



Monday, 26 January 2026

Dear Sir/Madam

A meeting of the Cabinet will be held on Tuesday, 3 February 2026 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

Zulfiqar Darr
Interim Chief Executive

To Councillors: M Radulovic MBE (Chair)
G Marshall (Vice-Chair)
G Bunn
C Carr
T A Cullen

R D MacRae
J W McGrath
H E Skinner
V C Smith
E Williamson

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 - 16)

Cabinet is asked to confirm as a correct record the minutes of the meeting held on Tuesday, 6 January 2026.

4. Scrutiny Reviews (Pages 17 - 20)

The purpose of this report is to make members aware of matters proposed for and undergoing scrutiny.

4.1 Scrutiny Review of Cemetery Memorials (Pages 21 - 76)

This report gives the findings of the Cemetery Memorials Task and Finish Group and the recommendations of the Overview and Scrutiny Committee to Cabinet on the matter, as well as the results of an Equality Impact Assessment. A decision on this item was deferred from the December meeting while this assessment was conducted.

The report asks Cabinet to consider the recommendations of the Overview and Scrutiny Committee regarding cemetery memorials and approve accordingly.

5. Resources and Personnel Policy

5.1 Budget Proposals and Associated Strategies (Pages 77 - 186)

To recommend to Council the capital and revenue budget proposals together with the Capital Strategy, Prudential Indicators, Treasury Management Strategy, Investment Strategy and General Fund Medium Term Financial Strategy and to approve the Business Plans. This is in accordance with all the Council's key priorities.

5.2 Capital Programme 2025/26 – Capital Budget Variations (Pages 187 - 192)

To approve a series of budget revisions to the Capital Programme for 2025/26, in accordance with all the Council's priorities.

5.3 Pay Policy 2026/27 (Pages 193 - 218)

To seek approval for the 2026/27 Pay Policy ahead of Full Council.

6. Housing

- 6.1 Regulator of Social Housing - Judgement (Pages 219 - 230)
- To provide an overview of the judgement from the Regulator of Social Housing and to share the key activities within the revised Service Improvement Plan.
- 6.2 New Competence and Conduct Standard for Housing Services (Pages 231 - 238)
- To advise Cabinet of the new Competence and Conduct Standard coming into force in October 2026, and to ensure Members are aware of the expected requirements.
- 6.3 Housing Scrutiny Group Report - Voids Process (Pages 239 - 272)
- To provide the outcome of a scrutiny exercise undertaken by the Housing Scrutiny Group on the Repairs element of the void property process.
7. Environment and Climate Change
- 7.1 Environmental Enforcement Update (Pages 273 - 298)
- To seek approval to extend the contract with the third party Environmental Enforcement contractor for one year.
- 7.2 Adoption of Bramcote Quarry and Allocation of Section 106 Funds (Pages 299 - 304)
- The purpose of the report is to advise Cabinet that the former BIFFA quarry and landfill site at Bramcote has now been legally adopted by the Council and to outline the next steps for the future use and development.
8. Community Safety
- 8.1 PSPO Renewal (Pages 305 - 378)
- To seek approval for the renewal of the pre-existing Public Spaces Protection Orders (PSPO) for alcohol control, vehicle control, dog control and footpath gating in order to continue to deter and control issues of ASB in public spaces.

9. Cabinet Work Programme

(Pages 379 - 380)

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.

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.

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.

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

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

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2. OTHER REGISTERABLE INTERESTS (ORIs)

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

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

3. NON-REGISTRABLE INTERESTS (NRIs)

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

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

Dispensation and Sensitive Interests

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

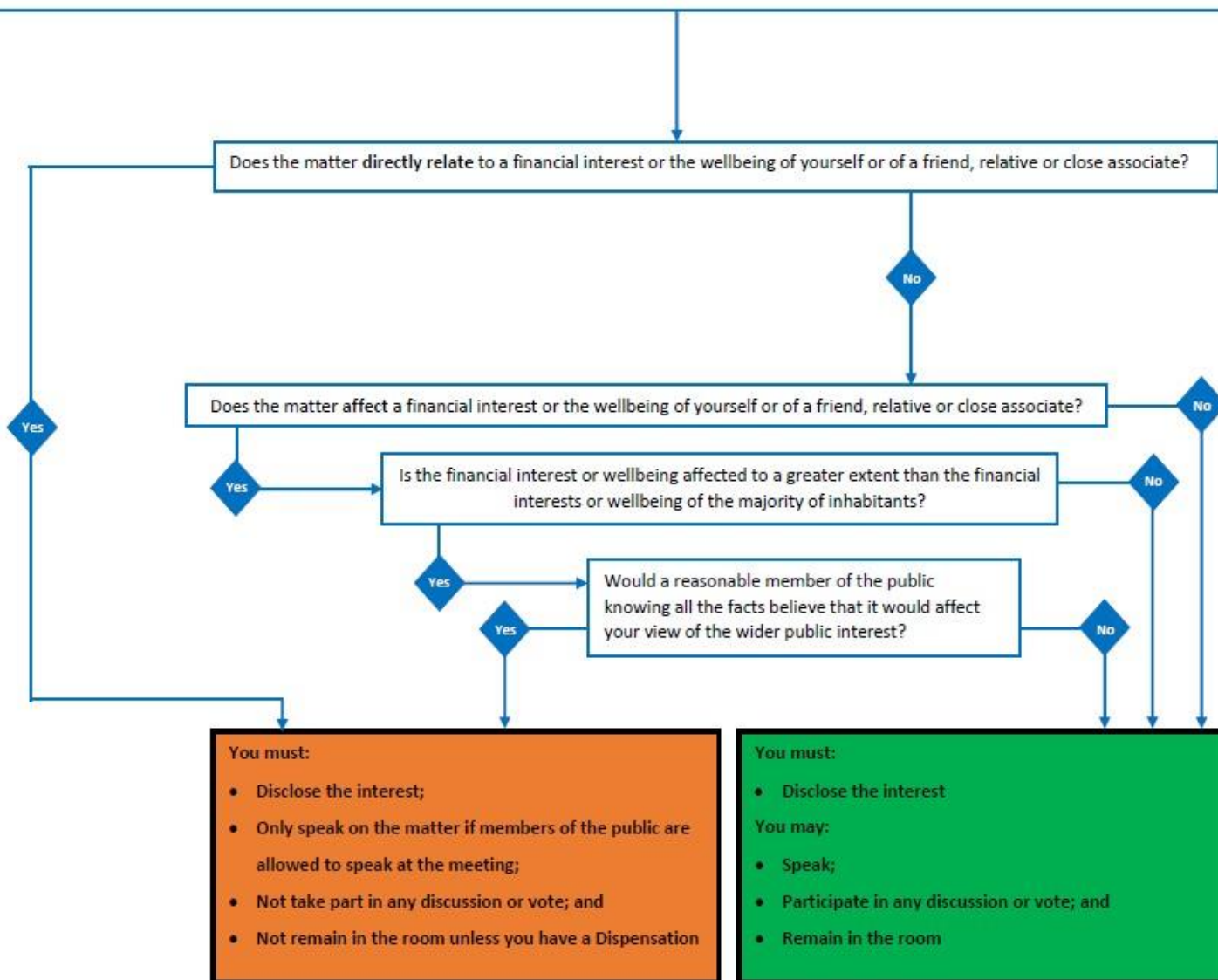
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

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, 6 JANUARY 2026

Present: Councillor M Radulovic MBE, Chair

Councillors: G Marshall (Vice-Chair)
G Bunn
C Carr
R D MacRae
J W McGrath
V C Smith
E Williamson

92 APOLOGIES

Apologies for absence were received from Councillors T A Cullen and H Skinner.

93 DECLARATIONS OF INTEREST

There were no declarations of interest.

94 MINUTES

The minutes of the meeting held on 16 December 2025 were confirmed and signed as a correct record.

95 SCRUTINY REVIEWS

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

96 RESOURCES AND PERSONNEL POLICY

96.1 BUDGET CONSULTATION 2026/27

Cabinet noted the results of the 2026/27 budget consultation exercise that took place during 2025. It was stated that it was important that the Council demonstrated that it listened to the views of residents. There was evidence that the Council maintained services in addition to enhancing elements that it delivered. The Council would continue to make the improvements that were a result of listening to residents.

96.2 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2025/26 – MID-YEAR REPORT

Members noted the mid-year update on the treasury management activity and the prudential indicators for 2025/26. Details of all borrowing and investment transactions undertaken in 2025/26 up to 30 September 2025 had been provided. There had been no issues of non-compliance with the current practices that required reporting. It was confirmed that decisions taken had not exposed the Council to risk and that policy would continue.

97 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

97.1 INFRASTRUCTURE FUNDING STATEMENT 2024/25

Cabinet noted the Infrastructure Funding Statement 2024/25. The report provided information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Broxtowe, and the subsequent use of those contributions by the Council. The report covered the financial year from 1 April 2024 to 31 March 2025. It was stated that the Council would support a move to the Community Infrastructure Levy rather than the system of Section 106 contributions as a change in system would provide more flexibility.

98 ENVIRONMENT AND CLIMATE CHANGE

98.1 PARKS STANDARD

Cabinet noted the progress to date and the results of the 2025 parks consultation. Members were informed that the Council was in the process of refreshing its Play Strategy into a broader Play and Parks Strategy. A consultant had been identified to undertake this work, and procurement details were being considered. Officers would return to Cabinet to seek approval to undertake a public consultation on the refreshed Strategy and then ultimately, its adoption. It was anticipated that this piece of work would be finalised and returned to Cabinet for adoption in autumn 2026. The refreshed Strategy would also inform a wider Pride in Parks programme, aligning asset management inspections to prioritise necessary works such as paths, fences, gates, and seating, which were not included in the current Play Strategy and therefore received less focused investment.

98.2 ALLOCATION OF SECTION 106 FUNDS

Cabinet considered a report which sought approval for Section 106 contributions to be used to fund improvements to Parks and Open Spaces for the capital schemes to be included in the capital programme for the relevant years. Section 106 developer contribution funds had been received in relation to the land at Halls Lane, Giltbrook.

RESOLVED that the parks and open spaces improvement scheme for Smithurst Road Open Space and Local Nature Reserve in Giltbrook be approved and added to the Capital Programme for 2025/26 with the cost of £141,700 being funded by an allocation from Section 106 contributions.

Reason

Once completed, these improvements will enhance the Borough's open spaces and play areas for all users and support the priorities set out in the Play Strategy.

98.3 NEW POST - SENIOR ENVIRONMENTAL DEVELOPMENT OFFICER

Approval was sought for the creation of a new Senior Environmental Development Officer position within the Parks and Open Spaces team and for the deletion of the Sign Fabricator, Painter and Decorator post. The Sign Fabricator, Painter and Decorator position had been vacant since June 2024. While a potential restructure was considered at that time, the team had managed the workload and found it more cost-effective to outsource sign fabrication to external contractors rather than retain the role in-house. Since then, the duties previously undertaken by this post had been absorbed by the two Environmental Development Officers and the Conservation and Green Spaces Development Manager, supplemented by external contractors where necessary.

RESOLVED that the creation of a new Senior Environmental Development Officer post, at a projected Grade 9, be approved. The new post would be partially funded by the deletion of the Sign Fabricator, Painter and Decorator post (T20) from the establishment, with the net cost of up to £22,650 being met from the General Fund Reserve balances.

Resolved

This new position will provide the necessary capacity and expertise to support delivery of the Council's environmental and climate objectives.

99 CABINET WORK PROGRAMME

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

Reason

This is in accordance with all the Council's Corporate Policies.

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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 the Council's priorities.

2. Recommendation

Cabinet is asked to NOTE the report.

3. Detail

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 consider 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 Interim Deputy Chief Executive 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:

Whilst there are no legal implications arising from the report, under Section 9F of the Local Government Act 2000, Overview and Scrutiny Committee has the power to make reports or recommendations to Cabinet on matters which affect the Council's area or the inhabitant of its area.

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 Agreed by the Overview and Scrutiny Committee

	Topic	Topic suggested by	Link to corporate priorities/values
1.	Budget Consultation	Overview and Scrutiny Committee	All Corporate Priorities
2,	Anti-Social Behaviour Policy – Housing	Governance, Audit and Standards Committee	All Corporate Priorities

2. Update Reviews

	Topic	Topic suggested by	Link to corporate priorities/values	Proposed Date to Overview and Scrutiny Committee
1.	D.H. Lawrence Museum	Overview and Scrutiny Committee	Invest in our towns and our people.	September 2026
2.	Equality, Diversity and Inclusion at the Council.	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.	September 2026

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Report of the Overview and Scrutiny Committee

Scrutiny Review of Cemetery Memorials

1. Purpose of Report

A decision on this item was deferred from the 16 December 2025 meeting of Cabinet whilst an Equality Impact Assessment was conducted. This report now accompanies the papers that appeared at that meeting of Cabinet.

This report accompanies the final report of the scrutiny task and finish group considering the subject of unauthorised cemetery memorials in borough cemeteries. The recommendations of the task and finish group were considered by the Overview and Scrutiny Committee and voted upon at the meeting of the Committee that took place on Monday, 15 December 2025. Consequently, the Committee's recommendations to Cabinet on this matter were agreed at its meeting of 15 December 2025 and reported to Cabinet.

2. Recommendation

Cabinet is asked to CONSIDER the recommendations of the Overview and Scrutiny Committee and Equality Impact Assessment, and RESOLVE accordingly.

3. Detail

Cabinet, at its meeting on 3 June 2025, where a report was tabled on the matter, deferred a decision on the clearance of cemetery memorials to this Committee for a scrutiny review. It was decided at the meeting of this Committee on 26 June 2025 that the matter will be reviewed through a task and finish exercise, with the scoping document agreed at the Committee's meeting of 25 September 2025.

The task and finish group's final report and recommendations were considered at the meeting of the Overview and Scrutiny Committee that took place on Monday 15 December 2025, where Officers gave their feedback on its recommendations, which were then voted on by the Members of the Committee.

The recommendations of the Overview and Scrutiny Committee to Cabinet are presented at this meeting. As the meeting of the Committee took place yesterday evening, they will be distributed to Cabinet Members at the meeting.

As stated above, Cabinet deferred any decision on the matter until the results of an Equality Impact Assessment, which appears here, could be considered.

The additional documentation considered by the Overview and Scrutiny Committee and Cabinet on 16 December is also provided in this Cabinet agenda for information.

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 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. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

Any recommended actions with a cost implication would have to be contained within existing budgets. There is currently no budget provision to support the recommendation that refers to making available any additional funding necessary to implement changes to cemetery management and grounds maintenance procedures which are required to work around any memorials that will remain under the new rules, such as changes to shift patterns and procurement of new equipment. Any significant budget implications, over and above virement limits, would require specific approval by Cabinet.

The risk implications for any changes to operations will have to be carefully identified, risk assessed and suitably managed in order to mitigate the Council from being exposed to any significant risks.

6. Legal Implications

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

The relevant legislation is set out in the report at page 28, whilst there is no statutory duty on the Council to provide burial facilities but where they do then the management is governed by the Local Authority Cemeteries Order (LACO) 1977. The Council's powers to provide a cemetery derives from the Local Government Act 1972. LACO 1977 gives the Council wide-ranging powers of management to do what is considered necessary or desirable for the management, regulation and control of the cemeteries. The Council also have a legal obligation to keep the cemeteries in good order and repair from a health and safety element whilst maintaining records, plans, issuing deeds, etc.

In relation to the Health and Safety obligations these have been set out from page 27 and at other points throughout the report, but a principle piece of legislation the Council must adhere to is the Health and Safety at Work Act 1974 (HSWA) which places the Council under a legal duty to protect employees and other persons working or visiting the cemetery. The Management of Health and Safety at Work Regulations (1999) made under the HSWA, require all employers to assess the risks to employees and non-employees which arise out of the employer's undertaking. Therefore, the

Council is under a legal duty to assess the risk from all plant, structures (including memorials), and work activities in their cemeteries to ensure that the risk is controlled. The Council also has a duty of care under the Occupiers Liability Act 1957 Section 2(2) which states 'The common duty of care is a duty to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there'.

Relaxing the regulations to permit unofficial graveside memorials could result in the Council being vicarious liable for the acts or omissions of its Officers, grave owners and visitors, consequently being liable for claims for compensation.

Ultimately, any recommendations must comply with the above statutory obligations and align with Officer's professional opinion in order to protect both visitors and Council employees. Any non-compliance or departure from the above statutory obligations and Officer's professional opinion exposes the Council to a higher risk of legal action which may incur significant legal costs and have a reputational impact on the Council.

Furthermore, the Member Code of Conduct in paragraph 8 states: When reaching decisions on any matter you must have regard to any relevant advice provided to you by Officers of the Council acting pursuant to their statutory responsibilities (including a Proper Officer designated by the Council), or other professional Officers of the Council, taking all relevant information into consideration, remaining objective and making decisions on merit.

Where Officers indicate that certain recommendations may expose the Council to significant safety risks, Members must give substantial weight, as a failure to do so may expose the Authority to legal liability. Officers with operational, health and safety or regulatory duties remain personally accountable for their professional decisions. It is necessary for implementation planning to be undertaken solely by Officers and Members and consultation with any other interested party not to influence this discharge of duties.

7. Human Resources Implications

Not applicable.

8. Union Comments

The Union comments were as follows:

The Union supports the overall direction of the Task & Finish Group Report, particularly with the focus on health and safety, compliance and risk management in relation to cemetery memorials. Any changes to rules, inspection regimes or management arrangements must not place staff or contractors at increased risk and must be fully supported by clear procedures, appropriate training and sufficient time for implementation.

The Union wishes to highlight the importance of considering workload and resourcing implications ensuring staffing levels are adequate and additional responsibilities do not place undue pressure onto frontline teams.

Overall, the Union is supportive of a consistent and legally compliant approach, provided staff wellbeing, capacity and consultation remain central to the final decision making.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

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

11. Equality Impact Assessment

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

12. Background Papers

Nil.

Appendix 1

Response of the Assistant Director of Environment to the group's final report and recommendations

The Overview and Scrutiny Committee has brought forward recommendations intended to respond sensitively to personal memorials at the graveside. Officers acknowledge this is an issue that has attracted significant local and political interest. Whilst Officers respect the Committee's aims and objectives, the recommendations as they currently stand do not fully align with officers' professional advice as they introduce an increased and enhanced risk for visitors, employees, and the Council. Further consideration is needed to ensure their implementation addresses key risk areas including:

- Accessibility: ensuring pathways and grave spaces remain accessible, including for people with mobility aids, prams, and wheelchairs.
- Public and employee safety: preventing trip hazards, obstruction and instability of items that could harm visitors or employees.
- Legal and regulatory compliance: adherence to statutory health and safety duties.
- Operational delivery: inspection and maintenance implications and the impact that this would have on resourcing.
- Reputational impact (fairness and consistency): clear, fair, and consistent decisions to maintain public trust and avoid perceived inequity.

Officers will implement both Overview and Scrutiny and Cabinet's agreed direction. Given the sensitivity and complexity of issues involved, it is suggested that Cabinet considers establishing a cross-party working group of only Members and Officers to examine the detailed implications to ensure the recommendations are implemented and are practicable, compassionate, and compliant with the Council's legal obligations. This will be in consultation with other stakeholders, if necessary and where appropriate to do so. This will be for Overview and Scrutiny to review and ultimately Cabinet to approve. This acknowledges the recommendations' divergence from officers' advice while committing officers to mitigate the heightened risks and deliver an outcome that is sensitive, consistent, and is as safe as practically possible for both employees and visitors.

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Ask for: [REDACTED]

Ext: [REDACTED]

Email: [REDACTED]

Our Ref: [REDACTED]

Your Ref: [REDACTED]

Date: [REDACTED]



Broxtowe
Borough
COUNCIL

14 May 2025

Document D

Subject: Health and Safety Management Statement – Cemetery Plot Regulations

Official Health and Safety Management Statement: Decision for the Removal of Unauthorised Personal Memorials from Cemetery Plots

This official statement is given in support of proposed measures to regulate and, where necessary, remove non-permitted decorative items from gravesites within the Council's cemeteries. This action is required to ensure compliance with UK health and safety legislation and uphold best practice as defined by national cemetery management standards.

1. Purpose and Rationale

The aim is to safeguard the health, safety, and welfare of cemetery employees, visitors, and funeral professionals, and to preserve the dignity and functionality of burial spaces. In recent years, the presence of non-standard tributes—including glassware, fencing, lanterns, ornaments, artificial surrounds, and photographs—has created significant health and safety concerns.

2. Key Health and Safety Issues

Grounds Maintenance Hazards:

During mowing and strimming season, these items present serious injury risks to our grounds Employees. Glass, metal, and plastic objects may shatter or become projectiles when struck by equipment, creating danger to employees and visitors alike. Additionally, such items obstruct machinery, leading to repetitive strain and manual handling injuries.

Access Impediments for Funeral Services:

Picket fencing, solar lights, statues, and planters restrict access for pallbearers, funeral directors, and machinery during interments and reopening's. Navigating around these obstructions jeopardises the dignity of the service and compromises employee safety.

Trip and Fall Hazards:

Low-profile or camouflaged items placed in and around plots increase the risk of slips, trips, and falls for all cemetery users, particularly elderly or disabled visitors and pallbearers.



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It is important to note that the absence of formal reports from members of the public regarding trips, falls, or near misses does not equate to an absence of incidents; many such occurrences often go unreported, particularly in sensitive environments such as cemeteries where individuals may prioritise their grief over submitting a complaint.

3. Equality, Inclusion and Accessible Visitation

The Council has a legal and moral duty to ensure that all members of the community, regardless of disability or impairment, can access cemetery grounds and visit their loved ones in a safe and dignified manner. The Council have received reports from individuals with visual impairments and physical disabilities who feel disadvantaged and excluded due to the presence of unauthorised items - such as decorative fencing, glassware lanterns, and other obstructions that restrict or endanger safe access to graves. This is not only distressing for those affected but may also constitute a breach for obligations under the *Equality Act 2010* which requires public bodies to make reasonable adjustments and to proactively remove barriers to access the removal of unauthorised items is therefore essential to uphold our commitment to inclusive public spaces and to ensure that all visitors, regardless of physical ability, can safely navigate the cemetery grounds without increased risk of trips, injury, or exclusion.

4. Legislative and Regulatory Framework

This proposal aligns with statutory duties placed on the Council under the following UK legislation:

- Health and Safety at Work Act 1974 – Section 2 and 3 obligations to protect employees and non-employees from risks to their health and safety.
- Management of Health and Safety at Work Regulations 1999 – Mandates the assessment and control of risks in the workplace.
- Occupiers' Liability Act 1957/1984 – Duty to ensure visitors are reasonably safe while on premises.
- Local Authorities' Cemeteries Order 1977 – Empowers local authorities to regulate memorials and items placed on graves.
- Institute of Cemetery and Crematorium Management (ICCM) Guidelines – Outlines gold standard cemetery operations, focusing on safety, respect, and sustainability.

The Health and Safety Executive (HSE) has enforcement responsibility for all cemeteries. HSE guidance has been used in the production of this management statement.

5. Required Action

To create a safe, respectful, and accessible cemetery environment, the following actions must now be implemented:

- Removal of unauthorised decorative items that breach current cemetery regulations or present safety risks.
- Ongoing communication with grave owners and the public, including advance notices and signage to encourage compliance.
- Review and enforcement of a clear, standardised cemetery regulations policy in line with the Institute of Cemetery and Crematorium Management (ICCM) and Federation of Burial and Cremation Authorities (FBCA) best practice.

6. Accountability and Risk of Liability

It is important to note that, should an incident subsequently occur involving an employee or member of the public - such as injury caused by prohibited items during maintenance or funeral operations the council may be held liable for failing to act on known and documented health and safety risks. In such circumstances, individual councillors and officers who ignored or opposed the professional instruction could be exposed to scrutiny including potential investigation under the health and Safety at Work act 1974. Regulatory bodies such as the Health and Safety Executive (HSE) may deem the inaction as a failure to fulfil the council's statutory duty of care, leaving the Council open to enforcement action, civil claims, reputational damage, and where negligence is proven criminal prosecution. This further underscores the necessity of taking preventative, proportionate, and evidence-based action now, in accordance with established legal and regulatory guidance.

7. Personal Accountability and Potential Liability

While councillors acting within the scope of their duties are generally protected from personal liability this protection is not absolute. Personal liability may arise in circumstances where an elected member disregards formal health and safety instructions, acts outside their lawful powers, or supports decisions that result in foreseeable harm. In the event of a serious incident, such as an injury or fatality linked to unauthorised grave items, regulatory bodies, including the Health and Safety Executive (HSE) may investigate whether those in decision-making roles, failed to discharge their legal duties. Where conduct is found to be negligent, reckless, or in breach of the statutory obligation under legislation such as the Health and Safety at Work act 1974 or the Corporate Manslaughter and Corporate Homicide Act 2007 personal accountability may be examined. It is therefore imperative that councils consider and act upon professional health and safety actions not only to protect public and employee welfare but also to mitigate potential individual and corporate liability.*

8. Conclusion

The Council has inadvertently weakened its own position by granting a 12-month extension for the removal of decorative items and memorial trinkets despite, clear, ongoing well documented health, safety and accessibility risks associated with them. The Council are committed to maintaining the highest standards of care and respect in its cemeteries, and this requires ensuring that all spaces are safe, accessible, and manageable for operational employees and visitors.

The health and safety risks now necessitate the removal of decorative items and memorial trinkets, and the cemetery rules should be applied consistently.

The Council are now required to formally support, act upon and enforce the required actions set out in this statement, to ensure the Council fulfils its legal, ethical and operational duties in maintaining a safe, accessible and compliant cemetery environment for all.

Yours faithfully,

A black rectangular box redacting the signature of the Head of Health and Safety, Compliance and Emergency Planning.

Head of Health and Safety, Compliance and Emergency Planning

Footnote: * See HSE guidance: *“Leading health and Safety at work – Leadership actions for directors and board members (INDG417), and the Institute of Cemetery and Crematorium Management's Charter for the Bereaved, which outlines standards for the safe, respectful cemetery operations.*

Appendix 3

Statement of the Head of Health, Safety, Compliance and Emergency Planning on the group's final report and recommendations

Overview and Scrutiny Committee has brought forward recommendations intended to respond sensitively to personal memorials at the graveside. Officers acknowledge this is an issue that has attracted significant local and political interest. Whilst Officers respect the Committee's aims and objectives, the recommendations as they currently stand do not fully align with officers' professional advice as they introduce an increased and enhanced risk for visitors, employees, and the Council. Further consideration is needed to ensure their implementation addresses key risk areas including:

- Accessibility: ensuring pathways and grave spaces remain accessible, including for people with mobility aids, prams, and wheelchairs.
- Public and employee safety: preventing trip hazards, obstruction and instability of items that could harm visitors or employees.
- Legal and regulatory compliance: adherence to statutory health and safety duties.
- Operational delivery: inspection and maintenance implications and the impact that this would have on resourcing.
- Reputational impact (fairness and consistency): clear, fair, and consistent decisions to maintain public trust and avoid perceived inequity.

Officers will implement both Overview and Scrutiny and Cabinet's agreed direction. Given the sensitivity and complexity of issues involved, it is suggested that Cabinet considers establishing a cross-party working group of only Members and Officers to examine the detailed implications to ensure the recommendations are implemented and are practicable, compassionate, and compliant with the Council's legal obligations. This will be in consultation with other stakeholders, if necessary and where appropriate to do so. This will be for Overview and Scrutiny to review and ultimately Cabinet to approve. This acknowledges the recommendations' divergence from officers' advice while committing officers to mitigate the heightened risks and deliver an outcome that is sensitive, consistent, and is as safe as practically possible for both employees and visitors.

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Report of the Overview and Scrutiny
Committee

Review of Cemetery Memorials

December 2025

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Executive summary

- I. The construction of extensive cemetery memorials has become a popular national trend observed in cemeteries across the UK, especially since the Covid-19 pandemic, with negotiating the issue a topic of much debate among Councils, cemetery managers, and the sector more broadly. The Council is sensitive to the need to deal with the issue compassionately whilst also upholding its responsibilities to all residents equitably.
- II. After some periodic consideration across earlier years, the recent phase of discussions appears to have begun in 2019 and intensified after plans to clear unauthorised memorials were tabled at Cabinet in July 2024. Two sets of alternative proposals for the Cemeteries Rules and Regulations were tabled at the June 2025 meeting of Cabinet, with any decision deferred to a later date while this review was conducted.
- III. Throughout its interviews with a range of Officers, Councillors, and members of the public, the task and finish group heard a range of views from a variety of different stakeholders. It is clear that a period of low enforcement of the Cemetery Rules and Regulations to clear unauthorised memorials has led to confusion regarding what is permitted under Council policies and how these will be enforced. Feelings and views on what should be allowed at Borough cemeteries vary considerably, showing a wide spectrum of opinion with regards to personal preferences.
- IV. A decision on whether unauthorised cemetery memorials should be cleared was deferred from the 3 June 2025 Cabinet meeting so that this scrutiny review could be conducted by a task and finish group of the Overview and Scrutiny Committee. In conducting this exercise, the group has spoken to a wide range of stakeholders including Councillors, Officers, members of the public, funeral directors, and others.
- V. It appears that there is no unanimity among grave owners¹ regarding whether unofficial memorials should be permitted, and the group heard from those who support their clearance and those who want them to remain. While clear Rules and Regulations detailing what is permitted in cemeteries have always been in place, periods of low enforcement due to, among other things, the Covid-19 pandemic lockdowns and this period of policy review have contributed to the confusion regarding what is permitted.
- VI. Some grave owners have stated that they were unaware of the Cemetery Rules and Regulations and the provisions as relate to unofficial memorials, in some cases due to their state of grief perhaps contributing to the fact that they were not cognisant of the rules, in others because they claim that they were not made aware of them. It should be noted that the Council has always maintained clear

¹ Residents who lease a grave from the Council in a Borough cemetery.

Cemetery Rules and Regulations that are displayed at cemeteries, and which state such memorials are not permitted, despite the period of low enforcement.

- VII.** The Group expresses regret for this period of confusion, and for the health and safety and accessibility dynamics that officers have been required to manage under difficult circumstances throughout this period. The group received extensive advice from Officers regarding the cemetery management, grounds maintenance and health and safety implications of the present situation and any proposed changes to arrangements.
- VIII.** Grounds maintenance concerns included items becoming projectiles when cutting or strimming grass, the presence of possible trip hazards, hand-arm and whole-body vibration syndromes and the placement of soil boxes during gravedigging and reinterment. Issues raised around cemetery management included operational difficulties of implementing new rules permitting more memorials, improving understanding through consistent messaging and recording and administering what memorials are permitted during transitional arrangements.
- IX.** Comprehensive advice was received on health and safety, covering the Council's statutory responsibilities in legislation and Officers' view that the proposal to permit more extensive cemetery memorials could enhance risk. Further comment from Officers will be available and distributed alongside this report. The group is also aware of instances where cemetery memorials may create a barrier to accessibility for some cemetery visitors which, like any health and safety concerns, must be adequately controlled.
- X.** The task and finish group acknowledges the potential for cemetery memorials to present a risk to cemetery visitors, the public and Council employees if not subject to adequate controls, but feels that it is possible to find solutions to the concerns raised and subject these risks to adequate controls, while also serving residents and their desire to be permitted more means to express their grief through graveside memorialisation.
- XI.** While the group has decided to recommend that cemetery memorials up to 1m be permitted for new graves (older graves with larger memorials will be asked to revert to the 1m rule after re-opening), this must be subject to the absence of any prohibited items/materials, and to a suite of health and safety and accessibility measures where deemed necessary. The task and finish group hopes that, if approved by Cabinet, a working group of Members and Officers will work to find robust and compliant implementation of the recommendations that it has made.

Members of the Overview and Scrutiny Committee's Task and Finish Group on Cemetery Memorials

The Task and Finish Group was Chaired by Councillor S Dannheimer. Its full membership was:

- Councillor Shaun Dannheimer – Chairman
- Councillor Steve Carr
- Councillor Sarah Webb
- Councillor Ellie Winfield
- Councillor Don Pringle
- Councillor David Watts

The group was assisted by Jake Chambers, Democratic Services Officer and Jeremy Ward, Head of Democratic Services.

Recommendations

It is proposed to the Overview and Scrutiny Committee to recommend to Cabinet that:

1. To recognise the confusion caused to some local residents and thank them for their contributions, while also commending the work of Council Officers, acknowledging the difficult work they undertake in an often conflicting environment and also thanking them for their contributions to the work of the task and finish group.
2. To allow the construction and maintenance of cemetery memorials and memorial gardens on leased grave plots in Borough cemeteries, **up to a maximum length of one metre** from the headstone plinth and of the equivalent width as the headstone at its base. These must be bounded by a kerbset installed by a registered stonemason (or an agreed alternative, if signed off by the Officers deemed appropriate by Cabinet), and subject to agreement on the materials used, the absence of any prohibited items, and an agreed plan of action should any issues arise. The outside of the kerbset should be in alignment with the headstone at its base.
3. To therefore permit the installation of kerbsets on grave plots in Borough cemeteries, subject either to official installation by Council staff, or a suitable standard of installation and maintenance that does not unduly interfere in grounds maintenance. It is advisable that any kerbing fitted to a grave should bound the outer limit within which memorial items are permitted, up to a limit of **one metre**, with the width being the same as that of the headstone at its base. Any kerbset that is not officially installed must be signed off by the relevant Council Officers.
4. To instruct Legal Services to review (and draft where required) any revisions to the existing Cemetery Rules and Regulations and internment forms that may be required. This will ensure compliance by the grave owners of the terms and conditions and to ensure the Council complies with their statutory obligations.
5. All new graves (plots leased or dug since new Rules and Regulations take effect) should be permitted to maintain a memorial of up to one metre as stipulated in recommendations above, while older graves will be permitted to maintain memorials of more than one metre and up to a maximum length of the length of the grave plot, where these are already in place. When such older graves are reopened, they must then revert to 'the one metre rule', only maintaining memorials of up to one metre after this reopening. Any such memorials over one metre in length must still be at or below the width of the headstone at its base and bounded by an appropriate and agreed upon kerbset.
6. The owners of any graveside memorials outside of those allowed under these new rules (i.e. where older graves with pre-existing memorials do not revert to 1m in length following a reopening, are too wide, or feature prohibited items, or where new graves have memorials of >1m, etc.) should be offered time and assistance to reorganise their memorials, after which time their memorials should be removed in

accordance with the new regulations. Support may include notification of the grave owners that their memorial items may need to be cleared and storage of such items for a specified period of time.

7. The list of items prohibited on graveside memorials is to be reviewed and agreed, in collaboration with relevant stakeholders, including the Friends of Broxtowe Cemeteries and other cemetery users and bereaved families. The list should then be strictly adhered to by all grave owners and clearly enforced by grounds staff to safeguard against health and safety concerns. An exception should be made for a small amount of additional decoration on birthdays (for 14 days after the deceased's birth date) and Christmas (until 4 January).
8. Planted flowers, trees or shrubs should not be permitted in graveside memorials, due to the unsettling effects that roots can have on headstones and other features. Where planted vegetation is present, grave owners should be contacted and asked to pot them. If this is not done within an agreed timespan, any such planted features should be removed.
9. To consider, in consultation with any Officers, the Friends of Broxtowe Cemeteries, and any other stakeholders as appropriate, new messaging to grave owners and cemetery visitors informing them of the changes to Cemeteries Rules and Regulations and how this may affect them, such as in relation to adjacent burials, among other areas. Consideration should be given to communications stating that the Council wishes to work with visitors to manage any new health and safety and accessibility dynamics that may arise from new regulations and that visitors are duly informed of these by entering any Borough cemetery. Input should be sought from Communications, Bereavement Services and Health and Safety to ensure accuracy and consistency.
10. Grave owners should be given a copy (paper or electronic) of the Council's Cemeteries Rules and Regulations upon signing their interment form, where this is not already the case.
11. To consider making available any additional funding necessary to implement changes to cemetery management and grounds maintenance procedures which are required to work around any memorials that will remain under the new rules, i.e. changes to shift patterns, procurement of different grass-cutting, soil boxes or other equipment, etc. This would need to be subject to specific approval by Cabinet where there would be budget implications. Use of the Council's apprenticeship scheme should be considered if it is deemed necessary to take on additional staff.
12. The feasibility of implementing a 'cooling period' of seven days or more before the signing of the interment form by grave owners should be evaluated. This would be a period in which grave owners are able to contact the Council, enquire about and potentially reconsider whether they would like to sign their interment forms assenting to the Rules and Regulations, allowing them time to properly comprehend all of the conditions while in a state of grief, though this must of course occur before and not

delay interment. This may also function as an improved accessibility measure for mourners with dyslexia, ADHD etc., who may struggle to digest the form in full when they are first presented with it.

13. Grave owners should be contacted again before they are able to commission an official memorial – such as a headstone – to ensure that they are still cognisant of the Rules and Regulations and appreciate what they may and may not construct. The possibility of having them sign a document again at this stage to reiterate this should also be investigated.
14. The Council should investigate alternative possibilities to facilitate residents' mourning at Borough cemeteries, such as the creation of designated memorial gardens where more significant, personalised memorials are permitted, or augmented reality/VR offers, such as has been implemented at the D.H. Lawrence Birthplace Museum, especially where this would be helpful in managing accessibility or health and safety concerns.
15. The Council should investigate the possibility of helping to offer or signpost cemetery visitors to bereavement counselling services as part of its communications with residents on this issue.
16. To consider requesting that Bereavement Services should work closely with local funeral directors to understand their processes and procedures, if it would not duplicate work and as and when resources allow. The Council's Cemeteries Team should also consider the creation of a working group or bi-monthly catch-up meeting between themselves and local funeral directors to discuss any issues regarding communications with grave owners. This may help improve co-ordination and understanding of the Rules and Regulations and allowable memorial features among grave owners.
17. To consider, in consultation with Officers as appropriate, investigating the co-ordination of forms of funding for those that cannot afford funeral costs, such as helping those who cannot afford one to purchase a headstone. Monies from metals extracted during cremation should also be considered for this purpose, in collaboration with the Institute of Cemetery and Crematorium Management (ICCM), as required.

Background

The topic was suggested by Leader of the Council, Councillor Milan Radulovic MBE.

The review was scoped at the meeting of the Overview and Scrutiny Committee on Thursday, 25 September 2025, where the task and finish group was allocated the review, which sought to review the policies and procedures regarding cemetery memorials and recommend an approach that would resolve present issues.

Context

The management of cemeteries and their grounds is the responsibility of bodies referred to as 'burial authorities'. In the United Kingdom, this is most commonly a local authority – often a town or Borough Council -, or the Church of England for public cemeteries, and a private organisation in the case of private cemeteries.

Burial authorities are bound by a range of primary legislation, health and safety, and environmental regulations, government guidance and industry practices to ensure that the cemeteries for which they are responsible are maintained to adequate standards. Issues regarding graveside memorials which do not meet the conditions required by the relevant regulations (or, 'unofficial memorials') are often well-known among local authority Environment and Bereavement/Cemeteries Officers, as well as those working in the funerals industry, and the issue can take on a significant amount of local and political significance in authorities where it attracts public and press attention. There are, therefore, numerous documented instances of cases in which grave owners and mourners from a cemetery have been discontented with local authority Officers in their application of the relevant rules and regulations, as this, in some cases, necessitates the removal of certain features, objects or decorations from graveside memorials. As grief is a highly distressing time and a very variable, personal process, mourners in this position may perceive that their rights and capacity to grieve for their loved one/s in their chosen manner are impacted.

The items involved are usually decorations with personal significance to the deceased and their loved ones, and sometimes the deceased's personal effects. Commonly seen items are kerbing, fencing, bedding plants, flags, small plastic windmills, glass items, vases, and sometimes bottles of alcohol. A number of Councils have documented their experience in negotiating issues surrounding such non-compliant cemetery memorials and there is evidence of broader discussion of the matter in the cemetery and crematorium management sector, where opinions vary about the degree to which regulations should be applied to achieve the most balanced and proportionate response.² This is due to the fact that unofficial memorials have become much more prevalent nationwide in recent years, with significant anecdotal reports of an increase in the phenomenon and social trend in its favour, especially since the Covid-19 pandemic.

In the last 40 years, there have been approximately nine deaths and numerous serious accidents caused by unsafe memorials in UK cemeteries, in addition to a considerable amount of press and governmental attention to enforcement measures carried out by

² [UK Webinar Recording - \[ICCM Q&A Session facilitated by PlotBox\] 30th June 2022](#)

Councils to meet their statutory duties to maintain cemeteries and safeguard public health and safety. Though deaths and accidents appear to be much more often due to unsafe masonry - which is a related though somewhat distinct issue from gravesides being adorned with additional decorations – the steady number of minor accidents and the fact that deaths do still periodically occur both underscore the seriousness with which burial authorities must take their duties in this area.³

Considerable technical guidance on the maintenance of cemetery memorials, general guidance to burial authorities and government reporting is available on the matter, but this report will approach the issue from the history of the discussions in Broxtowe, before considering the rules and regulations maintained by the Council, how they have been enforced, the complaints raised by discontented mourners, and how the Council can meet its obligations to all parties in the future.

History

Recent issues appear to have begun in Broxtowe after a period up to around 2019, leading up to which numerous unauthorised memorials were constructed by grave owners and the Council had not been consistently enforcing its Rules and Regulations by proactively ensuring that all of these were removed. The recent discussions regarding the clearance of unauthorised memorials from gravesides in Council cemeteries then began in earnest in 2019, when a report on the issue was taken to the Leisure and Environment Committee. Planned works were naturally interrupted from March 2020 by the Covid-19 pandemic. This task and finish group was convened following extensive discussion and enforcement issues since this time, culminating most recently in the deferral of a decision on proposals for the way forward, tabled at the 3 June 2025 meeting of Cabinet. A health and safety management statement was prepared by the then-Executive Director prior to this meeting and shared with members, clarifying the health and safety advice of Officers and the reasons for their recommendation that the cemetery memorials be cleared.

The most recent phase of the discussions has been defined by the concerns of a small number of residents following more detailed plans for memorial clearances. The role of Strategic and Development Business Manager of Bereavement Services was appointed to on 1 August 2023, intending to implement an agreed plan of works to graveside memorials from 1 October 2024. There was confidence that planned works to non-compliant graveside memorials was aligned with all relevant regulations given that neighbouring authorities, including Nottingham City Council, operate a policy that is the same or very similar.

Discussions on the matter continued. A paper was then tabled at the 16 July 2024 meeting of Cabinet proposing to undertake clearance of those memorials deemed out of compliance with agreed policies. Cabinet accepted these recommendations, with minor amendments and additions, such as the requirement for the Cemeteries Team to write to grave owners to make them aware of any works before they were carried out.

The team had a period of approximately 20 months to carry out this plan of works, beginning at Chilwell Cemetery, where roughly 60 out of the 1000 graves at the site would

³ For further information on accidents and deaths due to falling gravestones, see [House of Commons Library Briefing Paper: Unsafe memorials in cemeteries \(5 February 2019\)](#)

be impacted. Mourners were contacted in the case of each of the 60 graves on which works would be carried out, around 30 of whom called the Cemeteries Team for further explanation. Only one maintained that they were still dissatisfied after this point, but all agreed to the undertaking of the required works.

The consensus, therefore, was that there was little issue at this juncture. One grave owner, a resident who visited the grave of a loved one at Beeston Cemetery, then called the Cemeteries Team to state that she was unhappy with these developments. Three or four grave owners then contacted the Leader of the Council – Councillor Milan Radulovic MBE – to express to him their unhappiness with the planned works at Beeston Cemetery (the first stage of sign erection had already been undertaken at Chilwell Cemetery at this stage). Following this communication to the Leader, then made a statement pausing any further works for 12 months to allow dialogue and consideration of how the Council should progress⁴:

The Council acknowledges the extreme distress that the current arrangement to enforce the Cemetery Rules and Regulations are causing. As a result, the Council is proposing that extra time, of up to 12 months, is given. This is completely without prejudice as the Rules and Regulations still apply; however, during the 12-month period no enforcement action will be taken. The Leader of the Council, Councillor Milan Radulovic, agreed to allow “a sensible dialogue to take place recognising the duty and responsibility that the Council has to maintain a tasteful and safe environment”.

Since this time, there have been several meetings between the most active grave owners and a range of relevant Council Officers, at which some grave owners have maintained that they have not signed a written contract agreeing to the relevant conditions regarding maintenance of grave surrounds in accordance with Rules and Regulations.

The task and finish group has seen evidence that the grave owners concerned did in fact sign such a contract, as all residents who register a grave plot must sign an interment form stating that they will abide by the relevant regulations. Whilst there have been minor alterations to the wording on some of the different iterations of the form over the years, the phrasing covering this matter has remained unchanged.

Once it was demonstrated that the grave owners in question had signed these forms and therefore had entered into a written contract with the Council as the burial authority to agree to the relevant rules and regulations, several of the mourners stated in response that they felt they had reduced capacity due to the grief that they were experiencing at the time that they signed their interment forms. They maintained that this therefore means they were not cognisant of what they were agreeing to and the written contract is therefore void. The Council, its Officers, and the members of this task and finish group

⁴ The following statement was made to families and to the press:

“As a result, the Council is proposing that extra time, of up to 12 months, is given. This is completely without prejudice as the Rules and Regulations still apply; however, during the 12-month period no enforcement action will be taken.”

The Leader of the Council Councillor Milan Radulovic MBE agreed to allow “a sensible dialogue to take place recognising the duty and responsibility that the Council has to maintain a tasteful and safe environment”.

are highly sensitive to the residents' grief and therefore understand that they may feel this way at such a time of heightened distress. The interment forms clearly state that the regulations are considered to be in force irrespective of whether the signatory is aware of them at the time of signing.

Three individuals make regular contact over the issue, attend Council meetings on the subject and have appeared in press coverage of the issue, each of whom made an official complaint to the Council (along with 8 others who maintain less regular contact with the Council, totalling 12 official complaints on the issue in total). Of the over 9,000 graves in the Borough, it is thought that only 6-7% are in contravention of the Cemetery Rules and Regulations to some extent, some of which will have unauthorised memorials, and most of the owners of these graves appear to be happy for or indifferent to the undertaking of works to clear unauthorised memorials. After initial issues with the graves were raised and works were proposed, only 11 grave owners came forward, one of which was found to actually be in compliance with the regulations.

Present

This was the situation through 2024 and into early 2025. A paper clarifying the need to remove non-compliant memorials and proposing their removal was intended to be considered by Cabinet early in 2025 but was postponed due to the pre-election period. The Leader of the Council therefore requested that the paper be prepared for the 3 June meeting of Cabinet. The incumbent Executive Director arranged to attend the June Cabinet meeting to present this item and the accompanying health and safety management statement, but any decision on the item was deferred to allow this task and finish group to conduct its review.

The residents in question continue to make representations to Officers and the Leader on the matter, passing Officers a document detailing their proposals after a recent meeting of the Bramcote Bereavement Services Joint Committee. The Bereavement Services Manager then passed this document to Strategic and Development Business Manager of Bereavement Services with the request that Council Officers action the proposals around that time. Mr. Mott then consulted these when preparing an alternative set of compromise proposals that were considered at the June Cabinet meeting. These proposals, along with all other relevant materials, were considered by this task and finish group as part of its review.

Shortly following the 3 June Cabinet meeting, the LGSCO [published their decision](#) - of 19 June 2025 - not to investigate a complaint that was escalated by a concerned grave owner regarding the Council's decision that a memorial garden on her father's grave be removed, citing insufficient evidence of fault by the Council to warrant an investigation.

These were the most recent developments until the beginning of the work of this scrutiny review in mid-August 2025 once a Democratic Services Officer was in post to begin undertaking the work.

Task group methodology

The terms and reference and remit of this task and finish group were approved by the Overview and Scrutiny Committee on 25 September 2025 and can be found [here](#).

The review was conducted by holding witness session interviews with a range of key stakeholders, such as:

- Residents and grave owners affected by the issue and with a range of views
- The Leader of the Council, Cllr Milan Radulovic MBE
- The Portfolio Holder for Environment and Climate Change, Cllr Helen Skinner
- Key heads of service:
 - Richard Mott, Strategic and Business Development Manager - Bereavement Services
 - Emma Georgiou, Assistant Director of Environment – Environment
 - Tuesday Hanley, Head of Health, Safety, Compliance and Emergency Planning
- Broxtowe funeral directors (*by email only*)
- Bereavement Officers at other local authorities (*by email only*)

These were interview sessions, held variously in person or via Microsoft Teams, in which participants were asked about their views on the matter. Sessions were recorded for subsequent review by the group and the Officers helping to compile the report.

Members of the group and Officers from Democratic Services also conducted extensive review of previous Broxtowe Borough Council Committee papers relating to cemetery memorials, present and previous rules and regulations, interment forms, sector guidance from government and industry bodies such as the ICCM (as well as other publications from central government), Ombudsmen reports, and reports of other local authorities. The group is grateful for all of those that have cooperated with its work to make it possible to conduct this review.

Views of residents

The views of grave owners at Borough cemeteries, and residents more broadly, have been considered as part of this review, via witness sessions held with grave owners at Borough cemeteries, written submissions and previously available public comment.⁵

Firstly, it is important to state that there appears to be no unanimity among visitors to the cemeteries in Broxtowe – residents hold a range of views on the memorials. In conducting its research for this report, members of the task and finish group spoke to

⁵ The views of a range of other interested parties were also sought, as will be referenced later in the report.

local residents who want to be able to keep their memorials, and those who supported the Council's suggested action to clear them.

Residents with memorials

As has previously been referenced - in meeting papers and the local and national press – there are some grave owners with extensive unauthorised memorials who have lobbied proactively to be able to keep them and against any Council removal action. The memorials in question range from some more modest constructions that remain outside of the rules, to some that are much more substantial and thus present greater health and safety and accessibility concerns. Though rules prohibiting unauthorised items in grave surrounds have always been in place, some cemetery visitors have constructed graveside memorials to which they have since become very personally attached. As mentioned previously, several of these feel that they were unaware of, or did not fully appreciate, the rules that were in place when they purchased their grave plot and thus feel that rules suddenly changed without adequate explanation, hence their confusion.

Several residents who visit the graves of their loved ones at Beeston Cemetery have formed a community group (mentioned above) to protest Council removal action and received coverage in the local and national press. In the witness sessions held with members of the group, residents in favour of keeping the memorials said the following:

“Rules and regulations that have never been enforced before have all of a sudden tried to be enforced[...] problem is with that is that anyone that [has] buried or interred anyone in the cemeteries have had decorations and gardens for many years. They purchased plots and buried people in particular cemeteries with the assumed understanding that they have the flexibility to decorate the graves, so that's left us with the problem.”

“One person will tell you one thing, and another person, like [at the] crematorium will tell you something different, [so] I do think there needs to be like a set of rules that everyone that everybody sticks to.”

This group held witness sessions with three grave owners from Beeston Cemetery who have made public statements about their disapproval of Council plans under present policies to remove memorial items, as well as their desire to keep the items they have brought to the graveside that they visit. They also spoke of their difficulties with what they felt was inconsistent communications and application of Council policies in other areas in addition to on unofficial memorials, such as concerning the allowability of certain headstones, among other areas. Frustration and confusion resulting from their experience of inconsistency in the application of policies and procedures emerged strongly as a theme; while it was repeatedly acknowledged that the time of burial is a highly emotive and distressing time for those laying a loved one to rest, members felt that additional efforts towards ensuring clear and emphatic, though sensitive, communications in this area would be beneficial.

Whilst documentation demonstrates that Council Rules and Regulations have always been in place in this area, these have been displayed at Borough cemeteries and reference is made to them on signatories' interment forms, the number of unofficial memorials observed due to low levels of removal has created confusion that has potentially been compounded by communication issues. The fact that grave owners will likely communicate with funeral directors, Council Officers from the Cemeteries Team and also grounds maintenance staff at the cemetery could be a source of potential confusion.

If so, work should be done between these parties to ensure that they are all in alignment with the communications that they have with grave owners.

Residents without memorials

The group also spoke to a grave owner from Beeston Cemetery who has experienced difficulties with graveside memorials. This resident spoke of being in favour of the Council removing unauthorised items, as they are defined by the current Rules and Regulations, as they and their family have always obeyed the regulations, preventing themselves from decorating the grave of their loved one in a manner that they would like. They therefore felt that the lack of enforcement and communication regarding the present Rules and Regulations and how they would be enforced has created an environment in which some visitors that do not follow the regulations are permitted to by the Council's delay in clearing them, with others therefore feeling aggravated when they do follow the rules. In the witness sessions held with this grave owner, they said the following:

"My little boy often would say[.]When you do that meeting, please can you tell them it's not fair... He wants to put things on that other people have put on. I'm quite a person that we stick to the rules. Those rules were there when [my husband] was put in [his] grave because I remember being given them..."

"My dad couldn't get to the grave anymore because the memorials[.] he struggles with his mobility[.] then, obviously, [my mother] had to be put somewhere else, which always upsets me a little bit because she wanted to be with [my husband].

I say she's in the same graveyard, but it's not quite the same, and my dad often gets upset because he can't get to [my husband's] grave anymore. And the other thing is, I've got a little boy [.] I like him to be able to go to his dad's grave without having to say, be careful what you stand on and the grave in front has put wine glasses, wine bottles"

The Council is appreciative to this resident and their family for adhering to the Cemetery Rules and Regulations, and is sensitive to the fact that they may have been upset by these circumstances. In line with the resident's comments, the group agrees that any future Rules and Regulations should work to ensure that Borough cemeteries are accessible for all in the future, and try to work towards enforcing clear rules fairly and consistently for all grave owners. The Group heard how the resident was advised to inter their loved one in a plot different to the one that their deceased relative had wanted – not in their family plot – because of the latter's inaccessibility due to unauthorised memorials for a family members with mobility issues. The Group considers this inappropriate and hopes that processes around this will be reviewed. It was also noted that, despite the fact that they had followed the present Rules and Regulations in not constructing an unauthorised memorial, the fact that members of their family did desire some memorial features may indicate that there is a desire for more options among Broxtowe residents.

Views of Officers

The group also held witness sessions with numerous key Officers in Bereavement Services, Environment, and Health and Safety, at director level, manager level, and below. All Officers spoke of their understanding of the highly personal nature of grief and the sensitivity that they work to exhibit towards grave owners in carrying out their work.

Themes that emerged from witness sessions with Officers included their responsibility to meet the statutory requirements of their roles, the potential risk to the Council from liabilities (such as in health and safety and accessibility), and the need to find policies that balance the desires of all residents with the Council's responsibilities as a local and a burial authority.

Officers were able to clarify to members of the task and finish group the problems that are caused to the Council by unofficial memorials, in grounds maintenance, management of cemeteries, health and safety compliance, and around accessibility.

Grounds maintenance

The group heard testimony about the problems encountered for grounds maintenance staff, who find the maintenance of grounds much more difficult due to the presence of unofficial memorials which are often blocking staff access to areas of lawn that need to be maintained. This means that grounds maintenance staff are forced (when cutting grass, pruning bushes, etc.) to consider either moving memorial items in order to mow lawn areas properly before then replacing the items where they found them, or be prevented from carrying out their duties to ensure that the cemetery grounds are well maintained. This is an unnecessary and added challenge for grounds maintenance workers when undertaking an already long and difficult job, and it would not be viable for them to move and replace all of the memorials they encounter across their shift, especially given that any one of the Borough's cemeteries may include hundreds of memorials that may therefore be encountered across any one shift. The necessity for the grounds maintenance workers to need to move or work around extensive graveside memorials has also exposed the Council to the risk of accusations of deliberately moving, damaging, or removing without notice grave owners' possessions where they perceive these to have moved or become damaged, including in numerous cases where damage has been inflicted by weather, wildlife, someone not affiliated with the Council, or some other external factor not under the Council's control.

In cases where grave owners have constructed – and in some cases, planted – gardens of plants, flowers, shrubs and/or small trees around the grave, grounds maintenance issues are often observed and are typically more impactful. While some grave owners likely tend these gardens attentively after they are first constructed, there have been many observed cases where their maintenance eventually falls to Council staff due to neglect, the family perhaps forgetting that such features were planted, etc. This is more burdensome for Council staff, who may feel that they therefore need to undertake this extra work to avoid upsetting the family or allowing the grounds to fall into poor condition, and can create the same problems with grass mowing as detailed above. Small trees and shrubs are also capable of causing damage to grass mowing equipment used by Council employees, and cases of their roots unsettling/destabilising headstones have been observed.

Officers detailed how wildlife is another issue that is implicated in the maintenance of unofficial memorials. Wildlife can be attracted, in some cases, by items left by grave owners, with shiny objects, foodstuffs, drinks and some plants/vegetation if in sufficient quantities. This can sometimes lead to damage to memorial items and increase maintenance requirements.

Cemetery management

Members also heard how the presence of unofficial memorials affects the management of cemetery policies more generally. With extensive memorial items seen across many of the Borough's cemeteries, new grave owners at Borough cemeteries are likely to experience considerable confusion when reading the Rules and Regulations and seeing that such memorials are not permitted. While clearing memorial items, even after extensive contact with the grave owners in question, may appear insensitive to some and lead to criticism of the Council, not clearing items has precipitated the present confusion. The management of adjacent burials and re-openings⁶ are also affected, with standing room for attendees at a burial and where to locate soil boxes being restricted.

Health and safety

The group also heard about the health and safety concerns created. These will be covered in specific detail in a subsequent section, but must be a key concern for the Council as a local authority with responsibilities to treat all residents fairly and equally, ensuring that it takes seriously the requirement not to expose residents to undue risk of harm. They are also described in extensive detail in the health and safety management statement tabled at the 3 June 2025 meeting of Cabinet.⁷

Accessibility

Accessibility is another area where Officers have raised concerns. As a local authority, the Council is bound under the Equality Act 2010 and resultant Public Sector Equality Duty to eliminate discrimination and advance equal opportunities for those with a protected characteristic. Disability is one such protected characteristic, meaning that the Council has a duty not to discriminate against people on this basis – while cemeteries' footpaths and paved areas can be designed so as to be accessible for people who experience limited mobility, it may be the case that there will inevitably be some accessibility challenges for some on lawned areas and especially in a graveyard's older sections. The Council must work to mitigate these challenges where it is able to, and work is carried out with this aim in mind. Because of this, the Council has a responsibility not to create new challenges to accessibility where this can be prevented, and must therefore make efforts to ensure that its Cemetery Rules and Regulations do not permit memorials that bar access to those with a disability and therefore holding a protected characteristic. The group heard testimony regarding at least two specific, known cases of visitors to Borough cemeteries that are unable to or face significant difficulties accessing the graves of their loved ones due to accessibility restrictions imposed by unofficial memorial items⁸, each of which have then raised the issue with Council staff in a state of some distress.

The task and finish group feels that the Council should be cautious in altering and implementing its policies in this area so as not to potentially create (or continue to allow) the circumstances for trips, injury or exclusion/discrimination against residents who face challenges with accessibility, in such a way that is not appropriately managed. The implementation of a policy without sufficient controls in this area may open the Council to a claim that it has failed in its duties under the Public Sector Equality Duty, which may

⁶ A burial in which a grave is re-opened and another person's remains buried within the same plot.

⁷ This document will appear in the agenda pack alongside this paper.

⁸ These cases have been referenced previously, in Committee reports from June 2025 and July 2024.

make the Council vulnerable to findings against it by the Local Government and Social Care Ombudsman (LGSCO) and possible negative press. Any alteration to the Cemetery Rules and Regulations that is considered must therefore be comprehensively consulted upon and have adequate controls in place to mitigate and negotiate any challenges that arise.

The Rules and Regulations

The present Broxtowe Borough Council Cemetery Rules and Regulations were passed in 2023 and constitute the standards and conditions that all grave owners agree to uphold and abide by when signing the interment form for the grave that they own. To quote the present Regulations:

“All local authority managed cemeteries are subject to standards and conditions known as Cemetery Rules and Regulations. These are designed to inform all cemetery users about the management of the cemeteries and the reasonable requirements applicable to them.

The regulations include the statutory requirements contained within the Local Government Act 1972 and the Local Authorities Cemeteries Order 1977, together with any other relevant legislation that governs this service.”

-Broxtowe Borough Council Cemetery Rules and Regulations (2023)

Background

All burial authorities maintain some form of Rules and Regulations that detail how its cemeteries will be managed as per the authority's statutory requirements. While there is a considerable degree of difference in enforcement of Cemetery Rules and Regulations across different cemeteries and differing authorities, it appears that there is a considerable degree of uniformity on the written Rules and Regulations burial authorities maintain in this area (though this can naturally appear different in practice). The Council's 2019 and 2023 Rules and Regulations can be found in the list of background papers to this report.

The exact rules that burial authorities maintain come from these regulations and which are set by them, rather than directly from primary legislation. The Local Government Act 1972 designates specific authorities as burial authorities *“with the power to provide and maintain cemeteries, whether inside or outside their area.”*⁹, while the Local Authorities' Cemeteries Order 1977 empowers local authorities to maintain cemeteries however they see fit, such as by regulating memorials and any items placed on graves. Individual burial authorities then decide upon and implement their own sets of Rules and Regulations to meet these requirements.

As mentioned above, the Council's present Rules and Regulations date from 2023, while the previous iteration of the rules was written in June 2019.

Both sets of rules are largely similar, with only minor changes between the 2019 and 2023 versions, and not in areas that impacted whether memorial items were permitted –

⁹ Local Government Act 1972, Section 214.

Section 16, covering what items may and may not be left on a burial area, is identical across both versions. The 2019 version of the rules added a specific mention regarding the fact that “[.] items made from glass and any alcohol left on graves [would be] removed”, though otherwise prohibited any unauthorised memorial items, as had the 2014 version of the rules¹⁰.

The section updated between the 2019 and 2023 rules concerned ‘Maximum permissible memorial sizes’, i.e. the *official* memorial masonry, constituting the foundation, headstone and base, and not any unofficial memorial constructed outside of this. This updated section is therefore not directly relevant here.

In conducting its witness sessions and reviewing extensive amounts of material for this review, the group felt that there appeared to be some confusion regarding whether the rules regarding the permissibility of unofficial memorials had changed between these two documents. The text regarding unofficial memorial items from the 2019 and 2023 documents is reproduced below:

<i>Cemetery Rules and Regulations (2019)</i>	<i>Cemetery Rules and Regulations (2023)</i>
<p><i>It is Council policy that no item of whatever description is allowed to be placed upon the actual grave space in a lawned area. These items include fencing, kerbing, bedding plants, vases, flower displays, windmills, any item made from glass and any alcohol found to be left on a grave will be removed and disposed of immediately. Wooden crosses or any other equivalent religious symbols may only be left as a temporary measure but must be removed once a permanent memorial is erected.</i></p> <p><i>The Council will not provide maintenance to any grave which has prohibited items on it and will neither provide the maintenance nor excavate a grave for any interment until all items have been removed.</i></p>	<p><i>It is Council policy that no item of whatever description is allowed to be placed upon the actual grave space in a lawned area. These items include fencing, kerbing, bedding plants, vases, flower displays, windmills, any item made from glass and any alcohol found to be left on a grave will be removed and disposed of immediately. Wooden crosses or any other equivalent religious symbols may only be left as a temporary measure but must be removed once a permanent memorial is erected.</i></p> <p><i>The Council will not provide maintenance to any grave which has prohibited items on it and will neither provide the maintenance nor excavate a grave for any interment until all items have been removed.</i></p>

¹⁰ A prohibitory clause appears to be essentially universal across all authorities’ Rules and Regulations.

<p><i>The Council reserves the right at any time to remove any unauthorised item placed upon the grave space.</i></p> <p><i>Personal items left on any grave area are the sole responsibility of the grave owner. The Council is not responsible for the loss or damage of such items.</i></p> <p><i>The Council reserves the right to take over the grave maintenance within a burial area without notice to the grave owner where it has been determined that the grave has not been suitably maintained by the grave owner and is unsightly or dangerous.</i></p>	<p><i>The Council reserves the right at any time to remove any unauthorised item placed upon the grave space.</i></p> <p><i>Personal items left on any grave area are the sole responsibility of the grave owner. The Council is not responsible for the loss or damage of such items.</i></p> <p><i>The Council reserves the right to take over the grave maintenance within a burial area without notice to the grave owner where it has been determined that the grave has not been suitably maintained by the grave owner and is unsightly or dangerous.</i></p>
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These sections are identical, meaning that the rules therefore did not change over this period and that, whichever version of the interment form any grave owner signed, the conditions that they agreed to abide by are the same. This is relevant in conjunction with the fact that, in the submission of alternative proposals for Cemetery Rules and Regulations, the working group of grave owners from Beeston Cemetery referred to the time that “[...] *the interment forms were amended.*” While there have been some changes to these forms, they have not been made in the passages that relate to this issue.

Importance of Rules and Regulations

Cemetery Rules and Regulations are an essential instrument in place to clarify and make public the Council’s policies as they relate to cemetery management, something which is essential when dealing with such a subject. They are there to facilitate the Council in doing its job for residents in an open and transparent manner by reference to a public set of standards and conditions. Nevertheless, it is of course the case that the period of low enforcement of these rules – as they relate to the clearance of unofficial memorials – due to Covid and, at other times, deliberation regarding the best way forward, has led to the present confusion about what rules are, in fact, in place.

The Council requires a clear and consistent set of Rules and Regulations so that it can treat all visitors to Borough cemeteries equally. Any possible alteration to these rules should be carried out in a fair manner on which Council Officers - who are experts in their area - have been adequately consulted and had their views heard, and should be done in such a manner as to best facilitate them being able to carry out their jobs as best they can for the residents of Broxtowe. Consultation over potential changes to the regulations must not lead to a period in which the Rules and Regulations are disregarded more widely or treated as malleable by grave owners and cemetery visitors simply because the Council has agreed to consult on the rules that relate to unofficial memorials as a means of facilitating dialogue and collaboration.

Awareness

Some grave owners from Borough cemeteries have claimed that they were not provided a copy of the Rules and Regulations at the point of signing their interment form (though they may have been instructed where they could access one). While the group is confident that Council Officers maintain appropriate contact with the funeral directors with which the Council works, it appears that it would be beneficial if grave owners were, at the point of signing their interment form/s, provided with a paper and/or electronic copy of the Cemetery Rules and Regulations as a matter of policy. The group feels that a desktop audit of the processes of different funeral directors (as resources allow and as appropriate) and a review of the Council's interment forms by Legal Services would also be beneficial.¹¹

Alternative proposals

Given the feedback from some grave owners at Borough cemeteries, numerous amendments to the present Cemetery Rules and Regulations have been suggested – one by grave owners from Beeston Cemetery, and two as a response to these from the Council's Bereavement Services department and intended as a compromise solution.

The Council has a responsibility “[.] to maintain a safe environment for both employees of the Council and visitors to the cemeteries”¹² and, as was referenced in a statement by the Leader of the Council, it must uphold “[.] the duty and responsibility that the Council has to maintain a tasteful and safe environment.”¹³ Any Cemetery Rules and Regulations adopted by the Council must therefore necessarily meet these obligations in order to keep Borough cemeteries in proper order. This task and finish group has reviewed the alternative sets of proposals as part of this scrutiny review.

Residents' proposals

The alternative proposals submitted by families from Beeston Cemetery were considered at the 3 June 2025 meeting of Cabinet after being passed to the Leader of the Council at a meeting of the Bramcote Bereavement Services Joint Committee. Their key proposals are to detail that:

- Decorations and memorial gardens already in place may remain there, as long as the grave was purchased before August 2023;
- Memorial gardens and decorations may extend to 2.5ft from the front edge of the headstone plinth and to the width of the headstone.
- Any decorations from a list of prohibited items may be removed.
- Gravediggers are to take precautions around the placing of soilboxes and moving/replacing memorial items.

¹¹ The group feels that, despite the fact that they refer to the Rules and Regulations, the Council's interment forms could benefit from modernisation to ensure that they remain clear, accessible and fit for purpose.

¹² Decision details – Cabinet – 16 July 2024.

¹³ Statement by Leader of the Council, Cllr Milan Radulovic MBE, following the above Cabinet decision and commencement of works in 2024.

- Memorial items are to be temporarily moved, then replaced, by Council staff when required for adjacent interments and this is not done in adequate time by the grave owner.
- Various suggestions relating to communications with grave owners and cemetery visitors.

A detailed response to each of the proposals from the grave owners at Beeston Cemetery was provided by the Council's Bereavement Services. The response detailed how Officers felt that many of the proposals were unworkable in that form, as they would likely lead to the continuation or worsening of challenges to health and safety, accessibility and grounds maintenance due to their suggestion that memorial items and gardens be permitted at a larger distance than is already the case. It also stated that the suggestion to communicate at least a given number of times with the owners of graves adjacent to one in which there will be an interment and whose decorations therefore need to be cleared would be difficult due to the typical amount of time between booking and burial.

Bereavement Services' June 2025 alternative proposal

As a response to these proposals, an alternative was prepared by Bereavement Services at the 3 June 2025 Cabinet meeting, as they felt that those suggested by the families would continue to create difficulties for Council works. Reiterating that the full extent of the families' proposals would be difficult to achieve for Council Officers given the challenges they would create, Bereavement Services' proposed that the Rules and Regulations be amended to allow for grave owners to place personal items on a grave's memorial plinth, as this would *"[...] not impact the operational, health and safety, and accessibility arrangements within the five Broxtowe cemeteries. Items excluded from this proposal will include glass, alcohol, illuminated items (for example, candles, solar lighting) and any item which does not fit in its entirety on the plinth. No item is to exceed the width and height of the memorial."* As with all other proposals, this one also maintains the idea that there should be a list of prohibited items, though offers much less personal customisation than that submitted by some of the families.

Bereavement Services' November 2025 alternative proposal

Following a visit of members and Officers to Beeston Cemetery on Wednesday, 5 November 2025, the Head of Bereavement Services prepared another alternative proposal: to permit a memorialisation/memorial garden up to 12" (or one foot) from the headstone and at the same width as the headstone, if within an appropriate and properly-installed kerbset. Grave owners would, as normal, be required to sign Rules and Regulations stating that they agree not to place any objects from a list of prohibited items within their memorial and consenting to the removal by Council Officers of anything outside of the perimeter of their 12" kerbset.

There is therefore significant variance between the different proposals that have been made over this period, with maintaining the present Rules and Regulations representing a 'no change' option, the alternative to allow items on the memorial plinth, the greater compromise of the 12" memorial garden space, and finally the families' proposals representing the most significant change from present regulations. The task and finish group feels that it is important that the views of Officers are heard and incorporated into any recommendation that it may make in this area, and significant professional instruction

has been received from Officers in a number of areas. The task and finish group also identifies the issue of cemetery memorials as one that has attracted significant local attention and strength of feeling among some residents, and recognises the importance of representing local residents who wish to lobby for a policy change, if those outcomes can be achieved in a proportionate manner.

As detailed earlier in this report, the group acknowledges Officer advice that a transitional period in which different graves are subject to different rules may create a difficulty in implementation for some Council staff, but feels that this transitional arrangement could be beneficial in sensitively helping all graves in Borough cemeteries to be brought into line along an appropriate timeline. As detailed earlier, the suggestion that there were ever previously differing sets of Rules and Regulations is, in fact, a misnomer, as changes to the interment forms and Rules and Regulations from the 2019 to 2023 versions did not alter the relevant section, meaning that Council policy relating to unofficial memorials never altered over this period. It should be highlighted that the suggestion that the owners of older graves where memorials are already in place are not asked to abide by the new one meter restriction immediately, but rather only after the next time that the grave is re-opened, is to give them adequate time to be supported through the transition and the changes made at a more suitable time.

Other considerations

It should also be noted that there were several other points of agreement between the families' proposals and those from Bereavement Services, such as regarding the need for a list of prohibited items and the requirement to clear memorial items for adjacent interments (though by differing processes). The Council response also detailed how it remains "[...] *happy to consider any improvement suggestion in respect to its communications*" and that proposal 6 (relating to precautions taken by gravediggers to prevent damage to memorials) had already been implemented following earlier dialogue.

As well as the potential solutions suggested elsewhere in this report (such as grave owners being provided with copies of the Rules and Regulations when signing their forms), the task and finish group considers several other suggestions to be worthy of consideration. These often emerged through conversations with the range of stakeholders interviewed for this report, and included the idea of investigating how the Council might support bereaved residents with the cost of purchasing headstones (perhaps in collaboration with community groups), how it may contribute or signpost to bereavement counselling for cemetery visitors struggling with grief, and the notion of having central areas in Borough cemeteries in which greater degrees of cemetery memorials were permitted. Suggestions to explore the use of interactive digital memorials and alter messaging to visitors were also discussed.

Risk to the Council

Throughout the history of this issue, the Council has received a considerable deal of negative local and national press coverage. The possibility of reputational damage to the Council persists if a solution that is agreeable to all parties is not found – the Council may continue to be portrayed negatively if grave owners who maintain unofficial memorials have their items cleared, despite the fact that considerable unofficial memorials have

become a nationwide phenomenon and many Councils find dealing with them highly difficult (and often do not receive the degree of press scrutiny on the issue that Broxtowe has).

Significance of health and safety policies

Health and safety liability is another source of risk to the Council. As is covered more extensively elsewhere in this report, the Council has extensive health and safety responsibilities to its residents visiting the graveyards it maintains in its capacity as the burial authority. Were the Rules and Regulations relating to graveside memorials to be altered so as to permit memorial gardens and items at a further distance from the headstone, this would likely create hazards for cemetery visitors that would require adequate controls. Were someone to trip and hurt themselves on or due to memorial items that would not have been permitted under previous rules, professional instruction received has informed the group that the Council could be held liable for their injury. In this situation, members were advised that vicarious liability of Councillors is a possibility.

While this could happen now due to the number of unofficial memorials seen in Borough cemeteries and low enforcement of the present policy to remove them, the Council is at present at least maintaining a policy that these items are not permitted and can give an account for the period of lower enforcement. A change to the policy that these items are explicitly permitted could mean that that the Council may be held liable, with potentially significant financial repercussions. It has been demonstrated that accidents in cemeteries do continue to occur, with a small number being serious. Any settlement for damages from the Council following a claim resulting from a serious injury could be substantial and therefore could conceivably impact on the Council's financial reserves, thereby potentially affecting budgets and hence possibly the delivery of Council services.

Health and Safety Officers provide sound advice as part of their role to help protect the Council from prosecution. Given the possibility of liabilities and the risk to Council Officers who provide this advice should someone come to harm, the task and finish group feels that any changes to the Rules and Regulations that may be considered should be the result of extensive consultation with the Council's health and safety Officers, after which all parties should agree upon suitable mitigations for any hazards that may arise. This is necessary to ensure that any changes remain manageable and safe.

Insurance

Permitting memorials to remain in Borough cemeteries may also have implications on the Council's insurance, given that the Council would have to pay any successful personal injury claims made against it and that insurers may raise premiums for this reason. Asked about this matter, the Council's Chief Audit & Control Officer commented that in relation to claims for personal injury, the permissibility of memorials could lead to an increased risk of members of the public suffering a fall or tripping on memorials. The Council may not be able to defend from a claim relating to a known hazard on Council-owned land. There is also the potential increased risk of claims from the owners of memorial items which may be damaged in the course of maintenance work undertaken by Council employees.

Members may also wish to consider that where the Council adopts a course of action which is contrary to the regulatory environment and/or professionally advised best practice, it may be more difficult to successfully defend claims for injury or damage to

property arising out of negligent acts or omissions of the Council. Members may also note that the liability of the Council is, under the terms of its current insurance policies, limited to £15,000 per individual claim.

Health and safety concerns

Health and safety regulations are perhaps the most central in determining a Council's responsibilities, as burial authority, in the matter of cemetery memorials. Taken together with the Local Authorities' Cemeteries Order 1977, it is clear that Officers working in this area have a direct responsibility to ensure that graveside memorials are safe to help protect the health and safety of the public. This responsibility cannot be ignored.

Regarding health and safety of cemetery memorials, it is important to note the distinction between the health and safety concerns posed by unsafe tombstones or other forms of masonry, and those posed by unsanctioned adornment or decoration of otherwise safe lawn memorial graves. Much of the publicly available material on the subject of cemetery memorial safety – such as government legislation and guidance, government and ombudsman reports, industry and sector publications, and press reports – also focuses on the safety concerns posed by masonry features, usually lawn memorial tombstones, that have become unstable and thus pose a risk to members of the public from falling onto someone. It is important to distinguish these as two somewhat separate issues.

Legislation

The Council holds statutory duties under the following UK legislation:

- Health and Safety at Work Act 1974 – Section 2 and 3 obligations to protect employees and non-employees from risks to their health and safety.
- Management of Health and Safety at Work Regulations 1999 – Mandates the assessment and control of risks in the workplace.
- Occupiers' Liability Act 1957/1984 – Duty to ensure visitors are reasonably safe while on premises.
- Local Authorities' Cemeteries Order 1977 – Empowers local authorities to regulate memorials and items placed on graves.
- Institute of Cemetery and Crematorium Management (ICCM) Guidelines – Outlines gold standard cemetery operations, focusing on safety, respect, and sustainability.
- Provision and Use of Work Equipment Regulations (Northern Ireland) 1999.
- Manual Handling Operations Regulations 1992

Excessive and non-compliant graveside decorations can constitute a health and safety concern to cemetery visitors, members of the public, employees and contractors given their status as a potential trip hazard and object/s onto which someone may fall, a hazard that is more severe for visitors with accessibility issues such as mobility challenges, vision impairment, etc. This is likely to be lesser than the danger posed by unsteady and unsafe headstones. As much of the discussion and writing about cemetery memorials focusses on the issue of unsteady tombstones, it is important not to conflate the two, and to recognise that it could be somewhat spurious to use as an evidentiary basis for the risks

posed by memorials a series of accidents that were in fact largely (or even in part) due to unsafe *official* memorials (i.e. headstones, etc.,)

The issue of what we refer to in this report as ‘cemetery memorials’ in Broxtowe has related chiefly not to unsafe tombstones, but levels of external decoration, customisation and adornment with flags, banners, ornaments, flowers, fencing, etc., to the degree that they could represent a hazard to visitors if not adequately managed.

The Council’s responsibilities and the recommended response

It is the view of this group that health and safety considerations from the relevant regulations and legislation are activated. The Council must therefore have due regard to its health and safety obligations under the legislation listed above. Nevertheless, it is not the case that any such features as are proposed for more modest unofficial cemetery memorials are explicitly prohibited by their nature, i.e. small windmills, signs, modest forms of fencing, etc., as it is possible for any such feature to be acceptable and comply with health and safety requirements if adequately controlled for. If this were not the case, many features of the natural and built environment would not be acceptable but, for example, steep stone steps can be a permitted feature of a Council-maintained environment as long as they are adequately signposted, lit, and so forth. While the task and finish group feels that it is vital that a list of strictly prohibited items (sharp hazardous fencing, alcohol, any glass items, etc.,) should be agreed upon by all parties (including the community group ‘Friends of Broxtowe Cemeteries’) and strongly enforced in the management of all Borough cemeteries, the group also feels that other features observed as part of unofficial memorials do not represent a disproportionate or insurmountable health and safety risk if properly addressed and controlled. **The Council has a responsibility under the Health and Safety at Work Act 1974 to ensure that any risks are adequately controlled or removed – the task and finish group feels that it is possible to work to control the health and safety risks of unofficial memorials without only enforcing total removal.**

As is the case in cemeteries across the country, many unofficial memorials are already in place and are only one set of potential hazards that can be observed in Borough cemeteries, alongside the memorials from older graves, shrubs, trees, gardening features & equipment, etc., though these are adequately managed by Council staff, who ensure that any risks are sensibly controlled and mitigated. In making its recommendation that unofficial memorials be permitted in Borough cemeteries up to a distance of **one metre** from the headstone plinth and of equivalent width as the headstone, **the task and finish group recommends that this should be conditional on the agreement of a suite of health and safety mitigations that must be implemented by any grave owner who wishes to maintain one.** These may include measures to increase visibility, such as lighting and signage, reporting and agreement to removal of anything from an agreed list of prohibited items, etc.

Position of Council Officers

It should be clearly reiterated here that Council Officers have been clear in providing their advice that the Rules and Regulations are not altered from their present form, citing health and safety, grounds maintenance, and cemetery management concerns.

Other concerns

Accessibility and equalities

Numerous residents have contacted the Council with concerns about unofficial memorials creating accessibility issues in Borough cemeteries. Equalities issues that arise from how some graveside memorials may impact accessibility for some cemetery visitors is also a highly important concern, the failure to attend to which will cause significant, genuine and justifiable distress to mourners for whom access to the grave/s they wish to visit may be impaired or prevented.

Representativeness

While the issue of unofficial memorials has gathered some considerable local attention in the press and been discussed at a range of meetings - both public and internal -, no reliable data has been made available to this group which illustrates the number of local residents that have identified unauthorised cemetery memorials as a key issue around which they would like to see a policy change.

The Council received 12 official complaints from residents that were unhappy with planned works to clear memorial items, and 3-4 individuals are in regular contact with the Council regarding the issue and attend meetings on the subject. Beyond this, various local press articles feature extensive 'under-the-line' comment on the matter (though, it should be stated, considerable numbers of comments can be found both for and against unauthorised memorials), and there is a somewhat active local Facebook group where most posts appear to be in favour of keeping memorials and against Council clearance action.

Residents' interests and Council responses

It is the responsibility of local authorities to serve their residents by delivering services in a fair and responsive manner, and of Councillors to represent and advocate for the interests of residents in their ward when issues are brought to their attention. Deliberative local democracy allows for issues affecting the local area and residents to be debated thoroughly and thoughtfully, with changes to policies and practices secured if there is sufficient consensus among elected representatives. Nevertheless, this naturally has to be balanced with statutory responsibilities and legal frameworks. For example, no amount of resident lobbying or local press coverage might induce a Council to pass a policy permitting fly-tipping or to reduce its Home to School Transport expenditure to zero, as all Councils must abide by legal requirements of it that originate in law, and risks huge reputational and financial damage by defaulting on these responsibilities.

While it is vital that local authorities are responsive to local need and actively engaged in dialogue with their local community, the Council should also be cautious about giving undue weight to reporting mechanisms such as social media attention and personal accounts. While these are useful and entirely valid means by which issues are brought to Councillors' attention and by which they can gain an approximation of local interest in an issue, they are not equivalent to more reliable forms of data such as properly conducted polling. It should be recognised that the process of posting on, for example, a local Facebook group about a local issue is very likely to be 'self-selecting' in this context, i.e., those posting there are overwhelmingly more likely to have an interest in the issue, while

those not interested in it are likely to simply 'scroll past' and not post. This might mean that a very high proportion of visible comments are in support of the point made by the original poster and therefore give the impression that there is unanimity on the issue among local people, while it may be the case that only a small proportion who saw the original statement replied to it in support. This 'sampling problem' applies similarly to comments below local press articles – data that demonstrates what proportion of all readers actually commented in support of any given statement is not available to us. This could lead to a 'cognitive bias' in those reading these comments or social media posts, where some degree of self-selecting support for an issue is taken to indicate local unanimity.

Similarly, it should also be noted that online commenters may not have an unauthorised memorial on a grave that they own in the Borough, may not own a grave in Broxtowe, may not be a Broxtowe resident at all nor understand the distinction between items that are allowed and disallowed. The Council should therefore exercise its discretion regarding whether to consider online commentary and personal reporting as a robust evidence base for potential policy changes, especially given the fact that data collected by the Council's Bereavement Services department shows that only 6% of graves in the Borough are out of compliance with the Rules and Regulations, with 94% abiding by them.

Conclusions

This task and finish group has been asked to undertake a review into a difficult area, one surrounding which there is a significant degree of local interest, local and national press attention, and deep emotional feeling. The members of the task and finish group would like to recognise the emotional state and difficulties faced by those in a state of grief when negotiating on matters covered by this report, and to commend them and its Officers – and all other contributors – for their input, advice, and assistance.

As referenced earlier in this report, previous years saw interruptions to planned enforcement due to the Covid-19 pandemic lockdowns, during which detailed implementation plans had to be paused. This understandably created confusion among visitors to the Borough's cemeteries who continue to observe large numbers of unauthorised memorials and therefore may assume that they are permitted by Council policy. The plan of works that was halted due to lockdown restrictions followed a period of generally lower enforcement, with papers on the subject being tabled before Council Committees in 2014, 2017 and 2019, and Ward Members expressing concern about planned clearances on several occasions.

Since these works to clear memorials were halted due to Covid lockdowns, local resident interest and political engagement with the subject precipitated a period of review and reconsideration of which this scrutiny exercise is intended to be the culmination, and during this time it remains the case that no works have been undertaken. While this is appropriate when the policies have been undergoing review, it should be noted that this has lengthened the period during which no action has been taken and therefore likely deepened the confusion of visitors who continue to see unauthorised memorials throughout Borough cemeteries. National events, local interest and member query of

planned works to clear memorials – both before and after the Covid lockdowns – has therefore been instrumental in stopping or delaying plans to clear unofficial memorials and thus in creating the confusion that we now observe.

This task and finish group acknowledges the confusion that has been created through the inconsistent application of Rules and Regulations and the lack of consistent enforcement that cemetery visitors have experienced over this period, and **recommends** that the Overview and Scrutiny Committee (and, in turn, Cabinet) acknowledge this fact. Nevertheless, there is a distinction between a corporate body not consistently enforcing its policies and procedures during a period of review, and not having any policies and procedures at all. It is a documented fact that the Council has always had Rules and Regulations in this area and, despite the fact that many unofficial memorials can be observed in cemeteries across the Borough, Officers have often been working to apply these regulations and clear unauthorised memorials across the time period discussed in this report, at least outside of the periods in which these works were paused. When Council Officers have not been able to complete these works as they would like, it has often been due to factors outside of their control and not because they themselves have failed to discharge an aspect of their role, in any sense. The Council would like to commend the works of its Officers, who have worked hard to reconcile a difficult range of requirements throughout this period.

As the Council attempts to improve its procedures and ensure that enforcement is more consistent, it has a responsibility to state clearly its policies to its residents and apply them as required. While there has been regrettable confusion over this period, it is demonstrable that the Council has always maintained the appropriate policies and procedures across this period, has been attempting to apply them (often in the face of adverse external events, such as the Covid lockdowns), and that grave owners signed documents demonstrating that they would abide by these regulations.

This group feels that the Council must acknowledge its role in precipitating the confusion among grave owners regarding the policies and procedures in this area and makes several recommendations about how Council practice should be improved to prevent future failings. A period of low enforcement of the Rules and Regulations across previous years, exacerbated by the Covid-19 lockdowns and a subsequent period of policy review has meant that any clearance of unauthorised memorials has been delayed for a matter of years. Many of the reasons for this have been outside of the Council's control, and its Officers have worked hard to clarify policies and reduce confusion in this area after having been handed the difficult job of removing memorials which, in many cases, have been in place for a significant period of time. Members of the task and finish group recognise the work and input of the residents that it has spoken to as part of this review and is grateful to all of those interviewed for this report.

It also feels that grave owners who are unhappy with the Council's attempts to enforce the Rules and Regulations in this area should acknowledge that the Council has, as burial authority, a statutory responsibility to discharge its responsibilities in this area, to abide by health and safety and environmental standards, to ensure that areas of the Borough's cemeteries are not rendered inaccessible due to unauthorised memorial items, and to allow all visitors to Borough cemeteries a space to experience grief in a dignified and appropriate manner. While the group acknowledges the confusion that differing levels

of enforcement and the visibility of cemetery memorials has created, the Council is bound by a range of responsibilities to all of its residents, and must balance the interests of multiple different groups as fairly and equitably as possible.

Despite these responsibilities, the task and finish group feels a responsibility to represent the interests of residents that have brought their concerns and proposals to the group. There has emerged in recent years, what appears to be a strong national trend towards the construction of unauthorised cemetery memorials and for the adornment of graves with greater amounts of decoration than in previous generations, and opinions differ within the industry as to the best approach – an issue that many Councils have and continue to face. The members of the group spoke about their feeling a strong desire not to restrict or remove the personal choice of grave owners in wishing to decorate their graves however they would like, subject to a list of prohibited items, mutually agreed health and safety and accessibility restrictions, and any other conditions that the Overview and Scrutiny Committee and Cabinet find appropriate.

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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.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

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 also decided to treat people who have care experience as if they had a protected characteristic under the law.

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:	Executive Director	Lead officer responsible for EIA	Assistant Director – Environmental Services
Name of the policy or function to be assessed:		Unofficial memorial recommendations	
Names of the officers undertaking the assessment:		Assistant Director – Environmental Services	
Is this a new or an existing policy or function?		Recommendations from Overview and Scrutiny Committee	
<p>1. What are the aims and objectives of the policy or function?</p> <p>To put forward recommendations for Cabinet approval following a comprehensive review of unofficial cemetery memorials. The review was initiated to:</p> <ul style="list-style-type: none"> • Consider the differing views of potential stakeholders, including residents, officers, and elected members. • Assess operational, health and safety, and accessibility implications of unofficial memorials. 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>The intended outcome of the review was to put forward a set of recommendations for Cabinet approval following consideration of the service and the issue of unofficial memorials.</p>			

3. Who is intended to benefit from the policy or function?

There is no single group intended to benefit directly from the recommendations.

The purpose of the review was to:

- Consider differing views among stakeholders, including residents with unofficial memorials, cemetery visitors, and Council officers.
- Address operational challenges faced by grounds maintenance employees.
- Ensure compliance with health and safety obligations and accessibility requirements.
- Provide Cabinet with recommendations.

4. Who are the main stakeholders in relation to the policy or function?

- Members
- General Management Team (GMT)
- Residents and Grave owners
- Employees in the Council
- Funeral Directors
- Community Groups (Friends of Groups)
- Stonemasons

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

- Approximately 9,000 graves in Borough cemeteries (this does include the graves from the 11 closed church yards).
- 5 Working Cemeteries: Beeston, Stapleford, Kimberley, Eastwood and Chilwell
- 11 Closed Cemeteries. These are managed by Parish Councils. The Parish Council has its own rules and regulations regarding memorials.
- Around 6–7% of graves are out of compliance with current rules (working cemeteries)
- 12 official complaints received: 3–4 individuals in regular contact.
- 94% compliance with existing regulations.

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

Public consultation undertaken from 5 January 2026 to the 16 January 2026. Total number of responses received were 127.

1. Have you ever experienced any accessibility issues at any of the Borough's cemeteries?

No	Yes
121 (95%)	6 (5%)

Comments:

Where respondents described accessibility difficulties, these were most often attributed to site conditions rather than memorial boundaries, examples included uneven or sunken ground, potholes, narrow gaps between headstones, leaf litter, and ungritted paths in winter. Requests for practical improvements included: better lighting during darker months, clearer/continuous pathways (including edge plots or path-adjacent graves for those using wheelchairs or scooters), and provision of toilets and hand-washing facilities.

By contrast, many respondents stated said they had personally experienced no barriers from kerb sets or gardens, and some wheelchair users and blind/partially sighted visitors reported that defined borders can aid confidence and site navigation.

2. Do any of the proposed recommendations in the Overview and Scrutiny report create additional barriers to accessibility for visitors at the cemeteries, particularly those with disabilities, older people, or those with mobility challenges?

No	Yes
123 (97%)	4 (3%)

Comments:

Most respondents did not consider the proposed recommendations likely to create new barriers for disabled or older visitors. Those who foresaw risks tended to focus on how rules are applied: if restrictions are enforced unevenly or without clear criteria, some visitors could be disadvantaged (for example, if lower-cost materials acceptable to one family are refused for another).

3. Kerb sets and memorial boundaries (this is a low border, usually made of stone or concrete that surrounds a grave to define its boundary), are deeply personal and sensitive. How can the Council achieve the right balance between respecting this sensitivity and ensuring accessibility for all visitors?

Respondents typically stated that kerb sets and graveside gardens as deeply personal and important to grief, with many emphasising that respectful, well-kept boundaries can coexist with safe maintenance and visitor access. A recurring view

was that borders help delineate plots, reduce inadvertent footfall across graves, and, particularly for some visitors with visual impairment or mobility aids, provide clearer navigation across the cemetery. Several respondents suggested controls (for example, keeping edges flush/level, limiting height or materials, and assigning upkeep to families) to balance sensitivity with safety and operational needs.

Other respondents suggested that unmanaged or DIY installations may create trip hazards or obstruct equipment, asking for consistent standards and fair, transparent enforcement.

A minority argued that kerb sets and unauthorised tributes should not be permitted at all on safety and equality grounds, favouring a single rule applied equally to all graves.

4. Do you think the proposed approach to Kerb sets and memorial boundaries as outlined in the recommendations could impact accessibility for visitors within the cemeteries?

No	Yes
117 (92%)	10 (8%)

Comments:

Many of the comments in this section repeated what had previously been raised. Ensuring level, navigable routes and adequate spacing between headstones was seen as more critical to access than removing kerb sets. Where concerns were expressed, they generally related to visibility of low borders in poor light and the need for clearly defined walking routes that avoid any need to step across graves.

5. Other suggestions or concerns.

Beyond accessibility, there was strong sentiment to respect individual grieving practices while upholding safety, tidiness and environmental considerations (for example, discouraging loose plastics, and encouraging compostable tributes).

A separate set of views prioritised consistent enforcement and legal duties of care, arguing that unmanaged surrounds can impede maintenance or grave-digging operations and elevate risk.

There was agreement across all respondents that the cemeteries would benefit from better routine maintenance, improved lighting and CCTV for security, and, where feasible, public conveniences on or near the sites.

Demographic data

How would you best describe your gender?

Female	Male	Prefer not to say
56 (64%)	31 (35%)	1 (1%)

Total number of respondents for this question was 88.

Which of the following age groups do you belong to?

18-24	25-29	30-44	45-59	60-64	65+
5 (6%)	6 (7%)	21 (24%)	31 (35%)	13 (14%)	13 (14%)

Total number of respondents for this question was 89.

Ethnicity

White English/ Welsh/ Scottish/ Northern Ireland/ British	White Gypsy or Irish Traveller	White Irish	Asian or Asian British Indian
78 (88%)	5 (5%)	5 (5%)	1 (1%)

Total number of respondents for this question was 89.

Whereabouts in Broxtowe do you live?

Beeston	Bramcote	Brinsley	Chilwell	Eastwood
35 (38%)	8 (9%)	1 (1%)	14 (15%)	8 (9%)
Greasley	Kimberley	Stapleford	Toton	Trowell
2 (2%)	5 (6%)	13 (14%)	3 (4%)	2 (2%)

Total number of respondents for this question was 91.

Do you consider yourself as disabled or have any long-term health problems that limit daily activity?

No	Yes
75 (63%)	45 (38%)

Total number of respondents for this question was 120.

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

The stakeholder consultation indicates that the main accessibility impacts reported by cemetery users are linked to the condition of the cemetery environment rather than to graveside borders or memorial gardens. Respondents who described difficulties with access, which accounted for a small proportion of the total, most often referred to uneven or sunken ground, narrow spacing between headstones, limited lighting during winter months and paths that can become slippery or uncleared. Some disabled respondents, including people with mobility aids or visual impairments, commented that clearly defined kerb sets and memorial boundaries can assist with navigation by helping to mark out individual plots and reduce the chance of stepping on graves. Overall, the feedback suggests that equality impacts are influenced more by the general condition and layout of the cemetery rather than by the presence of well-maintained borders within grave spaces.

The consultation also suggests that the proposed recommendations are not expected to create additional barriers for most visitors. Only a small number of respondents identified a potential adverse effect on accessibility.

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?**

Although the consultation did identify some accessibility concerns, these were raised by a relatively small number of respondents. It is important to recognise that the consultation received 127 responses, which may not fully represent the experiences of all cemetery users, particularly those with disabilities who may be more affected by environmental or layout-related barriers.

Importantly, 38 per cent of respondents stated that they consider themselves to have a disability or long-term health condition that limits daily activity, which indicates that disabled people were a significant proportion of the consultation sample. Even so, the limited number of comments raising accessibility difficulties does not necessarily mean that barriers do not exist, only that they were not widely reported within this group of respondents. For this reason, the findings should be interpreted with care, recognising that some impacts may be under-represented and may warrant continued monitoring and engagement to ensure they are fully understood.

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

The recommendations are not likely to be accessed in the same way by all equality groups. Although the approach seeks to respond to the concerns raised by families and to provide a balanced way forward, allowing existing memorial boundaries to remain in place and permitting new memorials within the grave space for future burials may create physical barriers for some visitors. These features have the potential to restrict access between graves, particularly for people with disabilities, including those with mobility impairments or who use wheelchairs. This reflects concerns raised during the earlier Overview and Scrutiny evidence sessions, where accessibility challenges were identified as a potential risk.

While the proposals may not be equally accessed by all groups, any potential impacts can be managed. The Council will continue to work closely with visitor to the cemeteries to understand access needs in more detail as the recommendations are implemented. Clear standards on the size and placement of memorial boundaries, combined with ongoing maintenance and protection of accessible routes, will help ensure that disabled visitors are not disproportionately affected. With these safeguards in place, the approach can be justified as a proportionate response to the consultation evidence while maintaining fairness and sensitivity for all equality groups.

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

The consultation indicates that some barriers may make access more difficult for equality groups, especially disabled people and those with mobility impairments. Although only a minority of respondents raised issues regarding accessibility difficulties to memorial boundaries, the consultation data shows that 38 per cent of respondents stated that they considered themselves to have a disability or long-term health condition that limits daily activity. A smaller number also expressed concern that memorial boundaries or items placed within grave spaces could reduce the width of routes or create obstacles that are harder to navigate for wheelchair users, people with mobility aids and those who are blind or partially sighted.

Continued engagement with cemetery visitors will be essential as the recommendations are implemented, ensuring that any emerging concerns can be identified promptly and addressed through appropriate mitigation.

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

The recommendations have the potential to support equality and positive relationships between different groups, provided they are implemented transparently and in partnership with all key stakeholders. The consultation highlighted differing views, with some people valuing the ability to personalise graves and others emphasising the importance of accessibility and ease of movement around the cemetery. These differing perspectives create an opportunity for the Council to show that it is listening to all groups and is committed to balancing personal expression with inclusive access for everyone.

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

Based on the consultation undertaken, no further evidence is considered essential at this time to identify the potential impacts on equality. The consultation has provided a useful understanding of how the recommendations may affect different groups, including disabled people.

It has though been identified that an accessibility audit of all active cemeteries would be beneficial. While an audit is not required to understand the current impacts of the proposed recommendations, it would provide additional reassurance and support future planning.

In terms of timing, the accessibility audit will be undertaken in February of this year, running alongside the planned review of the cemetery rules and regulations. Completing the audit at this stage would help identify any barriers created either by existing site conditions or by the proposed recommendations. The findings would also inform updates to the rules and regulations, including matters such as kerb set materials and a definitive list of items that can and cannot be placed on graves, helping to ensure that cemeteries remain accessible, safe, and inclusive.

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:**

- Ensure cemetery pathways and seating areas are suitable for older visitors, who may have reduced mobility or stamina.
- Provide clear signage and resting points to support longer visits for elderly mourners.
- Monitor feedback from older residents to identify any emerging access issues.

Disability:

- Maintain clear, unobstructed pathways. Provide adequate width between graves to support wheelchair and mobility-aid users.
- Undertake periodic accessibility audits across all cemeteries to identify barriers linked to both site conditions and memorial boundaries.
- Engage directly with disabled residents, carers and disability organisations to inform future adjustments.
- Ensure any standards for memorial boundaries include accessibility considerations (for example, height, placement, visibility and maintenance).
- Provide information in accessible formats, including maps showing the easiest routes through each cemetery.

Gender: No impacts identified.

Gender Reassignment: No impacts identified.

Marriage and Civil Partnership: No impacts identified.

Pregnancy and Maternity:

- Ensure cemetery pathways and access routes remain safe and unobstructed for visitors who may be pregnant or accompanied by young children in prams.

Race: No impacts identified.

Religion and Belief:

- Maintain awareness of diverse religious practices surrounding remembrance and graveside customs.
- Ensure that any standards applied to memorial boundaries allow reasonable accommodation of faith-based practices, provided they do not compromise accessibility or safety.
- Engage with faith groups as part of ongoing consultation on cemetery management.

Sexual Orientation: No impacts identified.

Care Experience:

- Ensure accessible routes are maintained for carers who are visiting with individuals requiring support.
- Engage with carers to understand any specific access needs arising from assisting people with mobility or sensory impairments.
- Provide clear, accessible information about cemetery layouts and the easiest routes to navigate with someone being cared for.

Chief Executive:

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: Chief Executive

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Report of the Portfolio Holder for Resources and Personnel Policy

Budget Proposals and Associated Strategies

1. Purpose of Report

To recommend to Council the revenue and capital budget proposals together with the Capital Strategy, Prudential Indicators, Treasury Management Strategy, Investment Strategy and General Fund Medium Term Financial Strategy and to approve the Business Plans. This is in accordance with all the Council's key priorities.

2. Recommendation

Cabinet is asked to RESOLVE to approve:

- 1. The Business Plans for the Council's corporate priorities and support service functions, subject to amendment as a result of any budget decisions still to be taken by Council as recommended by Cabinet.**

and to RECOMMEND to Council that:

- 2. The Housing Revenue Account budgets as submitted be approved.**
- 3. The General Fund revenue budgets as submitted be approved.**
- 4. The capital submissions and priorities within them be approved and that the Interim Deputy Chief Executive and Section 151 Officer be authorised to arrange the financing of the Capital Programme as necessary.**
- 5. The Council Tax Requirement for 2026/27 including special expenses (but excluding local precepting requirements) be £7,216,416.**
- 6. An amount of £760,309 be withdrawn from the General Fund Reserve and an amount of £439,883 be taken from the General Fund earmarked reserves in 2026/27.**
- 7. The Capital Strategy 2026/27 to 2028/29 be approved.**
- 8. The Minimum Revenue Provision policy, as set out, be approved.**
- 9. The Treasury Management Strategy Statement 2026/27 to 2028/29 be approved.**
- 10. The Investments Strategy 2026/27 to 2028/29 be approved.**
- 11. The General Fund Medium Term Financial Strategy to 2029/30 be approved.**

3. Detail

The following appendices are included and recommended for approval:

Appendix 1	Impact Analysis
Appendix 2	Housing Revenue Account (HRA) Budget and Council House Rents 2026/27
Appendix 3	General Fund Revenue Budget 2026/27
Appendix 4/4a	Capital Programme 2026/27 to 2028/29
Appendix 5	Capital Strategy 2026/27 to 2028/29
Appendix 6	Treasury Management Strategy 2026/27 to 2028/29
Appendix 7	Investments Strategy 2026/27 to 2028/29
Appendix 8	General Fund Medium Term Financial Strategy

A budget consultation exercise was undertaken during the Autumn 2025, the results of which were considered by Cabinet on 6 January 2026.

The matters referred to in these reports are inter-related and, as such, need to be considered together. An update to the HRA 30-Year Business Plan model was approved by Cabinet on 5 December 2023. This will be refreshed again in 2026/27.

The service and financial plans were considered as an integral part of the budget setting process by the Overview and Scrutiny Committee on 19 and 20 January 2026. Subject to any consequent amendments necessary as a result of any budget changes approved by Council, Cabinet is asked to approve these documents.

After consulting with the Leader of the Council and the Deputy Leader and Portfolio Holder for Resources and Personnel Policy, the figures included within the recommendations and in the Medium-Term Financial Strategy reflect the fact that Cabinet may choose to recommend to Council that the basic amount of Council Tax in 2026/27 is increased by 2.94% from £192.93 to £198.61 and by a 2% increase in 2027/28 and 2028/29.

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 and is a decision made or to be made in connection with the discharge of an Executive function which is likely to result in the Council incurring revenue or capital expenditure or savings of £250,000 or more.

5. Updates from Scrutiny

The business and financial plans were considered by the Overview and Scrutiny Committee on 19 and 20 January 2026.

6. Financial Implications

The comments of the Interim Deputy Chief Executive and Section 151 Officer were as follows:

The detailed financial implications are considered in the report and appendices.

7. Legal Implications

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

There are no specific legal implications that arise from this report, as the suggested proposals are in accordance with relevant legislation, Council policy and procedures. The recommendation is within the Council's statutory and fiduciary powers.

8. Human Resources Implications

There were no comments from the Human Resources Manager.

9. Union Comments

Not applicable.

10. Climate Change Implications

Climate change implications have been considered as part of the business planning and 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

Impact Analysis1. Introduction

A detailed impact analysis (taking account of the Council's duty under section 149 of the Equality Act 2010) is undertaken for all key executive decisions which involve changes in service delivery in year.

These changes inform the budget for the following year. However, most decisions that specifically relate to budget-setting reflect changes that are not linked to specific groups of people but apply equally to all residents across the Borough. The following are felt to be the main areas where particular groups within the population may be affected.

2. Changes in Housing Rents and Housing Related Charges

An updated Housing Business Plan was presented to the Overview and Scrutiny Committee on 20 January 2026 in a report which included the Housing Revenue Account (HRA) 2026/27 budget estimates (included in this report).

With effect from April 2020, local authorities are able to set their own rent levels, though Government guidance recommends that rent increases should be not more than the Consumer Price Index (CPI) plus 1% from 2020/21. On 2 February 2021, the Housing Committee approved the Council's Rent Setting Policy which in summary stated rents are to increase by September CPI plus 1%. This policy is reflected in the annual update of the financial model that accompanies the HRA 30-year Business Plan.

Government policy was temporarily changed for 2023/24, in view of economic conditions and high inflation, with a social housing rent cap of 7% for 2023/24. This has since reverted to the earlier policy where rents can be increased by CPI plus 1%. The CPI inflation figure at September 2025 was 3.8%, thereby allowing for a potential rent increase of up to 4.8% for 2026/27.

The proposals presented for consideration by Cabinet in this report include the HRA rent income budgets prepared with a 4.8% rent increase as recommended by the Interim Deputy Chief Executive and Section 151 Officer.

The increase in rents will impact on all tenants. It will also have an impact on the welfare bill as it is anticipated that housing benefit payments will increase in proportion to the increase in rental income. Around two-thirds of tenants get Housing Benefit or the rent element of Universal Credit, although not all will get the full amount.

An increase of 4.8% would equate to an average weekly rent of £100.49, which is still amongst the lowest in the East Midlands. This increase will provide vital additional revenues to help manage the cost of resourcing and further investment in service delivery, repairs and maintenance and capital investment.

The government's Universal Credit (UC) programme continues to be rolled out with the managed migration of working age Housing Benefit cases to UC expected during 2025/26 and 2026/27. UC replaces several working age benefits with one. The amount due is paid directly to the claimant, which is a substantial change for some claimants where housing benefits were previously paid to the landlord. The Council continues to work with tenants and other agencies to ensure a smooth transition.

The budget proposals also include a freeze in garage rents and other fees and charges which have been included in the budget figures considered by Overview and Scrutiny Committee.

The changes in rent levels will affect all tenants while the changes to garage rents will only affect those specific tenancy types. An Equality Impact Assessment was undertaken for the proposed changes in policy during earlier budget setting exercises. This indicated that there are no recognised groups within the Equalities Act that would be adversely affected by any changes. No further changes would affect this conclusion.

3. Liberty Leisure Limited

Liberty Leisure Limited was established on 1 October 2016 as a wholly owned company of the Council to deliver leisure and associated services.

The budget proposals include a provision for a reduced annual management fee of £200,000 for Liberty Leisure in 2026/27 (£269,000 in 2025/26). This saving was identified as part of the Business Strategy approved by Cabinet on 4 November 2025 and can be achieved by implementing the remaining elements of the external efficiency review of the company, which identified additional savings and income totalling £300,000.

The cost of borrowing and provision for the repayment of debt relating to leisure property and other capital assets remain with the Council which retains ownership of the capital assets of the company. All other costs are included within the annual management fee.

Liberty Leisure is a wholly owned company with the Council retaining overall control. Any changes to service provision must be agreed by the Council. The Council continues to meet with Liberty Leisure on a regular basis to review the company's cash-flow position and to provide adequate support to mitigate any risk of insolvency.

4. Other Establishment Changes

The budget proposals include estimates for the existing staffing establishment in 2026/27. Any proposed significant changes to the Council's staffing structures will be reported to Cabinet before implementation.

The Council's policy is to reduce workforce costs in a controlled manner and to avoid compulsory redundancies wherever possible. The Council's voluntary redundancy policy includes an increase in entitlement based on an actual week's pay rather than the capped statutory entitlement. This policy is considered as part of the Pay Policy which is approved annually at full Council.

Any proposed establishment reductions would be drawn from different service areas across the Council, and none of the recognised groups under the Equalities Act should be affected disproportionately.

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Appendix 2

Housing Revenue Account Budget and Council House Rents 2026/271. Housing Revenue Account (HRA)

The HRA budget for the 2025/26 revised and 2026/27 base budgets are presented below. This includes the requested revenue development as detailed below. The HRA has a projected balance of £1.077m as at 31 March 2027.

	Revised Estimate 2025/26 £	Base Budget 2026/27 £
Repairs and Maintenance	5,619,250	5,577,800
Supervision and Management	3,695,600	3,868,900
Special Services	2,569,150	2,960,100
Rents, Rates, Taxes and Other Charges	22,550	62,700
Depreciation and Impairment of Fixed Assets	5,544,900	5,693,750
Increase in Impairment of Debtors	50,000	30,000
Total Expenditure	17,501,450	18,193,250
Dwelling Rents (Gross)	(19,860,000)	(21,332,150)
Non-dwelling Rents (Gross)	(279,000)	(279,000)
Tenants' Charges for Services and Facilities	(842,000)	(894,250)
Leaseholders' Charges for Services and Facilities	(163,600)	(163,600)
Other Charges for Services and Facilities	(123,000)	(8,000)
Total Income	(21,267,600)	(22,677,000)
Net Cost of Services	(3,766,150)	(4,483,750)
HRA share of Corporate and Democratic Core	513,550	529,250
HRA share of interest payable and similar charges including amortisation of premiums and discounts	3,929,050	4,233,850
HRA Investment Income	(232,700)	(134,450)
(Surplus)/Deficit for the Year on the HRA Income and Expenditure Statement	443,750	144,900
Capital Expenditure funded by the HRA (revenue)	-	-
(Increase)/Decrease in the HRA Balance	443,750	144,900
HRA Opening Balance	(1,666,067)	(1,222,317)
HRA Closing Balance	(1,222,317)	(1,077,417)

2. Budget Changes

The budget increase for net expenditure in 2025/26 between the original budget and revised estimate is a consequence of the following items:

HRA – Service Area	Change (£'000)
Additional budget for the depreciation of Council dwellings based upon an increase in the value of the total Housing stock in 2024/25.	530
Revenue development to cover new responsibilities around tackling damp and mould established under Social Housing (Regulation) Act.	150
Cabinet approved the recruitment of a Property Management Compliance Officer (February 2025) with 50% of their work being recharged to the HRA (£31k). Cabinet also approved the recruitment of a Housing Complaints Officer in March 2025 (£39k).	70
An increase in the HRA pay budget was approved as part of the senior officer pay review in June 2025.	15
Vacancy saving budget for the HRA has been increased by £200k to recognise the larger than forecast employee savings during the year.	(200)
Rent income target has been increased as current performance is exceeding initial prudent expectations.	(200)
The 2025/26 budget included works to sheltered scheme communal areas. Although this was initially considered a revenue budget, it was found that spending met the requirements for capitalisation and this budget has therefore been moved to the Capital Programme.	(100)
Income from investment interest is higher than forecast and the budget for the HRA's share of this income has been increased.	(100)
A higher proportion of HRA officer time will be spent on capital schemes than initially forecast. The 'capital salaries' recharge from the HRA to the capital programme has therefore been increased.	(50)
HRA revenue contingency budget has reduced by £25k as the full budget will not be required in 2025/26.	(25)
Several small budget variations approved throughout the year.	(3)
Housing Revenue Account Budget increase in 2025/26	87

An analysis of the variances between the 2025/26 revised estimates and the 2026/27 base budgets is included in the table below:

HRA – Service Area – Expenses	Change (£'000)
Increases in employee related costs across the HRA including the impact of the 2025/26 pay award, an anticipated 3% pay award in 2026/27 and contracted salary increments. These increases have been partially offset by a decrease in employer pension contributions (from 19% to 16.8%) meaning that the employee costs increase is substantially lower than in previous years.	34
<p>A net increase in premises related costs due to:</p> <ul style="list-style-type: none"> • Independent Living Scheme utilities increasing by £130k based on current year usage and expected unit costs. • Increase of £100k in repairs and maintenance costs based on current year actuals. • Increase of £29k in alarm system costs based on agreed contracts. • Legionella testing costs increasing by £20k based on forecast demand and remedial works costs. • Independent Living Scheme safety budget decreasing by £35k as it has now been merged with the capital scheme budget. • Lift maintenance and grounds maintenance both decreasing by £10k based on forecast requirements for 2026/27 • Small increases and decreases in various budgets have led to a further net saving of £15k. 	219
Transport costs have increased, primarily due to increases in fleet maintenance costs.	21
<p>There has been a net decrease in supplies and services costs which is primarily due to:</p> <ul style="list-style-type: none"> • A £20k increase in Regulator for Social Housing fees. • Costs associated with Home Ownership services increasing by £30k. • Insurance premiums increasing by £14k. • Part of the Housing Repairs voids budget related to costs that meet the requirements for capitalisation, with £250k being moved to the Capital Programme. • Decreases of £35k in Housing Repairs materials costs based on current and forecast demand and supply. • Small variations across a range of budgets resulting in a further £27k decrease in costs. 	(248)

Increases in Third Party Payments relate to an increase in Grounds Maintenance recharges from the General Fund. These include maintaining HRA non-residential land, land at Independent Living accommodation and maintaining elderly residents' gardens. This recharge basis is being kept under review.	263
Methods used to allocate Corporate Recharges were reviewed this year and have resulted in a net increase in the recharge to the HRA, particularly in respect of Legal Services and Business Support costs. This reflects the level of work these services do for the HRA.	167
<p>There has been a significant increase in capital charges forecast for the HRA in 2026/27, which is primarily due to the following factors:</p> <ul style="list-style-type: none"> • Borrowing interest costs to the HRA being forecasted to rise by £305k. This is based on the estimated external borrowing required to finance the HRA Capital Programme. • A forecast increase in the value of Council dwellings has led to a £236k increase in depreciation charges. • An £87k decrease in non-dwelling depreciation charges due to several vehicles and other non-dwelling assets being fully depreciated in the current financial year meaning no depreciation charge for those assets in 2026/27. 	454

HRA – Service Area – Income	Change (£'000)
<p>An increase in Housing Rents (Dwelling) income based upon:</p> <ul style="list-style-type: none"> • An opening stock of 4,375 properties; add a further 83 acquisitions and new builds across 2025/26 and 2026/27; less 35 estimated sales (Right to Buy) across the two years; equalling a projected closing stock of 4,423 properties. • Add the impact of a 4.8% rent increase (September CPI plus 1% as allowed by the Regulations). • Less a projected void loss of £448k. • A further £200k has been added to the budget as an income target, which is based upon the HRA's income performance in recent years. <p>See further commentary below for more details.</p>	(1,472)
There is no change in the Garage Rents budget as charges have not been increased. It is proposed that there would be no increase in garage rent charges in 2026/27 either to keep charges in line with other suppliers. See further commentary below for more details.	-
A small increase in Support Charges primarily due to the 4.8% increase in line with rents, adjusted for forecast voids.	(52)

HRA – Service Area – Income	Change (£'000)
<p>Other notable changes in HRA Income include:</p> <ul style="list-style-type: none"> Investment income is forecast to decrease by £98k based on expected reserve balances and interest rates. In 2025/26, the HRA had a budget of £115k for the Section 31 grant partially compensating for increased employer National Insurance Contributions. The HRA is not expected to get this support in 2026/27 and, as such, the budget has not been included. Changes to recharges across the HRA have led to a decrease of £125k to Housing Management recharges. Note that this is the result of accounting adjustments and not actual lost income to the HRA. Employee costs recharged to the Capital Programme (capital Salaries) have increased by £32k due to increasing employee costs and to reflect the time HRA employees spend on capital schemes. Housing Management recharges to the General Fund have increased by £15k due to increasing employee costs. Various small increases and decreases across several budgets, result in a net decrease in income of £24k. 	315
Housing Revenue Account Budget decrease in 2026/27	(299)

Revenue Development

Tenant Satisfaction Survey

In 2023, the Regulator of Social Housing introduced the Tenant Satisfaction Measures as part of their Consumer Standards. As part of this, the Council is required to complete an annual survey with all tenants following a specified question set and methodology. Due to the complexity of the requirement, it is not recommended that this exercise is completed in-house. For the last two years the Council has used a research company called Acuity to complete this.

Whilst New Burdens funding has previously been provided, the Council now needs to fund this annually via the HRA. A new budget of £20,000 has been included in the above figures for this development.

3. Rents and charges proposals

With effect from 1 April 2020, local authorities can set their own rent levels, though government guidance recommends that rent increases should be no more than the Consumer Price Index (CPI) plus 1%. On 2 February 2021, the Housing Committee approved the Council's Rent Setting Policy which in summary stated Housing Rents are to increase by September CPI plus 1%.

For 2023/24, in view of the economic situation, the Government capped rent increases at 7%. This restriction does not apply for 2026/27 so a return to the September CPI plus 1% method is proposed, resulting in a proposed increase of 4.8% for 2026/27.

An increase of 4.8% would equate to an average weekly rent of £100.49. Around two-thirds of tenants receive Housing Benefit or the rent element of Universal Credit (UC), although not all will get the full amount.

The UC programme continues to be rolled out across the Borough, which sees UC replacing several benefits with one. The amount due is paid directly to the claimant which is a substantial change for some claimants where housing benefits were previously paid to the landlord such as the Council. The Council continues to work with tenants and other agencies to ensure a smooth transition.

The budget proposals also include a freeze in garage rents, which is aimed to bringing these rents in line with other providers.

4. Summary

The minimum working balance recommended on the HRA is £1.0m. Although the HRA should comfortably exceed this balance in the long-term, the HRA balance is forecast to fall very close to the minimum in the short-term. This is due to several factors, including the maintenance and development of the housing stock requiring large upfront capital expenditure (acquisitions and new builds). Interest rates also remain stubbornly high, further compounding the cost of capital investment. New revenue budgets have been also required to meet legislation, for damp and mould related works, housing disrepairs and compensation, and tenant satisfaction measures.

The interest cost arising from prudential borrowing to help fund the HRA Capital Programme is estimated at £4.234m in 2026/27.

Additional borrowing of £10.7m will be required for 2026/27 to fund the proposed new house building and acquisitions programme, compliance work and to contribute towards the investment and improvements of dwellings to ensure decent home standards are met. It is also anticipated that £2.0m will be required from HRA capital receipts to fund the Capital Programme in 2026/27.

It is recommended that a HRA working balance of at least £1.0m is maintained in future years to ensure that sufficient provision exists to meet unexpected needs. This will be increasingly significant in terms of having sufficient funds available to meet the cost of potential new build properties and other capital investment commitments.

The latest HRA 30-Year Business Plan was approved by Cabinet in December 2023. Whilst this plan demonstrated that the HRA is financially viable over the longer-term 30-year period it was evident that careful financial management will be required to ensure the short, medium, and long-term sustainability of the HRA. The HRA 30-year Business Plan will be reviewed again in 2026/27.

Appendix 3

General Fund Revenue Budget 2026/27**1. Summary of Proposals**

The Overview and Scrutiny Committee has considered the revised estimates for 2025/26 and the base budgets for 2026/27 for each of the corporate priorities and support services areas. Any changes arising from this process are set out below along with a summary of the proposed General Fund budget for 2026/27.

2. Key Assumptions and Changes

During consideration of the budgets by the Overview and Scrutiny Committee, there remained a continuing focus on delivering the Council's vision in the Corporate Plan.

The outcome of the latest budget consultation exercise that took place during the autumn was considered by Cabinet on 6 January 2026. The web-based survey, which was publicised through social media, generated 1,035 responses. Whilst this was slightly lower than the previous year, it was still well above the response rates for earlier years. The Council has responded to its residents with the following proposals being included in budgets:

- Greater investment in climate change and environmental services with the Council's successful Climate Change and Green Futures Delivery Programme, including the procurement of electric vehicles, conversion of the fleet to HVO biofuel, decarbonisation plans, housing energy efficiency measures and continued investment in parks, open spaces, play areas and waste and recycling services.
- Investment in economic development and business growth is also important for local residents. Work continues to fully implement the visible and significant investment projects in Stapleford and Kimberley for which grant funding commitment has already been obtained. The Council will continue to work with the East Midlands Combined Counties Authority (EMCCA) to attract funding in other locations, such as Eastwood, and to receive a fair share of any future UKSPF funding for its communities. Earlier regeneration projects, including the Beeston Square development, are generating additional rental income streams.
- Ongoing and substantial investment in the Council's housing stock ensuring safety compliance, meeting decent homes standards and social housing decarbonisation. The Council has also developed a significant Housing Delivery Programme, with a pipeline of new homes being added through the acquisition of former council houses and new house building, which levers in grant funding from Homes England and EMCCA, in addition to the Council's own resources.

- On the priority of health and leisure, the Council has successfully delivered the new Hickings Lane Community Pavilion and facilities in Stapleford. Work continues with the development of a new replacement Bramcote Leisure Centre. The Council has already committed a significant sums for feasibility work and was recently granted planning permission for this significant capital investment project. The Council is working to resource a sufficient funding package to develop this scheme, with proposals to be reported to Cabinet in the near future. The Council is also committed to the development of a Health and Wellbeing Centre at Walker Street in Eastwood that will lever in significant external investment from key partners to support the business case.
- In terms of community safety, the Council has committed significant funding in maintaining and improving the provision of surveillance cameras over recent years to improve public safety and confidence. The budget for community safety is relatively modest and largely reliant on external funding sources which have to be bid for from agencies when available. Even modest increases in the revenue budget could make a difference in the Council being able to fund small initiatives to enable work with voluntary groups to address anti-social behaviour or diversionary activity.
- In response to public demand for more investment in street cleansing, the Council has entered into a contract that provides more capacity to address enforcement activity targeted at littering and fly tipping. The proceeds from this activity are reinvested back into street cleansing services.
- The Council will keep under review the cost and quality of its car parking provision and associated charges. It continues to have discussions with local businesses about schemes to attract shoppers into the Borough's towns. There are no plans for any increases to parking charges and free charge periods have been extended during the current year which could be extended in to 2026/27 as well.

The 2026/27 base budget includes estimates for inflation on certain headings such as energy, fuel and utilities costs and other contractual commitments.

The pay budgets include a decrease in employers pension fund contributions (from 19.0% to 16.8% in 2026/27) based on the latest projections from the actuaries; contractual increments; regrading following job evaluation; any market supplements for posts that have been difficult to recruit; and an estimated 3% pay award for 2026/27.

Any proposed establishment changes in the new financial year, above delegated limits, will be reported to Cabinet for consideration and, if approved, incorporated within the revised estimates for 2026/27.

Under the Prudential Framework for Capital Finance, prudential borrowing has to be considered in overall terms and taking account of the effect on revenue and general affordability in the short and medium term. Appendix 5 to this report proposes additional prudential borrowing of £10.7m in relation to the HRA capital programme and £3.0m in relation to the General Fund in 2026/27. An estimate for additional borrowing costs has been included in the base budget for 2026/27.

It is prudent to provide a budget to cover unforeseen items of expenditure which may arise during the year. As in previous years, a General Fund Contingency has been established for 2026/27 at £50,000.

All known revenue developments have been incorporated into the budget. No further revenue developments are expected but other items may be brought forward to Cabinet during the course of the year as and when need arises.

3. Fair Funding and the Provisional Local Government Finance Settlement

The provisional Local Government Finance Settlement for 2026/27 was announced by the Minister for Housing, Communities and Local Government (MHCLG) on 17 December 2025. The settlement reflected the outcome of the long-awaited Fair Funding Review, which looked to redistribute the 2025/26 funding totals.

The provisional settlement included details of the Council's Fair Funding Assessment (FFA) for 2026/27 and the levels of central government funding to be received as part of the settlement.

Some of the key points, including the impact for the Council, are as follows:

- There are major changes to the main funding formula with a stronger link to levels of deprivation and population.
- The baseline for retained Business Rates will be fully reset in 2026/27, although transitional arrangements will protect much of the retained income, including growth returns from 'pooling', at least in the short term.
- Most new burdens funding streams will be rolled into the main funding formula instead of being provided as separate grants. This would suggest that the settlement covers the anticipated new burdens funding associated with 'Simpler Recycling' and food waste, although this is not specifically itemised and there is little additional funding to support its inclusion.
- Several grant pots, including for homelessness prevention, rough sleeping and temporary accommodation, will be consolidated and simplified.

- Government figures indicate that total Core Spending Power (CSP) will rise by 5.7% in 2026/27. CSP consists of the Fair Funding Assessment (FFA), split between the sum of the Baseline Funding Level (BFL) and Revenue Support Grant (RSG); income from Council Tax (assuming tax base growth and maximum increases in tax allowable under referendum principles); all rolled-in grants including Recovery Grant, Income Protection Floor Grant, Homelessness Grant; and other grants, many of which only apply to unitary and upper-tier authorities.
- There is significant variation in outcomes for district councils. Whilst some districts will benefit from the funding reforms, most will lose compared to current funding. Over the indicative three-year settlement period, CSP for all English councils (in aggregate) is expected to rise by 15.1% in cash terms. This compares to an estimated 3.3% cash increase for districts, which almost certainly means a real terms cut overall. Many districts, including Broxtowe, will rely heavily on transitional protection to cushion the impact and remain financially sustainable.
- In 2026/27 district councils will receive an average 0.6% cash increase in CSP if full use is made of the council tax flexibilities on offer. This is below the sector average increase in cash terms. Broxtowe's CSP will increase by 2.6% in 2026/27, but is then projected to fall back to just 0.5% in 2027/28 and 0.1% in 2028/29 (both below the respective shire district averages).

In terms of the provisional settlement position for Broxtowe:

- The Council Tax referendum threshold for shire districts will remain at 3% or £5, whichever is higher for a band D property. An increase in Council Tax at the limit would provide an additional £60k income over the baseline 2% provided for in the latest Medium Term Financial Strategy (MTFS). This has now been factored into the Council's budget, as part of the 2026/27 Business Strategy.
- The Fair Funding Assessment (FFA) is split between the Baseline Funding Level (BFL) and Revenue Support Grant (RSG), with some additional funding beyond the redistribution of 2025/26 monies being added to settlement figures through BFL indexing and RSG increases. The Baseline Funding Level (BFL) and Revenue Support Grant (RSG) for Broxtowe in 2026/27 will be £2.971m and £4.791m respectively.
- The split of the Fair Funding Assessment to BFL and RSG, and the new top-up and tariff amounts, reflect the government's latest analysis on the impact of the business rates revaluation, business rates reset and the introduction of new business rates multipliers.
- There will be transitional arrangements in place for Fair Funding, including a minimum funding floor grant, to protect local authorities from the full impact of the funding changes. Most councils will have their current income protected in cash terms (a 0% funding floor). The transition to new funding

amounts is not fully achieved over the three-year period and there remains a high degree of uncertainty beyond 2028/29 for those in receipt of material floor payments. Local Government Reorganisation may reduce this burden for 2029/30 if funding amounts are recalculated for new authorities. Broxtowe will receive £230k in Income Protection Floor Grant in 2026/27.

- More grants have been consolidated into CSP, including the Homelessness, Rough Sleeping and Domestic Abuse grant. This is not new funding as it brings together existing grants including Domestic Abuse Safe Accommodation new burdens; part of Homelessness Prevention Grant; Rough Sleeping Prevention/Recovery Grant; and the Rough Sleeping Accommodation Programme. The consolidated grant will have its own bespoke distribution for each element and be ringfenced. Broxtowe will receive £628k in 2026/27 including £592k for homelessness and rough sleeping (up from around £494k in 2025/26).
- The Recovery Grant, which is targeted at places with greater need and demand for services linked to high levels of deprivation, has been preserved for three years. Broxtowe is set to receive £55k again in 2026/27.
- The New Homes Bonus scheme has been scrapped for 2026/27. The Council's previous allocation for 2025/26 was £360k.
- Ongoing impact of the earlier increase in the level of Employer's National Insurance Contributions (NIC) adding cost pressures of £450k to the establishment budget. Although the Council received a partial grant to cover this uplift in 2025/26, there are no specific grants in 2026/27 for the NIC uplift with any support now considered part of the wider settlement.
- The Council is anticipating to receive around £1.1m from the new Extended Producer Responsibility (EPR) funding stream in 2025/26 for use on developing the recycling service and improving recycling rates. Any funding in future years has not been confirmed as part of the provisional settlement and, as such, is not recognised in the budget at this stage.

4. Business Rates

Business Rates (National Non-Domestic Rates/NNDR) is a significant part of financing the Council's non-housing services. Business Rates is primarily based on a calculation taking into account the local non-domestic rates tax base and the Government's calculations of each local authority's spending requirements. For budgeting purposes the Council completes an assessment at the beginning of each year and uses this to determine the amount of rates to be collected ('NNDR1'). The budget is then set on the basis of this assessment.

With the reset of Business Rates, including the impact of revaluation, new top-up and tariff amounts and the introduction of new business rates multipliers, the identified Baseline Funding Level for the Council at £2.971m reflects the amount that the Council expects to retain from its Business Rates in 2026/27 (plus a nominal amount retained relating to renewables).

The NNDR1 for the year will include estimates for losses on appeals, credit liabilities and the recovery of deficits arising from prior year transactions on the Collection Fund. Any difference between budgeted income and actual income receivable will be recovered in the following year, either through the Collection Fund and/or supported by a Safety Net payment from Government.

There are some uncertainties that have to be factored in when producing the Business Rates estimates:

- The government has announced several new multipliers for 2026/27 which are designed to reduce the gross rates charges for businesses in the Retail, Hospitality and Leisure (RHL) sectors.
- The changes to multipliers will remove the current RHL Relief. This requires the Council to evaluate the businesses that have a Rateable Value (RV) under 15,000, and where they received Small Business Rates Relief, to establish the sector for the business as there is no requirement for this to currently be recorded. This is a risk to the Council as any recorded incorrectly during the NNDR1 completion could result in an under/over-estimation of the Section 31 grant.
- There will be a revaluation in April 2026. Based upon the current draft listing, the Council's total RV will increase from 75.4m to 86.2m for 2026/27. A revaluation is not designed to increase the overall amount of tax collected nationally but to distribute the liability more appropriately. In order to ensure this remains the case, there are transitional arrangements in place to limit the increase in charges. In terms of the budget, 'top-ups and tariffs' will be applied to limit the increase the Council can obtain from this growth.
- Estimating RV appeals is always a challenging part of NNDR1 calculations, with several appeals still outstanding from both the 2017 and 2023 valuation lists. This will be further complicated by the inclusion of the updated 2026 lists which will see more significant increases than previous revaluations.

Some other matters relating to Business Rates Retention is provided below:

- Since its introduction in 2013/14, the Business Rates Retention Scheme (BRRS) has been stable, with only changes due to revaluation and the creation of enhanced local shares. For 2026/27 the scheme will see wide ranging changes, which relate to both the Business Rates as a tax and the resources local authorities can expect to receive. This includes revaluation (the taxbase), changes to top-up and tariff calculations and changes to multipliers for RHL.

- A full reset of the BRRS means that the Council's Business Rates Baseline (target amount) will be set at what is expected to be collected in 2026/27. This amount will be set on the RV at 31 March 2026, with the provisional revaluation 2026 list used for the purposes of the provisional finance settlement. This means that resources received will equal baseline need.
- The reset has seen £2.38bn of business rates growth that would have been previously retained locally by individual authorities collecting it, now added to the national control totals and distributed based on Fair Funding. Part of the transitional arrangements put in place has seen councils 2025/26 base position reflect an estimate of the growth that would have been retained.
- With the reset taking place at the same time as revaluation and the introduction of the new multipliers, MHCLG determined that moving the BRRS from a Net Rates to a Gross Rates system was needed. Whether or not this is advantageous to individual councils will depend on local circumstances and is let to be determined.

Nottinghamshire Business Rates Pool

The Business Rates reset and changes to the BRRS will have a significant impact on pooling arrangements. The Council, along with the County Council and the other Nottinghamshire districts, has been a collective part of the Nottinghamshire Business Rates Pool since its inception in 2023/14. Pooling has proven to be a lucrative option for local authorities and in Nottinghamshire over £74.6m in growth has been retained locally that would otherwise have been paid to central government.

As part of the Fair Funding Assessment, the BRRS has been revamped. Under previous arrangements, the County Council's top-up status exceeded the sum of the districts tariffs, meaning that Pool's overall levy rate was 0%. This meant that the 50% levy that would have been due to the government from districts had there not been a pool, would remain within Nottinghamshire. Where districts were collecting more in Business Rates than set in respective baselines, this triggered a levy to be paid. As the levy rate for the pool was 0% this meant that that levy was not payable to MHCLG, enabling the funds to stay within Nottinghamshire as pooling gains.

For 2026/27 there are two significant changes in the BRRS that will impact on the viability of Business Rates pools. Firstly, a full reset of the BRRS where all councils will have a new baseline amount that is expected to be equal to the amount to be collected. As such, there is unlikely to be significant differences between the amount to be collected and the baseline amount and variances are just as likely to leave councils above or below the baseline.

There has also been changes to the levy and safety net system, where the levy rates have been changed for 2026/27 onwards. These are now uniform for all councils, instead of being linked to top up and tariff status.

Due to these changes, the risks to pooling now outweigh the potential rewards. As Baseline Funding Levels have been adjusted to be more accurate, it is more likely that councils will require a safety net payment. Where pooling is in place, this loss would need to be funded by the partners in the pool. The government will only fund a safety net payments where individual councils are not in a pool.

The Section 151 Officers at the Nottinghamshire Finance Officers Association (NFOA) have considered the options. It was seen that in only the most unlikely of scenarios (at this stage) would the Pool generate growth and a net surplus. In most cases the position would be at most neutral or make a loss that would have to be funded by the Pool. As such, it was resolved by NFOA to dissolve the Nottinghamshire Business Rates Pool at the end of 2025/26 and revoke the intention to pool in 2026/27 with MHCLG. This position will be monitored to determine potential pooling viability again in 2027/28.

5. Collection Fund Income

Revenue income received from Council Tax and Business Rates goes into the Collection Fund. While this will have implications for the General Fund, the exact timing is dependent upon the Collection Fund accounting regulations.

One of the key features of the Collection Fund accounting arrangement is that an attempt to recover a projected deficit on either Council Tax and Business Rates in a particular year needs to be made when setting the budget for the following year. Conversely, a Collection Fund surplus is redistributed accordingly to the respective preceptors in the following year.

In order to address any significant timing issues, a Collection Fund Equalisation Reserves was established around the time of the pandemic to meet the cost of any anticipated deficits and to ensure that the impact of any issues do not unnecessarily distort the position on the General Fund. This has been utilised to great effect, particularly with the volatility of Business Rates, and continues to be of value.

6. Use of Reserves

As set out in further below, the recommendations are based upon withdrawing a budgeted £1.343m from the General Fund Reserve in 2025/26 and then withdrawing a further £760k from General Fund Reserves in 2026/27.

The General Fund Reserve is expected to reduce from £5.557m at 1 April 2025 to £4.215m at 31 March 2026. A further withdrawal from balances in 2026/27 will see the projected General Fund Reserve to be £3.454m at 31 March 2027.

7. General Fund Revenue Budget

The table below shows the 2025/26 revised budget for each Corporate priority along with the base budget figures for 2026/27. It also shows the impact that this would have upon the Council's available balances.

	Revised Estimate 2025/26 £	Base Budget 2026/27 £
<u>Corporate Priority</u>		
Business Growth	1,667,300	1,371,250
Community Safety	1,847,950	2,125,650
Environment and Climate Change	7,136,700	6,472,700
Housing (General Fund)	699,900	741,200
Leisure and Health	1,157,700	1,186,300
Resources	3,099,500	4,204,400
Sub-Total	15,609,050	16,101,500
Add: Beeston Special Expenses	26,000	26,450
Total Net Expenditure	15,635,050	16,127,950
<u>Funding</u>		
Revenue Support Grant	(167,557)	(4,790,674)
Recovery Grant	(55,387)	(55,387)
Income Protection Floor Grant or similar	(7,983)	(229,696)
New Homes Bonus	(360,451)	-
NNDR (Baseline Funding Level after Tariff)	(4,609,931)	(2,994,867)
NNDR Collection Fund (Surplus)/Deficit	55,177	387,488
Estimated Levy Payment to Pool	1,491,271	-
Estimated Section 31 Grant (per NNDR1)	(2,753,542)	-
Estimated Returned Funding from Pool	(850,000)	-
Council Tax	(6,862,179)	(7,189,966)
Council Tax Collection Fund (Surplus)/Deficit	49,791	(28,205)
Precept – Beeston Special Expenses	(26,000)	(26,450)
Total Funding	(14,096,791)	(14,927,757)
Allocation to/from Earmarked Reserves (below)	(195,517)	(439,883)
Withdrawal from General Fund balances	1,342,742	760,309

The ring-fenced Homelessness, Rough Sleeping and Domestic Abuse grant that is now specifically identified in the provisional Finance Settlement is allocated directly to the respective income budget included within Net Expenditure.

The budget increase for total net expenditure in 2025/26 between the original budget and revised estimate is a consequence of the following items:

Revenue Budget 2025/26 – Revised	£'000
Opening estimated withdrawal from balances in 2025/26	1,277
Add: General Fund Revenue items carried forward from 2024/25 approved by Cabinet on 1 July 2025	82
Add: Budget changes approved by Cabinet on 4 February 2025 (Senior Pay review £70k; New Property Management Compliance Officer £31k GF)	101
Add: Budget changes approved by Cabinet on 11 March 2025 (Eastwood Health and Wellbeing Centre Feasibility Study)	15
Add: Budget changes approved by Cabinet on 23 June 2025 (Cemetery Memorials - Safety Works and Repairs and Maintenance of Historical Memorials)	31
Add: Budget changes approved by Council on 16 September 2025 (External Consultancy Support for Appointment of a new Chief Executive)	40
Add: Budget changes in 2025/26 approved earlier by Cabinet on 3 September 2024 (C-Cities Project Officer)	21
Add: Budget changes approved by Cabinet on 6 October 2025 (Groundworks Investigations at Kimberley Depot)	41
Add: Budget changes approved by Cabinet on 27 November 2025 (Uplift in Grants to Voluntary and Charitable Organisations)	45
Less: Proposed budget uplift in the Employee Savings Target to £1.0m to align to forecast outturn in 2025/26	(250)
Less: Other budget changes (£20k net) and adjustments to allocations from Earmarked Reserves (£40k).	(60)
Current estimated withdrawal from balances in 2025/26	1,343

The increase for total net expenditure for the 2026/27 base budget compared with the 2025/26 revised estimate is primarily a consequence of the following:

Revenue Budget 2026/27 – Base	£'000
<p>Employee Related Expenses – A net increase in pay related costs including the following:</p> <ul style="list-style-type: none"> • The impact of pay awards for 2025/26 (uplift of 3.2%) and for 2026/27 currently estimated at 3%. • The impact of the reduction in the Employer's Pension Fund Contributions primary rate from 19% to 16.8% following the latest actuarial valuation (£274k for the General Fund). • The full-year effect of any agreed market supplements (where necessary to recruit and retain key staff), job evaluation grade changes, structure changes and other due increments within pay scales (£42k). • Savings of £61k from reduced agency costs, most notably within Capital Works where a full establishment means that there should be less reliance on the interim/agency market for support in 2026/27. • A saving of £50k with the increase in the base budget for the Employee Savings Target to £800k as identified in the Business Strategy (although this shows as an increased cost following the proposed uplift in the 2025/26 revised estimate from £750k to £1.0m to reflect anticipated outturn). 	307
A net decrease in Premises Related Expenses and Transport costs. There continues to be careful management of costs with efficiencies in terms of programmed maintenance (including developments being completed) and energy consumption which has helped to mitigate the impact of inflation with higher prices for fuel and energy, materials and external contractor fees.	(159)
Removal of the 2024/25 budgets carried forward to 2025/26.	(82)
An increase in Supplies and Services costs linked to telephone systems (£97k); ICT software maintenance (£52k); audit fees (£92k) and Legal Counsel and court fees (£29k). These increases have been partially offset by a £17k reduction on ICT hardware maintenance.	253
A reduction in the cost of Park Attendants and Security and other parks related costs as identified in the Business Strategy.	(70)
Additional insurance savings relating to premiums and claims experience as identified in the Business Strategy.	(80)

Revenue Budget 2026/27 – Base	£'000
Increase in the gross cost of the Events Programme 2026/27 as agreed by Cabinet on 27 November 2025.	29
Net reduction in the Leisure Management Fee.	(69)
Increase in anticipated Planning Fees income as identified in the Business Strategy.	(50)
An increase in rental income from Beeston Square to include new operators and a full review of the overall budget as identified in the Business Strategy.	(50)
An increase in the earmarked Homelessness and Rough Sleeping grants provided by central government.	(77)
Decrease in Investment Income with the latest forecast taking account of expected cash flows and prevailing interest rates.	350
Capital Charges – A significant uplift in external interest borrowing costs, initially charged to the General Fund, based upon current and forecast borrowing levels and interest rates (£615k). There has also been an increase on the Minimum Revenue Provision (MRP) charge (£283k) as a result of capital investment. The cost is increased further by the reversal of depreciation (technical accounting adjustment (£93k).	991
An increase in the HRA Item 8 calculation mainly due to the external borrowing interest costs recharged to the HRA. This charge is based upon the proportion of debt financed capital schemes related to the HRA and the proportion related to the General Fund.	(305)
A net increase in the recharges to the HRA based on a review of the recharge base.	(358)
A net reduction in the recharges from General Fund to the Capital Programme (capital salaries).	(176)
Other net budget changes in expenditure and income across the General Fund.	39
Total Increase in Net Expenditure	493

The net increase in funding from the 2025/26 revised estimate to the figures for the base budget 2026/27 is mainly due to the following:

Financing 2025/26 to 2026/27	£'000
Increase in Council Tax Income	(328)
Net reduction in Business Rates Income (Baseline Funding Level)	3,727
Increase in Revenue Support Grant (part of Fair Funding Assessment)	(4,623)
Increase in Income Protection Floor Grant (was Funding Floor Grant)	(222)
Removal of New Homes Bonus	361
Net increase in Collection Fund deficit balances (before allocation from Earmarked Reserves)	254
Total Increase in Funding	(831)

The anticipated withdrawals from balances in 2025/26 and 2026/27 shown above would affect the Council's reserves as follows:

Change in Balances 2025/26	Balance at 01/04/2025 £	Projected Withdrawal/ (Addition) £	Estimated Balance at 31/03/2026 £
General Fund Reserve	(5,557,383)	1,342,742	(4,214,641)
Elections	(82,215)	-	(82,215)
Homelessness Grant Initiatives	(286,600)	75,000	(211,600)
Stapleford Towns Fund Reserve	(1,082,257)	-	(1,082,257)
Planning Reserve	(181,071)	50,000	(131,071)
Noise Monitoring Equipment Reserve	(9,400)	-	(9,400)
Leisure Development Reserve	(123,000)	-	(123,000)
Unapplied Revenue Grants Reserve	(996,156)	70,517	(925,639)
Charity Accounts	(11,790)	-	(11,790)
Collection Fund Equalisation Reserve	(275,383)	-	(275,383)
	(8,605,255)	1,538,259	(7,066,996)

The reserves relating to Stapleford Towns Fund will be utilised accordingly in 2025/26 and 2026/27 to be matched against approved revenue spend.

Change in Balances 2026/27	Estimated Balance at 01/04/2026 £	Projected Withdrawal/ (Addition) £	Estimated Balance at 31/03/2027 £
General Fund Reserve	(4,214,641)	760,309	(3,454,332)
Elections	(82,215)	-	(82,215)
Homelessness Grant Initiatives	(211,600)	75,000	(136,600)
Stapleford Towns Fund Reserve	(1,082,257)	-	(1,082,257)
Planning Reserve	(131,071)	50,000	(81,071)
Noise Monitoring Equipment Reserve	(9,400)	-	(9,400)
Leisure Development Reserve	(123,000)	-	(123,000)
Unapplied Revenue Grants Reserve	(925,639)	39,500	(886,139)
Charity Accounts	(11,790)	-	(11,790)
Collection Fund Equalisation Reserve	(275,383)	275,383	-
	(7,066,996)	1,200,192	(5,866,803)

The recommendations are based on withdrawing £760,309 from General Fund Reserves in 2026/27; withdrawing £75,000 from the Homelessness Grants Initiatives Reserve; withdrawing £50,000 from the Planning Reserve; withdrawing £39,500 from the Unapplied Revenue Grants Reserve (linked to Sager Streets Funding, Cyber Assessment Fund and New Burdens Land Grant); and withdrawing £275,383 from the Collection Fund Equalisation Reserve.

No legislative restriction applies as to how the Council's reserves may be used.

The minimum acceptable total of General Fund Reserves to meet revenue expenditure and capital financing commitments is considered to be £1.5 million.

8. Business Strategy and Budget Savings

A range of potential efficiencies and additional income has been identified and included in the Business Strategy agreed by Cabinet on 4 November 2025. These additional savings and income totalling £835k have been built into the 2026/27 base budget, as follows:

Proposal and Business Impact	Financial Impact on Budgets
Council Tax increase – A change to the government's referendum limits provides the ability to increase Council Tax by up to 3%, compared to the earlier MTFS which included a 2% rise for 2026/27.	£60k additional funding income over MTFS assumptions included in budget
Council Tax Single Persons Discount reduced following completion of a countywide SPD review in 2025.	£20k additional Council Tax income

Proposal and Business Impact	Financial Impact on Budgets
Completion of a review of Council Tax discounts and exemptions, including second homes and empty homes.	£80k additional Council Tax income
Beeston Square Development – Rental income to include new operators in Phase 2 and a full review of the overall budget.	£50k additional income included in budget
Industrial Units – Planned increase in rents over a two year period, but remaining below market rents.	£30k additional income included in budget
Environmental Enforcement Income (net) collected by enforcement, subject to the current pilot scheme being extended for at least one year.	£10k additional income included in budget
Planning fees income in 2025/26 is expected to more than achieve its budget targets due to several larger schemes coming forward in this financial year. Although there are no expectations of similar larger schemes coming forward in 2026/27, it is likely that with appropriate planning fee increases, the baseline budget for income can be increased.	£50k additional income included in budget
Homelessness – Government grant allocated to assist the management of the homelessness service. This includes applying residual balances held by the Council in earmarked reserves.	£150k additional grant income included in budget
Increased surplus distribution from Bramcote Crematorium following an uplift in fees income from the development and implementation of a new marketing strategy, alongside potential energy efficiency savings from investment in new cremators	£50k additional income, although this has not been included at this stage and will continue to be monitored.
Staffing efficiencies in leveraging new technology, taking advantage of vacancies to restructure to save money, manage vacancies and reduce administration. The General Fund (GF) establishment budget is forecast to significantly underspend in 2025/26. In view of inflationary increases and growth in the overall establishment, it is recommended to increase the baseline savings target to £800k (4.8% of total GF salary budget £16.7m).	£50k increase in the Employee Savings Target included

Proposal and Business Impact	Financial Impact on Budgets
Price inflation (non-contractual) where an assumed level of price inflation on premises, supplies and services budgets at 1% (excluding energy and fuel) would add around £60k to base budgets. 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.	£60k reduction in budgeted costs
Insurances Premiums and Claims – The outcome of the insurance tender for the new policies from April 2024 was better than expected and resulted in a budget savings for the General Fund, HRA and Liberty Leisure Limited. The target reductions have already been reflected in 2025/26 budgets. In addition, the Council should be able to benefit from its positive risk management and effective claims management arrangements and utilise Insurance Fund balances that may not be fully needed.	£80,000 release of Insurance Fund balances
Reshaping the Leisure offer following the outcome of strategic reviews of leisure facilities and efficiency reviews of leisure services.	£70k reduction in the Management Fee included in budget
Park Attendants and Security – Potential efficiency savings that could be generated with the development of a new online sports bookings system and by utilising short-term agency cover. A business case is being developed for the budget setting process.	£50k efficiency saving
Cemeteries – Review the use of contractors providing a bin emptying service at cemetery sites. A potential efficiency savings could be generated by utilising existing Grounds Maintenance teams that would also provide better resilience.	£15k efficiency saving

The budgets have been prepared with the best information available at the time of production. It is fair and reasonable to highlight potential developments, not sufficiently certain at present to include in the estimates, but matters which may alter the proposed draw on the General Fund Reserves in 2025/26 and 2026/27.

Furthermore, there is no historical evidence of the Council overspending against its service budgets, with recent year-end balances typically providing an underspend which can then be returned to balances.

Given the ongoing financial impact of the economy and the medium term financial position, a further refresh of the Business Strategy will be required in 2026/27 to identify other potential efficiencies. This work will be led by the General Management Team and an updated Business Strategy will be presented to Cabinet in November 2026 for approval.

9. Beeston Special Expenses

Beeston and its surrounding area is a special expense area purely in relation to the cost of maintaining allotments. It is anticipated that, assuming no unforeseen and significant events occur, sufficient monies will remain on the account such that an annual precept of £26,450 will be retained for 2026/27.

In the Beeston Special Expenses Area, it is proposed to maintain the precept at £26,450 and hence the Council Tax charge. In reality this would mean that, within the Beeston Special Expenses Area, the combined effect of the two Council Tax elements would produce an increase of 2.94% per band D dwelling as per the other parts of the Borough.

10. Council Tax

The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012, provide that any shire district or borough council proposing an increase of 2% (or more than 2%) and more than £5 their Council Tax will need to provide the opportunity for local people to approve or veto the increase in a referendum.

The Policy Statement accompanying the 2026/27 provisional local government finance settlement announcement, confirms that for Council Tax, shire district councils will have a referendum principle of 3% or £5, whichever is higher.

The Leader of the Council and the Deputy Leader and Portfolio Holder for Resources and Personnel Policy have been consulted, and it is proposed that the basic Council Tax amount for a band D equivalent property be increased by 2.94% from £192.93 in 2025/26 to £198.61 in 2026/27.

The Council's share of the estimated surplus on the Council Tax element of the Collection Fund at 31 March 2026 is £28,205. After taking this into account along with the increase in the Council Tax Base for 2026/27, as approved by Cabinet on 27 November 2025, then a 2.94% increase in the basic Council Tax for a Band D property amount equates to a Council Tax requirement (excluding the special expenses area) of £7,189,966 in 2026/27 and would require an overall withdrawal from General Fund Reserves of £760,309 (a net total of £1,200,192 including the contributions from Earmarked Reserves).

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Appendix 4

Resources Allocation – Capital Programme 2026/27 to 2028/29
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1. Summary of Proposals

The Overview and Scrutiny Committee has considered the proposed Capital Programme submissions for the three years from 2026/27 to 2028/29. These reports are included at **Appendix 4a**.

Some schemes are recommended to proceed immediately since funding resources are in place whilst others are awaiting confirmation of receipt of funding. Details were given in the reports to the Overview and Scrutiny Committee as to which schemes are to proceed immediately and which are on hold until the funding is received or Cabinet decides to allow the scheme to start with a reduction in reserves and/or increase in borrowing.

The capital submissions, as recommended, and the methods of financing the 2026/27 capital programme are summarised below.

Capital Programme 2026/27	General Fund £	HRA £
Housing	800,000	19,920,000
Community Safety	-	-
Business Growth	265,000	-
Leisure and Health (inc. Reserve items)	4,617,000	-
Environment and Climate Change	1,650,000	-
Finance and Resources	413,000	-
TOTAL	7,745,000	19,920,000
Anticipated Financing:		
Major Repairs Reserve	-	5,270,000
Better Care Fund (Disabled Facilities Grants)	800,000	-
Usable Capital Receipts (Estimated)	-	2,000,000
Prudential Borrowing	3,016,000	10,720,000
Revenue Contributions	-	-
Section 106 Contributions	-	1,000,000
Other Grants	274,000	930,000
Shortfall (Reserve items)	3,655,000	-
TOTAL	7,745,000	19,920,000

Capital Contingencies of £100,000 for General Fund and £100,000 for the Housing Revenue Account (HRA) are included in the above table.

2. Capital Programme

The Local Government Act 2003 requires local authorities to comply with the Prudential Code for Capital Finance in Local Authorities published by the Chartered Institute of Public Finance and Accountancy (CIPFA) when carrying out their capital budgeting activities. The objectives of the Prudential Code are to ensure that the capital investment plans are affordable, prudent, and sustainable. A fundamental part of the Code is the calculation of a number of 'prudential indicators' that form the framework for capital financing and spending decisions. Further details can be found in Appendix 7.

The Local Authority (Capital Financing and Accounting) (England) (Amendment) regulations 2008 place a duty on local authorities to make a prudent provision for the repayment of debt. This is known as the Minimum Revenue Provision (MRP). Further details can be found in Appendix 8.

2. Capital Grants and Contributions

There are several schemes within the capital programme that are funded either entirely or in part by capital grants from a variety of sources.

The Disabled Facilities Grants (DFG) scheme (including Warm Homes on Prescription) has been ongoing for several years and is expected to continue throughout the 2026/27 to 2028/29 programme. Allocations are channelled through the Better Care Fund, which is administered by Nottinghamshire County Council (NCC). The funding for 2026/27 to 2028/29 is assumed to be £800k per annum pending confirmation from NCC of the actual amount to be received. As disabled adaptations work is demand-led, further capital commitments may be required. Requests for these will be brought forward to Cabinet for consideration along with details as to how these can be funded if and when they arise.

The Council will also receive funding of up to £21.1m across financial years as part of the Stapleford Town Deal. This award from MHCLG (formerly DLUHC) is based upon Heads of Terms issued on 8 June 2021 and the subsequent completion of the conditions and satisfactory summary documents. Payments will only be made subject to satisfactory spend and progress against agreed project milestones, outputs, and outcomes. The Council was similarly successful in receiving £16.5m in regeneration funding towards the Kimberley Means Business project. The Capital Programme 2026/27 does not include any new budget for the Stapleford Towns Deal or Kimberley Means Business schemes as the funds are already fully recognised in 2025/26. However, any unspent budget from the current financial year will be carried forward into 2026/27.

The Council has been awarded £274k in New Burdens funding to date for the cost of implementing food waste collections, although this will only cover less than half of the total costs of the scheme which is required by legislation. The Council has also applied for FCC funding to part-fund the Pride in Parks scheme, however the success of this application and the value of any grant has not yet been confirmed.

For the HRA, the Council has been awarded £930k from the Department of Energy Security and Net Zero for energy efficiency works to the Council's housing stock. In addition, the Council will be utilising up to £1.0m of Section 106 developer contributions to fund the Housing Development programme.

3. Capital Receipts

The Council has committed to using any capital receipts from Housing Right to Buy sales towards a new build and acquisitions programme. Government restrictions are such that these monies must be used within five-years of their receipt or they will be passed over to the government. The calculation of the value of such receipts that can be used in this way is complicated by a formula which takes into account the assumed level of receipts within the HRA self-financing settlement which took place in 2012. As at December 2025, accumulated usable HRA capital receipts of £5.1m were calculated as being available with a forecast £2.5m being applied in 2025/26 and a further £2.0m in 2026/27. These will be used to fund the new house building programme and the acquisition of properties as set out in the Housing Delivery Plan.

4. Revenue Contributions

Revenue contributions can be used to finance capital expenditure. Due to the current General Fund and HRA balances being required to maintain minimum reserve levels and to fill potential revenue budget gaps, it is proposed that no revenue contributions are made to capital financing in 2025/26 and 2026/27.

5. Borrowing

There is planned borrowing of £10.7m for the HRA in 2026/27. This is to fund both the Housing Development programme and major works to existing properties.

The CIPFA Code dictates that no Minimum Revenue Provision (MRP) must be provided on HRA borrowing but that borrowing must be prudent, affordable and sustainable. Appendix 6 and Appendix 7 outline the MRP policy and various prudential indicators which can be used to help judge the affordability of any such borrowing.

In respect of General Fund capital schemes, which includes prudential borrowing of £3.0m, there is a financing shortfall of £3.7m in 2026/27 as shown above. This relates to refurbishment works at Bramcote Leisure Centre. The options for addressing this shortfall are as follows:

- Reducing the size of the programme
- Using existing reserves (i.e. funding the schemes directly from revenue)
- Further borrowing
- Creating a reserve list for schemes to be brought forward as and when funding becomes available.

The programme has been compiled in accordance with the Capital Strategy 2026/27 to 2028/29 set out in **Appendix 5**. All proposed schemes meet the required criteria and are deemed essential and/or beneficial in reducing revenue costs and/or increasing income ('invest to save'). There are no grounds for reducing the size of the programme although some re-phasing may be possible.

It is proposed to meet part of the programme by prudential borrowing and to place the remaining schemes on a reserve list. The following schemes are proposed to be financed from borrowing in 2026/27:

Scheme	Total Budget £	Prudential Borrowing £
Housing Revenue Account		
Energy Efficiency Works	2,000,000	1,070,000
Boiler Replacement	850,000	850,000
Electrical Rewiring Works	50,000	50,000
Fire Safety Assessment and Remedial Work	2,035,000	2,035,000
Major Relets	380,000	380,000
Electrical Periodic Improvement Works	350,000	350,000
Sheltered Scheme / Safety and Communal	120,000	120,000
Damp Proofing Works	150,000	150,000
Additional Capital Investment Plan	120,000	120,000
AICO Environmental Monitoring	100,000	100,000
New Build - Hemlock Gate (Crematorium)	3,500,000	3,000,000
Church Street Nursery Site Housing Development	1,900,000	1,400,000
New Developments Housing Feasibility Costs	250,000	250,000
Capital Works - Capital Salaries	620,000	620,000
HRA Capital Recharges	125,000	125,000
HRA Contingency	100,000	100,000
General Fund		
Fleet and Plant Replacement	527,400	527,400
Implementation of Food Waste Collections	605,000	331,000
Pride in Parks Accessibility and Inclusivity	172,300	172,300
Pride in Parks Play Provision	194,300	194,300
Chilwell Cemetery Extension	140,000	140,000
Capital Garage Equipment Replacement	11,000	11,000
Gym Equipment Replacement	650,000	650,000
Padel Canopy (Stapleford Pavillion)	200,000	200,000
Pitch Replacement Fund (Stapleford Pavilion)	47,000	47,000

Scheme	Total Budget £	Prudential Borrowing £
DH Lawrence Museum Internal Works	10,000	10,000
DH Lawrence Museum External Works	55,000	55,000
ICT Technical Infrastructure Architecture	53,000	53,000
ICT Replacement and Development	120,000	120,000
ICT E-Facilities (Digital by Design)	65,000	65,000
Council Offices External Works Beeston	75,000	75,000
Scargill Walk (Craft Workshop)	65,000	65,000
Economic Development Salaries	200,000	200,000
General Fund Contingency	100,000	100,000
Total Prudential Borrowing		13,736,000

The level of cash reserves available to the Council indicates that the borrowing can potentially be financed from internal sources (internal borrowing), at least in part subject to cash flow. As returns on investment are currently lower than interest rates on borrowing, internal borrowing may be more cost-effective than external borrowing at the moment. This will be kept under review. Depending on the date at which the loans are raised this may have a part-year impact in 2026/27 and a full year impact from 2027/28 onwards.

The following schemes are included within the overall Capital Programme 2026/27 but are awaiting financing ('reserve items'):

Proposed Scheme	£
BLC - Main Pool Filter Media Replacement	44,000
BLC - Main Pool Filter Replacement	210,000
BLC - Main Pool Surrounds	220,000
BLC - Replacement Heating Valves	40,000
BLC - Replacement HV Transformer	170,000
BLC - Replacement Teaching Pool Water Filter	55,000
BLC - Replacement Circulation Pumps Main Pool	80,000
BLC - Replacement Tiles	40,000
BLC - Replacement Building Management System	266,000
BLC - Replacement Hot Water Pipework	1,540,000
BLC - Rewiring of facility	990,000
Total	3,655,000

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Appendix 4a

Housing Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
1	Disabled Facilities Grants (GF)	2,400,000	800,000	800,000	800,000	Actual level of BCF grant to be confirmed
2	Bathroom Replacement	157,000	50,000	52,000	55,000	excludes capital salaries
4	Kitchens Replacement	7,875,000	2,500,000	2,625,000	2,750,000	excludes capital salaries
5	Boiler Replacement	2,670,000	850,000	890,000	930,000	excludes capital salaries
3	Roofing Improvements	630,000	200,000	210,000	220,000	excludes capital salaries
6	Electric Periodic Improvement	1,100,000	350,000	365,000	385,000	excludes capital salaries
7	Electrical Rewiring Works	157,000	50,000	52,000	55,000	excludes capital salaries
8	Aids and Adaptation	1,410,000	450,000	470,000	490,000	excludes capital salaries
9	Fire Safety Assessment and Remedial Works	6,200,000	2,035,000	2,035,000	2,130,000	excludes capital salaries
10	Doors and Windows Replacement	1,410,000	450,000	470,000	490,000	excludes capital salaries
11	Decent Neighbourhood	2,400,000	800,000	800,000	800,000	excludes capital salaries
12	Structural Remedial Repairs	630,000	200,000	210,000	220,000	excludes capital salaries
13	Major Relets	655,000	380,000	135,000	140,000	excludes capital salaries
14	Asbestos Survey and Remedial Works	1,950,000	620,000	650,000	680,000	excludes capital salaries

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
15	Energy Efficiency Works	6,100,000	2,000,000	2,000,000	2,100,000	£2.79m grant from DESNZ with £3.39m from HRA Borrowing
16	Damp Proofing Works	450,000	150,000	150,000	150,000	Mix of Major Repairs Reserve and/or HRA Borrowing.
17	AICO Environment Monitoring	315,000	100,000	105,000	110,000	Exclude capital salaries
18	Other Major Works - Capital Investment Plan	360,000	120,000	120,000	120,000	Mix of Major Repairs Reserve and/or HRA Borrowing
19	Sheltered scheme Safety and Communal Areas	365,000	120,000	120,000	125,000	The purchase of various pieces of equipment for the Councils sheltered schemes.
20	Capital Salaries (Capital Works)	1,890,000	620,000	630,000	640,000	Total capital salaries to be reallocated to schemes at outturn. Reviewed by Finance.
21	Capital Salaries (HRA)	390,000	125,000	130,000	135,000	Housing Repairs staff time to be reallocated to capital.
22.	HRA Contingency	300,000	100,000	100,000	100,000	
	TOTAL	39,814,000	13,070,000	13,119,000	13,625,000	

Housing Delivery Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
1.	Acquisition of Properties*	4,400,000	1,400,000	1,500,000	1,500,000	Funded by RTB receipts
2.	New Build – Land at Bramcote Crematorium	5,338,000	3,500,000	1,838,000	0	Balance of total scheme budget at £9.37m across multiple financial years being funded by mix of S106 contributions and HRA borrowing
3.	52 Church Street – Nursery Site	1,900,000	1,900,000	0	0	Site was purchased in 2025. Estimated build cost at around £1.9m to be funded by S106 contributions and HRA borrowing
5.	Pamela Cottage	300,000	300,000	0	0	Total scheme budget at £940k, funded by S106 contributions and HRA borrowing
6.	New Developments - Housing Feasibility Costs	750,000	250,000	250,000	250,000	HRA Borrowing
7.	Housing Delivery Capital Salaries	900,000	300,000	300,000	300,000	Capital Salaries
	TOTAL	13,588,000	7,650,000	3,888,000	2,050,000	

*More housing acquisition and development opportunities in accordance with the Housing Delivery Plan and with robust business cases can come forward to cabinet for consideration during the year

Housing Capital Programme 2026/27

General Fund Housing

1. Disabled Facilities Grants (£800,000)

A budget to provide grants to improve facilities for disabled people living in private sector dwellings. The budget is funded via Nottinghamshire County Council through the Better Care Fund. The actual budget available will be determined at a later date.

Housing Revenue Account

2. Bathroom Replacements (£50,000)

A budget to continue essential works to the Housing stock to prevent 'non-decency', to meet the demands of 'future non-decency' and to maintain the good condition of the housing stock in line with the Government's Decent Homes Guidance and the Broxtowe Standard.

The bathroom replacement programme will be delivered by the current contractor and consists of bathrooms that have been identified through stock condition surveys and a modelling exercise conducted by consultants. Additionally, a provision for five bathrooms has been included to address poor-condition bathrooms arising from the voids work stream and tenant recharge cases.

3. Kitchen Replacements (£2,500,000)

The budget will continue essential kitchen improvements to the Housing stock which is vital to prevent properties from falling into 'non-decency', address 'future non-decency' and maintain the overall condition of our housing in line with both the Government's Decent Homes Guidance and the Broxtowe Standard. This work is critical to protecting the value of assets and safeguarding the long-term investment.

The kitchen replacement programme will be delivered by the current contractor and consists of 250 kitchens, identified through stock condition surveys and a modelling exercise conducted by consultants. Additionally, a provision for 15 kitchens has been included to address poor-condition kitchens arising from the voids work stream and tenant recharge cases.

4. Boiler Replacements (£850,000)

A budget to continue essential work to the housing stock to prevent 'non-decency', meet the demands of 'future non-decency' and maintain the good condition of the housing stock in line with the Governments Decent Homes Guidance and the Broxtowe Standard.

The programme will replace a stock of older gas boilers that are coming to the end of their cost-effective lifecycle and parts are becoming harder to source. The old boilers will be replaced with high efficiency condensing combination boilers that are SEDBUK A rated. The replacement will cover 436 boilers which consist of boiler breakdowns and planned boiler replacement programme which have been identified from the stock condition report and forecast trends from boiler breakdowns over the last three years.

5. Roofing Improvements (£200,000)

The budget will continue essential roofing improvements to the Housing stock which is vital to prevent properties from falling into 'non-decency', addressing 'future non-decency' and maintaining the overall condition of our housing in line with both the Government's Decent Homes Guidance and the Broxtowe Standard. This work is critical to protecting the value of assets and safeguarding the long-term investment.

The roofing replacement programme will be delivered by our current contractor and consists of 15 roofs, identified through stock condition surveys and a modelling exercise conducted by external consultants. Additionally, a provision for three roofs has been included to address poor-condition roofs arising from the voids work stream and repairs service.

6. Electrical Periodic Improvement Works (£350,000)

This budget will assist with compliance with the Institute of Electrical Engineers (IEE) Wiring Regulations (18th Edition) and the Institute of Engineering and Technology – Requirements for Electrical Installations BS7671:2008 and subsequent amendments. Arc fault protection developments will be included as the development rolls out. Part of the requirements is to regularly test all fixed installations within the Housing stock and communal areas. This testing is ongoing by the Housing Repairs team and there will be several improvements required to meet the latest amendments of the regulations.

A particular requirement will be the replacement of consumer units to meet amendment 3 of the IEE wiring regulation for fire safety. The Council will take the opportunity to ensure the smoke/heat and CO detectors are hard wired and linked within the dwelling.

Work will also be completed to communal fixed electrical equipment including Fire detection panels were identified for improvement, external communal lighting and smoke detection, and fixed smoke/heat and CO detection to monitored systems within independent living scheme dwellings which is currently under review. With an ongoing requirement to make essential changes to the monitored system during the re-classification of retired schemes to general housing.

7. Electrical Rewiring Works (£50,000)

The budget will assist in complying with regulatory obligation that aligns with the 19th Edition of the IEE Wiring Regulations and the Institute of Engineering and Technology's BS7671:2008, including all subsequent amendments. This includes the integration of Arc Fault Detection Devices (AFDDs) as part of the electrical upgrade programme.

8. Aids and Adaptations – Disabled Persons (£450,000)

Budget to continue the essential work to the Housing stock to provide targeted adaptations to assist tenants with disabilities. This important work ranges from simple adjustments and replacements to major adaptations including property extensions that allow residents to continue to live independently in their homes. All major works will be subject to an independent occupational therapist assessment and internal approval process.

9. Fire Safety Assessment and Remedial Works (£2,035,000)

The introduction of the Regulatory Reform (Fire Safety) Order 2005 included for the first time a mandatory requirement for Housing providers to carry out a fire risk assessment (FRA) on the communal areas of flats within its Housing stock. This will identify fire risk assessment actions that will need completing and managing to ensure compliance. The Council is required to appoint a competent body to carry out all required FRA and complete recommendations to remain compliant and keep our occupants safe.

The work can be complicated, time consuming and is property type specific. As the way the FRA are completed evolves further to meet the changing legislative needs, so too will the focus of the work. Although an estimate can be provided for the cost of surveys and works, it is difficult to predict the total cost. In addition to this, it may prove necessary to look at additional providers to assist with the work requirements should acceleration of the work be needed. This budget application is made with a note that it may need to change significantly moving forward

10. Doors and Windows Replacements (£450,000)

This spending forms part of a programme targeting old external doors and any failing double-glazed windows. This will allow the Council to continue fitting high security composite doors and frames as well as new double-glazed windows.

Both items were high on the residents' list of priorities and will help with the commitment to community safety. New installations will also help improve the energy efficiency of properties, whilst fire doors will be fitted where required.

11. Decent Neighbourhoods (£800,000)

The Council owns paths, paving and hard standings that service the Housing stock. These areas have fixed lives beyond which they require either replacement or refurbishment. Surveys are periodically carried out on the condition of these areas, and this budget will enable the resulting required work to be undertaken.

12. Structural Remedial Repairs (£200,000)

A budget to support essential work to the housing stock to prevent 'non-decency', meet the demands of 'future non-decency' and maintain the good condition of the housing stock in line with the Government's Decent Homes Guidance. It is essential to protect the value of the Council's assets and its investment. There is also work recently identified during stock condition surveys for some of non-traditional properties, all work contributes to the huge task of maintaining the Council's Housing stock standards for now and into the future.

13. Major Relets (£380,000)

This budget is for extensive work to void properties that are in a serious state of disrepair to bring them to a suitable standard to be re-let as quickly as possible. The work can comprise of door replacements, bathroom and kitchen replacements, extensive plastering and other repairs.

14. Asbestos Surveys and Remedial Works (£620,000)

Legislation now places a greater responsibility upon property owners for the management, detection and removal of asbestos. This is intended to promote safety for both the occupiers of properties and any staff, contractors or other stakeholders that may be affected by this.

This budget will enable ongoing asbestos surveys to be undertaken in the Council's housing stock along with any accompanying work that may be considered necessary to support other project work.

15. Energy Efficiency Works (£2,000,000)

There are non-binding Government targets for social housing to achieve an EPC 'C rating' by 2030. This is anticipated to become law, with the Government recently announcing they are going to run a consultation on implementing an EPC by 2030 requirement on social housing.

Works are anticipated to around 1,500 houses over the coming years to achieve this. Measures that will be installed include fabric first such as cavity/external wall insulation, roof/loft insulation alongside low carbon technologies such as solar PV, air source and ground source heat pumps.

16. Damp Proofing Works (£150,000)

These damp proofing works have previously been included as part of the Structural Remedial Repairs managed by the Capital Works team. The Housing Repairs team is now responsible for all works in relation to damp and mould, so it is proposed to split the budget accordingly.

17. AICO Environmental Monitoring (£100,000)

The budget will ensure compliance with new legislation, Awaab's Law, which came into effect from October 2025 by installing sensors as a proactive approach to damp and mould and disrepair.

18. Major Works – Capital Investment Plan (£120,000)

A five-year Capital Investment Plan that goes beyond the traditional Decent Homes scope. While kitchens, bathrooms, and windows remain essential, many high-value and critical works, such as structural repairs, communal systems, and external refurbishments, often fall outside this remit and risk being overlooked without a broader investment strategy. The key objectives of the plan will be to capture essential works not covered by Decent Homes compliance and to support asset management and financial planning.

19. Sheltered Scheme Safety and Communal Areas (£120,000)

This budget is intended to allow for the purchase of various pieces of capital equipment for the Councils sheltered schemes, such as safety kit, including emergency alarm equipment, and furniture for communal areas.

20. Capital Salaries – Capital Works (£620,000)

Earlier arrangements of adding Capital Works salaries recharges to individual schemes causes issues when monitoring budgets. Capital Salaries will now be recharged as a separate budget item with the recharge apportioned across the various assets when entered onto the Balance Sheet at year-end.

21. Capital Salaries – Housing (£125,000)

HRA Capital Salaries will now be recharged as a separate budget item with the recharge apportioned across the various assets when entered onto the Balance Sheet at year-end.

22. HRA Capital Contingency (£100,000)

This budget is intended to meet the cost of HRA related unexpected capital items that need to be addressed during the financial year.

Housing Delivery Capital Programme 2026/27

1. Acquisition of Properties (£1,400,000)

One of the work streams within the Housing Delivery Plan is the acquisition of existing properties, particularly in the north of the Borough, in accordance with identified need. This can include former right to buy properties where the Council has 'first right of refusal' if a property comes onto the market. This budget is intended to meet the cost of acquisitions throughout.

2. New Build – Land at Bramcote Crematorium (£3,500,000)

This scheme is for the construction of 51 new homes on this 240-unit Section 106 site in Bramcote. This is a major scheme that will cover multiple financial years up to 2028/29. The scheme has taken time to progress as construction costs have increased since the land sale was agreed in 2021. Following ongoing negotiations with the developer, overall scheme costs have increased by £1.368m to £9.368m. The Council's units will include 34 for rental and 17 for shared ownership, with Section 106 contributions partly funding the purchase of 30% of the homes per the agreed statutory arrangement under S106.

3. 52 Church Street – Nursery Site (£1,900,000)

Site purchased. This development budget will assist in the demolition of the nursery and construction of affordable social rental accommodation. There is up to 12 flats earmarked for construction pending finalisation of plans, which are being worked on by architects. The project is scheduled to commence in 2026 and will be developed alongside Lawrence Street and 84 Church Street. S106 contributions will partly fund the project.

4. Pamela Cottage (£300,000)

The budget will assist in the development of two houses as part of the Pamela Cottage site. The site will be purchased from Bramcote Crematorium for the HRA with a sale price to be determined. Total scheme costs currently estimated at £940k, with £640k already included in the Capital Programme in 2025/26. The project will be funded by Section 106 contributions and prudential borrowing.

5. New Developments - Housing Feasibility Costs (£250,000)

This budget is for feasibility costs in respect of new build housing schemes as set out in the Housing Delivery Plan. This includes surveys and professional advice and services in relation to potential and current developments.

6. Housing Delivery Capital Salaries (£300,000)

The cost of officers working directly on the Housing Delivery Plan, including Housing Delivery Manager and the Housing Delivery team; Housing Acquisitions Officer; Legal Services and part of the costs of the Assistant Directors.

Environment and Climate Change Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
1	Fleet and Plant Replacement Programme	1,980,600	527,400	704,800	748,400	Prudential Borrowing
2	Implementation of Food Waste Collections	605,000	605,000	-	-	Mix of Prudential Borrowing and New Burdens Funding from government to be confirmed
3	Pride in Parks – Accessibility and Inclusivity	434,800	172,300	126,000	136,500	Mix of Prudential Borrowing and Grants - Potential FCC funding to be confirmed. Capital Salaries at £10k
4	Pride in Parks – Play Provision	614,300	194,300	204,750	215,250	Mix of Prudential Borrowing and Grants - Potential FCC funding to be confirmed. Capital Salaries at £10k
5	Chilwell Cemetery Extension	140,000	140,000	-	-	Prudential Borrowing
6	Garage Equipment Replacement	41,000	11,000	15,000	15,000	Prudential Borrowing
	TOTAL	3,815,700	1,650,000	1,050,550	1,115,150	

Environment and Climate Change Capital Programme 2026/27**1. Fleet and Plant Replacement Programme (£527,400)**

The capital programme has been updated to reflect any price variations and capture the investment required to replace vehicles and plant machinery that have reached their lifecycle limit that underpins individual financial viability. In addition, capital provision has been identified for designated fleet vehicle mid-life refurbishment. The continuation of vehicle and plant operations beyond this limit would lead to an increase in maintenance costs, breakdown and frequency of items having to be removed from service on a temporary or permanent basis

2. Implementation of Food Waste Collections (£605,000)

In September 2021, the Council approved an Interim Waste Strategy to be reviewed and an action plan compiled once the Environment Bill had received Royal Assent. The Environment Act was mandated in November 2021 and one of the key outcomes anticipated from the Environment Act was the introduction of consistent waste and recycling collections and a mandate for local authorities to collect food waste from the kerbside on a weekly schedule.

Food waste collections look likely to be implemented by late 2027. These collections will be a positive step change towards increasing recycling rates and reducing carbon emissions. It is not yet known what level of funding support will be available from the government 'New Burdens Fund' but the costs associated with the implementation of these collections are significant. The funding available through capital grants may not be adequate to cover all the kerbside food waste costs. Any shortfalls will require the Council to undertake prudential borrowing.

3. Pride in Parks – Accessibility and Inclusivity (£172,300)

A continuation of the Pride in Parks investment programme which facilitates improvements across the Borough's parks and open spaces, building on a work programme that has been undertaken over the past five years.

4. Pride in Parks – Play Provision (£194,300)

As the Council's new Play Strategy for 2026-2031 is currently under development, work will be undertaken to align the Pride in Parks programme and the Play Strategy. The purpose of this capital submission is to serve as a link between the completed Pride in Parks programme and the new programme of works that will be scheduled in alignment with the revised Play Strategy, 2026 onwards.

5. Chilwell Cemetery Extension (£140,000)

Identified remaining capacity of two years of burials at existing Chilwell Cemetery. This phase 2 extension work will provide a further 1,400 grave plots. The land is already owned by the Council with previous planning permission granted. The phase 1 development works have been completed and burials are taking place.

6. Garage Equipment Replacement (Capital) (£11,000)

Significant pieces of equipment within the garage identified to fall under a capital replacement programme due to their value. To address this, the team is developing a structured equipment replacement programme and has already identified key assets that will require replacement. This is essential to maintain compliance with health and safety standards.

Business Growth Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
1.	Stapleford Towns Deal	-	-	-	-	Total scheme at £21.1m plus additional funding. Although no planned budget remaining for 2026/27, any likely slippage in earlier years will be brought forward to complete the delivery programme
2.	Kimberley Means Business	-	-	-	-	Total scheme at £16.5m plus additional funding. Although no planned budget remaining for 2026/27, any likely slippage in earlier years will be brought forward to complete the delivery programme.
3.	Craft Workshops – Scargill Walk	65,000	65,000	-	-	Prudential borrowing
4.	Capital Salaries (Business Growth) *	200,000	200,000	-	-	Capital salaries to be allocated to schemes at outturn. Funded from external grants, with any shortfall being met by prudential borrowing
	TOTAL	265,000	265,000	-	-	

*This item will be dependent upon the significant grant funded schemes, relating to Stapleford Towns Fund (1) and Kimberley Means Business (2), having an element of budget brought forward into 2026/27. This is highly likely as both significant economic regeneration schemes are likely to be completed in 2026/27.

Business Growth Capital Programme 2026/27**1. Stapleford Towns Deal**

There is no remaining budget balance of the £21.1m Towns Fund investment for Stapleford, although any slippage in earlier years will be carried forward. In addition, to the large capital sums from MHCLG for this regeneration programmes, the Council is also expecting to receive further match funding from the likes of the Football Foundation and the East Midlands Combined Counties Authority (EMCCA), in support of these projects, which for Stapleford could amount to a further £2.0m. This investment funded a range of projects including:

- Construction of the new Stapleford Community Pavilion at Hickings Lane facilitated a range of services and community activities in one location.
- Updated Street Improvement Scheme along Derby Road in the town centre with the aim of improving the viability and vitality of the town centre, including a new 44 space car park on Derby Road.
- Active Travel and Associated Infrastructures aimed to encourage green active transport around Stapleford, including a new cycle training track and all-wheel park and a puffin crossing.
- Construction of a new Enterprise Hub to address the decline in the retail sector and promote the revitalisation of the town centre, focusing in on Derby Road through the introduction of a modern building offering flexible space with town centre offices, food, and beverage unit and three retail units. It is anticipated that the ground floor would include makers space and other flexible creative space, set against renewed public realm.
- Working with Nottinghamshire County Council to deliver additional learning spaces within the Stapleford Library and Learning Facility split into internal and external works, providing learning space and additional learning courses.
- Stapleford Town Centre Recovery Scheme to assist in bounce-back for the local businesses following Covid-19, including the improvement of internal and frontages of premises.

2. Kimberly Means Business

There is no remaining budget balance of the £16.5m regeneration investment for Kimberley, although any slippage in earlier years will be carried forward. In addition to the large capital sums from MHCLG for this regeneration programmes, the Council is also expecting to receive further match funding from the likes of EMCCA, in support of these projects, which for Stapleford could amount to a further £950k. This investment has funded a range of interventions under three main projects:

Town Centre Improvement Project:

- Construction of a new Business and Community Hub offering co-working and office space for start-ups and small businesses, as well as improved space for community activities.
- Small Business Grants to improve the feel and appearance of the town and the functionality of businesses.
- Lighting equipment to create light displays and VR attractions to encourage events-based attractions in and visitors to Kimberley.

New Industrial Units and Sports Facilities:

- Redevelopment of sports sites: building of a new pavilion and changing rooms, improving an existing sports pavilion and football pitch, and improving cricket club facilities for the community and sports teams.
- Develop 14 new industrial units on sites near Bennerley Viaduct and in Giltbrook to encourage new businesses to Kimberley, driving job creation and economic growth.
- Develop a new sports facility at a new location, with a new football and cricket pitch to support local sports teams.

Bennerley Viaduct Eastern Ramp and Active Travel:

- Create a plan for a new active travel route to link up Kimberley, Giltbrook, the Phoenix Park Tram Stop and Bennerley Viaduct.
- Construction of an accessible Eastern Ramp, a Visitors' Centre and car parking at Bennerley Viaduct, an asset of great historical and cultural significance and important tourist attraction.
- These facilities will allow more people to cycle and walk for work and leisure purposes and encourage visitors to the area. It would also support reducing carbon emissions and healthier lifestyle choices.

3. Craft Workshops – Scargill Walk (£65,000)

The Craft Workshops at Eastwood require scheduled and regular maintenance to the roof and woodwork and painting. These properties are heritage assets so suitable techniques and materials will be required.

4. Capital Salaries – Business Growth (£200,000)

Earlier arrangements of adding Economic Development salaries recharges to individual schemes causes issues when monitoring budgets. Capital Salaries are now recharged as a separate budget item with the recharge apportioned across the various assets when entered onto the Balance Sheet at year-end.

This item will be dependent upon the significant grant funded schemes, relating to Stapleford Towns Fund and Kimberley Means Business, having an element of budget brought forward into 2026/27. This is highly likely as both significant economic regeneration schemes are likely to be completed in 2026/27.

Resources Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
1	ICT Technical Infrastructure Architecture	153,000	53,000	50,000	50,000	Prudential borrowing
2	ICT Replacement and Development	260,000	120,000	90,000	50,000	Prudential borrowing
3	ICT E-Facilities (Digital by Design)	145,000	65,000	40,000	40,000	Prudential borrowing
4	Council Offices, Beeston – External Works	75,000	75,000	-	-	Prudential borrowing
5	Contingency	300,000	100,000	100,000	100,000	Prudential borrowing
	TOTAL	933,000	413,000	280,000	240,000	

Resources Capital Programme 2026/27**1. ICT Technical Infrastructure Architecture (£53,000)**

This project provides for the replacement of key elements of the Council's technical infrastructure architecture. As core security and infrastructure technologies become end of life, the result exposes critical components of equipment which will no longer be supported. This increases the potential risk if an equipment failure occurs, or the Council's security is compromised.

2. ICT Replacement and Development (£120,000)

This project provides for the replacement of PCs, laptops, servers, printers, and scanners in accord with the Council's ICT replacement programme.

3. ICT E-Facilities (Digital by Design) (£65,000)

The project includes the major themes of digital engagement and development including website and mobile technologies development:

- Continued investment of the Council's website and content management system with an open-source solution
- Continued investment of the Council's mobile technologies
- Exploiting the Council's data.

The former continues to drive and enhance the Council's web-presence including improved transactional capability. The open-source solution will reduce revenue costs. Additional specific business cases will be developed as part of the continued process to achieve efficiencies and cost savings. While costings are estimated at this stage, experience shows that investment at this level is required.

4. Council Offices Beeston – External Works (£75,000)

The budget will assist in works required at the Council Offices in Beeston, which will include scaffolding, repairing, and upgrading rainwater goods, replacing fascias with UPVC fascias, inspection and repair of roof tiles and removal of rubbish from site. These upgrades and replacements will reduce future maintenance costs.

5. Capital Contingency (£100,000)

This budget is intended to meet the cost of General Fund related unexpected capital items that need to be addressed during the financial year.

Leisure and Health Capital Programme

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
	LEISURE					
1	Gym Equipment Replacement	650,000	650,000	-	-	Prudential borrowing. £120k previously included in 2025/26 for new Stapleford Community Pavilion with option appraisals now being considered for Bramcote and Chilwell equipment replacement.
2	Pitch Replacement Fund – Stapleford Community Pavilion	141,000	47,000	47,000	47,000	Prudential borrowing at £47k per annum for 10 years.
3	Padel Canopy – Stapleford Community Pavilion	200,000	200,000	-	-	Prudential borrowing.
4	D H Lawrence Museum – External Works	55,000	55,000	-	-	Prudential Borrowing
5	D H Lawrence Museum - Internal Works	10,000	10,000	-	-	Prudential Borrowing
	TOTAL	1,056,000	962,000	47,000	47,000	
	Reserve Items – Bramcote Leisure Centre (BLC)					These schemes have been classified by Liberty Leisure Limited by priority.
6R	BLC - Main Pool Filter Media Replacement 1	44,000	44,000	-	-	Higher priority but not yet confirmed as a 'red-flag'

No.	Scheme	Estimated Total Cost £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Comments (also see narrative further below)
7R	BLC - Main Pool Filter Replacement 2	210,000	210,000	-	-	Medium priority not considered a 'red-flag'
8R	BLC - Main Pool Surrounds	220,000	220,000	-	-	Medium priority not considered a 'red-flag'
9R	BLC - Replacement Hot Water Pipework	1,540,000	1,540,000	-	-	Medium priority not considered a 'red-flag'
10R	BLC - Replacement HV Transformer	170,000	170,000	-	-	Medium priority not considered a 'red-flag'
11R	BLC - Replace Circulation Pumps Main Pool	80,000	80,000	-	-	Medium priority not considered a 'red-flag'
12R	BLC - Replacement Teaching Pool Water Filter	55,000	55,000	-	-	Medium priority not considered a 'red-flag'
13R	BLC - Replacement Tiles	40,000	40,000	-	-	Higher priority but not yet confirmed as a 'red-flag'
14R	BLC - Replacement Heating Valves	40,000	40,000	-	-	Higher priority but not yet confirmed as a 'red-flag'
15R	BLC - Replacement Building Management System	266,000	266,000	-	-	Higher priority but not yet confirmed as a 'red-flag'
16R	Rewiring of facility	990,000	990,000	-	-	Higher priority but not yet confirmed as a 'red-flag'
	TOTAL – RESERVE ITEMS	3,655,000	3,655,000	-	-	

Leisure and Health Capital Programme 2026/27**1. Gym Equipment Replacement (£650,000)**

The suite of gym equipment was due to be replaced in 2021, but the programme was delayed due to the impact of the pandemic lockdown closures and reduced attendances. Gym equipment has a lifespan of up to seven years and most of the kit was last replaced in 2016. The equipment is no longer within warranty and is now at an age where reliability is diminishing and costlier repairs are required.

The proposed allocation for 2026/27 is in respect of the equipment replacement at Bramcote Leisure Centre and Chilwell Olympia. It is likely that this spend will not be committed until at least Winter 2026.

2. Stapleford Pavilion – 3G Pitch Replacement Fund (£47,000)

The Council, alongside Stapleford Town Football Club, were successful in acquiring over £1.4m funding from the Football Foundation to provide a full-sized stadium pitch and a small sided 7-a-side 3G pitch in addition to contributing towards the Stapleford Pavilion building itself. The funding has enabled Stapleford Town Football Club and the Steven Gerrard Academy to train and play matches as well as some recreational play across both pitches.

It is a requirement of the funding award for the Council to contribute towards a fund to replace the pitch at the end of its life, expected at 10 years depending on usage and maintenance. The annual cost of £47k over 10 years will cover both pitches.

3. Padel Canopy – Stapleford Community Pavilion (£200,000)

The padel courts have been delivered as part of the Stapleford Community Pavilion project through the Stapleford Towns Fund. There is however insufficient funding to allow for the courts to be covered. It is therefore proposed for the Council to fund the addition of a canopy that will boost activity and sales.

4. D H Lawrence Museum - External Works (£55,000)

It has been identified that the property requires external works to the brickwork, rainwater goods, woodwork, and roofing, to ensure it is watertight and does not deteriorate, thus leading to more substantial work and a greater outlay.

5. D H Lawrence Museum – Internal Works (£10,000)

Electrical upgrade project at £6,000 will ensure that the Council owned listed building is properly maintained and continues providing heritage and education attraction. Proposed works include removing and replacing dated distribution boards, mounted heaters with panel heaters and removal of rubbish on site.

The parlour flooring also requires work at £4,000. The current floor covering to the parlour is not breathable nor appropriate for a listed building. It is trapping dampness into the walls contributing to a deterioration of internal fabric of the building

Reserve Items – Bramcote Leisure Centre

6. BLC - Replacement Heating Valves (£40,000 Reserve)

Several service valves within the plant area need replacing as they either do not operate correctly or leak. These include heating to the main pool hall and domestic hot water services. The valves require replacement however due to historical asbestos removal issues and increased legislative requirements of managing asbestos this work requires specialist operatives to undertake the work.

7. BLC - Main Pool Filter Media Replacement 1 (£44,000 Reserve Item)

The filter media was replaced in 2009, and the glass media has an extended working period up to 10 years. The media will be over its recommended working life by three years which will result in reduced filtering efficiency and could lead to poor water quality and potential health and safety issues.

8. BLC - Main Pool Filter Replacement 2 (£210,000 Reserve Item)

The main pool water filters are developing pin hole leaks within the structural metal. These are being welded through patching. The holes are indicative of the state and thickness of the metal structure and eventually patching will not be an option.

9. BLC - Main Pool Surrounds (£220,000 Reserve Item)

The tiled surrounds of both swimming pools have deteriorated considerably since being laid over 58 years ago. There are numerous areas where past patchwork has been undertaken following developments, which require further remedial work. It is proposed to 'recover' the existing tiled surface with a non-slip coating specifically designed for wet surfaces. The coating would improve the general appearance of the facility and allow for easy maintenance.

10. BLC - Replacement Hot Water Pipework (£1,540,000 Reserve Item)

The existing cast iron hot water pipes are from when building was built. There are various leaks on joints. Recently, a pin hole leak within a pipe has identified that the pipes have corroded internally and this could be indicative of all the pipework.

Eventually a catastrophic leak will force the heating to be shut down, and closure of the site would be required. Further leaks have been identified within the system visible through the insulation however further investigation is not appropriate for site staff due to the potential risk of asbestos exposure.

There is pipework in areas of the building which are not accessible nor visible. Similar failures to the pipework in these areas may not be repairable locally and will potentially cause a catastrophic failure of the entire hot water and heating systems rendering the facility unusable requiring full closure.

11. BLC - Replacement HV Transformer (£170,000 Reserve Item)

The existing oil filled High Voltage (HV) transformer has been in use for over 58 years. The transformer is responsible for converting the high voltage electricity supply into a voltage suitable for consumption on site. Studies have indicated that this type of transformer has a 50% chance of failure after 50 years.

12. BLC - Replacement Circulation Pumps Main Pool (£80,000 Reserve Item)

The existing pumps are used to provide filtration circulation for the main pool water. The pumps are the original cast iron pump casing from 60 years ago and have been adapted over the years. Ongoing maintenance is now becoming increasingly costly and difficult with only one local pump repair specialist willing to provide a repair and maintenance service.

13. BLC - Replacement Teaching Pool Water Filter (£55,000 Reserve Item)

The filter is a fibreglass bobbin wound structure which undertakes the fundamental role of filtering the pool water. The existing filter was replaced over 18 years ago due to weeping through the fibre glass structure. The existing filter is now showing signs of weeping which is currently being maintained through local fibreglass repairs. Replacement is required before total failure.

14. BLC - Replacement Tiles (£40,000 Reserve Item)

There are multiple areas within the swimming pool areas where tiles are cracked and or falling off walls. The tiling in the pool area is almost 60 years old with various adaptations being made over the years although this work has caused on-going problems with tiling.

15. BLC - Replacement Building Management System (£266,000)

The existing BMS system is now not repairable. Service parts are not available and the software operating the elements that are operational is based on Windows XP operating program.

Failure of any of the internal elements could result in closure of all or parts thereof of the facilities predominantly pools which could impact on income.

16. BLC - Rewiring of facility (£990,000)

A large amount of the fixed wiring dates to the initial build of the facility. The required fixed wiring tests are undertaken and all identified urgent maintenance work is completed. The wires do not meet the current building regulations and should be replaced.

Appendix 5

Capital Strategy 2026/27 - 2028/29**1. Introduction**

The Capital Strategy is intended to provide a high-level overview of how the Council's capital expenditure, capital financing, and treasury management activity contribute to the provision of services to the residents of Broxtowe along with an overview of how associated risk is managed and the implications for future financial sustainability.

The Capital Strategy should be considered in conjunction with the Treasury Management Strategy Statement in Appendix 6 and the Investments Strategy at Appendix 7.

Decisions made this year about capital and treasury management will have financial consequences for the Council for many years into the future. As such, they are subject to both a national regulatory framework and a local policy framework, summarised in this report.

2. Background

The Capital Strategy is intended to ensure that decisions about capital spending are taken in alignment with agreed corporate priorities and make the best use of scarce resources. It has been developed in conjunction with the Council's Corporate Plan, ICT Strategy, Asset Management Strategy and People Strategy and seeks links to other approved strategies and policies. The Council will have regard to the following in determining its capital spend plans:

- Corporate objectives (e.g. strategic planning)
- Stewardship of assets (e.g. asset management planning)
- Value for money (e.g. appraisal of options)
- Prudence and sustainability (e.g. implications for external borrowing and whole life costing)
- Affordability (e.g. implications for long-term resources and ultimately on the level of council tax)
- Practicality (e.g. the achievability of the Corporate Plan)

The production of the capital programme will be based upon the following eight core principles:

- (i) All assets will be periodically reviewed to determine whether they remain fit for purpose.
- (ii) Asset management systems will be used to increase the proportion of expenditure on planned as opposed to reactive maintenance and to determine appropriate levels of contingency in each planning period.

- (iii) Capital expenditure, particularly in respect of investment in commercial assets, will be undertaken within the context of the Council's defined risk appetite and adopted priorities.
- (iv) The decision to procure or build new assets will take into account the full revenue implications of the life cycle of the asset.
- (v) Income from asset disposals will be retained centrally for the funding of future capital programmes.
- (vi) Capital submissions produced by departments will be included in the third year of the three-year rolling capital programme unless they meet the specific criteria outlined above.
- (vii) Capital submissions will be reviewed by the Interim Deputy Chief Executive and Section 151 Officer, in conjunction with General Management Team (GMT), using a pre-determined scoring matrix set out in the submission template.
- (viii) Borrowing will only be pursued as an option for financing capital spending after all other potential financing options have been considered.

The Capital Programme is a three-year rolling programme with new submissions, based upon an agreed template, accepted only for year three of the programme unless they meet the following criteria:

- The project has health and safety implications which must be addressed as a priority or is a statutory requirement.
- The project generates more income over time than the investment required (an "invest to save" project).
- The project is required to match income from external sources that would otherwise be lost.

Unforeseen factors may arise which will require schemes to be swiftly incorporated within the capital programme. These schemes will be subject to the same appraisal process set out above and funding will be assisted by the inclusion of suitable contingencies within the capital programme to avoid disrupting other planned capital schemes.

3. Capital Expenditure and Financing

Expenditure on assets that the Council will use for more than one financial year, such as buildings, vehicles, and equipment, is known as Capital expenditure. In local government this includes expenditure on assets owned by other bodies and loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion as to what to classify as capital expenditure and this is set out in its Accounting Policies.

Capital expenditure can be paid for immediately by applying capital resources, such as capital receipts, capital grants, or by using revenue resources. However, if these resources are insufficient then any residual expenditure will add to the Council's borrowing need.

The following table summarises the capital programme along with financing:

	2024/25 Actual £000	2025/26 Revised £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Capital Expenditure					
General Fund	11,242	36,397	4,090	2,178	2,202
Housing Revenue Account	20,080*	28,303	19,920	16,207	14,889
Total	31,322*	64,700	24,010	18,385	17,091
Financed by:					
Borrowing GF	3,175	4,632	3,016	1,378	1,402
Borrowing HRA	9,791*	14,666	10,720	8,778	7,198
Major Repairs Reserve HRA	5,310	5,345	5,270	5,629	5,891
Capital Receipts GF	669	266	-	-	-
Capital Receipts HRA	2,692	2,501	2,000	1,800	1,800
Direct Revenue Financing GF	82	-	-	-	-
Direct Revenue Financing HRA	-	-	-	-	-
Better Care Fund	978	1,858	800	800	800
Section 106 Receipts	594	2,741	1,000	-	-
Local Regeneration Fund (Towns Fund)	2,749	14,837	-**	-	-
Local Regeneration Fund (Kimberley Means Business)	2,586	12,886	-**	-	-
UK Shared Prosperity Fund – <i>capital funding</i>	807	778	-**	-	-
Other Bodies	1,889	4,190	1,204	-	-
Total	31,322*	64,700	24,010	18,385	17,091

*Please note that these figures are £96k lower than initially reported to Cabinet in July 2025 due to an adjustment made during the audit of the 2024/25 accounts.

**Any unspent grant for these schemes in 2025/26 will be carried forward into future financial years until the schemes are complete.

In addition to the £24.010m of financed expenditure for 2026/27, there is a reserve list of schemes related to Bramcote Leisure Centre at a value of £3.655m. These schemes may be considered for inclusion on the capital programme in future in appropriate financing becomes available.

One of the key risks to the capital investment plans above is the level of resources available within the Housing Revenue Account (HRA) to support capital expenditure. Until 2023/24, the HRA made revenue contributions to the financing of the capital programme. However, this became unsustainable to continue this as it would pose a serious risk to maintaining the HRA minimum working balance.

The three-year capital programme includes £1.4m per annum for the acquisition of former right to buy and other properties by the HRA as set out in the Housing Delivery Plan. Each acquisition will be subject to an appraisal process before a decision to purchase is made to ensure that the acquisition meets the Council's needs and provides value for money. It is anticipated that the rental income from the properties acquired will meet the accompanying ongoing borrowing costs.

Similarly, a risk to General Fund capital investment plans is that some of the estimates for other sources of funding may also be subject to change over this timescale. The proposals, for example, assume £800,000 grant from the Better Care Fund, however the actual value of the grant will not be confirmed until the new financial year has begun and, as such, there is a risk that this may be different than forecast.

No assumptions have been made with regards to either the value or timing of any further capital receipts that may subsequently be received.

The Council's land and property holdings will continue to be reviewed in line with the Asset Management Strategy that will, among other things, seek to identify opportunities to bring forward recommendations to dispose of or make alternative use of surplus assets.

Borrowing makes up the largest proportion of the capital financing over the next three years. The Council's main objectives when borrowing is to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives may sometimes be conflicting, and the Council therefore seeks to strike a balance between cheaper short-term loans and long-term fixed rate loans where the future cost is known but slightly higher.

4. The Capital Financing Requirement

The Capital Financing Requirement (CFR) represents the Council's underlying need to borrow for capital purposes. It is the total outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. The CFR will change each year in accordance with the value of the approved capital programme and the financing available. The capital expenditure above which has not been financed from available internal resources or from grants or third-party contributions will increase the CFR.

	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Capital Financing Requirement				
CFR – General Fund	34,899	35,940	35,143	34,170
CFR – HRA	113,609	124,331	133,109	140,307
Total CFR – 31 March	148,508	160,271	168,252	174,477
Movement in CFR represented by:				
Borrowing need for the year	19,298	13,736	10,155	8,600
MRP/VRP/other financing movements	(1,528)	(1,975)	(2,175)	(2,375)
Movement in CFR	17,770	11,761	7,980	6,225

Debt is only a temporary source of finance, given that loans and leases must be repaid. Debt is therefore repaid over time and, typically, this repayment will be from revenue which is known as the Minimum Revenue Provision (MRP).

5. Treasury Management

Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's needs whilst managing the risks involved. Surplus cash is invested until required whilst an anticipated shortage of cash is met by borrowing to avoid an overdraft in the Council's bank current account.

The Council usually has surplus cash available in the short-term with revenue income normally received before it is spent. It can have a cash deficit in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing.

i) Borrowing Strategy

The Council's main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives may sometimes be conflicting, and the Council therefore seeks to strike a balance between cheap short-term loans and long-term fixed rate loans where the future cost is known but slightly higher.

Projected levels of the Council's total borrowing when compared with the capital financing requirement are shown in the table below.

	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Gross Borrowing				
- PWLB and Market Loans	123,572	129,171	135,000	140,000
- Bramcote Crematorium	400	400	400	400
Gross Borrowing – 31 March	123,972	129,571	135,400	140,400
Capital Financing Requirement				
CFR – General Fund	34,899	35,940	35,143	34,170
CFR – HRA	113,609	124,331	133,109	140,307
Total CFR – 31 March	148,508	160,271	168,252	174,477

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As seen above, the Council expects to comply with this in the medium term.

In order to provide some context, the Council's fixed assets, as at the latest audited Balance Sheet valuation date (31 March 2025), including Broxtowe's share of the Bramcote Crematorium assets, were valued as below:

Asset Class	Valuation £'000
Council Dwellings	267,681
Other Land and Buildings	33,954
Vehicles, Plant, and Equipment	2,663
Infrastructure Assets	3,541
Community Assets	291
Assets Under Construction	18,203
Intangible Assets (e.g. software)	744
Heritage Assets	512
Total Assets	327,589

Council dwellings are valued in the Balance Sheet at 42% of its open market valuation, meaning that the market value is over £630 million.

ii) Affordable Borrowing Limit

The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit) each year. In line with statutory guidance, a lower 'operational boundary' is also set as a warning level should borrowing approach this limit.

	2025/26 Revised £'000	2026/27 Estimate £'000	2027/28 Estimate £'000	2028/29 Estimate £'000
Authorised Limit for External Debt	159,710	166,710	174,000	180,250
Operational Boundary for External Debt	127,770	133,370	139,200	144,200

The authorised limit and operational boundary as set out above assume that the Council will not be entering into any private finance initiatives or leases over the period shown. The Council presently has no plans to enter such arrangements.

iii) Treasury Investment Strategy

Treasury investments arise from when there is a gap between the timing of the receipt of cash and the timing of the subsequent expenditure of cash. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.

The Council's policy on treasury investments is to prioritise security and liquidity over yield. In other words, the objective is to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the short-term is invested securely with, for example, the government, other local authorities or selected high-quality banks and funds to minimise the risk of loss. Money that will be held for the long-term is invested more widely to balance the risk of loss against the risk of receiving returns below inflation. Both short-term and long-term investments may be held in pooled funds where an external fund manager makes decisions on which particular investments to buy, and the Council may request its money back at short notice.

The table below highlights the expected change in investment balances.

Total Investment Exposure	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Investments as at 1 April	21,151	12,000	10,000	10,000
Expected Change in Investments	(9,151)	(2,000)	-	-
Investments as at 31 March	12,000	10,000	10,000	10,000

As demonstrated above, it is expected that investment balances will be substantially lower by the end of the current financial year and into future years. This is due to large grant funded schemes, such as the Stapleford Towns Deal scheme, is nearing completion and therefore the grant balances associated with these schemes being fully allocated.

iv) Risk Management

The effective management and control of risk are prime objectives of the Council's treasury management activities. The Treasury Management Strategy therefore sets out various indicators and limits to constrain the risk of unexpected losses and details the extent to which financial derivatives may be used to manage treasury risks.

v) Governance

Decisions on treasury management investment and borrowing are made daily and are delegated to the Interim Deputy Chief Executive and Section 151 Officer and colleagues who must act in accordance with the Treasury Management Strategy approved by Cabinet. Reports on treasury management activity are also presented to Cabinet whose Members are responsible for scrutinising treasury management decisions.

6. Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payments on loans and the minimum revenue provision (MRP) are charged to revenue albeit offset by investment income receivable. The net annual charge is known as financing costs and is compared to the net revenue stream (i.e. amount funded from council tax, business rates, and general government grants).

	2025/26 Revised %	2026/27 Estimate %	2027/28 Estimate %	2028/29 Estimate %
General Fund	16.0	19.8	21.8	22.7
HRA	18.0	19.0	19.7	20.1

The estimates of financing costs reflect current commitments and the proposals in the revenue and capital budget reports elsewhere on the agenda.

As can be seen in the above table, the indicators for both the General Fund and the HRA are set to rise over the next three years. This is due to increased borrowing to finance the capital programme, particularly gym equipment replacement, implementation of food waste collections, and fleet vehicle replacements for the General Fund and the Housing Development Programme and major improvement/maintenance works for the HRA. In addition, cash balances are forecast to be lower than in previous years due to large grant funded schemes (coming to an end, resulting in lower investment interest).

The Council will undertake a prudent level of borrowing to support the capital programme during the period covered by its medium-term financial plans.

7 Knowledge and Skills

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the following individuals all hold the Chartered Institute of Public Finance and Accountancy (CIPFA) or other CCAB (Consultative Committee of Accountancy Bodies) professional accountancy qualifications:

- Interim Chief Executive (CPFA)
- Interim Deputy Chief Executive and Section 151 Officer (CPFA)
- Chief Accountant (CPFA)
- Chief Audit and Control Officer (ACCA)
- Principal Accountants (ACCA and CPFA)

The Council also pays for employees to study towards relevant qualifications such the Association of Accounting Technicians (AAT) qualification.

Where officers do not have the knowledge and skills required, use is made of external advisors and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisors. The contract with Arlingclose is due to expire on 31 March 2026. An exercise is to be undertaken to establish the service provider from 1 April 2025.

The services currently provided by Arlingclose include:

- technical support on treasury matters and capital finance issues
- economic and interest rate analysis
- debt services (including advice on the timing of borrowing)
- debt rescheduling advice surrounding the existing portfolio
- generic investment advice on interest rates etc.
- credit ratings/market information service comprising the three main credit rating agencies.

Whilst the treasury advisors provide support to the internal treasury function, the current market rules and the CIPFA Treasury Management Code confirms that the final decision on treasury management matters rests with the Council.

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Appendix 6

Treasury Management Strategy Statement 2026/27 to 2028/29
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1. Introduction

Treasury management involves the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2021 Edition* which requires the Council to approve a treasury management strategy before the start of each financial year. This report fulfils the legal obligation under the *Local Government Act 2003* to have regard to the CIPFA Code.

Investments are addressed separately in the Investment Strategy as set out in Appendix 7 of this report.

For the purposes of setting the 2026/27 budget, it has been assumed that new treasury management investments will be made at an average rate of 3.75%, and that new borrowing will be long-term loans at an average rate of 4.00%.

2. Current Debt and Investment Position

The Council's current debt and investment position is as follows:

	Actual at 31/03/25 £000	Actual at 31/12/25 £000	Estimate at 31/03/26 £000
Fixed Rate Debt			
PWLB/Market	87,064	106,959	106,688
Variable Rate Debt			
PWLB/Market	12,344	14,383	16,884
Crematorium	0	0	400
Total Debt	95,587	121,342	123,972
Total Investments	(18,270)	(36,898)	(12,000)
Net Borrowing	77,317	84,444	111,972

The fixed rate debt shown consists of fixed rate loans that are due to be repaid in at least one years' time.

The variable rate debt shown above relates to fixed rate loans from the PWLB and other institutions that are due to mature within one year. As such, these are likely to be replaced by further loans but at a different rate of interest from the current rate. These also includes instalments of PWLB EIP loans ('Equal Instalments of Principal') due for repayment over the forthcoming 12 months.

The Crematorium debt relates to the surplus cash balances of the Bramcote Crematorium, that the Council holds and invests on its behalf to generate a suitable return. This fluctuates in accordance with the Crematorium's cash inflows and outflows. There is no other variable rate debt.

As set out in section 4, the Council is permitted to borrow in advance of need given that certain criteria are met. The Council has loans totalling £14.3m (including EIP instalments) that are due to be repaid within 12 months from April 2026. These loans may not necessarily be replaced with loans of a similar value when they mature and whether or not they are replaced will in part depend upon the cashflow position at the time.

Most investments should be regarded as the investment of the Council's revenue reserves, including the General Fund and RA working balances, provisions, and unapplied capital contributions.

3. Capital Financing Requirement

The Capital Financing Requirement (CFR) represents the Council's underlying need to borrow for capital purposes. It is the total outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. The CFR will change each year in accordance with the value of the approved capital programme and the financing available. Capital expenditure which has not been financed from available internal resources or from grants or third-party contributions will increase the CFR.

	2025/26 Estimate £'000	2026/27 Estimate £'000	2027/28 Estimate £'000	2028/29 Estimate £'000
Capital Financing Requirement				
CFR – General Fund	34,899	35,940	35,143	34,170
CFR – HRA	113,609	124,331	133,109	140,307
Total CFR – 31 March	148,508	160,271	168,252	174,477
Movement in CFR represented by:				
Borrowing need for the year	19,298	13,736	10,155	8,600
MRP/VRP/other financing movements	(1,528)	(1,975)	(2,174)	(2,375)
Movement in CFR	17,770	11,761	7,981	6,225

The Council has an increased CFR over the period shown due to the capital programme. The Council's current strategy is to maintain borrowing and investments below their underlying levels. This is sometimes referred to as 'internal borrowing.'

The CIPFA *Prudential Code for Capital Finance in Local Authorities* recommends that the Council's total debt should be lower than its highest forecast CFR over the next three years. The table below shows that the Council is expected to comply with this requirement in the current year and for the subsequent three years.

	2025/26 Estimate £'000	2026/27 Estimate £'000	2027/28 Estimate £'000	2028/29 Estimate £'000
Gross Borrowing				
- PWLB and Market Loans	123,572	129,171	135,000	140,000
- Bramcote Crematorium	400	400	400	400
Gross Borrowing – 31 March	123,972	129,571	135,400	140,400
Capital Financing Requirement				
CFR – General Fund	34,899	35,940	35,143	34,170
CFR – HRA	113,609	124,331	133,109	140,307
Total CFR – 31 March	148,508	160,271	168,252	174,477

4. Borrowing Strategy

As per the forecast, by 31 March 2026, the Council is expected to hold £123.9m of loans, an increase of £15m when compared to 31 March 2025, as part of the strategy for financing previous years' capital programmes.

The Council is due to repay loans of £13.3m in 2025/26 (including EIP instalments). In the year to date, loans totalling £19.0m have been taken from the PWLB and it is forecast that it may be necessary to secure additional borrowing before the end of the year. This will be to finance the capital programme and to replace existing borrowing due to be repaid to the PWLB.

It is forecast that up to £19.0m of new borrowing may be required in 2026/27 to both replace maturing loans due to be repaid and to finance the capital programme. Cash flows and the expenditure profile will be carefully monitored in order to minimise the external borrowing required.

i) Objectives

The Council's primary objective when borrowing money is to strike an appropriately low-risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Council's long-term plans change is a secondary objective.

ii) Strategy

Given the cuts to public expenditure and, in particular, to local government funding, the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

Where possible internal resources will be used to fund capital expenditure as this allows the Council to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk. However, given the Council's extensive Capital Programme, it is inevitable that substantial borrowing will need to take place, particularly for the HRA to finance the Housing Development Programme.

The Council has previously raised most of its long-term borrowing from the PWLB but will consider long-term loans from other sources including banks, pensions, and local authorities in order to lower interest costs and reduce over-reliance on one source of funding in line with the Code. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield but as the Council does not have such plans then the PWLB should continue to be a potential source of long-term borrowing for the Council.

The Council does have the option of arranging forward starting loans where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period. However, given the current high interest rates it may not be the ideal time to arrange this type of borrowing.

iii) Sources of Borrowing

The approved sources of long-term and short-term borrowing are:

- Public Works Loan Board (PWLB) and any successor body
- any institution approved for investments (see below)
- any other bank or building society authorised to operate in the UK
- any other UK public sector body
- UK public and private sector pension funds
- Capital market bond investors
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues

iv) Other Sources of Debt Finance

Capital finance may also be raised by the following methods which, whilst they are not borrowing, may be classed as other debt liabilities:

- Leasing
- Hire purchase
- Private Finance Initiative
- Sale and leaseback.

v) Municipal Bonds Agency

UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. Its aim was to issue bonds on the capital markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for the following reasons:

- borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason
- there will be a lead time of several months between committing to borrow and knowing the interest rate payable

Any decision to borrow from the Municipal Bonds Agency will therefore be the subject of a separate report to Cabinet. Although as of June 2025 the agency is closed to new business due to a lack of interest from local authorities.

vi) Short-Term and Variable Rate Loans

These loans leave the Council exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits in the treasury management indicators below. Financial derivatives may be used to manage this interest rate risk (see section below).

vii) Debt Rescheduling

The PWLB allows local authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Council may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk.

5. Investment Strategy

The Council holds significant investments, representing income received in advance of expenditure plus balances and reserves held. Since April 2025, the Council's investment balance has ranged between £10m and £30m and similar levels are expected to be maintained in the forthcoming year.

i) Objectives

The CIPFA Code requires the Council to invest its funds prudently and to have regard to the security and liquidity of its investments before seeking the highest rate of return (or yield). The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Council will aim to achieve a total return that is equal or higher than the prevailing rate of inflation in order to maintain the spending power of the sum invested.

ii) Consideration of Environmental, Social and Governance (ESG)

The Council aims to be a responsible investor and will consider environmental, social and governance (ESG) aspects in its treasury management activities. ESG considerations are increasingly a factor in global investors' decision making, but the framework for evaluating investment opportunities is still developing. As such, it is not currently possible to include ESG scoring or other real-time ESG criteria at an individual investment level. When investing in banks and funds, the Council will prioritise those counterparties that are signatories to the UN Principles for Responsible Banking and funds operated by managers that are signatories to the UN Principles for Responsible Investment, the Net Zero Asset Managers Alliance and/or the UK Stewardship Code.

These counterparties meeting the current criteria for ESG will be prioritised for investing, subject to primary objectives of security and liquidity being achieved. Any significant impact on yield when compared to other investment options, equivalent to £5,000 per annum, will require the prior approval of the Interim Deputy Chief Executive and Section 151 Officer, in conjunction with the Portfolio Holder for Resources and Personnel Policy (or equivalent). All transactions with counterparties meeting the current criteria for ESG where the yield is lower than the market optimisation will be reported in treasury management update reports to the Portfolio Holder for Resources and Personnel Policy and/or Cabinet.

iii) Negative Interest Rates

If the UK were to go into recession, there is a small chance that the Bank of England could set its Bank Rate at or below zero, which is likely to feed through to negative interest rates on all low-risk, short-term investment options. This situation has occurred in other European countries. In this event, security will be measured as receiving the contractually agreed amount at maturity, even though this may be less than the amount originally invested.

iv) Strategy

The current high interest economic climate (when compared to recent years) has led to a significant increase in short-term investment yields. Due to this and the low-risk and highly liquid nature of Money Market Funds and unsecured bank deposits, the Council continues to use these as its primary investment class for day-to-day treasury management activities. In addition, the Council continues to diversify into more long-term assets' classes. These typically offer a high degree of security and often higher yields than shorter-term classes but do not offer the same degree of liquidity, usually requiring a notice period for withdrawal or the sale of shares on to the market. This is especially the case for the £8.0m that is available for longer-term investment. The diversification of investments will continue into 2026/27. The Council, along with its treasury management advisors, will also be monitoring the markets closely to ensure it can address any risks or take advantage of new opportunities appropriately.

v) Business Models

Under the IFRS 9 standard, the accounting for certain investments depends on the Council's 'business model' for managing them. The Council aims to achieve value from its internally managed treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost. As at the date this report was submitted, a statutory override for IFRS 9 is in place that allows the Council to recognise gain/losses in the value of its investment in an unusable reserve instead of gain/losses impacting revenue (via the Comprehensive Income and Expenditure Statement and Revenue budgets). This is a positive for the Council as it means revenue budgets (and year-end outturn) are not negatively impacted by temporary reductions in the value of investments and revenue budget in particular are not artificially immolated by temporary and unrealised increases in the value of investments, that will have to be written off as a loss in future years' budgets.

vi) Approved Counterparties

The Council may invest its surplus funds with any of the counterparty types in the table below, subject to the cash limits per counterparty and time limits as shown below:

Credit Rating	Banks Unsecured	Banks Secured	Government	Corporates	Registered Providers
UK Government	n/a	n/a	Unlimited 50 Years	n/a	n/a
AAA	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 2 Years	£5m 2 Years
AA+	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 2 Years	£5m 2 Years
AA	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 2 Years	£5m 2 Years
AA-	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 2 Years	£5m 2 Years
A+	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 2 Years	£5m 2 Years
A	£5m 13 Months	£5m 2 Years	£5m 5 Years	£5m 2 Years	£5m 5 Years
A-	£5m 6 Months	£5m 13 Months	£5m 13 Months	£5m 13 Months	£5m 13 Months
Unrated (UK Local Authorities)	n/a	n/a	£5m each 2 Years	n/a	n/a
Pooled Funds and REITS	n/a	n/a	£5m per Fund	n/a	n/a

vi) Credit Rating

Investment limits are set by reference to the lowest published long-term credit rating from a selection of external rating agencies. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings and all other relevant factors, including external advice, will be taken into account.

vii) Counterparty Types

The Counterparty types are defined as follows:

- a. Banks Unsecured – These are accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies (other than multilateral development banks). These investments are subject to the risk of credit loss via a ‘bail-in’ should the regulator determine that the bank is failing or likely to fail. Arrangements relating to operational bank accounts are set out below.

- b. Banks Secured – These are covered bonds; reverse repurchase agreements and other collateralised arrangements with banks and building societies. These investments are secured on the bank's assets, which limits the potential losses in the unlikely event of insolvency and means that they are exempt from bail-in. Where there is no investment specific credit rating but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used to determine cash and time limits. The combined secured and unsecured investments in any one bank will not exceed the cash limit for secured investments.
- c. Government – This includes loans, bonds and bills issued or guaranteed by national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in arrangements and, whilst there is generally a lower risk of insolvency, they are not zero risk. Investments with the UK Central Government may be made in unlimited amounts for up to 50 years. Investments with UK local authorities are limited per authority to £5m and 2 years.
- d. Corporates – These are loans, bonds and commercial paper issued by companies other than banks and registered providers. These investments are not subject to bail-in but are exposed to the risk of the company going insolvent. Loans to unrated companies will only be made as part of a diversified pool in order to spread the risk more widely.
- e. Registered Providers – These are loans and bonds issued by, guaranteed by or secured on the assets of registered providers of social housing and registered social landlords, formerly known as housing associations. These bodies are tightly regulated by the Regulator of Social Housing and, as providers of public services, they retain the likelihood of receiving government support if needed.
- f. Pooled Funds – These are shares or units in diversified investment vehicles consisting of the any of the above investment types, plus equity shares and property. These funds have the advantage of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a fee. Short-term money market funds that offer same-day liquidity and very low or no volatility will be used as an alternative to instant access bank accounts while pooled funds whose value changes with market prices and/or have a notice period will be used for longer investment periods. Bond, equity, and property funds offer enhanced returns over the longer term but are more volatile in the short term. These allow the Council to diversify into asset classes other than cash without the need to own and manage the underlying investments. Since these funds have no defined maturity date but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Council's investment objectives will be monitored regularly.

- g. Real Estate Investment Trusts (REITs) – These are shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term but are more volatile, especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties. Investments in REIT shares cannot be withdrawn but can be sold on the stock market to another investor.

viii) Operational Bank Accounts

The Council may incur operational exposures, for example, through current accounts, collection accounts, and merchant acquiring services, to any UK bank with credit ratings no lower than BBB- and with assets greater than £25 billion. These are not classed as investments but are still subject to the risk of a bank 'bail-in' and balances will therefore be kept below £10m per bank. The Bank of England has stated that in the event of failure, banks with assets greater than £25 billion are more likely to be 'bailed-in' than made insolvent, increasing the chance of the Council maintaining operational continuity.

ix) Risk Assessment and Credit Ratings

Credit ratings are obtained and monitored by the Council's treasury management advisors who will notify the Council if changes in ratings as they occur. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made
- any existing investments that can be recalled or sold at no cost will be
- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as 'rating watch negative' or 'credit watch negative') so that it may fall below the approved rating criteria, then only investments that can be withdrawn on the next working day will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

x) Other Information on the Security of Investments

The Council understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Council's treasury management advisor.

No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2011, this is not generally reflected in credit ratings but can be seen in other market measures. In these circumstances, the Council will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Council's cash balances, the surplus will be deposited with the UK Government via the Debt Management Office or invested in government treasury bills or with other local authorities. This will cause a reduction in the level of investment income earned but will protect the principal sum invested.

xi) Investment Limits

The Council's General Fund revenue reserves would have to cover any investment losses. In order to ensure that available revenue reserves are not put at risk in the case of a single default, the maximum that will be lent to any one organisation (other than the UK Government) will be £5.0m. A group of banks under the same ownership will be treated as a single organisation for limit purposes. Limits will also be placed on fund managers, investments in brokers' nominee accounts, foreign countries, and industry sectors as below. Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country since the risk is diversified over many countries.

	Cash limit
Any single organisation, except UK Central Government	£5m each
UK Central Government	Unlimited
Any group of organisations under the same ownership	£5m per group
Any group of pooled funds under the same management	£5m per manager
Registered providers and registered social landlords	£5m in total
Unsecured investments with Building Societies	£10m in total
Money Market Funds	£25m in total
Real Estate Investment Trusts	£5m in total

xii) Liquidity Management

The Council uses an in-house developed Excel cash flow forecasting tool to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a prudent basis to minimise the risk of the Council being forced to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Council's medium-term financial strategy and cash flow forecast.

6. Treasury Management Indicators

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

i) Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio.

This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit Risk Indicator	Target
Portfolio Average Credit Rating	A-

ii) Liquidity

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

Liquidity Risk Indicator	Target
Total cash available within three months	£10.0m

iii) Interest Rate Exposures

This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise/fall in interest rates is:

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

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

iv) Maturity Structure of Borrowing

This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing Rate Risk Indicator	Upper limit	Lower limit
Under 12 months	50%	0%
12 months to 2 years	50%	0%
2 years to 5 years	50%	0%
5 years to 10 years	75%	0%
10 years to 20 years	100%	0%
20 years to 30 years	100%	0%
30 years to 40 years	100%	0%
40 years to 50 years	100%	0%
Over 50 years	100%	0%

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

v) Principal Sums Invested for Periods Longer than a Year

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

Price Risk Indicator	2025/26 £m	2026/27 £m	2027/28 £m
Limit on principal invested beyond year end	£8.0m	£8.0m	£8.0m

7. Related Matters

The CIPFA Code requires the Council to include the following in its Treasury Management Strategy.

i) Financial Derivatives

Local authorities have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. callable deposits). The general power of competence in Section 1 of the *Localism Act 2011* removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).

The Council will only use standalone financial derivatives (such as swaps, forwards, futures, and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Council is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives, including those present in pooled funds and forward starting transactions, will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.

Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria. The current value of any amount due from a derivative counterparty will count against the counterparty credit limit.

ii) Housing Revenue Account (HRA)

The reforms of the HRA subsidy system mean that the Council has not had to pay an annual subsidy from the HRA to the government since 2012. However, the Council is required to recharge interest expenditure and income attributable to the HRA in accordance with Determinations issued by the then Department for Communities and Local Government (DCLG).

The Determinations do not set out a methodology for calculating the interest rate to use. The Council is therefore required to adopt a policy that will set out how interest charges attributable to the HRA will be determined. The CIPFA Treasury Management Code recommends that the Council set out their policy in the Treasury Management Strategy Statement.

Whilst there are several different approaches for the apportionment of interest expenditure and income between the HRA and General Fund, the Council adopted the 'one-pool' approach upon the commencement of HRA self-financing on 1 April 2012 and will continue to follow this approach in 2026/27. This involves having a single pool for all debt irrespective as to whether it arose pre or post HRA self-financing and whether or not debt can be explicitly attributed to either the HRA or the General Fund.

The one-pool approach is considered to be the easiest for the Council to manage from an administrative perspective and enables treasury risk to be managed for the Council as a whole.

Whilst the one-pool approach carries an element of interest rate risk as and when maturing debt needs to be replaced, given that HRA debt vastly exceeds General Fund debt and that no major debt replacement was anticipated for the new HRA debt within the first ten years, this risk is not considered to be significant.

Under the one-pool approach, interest on loans will be calculated in accordance with proper accounting practice. This will require interest to be apportioned between the HRA and the General Fund by applying the average interest rate on external debt to the relative HRA and General Fund Capital Financing Requirements (CFR).

Investment income will be apportioned to the HRA based upon the average balances for the HRA and General Fund for the year. For example, if the average General Fund balance is £3m and the average HRA balance is £1m, the HRA will receive 25% of the investment income as this is its proportion of the total average balance.

iii) Markets in Financial Instruments Directive (MiFID)

The Council has opted up to professional client status with its providers of financial services (including advisors, banks, brokers, and fund managers) allowing it access to a greater range of services but without the greater regulatory protections afforded to individuals and small companies. Given the size and range of the Council's treasury management activities, the Interim Deputy Chief Executive and Section 151 Officer believe this to be the most appropriate status.

8. Financial Implications

The budget for investment income in 2026/27 is £450k and includes both short and long-term investments. The budget for debt interest paid in 2026/27 is £3.81m based on a debt portfolio of short and long-term borrowing. If actual levels of investments and borrowing and/or actual interest rates differ from that forecast, performance against budget will be correspondingly different.

9. Other Options Considered

The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The Deputy Chief Executive and Section 151 Officer, having consulted the Portfolio Holder for Resources and Personnel Policy, believes that the above strategy represents an appropriate balance between risk management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed as follows:

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs may be more certain

Alternative	Impact on income and expenditure	Impact on risk management
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long-term costs may be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs may be less certain

10. Minimum Revenue Provision Statement

Where the Council funds capital expenditure with debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Authority to have regard to the Ministry of Housing, Communities and Local Government's Guidance on Minimum Revenue Provision (the MHCLG Guidance) most recently issued in April 2024.

The broad aim of the MHCLG Guidance is to ensure that capital expenditure is financed over a period that is aligned with that over which the capital expenditure provides benefits.

The MHCLG Guidance requires the Authority to approve an Annual MRP Statement each year and provides several options for calculating a prudent amount of MRP but does not preclude the use of other appropriate methods. The following statement only incorporates options recommended in the Guidance.

MRP is calculated by reference to the capital financing requirement (CFR) which is the total amount of past capital expenditure that has yet to be permanently financed, noting that debt must be repaid and therefore can only be a temporary form of funding. The CFR is calculated from the Authority's balance sheet in accordance with the Chartered Institute of Public Finance and Accountancy's Prudential Code for Capital Expenditure in Local Authorities, 2021 edition.

The four MRP options available are:

- Option 1 – Regulatory Method
- Option 2 – Capital Financing Requirement (CFR) Method
- Option 3 – Asset Life Method
- Option 4 – Depreciation Method

Regulations require full council to approve an MRP Statement in advance of each year. Any subsequent changes in year also require full Council approval. The proposed policy for 2025/26 is set out below:

i. MRP Policy 2026/27

For capital expenditure incurred before 1 April 2008, the General Fund MRP will continue to follow the CFR method (option 2) and be based upon 4% of the CFR at that date.

For all unsupported borrowing incurred from 1 April 2008, the General Fund MRP will be based upon the estimated life of the assets which this borrowing is intended to finance (option 3). This will be done on an annuity basis equal to the average relevant PWLB rate for the year of expenditure starting in the year after the asset becomes operational.

MRP on purchases of freehold land will be charged over 40 years. MRP on expenditure not related to fixed assets but which has been capitalised by regulation or direction will be charged over five years.

No Voluntary Revenue Provision (VRP) is to be charged to the HRA in 2026/27.

11. Local Performance Indicators

The CIPFA Treasury Management Code requires the Council to set local indicators to assess the performance of the treasury function over the year. These are distinct historic indicators, as opposed to the prudential indicators which are predominantly forward looking. Indicators should be considered within set risk parameters. Examples of performance indicators often used for the treasury function are:

- Borrowing – average rate of borrowing for the year compared with the average available
- Borrowing – average rate movement year on year
- Investments – average credit risk score of counterparties with whom interim investments have been placed
- Investments – average days to maturity of investments
- Investments – internal interest returns above the above the SONIA (Sterling Overnight Index Average) 1-day interest rate and the 1-month LIBOR (London Interbank Offered Rate) average rate over the period or equivalent.

Further details will be included in monitoring statements presented to Members and in the quarterly and annual treasury management reports.

12. Conduct of Operations

All treasury management operations will be conducted in accordance with the Council's Treasury Policy Statement, Treasury Management Practice Notices, and associated systems documentation. Monitoring reports will be included in the mid-year and annual treasury management reports.

13. Money Market Brokers

In accordance with the Council's Treasury Management Practice Notices, the majority of investments are made primarily via direct dealing with counterparties.

The external money market brokers to be used are:

- Tradition (UK) Ltd, Beaufort House, 15 St Botolph Street, London EC3A 7QX
- Sterling International Brokers, 1 Churchill Place, Canary Wharf, London. E14 5RD
- Martins Brokers (UK) Ltd, 20th Floor, 1 Churchill Place, Canary Wharf, London E14 5RD
- King and Shaxson Ltd, 6th Floor, 120 Cannon Street, London. EC4N 6AS
- Imperial Treasury Services, 25 St Andrew Street, Hertford. SG14 1HZ

Whilst the treasury management advisors provide support to the internal treasury function, the current market rules and the CIPFA Treasury Management Code confirms that the final decision on treasury management matters rests with the Council. The service provided by the Council's treasury management advisors is subject to regular review.

14. Member and Officer Training and Corporate Governance

In order to ensure that appropriate governance arrangements are in place and followed, along with the increased Member scrutiny of treasury management matters and the need to ensure that officers dealing with treasury management are trained and kept up to date, a suitable training process is required. The Council will address this important issue by:

- Facilitating workshops for Members on finance issues as part of the Member Development Programme
- Identifying officer training needs on treasury management related issues through the Performance Appraisal process
- Officer attendance at training events, seminars, and workshops
- Support from the Council's treasury management advisors

In addition, to ensure corporate governance arrangements are followed the Council's day-to-day treasury activities are reviewed by appropriately qualified senior officers to ensure correct governance procedures are followed and the decisions taken conform to the relevant frameworks and guidance.

Annual and quarterly reports regarding treasury management performance, strategy, and the prudential framework are also prepared for review by Members. The relevant officers also meet regularly with the treasury management advisors to gain their input into the Council's activities.

15. Online Banking

The Council currently takes advantage of the online banking facilities offered by its banking provider. The Council will monitor developments in digital banking and treasury management technology and will take advantage of developments that will support it in its strategy.

Appendix 6a

Treasury Management Policy Statement

1. This Council defines its treasury management activities as “The management of the Council’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
2. This Council regards the successful identification, monitoring, and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the Council.
3. This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.
4. The Council will adopt a flexible approach to any borrowing that it may need to undertake in consultation with its treasury management advisors. All borrowing decisions will consider affordability; maturity profile of existing debt; interest rate and refinancing risk; and source of borrowing
5. All investment decisions made by the Council will seek to ensure that sums invested remain secure and that there is sufficient liquidity of investments to provide the Council with the necessary cash resources to allow the Council to carry out its functions at all times. Only after fulfilling the security and liquidity objectives will the Council seek to achieve the maximum return on these investments.
6. The Council aims to be a responsible investor and will consider environmental, social and governance (ESG) aspects in its treasury management activity. When investing in banks and funds, the Council will prioritise those counterparties that are signatories to the UN Principles for Responsible Banking and funds operated by managers that are signatories to the UN Principles for Responsible Investment, the Net Zero Asset Managers Alliance and/or the UK Stewardship Code. The counterparties meeting this ESG criteria will be prioritised for investing, subject to primary objectives of security and liquidity being achieved. Any significant impact on yield when compared to other investment options, equivalent to £5,000 per annum, will require the prior approval of the Interim Deputy Chief Executive and Section 151 Officer, in conjunction with the Portfolio Holder for Resources and Personnel Policy (or equivalent). All transactions with counterparties meeting the ESG criteria where the yield is lower than the market optimisation will be reported in treasury management update reports to the Portfolio Holder for Resources and Personnel Policy and/or Cabinet.

LIST OF CURRENTLY APPROVED COUNTERPARTIES FOR LENDING

UK BANKS AND INSTITUTIONS	Short term	Long term	Short term	Long term	Short term	Long term	Limit
BANCO SANTANDER GROUP (including Santander UK plc)	F1	A+	P-1	A1	A-1	A	£5m
HSBC GROUP							
- HSBC Bank plc	F1+	AA-	P-1	A1	A-1	A+	£5m
- HSBC UK Bank plc	F1+	AA-	P-1	A1	A-1	A+	
LLOYDS BANKING GROUP							
- Bank of Scotland plc	F1	AA-	P-1	A1	A-1	A+	£5m
- Lloyds Bank	F1	AA-	P-1	A1	A-1	A	
BARCLAYS BANK							
- Barclays Bank plc	F1	A+	P-1	A1	A-1	A+	£5m
- Barclays UK Bank plc)	F1	A+	P-1	A1	A-1	A+	
STANDARD CHARTERED BANK	F1	A+	P-1	A1	A-1	A+	£5m
RBS GROUP							
- Royal Bank of Scotland	F1	A+	(P)P-1	A1	A-1	A+	£5m
- National Westminster Bank	F1	A+	P-1	A1	A-1	A+	£5m
UK BUILDING SOCIETIES							
- Nationwide Building Society	F1	A+	P-1	A1	A-1	A+	£5m
OTHERS							
Debt Management Office (UK sovereign ratings)	F1+u	AA-u		Aa3	A-1+u	AAu	
CCLA							
LOCAL AUTHORITIES							£5m (each)
MONEY MARKET FUNDS (AAA– rated)							£5m (each)
Variable Net Asset Value (VNAV) pooled funds							£5m (each)

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Appendix 7

Investment Strategy 2026/27 – 2028/29**1. Introduction**

The Council may invest its money for three broad purposes, to:

- Invest surplus cash as a result of its day-to-day activities, for example, when income is received in advance of expenditure (known as 'treasury management investments').
- Support local public services by lending to or buying shares in other organisations ('service investments'); and
- Earn investment income (known as 'commercial investments' where this is the main purpose).

This Investment Strategy meets the requirements of statutory guidance issued by central government and focuses on the second and third of these categories.

2. Treasury Management Investments

The Council typically receives its income in cash (such as from taxes, grants and fees) before it pays for its expenditure in cash (such as the payroll or the payment of invoices from suppliers). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government.

The activities outlined, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA). The balance of treasury management investments is anticipated to fluctuate between £10m and £30m during 2026/27.

The contribution that treasury management investments make to the Council's priorities is to support effective treasury management activities. The approach to treasury management investments is set out in the Treasury Investments Strategy that forms part of the Capital Strategy in Appendix 5.

3. Service Investments

Service investments can be in either loans or shares. Further details of the approach adopted by the Council are as follows:

(i) Loans

The Council does not lend money to any subsidiaries, suppliers, local businesses, local charities, housing associations, nor local residents to support local public services or stimulate local economic growth.

The Council does provide 'soft' loans to some employees through its car loan scheme. The balance outstanding on these at 31 March 2025 was £61k and the annual interest received is £2k. Monthly deductions for both principal and interest are made from the salaries of the employees with these loans, and any risk of default is considered minimal.

(ii) Shares

The Council does not invest in the shares of subsidiaries, suppliers, nor businesses to support local public services or stimulate economic growth.

The Council does have a wholly owned trading company, Liberty Leisure Limited (LLL), that was incorporated on 1 October 2016. LLL is a company limited by guarantee and its operations are overseen by a board of directors. Liberty Leisure Limited was established, amongst other things, to:

- Provide leisure and sports services for the benefit of the public
- Ensure sustainability of services by maximising income and seeking all possible avenues of funding for the services
- Promote, maintain, and improve access to suitable services, activities, and facilities
- Improve health and well-being by promoting increased participation to reduce obesity, anti-social behaviour, and the health inequality gap
- Promote jobs and strengthen the local economy.

The Council maintains control over the company through retained decision-making powers and through the scrutiny of Cabinet (and/or equivalent) which reviews the financial and operational performance of the company. The Council pays the company an annual management fee for the provision of the services outlined and this will be £200k in 2026/27.

The Council also owns Bramcote Crematorium jointly with Erewash Borough Council. The operation is overseen by the Bramcote Bereavement Services Joint Committee with the management of all operations undertaken by this Council. The Council charges an administration fee for this arrangement.

Each year a distribution agreed by the Joint Committee is paid to the respective local authorities. This will be £450k to both Broxtowe and Erewash Borough Councils in 2026/27. Any failure by the Crematorium to meet its targets for 2025/26 will be reflected in the distribution for 2026/27.

4. Commercial Investments

Among the most common forms of commercial investments are property and loan commitments/financial guarantees. Further details of the approach adopted by the Council are set out below:

(i) Property

The Council does not presently invest in local, regional, national, or international commercial and residential property with the intention of making a profit that can be spent on the provision of local services. Any decisions to make such investments would be undertaken in accordance with the Capital Strategy set out in Appendix 5.

The purchase by the Council in May 2016 of the long-term lease in respect of an area of Beeston town centre already owned by the Council was for regeneration as opposed to investment purposes.

The development of The Square in Beeston and other land owned by the Council is also considered to be for the regeneration of the area to make it attractive for residents, visitors and businesses and not for single objective generating returns that can help underwrite the cost providing Council services.

The Council had no investment properties on its Balance Sheet at 31 March 2025, and a similar position is anticipated in 2026 and 2027.

(ii) Loan Commitments and Financial Guarantees

Although they are not strictly regarded by many as investments due to no money changing hands until various conditions are met, loan commitments and financial guarantees carry similar risks to investments in property.

The Council has not made any such commitment and presently has no intentions of doing so. Any proposed changes will be reported to members for their consideration.

5. Investment Indicators

A requirement of the investment guidance issued by MHCLG in January 2018 was the need for local authorities to develop quantitative indicators to allow elected Members and the public to assess the total risk exposure resulting from the Council's investment decisions.

If the Council decides to make commercial investments in property designed to generate revenue income and finance this through borrowing, then the following indicators will be calculated and reported to Members on an annual basis:

Indicator	Definition
Debt to Net Service Expenditure (NSE) Ratio	Gross debt as a percentage of net service expenditure (where net service expenditure is a proxy for the size and financial strength of a local authority)
Commercial Income to NSE Ratio	Dependence on non-fees and charges income to deliver core services. Fees and charges should be netted off gross service expenditure to calculate net service expenditure
Investment Cover Ratio	Total net income from property investments compared to the interest expense
Loan to Value Ratio	Amount of debt compared to the total asset value
Target Income Returns	Net revenue income compared to equity. This is a measure of achievement of the portfolio of properties.
Benchmarking of Returns	As a measure against other investments and against other council's property portfolios
Gross and Net Income	Income received from the investment portfolio at a gross level and net level (less costs) over time
Operating Costs	Trend in operating costs of the non-financial investment portfolio over time as the portfolio of non- financial investments expands
Vacancy Levels and Tenancy Exposures for Non-Financial Investments	Monitoring vacancy levels (voids) to ensure the property portfolio is being managed (including marketing and tenant relations) to ensure the portfolio is as productive as possible

These indicators are based on those set out in the government's investment guidance. Should the Council make non-financial investments then suitable target values will be attached to these indicators and progress will be monitored accordingly. Further indicators will be developed, target set, and progress reported, as necessary.

The guidance also sets out a number of indicators the Council should produce to allow elected members and the public to assess the Council's total risk exposure as a result of its investment decisions.

(i) Total Risk Exposure

The first indicator shows the Council's total exposure to potential investment losses. The guidance states that this should include amounts the Council is contractually committed to lend but have yet to be drawn down and guarantees the Council has issued over third-party loans.

The Council has no contractual obligations to lend, and none are included in the below table. The entirety of these loan balances is made up of 'treasury management investments' in that they are made up of usable reserves and income received in advance of expenditure.

Total Investment Exposure	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Investments as at 1 April	21,151	12,000	10,000	10,000
Expected Change in Investments	(9,151)	(2,000)	-	-
Investments as at 31 March	12,000	10,000	10,000	10,000

As can be seen above, it is expected that investment balances will be substantially lower by the end of the current financial year and then levels off into future years. This is due to large capital grant funded regeneration schemes nearing completion and therefore the cash balances held for these schemes being fully applied.

(ii) How investments are funded

Government guidance is that these indicators should include how investments are funded. As stated above, all the Council's investments are considered 'treasury management investments' and are made up of usable reserves and income received in advance of expenditure. The Council does not presently borrow purely to fund investments.

(iii) Rate of return received

This indicator shows the investment income received (less the associated costs), including the cost of borrowing where appropriate, as a proportion of the sum initially invested. It should be noted that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Rate of Return	2024/25 Actual £000	2025/26 Revised £000	2026/27 Forecast £000
Weighted Average Total Investments	21,580	19,185	13,000
Total Interest (less costs)	997	800	450
Rate of Return	4.62%	4.17%	3.46%

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Appendix 8

General Fund – Medium Term Financial Strategy**1. Summary**

This report is aligned with financial reports covering the Council's revenue and capital budgets, prudential framework indicators, the treasury management strategy and the investment strategy. The figures and assumptions within these other financial reports have been applied to produce this Medium-Term Financial Strategy (MTFS). The key changes around proposed savings and additional income identified within the Business Strategy have all been considered.

A key element of the Code of Corporate Governance is the existence of a periodically reviewed MTFS. The proposed strategy for the next four years including the basis of any broad assumptions used to produce the medium-term forecasts is set out below.

It is the view of the Interim Deputy Chief Executive and Section 151 Officer that the estimates for 2026/27 and future years that have been used to produce the budget and MTFS are robust and that, if further initiatives to reduce expenditure or increase income are implemented, there are sufficient retained reserves to meet the Council's needs over the lifetime of the strategy. Members will be aware that some savings or income proposals are still being developed and finalised and may carry some implementation risk which could have an impact on the savings or income profile. As such, it is essential to maintain a rigorous approach to financial management which will enable the Council to continue to set a balanced budget over time without further depletion of reserves.

2. Revised 2025/26 Position and 2026/27 Assumptions

The purpose of the MTFS is to:

- provide indicative financial projections which can be used to inform the Council's decision making and budget setting process.
- provide a document for use by the Council which can assist in the development of policies and planning future initiatives and which integrates with the Council's performance management system and corporate plan priorities.
- enable the Council to have a wider appreciation of its overall financial standing.
- provide a solid basis for the stabilisation of the Council's financial position such that it is not overly dependent upon using reserves to achieve a balanced budget or to restrict Council Tax increases at or below government guidelines.

The MTFS is based on the revised budget assumptions for 2025/26. In 2026/27 there were three areas of major potential risk to estimates which need to be taken account of in future financial years:

- Impact of the economic environment, with inflationary pressures and supply issues resulting in higher prices and an impact on income. It has also seen a slower than anticipated reduction in interest rates.
- Impact of the Fair Funding Review and re-set of the Business Rates Retention Scheme.
- Efficiencies, employee savings and income proposals.

Economic Environment

In view of the current economic climate with inflation impacting on pay awards and fuel and energy prices, and supply chain issues, particularly with construction, suitable allowances have been made in the budgets and medium-term forecasts of cost pressures. These are considered further below.

The financial risks associated with an economic downturn could also impact upon potential impact on income growth, with lower receipts from council tax, business rates, planning fees, car parking and other fees and charges.

Impact of Fair Funding Review and the Business Rates Reset

The outcome of the Fair Funding Review and the impact of the reset of Business Rates and changes to the Business Rates Retention Scheme has been covered elsewhere on this report. This will impact on the Council's abilities to generate growth in future and therefore presents a key financial risk.

Efficiencies and employee savings and income proposals

In order to mitigate the effect of the shortfall of resources, an updated Business Strategy was approved by Cabinet on 4 November 2025. The Business Strategy identified a range of efficiencies and additional sources of income. The refresh of the Business Strategy was undertaken during the budget process, with the aim of identifying sufficient efficiencies and additional income to produce a balanced budget over the lifetime of the strategy. It is essential for the financial health of the Council over the medium term that these efficiencies and additional income are achieved.

It is important to note that if any future proposed employee savings are developed, this will attract potential redundancy and pension strain costs, and that there will be a lead-in time period for the implementation of service reviews and associated employee savings.

2. Financial Projections to 2029/30

The projections for the financial years 2025/26 to 2029/30 are summarised further below. Several assumptions have been made in formulating the projections. The risks and assumptions which have a material impact on the MTFS are described in more detail below.

Assumptions

As with the Council's normal budget-setting process the basic underlying assumption within the MTFS is that current levels of service will be maintained wherever possible. However, any proposed budget changes will be set out in the detailed budget papers to the Cabinet, and have taken due regard of the Council's priorities, the overarching need for cost effectiveness and the expected level of government funding in years to come.

In summary, the assumptions contained in the MTFS are that:

- Council Tax levels will increase by 2.94% in 2026/27 and thereafter will increase at a rate of 2% per annum.
- Estimated income from Business Rates will be broadly in line with the Baseline Funding Level provided in the Provisional Local Government Finance Settlement with only limited growth included in future years.
- Continuation of Revenue Support Grant (in line with the Fair Funding Assessment), Income Protection Floor Grant and Recovery Grant allocations into the medium-term.
- Removal of the New Homes Bonus scheme.
- A pay award of 3% is included for all employees in 2026/27, which falls back to an assumed 2% for 2027/28 onwards.
- An allowance for price inflation relating to the cost of fuel and energy is included in the base budget for 2025/26 and further allocations have been added at up to 3% for 2026/27 and beyond.
- Efficiency schemes and income set out in the Business Strategy will be realised during 2026/27.
- Further ongoing efficiencies need to be realised in each subsequent year.

Reserves

The Council has been undertaking a planned use of reserves when setting the budget. However, when expenditure levels are finalised the actual use of reserves has often been less than anticipated.

The latest projected level of General Fund reserves (excluding earmarked reserves) at 31 March 2026 is £4.215m. The Chartered Institute of Public Finance and Accountancy (CIPFA) has published guidance on factors to be taken into account when assessing the adequacy of reserves. Such factors include:

- pressures arising from inflation and movements in interest rates
- estimates of the level and timing of capital receipts
- potential demand led pressures
- any planned efficiency savings/productivity gains
- financial risks arising from any major partnership arrangements
- availability of other funds to deal with major contingencies and the adequacy of provisions.

After taking into account this advice and reviewing the various factors as they relate to the Council, the advice from the Interim Deputy Chief Executive and Section 151 Officer is that General Fund reserves of at least £1.5m should be maintained at the present time. This reflects the continued risk and uncertainty that the Council now faces with the transition from direct Government funding to locally raised sources of finance. If all the assumptions as set out in this MTFS arise, and no further action is taken with regards to Business Strategy proposals, then overall reserve levels will reduce to just £300k by the end of 2028/29 and the fall into a negative position during 2029/30 and beyond. An anticipated budget underspend in the current financial year will directly improve this position.

General Fund Financial Projections 2025/26 to 2029/30

	Revised Estimate 2025/26 £'000	Base Budget 2026/27 £'000	Estimate 2027/28 £'000	Estimate 2028/29 £'000	Estimate 2029/30 £'000
BASE BUDGET (NET EXPENDITURE)	15,609	16,102	16,102	16,718	17,399
CHANGES TO BASE					
Revenue Developments (One-off changes within prior year not required going forward)	Included	Included	-	200	-
Inflation – Pay Award/Other Pay Factors	Included	Included	321	327	334
Inflation – Energy/Fuel Prices	Included	Included	23	21	21
Inflation – Prices Other	Included	Included	79	92	94
Increased Fees and Charges	Included	Included	(73)	(75)	(76)
Capital Borrowing Costs – MRP and Interest	Included	Included	266	55	165
BUDGET REQUIREMENT BEFORE SPECIAL EXPENSES	15,609	16,102	16,718	17,339	17,877
Beeston Special Expenses	26	26	26	26	26
BUDGET REQUIREMENT	15,635	16,128	16,744	17,365	17,903
FINANCED BY:					
Council Tax Precept	6,862	7,190	7,407	7,631	7,861
CT Share of Collection Fund Surplus/(Deficit)	(50)	28	-	-	-
NNDR Business Rates (BFL)	4,610	2,995	3,063	3,125	3,188
NNDR Share of Collection Fund Deficit	(55)	(387)	-	-	-
NNDR Section 31 Grants	2,754	Included	Included	Included	Included
NNDR Growth Levy/Safety Net	(1,491)	-	(5)	(5)	(5)
NNDR Growth/ Funding from Pool	850	-	55	55	55
Gov. Grants (Revenue Support Grant)	167	4,791	4,111	3,400	3,400
Gov. Grants (Income Protection Floor Grant)	8	230	554	907	907
Gov. Grants (Recovery Grants)	55	55	55	55	55
Gov. Grants (New Homes Bonus)	360	-	-	-	-
Beeston Special Expenses	26	26	26	26	26
TOTAL RESOURCES	14,097	15,203	15,266	15,194	15,487
DEFICIT/(SURPLUS) TO BE MET BEFORE MOVEMENT IN RESERVES	1,538	925	1,478	2,171	2,417
MOVEMENT IN RESERVES					
Movement into Earmarked Reserves	-	-	50	50	-
Movement from Earmarked Reserves	(196)	(165)	(282)	(313)	(137)
PLANNED (SURPLUS)/DEFICIT AFTER MOVEMENT IN RESERVES TO BE FUNDED FROM GENERAL FUND BALANCE	1,342	760	1,246	1,908	2,280

FORECAST BALANCES - 31 MARCH

General Fund Opening Balances

In-year Net Movement in Reserves

General Fund Closing Balances**BALANCE OF RESERVES**

Minimum Balance

Available Reserves

Earmarked Reserves Opening Balance

In-year Net Movement in Reserves

Earmarked Reserves Closing Balance

Revised Estimate 2025/26 £'000	Base Budget 2026/27 £'000	Estimate 2027/28 £'000	Estimate 2028/29 £'000	Estimate 2029/30 £'000
5,557	4,215	3,455	2,209	300
(1,342)	(760)	(1,246)	(1,908)	(2,280)
4,215	3,455	2,209	300	(1,979)
1,500	1,500	1,500	1,500	1,500
2,715	1,955	709	(1,200)	(3,479)
3,047	2,851	2,411	2,179	1,916
(196)	(440)	(232)	(263)	(137)
2,851	2,411	2,179	1,916	1,779

COUNCIL TAX BASE**BASIC COUNCIL TAX****CHANGE ON PREVIOUS YEAR**

35,568	36,201	36,563	36,929	37,298
£192.93	£198.61	£202.58	£206.63	£210.77
2.94%	2.94%	2.0%	2.0%	2.0%

Risk Assessment – Revenue Budget 2026/271. Employee Expenses – Assessment: Medium Risk

The pay budget is a significant area of spend for the Council and includes salaries and employer contributions for National Insurance and Pensions. The Council operates within an approved establishment, and the respective budget headings are based upon this establishment. Provision has been included within the budget figures based on an anticipated pay award of 3% in 2026/27, with a 2% pay award assumed thereafter.

There is a risk that any future uplifts in the rate of employer's National Insurance Contributions will not be fully compensated by the government.

A suitable provision has been made for pension contributions. The actuarial valuation of the Pension Fund at March 2025, set out fixed increases in employer's pension contribution rates for 2026/27 to 2028/29. The Pension Fund continues to perform well, with the Broxtowe element now fully funded at 105%. The employer's primary contributions has reduced from 19.0% to 16.8% of salary per annum. Also, with the Broxtowe element being fully funded, there is no back-funding element so secondary contributions are not included in the forecasts. This may change again at the next actuarial valuation in March 2028 which will identify the employer's pension contributions required from 2029/30.

Provision has been made within base budgets for the approved establishment after taking account of any market supplements applied where there are recruitment challenges for specific roles. Pay budgets have been increased appropriately to take account of the outcome of job evaluation reviews.

Progress towards employee savings targets are dependent on turnover and any requests for voluntary redundancy, flexible retirement and changes to working hours coming forward from employees and/or from posts being deleted as a result of changes to services based on a robust business case. First year costs from redundancy payments or pension strain may limit the benefit in year one from these sources. Moreover, the extent to which establishment reductions can be accommodated without significant impact on services reduces across the duration of this MTFS. General Management Team (GMT) will regularly monitor the situation and Cabinet will also be kept regularly informed of progress.

2. Capital Financing – Assessment: Medium Risk

Borrowing costs on the Council's current debt are largely known in advance since long-term borrowing is generally at fixed rates. For 2026/27, new prudential borrowing of £3.0m is proposed to help fund the General Fund capital programme. The Council will seek low-cost borrowing from other sources including the Public Works Loan Board (PWLb) and/or other local authorities. However, financing of capital schemes will also be dependent upon the availability of capital receipts and capital grants.

Should anticipated capital receipts not materialise, the Council will need to fund its infrastructure, including any new construction projects, fleet vehicles, maintenance and development of ICT systems and key assets, from other resources. This may have a significant impact on the viability of the MTFS.

There is also another potential risk linked to the impact of interest rates not reducing as much as originally expected.

3. Reserves – Assessment: Medium Risk

Based upon the proposals, the overall level of available General Fund reserves as at 31 March 2027 (excluding Earmarked Reserves) is estimated at £3.454m. There is no historical evidence of overspending against service budgets.

Professional advice from CIPFA indicates that reserves should be held for three main purposes, being as a:

- A working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing, which forms part of general reserves;
- A contingency to cushion the impact of unexpected events or emergencies, which also forms part of general reserves; and
- A means of building up funds to meet known or predicted liabilities, which is referred to as earmarked reserves.

Earlier guidance from the former Audit Commission indicated that, as part of the comprehensive performance assessment, it would expect to see general reserves at least equal to 5% of a Council's net operating expenditure in a 'good' council. For Broxtowe this would equate to £800k. The Interim, Deputy Chief Executive and Section 151 Officer advises that for district councils, which have relatively high levels of income compared to other classes of authority, the reference to net operating expenditure is not appropriate since any 'target' should reflect the risk to income and expenditure levels separately. In the light of this risk assessment and the MTFS as proposed, the Interim Deputy Chief Executive and Section 151 Officer advises that, in his opinion, general reserves should remain at or above £1.5m.

Whilst this does not pose an immediate problem, the MTFS highlights pressures on reserve levels in future years as the public sector may face spending reductions through the next government spending review. Careful monitoring of the situation, advance planning and responding quickly to changes will be of particular importance moving forward.

Members should also be aware that the level of reserves held also reflects on the investment interest received. Each £500k change in reserves has the effect of increasing or decreasing net expenditure by around £15k per annum.

4. Central Government Funding – Assessment: High Risk

The outcome of the Fair Funding Review, as part of the Provisional Local Government Finance Settlement, has provided some clarity in terms of the ongoing funding available to support the Council and its residents and businesses.

There does remain some uncertainties though, particularly associated with the availability of future government support towards the cost of implementing food waste collections through New Burdens funding.

The re-set of the Business Rates Retention Scheme has highlighted risks and vulnerability that local authorities face for reasons which are outside of their control. Increased understanding of the operation of the new Business Rates arrangements and the use of local data to monitor expected income during the year may reduce, the risks but this remains significant.

Delays experienced in dealing with rates appeals from businesses by the Valuation Office remains a source of uncertainty. Whilst the Council has a list of outstanding appeals it is a challenge to come up with a meaningful estimate as to the level of rate reductions that may arise from such appeals and therefore predictions as to rates yield are subject to significant change.

5. Fees and Charges – Assessment: Medium Risk

Over 10% of the Council's income arises from fees and charges, of which the largest are planning fees, car parking, garden waste, trade waste, licensing and commercial rents. Take up for garden waste collection has exceeded original expectations although growth in subscriptions has slowed.

The establishment of Liberty Leisure Limited in October 2016 was designed to implement a new delivery model for leisure services. The aim was to create stronger ownership of the function with an increased focus on business management. The Leisure Client Officer within the Deputy Chief Executive's Department provides a client-side focus for managing the Council's relationship with the company and exploring commercial opportunities.

Further challenges exist as the facilities through which leisure service operates are reaching the end-of-life stage and are placing increasing pressures on capital budgets. The Council is reviewing its Leisure Facilities Strategy, in order develop a way forward for leisure services provision across Broxtowe.

Most of the other service areas are customer led and close monitoring of these budgets has taken place for several years. Given the economic impact, several fees and charges across various services have been increased although projections assume similar demand levels across the period.

6. Insurance – Assessment: Low Risk

The Council's insurance cover is generally provided through external insurers with varying excess levels, depending upon the nature of any claim. The insurance policies were retendered with new contracts awarded from April 2024 for a period of up to seven years. The Council was prudent in increasing its budgets to anticipate any potential uplift in premiums.

Premiums is only one element of the overall cost of insurance with a significant part also relating to the claims excesses which the Council directly meets itself. Budget performance in terms of the nature and value of any successful claims against the Council is also of direct relevance. The Strategic Risk Management Group meets regularly to appraise and monitor strategic issues, some of which can have direct influence on insurance cover and the levels of claims received. No adverse trends have become apparent in the past financial year.

7. Other Running Expenses – Assessment: Medium Risk

Almost a quarter of the Council's gross expenditure is in this area, which includes fuel and energy, repairs and maintenance, vehicle operating costs, purchase of supplies and services, printing, postages and ICT. These cost areas are tightly controlled and where possible central contracts are put in place.

Limited inflation provision was made in earlier years, but this changed from 2022/23 with additional risks relating to high inflationary pressures for energy and fuel, materials and supply costs relating to construction costs which may continue into 2026/27.

As regards to other running costs, although there are clearly cost pressures, it is anticipated that costs can be contained within overall available budgets given the general rules about virement.

8. Housing Benefits – Assessment: Low Risk

Housing Benefit expenditure accounts for around 40% of the Council's gross expenditure. Spending is demand led and the housing benefit aspects are mainly governed by national benefit schemes.

The 2025/26 Housing Benefit budgets have been prepared assuming a reduction to claimant compared to those for the current year, due to the continued rollout of the Universal Credit migration. Given that effectively the value of housing benefit payments is almost 100% reimbursed through government grant, the overall effect of any changes in caseload is felt not to be significant at this stage.

9. Investment Income – Assessment: Low Risk

Investment levels have remained healthy in 2025/26 due to good cash flow management and significant grants and capital funding being received in advance of application. Wherever reasonable to do so investment levels have been reduced rather than taking out any new borrowing to meet capital financing requirements.

The position regarding interest rates has been reflected in the base budget for 2026/27 and is anticipated to remain relatively stable in future years.

Report of the Portfolio Holder for Resources and Personnel Policy

Capital Programme 2025/26 – Capital Budget Variations

1. Purpose of Report

To approve a series of budget revisions to the Capital Programme for 2025/26, in accordance with all the Council's priorities.

2. Recommendation

Cabinet is asked to RESOLVE that the capital budget variations for 2025/26, as set out, be approved.

3. Detail

The Capital Programme for 2025/26 to 2027/28 was approved by Council on 5 March 2025 following recommended by Cabinet on 4 February 2025. The total value of the original Capital Programme for 2025/26 was £34.966m (£32.484m excluding 'reserve items').

Several capital schemes require amendments to the budgets to more accurately reflect 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 be adjusted accordingly to match spends.

These schemes include elements of the Housing Delivery Programme, an element of Economic Regeneration Projects relating to the UK Shared Prosperity Fund and other General Fund capital schemes. These are set out in the **Appendix** which includes the proposed amendments to the current Capital Programme together with likely financing that 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 is not considered 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 Interim Deputy Chief Executive and Section 151 Officer 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:

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

8. Human Resources Implications

There were no comments from the Human Resources Manager.

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 2025/26 – Proposed Capital Budget Changes**1. Housing Delivery Programme**

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

The rate of progress for the new build scheme at Coventry Lane West ('Land at Bramcote Crematorium') has been far quicker than anticipated, such that some social housing units are now expected to be passed to the Council in January with new tenants moving in shortly afterwards.

Whilst the overall cost of the scheme remains as approved at £9.638m, it will be necessary to bring forward some of the budget profiled in future years to cover the accelerated rate of payments being made in 2025/26. The final completion of the scheme is now anticipated for 2027/28. This scheme is being financed by a mix of Section 106 contributions and prudential borrowing.

Also, the capital budget for 'New Build Housing Feasibility Costs' has risen due to accumulated budget underspends being brought forward from earlier years. This has seen the budget increase from £250,000 to £350,000 in 2025/26. It is proposed to reduce this back to the original budget. This cost is met from prudential borrowing.

Housing Delivery Programme Schemes	Approved Budget 2025/26 £	Budget Brought Forward £	Total Budget 2025/26 £	Revised Budget 2025/26 £
New Build - Land at Bramcote Crematorium	1,000,000	1,072,700	2,02,700	4,030,000
New Build - Housing Feasibility Costs	250,000	100,000	350,000	250,000

2. Economic Regeneration – UK Shared Prosperity Fund

The Government determined that from 2025/26 onwards, the UK Shared Prosperity Fund (UKSPF) would be devolved to the Mayoral Combined Authorities, such as the East Midlands Combined County Authority (EMCCA). As reported to Cabinet on 11 March 2025, the Council's UKSPF funding allocation in 2025/26 amounts to £1.057m with revenue, capital and capacity funding (a 4% maximum allocation for administrative purposes). A capital budget of £462,950 is recognised in the Capital Programme.

An assumed capital budget underspend of £300,750 from 2024/25 was brought forward. However, it has since been identified that this element of grant had already been utilised in the previous financial year, under revenue as part of the flexibilities allowed with this grant funding stream. As such, this budget is no longer available, with the associated grant having already been defrayed. It is therefore proposed to correct this by removing the brought forward element from the Capital Programme. The UKPSF schemes are fully grant funded so the net impact on the Council's budget is nil.

UKSPF Schemes	Approved Budget 2025/26 £	Budget Brought Forward £	Total Budget 2025/26 £	Revised Budget 2025/26 £
UK Shared Prosperity Fund (Capital Only)	462,950	300,750	763,700	462,950

3. Replacement Bramcote Leisure Centre – Planning Approval and RIBA Stage 4

Cabinet, at its meeting on 29 July 2025 approved a supplementary capital estimate of £135,000 for a variation in the new replacement Bramcote Leisure Centre scheme and the associated additional design fees relating to increased pool depth and adding a spectator viewing gallery. The original £800,000 capital budget for the RIBA Stage 4 design and planning approval was therefore uplifted to £935,000 to include these additional design costs.

As the scheme continues to progress through planning and delivery, it is prudent to retain the services of ReCreation for development management. The monthly cost is £7,500 and will be required, firstly from November 2025 to January 2026, to cover the planning application stage, and then onwards in the run up to the start of the main build project. It is proposed to add £45,000 to the overall budget for these development management fees, which will be funded by General Fund capital receipts.

Once the design and planning for the new Bramcote Leisure Centre has been completed, a further report will be brought to Cabinet to identify the necessary capital funding arrangements before proceeding to the construction stage.

Leisure and Health	Approved Budget 2025/26 £	Budget Brought Forward £	Total Budget 2025/26 £	Revised Budget 2025/26 £
Replacement Bramcote Leisure Centre RIBA Stage 4	135,000	130,900	265,900	310,900

4. Surveillance Camera Upgrade/Wireless Network

The original scheme for CCTV surveillance camera rationalisation, upgrade and wireless network relocation was approved by the Finance and Resources Committee on 10 February 2022. This followed recommendations from a review of the Council's surveillance equipment by the Community Safety Committee to rationalise surveillance equipment to maintain cost efficiencies and effectiveness by introducing better technologies to increase resilience.

Since then, the Council was awarded £95,750 from the Safer Streets Fund in 2023/24 to support measures proven to prevent neighbourhood crime. As part of this programme, the Surveillance team has upgraded existing surveillance cameras, installed help points, and provided bodycams to help create a safer Borough for residents. There is still residual unapplied grant funding available for this scheme, and it has been requested to allocate further funds in 2025/26 to provide for further spending on surveillance. This capital cost of £19,500 will therefore be funded from external grant.

Community Safety Capital Programme	Approved Budget 2025/26 £	Revised Budget 2025/26 £
Surveillance Camera Upgrade Network	-	19,500

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Report of the Portfolio Holder for Resources and Personnel Policy

Pay Policy 2026/27

1. Purpose of Report

To seek approval for the 2026/27 Pay Policy ahead of Full Council

2. Recommendation

Cabinet is asked to consider the Pay Policy Statement 2026/27 and RECOMMEND to full Council for approval.

3. Detail

The Pay Policy Statement for 2026/27 sets out, among other items, the Council's policies relating to the remuneration of its senior officers (those at Head of Service level and above), the remuneration of its lowest paid employees and the relationship between the remuneration of its senior officers and the remuneration of its employees who are not senior officers.

The Pay Policy Statement must be approved by a resolution of the full Council before 31 March immediately before the financial year to which it relates. The Pay Policy Statement may be amended by resolution during the year and must be published on the Council's website as soon as possible after approval. Publishing the Pay Policy Statement also meets requirements under the Code of Recommended Practice for Local Authorities on Data Transparency.

The Pay Policy 2026/27 can be seen in **Appendix 1** of this report.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

The details in this report, including the current pay grades with an allowance for the anticipated 2026/27 pay award, have been reflected in the budget proposals report considered elsewhere on this agenda.

5. Legal Implications

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

The Localism Act 2011, Chapter 8 Pay Accountability, made it a legal requirement for authorities to produce and publish a Pay Policy Statement by the 31 March each year. This must be agreed by the Council and detail the remuneration of its Chief Officers. It is a legal requirement for the Council to publish a Pay Policy

Statement each year which has been agreed by Council. Failure to provide this information could result in the Council being subject to court orders and fines.

6. Human Resources Implications

Not applicable.

7. Union Comments

Not applicable.

8. Climate Change Implications

The climate change implications are contained within the 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.

10. Equality Impact Assessment

As this is a change to policy an equality impact assessment is included as **Appendix 2** in this report.

11. Background Papers

Nil.



Broxtowe
Borough
COUNCIL

Appendix 1

Pay Policy

2026/27

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PAY POLICY 2026/27

1. Introduction

The Council is required to publish a Pay Policy Statement by 31 March each year in accordance with Section 38 of the Localism Act 2011. The purpose of this Statement is to set out the Council's guiding principles of its current reward system and increase accountability in relation to the total remuneration of its Chief Officers, Assistant Directors and Head of Service posts by enabling public scrutiny of that remuneration.

2. Main Principles

This Policy statement confirms the Council's on-going commitment to operate transparent pay systems, whilst recognising that its reward system must be affordable and at the same time support the requirement to provide excellent customer service in accordance with its corporate objectives.

The importance of managing pay fairly will mean that the Council will be able to:

- Attract, motivate and retain appropriately talented people who make a positive contribution to improve the Council's performance and meet future challenges;
- Reflect the market for comparable jobs, with skills and competencies required to meet agreed delivery and performance outcomes;
- Appropriately reward and value employees for their work;
- Operate within the provisions of Chief Officers' pay and conditions as set out in the Joint Negotiating Committee for Chief Executives and Chief Officers of Local Authorities;
- Operate within the provisions of the national agreement on pay and conditions of service as set out in the National Joint Council for Local Government Services.

3. Scope of the Policy

Whilst this Policy specifically covers those employees defined as a Chief Officer within the Local Government and Housing Act 1989, it also makes reference to other levels of employees within the organisation.

The term 'Chief Officer' and 'Deputy Chief Officer' referred to in this Policy (and for the purposes of this Pay Policy statement only) includes:

- a. the Head of Paid service designated under Section 4 (1) of the Local Government and Housing Act 1989 (the Chief Executive);
- b. the Monitoring Officer designated under Section 5 (1) of that Act.
- c. a statutory Chief Officer mentioned in Section 2 (6) (d) of that Act (Section 151 Officer also Deputy Chief Executive);

- d. a non-statutory Chief Officer mentioned in Section 2 (7) of that Act (one Director by virtue of reporting directly to the head of paid service);
- e. a Deputy Chief Officer mentioned in Section 2 (8) of that Act (all Assistant Directors and Heads of Service)

The Council has decided for completeness and transparency to publish information which includes all posts at Assistant Director / Heads of Service (Deputy Chief Officer level). These roles are identified in the Chief Officers, Assistant Director and Head of Service Remuneration Table at appendix 3.

4. Evaluation of Roles at Broxtowe Borough Council

In accordance with the national requirement for all local authorities to review their pay and grading frameworks to ensure fair and consistent practice, all job roles within the Council's structure up to but not including Head of Service level were taken through a comprehensive job evaluation process using the Greater London Provincial Council (GLPC) scheme with implementation of changes to pay and grading taking place on 1 March 2011.

The Council's pay framework for its Chief Executive, Chief Officers, Assistant Directors and Heads of Service was also considered and revised with changes implemented on 1 March 2011, with the grade for each role being determined by a consistent job evaluation process using the Hay scheme.

In January 2022 the Council undertook a review of all posts evaluated under the GLPC scheme. The review started by evaluating posts where recruitment or retention was difficult. Following this all remaining jobs at the Council under the GLPC scheme were reviewed. This review concluded in August 2024 with over 450 posts being evaluated. All roles at the Council continue to be reviewed and evaluated to ensure that pay rates are equitable and non-discriminatory.

5. Broxtowe Local Pay Scale for Chief Officers, Assistant Directors and Heads of Service

The Broxtowe Local Pay Scale for Chief Officers, Assistant Directors and Heads of Service contains six pay grades. The scale is increased in line with the annual national Joint Negotiating Committee pay award for Chief Executives and Chief Officers.

6. Broxtowe Local Pay Scale for all Posts below Head of Service Level

The Council also adopted a local pay scale (BLPS) for all posts below Head of Service level and this is shown, together with the relevant job evaluation points score for each grade, at Appendix 2. Whilst the Council has adopted a local pay scale for this group of employees, it continues to recognise the National Joint Council annual pay award for the Broxtowe Local Pay Scale Appendix 2 and Scale of Local Allowances Appendix 2a. The Council will apply the agreed National Joint Council annual pay award for 2026/27 with effect from 1 April 2026 once it is known.

7. Terms and Conditions of Employment for Chief Officers, Assistant Directors and Heads of Service

The terms and conditions of employment for Chief Officers, Assistant Directors and Heads of Service are subject to collective agreements negotiated with the trade unions recognised by the Council. Agreements reached nationally are set out in the Scheme of Conditions of Service of the Joint Negotiating Committee for Chief Officers. In addition, the Council makes local agreements which are included within the Conditions of Service for Broxtowe employees.

i) Working Hours

Working arrangements for Chief Officers, Assistant Directors and Heads of Service are nominally one of 37 hours (for full time positions), however the seniority and nature of the posts will necessitate the working of additional hours for which there is no additional payment. The grading of the post takes account of the requirement to work outside of the normal working week.

ii) Whole-Time Service

Chief Officers, Assistant Directors and Heads of Service are required to devote their whole-time service to the work of the Council and should not engage in any other business or take up any other additional appointment without the express consent of the Council.

iii) Allowances

Chief Officers, Assistant Directors and Heads of Service are entitled to the reimbursement of one professional fee and one legal practising certificate (if appropriate). All Chief Officer, Assistant Director and Head of Service posts hold designated car user status.

iv) Leave Entitlement

Annual leave entitlement for Chief Officers, Assistant Directors and Heads of Service is 33 days increasing to 35 after 5 years' local government service and 37 days after 10 years Broxtowe Borough Council service, plus 8 statutory days.

v) Sickness Entitlement

Sickness entitlement for Chief Officers, Assistant Directors and Head of Services is in accordance with the provisions of the local government sickness scheme.

vi) Pension

All Chief Officers, Assistant Directors and Heads of Service are entitled to participate in the Local Government Pension Scheme.

8. Performance Related Pay/Bonus Scheme

Broxtowe Borough Council does not operate a performance related pay or bonus scheme for Chief Officers, Assistant Directors and Heads of Service.

Exceptional effort from employees can be rewarded by accelerating increments within the grade band they occupy. The costs of accelerated increments have to be met from existing budgets.

9. Honoraria and Ex-Gratia Payments

The Council operates an Honoraria and Acting Up Payments Policy, the application of which for Chief Officers requires prior Cabinet approval. Cabinet approval for Heads of Services and Assistant Directors will also be required if not within the Head of Paid Services' delegated financial limits.

10. Expenses

In accordance with nationally agreed terms, the Council pays reasonable out-of-pocket expenses actually incurred.

11. Market Related Pay

The grading structures that were introduced for all employees in 2011 were aimed at meeting the current and/or market position for most jobs. The Council introduced a Market Supplement Policy on 29 June 2021. The Market Supplement Policy allows the Council flexibility in meeting the current market value for different job roles, ensuring any issues with the retention or recruitment of employees are minimised.

12. Recruitment of Chief Officers

In accordance with Chapter 2 Part 8 – 17 – Committee Arrangements within the Council's Constitution, the Senior Officer Employment Committee will shortlist and interview candidates for the post of Head of Paid Service and Chief Officers including the Monitoring Officer, Section 151 Officer and any other Chief Officer and to recommend to full Council the appointment of the Head of Paid Service, the Monitoring Officer, Section 151 Officer and other Chief Officer.

13. Remuneration of Officers on Recruitment

Recruitment to the Council will normally be to the first point of the relevant scale designated to the Officer post or will reflect a level commensurate with a candidate's existing skills and experience in the job. This practice applies to all new employees at the Council.

14. Levels and Elements of Remuneration for each Chief Officer, Assistant Director and Head of Service

The table at Appendix 3 provides a breakdown of the elements of remuneration for each Chief Officer, Assistant Director and Head of Service at the Council.

15. Chief Officers, Assistant Directors and Heads of Service Leaving Service

i) Redundancy payments:

The Council's Redundancy and Re-organisation Policy applies equally to all employees across the organisation, including Chief Officers. The Council's Policy operates in accordance with section 220 of the Employment Rights Act 1996. A week's pay is therefore calculated in accordance with the statutory maximum redundancy amount. Approval for any Chief Officer post under the Redundancy Policy must be given by Cabinet.

In a report approved by Cabinet on 23 September 2014, a temporary enhancement of the Council's Voluntary Redundancy (VR) Scheme was again extended for the period 1 October 2014 and 30 September 2015 and further extended to March 2016. A report to Committee in May 2016 confirmed these arrangements would remain in place until changes in governing exit packages has been agreed. In February 2021 HMRC announced the regulations regarding exit payments would be revoked. If the cap on exit payments is reinstated, the enhanced VR Scheme will be reviewed.

The temporary enhancement allows for successful VR applications to be based on actual week's pay rather than statutory entitlement at all levels of employee up to and including Chief Executive. However, the payback of any pension strain and redundancy costs must be covered by savings within three years. The enhancement is aimed at providing employees with greater flexibility and give the Council the opportunity to restructure the workforce around the VR application providing additional opportunities for career development.

ii) Severance Payments – Regulation 6 of the Local Government (Early Termination of Employment/Discretionary Compensation) (England and Wales) Regulations 2006.

The Council may apply discretion on the use of severance payments for employees leaving the Council where criteria such as ill-health retirement or early retirement cannot be met, for example termination on the grounds of efficiency, or where employees have long service and there is a financial and organisational benefit to the Council. Posts at Chief Officer level would need to be determined by the Senior Officers Employment Committee whilst posts at Head of Service and Assistant Director level will be determined by Cabinet.

iii) Flexible Retirement (Regulation 18, of The Local Government Pension Scheme) (Benefits, Membership and Contributions) Regulations 2007

The Council operates a flexible retirement scheme which is available for all employees to apply for, including Chief Officers, subject to the appropriate criteria being met. Under this Policy Cabinet is required to provide approval for posts at Chief Officer level.

iv) Early Retirement – Members of the Local Government Pension Scheme

Employees, including Chief Officers, may apply to the Council for consideration of early retirement if they are over the age of 55. Any pension and lump sum which may be payable has to be reduced by percentages decided by an actuary.

If, in the Council's opinion, there are grounds of compassion which are fair and justifiable. Any request by an employee (at any level) for the discretion to be exercised must clearly establish real and ongoing reasons to substantiate why the discretion should be allowed. The cost of approval must be given proper weight and all applications would be considered by Cabinet.

v) Augmentation of Scheme Membership on Termination of Employment (Regulation 12, of The Local Government Pension Scheme) (Benefits, Membership and Contributions) Regulations 2007

Applications from Officers at all levels (including Chief Officers) will only be considered under this discretion in circumstances that are exceptional or specifically determined by Cabinet.

16. Additional Payments Made to Chief Officers, Assistant Directors and Heads of Service – Election Duties

The Chief Executive is nominated as the Returning Officer. In accordance with the national agreement, the Chief Executive is entitled to receive and retain the personal fees arising from performing the duties of Returning Officer, Acting Returning Officer, Deputy Returning Officer or Deputy Acting Returning Officer and similar positions which he or she performs subject to the payment of pension contributions thereon, where appropriate.

The role of Deputy Returning Officer will be assigned to the required Officers working on the election. Deputy Returning Officers will receive payment in accordance with Appendix 4.

Payments to the Returning Officer are governed as follows:

- for national elections, fees are prescribed by legislation;
- for local elections, fees are determined within a local framework used by other district councils within the county. This framework is applied consistently and is reviewed periodically by lead Electoral Services Officers within Nottinghamshire.

As these fees are related to performance and delivery of specific elections duties, they are distinct from the process for the determination of pay for Chief Officers, Assistant Directors and Heads of Service.

17. Payments made in connection with Electoral Services Functions

Fees for all employees employed in connection with the Electoral Services function are reviewed and approved by Cabinet or full Council as and when appropriate. The proposed employee fees for electoral services is shown in Appendix 4.

In line with employment legislation all employees who work on an election and are paid via an hourly rate, will receive holiday pay. This holiday pay is 12.07% of the worker's earnings. This calculation is standard for all irregular hours' employees in the UK.

18. Publication of and Access to Information Relating to Remuneration of Chief Officers, Assistant Directors and Heads of Service

The Council publishes information relating to the remuneration of its Chief Officers, Assistant Directors and Heads of Service on its website and which it updates annually. The Council also publishes each year within its annual Statement of Accounts, the salary and fees of all Chief Officers, Assistant Directors and Heads of Service whose earnings exceed £50,000.

19. Definition of Lowest Paid Employee

In April 2020 grade 2 and grade 3 were reduced to one spinal point within the grade. This provided balance to both grades 2 and 3. The lowest evaluated score in accordance with the GLPC job evaluation scheme remains the post of cleaner with 202 points and this falls within grade 2 of the Broxtowe Local Pay Scale.

On 31 March 2026 the salary difference between the lowest paid employee and the highest paid employee will be £105,468.

20. Ratio of Pay

The ratio of the pay of the Council's top earner (Chief Executive) to that of its median earner is currently 3.81:1. This calculation of the pay multiple is based on base salary as at 1 January 2026.

21. Relationship Between Remuneration of Chief Officers, Assistant Directors and Heads of Service compared with all other employees

The Council implemented Single Status for all employees of the Council on 1 March 2011 following Cabinet approval of a new pay and grading structure for Chief Officers, Assistant Directors and Heads of Service on 10 March 2009 and all other employees on 29 June 2010.

The continuing evaluation of posts at all levels demonstrates non-discriminatory pay practices and that the Council pays equally for work of equal value.

22. Gender Pay Gap

The production of Gender Pay Gap information has been a mandatory requirement since April 2017. The gender pay gap is calculated as the average difference between male and female earnings as a percentage of male earnings.

Note: The mean is an average. It is the grand total divided by the number of data points. The median is the middle value in a sample sorted into ascending order. If the sample contains an even number of values, the median is defined as the mean of the middle two.

The Gender Pay Gap for 2024/2025 as published on GOV.UK and the Council's website by hourly rate is as follows:

All Employees

Mean male hourly rate 17.2253
Mean female hourly rate 16.6613

Gender Pay Gap 3.33%

All Employees

Median male hourly rate 15.5109
Median female hourly rate 14.4919

Gender Pay Gap 6.57%

Full Time Employees

Mean male hourly rate 17.5184
Mean female hourly rate 17.9892

Gender Pay Gap -2.69%

Full Time All Employees

Median male hourly rate 15.5109
Median female hourly rate 15.7763

Gender Pay Gap -1.71%

Part Time Employees

Mean male hourly rate 14.1079
Mean female hourly rate 14.7357

Gender Pay Gap -4.45%

Part Time All Employees

Median male hourly rate 13.0427
Median female hourly rate 14.2239

Gender Pay Gap -9.06%

23. Real Living Wage

The Real Living Wage provides an hourly rate of pay based on the cost of living for employers inside and outside of London. This Real Living Wage can be paid voluntarily by organisations to show their commitment to meeting the 'real living wage' as it is referred to by the Living Wage Foundation.

The Real Living Wage for 2025/26 was £12.60 for employers outside of London and £13.85 for employers in London. The Broxtowe Local Pay Scales for 2025/26 show that Broxtowe Borough Council paid above the Real Living Wage as the lowest hourly rate in 2025/26 was £12.85. The Real Living Wage for 2026/27 was announced in November 2025 as £13.45 for employees outside of London and £14.80 for employers in London. The pay award for Local Government has not yet been announced for 2026/27. A pay award of 4.66%, or a fixed amount above £1,921, for 2026/27 would result in the Council continuing to pay above the Real Living Wage.

24. Pension Discretions Policy

The Local Government Pension Scheme (LGPS) regulations require employers who participate in the LGPS to draw up and publish a discretions Policy. This Policy should then be kept under review by the Council. Discretions are powers that enable employers to choose how to apply the scheme in respect of certain provisions. The Pension Discretions Policy is the Council's Policy statement detailing all mandatory employer discretions. This Policy was brought into effect in September 2020.

APPENDIX 1 – BROXTOWE LOCAL PAY STRUCTURE – FOR CHIEF OFFICER, ASSISTANT DIRECTOR AND HEAD OF SERVICE POSTS EVALUATED USING HAY SCHEME.

From April 2026

Grade	SCP	2026/27	Hourly Rate
15 0-499	70	£53,364	£27.6598
	71	£54,002	£27.9909
	72	£54,494	£28.2455
	73	£55,971	£29.0110
	74	£57,259	£29.6791
CO1 HoS 500-629	75	£61,757	£32.0103
	76	£63,213	£32.7650
	77	£64,669	£33.5198
	78	£66,120	£34.2719
	79	£67,641	£35.0603
CO2 HoS 630-759	80	£73,375	£38.0323
	81	£75,102	£38.9272
	82	£76,870	£39.8435
	83	£78,680	£40.7818
	84	£80,590	£41.7719
CO3 Dir 760-939	85	£84,426	£43.7602
	86	£86,336	£44.7503
	87	£88,761	£46.0073
	88	£91,183	£47.2628
	89	£93,608	£48.5193
CO4 DCEO 940-1119	90	£100,132	£51.9010
	91	£102,581	£53.1704
	92	£105,033	£54.4413
	93	£107,483	£55.7112
	94	£109,928	£56.9784
CO5 CEO 1120+	95	£115,161	£59.6909
	96	£119,578	£61.9804
	97	£123,989	£64.2666
	98	£125,933	£65.2744
	99	£130,265	£67.5199

Subject to the National Joint Council Pay Award for 2026/27

APPENDIX 2 – BROXTOWE LOCAL PAY STRUCTURE – FOR POSTS EVALUATED USING THE GLPC SCHEME.

From April 2026

JE Score [points]	Grade	SCP	April 2026	Rate
184-240	Grade 2	12	£24,797	£12.8529
		-		
		-		
241-285	Grade 3	15	£25,218	£13.0711
286-324	Grade 4	16	£25,507	£13.2209
		17	£25,989	£13.4707
		18	£26,362	£13.6644
		19	£26,718	£13.8489
		-		
325-365	Grade 5	21	£26,899	£13.9425
		22	£27,373	£14.1880
		23	£27,846	£14.4336
		24	£28,320	£14.6791
		-		
366-401	Grade 6	26	£28,854	£14.9556
		27	£29,316	£15.1953
		28	£29,779	£15.4354
		29	£30,241	£15.6746
		-		
402-439	Grade 7	31	£30,883	£16.0073
		32	£31,411	£16.2811
		33	£31,939	£16.5550
		34	£32,467	£16.8284
		-	-	

Subject to the National Joint Council Pay Award for 2026/27

JE Score [points]	Grade	SCP	April 2026	Rate
440-469	Grade 8	36	£33,170	£17.1926
		37	£33,716	£17.4761
		38	£34,261	£17.7586
		39	£34,806	£18.0410
		-		
470-500	Grade 9	41	£35,780	£18.5460
		42	£36,375	£18.8541
		43	£36,970	£19.1627
		44	£37,566	£19.4714
		-		
501-533	Grade 10	46	£38,844	£20.1341
		47	£39,504	£20.4759
		48	£40,159	£20.8156
		49	£40,817	£21.1563
		-		
534-563	Grade 11	51	£41,751	£21.6404
		52	£42,378	£21.9657
		53	£43,004	£22.2904
		54	£43,632	£22.6156
		-		
564-593	Grade 12	56	£44,460	£23.0446
		57	£45,130	£23.3923
		58	£45,802	£23.7405
		59	£46,474	£24.0887
		-		
594-622	Grade 13	61	£47,419	£24.5787
		62	£48,042	£24.9013
		63	£48,665	£25.2244
		64	£49,287	£25.5469
		-		
623-653	Grade 14	66	£49,999	£25.9160
		67	£50,498	£26.1744
		68	£50,993	£26.4311
		69	£51,492	£26.6895
		-		
654+	Grade 15	70	£53,364	£27.6598
		71	£54,002	£27.9909
		72	£54,494	£28.2455
		73	£55,971	£29.0110
		74	£57,259	£29.6791

APPENDIX 2a – BROXTOWE LOCAL PAY STRUCTURE – SCALE OF LOCAL ALLOWANCES

Broxtowe Borough Council Local Allowances (Subject to the National Joint Council Pay Award for 2026/27)

	2026/27
Relocation	
Lodging Allowance - per week	86.45
Settling in Allowance	441.95
Mileage Allowances	
Car Mileage Allowance per mile up to 10,000 - (HMRC Rate)	0.45
Car Mileage Allowance per mile over 10,000 - (HMRC Rate)	0.25
Car PSV Rate (Training and Out of County Mileage over 50 miles)	0.22
Motor cycles - per mile	
not exceeding 500cc - (HMRC Rate)	0.24
Exceeding 500cc - (HMRC Rate)	0.24
Pedal cycles - per mile (HMRC Rate)	0.45
Voluntary Reliable Call Out	
Calls initiated between 11.00 pm and 6.0 am	18.42
Calls initiated at other times	13.28
Standby	
Per weekday session	14.39
Per day at weekend or bank holiday	43.15
Emergency Standby Enhancement	29.98
First Aid - per month	15.78
Mental Health First Aid - per month	15.78
Travel and Subsistence Allowances	
Breakfast	7.34
Lunch	10.08
Tea	4.03
Evening Meal	12.43
Out of pocket expenses (Residential Courses)	
per night	5.81
per week	23.16
Long Service / Retirement Awards	
25 Years (Awarded on anniversary)	521.33
Additional Years (Annual amount paid at 5 year intervals or on leaving the authority)	22.55

APPENDIX 3 - CHIEF OFFICERS, ASSISTANT DIRECTORS AND HEAD OF SERVICE REMUNERATION TABLE

Post	Salary Grade	Designated Car User	Professional Fees	BBC Pension Contribution
Chief Executive	CO5	Y	Y	16.8%
Deputy Chief Executive and Section 151 Officer	CO4	Y	Y	16.8%
Executive Director	CO4	Y	Y	16.8%
Director of Legal and Democratic Services (Monitoring Officer)	CO3	Y	Y	16.8%
Assistant Director Housing	CO2	Y	Y	16.8%
Assistant Director Finance Services (Deputy Section 151 Officer)	CO2	Y	Y	16.8%
Assistant Director Environment	CO2	Y	Y	16.8%
Assistant Director Asset Management and Development	CO2	Y	Y	16.8%
Assistant Director Planning and Economic Development	CO2	Y	Y	16.8%
Assistant Director Revenues, Benefits and Customer Services	CO2	Y	Y	16.8%
Assistant Director Corporate Services	CO2	Y	Y	16.8%
Head of Health, Safety, Compliance and Emergency Planning	CO1	Y	Y	16.8%
Head of Legal Services (Deputy Monitoring Officer)	CO1	Y	Y	16.8%
Head of Democratic Services (Deputy Monitoring Officer)	CO1	Y	Y	16.8%
Head of Communities and Community Safety	CO1	Y	Y	16.8%
Head of Environmental Health, Licensing and Private Sector Housing	CO1	Y	Y	16.8%
Head of Economic Development	CO1	Y	Y	16.8%

APPENDIX 4 – SCALE OF FEES FOR ELECTORAL FUNCTIONS

1. Elections

All fees listed below are with effect from 1 April 2026 and are agreed across Nottinghamshire. The Council may make additional payments for roles and tasks undertaken which are not listed below. These additional payments will be funded solely by the Council.

Polling Station Employees Fees

Fee	Scale
Presiding Officer 20% uplift for combination no matter how many polls are combined	*£19.43 per hour
Poll Clerk 20% uplift for combination no matter how many polls are combined	*£12.71 per hour
Polling Station Inspector	*£19.43 per hour
Training fee: For online or face to face training	*Maximum of £48.14
Delivery of training, fee per session	£180.54

Verification & Count Employees Fees

Fee	Scale
Deputy Returning Officer	*£30.09 per hour
Chief Counting Officer	*£36.11 per hour (up to 10pm) *£54.17 per hour (after 10pm)
Count Manager	*£36.11 per hour (up to 10pm) *£54.17 per hour (after 10pm)
Verification and Count Supervisor	*£21.06 per hour (up to 10pm) *£31.59 per hour (after 10pm)
Verification and Count Team Leader	£19.07 per hour (up to 10pm) £28.61 per hour (after 10pm)
Verification and Count Assistant	*£15.05 per hour (up to 10pm) *£22.58 per hour (after 10pm)
Verification of ballot paper accounts	*£15.05 per hour *£22.58 per hour (after 10pm)
Count Set Up	£12.71 per hour
Door Supervisor	£15.05 per hour (up to 10pm) £22.58 per hour (after 10pm)

Postal Voting Employees Fees

Fees for issue or receipt of Postal Votes	Scale
Deputy Returning Officer	£30.09 per hour
Postal Vote Co-ordinator	£24.07 per hour (up to 10pm) £36.11 per hour (after 10pm)
Postal Voting Supervisor	£18.05 per hour (up to 10pm) £27.08 per hour (after 10pm)
Postal Voting Assistant	£15.05 per hour (up to 10pm) £22.58 per hour (after 10pm)

Returning Officer Fees (District / Borough / City)

Fee	Scale
Returning Officer's fee for the 1st 1,000 local electors within each ward for which an election is held	£122.78
Returning Officer's fee for each additional 1,000 electors or part thereof per ward	£40.92
Returning Officer's fee for an uncontested Election	£49.95
Returning Officer's clerical fee per 1,000 electors	£10.10
Returning Officer's fee for postal voting (issue and receipt)	£198.59

Returning Officer Fees (Parish)

Fee	Scale
Returning Officer's clerical fee per 1,000 electors	£10.10
Returning Officer's fee for postal voting (issue and receipt)	£198.59
For one parish	£150.72
For each additional parish up to 10 in total	£105.35
For each additional parish over 10 in total	£74.74
Additional payment where a parish is divided into wards, payment per ward	£25.04

Returning Officer Fees (Parish when combined with District / Parish)

Fee	Scale
Returning Officer's clerical fee per 1,000 electors	£10.10
Returning Officer's fee for postal voting (issue and receipt)	£198.59
For one parish	£120.14
For each additional parish up to 10 in total	£100.79
For each additional parish over 10 in total	£60.70
Additional payment where a parish is divided into wards, payment per ward	£14.91

Returning Officer Fees (Parish where uncontested)

Fee	Scale
For one parish	£29.96
For each additional parish up to 10 in total	£29.96
For each additional parish over 10 in total	£14.79
Additional payment where a parish is divided into wards, payment per ward	£14.91

Deputy Returning Officer and other Fees

Fee	Scale
Deputy Returning Officer's fee or Acting Deputy Returning Officer's fee for other duties (excluding count), e.g. processing nominations	£192.58
General clerical employees per 100 electors	£9.76
Media/Comms Lead	£21.06 per hour (up to 10pm) £31.59 per hour (after 10pm)

Media/Comms Assistant	£15.05 per hour (up to 10pm) £22.58 per hour (after 10pm)
Ballot box preparation/filling	£15.05 per hour
Ballot book checking	£15.05 per hour
Ballot box logistics	£19.07 per hour
Poll card hand delivery per poll card	22p
Mobile Phone Use (Maximum per PO)	£3.41

Notes

- *These fees do not include travelling expenses, which are at the discretion of the Returning Officer. Councils may use casual user mileage rates as laid down by the N.J.C. 45 pence per mile (private vehicle) and 24 pence per mile (motor cycle) or 20 pence per mile (bicycle).
- The Enhanced Hourly rate is payable for evening working commencing from 9pm, Overnight, Weekends or Bank Holidays
- Payment of additional fees for working overnight, to reflect unsociable hours, is at the discretion of the Returning Officer.
- Additional fees may be paid to cover the actual and necessary costs incurred by the Returning Officer for all purposes including clerical assistance, in connection with the Election not already included in this scale.
- Payment to core Elections Team working additional time, such as overtime rates, is at discretion of the Returning Officer.
- All Fees are increased annually by the previous year's Local Authority Pay Award. The exception to this will be polling station staff. Poll clerks will be paid as a minimum the National Minimum wage. Presiding Officer fees are to be increased by the same percentage increase as poll clerks to ensure the differential between the two fees is retained owing to the difficulty in recruiting Presiding Officers and their differing levels of responsibility.
- Payment for use of personal mobiles phones to any staff member is at the discretion of the Returning Officer.

2. Electoral Registration

Fee	Scale
Canvass	
For each visit	£12.71per hour
Training – online course only	£10
Training – face to face and online course	£30
Mileage	45p per mile

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 also decided to treat people who have care experience as if they had a protected characteristic under the law.

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:	Executive	Title of the Lead Officer responsible for EIA	Payroll and Job Evaluation Manager
Name of the policy or function to be assessed:		Pay Policy 2026/27	
Title of the Officer undertaking the assessment:		Payroll and Job Evaluation Manager	
Is this a new or an existing policy or function?		Existing (Amended for new financial year)	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The set out the pay conditions for the 2026/27 financial year for all Council employees, in particular senior officers. The Pay Policy is published on the Council's website as part of our statutory obligation but also to provide transparency in payments to senior officers.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>To meet the statutory obligations of having a Pay Policy approved by Council for the coming financial year. To provide transparency to the public in payments which are made to Council employees.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>The policy will benefit the Council by meeting statutory obligations. It will benefit the public by providing details of payments made to employees. It will also benefit Council employees as they will be aware of the pay they can expect.</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Council employees (in particular senior officers)</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <ul style="list-style-type: none"> - Workforce Profile - Declared equality information from the Payroll and HR system 			

Directorate:	Executive	Title of the Lead Officer responsible for EIA	Payroll and Job Evaluation Manager
6. What baseline qualitative data do you have about the policy or function relating to the different equality strands? Employee Survey			
7. What has stakeholder consultation, if carried out, revealed about the nature of the impact? Any changes to the pay structure are consulted upon with employees affected and unions. The annual pay settlement for employees is subject to a national collective negotiation procedure.			
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:			
<input type="checkbox"/> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? No. All groups are equally impacted. The Council conducts annual monitoring through its workforce profile which is reported to cabinet. This tracks the impact on employees with protected characteristics.			
<input type="checkbox"/> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? Yes			
<input type="checkbox"/> Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? No. The council takes proactive steps to raise awareness in relation to the risk of any direct or indirect discrimination, and if barriers are identified to accessing facilities, training or progression, takes steps to address these.			
<input type="checkbox"/> Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? It is important that pay policies are seen to be fair and transparent to promote good relationships between all sections of the workforce.			
<input type="checkbox"/> What further evidence is needed to understand the impact on equality? N/A			

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: The Council reports on the age of the workforce as part of the statistical information gathered within the yearly Workforce Profile document.

Disability: The Pay Policy will be made accessible for both the intranet and Council website. The Council reports on employees with a disability as part of the statistical information gathered within the yearly Workforce Profile document. The council reports on it's disability pay gap as part of the Workforce Profile document.

Gender: The Council calculates and reports on the gender age gap every year in line with legislation. The most up to date gender pay gap figures can be found in this Pay Policy.

Gender Reassignment: It's believed this equality strand will not be negatively impacted by the Pay Policy.

Marriage and Civil Partnership: It's believed this equality strand will not be negatively impacted by the Pay Policy.

Pregnancy and Maternity: It's believed this equality strand will not be negatively impacted by the Pay Policy. The Council have policies in place to ensure that pregnancy, maternity and paternity rights are protected.

Race: The Council reports on race as part of the statistical information gathered within the yearly Workforce Profile document. The council reports on it's ethnicity pay gap as part of the Workforce Profile document.

Religion and Belief: It's believed this equality strand will not be negatively impacted by the Pay Policy.

Sexual Orientation: It's believed this equality strand will not be negatively impacted by the Pay Policy.

Care Experience: It's believed this equality strand will not be negatively impacted by the Pay Policy.

Executive Director:

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

Signature: Payroll and Job Evaluation Manager

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Report of the Portfolio Holder for Housing

Regulator of Social Housing - Judgement Update

1. Purpose of Report

To provide an overview of the judgement from the Regulator of Social Housing and to share the key activities within the revised Service Improvement Plan.

2. Recommendation

Cabinet is asked to NOTE the judgement from the Regulator of Social Housing and the key activities within the revised Service Improvement Plan.

3. Detail

The Regulator for Social Housing (RSH) completed a thorough inspection of Broxtowe Borough Council in October 2025, in relation to the Regulator's consumer standards. During the inspection, the Regulator met with tenants, officers and elected Members and reviewed a wide range of documents and data.

Following the inspection, the Council has received a C3 rating from RSH, meaning that the Council is not meeting the Regulator's requirements and must work to improve its position. This is the first time that the Council has been assessed in this way following the introduction of new regulations as part of the Social Housing (Regulation) Act 2023.

The Regulator acknowledged that the Council has been engaging constructively have assurance that there is a commitment to ensuring improved outcomes for our tenants. Progress has been made since the inspection in October to meet the Regulator requirements and improve service delivery. This includes:

- Colleagues contacting our tenants to check that their records are up to date. This is helping us to clarify the diverse needs of our tenants, which will enable us to proactively tailor services. Officers have contacted over 1,500 tenants so far, with the aim of reaching out to all tenants by 31 March 2026.
- Implementing a new system that captures and distributes each fire safety action to colleagues and contractors, which enables us to monitor progress and mitigate risk. The introduction of this system has contributed to the reduction of fire safety actions to around 3,400.
- Agreement to complete the final 1,200 stock condition surveys by 31 December 2026.

- Inviting tenant representatives onto the Housing Improvement Board, which will improve information sharing and enable better scrutiny of performance.

Meetings have recently taken place with the Leader of the Council, the Deputy Leader and the Portfolio Holder for Housing, with colleagues receiving the key message that improvement to meet the Regulatory standards is a top priority. Quarterly update reports will be shared with Cabinet going forward.

Please refer to **Appendix 1** for a copy of the full RSH judgement and **Appendix 2** for an overview of the key activities within the revised Service Improvement Plan.

4. Key Decision

This report is not a key decision.

5. Updates from Scrutiny

This report is not required to be considered by the Policy Overview Working Group or the Overview and Scrutiny Committee.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no financial implications to consider for the Housing Revenue Account at this stage. Any uplift in costs going forward that cannot be contained within existing resources would require approval by Cabinet.

7. Legal Implications

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

The legislative powers of the Regulator of Social Housing are set out in the Social Housing (Regulation) Act of 2023 however S.193 of the Housing and Regeneration Act 2008 introduced the inspection programme which states that the 'regulator may set Standards for registered providers as to the nature, extent, safety, energy efficiency and quality of accommodation, facilities or services provided by them in connection with social housing'.

The regulatory judgement is a formal process as part of the assessment on the Council's Landlord functions. The report sets out the details around the judgement and actions required. Failure to adhere to the recommendations of the Regulator will have consequences. It is imperative that the Regulators recommendations are considered and implemented as soon as practicably possible.

8. Human Resources Implications

Not applicable.

9. Union Comments

The Union comments were as follows:

Comments from This report did not contain any direct or negative impact on Broxtowe employees so no further comment required by Unison.

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

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

13. Background Papers

Nil.

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Regulator of
Social Housing

Broxtowe Borough Council (37UD) Regulatory Judgement

14 January 2026

Our judgement

	Grade/Judgement	Change	Date of assessment
Consumer	C3 Our judgement is that there are serious failings in the landlord delivering the outcomes of the consumer standards and significant improvement is needed.	First grading	January 2026

Reason for publication

We are publishing a regulatory judgement for Broxtowe Borough Council (Broxtowe BC) following an inspection completed in January 2026.

The regulatory judgement confirms a consumer grading of C3. This is the first time we have issued a consumer grading in relation to this landlord.

Summary of the decision

From the evidence and assurance gained during the inspection, we have concluded that there are serious failings in Broxtowe BC delivering the outcomes of the consumer standards and significant improvement is needed, specifically in relation to outcomes in our Safety and Quality Standard and Transparency, Influence and Accountability Standard. Based on this assessment, we have concluded a C3 grade for Broxtowe BC.

How we reached our judgement

We carried out an inspection of Broxtowe BC to assess how well it is delivering the outcomes of the consumer standards as part of our planned regulatory inspection programme. During the inspection, we considered all four of the consumer standards: Neighbourhood and Community Standard, Safety and Quality Standard, Tenancy Standard, and the Transparency, Influence and Accountability Standard.

During the inspection we observed two Cabinet meetings and the Housing Influence Panel meeting. We met with tenants, officers, the leader of Broxtowe BC and the Portfolio Holder for Housing. We also reviewed a wide range of documents provided by Broxtowe BC.

Our regulatory judgement is based on all the relevant information obtained during the inspection as well as analysis of information received through routine regulatory returns and other regulatory engagement activity.

Summary of findings

Consumer – C3 – January 2026

The Safety and Quality Standard requires landlords to identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas and ensure that all actions arising from required health and safety assessments are conducted within appropriate timescales. We identified serious failings in relation to this outcome. In respect of fire safety, Broxtowe BC had more than 3,000 overdue fire remedial actions. Although most actions were assessed as medium risk, there was a lack of clarity about the length of time they had been open, as well as a lack of evidence of mitigations in place while these actions remain outstanding. While we found that Broxtowe BC was meeting legal requirements for

completing the majority of tests and assessments in all areas, we identified weaknesses in the assurance of data quality across areas of health and safety.

The Safety and Quality Standard also requires landlords to have an accurate record, at an individual property level, of the condition of their homes based on a physical assessment of all homes and ensure that homes meet the requirements of the Decent Homes Standard (DHS). Broxtowe BC does not currently have accurate and up to date information on the quality of all of its tenants' homes (including any potential hazards in homes), with 63% of homes having a stock condition survey completed in the last 18 months. The council reported 99.5% decency, with 23 non-decent homes (0.5%) across its stock. Its target is to complete 100% of surveys by the end of 2026, following an accelerated programme. Broxtowe BC acknowledges its weaknesses around stock condition reporting and is implementing a new system to resolve these issues.

The Safety and Quality Standard requires Broxtowe BC to provide an effective, efficient, and timely repairs and maintenance and planned improvement service for its tenants, and we have reasonable assurance that the council is delivering this. We saw evidence that the latest performance data demonstrated consistent improvements across all satisfaction and performance measures, with repairs targets largely being met across all categories. Tenant Satisfaction Measures (TSM) data for the last two years demonstrates an improvement in tenant satisfaction with repairs.

The Transparency, Influence and Accountability Standard sets out the outcomes landlords must deliver about being open with tenants and treating them with fairness and respect so that tenants can access services, raise complaints, influence decision making and hold their landlord to account. Through our inspection, we found serious failings in Broxtowe BC's delivery of some of the required outcomes within this area.

We were provided with assurance that Broxtowe BC treats its tenants and prospective tenants with fairness and respect. However, Broxtowe BC does not fully understand the diverse needs of all its tenants which is a serious failing. Broxtowe BC is focussing on improving its tenant data, however we saw no evidence of a formal plan or targets for how Broxtowe BC will collect data for all tenants. As Broxtowe BC does not hold data on the protected characteristics of its tenants, it is unable to proactively tailor services to meet all tenants' needs, or demonstrate that tenants are receiving fair and equitable outcomes. Broxtowe BC did provide evidence of services tailored to meet the needs of tenants on an ad-hoc basis, but it relies on tenants to inform them of additional needs when they report a repair or require another service.

We found weaknesses in Broxtowe BC meeting the requirements of the Transparency, Influence and Accountability Standard for tenant engagement. Due to the lack of data on its tenants, Broxtowe BC cannot be assured it provides equitable access to tenant engagement activities. Broxtowe BC has made recent changes to how it engages with tenants, with a newly established scrutiny panel.

We also found weaknesses in the council's approach to collecting and providing performance information to tenants as there was limited performance information accessible for tenants to scrutinise the housing service's performance.

In respect of complaint handling, the Transparency, Influence and Accountability Standard requires landlords to ensure complaints are being dealt with fairly, effectively, and promptly. Broxtowe BC has recently made service improvements to how it manages complaints, though these are not yet fully embedded. We also saw limited evidence of how Broxtowe BC is identifying and sharing lessons learnt from complaints.

The Neighbourhood and Community Standard requires landlords to work in partnership with appropriate local authority departments, the police, and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing. We have assurance that Broxtowe BC is working in partnership to deter and tackle ASB and hate incidents in the neighbourhoods that it provides social housing. However, there are weaknesses in the accessibility of information available for tenants reporting ASB and hate crime, and how it is assured that it is taking prompt and appropriate action. In relation to the Tenancy Standard, we have assurance that Broxtowe BC is meeting the tenure requirements of the standard.

Broxtowe BC has been engaging constructively with us and we have assurance that there is a commitment to ensuring improved outcomes for tenants. Broxtowe BC has an understanding of the issues and a willingness to resolve them. We will work with Broxtowe BC to ensure that relevant risks to tenants are effectively managed and mitigated as a priority, while it undertakes the improvements required. Our engagement will be intensive, and we will seek assurance that Broxtowe BC is making sufficient progress, including ongoing monitoring of how it delivers its improvement plan. Our priority will be that risks to tenants are adequately managed and mitigated. We are not proposing to use our enforcement powers at this stage but will keep this under review as Broxtowe BC seeks to resolve these issues.

Background to the judgement

About the landlord

Broxtowe BC lies to the west of the city of Nottingham and owns around 4,415 social housing homes.

Our role and regulatory approach

We regulate for a viable, efficient, and well governed social housing sector able to deliver quality homes and services for current and future tenants.

We regulate at the landlord level to drive improvement in how landlords operate. By landlord we mean a registered provider of social housing. These can either be local authorities, or private registered providers (other organisations registered with us such as non-profit housing associations, co-operatives, or profit-making organisations).

We set standards which state outcomes that landlords must deliver. The outcomes of our standards include both the required outcomes and specific expectations we set. Where we find there are significant failures in landlords which we consider to be material to the landlord's delivery of those outcomes, we hold them to account. Ultimately this provides protection for tenants' homes and services and achieves better outcomes for current and future tenants. It also contributes to a sustainable sector which can attract strong investment.

We have a different role for regulating local authorities than for other landlords. This is because we have a narrower role for local authorities and the Governance and Financial Viability Standard, and Value for Money Standard do not apply. Further detail on which standards apply to different landlords can be found on our [standards page](#).

We assess the performance of landlords through inspections and by reviewing data that landlords are required to submit to us. In-Depth Assessments (IDAs) were one of our previous assessment processes, which are now replaced by our new inspections programme from 1 April 2024. We also respond where there is an issue or a potential issue that may be material to a landlord's delivery of the outcomes of our standards. We publish regulatory judgements that describe our view of landlords' performance with our standards. We also publish grades for landlords with more than 1,000 social housing homes.

The Housing Ombudsman deals with individual complaints. When individual complaints are referred to us, we investigate if we consider that the issue may be material to a landlord's delivery of the outcomes of our standards.

For more information about our approach to regulation, please see [Regulating the standards](#).

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Appendix 2

Service Improvement plan – Key Activities

The Council's focus remains on delivering safe, high-quality homes for our residents. It is committed to learning from the inspection and demonstrating progress. The Council will continue to work closely with the Regulator as officers continue to implement actions within the Service Improvement Plan over the coming months. The plan focuses on a number of activities to improve service delivery, including:

- continuing with the implementation of activity to reduce the number of outstanding actions following the completed Fire Risk Assessments
- continuing with the implementation of activity to fully understand the diverse needs of all our tenants so we can tailor services appropriately
- completing the remainder of stock condition surveys, which will improve the quality of our data on all our tenants' homes
- providing more robust information to the Housing Influence Panel, which will enable tenants to better scrutinise performance
- implementing a better system to capture and share lessons learned from the complaints we receive to improve service delivery
- improving the information available for tenants reporting anti-social behaviour and hate crime, to enable the Council to take prompt and appropriate action
- ensuring tenants are fully aware of the timescales aligned to the Damp and Mould Policy
- Improving the visibility of reporting on analysis and associated service improvements (which includes the TSM action plan being published for tenants online).

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Report of the Portfolio Holder for Housing

New Competence and Conduct Standard for Housing Services

1. Purpose of Report

To advise Cabinet of the new Competence and Conduct Standard coming into force in October 2026, and to ensure Members are aware of the expected requirements. This is in accordance with the Council's Corporate Priority of Housing – a good quality home for everyone.

2. Recommendation

Cabinet is asked to NOTE the new requirements of the Standard.

3. Detail

As part of the Social Housing Regulation Act 2023, the government is implementing a new Competence and Conduct Standard for those who work in housing services. This is in addition to the four existing Consumer Standards that the Council must demonstrate compliance against.

All Registered Providers of social housing will need to ensure that “all staff involved in the provision of services in connection with the management of social housing have the skills, knowledge and experience to exhibit the behaviours needed to deliver a good quality service”. The Regulator of Social Housing will need to be provided with assurance that the Council are meeting the expectations set out in the standard.

It will come into force in October 2026, and will require Registered Providers of Social Housing to:

- Comply with all requirements relating to qualifications for Senior Housing Executives and Senior Housing Managers. These are dependent on the person's job role rather than their job title.
- Have a written policy setting out how they manage competence, support learning and development and manage poor performance.
- Adopt and embed a code of conduct, which is kept up to date and made accessible to tenants.
- Give tenants meaningful opportunities to influence and scrutinise the development of the policy, and decisions relating to the code of conduct, and ensure that they are made accessible to tenants and kept up to date and fit for purpose.
- Apply the standards to contractors, taking steps to ensure staff employed by service providers also meet requirements.

Further information is included in the **Appendix**.

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 Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications for the Council at this stage with any costs, including training, being contained within existing Housing Revenue Account (HRA) 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 Head of Legal Services were as follows:

The Council as a landlord has statutory and regulatory obligations in respect of areas of landlord and tenant law and compliance, including the Social Housing Regulation Act 2023.

The Regulator of Social Housing has a range of enforcement powers if the Council does not meet a consumer standard. This can include performance plans, enforcement notices, immediate remedial action, and unlimited fines. By having staff are appropriately trained and have the correct qualifications required to perform their role effectively, will ensure the Council is meeting its legal obligations as a landlord.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

HR will support and facilitate any further training identified, following the three-day APSE Customer Service training arranged in October 2025.

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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Appendix

Background

Following on from the Grenfell tragedy in 2017, significant concerns were raised nationally about the competence and conduct of staff working in social housing.

Informed by the recommendations of The Charter for Social Housing Residents: Social Housing White Paper (2020), the government committed to reviewing training, qualifications and standards for staff across the sector. The review concluded that greater professionalism is needed, emphasising that improving culture, behaviour, attitudes and technical skills were essential for raising service quality. It also found that if qualification requirements were to be introduced, these should be focused on senior managers and executives as they are best placed to drive culture change and are responsible for managing the delivery of high quality, professional services.

As a result of this, the government launched a consultation on the introduction of a Competence and Conduct Standard in February 2024.

Qualifications

The standard expects that certain senior roles must hold, or be working towards, a relevant housing qualification. This is intended to raise professional standards, ensure consistency within the housing sector and give tenants confidence that those leading and managing housing services have the necessary knowledge and expertise.

The standard sets out three different sub-types of roles:

A – general housing management services such as customer service, complaints, anti-social behaviour, lettings or tenant engagement

B – technical housing management services such as repairs and asset management

C – cross tenure roles such as people who may manage both leasehold and social housing tenant properties

For sub-types B and C, the person qualified in a relevant technical or leasehold qualification that is broadly relevant to their role or they can choose to follow the route of subtype A, which is a Level 4 or Level 5 higher management qualification.

Based on the criteria set out in the policy statement from the government, this will affect the following posts:

Level 5 in Housing / Foundation Degree (or equivalent):

- Assistant Director of Housing
- Assistant Director of Asset Management and Development

Level 4 in Housing Management (or equivalent):

- Housing Operations Manager
- Income and Housing Manager
- Housing Repairs and Compliance Manager
- Housing Services and Strategy Manager
- Capital Works Manager.

There will be a transition period of 36 months from the date the standard comes into force to work towards or complete the qualification by the end of the period.

The majority of current postholders already hold a relevant qualification. For those who have completed qualifications previously, they will need to evidence that the course meets the relevant learning outcomes and assessment criteria to meet the standard.

New officers whose role falls within the scope, including temporary employees, will have 12 months to enrol on the necessary qualifications.

If employees have a partially relevant qualification, they will be able to undertake 'top up training' modules to cover unmet criteria.

Having a professional membership, such as with the Chartered Institute of Housing or the Royal Institution of Chartered Surveyors, without undertaking a qualification as part of gaining the membership would not meet the requirements.

If officers fail to be awarded the relevant qualification, they will be required to retake the course or enrol upon another relevant qualification within six months of failing their course. This would be dealt with via existing Council policies.

Officers who are identified as being in scope of the new requirements do not need to hold the relevant qualification on day one. They will be expected to register on an approved course and actively work towards achieving it within the relevant timeframe, with a view to completing the course before the 36-month transition period expires.

Housing Code of Conduct and Competence Policy

The Council will be required to produce a new specific housing code of conduct and a policy that includes how competence and poor performance is managed, and how learning and development is supported. The document will also include information regarding conflicts of interest, such as employees that have family members that are tenants. These will need to be co-produced with tenants and will be brought to a future Cabinet meeting for consideration. There is an expectation that the code of conduct and the new policy will be accessible to tenants and regularly reviewed.

All officers who work within Housing services will be expected to have the necessary knowledge, skills and experience and be able to demonstrate appropriate conduct in their dealings with tenants.

It is not expected that there will be any impact on contractors, as none of the Council's Housing services fall under a service agreement for them to deliver services on our behalf.

For those who the formal qualification requirements do not cover (i.e. the remaining officers working on Housing services, including Democratic Services due to Housing complaints handling), the Council will consider adopting the Chartered Institute of Housing's Professional Standards and introducing a BLZ course.

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Report of the Portfolio Holder for Housing

Housing Scrutiny Group Report - Voids Process

1. Purpose of Report

To provide the outcome of a scrutiny exercise undertaken by the Housing Scrutiny Group on the repairs element of the void property process. This is in accordance with the Council's Corporate Policy of Housing – a good quality home for everyone.

2. Recommendation

Cabinet is asked to RESOLVE that the recommendations in Appendix 1 and the proposed Lettable Standard in Appendix 2 be approved.

3. Detail

As part of the Regulator of Social Housing's Transparency, Influence and Accountability Standard, there is an expectation that Registered Providers of social housing provide meaningful opportunities for tenants to scrutinise their landlord's strategies, policies and services.

A decision was made by the Housing Influence Panel (HIP) to create a Housing Scrutiny Group to conduct scrutiny exercises, and report back their findings and recommendations to the HIP for them to monitor. In April 2024, scrutiny training was delivered to members of the HIP to ensure that they knew how to effectively review Housing services, improve standards and to hold the Council to account through structured analysis, understanding co-regulation and developing effective recommendations.

The HIP scrutinised performance data and engaged in dialogue with Housing Senior Managers to identify a key area for scrutiny, and the Panel commissioned a relet process project. The original intention was to review the entire relet process, however, due to staffing limitations within the Lettings team, it was not feasible for that service to dedicate time away from operational delivery. As a result, the scope of the review was refined to focus specifically on the repairs element of the void property process.

The Scrutiny Group aimed to explore how effectively the repairs process supports the delivery of homes that are ready to be let meet agreed standards and provide a consistent experience for incoming tenants. A key area of concern identified early in the review was that the Lettable Standard had not been reviewed in over seven years. Additionally, it was noted that independent quality assurance checks are not routinely conducted on void properties once they have been processed.

The group also examined the availability and clarity of information provided to tenants about the voids process, with a view to improving transparency, trust, and tenant confidence in the service.

The HIP will receive regular updates on progress on the approved recommendations, and progress will be reported to tenants via various communication channels such as the Housing Newsletter (which is sent out to all tenants) and on the Council's website.

The report in **Appendix 1** outlines the group's approach, findings, and recommendations to enhance the quality and consistency within the Void Repairs Service. **Appendix 2** contains the proposed Lettable Standards that will be shared with new tenants to provide them with assurance that their new property meets the minimum standard of overall state of repair, condition and cleanliness.

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 affects residents in more than two wards.

5. Updates from Scrutiny

This applies where a policy has been through pre-scrutiny or Policy Overview Working Group.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications for the Council at this stage with the costs associated with the recommendations 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 Head of Legal Services were as follows:

There are various pieces of legislation and standards the Council must comply with in the context of inspecting and undertaking works to void properties and management of these properties.

The consumer Transparency, Influence and Accountability Standard set by the Regulator of Social Housing forms a further part of the regulatory framework for

social housing and is relevant to the standards the Council sets and publishes for re-letting its properties and what incoming tenants can expect.

The recommendations and the proposed standards as detailed in the report will provide the assurance that the above legal and regulatory obligations are being met by the Council.

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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Voids Repairs Process Service Review Report 2025

Housing Scrutiny Group



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1. Summary

This report presents the findings and recommendations of the Scrutiny Group review of the void* repairs process, conducted in collaboration with Housing teams. The primary aim of the review was to ensure that void properties meet a consistent a high-quality lettable standard, are ready for new tenants, and that tenants are well-informed about the service.

The group chose to scrutinise the repairs element of the voids process as they had analysed the performance information on the average relet time, which was high. They therefore considered it an important topic to both the Council and tenants as empty properties are a loss of revenue and keep customers on the Housing Register for longer.

The group undertook a structured process to gather evidence, including tenant feedback, service observations, collaborative discussions, and reviewed recent complaints. This enabled them to make informed and practical recommendations to improve the voids process and enhance tenant experience.

The Scrutiny Group emphasised the importance of tenant involvement in monitoring the implementation of these recommendations to ensure continuous improvement and accountability.

You can find recommendations on Page 8.

***Voids are empty homes that need work before getting relet to a new tenant.**

2. Acknowledgements

The review was undertaken by the Housing Scrutiny Group consisting of Tenants and Leaseholders. We want to give a special thank you for their time and dedication to this project.

Officers providing support to the Scrutiny Group to enable them to gain an understanding of the void repairs process and their roles and responsibilities in the Scrutiny process:

- James Whiter, Housing Repairs and Compliance Manager
- Kim Dawson, Housing Strategy and Services Manager
- Parmjit Cheema, Voids Inspector
- April Hatcher, Engagement Manager
- Raoul de Sousa, Engagement Coordinator

3. Introduction

Following a discussion with the Housing Influence Panel (formerly the Tenant Panel), the group reviewed performance data and engaged in dialogue with the Housing Senior Management team to identify a key area for scrutiny. The subject chosen was voids - specifically, the process of preparing empty homes for re-letting. The original intention was to review the entire re-letting process. However, due to staffing limitations within the Lettings team, it was not feasible for that service to dedicate time away from operational delivery. As a result, the scope of the review was refined to focus specifically on the repairs element of the voids process.

The Scrutiny Group aimed to explore how effectively the repairs process supports the delivery of homes that are ready to let, meet agreed standards, and provides a consistent experience for incoming tenants.

A key area of concern identified early in the review was that the Lettable Standard had not been updated or reviewed in over seven years. Additionally, it was noted that independent quality assurance checks are not routinely conducted on void properties once they have been processed.

The group also examined the availability and clarity of information provided to tenants about the voids process, with a view to improving transparency, trust, and tenant confidence in the service.

This report outlines the group's approach, findings, and recommendations to enhance the quality, consistency, and communication regarding the repair's element of the Voids Service.

4. Purpose of this Report

This report is intended to inform the Housing Department and Cabinet of the service review outcome by providing details of the Group's findings and recommendations.

5. Scope of the Review

In April 2024, members of the Housing Influence Panel successfully completed Scrutiny Training. At the subsequent Panel meeting, they reviewed the end-of-year performance data for 2023/2024 and collectively agreed that the Voids process—specifically, the journey of empty properties through the repairs and re-letting stages—should be the focus of their first formal scrutiny review.

The Panel identified the critical importance of ensuring a swift turnaround of void properties, particularly considering the high demand for housing as evidenced by the volume of applicants on the Homechoice system and the loss of revenue due to high relet times.

It was noted that a dedicated role had recently been established to oversee and improve the Voids process. With this role having been in place for a full year, the Panel considered it a timely opportunity to evaluate the effectiveness and impact of this essential service.

As such, the scope of the review was defined to focus on the repairs element of the Voids process, with particular attention to the quality, consistency, and monitoring of the lettable standard, as well as the information provided to tenants about the condition and readiness of their new homes.

6. Information / Evidence

To enable an in-depth review of the service to be undertaken, the following information, evidence and activities were made available to the Group:

Performance Information

Performance information about the Voids Service was provided and there were discussions covering expectations with the Voids Inspector and their team, and the checks they complete using the Lettable Standard.

Satisfaction Information

The Scrutiny Group was provided with Lettings Customer Satisfaction survey data as part of the review. However, it was noted that the number of completed surveys within the selected timeframe was limited, which restricted the ability to draw comprehensive conclusions from the data.

In addition to the survey responses, the Group also reviewed recent complaints received regarding the condition of properties at the point of letting. These complaints highlighted areas of concern and reinforced the need for a more robust and consistent approach to quality assurance within the Voids process.

Discussions With Officers

James Whiter – Housing Repairs and Compliance Manager

James Whiter attended all Scrutiny Group meetings, offering a comprehensive overview of the voids process. He provided detailed explanations of service constraints, shared relevant documentation, and contributed to discussions around potential improvements and the practical limitations of the service.

Parmjit Cheema – Voids Inspector

Parmjit Cheema outlined the responsibilities of the Voids Inspector role and described the step-by-step process a property undergoes to become suitable for re-letting. She also shared operational documents and checklists used in the inspection process and facilitated site visits to properties currently undergoing void works.

April Hatcher – Engagement Manager

April Hatcher coordinated the overall service review, including the commissioning of TPAS to deliver scrutiny training in preparation for this first formal review. She advised on tenant involvement activities and supported the development of review methodologies and potential recommendations.

Raoul de Sousa – Engagement Coordinator

Raoul de Sousa provided logistical and administrative support throughout the review. He ensured that Scrutiny Group members had access to all necessary documentation and assisted in drafting materials to support the group's emerging recommendations.

Kim Dawson – Housing Services & Strategy Manager

Kim Dawson provided supplementary information including performance, complaints, and customer satisfaction data.

Lettable Standard

The Scrutiny Group with the Repairs and Compliance Manager dissected the current version of the Lettable Standard (2019), line by line, asking questions and discussing sections to be added and removed from the Standard.

At the end of this discussion, a new Lettable Standard was drafted and is part of this report and recommendations. Please see Appendix 8.

Reality Checks

To support their understanding of the Void repairs process, the Scrutiny Group visited three properties at various stages of the voids journey. These visits allowed the group to observe first-hand the type and quality of work conducted to prepare homes for re-letting, and to assess how well the service aligns with the expected standards.

The properties visited included:

A one-bedroom flat at the end of its tenancy, providing insight into the initial condition of a property before void works begin.

A one-bedroom flat within an Independent Living complex, which was in the final stages of preparation before being re-let.

A one-bedroom bungalow that had completed the voids process and was ready for a new tenant to move in.

These visits were a valuable part of the review, helping the Group to better understand the practical challenges and strengths of the current voids process.

Documents, Policies and Procedures

The group were provided with an overview of information that could be made available to them to inform the review, and it was agreed that they received the following:

- Lettable Standard
- Void Management Policy
- Storage and Clearance Procedure
- Recent property rejections
- How to avoid unnecessary recharge notices
- Example of a Decoration Pack voucher
- Lettable Standards from other landlords

7. Findings and recommendations

The following table summarises the findings and recommendations for improvement:

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Lettable Standard	<p>For Broxtowe Borough Council to adopt the updated Lettable Standard that has been reviewed by the Scrutiny Group in collaboration with the Repairs and Compliance Manager.</p> <p>Offer to provide the Standard in other formats and languages.</p>	<p>The document was last updated in 2019 and does not reflect the current requirements of living standards.</p> <p>To also ensure that the document is easy to read and accessible for Housing Employees</p>	Housing Repairs and Compliance Manager	Safety and Quality Standard
Lettable Standard	For the Voids Inspector to complete a Lettable Standard 'sign off' for every property.	To ensure all elements of the Lettable Standard are completed and signed off accurately. This will allow Housing to track required jobs more easily. To spot check more efficiently, using the standard as a checklist during the sign-off process.	Voids Inspector	Safety and Quality Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Lettable Standard	Provide all new tenants with a signed completed copy of the Lettable Standard at sign up in their tenancy pack.	<p>To inform all new tenants what expectations they should have when moving into their new home.</p> <p>The actions checklist in the Lettable Standard will indicate what work has been completed and what work is outstanding at the point of sign up.</p> <p>This will mean tenants have a written list of specific works yet to be completed and clearer expectations on timeframes to be completed.</p>	Housing Assistants	Safety and Quality Standard
Cost-Effective Refurbishments	To suggest that bathrooms and kitchens be fitted with panelling. This would replace tiling.	<p>It would reduce labour time and is easier to install.</p> <p>Materials and installation costs are often lower.</p> <p>They will reduce water going behind and creating damp and mould issues.</p> <p>No grouting.</p> <p>Durable and easy to clean.</p>	Housing Repairs and Compliance Manager	Safety and Quality Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Boilers	To complete a full Gas Safety service before decommissioning the boiler for voids works.	Looking at the evidence and discussions it was highlighted that when a number of tenants moved into the property and turned on the boiler – it was not fit for purpose. So, they then had to contact the Housing repairs to resolve the issue.	Housing Compliance Manager	Safety and Quality Standard
Tenant Support Material	Develop a 'How to' guide and instructional videos to support tenants moving into their new home	The group were aware that for many tenants, it is their first home, and they may need support on tasks such as turning off the water, topping up the boiler etc. Having easy to access videos will reduce confusion and communication with the Council.	Housing Engagement Manager	Transparency, Influence and Accountability Standard
New Home Information	Introduce a "Welcome to Your Home" guide, including essential information such as the written location of the stopcock, gas, and electric meters. Ideally, they will also show location at viewing.	The guide showing location of the stopcock will reduce leaks turning into emergencies. Sharing location of meters will reduce tenants getting into fuel debt.	Tenancy Services Manager	Safety and Quality Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Education Workshops	Offer practical workshops on home maintenance, decorating, and tenancy responsibilities.	Many tenants are new to renting a property. By having workshops to educate tenants, they are more likely to care for their home, reducing repairs and issues.	Housing Engagement Manager	Tenancy Standard
Customer Feedback	<p>Explore methods to improve customer satisfaction return rates for Voids.</p> <p>This could be a pre-stamped envelope with a survey for customers to post pack, or setting targets to contact new sign ups via phone calls or letters.</p> <p>This would increase the amount of feedback the Council receives, and it could be used to improve the service.</p>	Currently there is only one question on the Lettings survey that asks about the condition of the home at the start of tenancy.	Housing Performance Manager	Transparency, Influence and Accountability Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Service Inspector Volunteer Role	Create and deliver a volunteer role to conduct spot checks on void properties to ensure standards are met.	Having a team of Volunteer Service Inspectors spot check properties is key. They would be able hold the Council to account and make sure recommendations and the lettable standard is being adhered to.	Housing Engagement Manager	Transparency, Influence and Accountability Standard
Post-Void Works	Improve post-void works communication with tenants about outstanding repairs by developing a tracker system.	To make sure any works that still need to be completed after a tenant has moved in has been picked up and completed within a timely manner.	Housing Repairs Customer Services Manager	Safety and Quality Standard
Post-Void Communication	By developing a Voids Customer Satisfaction survey. This could be a phone call, use of the new customer satisfaction survey or a visit.	Improving post-void communication with tenants is essential to maintaining trust and satisfaction in council housing.	Housing Performance Manager	Transparency, Influence and Accountability Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Post-Void Inspection and Checklist	To complete a post inspection with the new post-void checklist that signs off all work required for the property (please see appendix 1)	<p>Quality Assurance: Confirms that the property meets safety, quality, and cleanliness standards.</p> <p>Compliance: Ensures legal and regulatory requirements (e.g. gas safety, electrical checks) are fulfilled.</p> <p>Efficiency: Helps streamline the re-letting process by avoiding delays or missed tasks.</p> <p>Accountability: Provides a clear record of who completed and signed off each task.</p>	Voids Inspector	Safety and Quality Standard
Partnerships	Explore collaboration with colleges, universities, tenants, and volunteers to support voids-related initiatives.	<p>These collaborations also offer community engagement opportunities, fostering local pride and giving students or volunteers hands-on experience in housing and property maintenance.</p> <p>Partnering with colleges, universities, and volunteers can provide valuable skills and resources to support void repairs, helping councils address labour shortages and improve turnaround times.</p>	Housing Engagement Manager	Neighbourhood and Community Standard

Area of Impact	Recommendation	Reason	Who is responsible?	What Consumer Standard it sits under?
Grounds Maintenance	Grounds maintenance to be completed near the end of the Voids process <ul style="list-style-type: none"> - Grass - Hedges - Trees 	If the grass/hedges are cut at the beginning of the process, and the void process takes a while it will become untidy/overgrown by the time the new tenant moves in.	Voids Inspector	Neighbourhood and Community Standard
Trust and Transparency	Ensure commitments made to tenants are fulfilled, reinforcing trust in the service. This means doing what the Council says they will do and following policies and procedures.	Fulfilling commitments and following established policies and procedures builds trust and transparency with tenants, showing that the council delivers on its promises and values accountability in housing services.	Housing Services and Strategy Manager	Transparency, Influence and Accountability Standard

There were a number of recommendations suggested that we are not proposing to take further:

Area of Impact	Recommendation	Reason	Reason For Not Taking Further
Stock Surveys	Conduct more frequent stock condition surveys (every 6–12 months) to maintain property standards.	<p>Conducting more frequent stock condition surveys helps councils identify and address property issues early, reducing the risk of costly repairs and ensuring homes remain safe and habitable.</p> <p>Regular surveys also support better planning and resource allocation, enabling councils to maintain high standards across their housing stock and improve tenant satisfaction.</p>	<p>Due to financial constraints.</p> <p>Condition surveys are currently conducted every 5 years, with 20% of the housing stock being inspected annually.</p> <p>There is an expectation that tenants will raise any repairs issues in a timely manner.</p>
Void works	Back boundaries will be 1 6ft panel, a privacy panel closest to the house and the rest of the fencing will be 1-metre tall.	Using a 6ft privacy panel closest to the house with 1-metre fencing for the remaining back boundaries provides privacy where it's most needed while maintaining visibility and openness for safety. This design clearly defines property boundaries, deters unauthorised access, and creates a secure yet welcoming outdoor environment.	<p>The Council is obliged to mark the boundary of the property, but this is often with chainlink fencing and boundary posts. Fitting a 6ft high panel and 1m wooden fencing around the boundary would be a significant financial cost.</p> <p>Tenants are able to request permission to fit their own fencing if they feel the chainlink fencing is inadequate.</p>

Area of Impact	Recommendation	Reason	Reason For Not Taking Further
Voids works	Recommendation to install security lights in the front and back of the property where possible.	Installing security lights at the front and back of council housing properties enhances safety by deterring crime and antisocial behavior, improves residents' confidence when accessing their homes at night, and reduces the risk of accidents in poorly lit areas.	<p>Independent Living properties already have external lighting installed.</p> <p>For General Needs properties, these would cost approximately £350 per property to install. For 200 General Needs voids per year, this would cost approximately £70,000.</p> <p>Tenants are able to request permission to install these themselves.</p>

Following the conclusion of the project, the Scrutiny Group will meet in 6 months to review how the recommendations have been implemented, review performance and analyse the new tracker system.

The Scrutiny Group has placed the Lettings Procedure as one of their future topics. They feel it will link well to the voids process review just completed and help shape an overall better lettings service.

8. Appendices

Appendix 1: Suggested Voids Completed Sign Off Document

Internal for Voids Inspector

Task	Notes	Date completed
EPC Document in Folder (Energy Performance Certificate - one is required for each new letting)		
Gas Certificate in Folder		
Asbestos Report in Folder		
Electrical Performance Certificate in Folder		
All Certificates labelled correctly and individually		
Pre-inspections photos in folder (at least 2 images per room)		
Post Inspection Photos in Folder (at least 2 images per room)		
Repairs spreadsheet updated with dates		
Teams/Tracker updated including major works dates		
Location of Gas Meter		
Location of Electric Meter		
Location of Water Meter		
Location of Stopcock		
Location of key safe (containing front door key only)		
Key Safe Code		
Spare Keys in Kitchen		
Window Keys in Kitchen		
Has a House clean been completed? (Orbis / Mobile Clean)		
Has garden clearance been complete?		
Location of Garden	Front / Back / None / N/A	
Communal Bin	Yes / No	
Post Inspection Complete		
Any other information		
Gas Meter Reading		
Electric Meter reading		
Customer Satisfaction Survey Sent		
Type of Central Heating System		
Copy of Signed Lettable Standard		

Works List - Jobs completed on the property		
	Date	
	Signature	
	Officer	

Appendix 2: Housing Performance 2023/2024

Performance Measure	2023/2024	Target
Overall Satisfaction with the service Provided by Broxtowe Borough Council	66%	90%
Gas Safety	99.85%	100%
Homeless cases successfully intervened	82.70%	70%
Rent collects as a proportion	100.20%	99%
Current Arrears as a percentage	0.90%	2.00%
Electrical Compliancy	89.10%	100%
Reactive Repairs appointments kept	97.70%	98%
Housed outside the Borough - Homelessness	26	0
Average Relet Time - Independent Living	45 Days	40 Days
Average Relet Time - General Housing	63 Days	29 Days

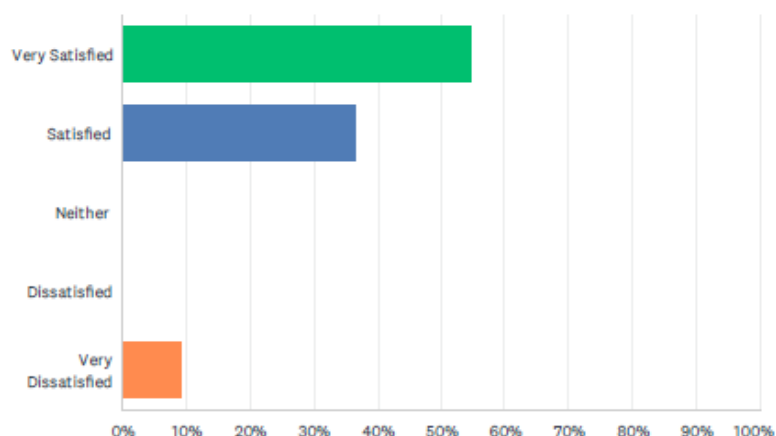
Average Relet Time - General Needs	KPI	HSTOP_03	Business Plan	Pentana	(A/B) A = Total number of calendar days that standard void properties were vacant prior to being let in the reporting period B = Total number of standard void re-lets during the reporting period (excluding major works)
Average Relet Time - Independent Living	KPI	HSLocal_03a	Business Plan		
Average relet time in days (standard re-lets in month)	BM	-	Housemark		
Void Rent Loss	KPI	HSLocal_03a	Business Plan	Pentana	(A+B) A = Total void rent less for each property let within the reporting period from date property became void B = Total void rent less since start of reporting year
% of dwellings vacant but available to let at the end of the month	BM	-	Housemark	Send to CR	(A/B) x 100 A = Number of low cost rental accommodation units that are vacant, but available to let at month-end B = Total low cost rental accommodation units

Appendix 3: Lettings Customer Satisfaction Surveys 2023/2024

Lettings - Customer Satisfaction Survey

Q1 The helpfulness of staff dealing with your new tenancy?

Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Very Satisfied	54.55%	6
Satisfied	36.36%	4
Neither	0.00%	0
Dissatisfied	0.00%	0
Very Dissatisfied	9.09%	1
TOTAL		11

Appendix 4: Other Key Data Information

How many signups across General and Independent Living?	• 610
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Spend on voids for the last 2 years:

Year	Spend
2023/2024	£828,631.66
2024/2025	£669,416.82 spend and commitment to 27/01/25

Rent loss:

Year	Number of void properties	Rent loss
------	---------------------------	-----------

2022 - 23	415	£794326
2023 - 24	278	£397377
2024 – 25 (so far)	206	£276444

What is the average cost of a void property?

- We currently do not capture this information, but due to the introduction of a new Voids Tracker, this information will be available going forward.

What is our current number of empty homes going through the voids process?

- 64 at 27/01/25

Turnaround times:

		Average re-let time (performance measure)	Actual- average re-let time
2023/2024	Independent Living	40	45
2022/2023	Independent Living	40	170
2023/2024	General Needs	20	63
2022/2023	General Needs	20	88

What is the average time of the key from lettings being handed over the voids team?

- We currently do not capture this information, but due to the introduction of a new Voids Tracker, this information will be available going forward.

In the last 2 years, how much has been spent on decorating vouchers?

2023/2024	£11,014.68	57 completed decoration packs
2024/2025	£5350.19 financial year to date	25 completed decoration packs

Recent property rejections:

- 1 bed Independent Living property at Rockwell Court, Stapleford - 30/10/2024 – needs a lot of decorating.
- 1 bed Independent Living property at Rockwell Court, Stapleford - 31/10/2024 - needed a lot of decorating and carpets which she does not have the money for.
- 1 bed Independent Living property at Regency Court, Beeston - 29/10/2024 - condition of property
- 1 bed Independent Living property at Cloverlands Court, Watnall - 22/07/2024 - there is a lot of work that needs doing to it.

We have a Void Management Policy which can be found internally:

<https://intranet.broxtowe.gov.uk/media/5318/void-management-policy.pdf>

At present, there is no centralised Void Management Procedure.

Is there a sign off procedure?

- The Void Inspector post inspects the work carried out and then the property is cleaned.
- There is no current sign off procedure of work carried out.

What does the voids team use for decision making?

- Minimum letting standard/checklist

Appendix 5: Site Images, Cost of Works and Work Sheets

- [Site Visit Images](#)

Appendix 6: Scrutiny Panel Minutes

- [Scrutiny Panel Minutes](#)

Appendix 7: Complaints

- [Complaints](#)

Appendix 8: Old and updated Lettable Standard

- [2019 Lettable Standard](#)
- [2025 Lettable Standard](#)

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Housing Lettable Standard

A copy of the Lettable Standard will be given to tenants to provide assurance that their new home is safe, clean and in good repair.

Within the Lettable Standard, “we” refers to the Council and “you” refers to the incoming tenant.

If an area is not ticked off by the Voids Inspector, a target completion date will be recorded in its place. This ensures outstanding works are tracked and scheduled appropriately.

The Council will make sure that when a home is let, the following criteria is met:

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> It is clean and clear of all belongings from the previous tenant. 	
<ul style="list-style-type: none"> All gas and electrical appliances we supply are in a safe and working order. 	
<ul style="list-style-type: none"> All properties start off with a British Gas Tariff, however once signed up to your new home you are free to switch to any energy supplier. 	
<ul style="list-style-type: none"> All necessary Health and Safety repair works will be completed. 	

Health and Safety

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> We will remove all gas appliances left in the property by the previous tenant. 	
<ul style="list-style-type: none"> The gas to the property will be de-commissioned (capped) and the boiler will be in full working order, and a full Gas Safety Check will be undertaken upon occupation. 	
<ul style="list-style-type: none"> All electrical circuits will be checked and tested. 	
<ul style="list-style-type: none"> All non-standard electrical fittings, including non-standard burglar alarms, will be removed. 	
<ul style="list-style-type: none"> There will be a gas or electric connection point for a cooker. There will be no gas connection for Independent Living properties. 	

<ul style="list-style-type: none"> • A smoke detector will be fitted, checked, and in working order upon occupation. 	
<ul style="list-style-type: none"> • A carbon monoxide detector will be fitted, checked, and in working order upon occupation. 	
<ul style="list-style-type: none"> • Where fitted, emergency call facilities and door entry systems will be checked and in working order. 	
<ul style="list-style-type: none"> • A handrail will be provided to each staircase. 	
<ul style="list-style-type: none"> • The property will be checked to ensure against slips, trips and falls. This check will include the communal areas where a property is within a block of flats. 	

Cleaning and Clearance

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> • All rubbish left by the previous tenant will be cleared and disposed of. 	
<ul style="list-style-type: none"> • The interior of the property will be cleaned. 	
<ul style="list-style-type: none"> • The property will be checked and free from any infestation. 	
<ul style="list-style-type: none"> • All internal windows will be cleaned. 	

Internal Doors, Walls, Floors and Windows

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> • All internal doors will be in working order. 	
<ul style="list-style-type: none"> • The bathroom door will be fitted with a lockable device. 	
<ul style="list-style-type: none"> • Windows will be free of cracks and will open and close properly. Window keys will be provided. 	
<ul style="list-style-type: none"> • Window restrictors will be fitted on all windows above ground floor. 	
<ul style="list-style-type: none"> • Window locks fitted by the previous tenant will be removed. 	
<ul style="list-style-type: none"> • Missing or damaged flooring, skirting or architraves will be repaired or replaced. 	

<ul style="list-style-type: none"> All floors will be in a sound and even condition and ready to receive a floor covering. 	
<ul style="list-style-type: none"> Internal stairs will be even and ready to receive floor coverings. Carpet grippers and tacks will be removed. 	
<ul style="list-style-type: none"> Non-slip floor coverings will be provided for the kitchen and bathroom. 	
<ul style="list-style-type: none"> Internal woodwork will be in good condition and free from decay. 	
<ul style="list-style-type: none"> Ceilings and walls will be undamaged. 	
<ul style="list-style-type: none"> All carpets, laminate and lino will be removed from non-wet room floors. 	
<ul style="list-style-type: none"> Polystyrene tiles and wall lining will be removed, and the area of plaster made good. 	

Kitchens, Bathrooms and Heating

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> There will be fixed heating in each habitable room. 	
<ul style="list-style-type: none"> The heating system will be in good working order. 	
<ul style="list-style-type: none"> Kitchen units and worktops will be in a serviceable condition and securely fixed. 	
<ul style="list-style-type: none"> There will be plumbing for a washing machine, if possible. 	
<ul style="list-style-type: none"> The kitchen sink will have working taps and a close-fitting plug. The waste will not be blocked. 	
<ul style="list-style-type: none"> Wall tiles in the kitchen and bathroom will be in a sound condition and properly fixed. 	
<ul style="list-style-type: none"> All bathroom taps, wastes and overflows will be free from leaks, blockages and be in working order. 	
<ul style="list-style-type: none"> Baths and wash hand basins will have a close-fitting plug. 	
<ul style="list-style-type: none"> Wash hand basins, baths, toilet pans and cisterns will be in a sound condition and cleaned. 	
<ul style="list-style-type: none"> Toilet cisterns will be in full working order and flushing correctly. 	
<ul style="list-style-type: none"> New toilet seats will be fitted. 	
<ul style="list-style-type: none"> There will be an extractor fan within the kitchen and bathroom where possible. They will be in good working order. 	

<ul style="list-style-type: none"> • All shower hoses and heads will be replaced when the property is empty. 	
<ul style="list-style-type: none"> • A new shower curtain will be supplied. 	

Interior Decor

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> • Rooms will be free from graffiti. 	
<ul style="list-style-type: none"> • The property will be free from damp and mould. 	
<ul style="list-style-type: none"> • We may decorate rooms in specialist properties if they are in particularly poor condition. This decision will be made by the Housing Repairs and Compliance Manager. 	
<ul style="list-style-type: none"> • Decoration Vouchers will be issued as a contribution towards the material cost of decorating rooms in a poor condition. <p>(The pack includes sanding pads, masking tape, brushes, filler, protector sheet and a choice of paint colours.)</p>	
<ul style="list-style-type: none"> • The property will be clean, safe and liveable. 	
<ul style="list-style-type: none"> • Timber battens will be provided over each window to help when fitting curtains or blinds. 	
<ul style="list-style-type: none"> • Removal of blinds, curtain and soft furnishings. 	

Exterior Doors, Roofs and Chimneys

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> • The front door will have a letterbox, or if the front door is a communal door, there will be a lockable letterbox within the communal hallway. 	
<ul style="list-style-type: none"> • We will provide you with a door fob or communal entrance key for the main entrance, if your home has a communal entrance hallway. 	
<ul style="list-style-type: none"> • External doors will close and secure properly. 	
<ul style="list-style-type: none"> • Roofs will be watertight. 	
<ul style="list-style-type: none"> • Lofts will be cleared. 	

<ul style="list-style-type: none"> Gutters and drainpipes will work properly and be free from blockages. 	
<ul style="list-style-type: none"> Chimneys and flashings will be in good condition and will not leak. 	
<ul style="list-style-type: none"> The property will be free from penetrating and rising damp and mould. 	

Gardens, Fencing and Outbuildings

Action	Voids Inspector Sign Off / Comments
<ul style="list-style-type: none"> Rubbish and debris will be cleared from gardens. 	
<ul style="list-style-type: none"> Grass and hedges will be cut back and trimmed to a manageable height. 	
<ul style="list-style-type: none"> Gardens will be free of ponds and back filled of other potentially dangerous features. 	
<ul style="list-style-type: none"> Front hedges will be cut back and trimmed to the standard height of 3 feet. 	
<ul style="list-style-type: none"> Rear hedges will be cut and trimmed to 6 feet. 	
<ul style="list-style-type: none"> Fences provided by the Council are for defining property boundaries only, or where the boundary is situated adjacent to the highway. 	
<ul style="list-style-type: none"> Front boundaries will either be a privet hedge or a 1-metre-high fence. 	
<ul style="list-style-type: none"> Paths will be fit for purpose and level. Free from holes, cracks and roots. 	
<ul style="list-style-type: none"> Contents will be cleared from all sheds and outhouses. 	
<ul style="list-style-type: none"> Timber/prefabricated Sheds will be removed except where in a good, serviceable and safe condition. The incoming tenant will take ownership of any sheds remaining at the property if they want to keep them. 	
<ul style="list-style-type: none"> Brick built sheds will be clear and in a good condition. 	
<ul style="list-style-type: none"> Locks to outhouses will be in working order and keys supplied. 	

Documents Tenant Should Receive

Information	Included in Tenancy Sign Up Pack
<ul style="list-style-type: none"> An Energy Performance Certificate 	
<ul style="list-style-type: none"> The Lettable Standard 	

• Electrical Certificate	
• Gas Safety Certificate	
• Damp Course report (if applicable)	
• Asbestos Report (if applicable)	

Final Meter Readings

Meter	Reading	Date
Electric		
Gas		
Water		

Document History and Approval

22/02/2019	1.0	First Draft
09/04/2019	2.0	Comments by RIG
14/10/2025	3.0	Scrutiny Group Review

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Report of the Portfolio Holder for Environment and Climate Change

Environmental Enforcement Update

1. Purpose of Report

To seek approval to extend the contract with the third-party Environmental Enforcement contractor for one year.

2. Recommendation

Cabinet is asked to RESOLVE that the contract with the third-party Environmental Enforcement contractor be extended for one further year be approved.

3. Detail

In September 2024, Cabinet approved the appointment of a third-party environmental enforcement contractor (WISE) to support the work of the Neighbourhood Wardens. The contract is intended to complement local enforcement activities and enhance the Council's ability to enforce environmental regulations for littering, fly tipping and dog fouling (the latter when there is a PSPO in place). The arrangement was proposed as an initial 12-month trial.

The WISE contract commenced towards the end of April 2025, with progress and outcomes being monitored throughout the pilot period. To the end of November 2025, 1,685 Fixed Penalty Notices (FPNs) had been issued with 1,662 (99%) for various littering offences and 23 (1%) for fly tipping. Further details can be found in **Appendix 1**.

Members agreed that a report would be presented back to Cabinet in early 2026, providing a detailed account of progress, the impact of actions taken, and feedback received from residents. This commitment reflects the importance placed on transparency and ongoing evaluation of the initiative. To support this process, an interim report was presented to the Overview and Scrutiny Committee on 25 September 2025, which outlined progress achieved to that point and highlighted key developments.

Indications suggest a positive impact from the enforcement approach, with details outlined in **Appendix 1**.

Details on FPN issuance, fine levels and the process to challenge an FPN are provided in **Appendix 2**.

During the initial Cabinet report in September 2024, an Equality Impact Assessment (EIA) was not completed. An assessment has now been completed to support the decision on the pilot extension and can be viewed in **Appendix 3**.

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 two or more Wards.

5. Updates from Scrutiny

An interim report was presented to the Overview and Scrutiny Committee on 25 September 2025 as part of an initial review of progress. One of the key outcomes from this review was the introduction of a 24-hour notice for items left out on the street for collection. The purpose of this notice is to inform residents that WISE will return to inspect the location and that any items left on the street must be removed; otherwise, where appropriate, a Fixed Penalty Notice (FPN) will be issued for fly-tipping. This measure applies specifically to items left out on the street and not to those that have been deliberately dumped.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and the Section 151 Officer were as follows:

The contract with WISE is provided at nil cost to the Council. The revenues received from the FPN issued are being used to support free bulky waste collection days and to offset fly-tipping collection costs, which will help to relieve pressures on the Council's budgets.

When the contract is benchmarked against the proposed in-house option, with estimated initial set-up and first year running cost of around £450,000 and annual running costs thereafter of £290,000, the current pilot presents a compelling financial business case.

7. Legal Implications

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

As the report states the contract initial term was 12 months with an option to extend the service for a further 12 months, subject to a review.

If this extension is not agreed, then the contract will automatically end.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

While the contract itself does not carry any direct climate change implications, it does prevent littering and fly tipping from entering the environment.

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

This has been completed and is found in **Appendix 3**.

13. Background Papers

Nil.

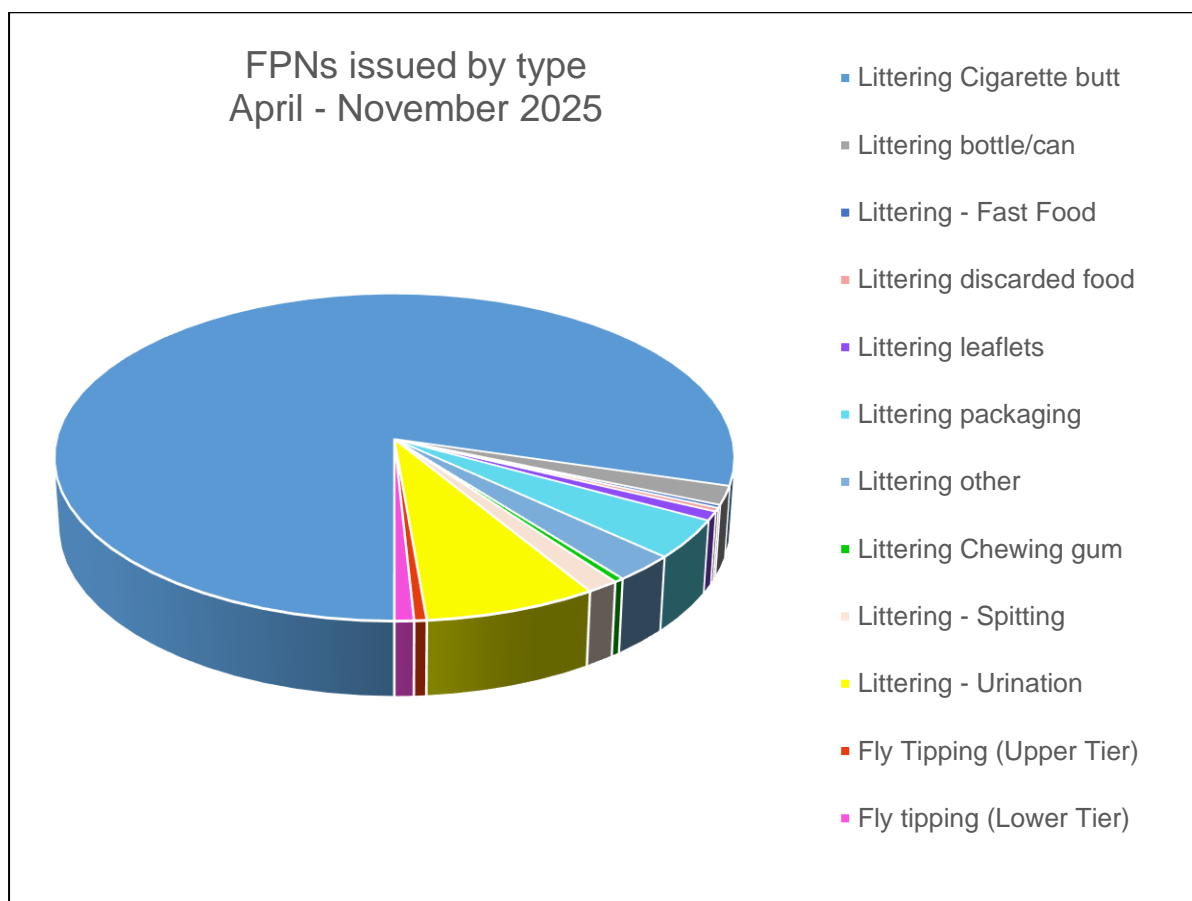
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Appendix 1

Background

The decision by Cabinet in September 2024 to approve the one-year environmental enforcement pilot aligned with resident feedback received via the budget consultation survey, which highlighted concerns about declining street cleanliness. Education and engagement initiatives have been undertaken, but with little success. The Council took the decision to proceed with WISE to strengthen enforcement and improve street cleanliness. WISE began undertaking environmental enforcement for the Council at the end of April 2025. This report uses the most complete set of data available at the time of writing, which is up to the end of November 2025.

To date, WISE has issued 1,685 FPNs, of which the majority are for littering cigarette butts (1,340 or 80%). Further detail is provided in Graph 1 and Table 1.



Graph 1: Issued FPNs by type.

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total
Littering cigarette butt	9	136	274	273	253	172	98	125	1,340
Littering bottle	-	-	-	4	5	7	9	6	31
Littering fast food	1	-	1	1	-	2	-	-	5
Littering discarded food	-	-	-	1	-	2	1	2	6
Littering leaflets	-	-	-	4	2	2	5	2	15
Littering packaging	-	2	2	14	15	11	19	2	65
Littering other	-	-	6	8	23	2	4	2	45
Littering chewing gum	-	-	1	4	2	-	-	-	7
Littering - Spitting	-	-	-	-	4	6	2	11	23
Littering - Urination	-	-	-	-	42	56	25	2	125
Fly-tipping (Upper Tier)	-	1	5	1	-	-	1	1	9
Fly-tipping (Lower Tier)	-	-	10	-	1	2	1	-	14
Total	10	139	299	310	347	262	165	153	1,685

Table 1: FPNs issued by month and type.

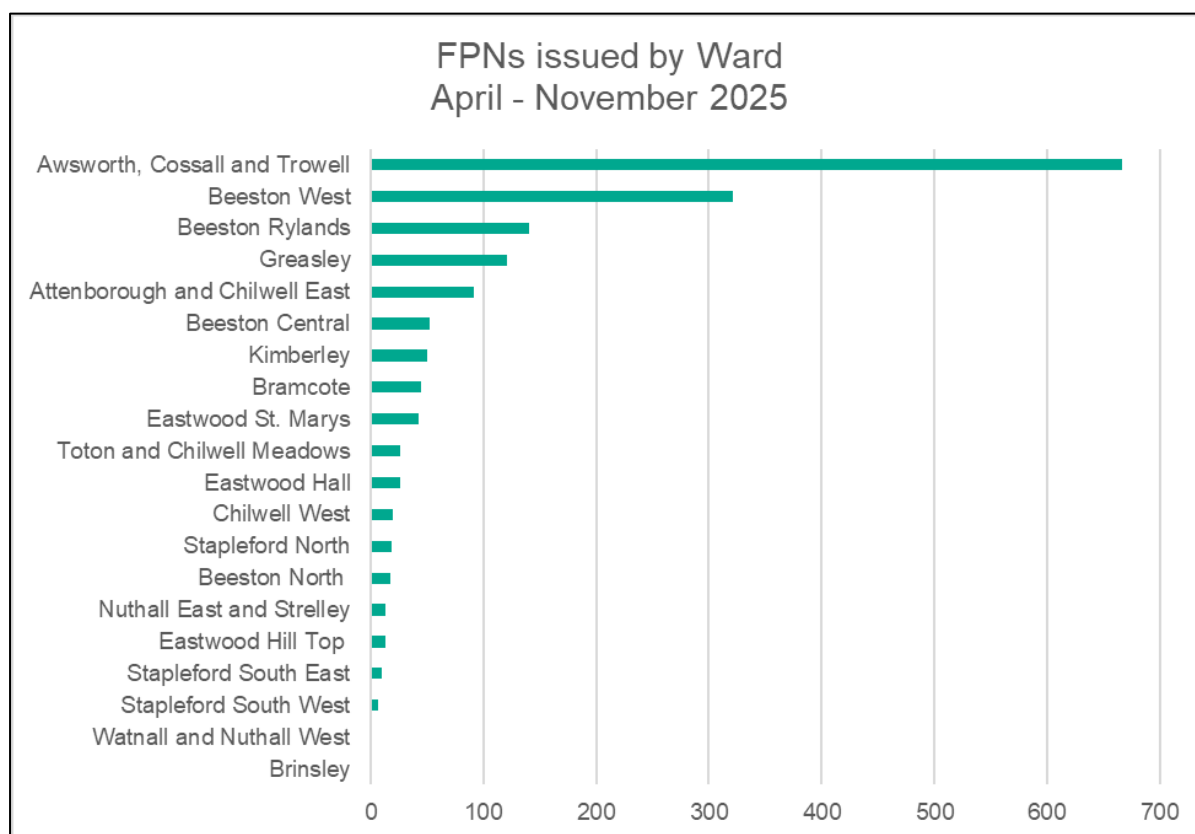
FPNs issued by Ward

As part of the agreement with WISE, they are undertaking patrols across all wards. Council officers provide a hotspot list (informed by residents and Members) highlighting areas with notable fly-tipping or littering activity. Resources are focused on these hotspots whilst maintaining comprehensive patrols across all wards.

Table 2 and Graph 2 present a ward-by-ward breakdown of the number of FPNs issued to date. Some of the rows in the table indicate zero Fixed Penalty Notices (FPNs) issued. Initially, some wards were amalgamated in error when FPNs were issued. This approach has now been addressed and there is now accurate reporting across all wards.

	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Total
Attenborough and Chilwell East	3	14	12	22	7	18	15	1	92
Awsorth, Cossalland Trowell	0	22	171	218	114	91	34	16	666
Beeston Rylands	0	10	2	1	71	27	9	21	141
Beeston West	0	70	58	25	85	25	20	38	321
Beeston Central	0	0	0	0	0	0	21	32	53
Beeston North	0	0	0	0	0	0	14	4	18
Bramcote	0	3	2	0	18	12	9	1	45
Brinsley	0	0	0	0	0	0	0	0	0
Chilwell West	4	0	2	0	0	9	0	5	20
Eastwood Hall	0	1	5	3	0	9	3	5	26
Eastwood Hill Top	0	0	0	0	1	8	3	1	13
Eastwood St. Marys	0	1	16	8	3	6	4	5	43
Greasley	2	6	9	23	34	19	18	10	121
Kimberley	0	2	8	5	3	18	8	6	50
Nuthall East and Strelley	0	4	3	1	2	0	1	2	13
Stapleford North	0	1	1	0	8	8	1	0	19
Stapleford South East	0	1	3	0	0	5	1	0	10
Stapleford South West	1	1	2	0	0	3	0	0	7
Toton and Chilwell Meadows	0	3	4	4	1	4	4	6	26
Watnall and Nuthall West	0	0	1	0	0	0	0	0	1

Table 2: Number of FPNs issued by Ward



Graph 2: FPNs issues by ward

Each month a detailed breakdown of the time spent by WISE officer across the Borough is received. The distribution of officer time is driven by two inputs: the first is the hotspot list, which is a shared list between both the Council and WISE, which consolidates information from residents and other sources to flag areas of concern. The second is direct complaints received from residents or Members, which are picked up on in the monthly review meetings. It should be noted that the time spent in each area is subject to fluctuation as it is in response to information received. This ensures that resource deployment remains responsive and proportionate.

Issuing of FPNs on private land

Under Sections 87 and 88 of the Environmental Protection Act 1990, littering is an offence whether it occurs on public or private land, unless the land is specifically exempt, for example, inside a dwelling. WISE is authorised to operate on both public highways and private land without requiring direct consent from individual landowners. However, if a private landowner requests that WISE does not enter their land to issue Fixed Penalty Notices (FPNs), this is respected, and enforcement will not take place on that land. Some landowners have given full support, allowing WISE to continue issuing FPNs on their land, while others have requested that enforcement does not occur, and WISE has complied with these wishes.

Dealing with complaints about WISE officers

Complaints regarding WISE officers are managed by WISE in the first instance. However, where a complaint is also received by the Council, the Assistant Director of Environmental Services requests to review body-worn camera footage to assess the circumstances. This review is typically undertaken with one other colleague, such as the Head of Legal Services or the Parks and Green Spaces Manager, to ensure consistency and a balanced assessment. Each case is considered on its own merits, and no assumptions are made. To date, none of the complaints reviewed by the team regarding officer conduct have been substantiated. It is recognised that recollections of events can vary, which is why verification through available evidence is an important part of the process. Complaints and outcomes are also discussed during monthly account meetings to maintain oversight and transparency.

Impact from enhanced environmental enforcement

The enhanced environmental enforcement pilot has delivered a strong and encouraging impact during its first nine months. Comparing data for April to December of 2025/26 against the same period in 2024/25 shows a marked improvement. Fly-tipping incidents have fallen by 76%, and the amount of fly-tipped waste collected has reduced by 51%, as highlighted in Table 4. These reductions are likely influenced by the combined effect of enforcement activity and associated publicity, both positive and negative, which has raised awareness and deterred offending behaviour. While cleanliness survey results for litter and detritus have shown little change, they remain consistently high compared to previous years, reinforcing the overall positive picture.

As this is a pilot initiative, these results provide a strong foundation for future development. The data demonstrates that enhanced enforcement can deliver meaningful improvements in environmental quality and compliance. Subject to Cabinet approval, it is hoped that this approach can be built upon in a second year, allowing the Council to maintain momentum, refine processes, and continue working towards a cleaner environment.

KPI area	April - December 2024/25	April - December 2025/26	Difference
Fly-tipping incidents	1,541	372	-76%
Fly-tipped waste	62.50 tonnes	30.70 tonnes	-51%
Cleanliness Survey – Litter	100%	100%	0%
Cleanliness Survey – Detritus	94%	97%	3%

Table 4: Street Cleanliness KPI data

Challenges to FPNs

The process for challenging an FPN is designed to be fair, transparent and proportionate. Residents who believe an FPN has been issued incorrectly can initiate a challenge/representation, with the summary procedure outlined in **Appendix 2**.

Challenges can follow a three-stage process:

Stage 1 is conducted by a senior officer at WISE.

Stage 2 is conducted by Council Officers.

Stage 3 is the option to appeal to the Magistrates court if the resident remains dissatisfied after stage 2.

Residents may also opt to proceed directly to the Magistrates court, bypassing stages 1 and 2 if preferred.

To date, there have been four, stage 2 challenges that have resulted in three FPNs being revoked.

There are three tests applied to each of the cases, at the Stage 2 review:

1. Is there sufficient evidence to uphold the FPN?
2. Is it in the public interest to issue the FPN?; and
3. Whether the action aligns with existing Council policies.

By applying these tests and offering multiple routes of challenge, the Council demonstrates its commitment to accountability and consistency in enforcement. The outcomes to date indicate that the system is working effectively, providing residents with confidence that any concerns will be properly considered and addressed.

Communication

While there have been some negative press stories about fly-tipping cases, there has also been a lot of positive feedback for the actions of the Council from residents regarding the enhanced environmental enforcement. This section includes a selection of just a few of those positive comments, highlighting appreciation for clearer action and visible improvements in street cleanliness.

'More power to them the streets are full of rubbish, especially cans, bottles, vape packets, and used vapes, even used nappies and I hope they also prosecute dog owners'.

'Looks like to me. Two waste bags dumped on the street. Good shout by the Council'...

'There has been warning signs for ages. So it's about time they started to fine litter loats [sic]'

'or just don't litter 🗑️ plenty of bins around'

'More simple way is don't throw the cigarette on the road'

'perhaps don't throw litter in the first place!'

'Some of us know how to use a bin let alone how to spell it, and don't want to live in an outdoor tip'

It is important to acknowledge that receiving a fine can be upsetting for those involved; however, the overarching aim remains to improve the environment and quality of life across the Borough.

The team will continue to communicate the Council's approach clearly, emphasising fairness and transparency (whilst safeguarding personal data), and highlight the tangible environmental benefits being achieved through consistent enforcement.

Financial implications

The Council does not pay WISE for the environmental enforcement service; income generated from the FPNs fund the service. A portion of the income generated is given to the Council, but the exact commercial terms cannot be disclosed within this report due to commercial sensitivity.

To date, approximately 63% of issued FPNs have been paid. For unpaid FPNs, the Council retains responsibility to pursue collection through the courts. Importantly, the income earned from the FPNs must be ring-fenced and cannot be spent on other services; it is dedicated to preventing fly-tipping and littering. Using this allocation of funds, the Environment team has scheduled dates for free bulky waste collections later in the year, with on-going plans to build on those prevention initiatives to improve the Borough's cleanliness.

It should be noted that if the Council were to provide a similar in-house service to that provided by WISE, the proposed structure would comprise of a team of four officers and a senior team leader. The initial set-up cost has been estimated at £450,000 for the first year, with annual running costs projected at approximately £290,000, with ongoing service continuity, succession planning, training and resilience issues that manifest in this type of service.

Conclusion

After nine months of implementation, the pilot has demonstrated clear and tangible environmental benefits. The initiative was introduced in direct response to resident concerns, and the positive outcomes to date indicate that the approach is both effective and proportionate. Subject to Cabinet approval for a second year, it is hoped that this model can be built upon to deliver sustained improvements in environmental standards and continue providing benefits for residents and the wider community.

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Appendix 2

Frequently Asked Questions: Littering & Fly-Tipping**1. What is considered littering?**

Littering is the act of throwing down or leaving waste in public places. This includes items like cigarette butts, fast food packaging, chewing gum, and drink cans. If it's not disposed of in a bin, it's littering.

2. What is fly-tipping?

Fly-tipping is the illegal dumping of rubbish or bulky items on land that isn't licensed to receive waste. This includes anything from black bags and furniture to electrical appliances and construction waste.

3. What is the fine for littering?

A Fixed Penalty Notice (FPN) of up to £500 can be issued for littering. If payment is made within 14 days, then the fine is reduced to £100. If the fine isn't paid, the case may go to court where you could face a larger fine and legal costs.

4. What is the fine for fly-tipping?

Fly-tipping is a more serious offence and can result in a Fixed Penalty Notice of up to £1000. There are two tiers of fines for fly tipping:

Fly tipping tier	Description	Fine	Reduced Fee (If paid within 14 days)
Upper Tier	More than the equivalent of six black bags worth of waste or more than a single item of furniture/electrical item.	£1,000	£500
Lower Tier	The equivalent of up to five black bags worth of waste or a single item of furniture/electrical item.	£500	£200

In Broxtowe, the pricing for fly-tipping offences is determined by the size of the waste deposited. A small fly-tip, defined as the equivalent of one black bag's worth of waste, carries a Fixed Penalty Notice (FPN) of £500. However, if payment is made within 14 days, the fine is reduced to £200. For larger fly-tips classified as more than one black bag's worth of waste, the FPN is £1,000, with a discounted rate of £500 if settled within the same 14-day period. These penalties are in place to deter environmental offences and promote responsible waste disposal.

In serious cases, prosecution in court can lead to fines of up to £50,000 or even imprisonment.

5. What should I do if I see someone littering or fly-tipping?

You can report it to the Council with details such as the time, location, and description of the person or vehicle. Many councils now accept reports online or

through dedicated mobile apps. Please do not approach or challenge the person/s who are fly-tipping.

6. What happens if I drop litter accidentally or forget to pick it up?

Even accidental littering can result in a fine. Everyone has a responsibility to properly dispose of their waste in a bin or take it home.

7. I paid someone to take my rubbish. Why am I being fined?

You are legally responsible for checking that anyone you pay to remove waste is a licensed waste carrier. If they dump it illegally, you can still be fined or prosecuted.

8. How can I dispose of bulky items or extra waste legally?

The Council operates a bulky waste collection service. There is an initial non-refundable service charge of £13 per order, plus £10 per item. Further details can be found on the Councils Bulky waste webpage. Alternatively, you can take items to a local household waste recycling centre.

9. If I put items out for the scrap man, will I get fined?

The Environmental Enforcement Team will note any items left out for potential collection. They will not approach the householder or ask for them to bring the item back in. They will wait a further 24 hours, after which they will return to check if the item/s are still there. If the items have gone, no FPN will be issued. If the items remain after this period, officers may consider this a potential fly-tip and will investigate. An FPN may then be issued.

10. Why is littering and fly-tipping such a serious issue?

It harms the environment, costs money to clean up, and creates an eyesore in our communities. It also poses risks to wildlife, public health, and road safety.

11. Can businesses be fined too?

Yes. Businesses must dispose of their waste legally and provide proper documentation. Failure to comply can lead to enforcement action and heavy fines.

12. Challenging your Fixed Penalty Notice (FPN)

Paying an FPN is an invitation for you to discharge your liability to prosecution. This means that while this is not an admission of your guilt, you do agree that an offence has been committed. By paying the fine, no further action will be taken by the Council or on our behalf.

WISE (Stage 1) and the Council (Stage 2) will consider representations made to challenge FPNs, if you do not believe the penalty should have been issued. Whilst your representation is being considered, the FPN is suspended. This means that no further action will be taken until a decision is made.

The legislation that governs FPNs also means that a person who receives an FPN can appeal this at a Magistrates' Court (Stage 3). Should you wish to appeal the FPN direct to the Magistrates' Court without challenging the FPN at Stage 1 and Stage 2, you are able to do so within 21 days from the date the FPN was issued.

Stage	Appeal process led by	Timeframe
Stage 1	WISE	Response within five days from the date of receiving the representation.
<p>Stage 1: A representation is lodged with a WISE Designated Appeal Officer. The officer will investigate the representation. They will write back to the appellant with an outcome of their appeal. The outcome will be either to uphold the FPN or withdraw the FPN. No reasons will be stated in either case.</p> <p>To lodge your challenge to WISE please email: broxtowe@wasteenforcement.co.uk</p> <p>WISE prefer to be contacted via email, if possible, as this ensures a clear and traceable record (which also details when it has been received) of correspondence.</p> <p>Should a response be issued via letter, it will be posted prior to the expiration of the five-day response period. Once posted, this response will be deemed to have been delivered.</p>		
Stage 2	The Council	Ten days from the date of receiving the representation from WISE.
<p>Stage 2: If the appellant is not satisfied with the outcome of the Stage 1 appeal and wishes the Council to review the decision made at Stage 1, they are then able to make representations to the Council. This will be through WISE. WISE will prepare a pack containing all the information from the investigation and send this across to the Council. The representation will be considered by the Assistant Director – Environmental Services and the Head of Legal (and in their absence, their nominated deputies). The outcome will be to either uphold the decision made at Stage 1 or to withdraw the FPN. They will write back to the appellant with the outcome of their representation. No reasons will be stated in either case.</p> <p>Should a response be issued via letter, it will be posted prior to the expiration of the ten-day response period. Once posted, this response will be deemed to have been delivered.</p>		

Stage	Appeal process led by	Timeframe
Stage 3	Magistrates'	
<p>Stage 3: If the appellant is not satisfied with the outcome of either Stage 1 or Stage 2, then they can lodge an appeal with the Magistrates' Court. This needs to be undertaken within 21 days from the date the FPN was issued. This is the final stage of the process.</p>		

Please note should you wish to appeal the FPN direct to the Magistrates' Court without challenging the FPN at Stage 1 and Stage 2, you are able to do so within 21 days from the date the FPN was issued.

Please note that the following are not grounds for cancellation:

- You did not know the law and did not know it was being enforced.
- This was the first time you committed the offence.
- You believe the officer issuing the Fixed Penalty Notice was rude or did not behave appropriately (This will be considered as a complaint).
- You have always done this and never received a penalty or warning before.
- There wasn't any signage informing you of the applicable legal requirements.

13. I would like to have a family member/friend act on my behalf. Is this possible?

Yes, that is possible. You will need to complete an authorisation form, which can be found on our website: <https://www.broxtowe.gov.uk/for-you/litter-and-street-cleansing/environmental-enforcement/> . Once the form is completed and submitted to WISE, the individual acting on your behalf will be required to provide valid identification to verify their identity before they can act on your behalf.

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.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

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 also decided to treat people who have care experience as if they had a protected characteristic under the law.

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:	Executive Director	Lead officer responsible for EIA	Assistant Director – Environmental Services
Name of the policy or function to be assessed:		Environmental Enforcement	
Names of the officers undertaking the assessment:		Assistant Director – Environmental Services	
Is this a new or an existing policy or function?		Environmental enforcement has been a pilot service for one year. This EIA is undertaken to support the possible further year's extension.	
<p>1. What are the aims and objectives of the policy or function?</p> <p>In September 2024, Cabinet approved a one-year environmental enforcement pilot to strengthen enforcement and improve street cleanliness in response to resident feedback.</p> <p>Aim: To strengthen environmental enforcement to improve street cleanliness and protect the environment for the future.</p> <p>Objectives:</p> <ul style="list-style-type: none"> • Achieve a 25% reduction in litter-related complaints by 31 March 2027 • Achieve a 25% reduction in fly-tipping complaints by 31 March 2027 • Achieve a 25% reduction in fly-tipping incidents by 31 March 2027 • Achieve a 10% reduction in collected fly-tipped waste by March 2027 • In conjunction with WISE, undertake five school visits in 2026/27 to improve environmental awareness. 			

2. What outcomes do you want to achieve from the policy or function?

- Improved street cleanliness and litter reduction.
- Reduction in fly-tipping incidents across the Borough.
- Increased resident awareness of environmental enforcement activities.
- Higher resident satisfaction with street cleanliness in the annual budget survey.
- Positive behaviour changes which will improve environmental quality.

3. Who is intended to benefit from the policy or function?

Everyone who lives or works in the Borough of Broxtowe.

4. Who are the main stakeholders in relation to the policy or function?

- Members
- General Management Team (GMT)
- Employees in the Council
- Residents
- Third Party Environmental Enforcement Contractor
- Businesses
- Private Landowners

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

Equality Strands are considered as part of the overall street cleansing and enforcement process. For example, litter bins are in positions where they are easily accessible.

In the Borough there are 1,632 litter bins.

Operational Teams:

- 2 channel street sweepers
- 2 pavement sweepers (Image 1)
- 5 Street cleansing teams consisting of 2 per team
- 3 Town Centre Attendants

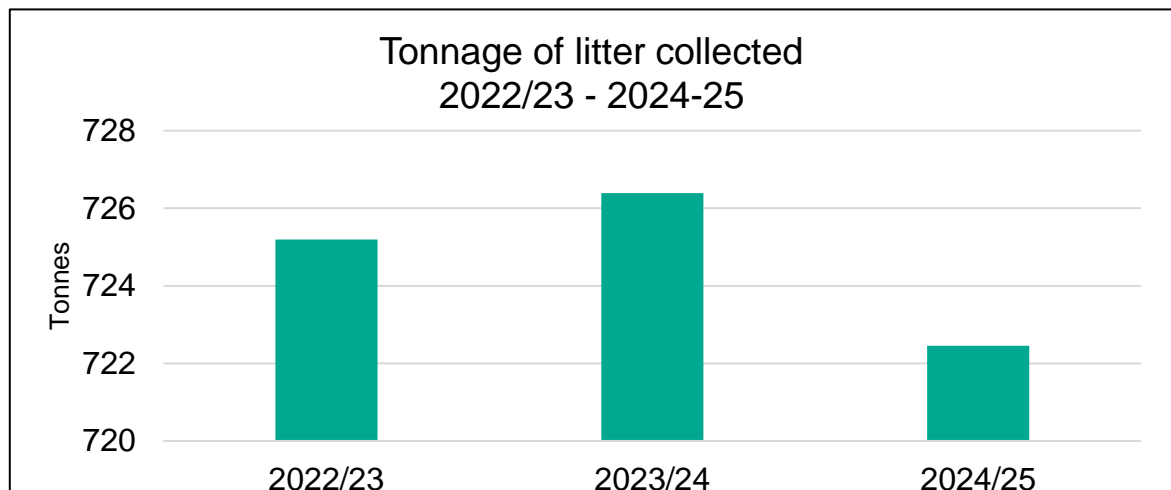
Key Performance Indicator	Baseline measure for the year 2024/25
Number of litter complaints received	30
Number of fly tipping complaints received	427
Number of Fixed Penalty Notices issued for litter	5
Number of Fixed Penalty Notices issued for fly tipping	1
Litter tonnage collected by Street Cleansing Teams	722 tonnes
Fly tipping tonnage collected by Street Cleansing	78.12 tonnes
Number of Clean and Green Events undertaken	405

Number of presentations on litter and environmental issues undertaken	2
Number of litter/dog bins in the Borough	1,632

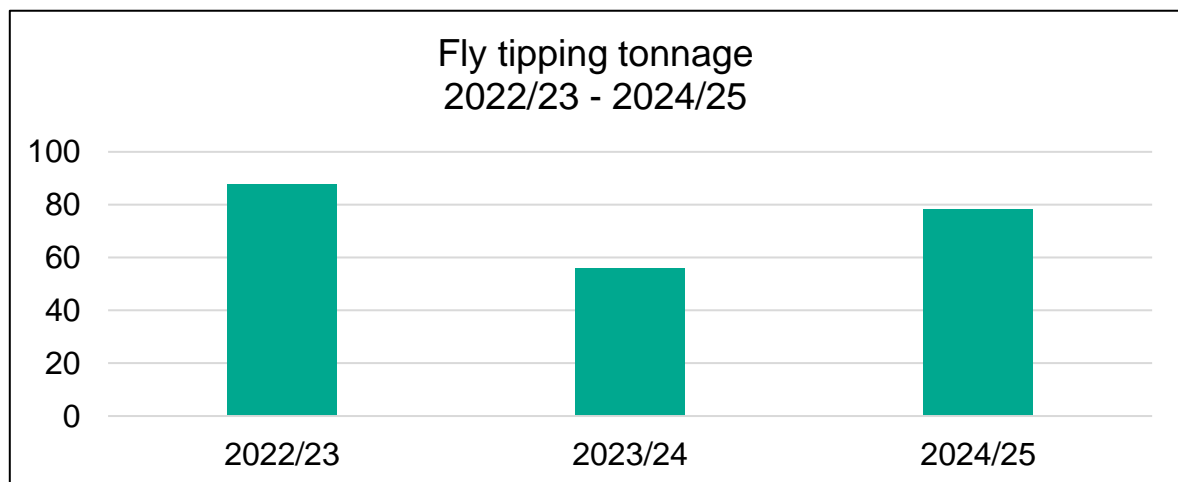
Table 1: KPI's for Environmental Enforcement

Year	Percentage of transects achieving grade B or above for litter	Percentage of achieving grade B or above for detritus (sweepers)
2021/22	96%	95%
2022/23	96%	95%
2023/24	96%	87%
2024/25	100%	95%

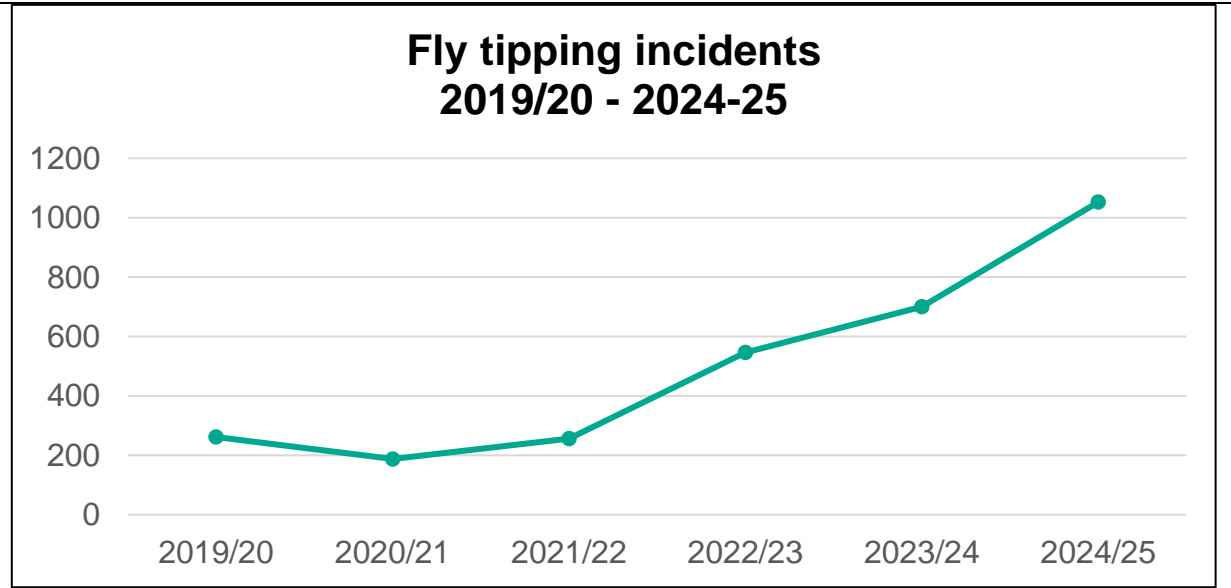
Table 2: Results from the litter and detritus cleanliness survey's



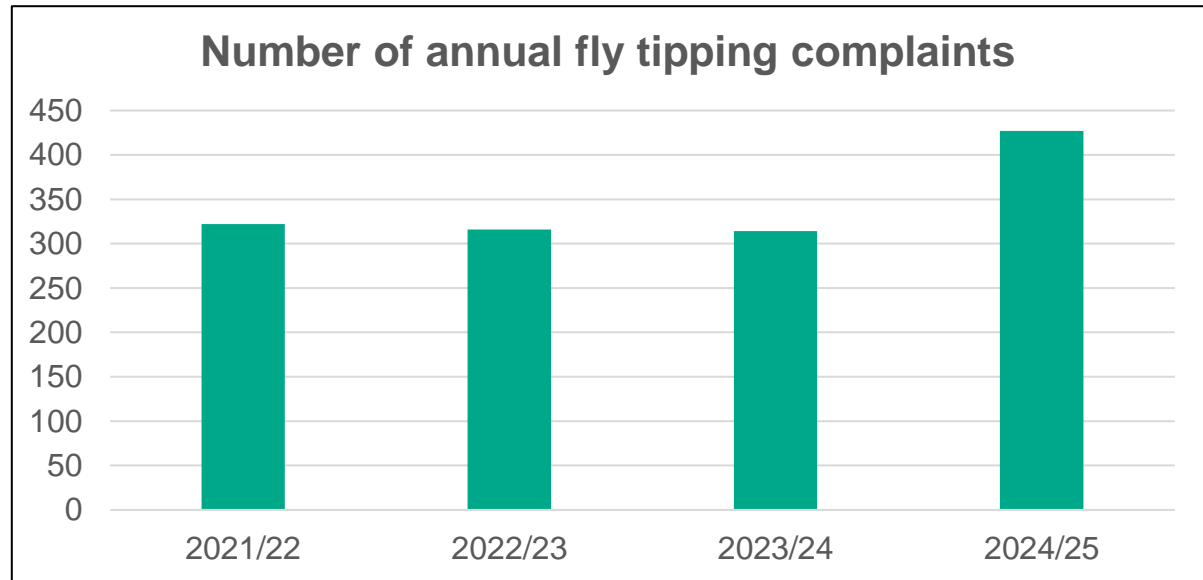
Graph 1: Tonnage of litter collected.



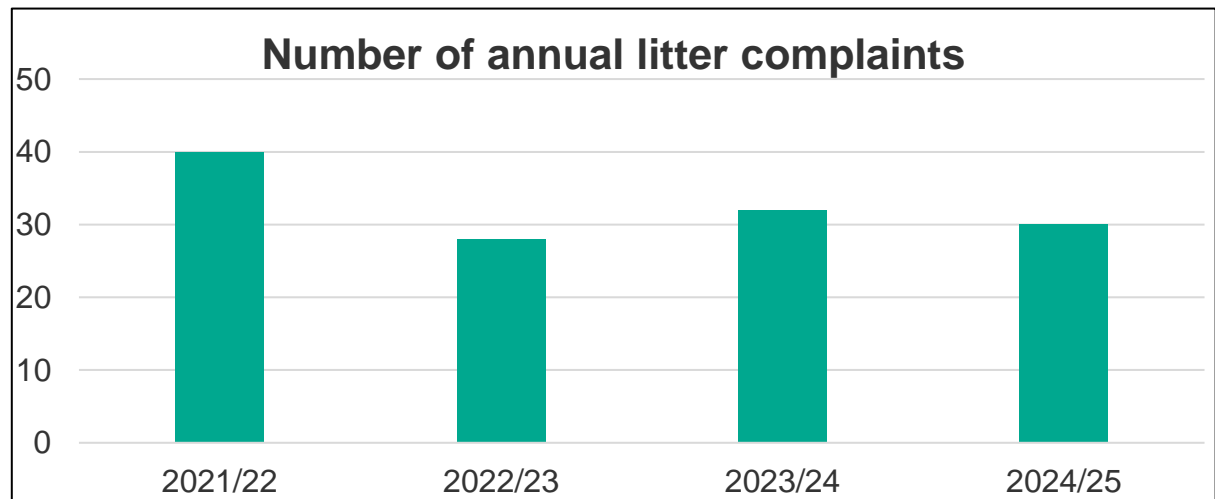
Graph 2: Tonnage of fly tipping collected.



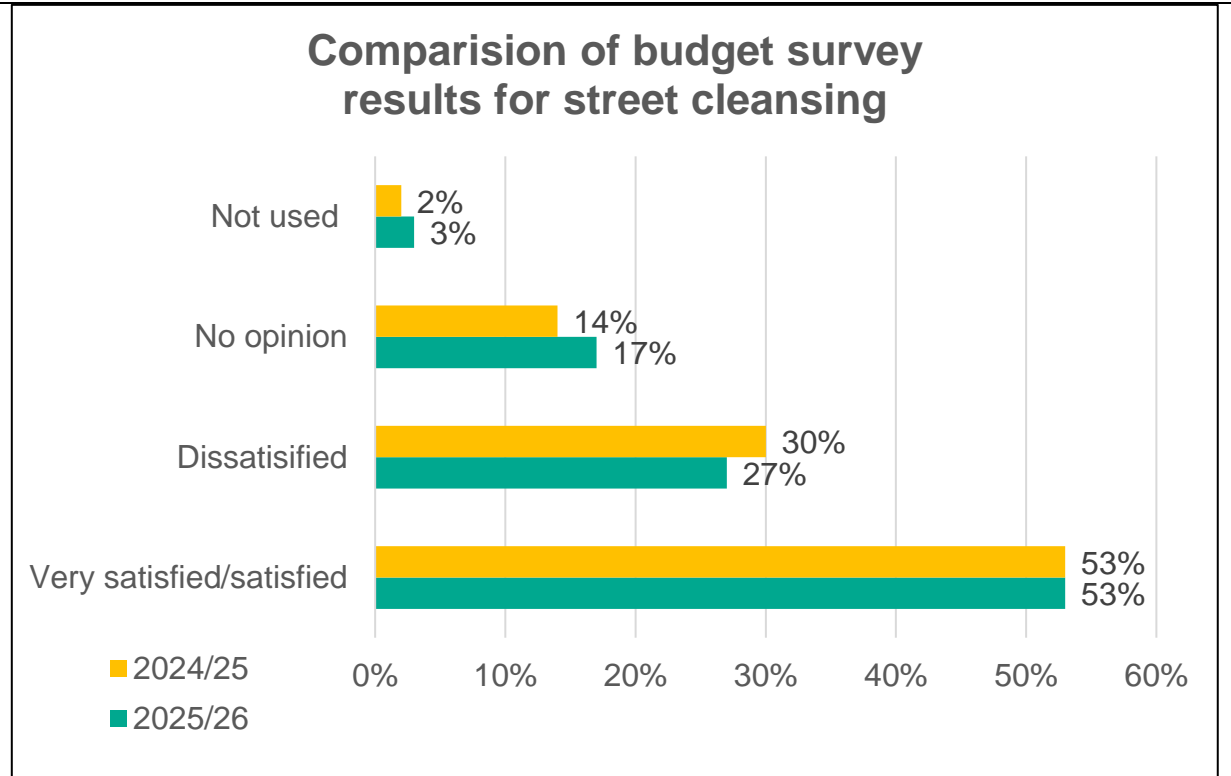
Graph 3: Number of fly tipping incidents



Graph 4: Number of fly tipping complaints



Graph 4: Number of annual litter complaints received.



Graph 5: Comparison of budget survey results for Street Cleansing

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

None relating to equality strands. However, the Council does have the following records:

- Complaints regarding litter issues from residents and Members
- Feedback from the budget survey.
- Feedback on the service when attending local events.

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

There has not been any direct public consultation regarding this service; however, a wider budget setting consultation undertaken in November 2025 covered the issues of street cleanliness.

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?**

Yes

The environmental enforcement function recognises that fixed penalty notices should not be issued to people under the age of 18 years or to vulnerable individuals. This is detailed in the Councils contract specification.

While the specification does not explicitly set out financial considerations, the third-party contractor is aware of the need to avoid placing individuals into hardship. Payment plans can be extended where appropriate, and in cases of significant financial difficulty a case may be reviewed by the contractor and referred to the Council where necessary. These measures ensure that enforcement action remains fair, reasonable and proportionate, and that no equality group is disadvantaged by the policy.

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

Environmental enforcement is intended to be accessed fairly by all. While some residents may face barriers where English is not their first language, the third party contractor will use translation tools and provide practical support to ensure that individuals understand the interaction and the reason for any action being taken. The service recognises that an offence is an offence regardless of personal characteristics, but also that some situations require discretion. For example, a person who is registered blind may unintentionally drop an item they cannot see, and in such cases an FPN would not be issued in line with the service specification and the Enforcement Policy. Any differences in how residents experience the service arise from the need to apply enforcement proportionately while making reasonable adjustments for those who require them.

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

There are no barriers that prevent any equality group or community from accessing the environmental enforcement service, as it operates in public spaces and is available to all residents. However, certain considerations are required to ensure that the service is applied fairly. Fixed penalty notices are not issued to individuals under the age of 18, and the service specification requires officers to exercise appropriate judgement where a person may have a vulnerability or disability. These adjustments ensure that the service remains accessible while recognising that some residents may require a different level of consideration to ensure that enforcement is applied proportionately and fairly.

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

Environmental enforcement does not directly promote equality or strengthen relationships between different groups, as its primary purpose is to address environmental offences. However, the consistent and fair application of the service can make a positive indirect contribution by ensuring that all communities experience clean and safe environments. By applying enforcement proportionately and making reasonable adjustments for those who need them, the service supports a sense of fairness and helps maintain trust that all residents are treated appropriately.

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

Further evidence is obtained through the EDI data provided each month by the third-party environmental enforcement partner, which is reviewed as part of the monthly account meetings. The data currently shows a very close alignment with the ethnic makeup of the Borough, which indicates that the service is not disproportionately affecting any group. Continued monitoring of these trends will help identify any emerging disparities over time so that appropriate action can be taken if needed.

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:

The Council's Enforcement Policy states that fixed penalty notices will not be issued to anyone under the age of 18. In addition to this safeguard, the third-party enforcement contractor provides presentations to local schools as part of their social value contribution. These sessions help younger people understand environmental responsibilities and the consequences of littering and fly tipping, which supports prevention rather than enforcement.

Disability:

Consideration is given to individuals with disabilities to ensure that action is appropriate and proportionate. Some disabilities may affect a person's ability to dispose of waste correctly or may result in accidental behaviours. In these circumstances enforcement action would not be taken, in line with the service specification and Enforcement Policy. The Council and the third-party contractor will continue to provide reasonable adjustments where required and ensure officers are trained to recognise when a disability may affect a person's actions. This approach supports fair decision making and maintains confidence that the service does not disadvantage residents with disabilities

Gender: No impacts identified.

Gender Reassignment: No impacts identified.

Marriage and Civil Partnership: No impacts identified.

Pregnancy and Maternity: No impacts identified.

Race: No impacts have been identified. Review of EDI data shows a close match with the ethnic profile of the Borough, indicating that enforcement activity is proportionate and is not disproportionately affecting any racial groups.

Religion and Belief: No impacts identified.

Sexual Orientation: No impacts identified.

Care Experience: No impacts identified.

Chief Executive:

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: Chief Executive

Report of the Portfolio Holder for Environment and Climate Change

Adoption of Bramcote Quarry and Allocation of Section 106 Funds

1. Purpose of Report

The purpose of the report is to advise Cabinet that the former BIFFA quarry and landfill site at Bramcote has now been legally adopted by the Council and to outline the next steps for the future use and development.

2. Recommendation

Cabinet is asked to RESOLVE:

- 1. That the proposed improvement works at the former Bramcote Quarry and Landfill site be approved and added to the Capital Programme in 2026/27, with the cost of £107,000 to be funded by the relevant Section 106 Contributions be approved.**
- 2. That the draft management plan for the Bramcote Quarry site be submitted for public consultation and comment be approved.**
- 3. A public consultation exercise be undertaken to name the open space be approved.**
- 4. To undertake the necessary steps to designate the site Local Nature Reserve be approved.**

3. Detail

The former BIFFA sand quarry and landfill site at Bramcote was legally adopted by the Council in July 2025. A plan of the 18 acres (7.4 hectares) site can be found in the **Appendix**. Section 106 funds have been received from BIFFA for the improvement and maintenance of the restored quarry. The funding and associated improvements to the site are shown in table 1.

Following the cessation of quarrying and landfill operations the site was capped and restored by BIFFA. It now comprises of a mixture of young woodland, naturalistic grassland and crushed stone paths. There is also a small car parking area with gated access. At present the gates are kept locked and only pedestrian access is possible, as keeping the gates open would make the site vulnerable to fly-tipping and unauthorised encampments. Crushed stone paths on site have suffered erosion and wash-out in heavy rain and are not accessible. With a large-scale residential development currently taking place on the Coventry Lane, the footfall to this site is likely to increase.

The proposed improvements suggested in table 1 include upgrading the car park and access track and incorporating a height restriction barrier at the entrance to the site to prevent unauthorised encampments. The area surrounding the car park will be more formally maintained and made more visible to discourage fly-tipping. Enhancements such as improved pathways, additional

parking, a picnic area, and seating will support increased visitor numbers and promote accessibility and inclusivity. The wider site will be managed less intensively to enhance biodiversity, while fencing will be installed to restrict access to areas of former quarrying activity, particularly the steep drop between Bramcote Hills Park and the old quarry site.

Site and Reference	Section 106 Funding	Improvement works proposed
<p>Bramcote Quarry and Landfill Site, Coventry Lane, Bramcote, Nottingham.</p> <p>Section 106 Agreement dated 28 August 2003</p> <p>Between Broxtowe Borough Council, Nottinghamshire County Council, BIFFA Waste Services and Severn Trent Water PLC.</p>	£ 107,000	<p>Drainage works, car park and path surfacing improvements to improve accessibility.</p> <p>Seating, picnic tables, bins and new signage, including site interpretation.</p> <p>Fencing works and entrance gates.</p> <p>Habitat management and planting works.</p>

Table 1: Proposed improvement works for Bramcote quarry

Draft Management Plan:

A draft management plan has been developed in conjunction with Nottinghamshire Wildlife Trust. This is to maximise the site's biodiversity value and enhance its capacity for carbon sequestration, aligning with the Council's Blue-Green Infrastructure Strategy and Climate Change and Green Futures Strategy. Public input regarding the environmental features and management of the site should be sought and members are asked to resolve that the draft management plan be submitted for public consultation and comment.

Site Naming

The Environment team proposes that a public consultation exercise be undertaken to help select a new name for the site or retain the existing name if preferred. The outcome of the consultation would inform a range of options to be presented to Cabinet for agreement in a future report.

Local Nature Reserve.

The Environment team is proposing to increase the number of Local Nature Reserves across the Borough by commencing the statutory designation process to establish the quarry site as Broxtowe's 15th Local Nature Reserve. This legal process requires the preparation of a site management plan and consultation

with Natural England. Designation will provide statutory protection for the site, ensuring its long-term management for nature conservation and public enjoyment.

Biodiversity Net Gain (BNG) credits

Given that there is potential for environmental improvements at this site, BNG credit submission should be considered. Sale of BNG credits could support ongoing maintenance expenses moving forward. An environmental audit and a BNG feasibility study will be carried out to assess whether developing BNG credits at this site is environmentally and financially viable.

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 Interim Deputy Chief Executive and Section 151 Officer were as follows:

There is currently no budgetary provision within the Capital Programme for 2026/27 towards the cost of improvement works at the former Bramcote Quarry and Landfill site. If this scheme is approved by Cabinet, the budget for the cost of works at £107,000 would be funded by the Section 106 Contributions as received from BIFFA Waste Services.

7. Legal Implications

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

Section 106 of the 1990 Town & Country Planning Act (as amended) allows Local Planning Authorities to require developers to enter into Legal Agreements to provide measures to mitigate the impact of their development. These Agreements are known as Section 106 Agreements. The planning obligations contained within them either require the developer to deliver on-site mitigation or to make a financial contribution to enable the Council to provide appropriate mitigating measures. By law, these planning obligations can only be required where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and in kind to the development. Payments can be made in the form of a capital or revenue contribution, as a lump sum or phased payments, due on defined dates or triggered as the development progresses. Local planning

authorities are required to use the funding in accordance with the terms of the individual Section 106 agreement and if not spent by the date specified in the agreement must be returned to the developer.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The proposed designation and management of the site as a Local Nature Reserve will deliver positive climate benefits by enhancing carbon sequestration through habitat restoration and tree planting, while supporting biodiversity and ecosystem resilience. These improvements contribute to climate adaptation and mitigation objectives, aligning with the Council's Climate Change and Green Futures Strategy.

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.

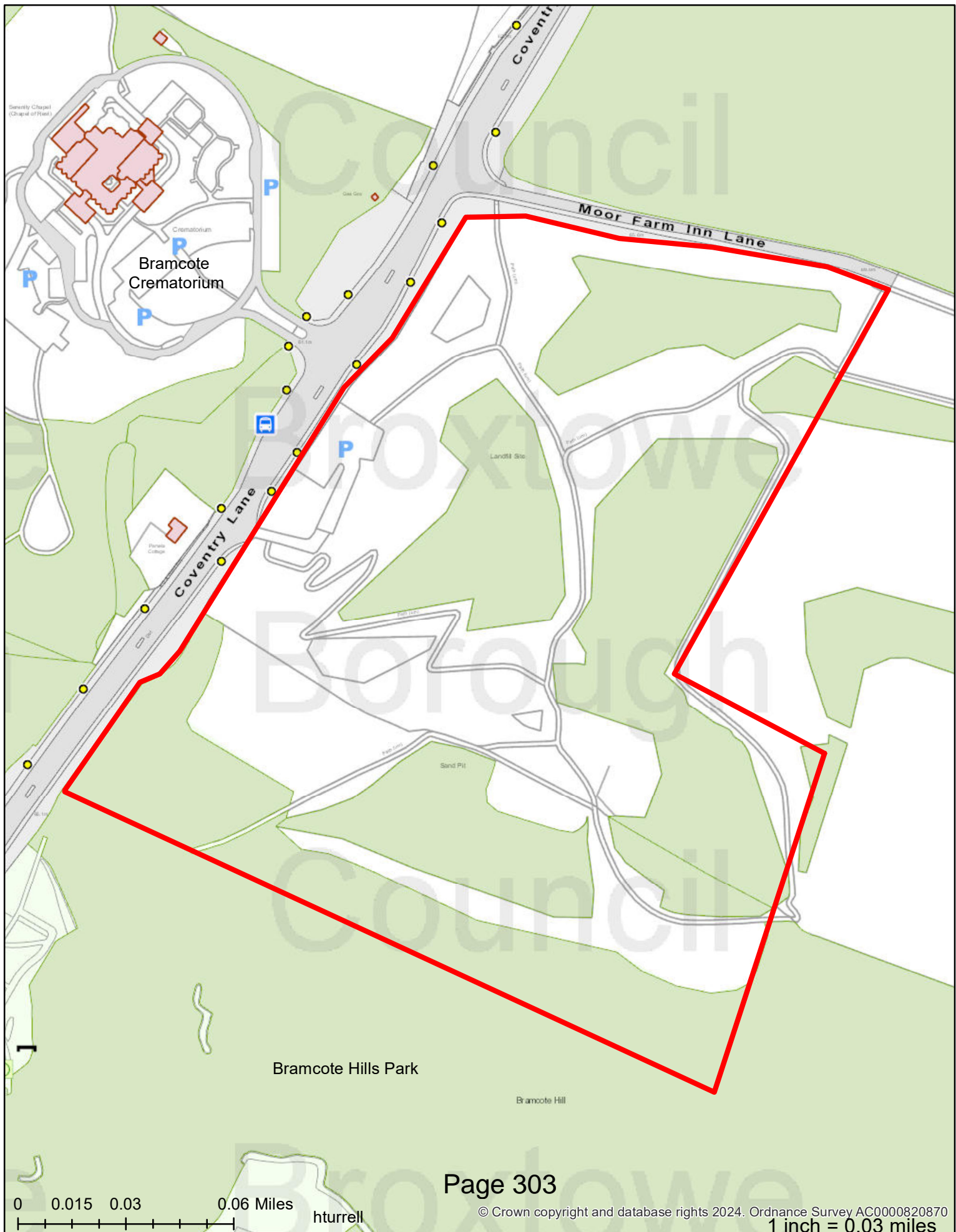


Bramcote Quarry Plan

Area 18 acres or 7.4 hectares



Broxtowe
Borough
COUNCIL



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Report of the Portfolio Holder for Community Safety

Public Spaces Protection Orders (PSPO) Renewal

1. Purpose of Report

To seek approval for the renewal of the pre-existing Public Spaces Protection Orders (PSPO) for alcohol control, vehicle control, dog control and footpath gating in order to continue to deter and control issues of ASB in public spaces.

2. Recommendation

Cabinet is asked to APPROVE the renewal of Public Spaces Protection Orders (PSPO):

- 1. Beeston Town Centre Alcohol Control PSPO be approved.**
- 2. Beeston North Alcohol Control PSPO be approved.**
- 3. Stapleford Town Centre Alcohol Control PSPO be approved.**
- 4. Eastwood Town Centre Alcohol Control PSPO be approved.**
- 5. Kimberley Town Centre Alcohol Control PSPO be approved.**
- 6. Manor Park Alcohol Control PSPO be approved.**
- 7. Eastwood Vehicle Control PSPO be approved.**
- 8. Chilwell Vehicle Control PSPO (including extension) be approved.**
- 9. Basil Russell Playing Fields Dog Control PSPO be approved.**
- 10. Malthouse Close to Knapp Avenue Footpath Gating PSPO be approved.**
- 11. An additional budget of £1,500, if required, be set aside from General Fund Revenue Contingencies for this purpose.**

3. Detail

PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are designed to prevent individuals or groups from committing anti-social behaviour (ASB) in or on land to which the public has access within the restricted area.

PSPO are designed to deal with a particular nuisance in a defined geographical location by imposing reasonable restrictions/requirements on the use of public space. They have a two-fold approach, deterrent and enforcement. The deterrent element is in most cases sufficient to prevent behaviour occurring.

A PSPO does not restrict behaviour from taking place within the designated area but allows action to be taken where that behaviour causes ASB. A breach of the PSPO without reasonable excuse would be a criminal offence, subject to a Fixed Penalty Notice (FPN) of £75 (reduced to £50 if paid within 14 days) or prosecution. Members are reviewing the level of the penalty within fees and charges in 2025/26 and it is expected that it will rise to £100 with no reduction for

early payment. Fixed Penalty Notices can be issued by a Police Constable. On summary conviction, an individual would be liable to a fine not exceeding Level 2 on the standard scale (currently £500).

The consultation with stakeholders, as required by the legislation, to extend the PSPO for a further three years was approved by Members on 29 July 2025 and has been undertaken.

Since the beginning of 2022, there have been a significant number of incidents reported to the Police and 15 to the Council of vehicle related nuisance on the site of the Toton Park and Ride Car Park. Due to these ongoing issues an extension to the restricted area of the Chilwell Vehicle Nuisance PSPO is proposed.

The proposed orders can be found at **Appendix 1**.

The proposed maps can be found at **Appendix 2**.

The results of the consultation can be found at **Appendix 3**.

Data relating to vehicle nuisance for the period 20 October 2024 and 19 February 2025 can be found at **Appendix 4**.

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 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

Policy and Overview Working Group Recommended Cabinet approve the renewal of all PSPOs including the amendment to the Chilwell Vehicle Nuisance PSPO.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no significant budget implications relating to these PSPO, although there may be a cost of £1,500 depending upon the approval of an extension at Toton Tram Car Park. This nominal cost would be met by an allocation from General Fund Revenue Contingencies.

7. Legal Implications

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

Under sections 59-75 of the Anti-Social Behaviour, Crime and Policing Act 2014, local authorities have powers to make PSPOs. The Council can only make a PSPO when it is satisfied on reasonable grounds that the activities carried out or likely to be carried out in a public place have a detrimental effect on the quality of life of those in the area and are persistent, continuing, and unreasonable. The Council would also need to be satisfied that the restrictions imposed were justified. The Council must comply with the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 by publishing the orders on its website and by erecting notices on or near the affected land sufficient to draw the attention of the public to the fact that the orders are in place and the effects of this. A PSPO can last up to three years unless it is renewed by the Council (section 60). More than one renewal can be granted, with each extension lasting up to three years.

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

As this is a change to policy / a new policy an equality impact assessment is included in the appendix to this report.

13. Background Papers

Nil.

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**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

**CHILWELL INCLUDING CHILWELL RETAIL PARK VEHICLE NUISANCE PUBLIC SPACES
PROTECTION ORDER**

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area in Chilwell including Chilwell Retail Park and all adopted roads within the area delineated in red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the public space:

CAR CRUISING AND ASSOCIATED ACTIVITIES

1. RESTRICTIONS/REQUIREMENTS:

- 1.1 Subject to the exceptions at 1.2 any person is prohibited from participating in or being a spectator of car cruising and car cruising events including but not limited to the following activities:**
- a. **Driving motor vehicles at excessive speed or accelerating aggressively;**
 - b. **Racing motor vehicles;**
 - c. **Wheel spins;**
 - d. **Stunts being performed in motor vehicles;**

- e. Music being played on equipment installed in a motor vehicle that is audible outside the vehicle;
- f. Driving motor vehicles in a convoy of two or more vehicles, whether side by side or in single file;
- g. The promotion, publication or organising any car cruising or car cruising events to occur within the Restricted Area, by the internet, email, Facebook, Twitter or any other social media, hoardings, publications or adverts;
- h. Repeatedly and inconsiderately excessively revving engines;
- i. Congregation of two or more motor vehicles on Chilwell Retail Park;
- j. Repeatedly and inconsiderately sounding of a motor vehicle horn in such a manner that it causes or is likely to cause nuisance to persons in the locality;
- k. Causing an obstruction on a public highway or publicly accessible place, whether stationary or moving which causes or is likely to cause nuisance to persons in the locality;
- l. Creating a danger or risk of injury to road users and pedestrians;
- m. Using threatening, foul or abusive language;
- n. Creating public nuisance or annoyance;
- o. Using threatening, intimidating behavior towards another person; and
- p. Recording any of the activities on any device.

1.2 Exceptions – the restrictions in this Order to not apply to the following:

- a. A convoy of motor vehicles taking part in a funeral procession and associated congregation;
- b. Any activity that has been approved in advance by the Local Authority.

1.3 A person participates in car cruising if:

- a. They are the driver of a motor vehicle engaging in the car cruising activities; or
- b. They are a passenger in a motor vehicle engaging in the car cruising activities.

1.4 A person is a spectator of car cruising if they attend a meeting of two or more vehicles engaging in activities of car cruising.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

DEFINITIONS

Motor Vehicle – a mechanically propelled vehicle intended or adapted for use on road and for the purpose of this Order includes motor cycles which are mechanically propelled vehicles, not being an invalid carriage, with less than four wheels.

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (1) It is an offence for a person without reasonable excuse-
 - (i) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (i) To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



Broxtowe Borough COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

EASTWOOD VEHICLE NUISANCE PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of SOUTH EASTWOOD including Tinsley Road and the A610 between Eastwood and Junction 26 of the M1 delineated red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CAR CRUISING AND ASSOCIATED ACTIVITIES

1. RESTRICTIONS/REQUIREMENTS:

1.1 Subject to the exceptions at 1.2 any person is prohibited from participating in or being a spectator of car cruising and car cruising events including but not limited to the following activities:

- a. **Driving motor vehicles at excessive speed or accelerating aggressively;**
- b. **Racing motor vehicles;**

- c. Stunts being performed in motor vehicles;
 - d. Music being played on equipment installed in a motor vehicle that is audible outside the vehicle;
 - e. The promotion, publication or organising any car cruising or car cruising events to occur within the Restricted Area, by the internet, email, Facebook, Twitter or any other social media, hoardings, publications or adverts;
 - f. Repeatedly and inconsiderately excessively revving engines;
 - g. Congregation of two or more motor vehicles on Tinsley Road;
 - h. Repeatedly and inconsiderately sounding of a motor vehicle horn in such a manner that it causes or is likely to cause nuisance to persons in the locality;
 - i. Causing an obstruction on a public highway or publicly accessible place, whether stationary or moving which causes or is likely to cause nuisance to persons in the locality;
 - j. Creating a danger or risk of injury to road users and pedestrians;
 - k. Using threatening, foul or abusive language;
 - l. Creating public nuisance or annoyance; and
 - m. Using threatening, intimidating behavior towards another person.
- 1.2 Exceptions – the restrictions in this Order to not apply to the following:**
- a. A convoy of motor vehicles taking part in a funeral procession and associated congregation;
 - b. Any activity that has been approved in advance by the Local Authority.
- 1.3 A person participates in car cruising if:**
- a. They are the driver of a motor vehicle engaging in the car cruising activities; or
 - b. They are a passenger in a motor vehicle engaging in the car cruising activities.
- 1.4 A person is a spectator of car cruising if they attend a meeting of two or more vehicles engaging in activities of car cruising.**

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The

High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

DEFINITIONS

Motor Vehicle – a mechanically propelled vehicle intended or adapted for use on road and for the purpose of this Order includes motor cycles which are mechanically propelled vehicles, not being an invalid carriage, with less than four wheels.

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (5) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (7) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (8) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

KNAPP AVENUE / MALTHOUSE CLOSE

PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area to the rear of Knapp Avenue and Plumptre Way leading to Malthouse Close delineated red on the attached labelled plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

ANTI-SOCIAL BEHAVIOUR

1. RESTRICTIONS/REQUIREMENTS:

Restriction over the public right of way to the rear of Knapp Avenue and Plumptre Way leading to Malthouse Close identified edged red on the attached plan.

Where a gate or barrier is installed it is required to remain locked and secure at all times except for passage and repassage for the Authorised

Groups. Failure to do so would amount to a breach of this Order.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. RESTRICTION OVER PUBLIC RIGHT OF WAY OVER HIGHWAY

In this Order "the Highway" means the highway at the location shown edged red on the attached plan.

The public right of way over the Highway is restricted at all times so that passage and repassage thereover may not occur to all persons, except:

-) For occupiers of premises adjoining or adjacent to the Highway;
-) Where the Highway is the only or principal means of access to a dwelling;
-) Where the Highway is the only or principal means of access to premises used for business or recreational purposes during periods when the premises are normally used for those purposes;
-) The Police, Fire and Rescue Service or Emergency Ambulance Services;
-) A local authority undertaking a statutory duty; or
-) Any statutory undertaker provider of gas, electricity or water services or communications provider which maintains apparatus in the Highway.

being the "Authorised Groups".

A gate or other barrier may be installed, operated and maintained at any point or points on the Highway as determined from time to time by the Authority. The responsible department for the maintenance and operation of the gates can be contacted on 0115-9177777.

An alternative route is Knapp Avenue to Church Street to Malthouse Close.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will

be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (9) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (10) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (11) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (12) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BASIL RUSSELL PLAYING FIELDS, NUTHALL

PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area to the rear of Basil Russell Playing Fields in Nuthall within the area delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

DOG FOULING AND DOG CONTROL

1. RESTRICTIONS/REQUIREMENTS:

Subject to the exceptions at Schedule One or consent by the landowner having been given to the person in charge of the dog the following will be a breach of this Order:

1. Dog Fouling

If a dog defecates at any time in the Restricted Area and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be in breach of this Order.

2. Dogs on Leads

A person in charge of a dog in the Restricted Area shall be in breach of this Order, if without reasonable excuse that person fails to keep the dog on a lead.

3. Exclusion of Dogs

A person in charge of a dog shall be in breach of this Order if, at any time, they take the dog onto, or permit the dog to enter, or to remain on, any land comprising the children's play area within the Restricted Area and shown hatched blue on the plan.

For the purpose of this Order –

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.

Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 it is an offence for a person without reasonable excuse, to do anything prohibited by this Order or fail to comply with a requirement of this Order.

A person guilty of an offence under s.67 of the Anti-social Behaviour Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level three on the standard scale, up to £1,000 at the time this Order came into force.

The effects of s.67 of the Anti-social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (13) It is an offence for a person without reasonable excuse-
- (i) To do anything that the person is prohibited from doing by a public spaces protection order, or
 - (i) To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (14) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (15) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (16) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)

SCHEDULE ONE THE EXCEPTIONS

- (a) This Order shall not apply to a person who:-
- i. Is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - ii. Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance; or
 - iii. Who has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities including affecting their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by a Prescribed Charity or such other charity/approved body as is considered appropriate by the Authority and upon which they rely for assistance; or
 - iv. Is training an assistance dog for one of the Prescribed Charities or such other charity/approved body as is considered appropriate by the Authority; or
 - v. Is not a person falling within the criteria mentioned in paragraph i to iv above but who the Authority considers should be exempt due to the impairment of that particular person.
- (b) Nothing in the Order shall apply to the normal activities of a working dog whilst the dog is working. This includes dogs that are being used for work in connection with emergency search and rescue, law enforcement and the work of HM Armed Forces.
- (c) Each of the following is a "Prescribed Charity":
- i. Dogs for the Disabled (registered charity number 700454);
 - ii. Support Dogs (registered charity number 1088281);
 - iii. Canine Partners for Independence (registered charity number 803680).



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BEESTON NORTH

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Beeston North delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (17) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (18) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (19) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (20) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



Broxtowe Borough COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

BEESTON TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Beeston Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the

Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (21) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (22) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (23) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (24) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

EASTWOOD TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Eastwood Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (25) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (26) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (27) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (28) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

KIMBERLEY TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Kimberley Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (29) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (30) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (31) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (32) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

MANOR PARK RECREATION GROUND, TOTON

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Manor Park Recreation Ground, Toton delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by

the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (33) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (34) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (35) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (36) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

STAPLEFORD TOWN CENTRE

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the area of Stapleford Town Centre delineated in red on the attached plan being the "Restricted Area".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Area:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Area.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on

and lasts until

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. This means

that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (37) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (38) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (39) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (40) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)



**Broxtowe
Borough
COUNCIL**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

PUBLIC SPACES PROTECTION ORDER

BROXTOWE BOROUGH COUNCIL

ALCOHOL CONTROL PUBLIC SPACES PROTECTION ORDER

THIS ORDER is made by Broxtowe Borough Council ("the Authority") because the Authority is satisfied on reasonable grounds that activities carried out or likely to be carried out in a public space:

- Have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- Are or are likely to be, of a persistent or continuing nature;
- Are or are likely to be unreasonable; and
- Justify the restrictions imposed.

Namely the areas of:

**BEESTON NORTH
BEESTON TOWN CENTRE
MANOR PARK RECREATION GROUND, TOTON
STAPLEFORD TOWN CENTRE
KIMBERLEY TOWN CENTRE
EASTWOOD TOWN CENTRE**

delineated in red on the attached plans being the "Restricted Areas".

The Authority is satisfied that the following activity has been or is likely to be carried out in the Restricted Areas:

CONSUMPTION OF ALCOHOL

1. RESTRICTIONS/REQUIREMENTS:

You are prohibited from consuming alcohol or having an open container of alcohol in your possession in a public place within the Restricted Areas.

2. PERIOD FOR WHICH THE ORDER HAS EFFECT

This Order will come into force on day of

and lasts until day of

At any point before the expiry of this period the Authority can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

3. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 63 of the Anti-Social Behaviour Crime and Policing Act 2014 says that where a constable or authorised person reasonably believes that you:

- Are or have been consuming alcohol in breach of this Order; or
- Intend to consume alcohol in breach of this Order

the constable or authorised person may require you to:

- (a) Not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (b) To surrender anything in your possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

It is an offence for a person, without reasonable excuse, to fail to comply with a requirement imposed by a constable or authorised person under Section 63.

A person guilty of an offence is liable on conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

The effects of Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 are appended to this Order.

4. FIXED PENALTY

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. You will have 21 days to pay the fixed penalty of £75. If you pay the fixed penalty in less than 14 days this will be reduced to £50. Payment of a fixed penalty within the aforementioned time frames discharges liability for the offence and you will not be

prosecuted.

5. VALIDITY OF ORDERS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Areas. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Authority.

Interested persons can challenge the validity of this Order on two grounds: that the Authority did not have power to make the Order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name _____

Position _____

Officer of the Council

Name _____

Position _____

APPENDIX

Section 67 Anti-Social Behaviour Crime and Policing Act 2014

- (41) It is an offence for a person without reasonable excuse-
 - () To do anything that the person is prohibited from doing by a public spaces protection order, or
 - () To fail to comply with a requirement to which a person is subject under a public spaces protection order
- (42) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (43) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order
- (44) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63)

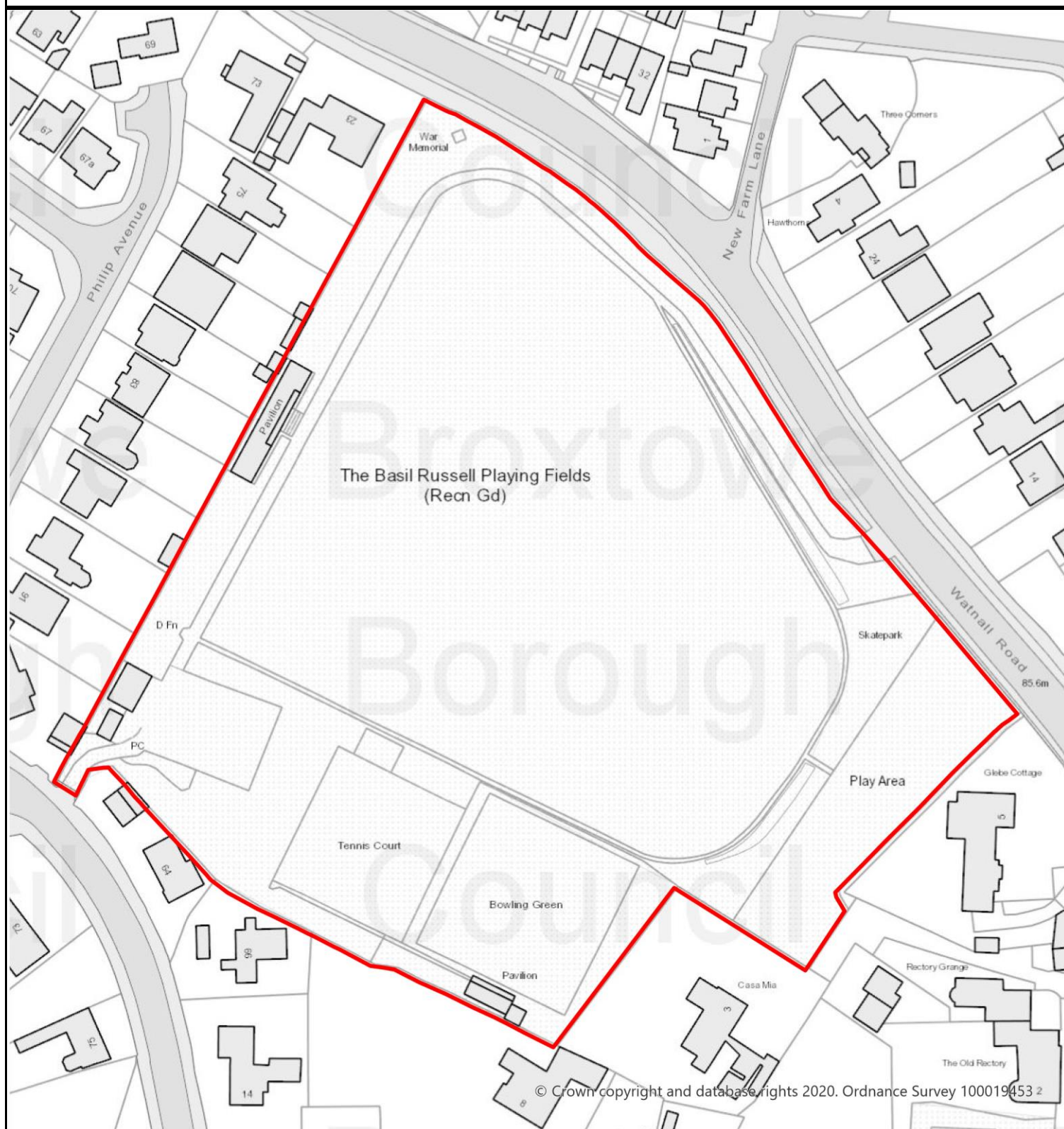
Basil Russell Playing Fields



Broxtowe Borough Council Alcohol Control Public Spaces
Protection Order



Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

 Restricted Area

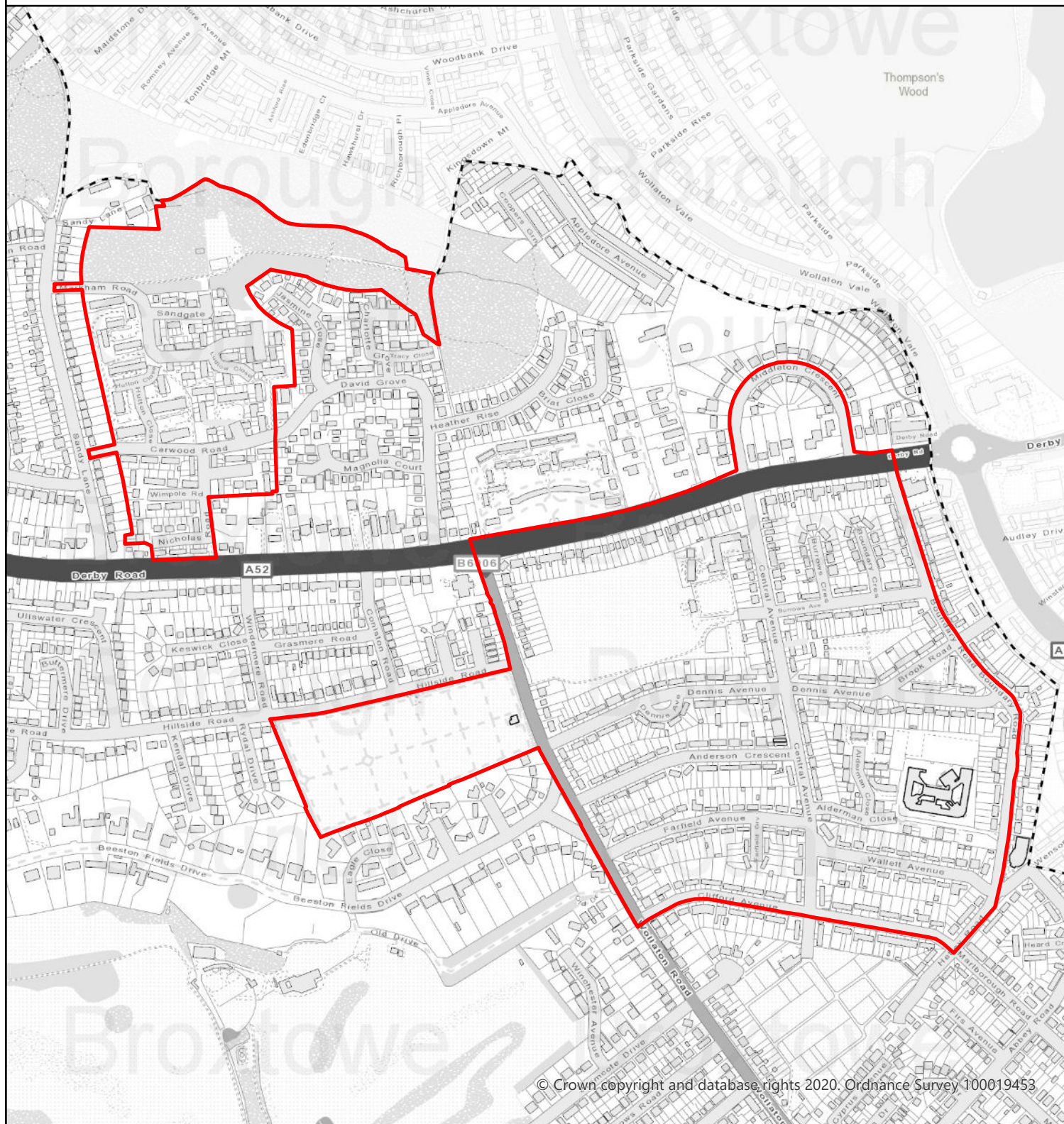


Beeston North

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

 Restricted Area

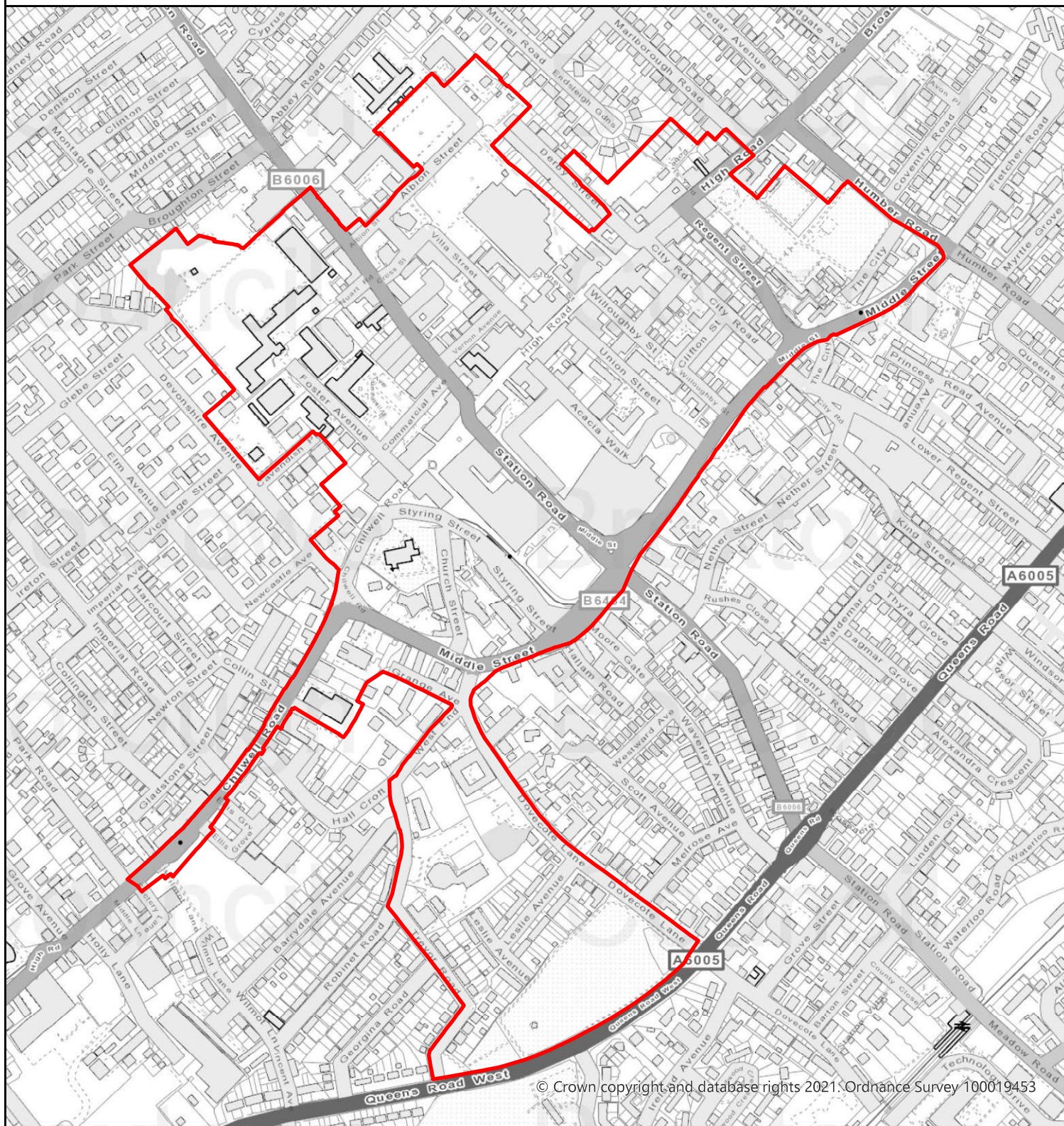


Beeston Town Centre

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



Broxtowe
Borough
COUNCIL



Not to Scale

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NOTES AND INFORMATION

 Restricted Area



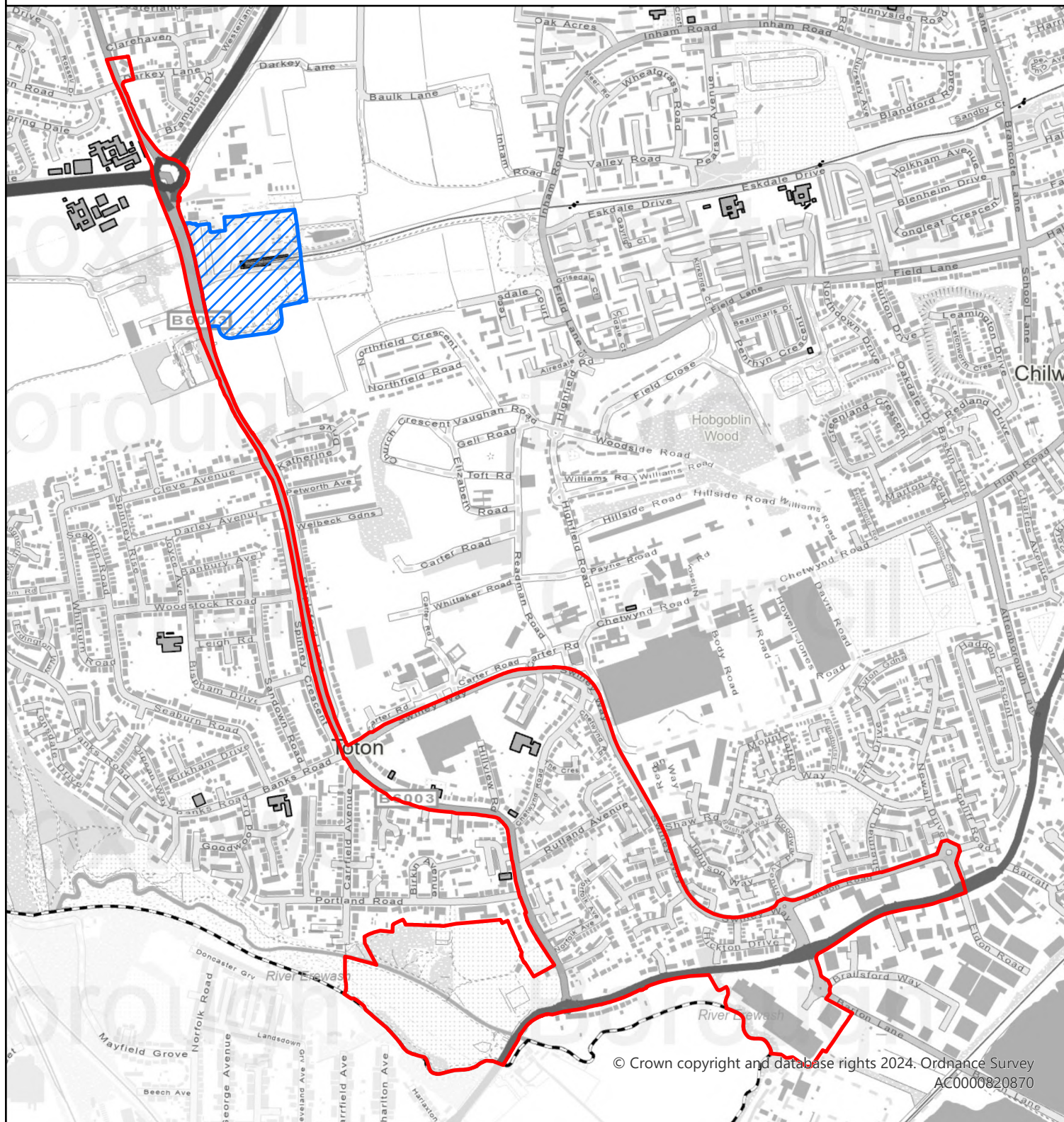
Chilwell Retail Park

Public Spaces Protection Order

Proposed Extension



Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

 Public Spaces Protection Order (PSPO)

 PSPO Proposed Extension

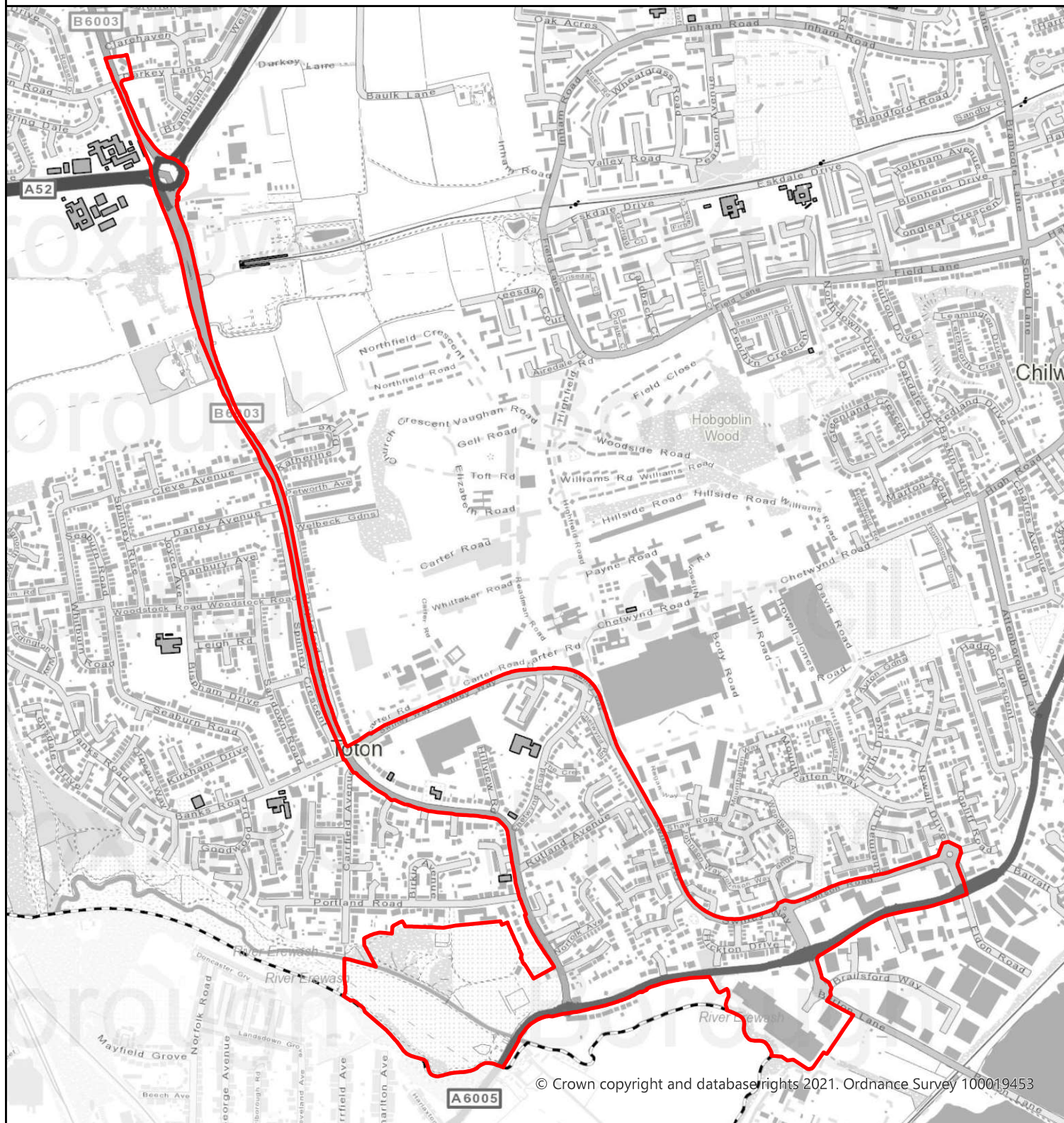


Chilwell Retail Park

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order





Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

-  Restricted Area
-  Proposed Extension



Eastwood Town Centre

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



**Broxtowe
Borough
COUNCIL**



Not to Scale

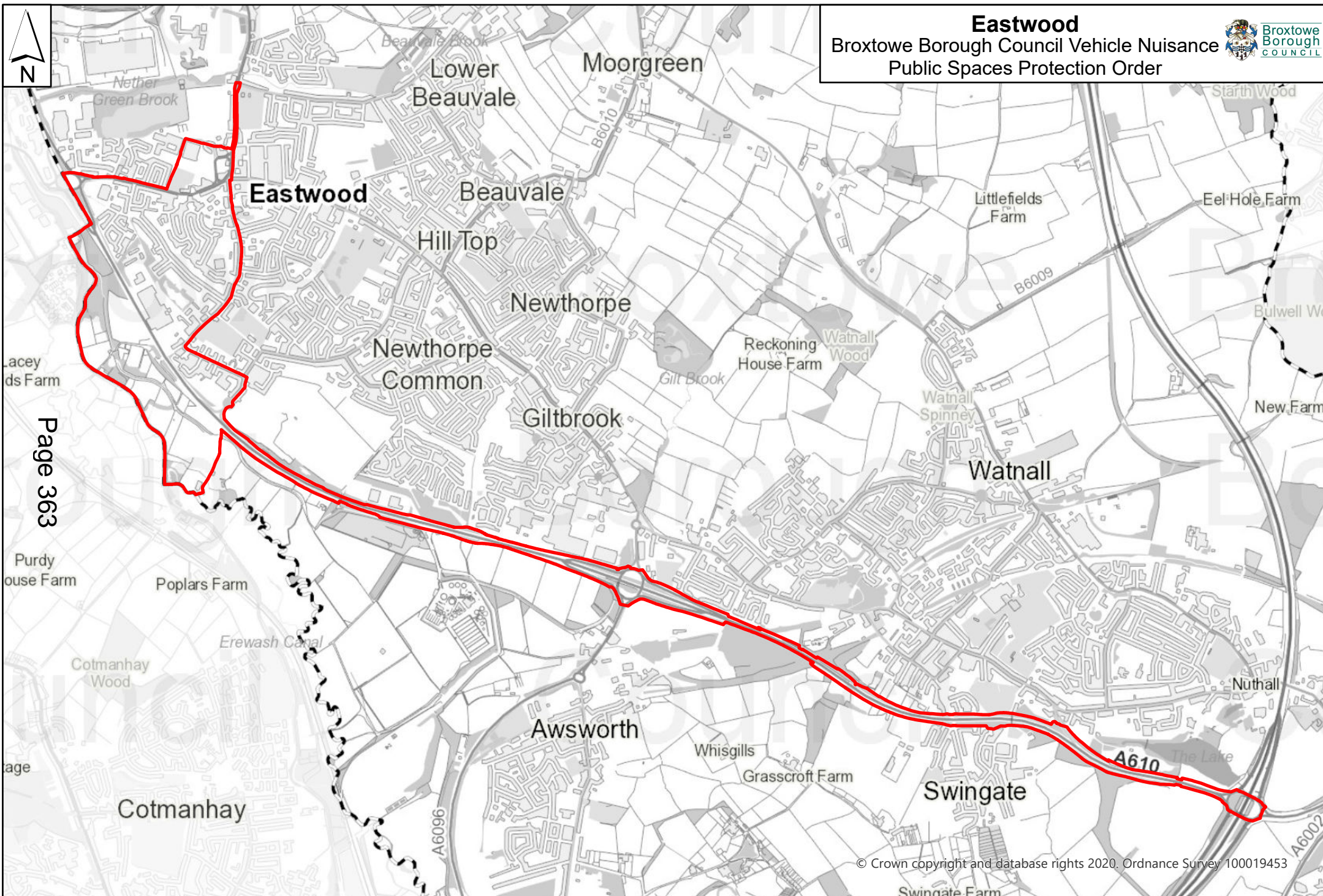
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NOTES AND INFORMATION

 Restricted Area



Eastwood
Broxtowe Borough Council Vehicle Nuisance
Public Spaces Protection Order



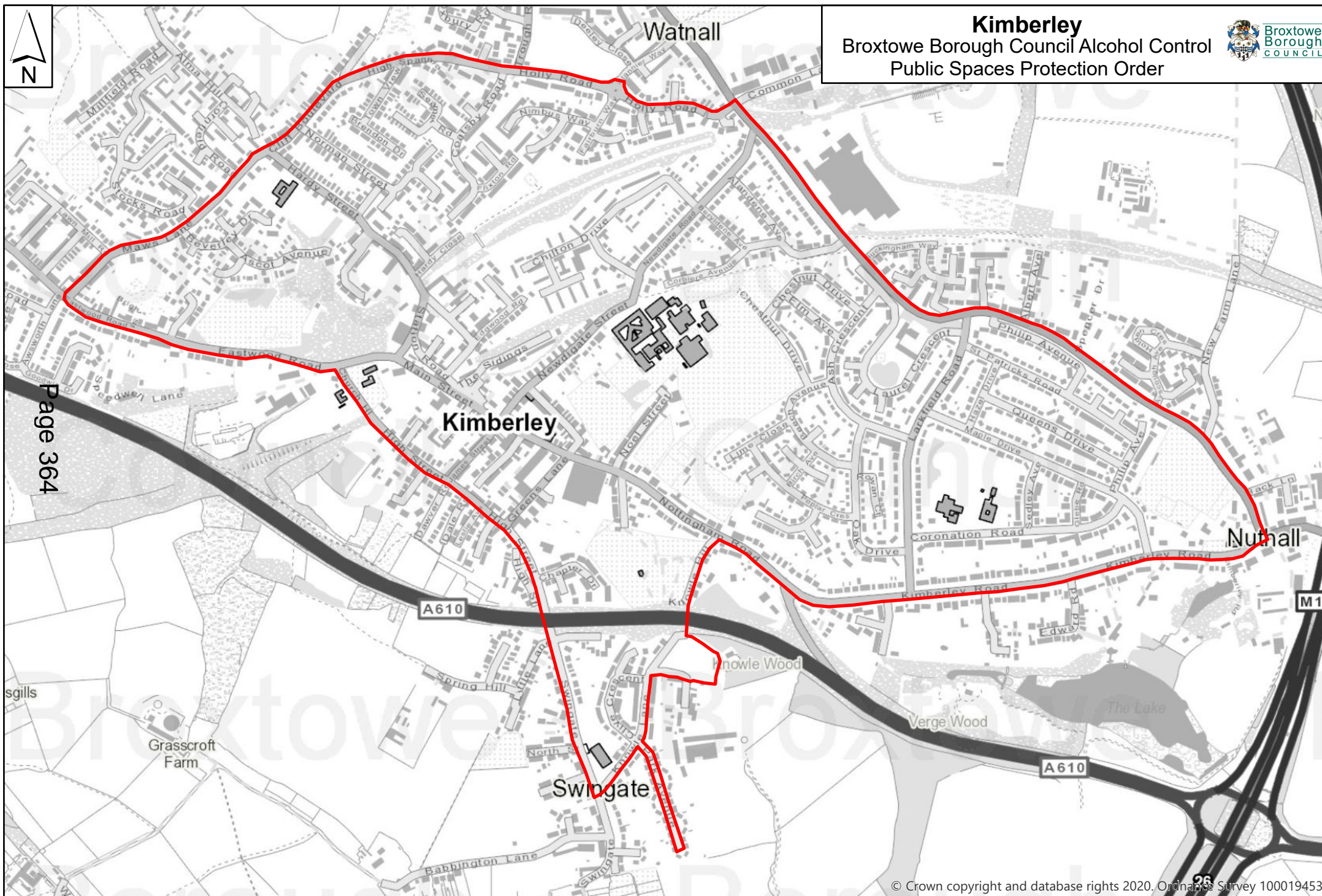
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Kimberley

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



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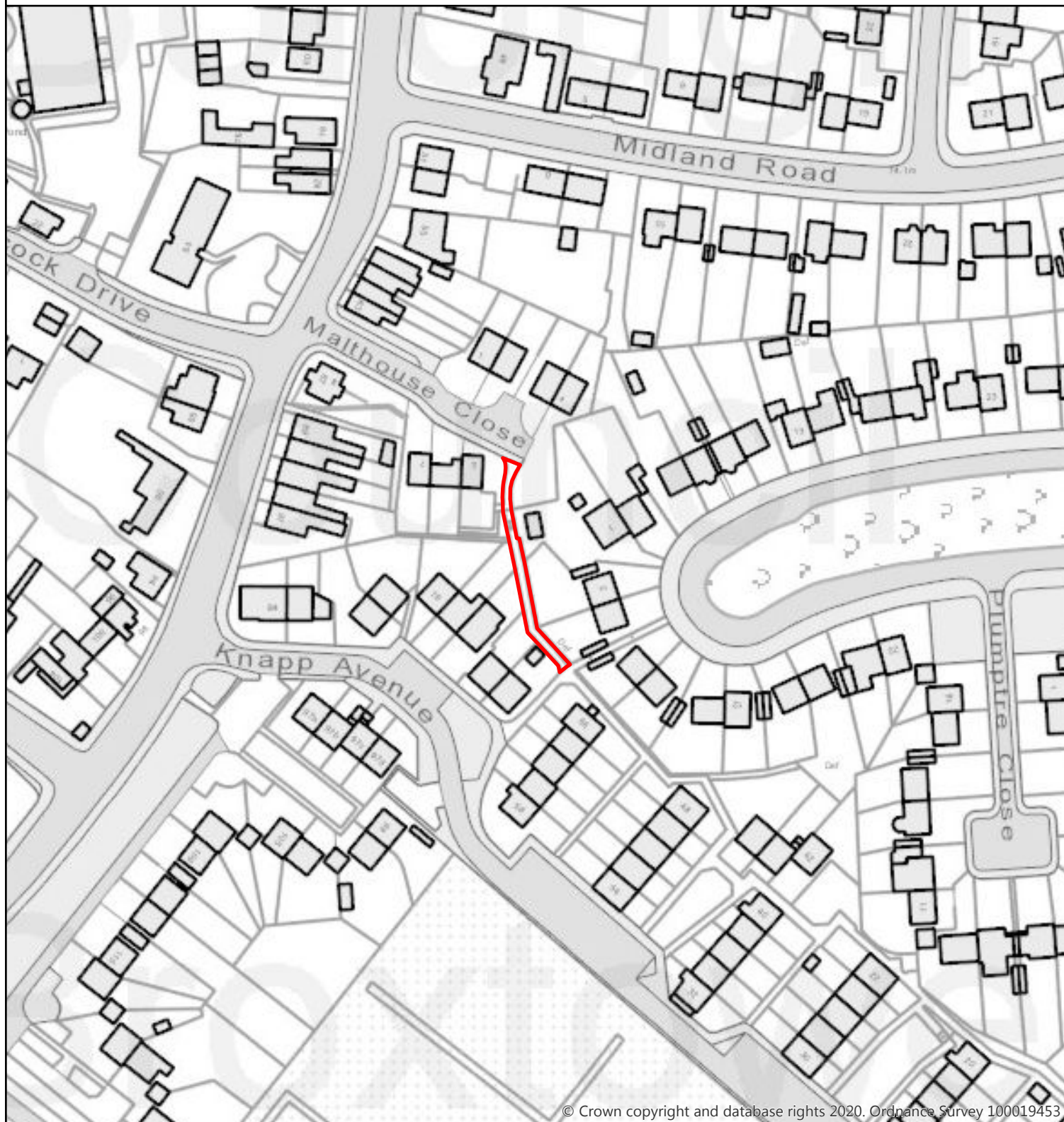


Broxtowe Borough Council PSPO

Rear of Knapp Avenue & Plumtre Way
leading to Malthouse Close



Broxtowe
Borough
COUNCIL



Not to Scale

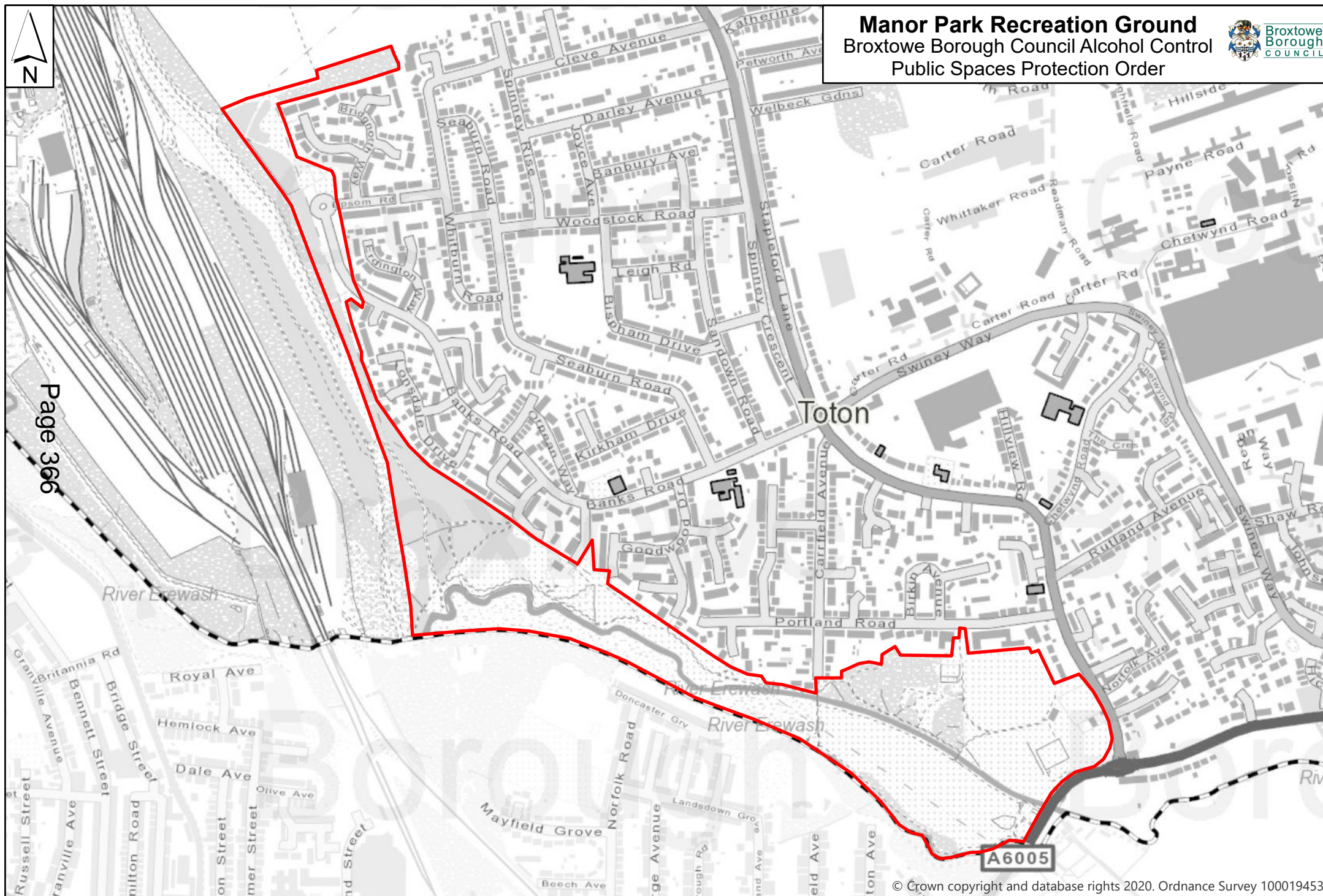
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NOTES AND INFORMATION

 Restricted Area



Manor Park Recreation Ground
Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



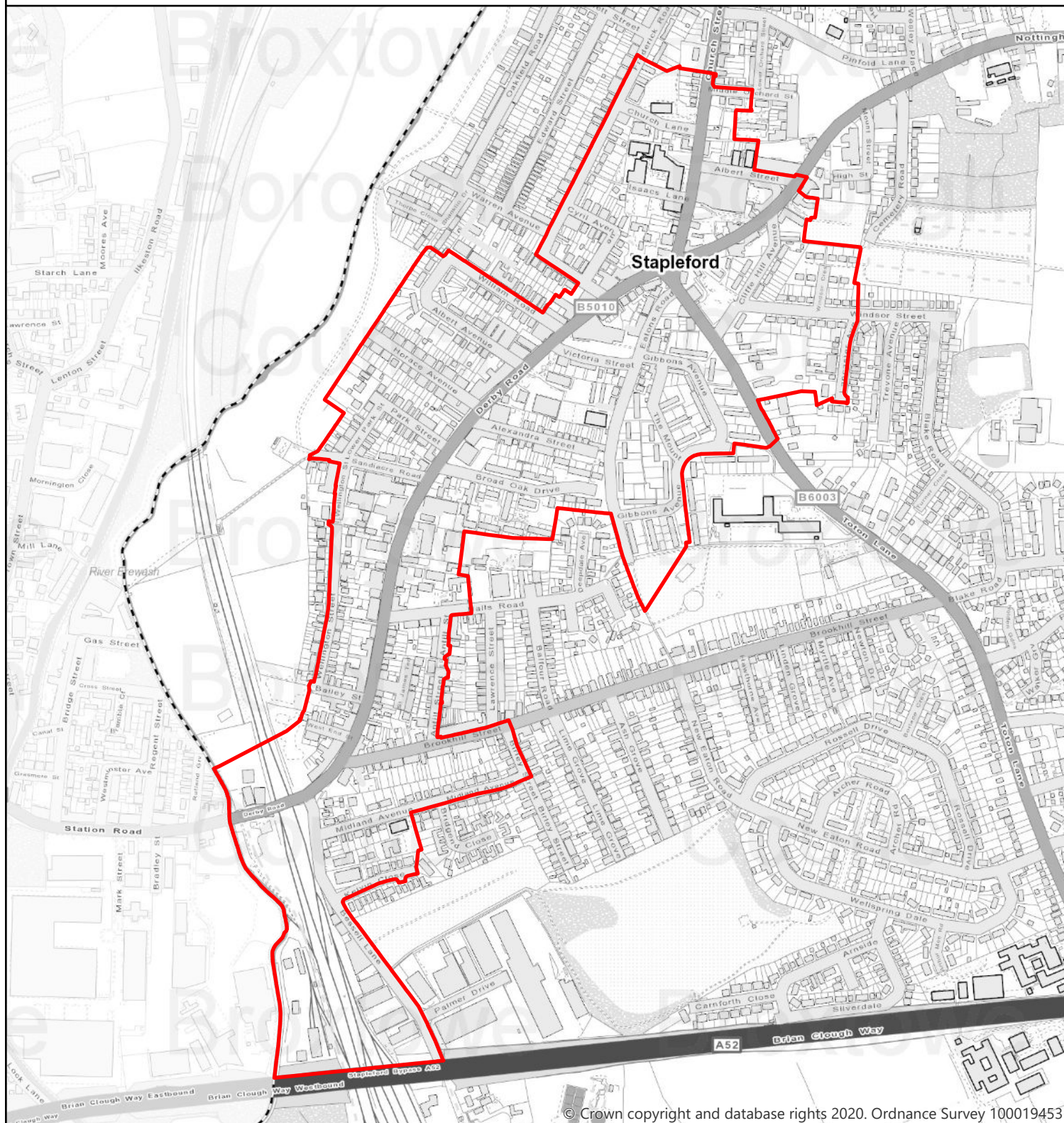


Stapleford Town Centre

Broxtowe Borough Council Alcohol Control
Public Spaces Protection Order



Broxtowe
Borough
COUNCIL



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NOTES AND INFORMATION

 Restricted Area

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Appendix 3

PSPO RENEWAL 2026 CONSULTATION RESULTS

PSPO	AGREE	DISAGREE
Basil Russell Playing Fields – Dog Control	1	0
Beeston North – Alcohol Related ASB	1	0
Beeston Town Centre – Alcohol Related ASB	1	0
Chilwell and Toton – Vehicle Related Nuisance	3	0
Eastwood Town Centre – Alcohol Related ASB	2	0
Eastwood – Vehicle Related Nuisance	2	0
Kimberley Town Centre – Alcohol Related ASB	2	0
Knapp Avenue / Malthouse Way Eastwood - Footpath Closure	2	0
Manor Park Recreation Ground Toton – Alcohol Related ASB	2	0
Stapleford Town Centre – Alcohol Related ASB	2	0

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BROXTOWE VEHICLE NUISANCE DATA

Between 20/10/2024 and 19/02/2025

In Broxtowe there were 54 incidents of car cruising as compared to 38 for the same period 2023/24 which is an increase of 42%

12 related to the area within the proposed PSPO at Chilwell and Toton

11 of these related to the area around Bardills Island

Temporal analysis shows that the key offending times at Toton were:

Friday 22.00 – 24.00

Saturday 21.00 – 24.00

Sunday 20.00 – 23.00

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Appendix 5

Equality Impact Assessment

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

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

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

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

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

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

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

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

The Council has also decided to treat people who have care experience as if they had a protected characteristic under the law.

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

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

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

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

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

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

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

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

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

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

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Execs	Title of the Lead Officer responsible for EIA	Head of Communities and Community Safety
Name of the policy or function to be assessed:		PSPO Renewals 2026-2029	
Title of the Officer undertaking the assessment:		Head of Communities and Community Safety	
Is this a new or an existing policy or function?		Existing Policy	
<p>1. What are the aims and objectives of the policy or function?</p> <p>The aim of the PSPO Renewal is to help ensure public spaces remain safe and welcoming by tackling behaviours that have a detrimental impact on the local community by reducing nuisance, anti-social behaviour, and behaviour that causes harassment, alarm, or distress in public places.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>Reduced levels of ASB within the designated PSPO area. Increased public confidence in the safety of local spaces. Fair and proportionate enforcement of the PSPO. Protection of vulnerable individuals who may be disproportionately affected by ASB. Supporting and complementing wider community safety partnership activity.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Members of the public using local parks, town centres, and other designated spaces. Residents and businesses affected by ASB. Vulnerable individuals who may experience intimidation or exclusion due to unmanaged ASB. Council services and partners working to maintain safe public spaces.</p>			

Directorate:	Chief Execs	Title of the Lead Officer responsible for EIA	Head of Communities and Community Safety
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Residents Visitors and service users Broxtowe Borough Council staff Nottinghamshire Police Community Safety Partnership Local businesses Voluntary and community sector organisations</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>No equality group is specifically targeted by the PSPO. The PSPO applies to any person engaging in behaviours prohibited within the designated area. Police ASB and incident data does not indicate negative or unequal impact on any specific equality group.</p>			
<p>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</p> <p>No qualitative evidence suggests the PSPO disproportionately affects any protected group.</p>			
<p>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</p> <p>Consultation has been carried out as part of the PSPO renewal process. This has not identified any negative or disproportionate impact on protected groups.</p>			
<p>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</p>			

<p>□ Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?</p> <p>No. The PSPO applies equally to all individuals. It targets behaviour, not groups or characteristics.</p>
<p>□ Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?</p> <p>Yes. The restrictions are clearly published, apply to everyone, and are enforced proportionately.</p>
<p>□ Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?</p> <p>No. The PSPO does not limit access to public spaces, it regulates behaviour that causes harm.</p>
<p>□ Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?</p> <p>Yes. Maintaining safe and welcoming public spaces particularly benefits vulnerable people, including older residents, disabled people and women who may feel more at risk from ASB.</p> <p>The PSPO therefore supports inclusion and safety for all users.</p>
<p>□ What further evidence is needed to understand the impact on equality?</p> <p>None</p>

<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age: No further action required</p>
<p>Disability: No further action required</p>
<p>Gender: No further action required</p>
<p>Gender Reassignment: No further action required</p>

Marriage and Civil Partnership: No further action required

Pregnancy and Maternity: No further action required
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Race: No further action required

Religion and Belief: No further action required
--

Sexual Orientation: No further action required

Care Experience: No further action required
--

Chief Officer: Chief Executive

<p>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.</p>
--

<p>Signature:</p>



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 *.

10 March 2026	<ul style="list-style-type: none"> • Grants to Voluntary and Community organisations • Complaints Report Q3 • Complaints Assessment Report • HMO Article 4* • Irrecoverable Arrears • Project Officer - Capital Works / Development Blended Role • Blue Infrastructure Audit
2 June 2026	<ul style="list-style-type: none"> • Attendance Management Policy • Grievance Policy • Disciplinary Policy • The Anti-Bullying and Harassment Policy • Sexual Harassment Policy

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

Not applicable.

9. Climate Change Implications

Not applicable.

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.