming Pride in Parks projects.

**Eastwood/Greasley - Mansfield Road Recreation Ground.** Another high scoring site. Users liked how well maintained this space was and commented that it was a nice local retreat.

**Kimberley - Hall om Wong Open Space.** Users have suggested improvements to some of the paths, more bins and additional toddlers play equipment.

**Stapleford - Archers Field Recreation Ground.** This is one of the two spaces that did not pass the Parks Standard. Users wanted a play area and a full circular tarmacadam footpath. There were some positive comments about the more natural areas of the space and the efforts of the Council for increasing the tree numbers along with the managed grasslands. The Environment team will be working with Communities to tackle the ASB. Play equipment and sports facilities concerns will be addressed during the Play Strategy refresh

**Stapleford - Central Avenue Recreation Ground.** This was the second space to not pass the Parks Standard. Users highlighted concerns over anti-social behaviour



and suggested it would benefit from some items for older children as the equipment is focused more for toddlers and infants. The Environment team will be working with Communities to tackle the ASB. Play equipment and sports facilities concerns will be addressed during the Play Strategy refresh.

**Stapleford - Hemlockstone Open Space.** Users commented that the bike tracks were well used and well maintained by all ages, but the site would benefit from further new signage in addition to the recent replacements.

**Toton - Banks Road Open Space.** Second highest scoring site. Users commented that the site was lovely, clean, paths are well maintained, and there is plenty of bins that are emptied frequently

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## 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
2024/25	£151,000

Table 2: Pride in Parks investment

Improvements delivered by the Pride in Parks programme

Tables 3,4,5,6,7 and 8 below, shows the number of improvements delivered by the Pride in Parks programme from 2018 up until 2025. 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"> <li>• Refurbishment of the play area.</li> <li>• Bark replaced with an accessible rubber surface.</li> <li>• Sand and water play.</li> <li>• Dish roundabout.</li> <li>• Easy transfer group swing.</li> <li>• In-floor trampoline and toddler items.</li> </ul>	£90k
Beeston - Leyton Crescent Recreation Ground	<ul style="list-style-type: none"> <li>• A refurbishment of the play area.</li> <li>• Bark replaced with an accessible rubber surface.</li> <li>• Giant steel frame with nets and various play activities installed.</li> <li>• Inclusivity and accessibility considered with the inclusion of low level play activities.</li> </ul>	£110k
Eastwood - Jubilee Park	<ul style="list-style-type: none"> <li>• Maintenance and cleansing of equipment and surfacing.</li> </ul>	£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"> <li>• 50% replacement of the bark surface with an accessible rubber one.</li> <li>• Refurbished play units and installation of a new toddler unit.</li> </ul>	£40k
Kimberley - Millfield Road Open Space	<ul style="list-style-type: none"> <li>• Play area extended.</li> <li>• Rubber accessible surface installed.</li> <li>• Toddler unit with low level activities installed.</li> </ul>	£40k
Nuthall - Redbridge Drive Open Space	<ul style="list-style-type: none"> <li>• Play area extended</li> </ul>	£48k

Site	Improvement	Cost
	<ul style="list-style-type: none"> <li>Toddler unit, trampoline and group swing installed.</li> <li>50% of the bark surface replaced with rubber.</li> </ul>	
Stapleford - Central Avenue Recreation Ground	<ul style="list-style-type: none"> <li>Maintenance and cleansing of equipment and surfacing.</li> </ul>	£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"> <li>25% of the bark surface replaced with rubber.</li> <li>Accessible dish roundabout and low level trampoline installed.</li> </ul>	£30k
Trowell - Salcey Drive Open Space	<ul style="list-style-type: none"> <li>Maintenance and cleansing of equipment and surfacing.</li> </ul>	£1k

Table 3: 2018/19 - Pride in Parks improvements

**2019/20**

Site	Improvement	Cost
Bramcote - King Georges Park	<ul style="list-style-type: none"> <li>Rubber surfacing.</li> <li>Low level activities and trampoline in a fenced play area.</li> <li>Timber units for older children.</li> </ul>	£130k
Chilwell - Sherman Drive	<ul style="list-style-type: none"> <li>Play area extended and refurbished.</li> <li>New equipment for younger children.</li> <li>Installation of rubber safety surfacing to make the area more accessible.</li> </ul>	£30k
Stapleford - Hickings Lane Recreation Ground	<ul style="list-style-type: none"> <li>New play area, featuring a large steel dome, climbing nets and rope ladders.</li> <li>Installation of a trampoline and a rubber surface.</li> </ul>	£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"> <li>• Full refurbishment of the play area.</li> <li>• New climbing units installed.</li> <li>• Bark replaced with an accessible rubber surface.</li> <li>• Play units with low level activities installed.</li> <li>• Accessible basket swing.</li> <li>• Picnic tables.</li> <li>• Zip line.</li> </ul>	£140k
Chilwell - Swiney Way Open Space	<ul style="list-style-type: none"> <li>• Replacement of outdated equipment.</li> <li>• Rubber surface installed.</li> </ul>	£40k
Play Area Improvements	<p>Works carried out at:</p> <ul style="list-style-type: none"> <li>• Beeston Fields Recreation Ground.</li> <li>• Sandy Lane Open Space, Bramcote.</li> <li>• Inham Nook Recreation Ground, Chilwell.</li> <li>• Queen Elizabeth Park, Stapleford.</li> </ul> <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"> <li>• Extension of existing play area.</li> <li>• Installation of an accessible rubber surface.</li> <li>• Accessible basket swing and picnic table installed.</li> </ul>	£22k
The Spinney, Nuthall	<ul style="list-style-type: none"> <li>• Bark replaced with an accessible rubber surface.</li> <li>• New play items installed for younger children.</li> </ul>	£33k

Site	Improvement	Cost
Stapleford - Pasture Road recreation Ground	<ul style="list-style-type: none"> <li>• Full refurbishment of the play area.</li> <li>• Bark replaced with an accessible rubber surface.</li> <li>• Accessible basket swing and picnic table installed.</li> <li>• Installation of a fitness area</li> </ul>	£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"> <li>• Low level inclusive activities and additional toddler equipment.</li> <li>• Installation of accessible rubber surfacing.</li> </ul>	£35k
Bramcote - Bramcote Hills Park	<p>An extensive public consultation has been undertaken over the summer of 2023.</p> <ul style="list-style-type: none"> <li>• Old play units replaced and refurbished.</li> <li>• Improved provision for toddlers.</li> <li>• Zip line.</li> </ul>	£230k
Bramcote - Sandgate Open Space	<ul style="list-style-type: none"> <li>• New seesaw and roundabout.</li> <li>• Rubber flooring.</li> <li>• Improvements to access points.</li> <li>• Accessible basket swing will be installed.</li> </ul>	£40k
Stapleford - Queens Elizabeth II Park	<ul style="list-style-type: none"> <li>• An accessible basket swing.</li> <li>• Installation of accessible rubber surfacing.</li> </ul>	£25k
Toton - Banks Road Open Space	<ul style="list-style-type: none"> <li>• Low level inclusive activities and additional toddler equipment.</li> <li>• Installation of accessible rubber surfacing.</li> </ul>	£30k

Table 7: 2023/24 - Pride in Parks improvements

2024/25

Site	Improvement	Cost
Bramcote - Eastcote Avenue Open Space	<p>Path around perimeter of site connecting into Chesham Drive and Pimlico Avenue. Works currently with contractor awaiting start date.</p> <ul style="list-style-type: none"> <li>Patch and overlay areas worst affected and reinstate affected edgings.</li> </ul>	£25k
Bramcote - King George V Park	<p>Works currently with contractor awaiting start date.</p> <ul style="list-style-type: none"> <li>Patch and overlay tarmacadam surface in worst affected areas and reinstate affected edgings.</li> </ul>	£40k
Eastwood - Hall Park	<ul style="list-style-type: none"> <li>Steps repaired.</li> <li>All paths scraped and cleared of any detritus to allow resurfacing. The repairs have improved a 1.2km route that runs around and through the site.</li> </ul>	£20K
Moorgreen - Colliers Wood Nature reserve	<p>Design work being finalised with contractor onsite. This scheme was part funded from Section 106 allocations.</p> <ul style="list-style-type: none"> <li>Reinstatement of consolidated stone and any edging material where needed. Resurfacing of the main path with tarmacadam.</li> <li>Replacement of dipping platform.</li> <li>Improvements to performance area.</li> </ul>	£66K

Table 8: 2024/25 - Pride in Parks improvements



## **Report of the Portfolio Holder for Economic Development and Asset Management**

### **Household Energy Survey**

#### 1. Purpose of Report

To seek agreement from Cabinet to circulate a Household Energy Survey.

#### 2. Recommendation

**Cabinet is asked to CONSIDER the consultation questions detailed in the Appendix and RESOLVE accordingly.**

#### 3. Detail

In November 2023, the Council entered into an agreement with the University of Nottingham (Department of Architecture and the Built Environment) to gain a comprehensive understanding of the housing stock within the Borough.

This is to help produce a roadmap that will support decarbonisation efforts and will identify cost-effective retrofit investment to maximise carbon emission reductions. This is a key area of focus as 32% of the Borough's emissions comes from heating and lighting homes.

The outcome of this work will also help to enhance the Council's preparedness to meet the UK's net zero target by 2050.

As part of this initiative, the consultants are also looking at fuel poverty within the Borough. Fuel poverty is defined as a household that is:

- Living in a property with an energy efficiency rating of band D-G
- Has a disposable income (income after housing costs and energy needs) that would fall below the poverty line The poverty line was £17,300 in the 2023 dataset. (Source: Commons Library Research Briefing, Fuel Poverty, Feb 2024)

To facilitate this, the Council is looking to conduct a Household Energy survey from 27 November 2024 until 31 January 2025. The survey will be undertaken during the winter as it will help to capture the impact of cold weather on energy expenses.

The survey, detailed in the **Appendix**, will not only support the research being undertaken by the University but will also contribute to the development of the Council's own Fuel Poverty Strategy.

The survey will be available on-line and via email me. There will also be paper copies available at a number of locations across the Borough, including the Council Offices and Libraries.

4. Key Decision

Not applicable.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

The consultation with local residents will provide useful feedback to inform the Council's own Fuel Poverty Strategy. There are no additional financial implications for the Council at this consultation stage, with nominal costs being contained within existing budgets.

7. 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

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The climate change implications are contained within the report.

11. 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.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.

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Household Energy SurveyIntroduction

Broxtowe Borough Council in conjunction with the University of Nottingham, is undertaking a retrofit project that is aimed at supporting improvements to homes across the Borough. As part of this initiative, the team is also looking at fuel poverty within the Borough and how this is measured and calculated.

To better understand the needs of its residents, the Council is asking householders to complete a brief questionnaire. This should take no longer than five minutes to finish. Your insights will not only contribute to the University's research but will also play a vital part in shaping the Council's own Fuel Poverty Strategy, which is currently under development.

Thank you for your support.

Question No.	Question text	Response scale
1	In the past year, how frequently did your household reduce or forego expenses for basic household necessities, such as medicine or food, in order to pay an energy bill?	<ul style="list-style-type: none"> <li>- Never.</li> <li>- 1 or 2 months.</li> <li>- Some months but not every month.</li> <li>- Almost every month.</li> </ul>
2	In the past year, how frequently did your household keep your home at a temperature that you felt was unsafe or unhealthy (this would be below 18°C)?	<ul style="list-style-type: none"> <li>- Never.</li> <li>- 1 or 2 months.</li> <li>- Some months but not every month.</li> <li>- Almost every month.</li> </ul>
3	In the past year, how frequently did your household run behind on payments for energy bills, or receive a notice to disconnect?	<ul style="list-style-type: none"> <li>- Never.</li> <li>- 1 or 2 months.</li> <li>- Some months but not every month.</li> <li>- Almost every month.</li> </ul>
4	In the last year, was there ever a time your household was unable to use your main source of heat because you could not afford to pay for gas or electricity?	<ul style="list-style-type: none"> <li>- Yes.</li> <li>- No.</li> </ul>
5	About how many days over the past year has your household gone without heat because you could not afford to pay for gas or electricity?	<ul style="list-style-type: none"> <li>- Number of days.</li> </ul>
6	In the last year, was there ever a time your household were unable to use your main source of heat because the equipment was broken, and you	<ul style="list-style-type: none"> <li>- Yes.</li> <li>- No.</li> </ul>

Question No.	Question text	Response scale
	couldn't afford to pay to repair or replace it?	
7	In the past year, did anyone in your household need medical attention because your home was too cold?	<ul style="list-style-type: none"> <li>- Yes</li> <li>- No</li> </ul>
8	Have you received support with your energy costs?	<ul style="list-style-type: none"> <li>- Yes (If yes go to question 8a)</li> <li>- No (if no go to question 9)</li> </ul>
8a	If yes, what was this and was it effective?	Open ended answer
9	Housing ownership/Tenure. Are you a (Please select one of the following):	<ul style="list-style-type: none"> <li>- Homeowner</li> <li>- Private renter</li> <li>- Council/ Social housing renter</li> </ul>
10	Which of the following areas do you live in?	<ul style="list-style-type: none"> <li>- Attenborough</li> <li>- Awsworth</li> <li>- Beeston</li> <li>- Bramcote</li> <li>- Brinsley</li> <li>- Chilwell</li> <li>- Cossall</li> <li>- Eastwood</li> <li>- Greasley</li> <li>- Kimberley</li> <li>- Nuthall</li> <li>- Newthorpe</li> <li>- Stapleford</li> <li>- Strelley</li> <li>- Toton</li> <li>- Trowell</li> <li>- Watnall</li> </ul>
11	Please provide your address details. (This will be used to link your response to Energy Performance Certificate data)	
12	How would you describe your employment status?	<ul style="list-style-type: none"> <li>- Employed full time</li> <li>- Employed part time</li> <li>- Student</li> <li>- Not working</li> </ul>

Question No.	Question text	Response scale
13	What is your annual household income before tax?	<ul style="list-style-type: none"> <li>- £0 - £9,999</li> <li>- £10,000 - £24,999</li> <li>- £25,000 - £49,999</li> <li>- £50,000 - £74,999</li> <li>- £75,000 - £99,999</li> <li>- £100,000 or more</li> </ul>
14	Which of the following best describes your household?	<ul style="list-style-type: none"> <li>- Single Parent</li> <li>- Couple with children</li> <li>- Couple without Children</li> <li>- Single pensioner</li> <li>- Pensioner couple</li> <li>- Household of multiple occupancy (Shared accommodation)</li> </ul>
15	How would you best describe your gender?	<ul style="list-style-type: none"> <li>- Male</li> <li>- Female</li> <li>- Another Way</li> <li>- Prefer not to say</li> </ul>
16	Which of the following age groups do you belong to?	<ul style="list-style-type: none"> <li>- 18-24</li> <li>- 25-29</li> <li>- 30-44</li> <li>- 45-59</li> <li>- 60-64</li> <li>- 65+</li> </ul>
17	Do you consider yourself as disabled or have any long-term health problems that limit daily activity?	<ul style="list-style-type: none"> <li>- Yes</li> <li>- No</li> </ul>
18	Choose one option that best describes your ethnic group or background?	<ul style="list-style-type: none"> <li>- White – British</li> <li>- White – Irish</li> <li>- White – other background</li> <li>- Asian or Asian British – Indian</li> <li>- Asian or Asian British – Pakistani</li> <li>- Asian or Asian British – Bangladeshi</li> <li>- Asian or Asian British – other background</li> <li>- Black or Black British – Caribbean</li> </ul>

Question No.	Question text	Response scale
		<ul style="list-style-type: none"> <li>- Black or Black British – African</li> <li>- Black or Black British – other background</li> <li>- Mixed – White and Black Caribbean</li> <li>- Mixed – White and Black African</li> <li>- Mixed – White and Asian</li> <li>- Mixed – other background</li> <li>- Chinese</li> <li>- Any other ethnic group</li> </ul>

To be entered into the prize draw to win a **£50 Love2Shop voucher**, please add your contact details below. These will not be linked to your responses to this questionnaire.

.....

<p><b>Name and Address</b></p>
<p><b>Contact email or phone number:</b></p>

If you have any queries regarding the questionnaire please contact: [environment@broxtowe.gov.uk](mailto:environment@broxtowe.gov.uk).



## Report of the Portfolio Holder for Environment and Climate Change

### Hydrotreated Vegetable Oil Update

#### 1. Purpose of Report

To update Members on the transition to Hydrotreated Vegetable Oil (HVO) for the Council's fleet vehicles.

#### 2. Recommendation

**Cabinet is asked to NOTE the report.**

#### 3. Detail

The Council has set an ambitious target of being carbon neutral by the end of 2027. In May 2022, Members approved an additional £42,000 budget to transition to HVO in support of decarbonising the fleet and reducing the Council's carbon footprint. Following the approval of these funds, the price of both DERV (Diesel) and HVO increased significantly. The result of the price escalation was that the funds approved would not cover the transition to HVO. Consequently, the project was put on hold to allow the price to stabilise.

In October 2023, a further report was taken to Cabinet highlighting that the additional cost per annum for HVO would be in the region of £116,500 (compared to the price of DERV), but in order to maintain 10-days' worth of contingency fuel supply the additional cost rose to £126,000 as a consequence of more frequent deliveries. The budgetary increase was justified in light of the long term benefits with reduced carbon emissions (77% on the Council's transport emissions and an overall reduction of 26% in the Council's total carbon emissions).

In the October 2023 report, it was initially indicated that HVO was only compatible with vehicles manufactured from 2019 onwards, thereby limiting its usage to 45 vehicles or 48% of the fleet. However, further analysis revealed that there is no compelling evidence to restrict HVO application solely to vehicles pre 2019. Research demonstrated that HVO can be utilised as a direct drop in replacement to DERV, necessitating no modifications in its use or storage.

Given the that there was sufficient budget, it was determined that HVO could be used across all compatible fleet (91% or 85 out of the Council's current 93 vehicles). The transition to HVO would result in a 91% reduction in Council fleet emissions. In March 2024, the transition to HVO was completed and it is anticipated that this will contribute to a 31.5% reduction in the Council's own operation carbon footprint (this excludes nearly all of scope 3).

Whilst initial analysis indicates that the transition to HVO will incur an additional cost of £65,000 compared to maintaining a DERV fleet, the long term environmental benefits justify this investment.

Further detail on fuel pricing and the impact additional HVO usage has on the fleet is detailed in the **Appendix**.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it effects communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

There are no direct financial implications arising from this noting report. Budget implications will be closely monitored to ensure that the transition to HVO remains financially viable within the allocated revenue budgets. Any uplifts required for the 2025/26 will be incorporated into the budget setting process.

7. 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.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

Transitioning to nearly full fleet utilisation of HVO has significantly reduced the Council's Carbon footprint, demonstrating commitment to the Council's carbon neutral target.

Although HVO is currently more expensive than diesel, its price, at the moment is on a declining trend. The sensitivity of fuel prices does remain a concern. The Environment team actively monitors these fluctuations to ensure that budgetary constraints are balanced against carbon savings.

The long term benefit of this transition will support the Council's ambition to become not only carbon neutral but net zero beyond that.

11. Data Protection Compliance Implications

Not applicable.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.

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Appendix

Budgetary implications of HVO transition

For the financial year 2024/25, Environment has an allocated fuel budget of £572,000 for use across 93 fleet vehicles. 85 of these are currently utilising HVO and the nine remaining vehicles are electric. The anticipated budget implications of transitioning to HVO across the majority of the fleet, including other fuel types used in mowers and other plant machinery has been estimated at £447,000. This figure is based upon average price per litre for a variety of fuels used across current Council operations.

In contrast, maintaining a fully DERV fleet has been projected at £382,000. Consequently, the additional cost associated with the transition to HVO across the fleet is estimated to be approximately £65,000.

The pricing trend for HVO has been favourable, currently standing at £1.38 per litre a significant decrease from £1.95 per litre recorded in April 2023. The Environment Team will continue to closely monitor HVO pricing trends ensuring that any sustained fluctuations are addressed.

In reviewing the October 2023 report regarding HVO transition, it is evident that transitioning a portion of the fleet (45 vehicles or 48%) would yield benefits resulting in an overall carbon emission reduction for the Council's transport emissions of 77% (625 tCO<sub>2e</sub>). However, a transition encompassing all suitable fleet vehicles will result in a 91% (738 tCO<sub>2e</sub>) reduction in the Council's transport emissions. This will result in a 31.5% overall reduction in the Council's carbon footprint.

Should the price of HVO rise significantly, the Environment team will revisit the transition strategy and could potentially revert to the originally identified 45% fleet conversion. It has been determined that HVO prices would need to exceed a £1.82 per litre threshold for reconsideration of full utilisation across the fleet. Figure 1 illustrates fuel pricing of both DERV and HVO since April 2023. This approach would still achieve considerable carbon savings whilst minimising the impact on the budget. A thorough assessment would need to be conducted prior to any such actions being undertaken.

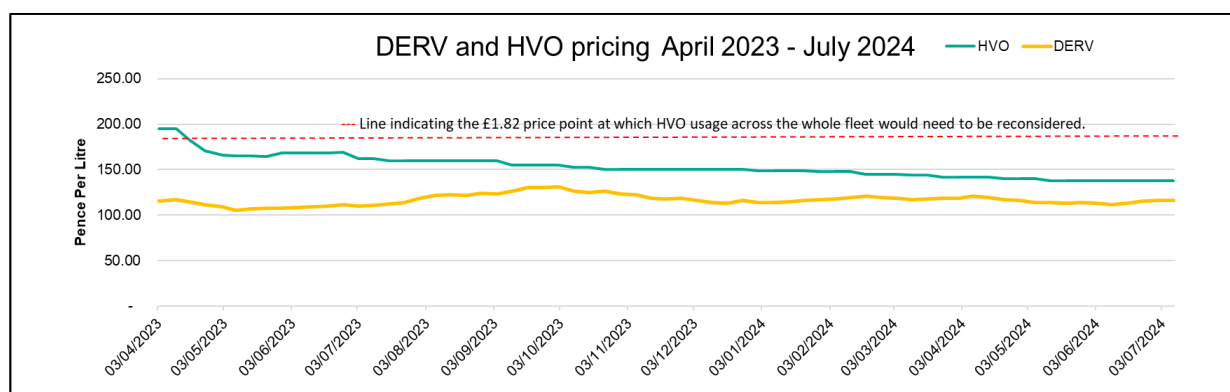


Figure 1: Fuel pricing of both DERV and HVO since April 2023.

The impact of HVO on the Council’s own operation footprint

For ease of comparison, it is anticipated that fuel usage will remain relatively consistent, as illustrated in Figure 2.

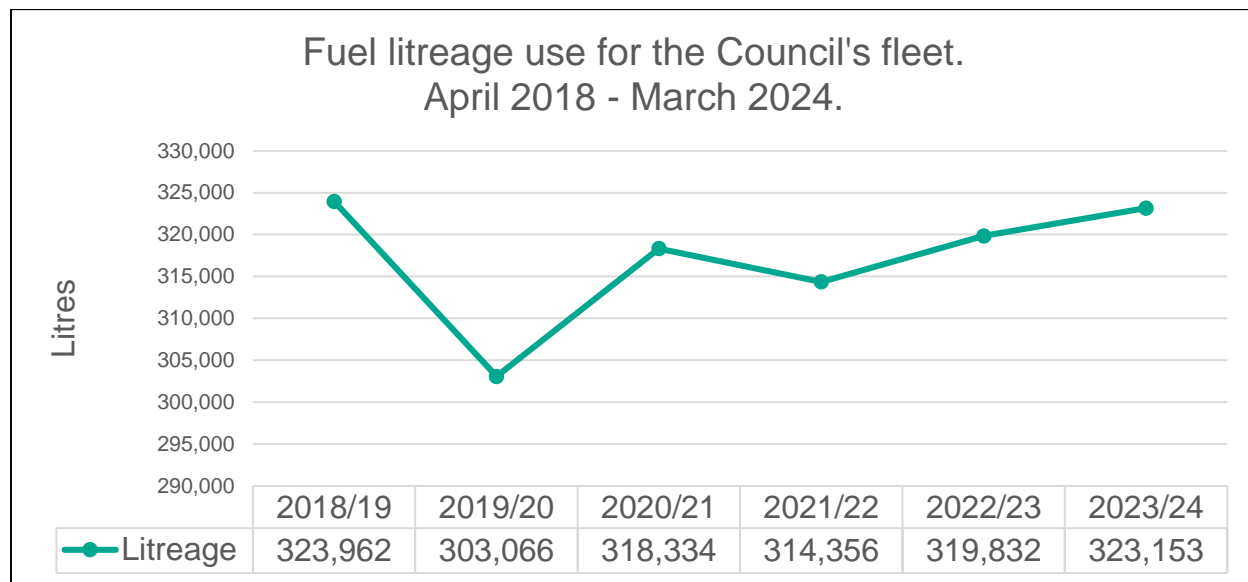


Figure 2: Fuel usage across the Council’s fleet.

It is important to note that the footprint analysis does not include all scope 3 emission data, allowing for a much clearer comparison against previous years. In 2023/24, the Council’s overall carbon footprint encompassing scopes 1, 2 and a portion of scope 3, was recorded at 2,343 tCO<sub>2</sub>e, with fleet and plant machinery contributing 35% (812 tCO<sub>2</sub>e) of this total (Figure 3).

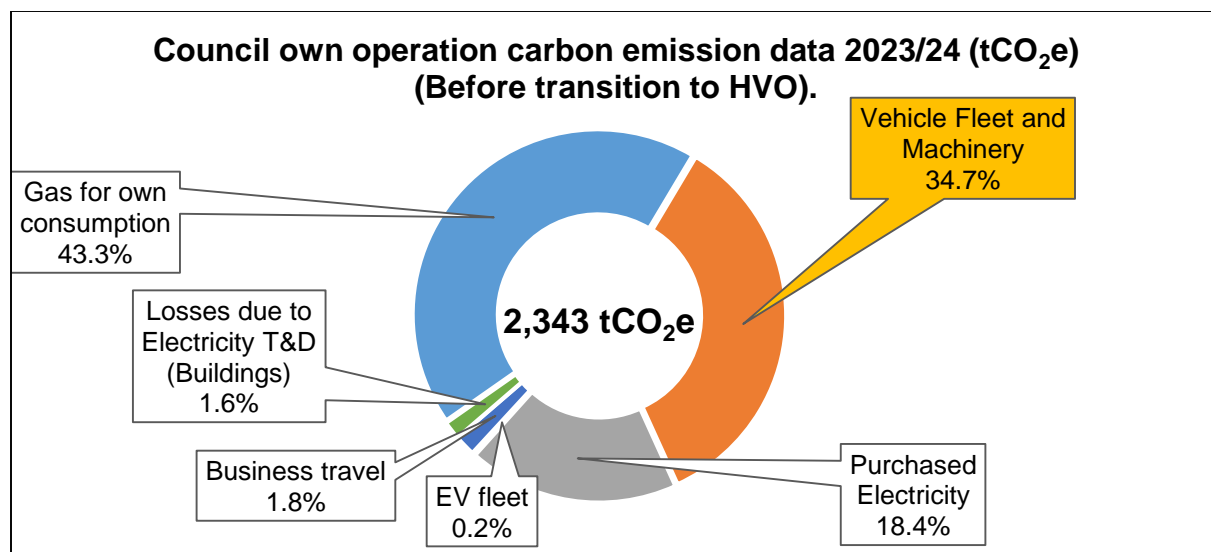


Figure 3: Council own operation footprint for 2023/24.

The transition to HVO across nearly the entire fleet (and excluding mowers and other plant equipment) is projected to have a considerable impact on emissions. It is anticipated that carbon emissions for the Council’s own operation footprint will amount to approximately 1,605 tCO<sub>2</sub>e (Figure 4), with fleet and plant machinery contributing 74 tCO<sub>2</sub>e (4.6%), a reduction of around 91% (738 tCO<sub>2</sub>e) in associated fleet emissions. Consequently, the overall operational footprint of the Council is expected to experience a 31.5% decrease compared to the previous year. This would be primarily attributed to fleet fuel changes.

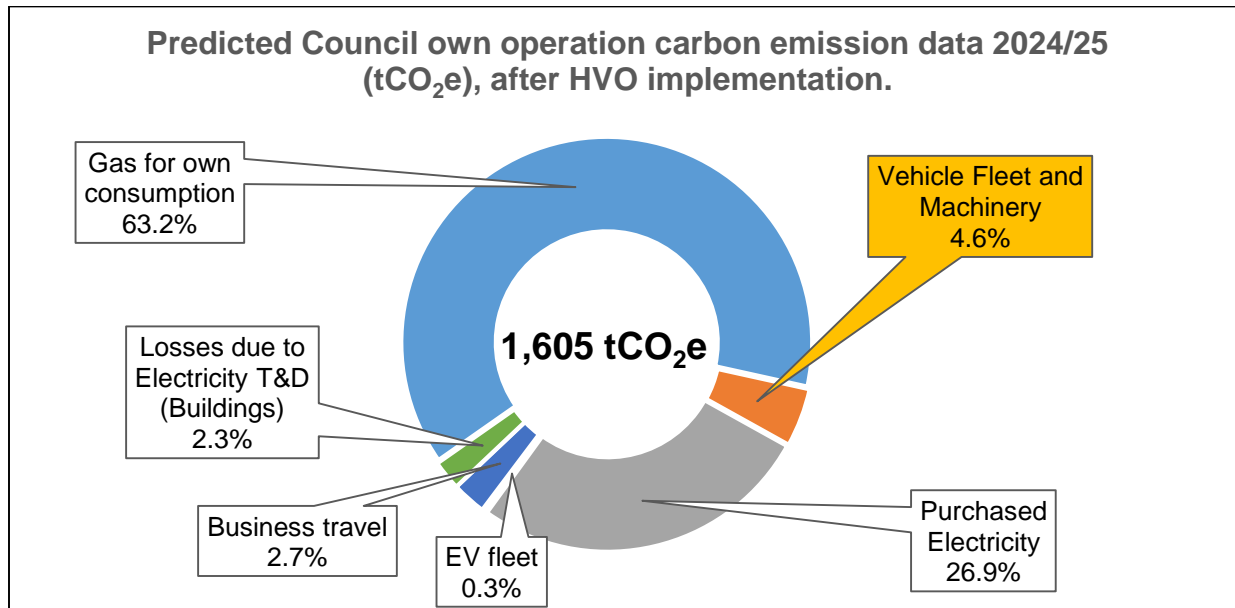


Figure 4: Predicted Council own operation footprint following the fleets transition to HVO.

The anticipated trajectory towards carbon neutrality by 31 December 2027 is further highlighted in Figure 5, demonstrating that carbon emission reductions are no longer plateauing. This trend shows the effectiveness of a transition to HVO.

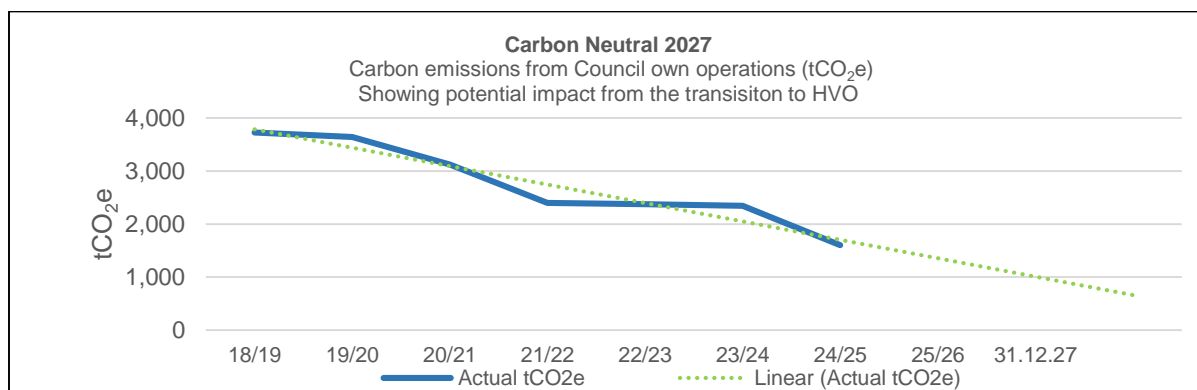


Figure 5: Council own operation emissions highlighting the potential impact from the transition to HVO.

Summary

The transition to HVO across more than the initially anticipated 48% of the Council's fleet presents significant environmental benefits, with a projected reduction in the Council's overall carbon footprint of 31.5% or 738 tCO<sub>2</sub>e compared to the previous year.

Whilst HVO remains in use budget implications will be closely monitored, ensuring that the transition remains financially viable and within the allocated revenue budget.



**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 \*.

3 December 2024	<ul style="list-style-type: none"> <li>• Event Programme 2025/26</li> <li>• Garden Waste Subscription Fee*</li> <li>• Council Tax Base 2024/25*</li> <li>• Local Council Tax Support Scheme 2023/24*</li> <li>• Irrecoverable Arrears Exempt*</li> <li>• Housing Benefit- War Pension Disregard</li> <li>• People Strategy</li> <li>• Economic Development and Regeneration Plan 2022-2027</li> <li>• Complaints Report Quarter2</li> <li>• Housing Strategy</li> <li>• Pets Policy</li> <li>• Policy for Customers with Additional Supports Needs</li> <li>• Former Beamlight Factory Article 4 Direction</li> <li>• Neonatal Care leave</li> <li>• Food Waste and Simpler Recycling</li> <li>• Options Appraisal for a piece of land*</li> <li>• Garage Survey</li> <li>• Affordable Housing Contract*</li> <li>• HQN Mark Audit</li> </ul>
7 January 2025	<ul style="list-style-type: none"> <li>• Grants to Voluntary and Community Organisations</li> <li>• Irrecoverable Arrears *</li> <li>• Litter Strategy</li> <li>• HMO Strategy</li> <li>• Residential Guidance Supplementary Document</li> <li>• Decarbonisation of Council Premises</li> </ul>
4 February 2025	<ul style="list-style-type: none"> <li>• Budget Proposals and Associated Strategies</li> <li>• Pay Policy</li> </ul>

	<ul style="list-style-type: none"><li>• Prevent Strategy</li><li>• Grievance Policy</li><li>• Disciplinary Policy</li></ul>
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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