

Executive

Thursday 31 August 2017

A meeting of the Executive will be held at the Town Hall, Royal Leamington Spa on Thursday 31 August 2017 at 6.00pm.

Membership:

Councillor A Mobbs (Chairman)
Councillor N Butler Councillor A Rhead
Councillor M Coker Councillor A Thompson
Councillor M-A Grainger Councillor P Whiting
Councillor P Phillips

Also attending (but not members of the Executive):

Chair of the Finance & Audit Scrutiny Committee	Councillor Barrott
Chair of the Overview & Scrutiny Committee and Whitnash	Councillor Mrs Falp
Residents' Association (Independent) Group Observer	
Labour Group Observer	Councillor Quinney
Liberal Democrat Group Observer	Councillor Boad

Emergency Procedure

At the commencement of the meeting, the Chairman will announce the emergency procedure for the Town Hall.

Agenda

1. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter. If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

2. Minutes

To confirm the minutes of the meetings held on 28 June and 26 July 2017

(To follow)

Part 1

(Items upon which a decision by Council is required)

3. Proposed Housing Financial Assistance Policy

To consider a report from Housing Services **(Pages 1 to 77)**

4. Car Park Fees and Charges 2018

To consider a report from Neighbourhood Services **(Pages 1 to 9)**

Part 2

(Items upon which the approval of the Council is not required)

5. Budget Review to 30 June 2017

To consider a report from Finance **(Pages 1 to 21)**

6. Corporate Asset Management Strategy – Update Report

To consider a report from the Deputy Chief Executive (BH) **(Pages 1 to 6)**

7. Development Brief – East of Kenilworth

To consider a report from Development Services **(Pages 1 to 5)**

8. 12 Month Waste Container Charging Update

To consider a report from Neighbourhood Services **(Pages 1 to 8)**

9. Leisure Development Programme – Extension of Temporary Contracts

To consider a report from Cultural Services **(Pages 1 to 4)**

10. Disposal of WDC land off The Holt / Cubbington Road, Lillington, Leamington Spa

To consider a report from the Chief Executive's Office **(Pages 1 to 5)**

11. Procurement Exemption for WDC VCS Commissioned Contracts 2015/2018

To consider a report from Health & Community Protection **(Pages 1 to 7)**

12. Delivery of the proposed Hotel forming part of the St Mary's Lands Masterplan, Warwick

To consider a report from the Chief Executive **(Pages 1 to 23)**

13. **Public and Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Item Nos.	Para Nos.	Reason
15, 17	1	Information relating to an Individual
15, 17	2	Information which is likely to reveal the identity of an individual
14, 16	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

14. **Mallory Grange affordable housing**

To consider a report from Housing Services

(Pages 1 to 5)
(Not for Publication)

15. **Neighbourhood Services Redesign**

To consider a report from Neighbourhood Services

(Pages 1 to 6)
(Not for Publication)

16. **Disposal of WDC land off The Holt / Cubbington Road, Lillington**

Appendix One to Agenda Item 10

(Page 1 of 1)
(Not for Publication)

17. **Housing Related Support Restructure – Potential Redundancy Costs**

To consider a report from Housing Services

(Pages 1 to 3)
(Not for Publication)

Agenda published Thursday 17 August 2017

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

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For enquiries about specific reports, please contact the officers named in the reports
You can e-mail the members of the Executive at executive@warwickdc.gov.uk

Details of all the Council's committees, Councillors and agenda papers are available
via our website www.warwickdc.gov.uk/committees

Please note that the majority of the meetings are held on the first floor at the Town Hall. If you feel that this may restrict you attending this meeting, please call (01926) 456114 prior to this meeting, so that we can assist you and make any necessary arrangements to help you attend the meeting.

The agenda is also available in large print, on request, prior to the meeting by calling 01926 456114.

 Executive Committee 31 August 2017		Agenda Item No. 3
Title	Proposed Housing Financial Assistance Policy	
For further information about this report please contact	Ken Bruno Housing Strategy and Development Manager Telephone: 01926 456044 Email: ken.bruno@warwickdc.gov.uk Mark Lingard Private Sector Housing Manager Telephone: 01926 456410 Email: mark.lingard@warwickdc.gov.uk	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number		
Background Papers	HEART Executive Report 28 September 2016	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes – Ref 658
Equality Impact Assessment Undertaken	Yes

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	30/7/2017	Chris Elliott/Bill Hunt
Head of Service	8/8/2017	Bill Hunt
CMT	8/8/2017	Chris Elliott/Bill Hunt/Andrew Jones
Section 151 Officer	14/8/2017	Mike Snow
Monitoring Officer	2/8/2017	Andrew Jones
Finance	14/8/2017	Andrew Rollins
Portfolio Holder(s)	8/8/2017	Councillor Peter Phillips
Consultation & Community Engagement		
HEART Project Board representing Warwickshire Local Authorities and Public Health. Housing Portfolio Holder		
Final Decision?	Yes	

1. Summary

- 1.1 On the 1 April 2017 Warwick District Council entered into a partnership agreement with the four other Warwickshire District and Borough Councils, Warwickshire County Council and Public Health to participate in the countywide HEART service (Home Environment Assessment and Response Team) for the delivery of home adaptations and related services.
- 1.2 The reasons for reviewing the Housing Financial Assistance Policy are directly linked to the creation of HEART and the increase in Disabled Facilities Grant funding.
- 1.3 In 2013 the Government introduced a single pooled budget for health and social care services, known as the Better Care Fund (BCF). It includes Disabled Facilities Grant funding. The BCF requires the NHS and local authorities to agree a joint plan to demonstrate how the funding will be best used within social care to achieve the best outcomes for local people. The funding includes financial incentives to deliver services which prevent the need for: residential care; emergency admissions to hospital; or acute services.
- 1.4 The aims and objectives of the new Housing Financial Assistance Policy are to:
 - Create consistent types of financial assistance across Warwickshire for delivery by the HEART partnership.
 - Align the policy with the objectives of the Better Care Fund which are to: assist with the prevention of admissions to hospital and social care; support hospital discharge; and reduce the need for social care interventions. (A summary of the proposed financial assistance is included in appendix one of the report.)
 - Make effective use of the increased budgets from the Disabled Facilities Grant allocation to meet the Better Care Fund objectives.

2. Recommendations

- 2.1 That the Executive recommends to Council the approval of the Housing Financial Assistance Policy, attached at appendix two, to run concurrently with the agreement to participate in the countywide HEART service until 31st March 2022.
- 2.2 That the Executive agrees that any future minor changes to the policy that maintain the alignment with the Better Care Fund objectives are delegated to the Head of Housing Services in consultation with the Housing Portfolio Holder.

3. Reasons for the Recommendation

- 3.1 The increase in Disabled Facilities Grant funding has created the opportunity to increase the amount and types of financial assistance available to local residents to help address conditions within the home environment. The council's Housing Financial Assistance Policy needs amending to take advantage of this opportunity.
- 3.2 The policy will deliver consistent financial assistance across Warwickshire aligned with the Better Care Fund objectives.

- 3.3 It will support HEART to deliver a more holistic service and to be able to take advantage of the opportunity to assist with the prevention of, and reduction in the need for, health and care interventions.
- 3.4 It will further enable HEART to adapt and respond quickly to future needs and opportunities as it is proposed that delegated authority is given to the Head of Housing Services, in consultation with the Housing Portfolio Holder, to authorise minor changes to the policy which are in keeping with the objectives of the Better Care Fund. (Major changes would be reported to Executive for approval in the usual way.)

4. **Policy Framework**

- 4.1 The proposed Housing Financial Assistance Policy links in with the service and money strands of Fit for the Future. The service is focused on managing resources efficiently to meet customer demand and making best use of available budgets. The Warwickshire District and Borough Councils will use the HEART partnership to deliver the policy.
- 4.2 The effective delivery of aids and adaptations to residents' homes directly and positively contributes to the housing and health-and-wellbeing priorities within the council's Sustainable Community Strategy.
- 4.3 Impact Assessments
 - 4.3.1 The policy is designed to help prevent, reduce or delay the need for care or health service interventions and to improve conditions within the home environment.
- 4.4 Equality Implications
 - 4.4.1 An Equality Impact Assessment is included at appendix three.

5 **Budgetary Framework**

- 5.1 The Housing Financial Assistance Policy will be funded by the Disabled Facilities Grant allocation provided by the Government via the Better Care Fund. This funding has increased over the past few years from:

2015 / 2016

Warwickshire £1,925,078

Nuneaton and Bedworth £608,192

Warwick £373,058

Stratford-on-Avon £373,165

Rugby £274,508

North Warwickshire £296,156

To:

2017 / 2018

Warwickshire £3,848,420

Nuneaton and Bedworth £1,238,795

Warwick £750,159

Stratford-on-Avon £723,780

Rugby £539,361

North Warwickshire £596,324

- 5.2 It is expected that this funding will continue to rise for the next two years by a further 10% following the previous Government's spending review.
- 5.3 The DFG budgets being spent by the HEART partnership are ring fenced for each housing authority: there is no pooling of these budgets.

6. Risks

- 6.1 The revised policy will help deliver a more holistic service, via HEART, and therefore reduce the risk of underspends from the increased DFG allocations.
- 6.2 The spending is monitored by the HEART Management Board and each partner organisation has a senior representative on the board. For Warwick District Council this will be the Head of Housing Services.

7. Alternative Option(s) considered

- 7.1 To review the council's current 2006 policy in isolation, without linking this to the countywide HEART service would miss an opportunity to provide an enhanced and consistent Housing Financial Assistance Policy throughout the county, linked to the objectives of the Better Care Fund.

8. Background

- 8.1 Since 2003 the council has had the discretion to develop and maintain its own Housing Financial Assistance Policy in compliance with the Housing Assistance (Regulatory Reform England) Order 2002 (RRO 2002). This allows the council to provide financial assistance for owners or occupiers of private sector housing within the district.
- 8.2 Each council is obliged, under the RRO 2002, to publish a policy addressing any non-mandatory forms of private sector housing assistance, and only to deliver assistance in accordance with that policy.
- 8.3 Councils in Warwickshire developed local policies independently: Warwick District Council's policy was approved in 2006. Policies were then revised in different directions and at different times, being delivered in a variety of ways and with a distinct local focus. Not surprisingly, though the general aims of many policies have similar roots, in practice they now look quite different.
- 8.4 The home environment plays a major role in health and wellbeing and therefore housing authorities can contribute to improving this by providing assistance to adapt, repair or modify the homes of residents. HEART has been developed to provide these services on behalf of Warwickshire councils.
- 8.5 The HEART partnership is now the delivery body for many of the forms of assistance which councils can offer. However, in order to provide this assistance effectively, it is necessary to harmonise the aims and some of the details of those partner councils' policies.
- 8.6 There is now an opportunity to better align the council's policy with the objectives of the Better Care Fund to reduce hospital admissions, assist with discharge, and prevent or reduce the need for social care.

- 8.7 The proposed policy has been prepared as much as possible in accordance with withdrawn government guidance (ODPM Circular 05/2003) which was not replaced but which still reflects best practice and thinking on the subject.
- 8.8 The Housing Financial Assistance Policy has being prepared by the five district councils and boroughs within Warwickshire to consider mutual adoption and consistent delivery through HEART. Once appropriate approvals have been given, the HEART service will act on behalf of the partner councils and will take decisions on matters within this policy on their behalf. A decision by HEART will be a decision of the partner council in that regard, and the HEART service will be responsible and accountable to the partner councils for the decisions and actions it takes.
- 8.9 Adopting the proposed policy will align the aims and objectives of the policy with those of the Better Care Fund. This will allow the council the flexibility to use the additional DFG allocation on additional preventative measures in line with BCF objectives.
- 8.10 The contents of the new policy are similar to the housing financial assistance types available in previous policies and include:
- Disabled Facilities Grants (Mandatory Grant)
 - Discretionary Disabled Facilities Assistance – a discretionary grant (up to £10k,) and a discretionary loan (a further £10k) for where the cost of works goes above the statutory maximum. Whilst this is referred to as a loan it is a charge on the property that only becomes payable on a change in the property ownership.
 - Warm and Safer Homes Grants – discretionary assistance to remove hazards from homes (up to £10k)
 - Hospital Discharge Grant – to facilitate discharge from hospital or prevent likely return to hospital due to the home environment (up to £10k).
 - Home Safety / Handy person – small grants to carry out preventative works, (up to £500 per property over a three year period).
- 8.11 The main changes for Warwick District Council are to increase the values of the financial assistance available and the new grant to help facilitate hospital discharge.

Appendices

- Appendix 1 – Summary of financial assistance included within policy
Appendix 2 – Housing Financial Assistance Policy 2017
Appendix 3 – Equality Impact Assessment

Appendix 1 – Financial Assistance

Assistance Name	Mandatory (M) / Discretionary (D)	Value (max. £)*	Purpose(s)	Criteria	Repayable / other notes
Disabled Facilities Grant – DFG	M	£30,000 Means tested except for child cases <19 years, otherwise means tested benefit passported qualification)	Specified purposes in 1996 Housing Grants Construction & Regeneration Act, section 23 (as amended)	Owner occupier, landlord or tenant, for disabled person. Necessary & appropriate, reasonable & practicable.	Up to £10,000 for works over £5,000 if disposal within 10 years – owner occupiers only. Repeat applications OK.
Discretionary Disabled Facilities Assistance (DDFA)	D	£10,000 grant £10,000 loan / charge (means tested including child cases)	Top-up to DFG, plus and relocation assistance (purchase and move costs)	DFG costs in excess of £30,000 plus agreed move value on case by case basis	Grant not repayable, loan repayable (0%, charge against property – not time expiring)
Hospital Discharge Grant (HDG)	D	£10,000 (not means tested)	Facilitate rapid hospital discharge, prevent or reduce risk of (re)admission	Agreed as urgent, cost saving, best option given alternatives	Not repayable
Home Safety Grant / Handy-Person (HDG)	M/D	£500 over 3 years Not means tested	Minor aids, equipment, repairs and adaptations	Over 55 or disabled person in household	Not repayable
Warm and Safer Home Grant (WaSH)	D	£10,000 Means tested unless qualifying benefit & vulnerable	Removal of HHSRS category 1 and key category 2 hazards	Owner-occupiers, 3 years minimum ownership	Not repayable, no re-award for 3 years
Energy Efficiency Support	-	n/a – tba (ECO etc.)	Reduction in fuel poverty, improve domestic energy efficiency	n/a	n/a
Other – revisions, revocations, additions and local schemes as indicated	D	n/a	Tba – including local		

- NOTE: all above for owner-occupiers and private tenants only except where detailed, notwithstanding £500 Home Safety Grant for equipment and minor aids also available to Council tenants.

Warwickshire
Housing
Authorities



Housing Financial
Assistance Policy
2017

Date of Issue :	30/6/2017	Next Review : 1/7/2019	Last Review: N/A	Updated to reflect board comments from 26 th May 2017 plus comments From WDC 3 rd June 17	
Last Reviewed by	David Baxendale / Paul Coopey				
Policy Owner	Housing Authorities / HEART Management Board			Page 2 of 64	
Approval Date	To be confirmed				
Author	David Baxendale				
Version Control	v 1.01				
Document ID.	HEART MB - HFAP				

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Key definitions, References and abbreviations

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2. Context
3. Priorities and capital resources
4. Assistance types – details
 - Mandatory DFG (disabled facilities grant)
 - Discretionary DFA (disabled facilities assistance)
 - Hospital discharge support
 - Home Safety Check Scheme and ‘Handyperson’ minor works
 - Hazard reduction support
 - Energy efficiency support
 - Other forms of assistance - empty homes, conversions, downsizing
5. Assistance process, and access
6. Assistance conditions, and advice
7. Fees and Ancillary Charges
8. HEART Contractors
9. Prioritisation
10. Enforcement Policies
11. Complaints
12. Appeals and out-of-policy cases
13. Service standards, Key Performance Indicators and Targets
14. Policy implementation plan
15. Signatories and key date

<appendices>

a Contacts for HEART service and partner organisations

b1 – b5 – schedules of local variations

c Regulatory Reform Order 2002 – articles 3 & 4

d1 narrative summary of financial assistance measures

d2 tabulated summary of financial assistance measures

Key definitions, references and abbreviations

RRO – Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

<http://www.legislation.gov.uk/uksi/2002/1860/article/3/made>

The 'Act' (1996) – Housing Grants, Construction and Regeneration Act 1996

<http://www.legislation.gov.uk/ukpga/1996/53/contents>

The 'Guidance' (2003) – Circular 05/2003 from the Office of the Deputy Prime Minister (ODPM)

<http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/documents/corporate/pdf/145088.pdf>

DFG – Disabled Facilities Grant.

DDFA – Discretionary Disabled Facilities Assistance

BCF – Better Care Fund

WCC – Warwickshire County Council

NBBC – Nuneaton & Bedworth Borough Council

NWBC – North Warwickshire Borough Council

RBC – Rugby Borough Council

SoADC – Stratford on Avon District Council

WDC – Warwick District Council

HEART – Home Environment Assessment and Response Team

DBEIS – Department for Business, Energy and Industrial Strategy

HHSRS – the Housing Health & Safety Rating System, the prescribed system under the Housing Act 2004 for measuring hazards associated with housing conditions

ECO – Energy Company Obligation

Certified Date – the date certified by the service on behalf of the Council as that on which the execution of eligible works is completed to the Councils (HEART) satisfaction. In this instance being the works complete date.

Dwelling – a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouse and appurtenance belonging to it or usually enjoyed with it.

Exempt disposal – a disposal or transfer of the whole or part of the premises to a person whose main residence is the property and who is (a) one of the joint owners of the dwelling, or (b) the wife, husband or partner (including same sex) of the owner or one of the joint owners of that property.

Relevant disposal – a conveyance of the freehold or an assignment of the lease, or the granting of a long lease (one of over 21 years, otherwise than at rack rent)

Member of family – a person is a member of the applicant's family if they are the spouse of the applicant or living together as partners, or is the grandparent, parent or dependent child of the applicant or their spouse or partner (inclusive of same sex partners, step-children, adopted and foster children).

Owner-occupier – whilst this term is self-explanatory, where appropriate it will include certain tenants with repairing type leases (sometimes called FRI or Full Repairing and Insuring Leases, of a suitable duration) who would otherwise be unable to insist their 'superior landlord' undertake renovations. Repairing lease tenants would qualify for DFG in their own right, with permission.

1 Introduction

1.1 HEART is a delivery body, a partnership between Warwickshire County Council (the 'welfare' authority) and the five District and Borough Councils of Warwickshire (the 'housing' authorities);

Nuneaton and Bedworth Borough Council

North Warwickshire Borough Council

Rugby Borough Council

Stratford on Avon District Council

Warwick District Council

1.2 Each of the five District & Borough Councils are obliged, under the 2002 RRO, to publish a policy addressing any non-mandatory forms of private sector housing assistance, and only to deliver assistance in accordance with that policy.

1.3 Each Council developed local policies independently, though there will have been consultation between neighbours. Policies were then revised in different directions and at different times, being delivered in a variety of ways and with a distinct local focus. Not surprisingly, though the general aims of many policies may have similar roots, in practice they look quite different.

1.4 However, the HEART partnership is the delivery body for many of the forms of assistance which Councils can offer, and in order to do so effectively it is necessary to harmonise the aims and some of the details of those partner Councils.

1.5 This policy is being prepared by all five Councils for them to consider mutual adoption and consistent delivery through HEART. Once appropriate approvals have been given and delegated, the HEART service will act on behalf of the partner Councils and will take decisions on matters within this policy on their behalf. A decision by HEART will be a decision of the partner Council in that regard, and the HEART service will be responsible and accountable to the partner Councils and other authorities for the decisions and actions it takes. In this policy, therefore, unless stated otherwise any reference to a Council or Councils includes or means HEART.

1.6 The policy has been prepared as much as possible in accordance with withdrawn government guidance ODPM Circular 05/2003 ('the guidance'), which was not replaced but which still reflects best practice and thinking on the subject.

2 Context

2.1 Housing is in short supply, with a backlog of unmet demand exceeding supply, and first time buyers facing competition against buy to let investors in a harsh lending environment with slow wage growth. This has contributed to an increase in private rented accommodation which now stands as the second largest tenure in England, with social housing in third place. Property values (prices) and rents have also risen, increasing pressure on domestic finances. Changes in benefits rules are also contributing to an increase in the development of smaller shared accommodation. Central public funds for the renovation of private sector housing were cancelled in 2010, with limited local provision.

2.2 A changed definition of fuel poverty reduced the number of households falling into that group (without affecting the circumstances of those no longer counted), but whilst domestic SAP (the energy efficiency) ratings gradually improve, increasing fuel costs offset some of that progress and some families continue to struggle to achieve affordable warmth. Public investment in domestic energy efficiency including that required from utility companies has reduced, though ECO funding has been further extended to late 2018. Being 'hard to heat' is a feature of many older and solid-wall type properties and those not on mains gas networks, some of which are rented and/or occupied by vulnerable people who may be retired or with young children and few resources or choices. Some families find themselves overcrowded, whilst other older couples or single people find themselves in under-occupied homes which may be expensive to heat and difficult to clean, decorate and maintain, but are unwilling or unable to downsize.

2.3 With an ageing population, and people living longer with illness, disabilities and frailty, many homes are in need of some form of adaptation such as a stair-lift or wet room (level access shower) to reduce social care costs and the risks of unnecessary GP visits, expensive hospitalisation or supported care.

2.4 Nationally, housing legislation and finance has leaned towards new build for private sale and rent, and away from public provision, with little attention to the condition of existing privately owned homes as evidenced by the recent housing White Paper. Some other recent and current developments are looking to try to improve the rental market and specifically to address the most extremely inefficient homes in energy terms. Resources for joined up health based housing projects via the Better Care Fund has recently increased, with recognition of the true value of spend-to-save intervention measures in health, home safety and adaptations.

2.5 At a local level:

2.5.1 Nuneaton and Bedworth Borough Councils Housing Strategy plays a vital role in determining the council's vision and priorities for housing in the future. The current Housing Strategy covers 2017-2022 and consists of a number of pledges, namely:-

To rise to the challenge of the changing legislation and maximise its use to improve housing conditions

To make best use of the capital resources available to address poor housing conditions or personal needs

To complete a Council Housing stock condition survey of all of our properties

To build more Council homes on Housing Services land to add to our social housing stock

To review and monitor housing needs in the Borough in order to keep our stakeholders informed and enable the appropriate delivery of housing types for our current and future population of the Borough

To continue to work in partnership with our statutory and third sector colleagues to deliver housing and housing related support to those vulnerable residents of our borough that require it

To endeavour to maximise the resources available to deliver these services by ensuring close and ongoing liaison with all partner agencies

2.5.2 North Warwickshire Borough Council is looking to adopt a Housing Strategy that complies with the vision required for the Borough and which fits in with our Sustainable Community Strategy 2009-2026.

Rural North Warwickshire is a community of communities. A place where people want to live, work and visit, now and in the future, which meets the diverse needs of existing and future residents, is sensitive to the local environment and contributes to a high quality of life. A place which is safe and inclusive, well planned, built and run and which offers equality of opportunity and good services to all. With this in mind, we are working towards the following aims:

- Encouraging the development of housing that meets the needs of our future population. Therefore making sure that there is a mix of open market, shared ownership, starter homes and affordable/social rent.
- Looking at where we can regenerate properties to bring them up to a good standard and in some cases, bring empty properties back into use.
- To help reduce/prevent homelessness by looking at triggers and seeing if there is any support that can bring about preventative measures.

2.5.3 Rugby Borough Council's private housing priorities are to improve:

- The quality of the private sector.
- Access for households to live in private-sector properties

Sitting under this are the following themes:

- Bring empty homes back into use
- Improved private-sector housing conditions (both private-rented and owner-occupied)
- Working more closely with private-sector landlords
- Increased support and housing options for potentially vulnerable home-owners and tenants.

The Strategy will help to meet the strategic objectives of the Council. The overall objective of the council is to achieve a *borough that is clean, green and safe*. Our priorities are to achieve outcomes for: People, Business, The environment, and how the council operates.

The outcomes which are sought by the Corporate Strategy that are most relevant to the private-sector housing strategy are:

- High standards of existing and future housing stock
- Regeneration of our priority neighbourhoods
- Improved health and wellbeing for all age groups

2.5.4 Stratford-on-Avon District Council has adopted a Housing Strategy that has a vision of being “a District of sustainable communities offering more people the opportunity to live in good quality housing of their choice”. As part of this, three key aims have been developed:

1. To support communities including the supply and choice of good quality affordable homes for local people
2. To improve existing housing and help people to live as independently as possible
3. To prevent homelessness and reduce the harm caused by it.

The Council’s financial assistance is primarily focused on the second of these, but does help support the other objectives too. The Council employs an Independent Living Officer, who signposts people to grant assistance. The Council also has an Empty Property Officer, who calls upon grant funding to deliver the Council’s aims.

2.5.5 The key objectives for Warwick District Council's Housing Strategy are:

- Providing suitable accommodation, information and advice for the homeless in an effort to prevent and reduce homelessness
- Meeting the need for housing across the District by addressing the need for new home provision
- Improving the management and maintenance of existing housing
- Ensuring people are supported to sustain, manage and maintain their housing

Our vision is to make Warwick District a great place to live, work and visit.

2.5.6 HEART Business Case

The HEART Business Case was adopted by all partner Councils during 2016. The business case can be found on each Council's web site within the Council report sections. The following aims were included within the document:

- A. To enable customers with multiple and complex conditions to maximise their potential and live in their chosen home environment.
- B. To reduce pressure on other expensive services e.g. residential homes, hospitals, and home care by postponing the need or reducing the amount of care and support required.
- C. To improve quality of life for older and disabled people and their carers (improved dignity, less stressful, empowering, and improved flexibility in daily tasks).
- D. To be proactive and avoid where possible, crisis situations for customers and carers in regards to managing in their chosen home environment.
- E. To promote positive health and well-being styles of living, prevention of falls, and reduce hypothermia in older people.
- F. To improve living conditions by reducing hazards in the home.
- G. To reduce demand elsewhere in the housing, health and care system.
- H. To prevent hospital admissions and/or facilitate timely hospital discharges.
- I. To develop practitioners with the skills and capabilities that enables them to provide the appropriate intervention, to minimise risk to their customers and carers, be outcome focussed and able to 'get it right first time'.
- J. To contribute to the following strategic drivers:
 - § Integration & Partnership working.
 - § New legislation – Care Act.
 - § Safety, Well-being & Prevention.
 - § Preventing & Facilitating hospital discharges.
 - § Better outcomes for customers & carers in their home environment (Public Health, Social Care & NHS Outcomes Frameworks for 2015-16).
 - § Maximising capacity to meet demand within existing or less resources, e.g. Avoidance of growth in Non-Elective Admissions.
- K. Potential for strategic thinking and planning in building accessible new homes, refurbishment programmes, and best use of stock with registered social landlords.

2.5.7 Better Care Fund Principles

The £5.3bn Better Care Fund was announced by the Government in the June 2013 spending round, to ensure a transformation in integrated health and social care.

The Better Care Fund (BCF) is one of the most ambitious programmes across the NHS and local government to date. It creates a local single pooled budget to incentivise the NHS and local government to work more closely together around people, placing their wellbeing as the focus of health and care services, and shifting resources into social care and community services for the benefit of the people, communities and health and care systems

National conditions are applied the BCF. In 2016/17 these conditions were:

NHS England will also require that Better Care Fund plans demonstrate how the area will meet the following national conditions:

- Plans to be jointly agreed;
- Maintain provision of social care services;
- Agreement for the delivery of 7-day services across health and social care to prevent unnecessary non-elective (physical and mental health) admissions to acute settings and to facilitate transfer to alternative care settings when clinically appropriate;
- Better data sharing between health and social care, based on the NHS number;
- Ensure a joint approach to assessments and care planning and ensure that, where funding is used for integrated packages of care, there will be an accountable professional;
- Agreement on the consequential impact of the changes on the providers that are predicted to be substantially affected by the plans;
- Agreement to invest in NHS commissioned out-of-hospital services, which may include a wide range of services including social care;
- Agreement on local action plan to reduce delayed transfers of care.

As DFG is allocated through the BCF then Housing authorities are included in agreeing the local plans and using the funding to work towards delivery of BCF metrics.

For Housing this included where feasible:

Contributing to the transfer of care from the NHS to Social Care – delayed discharge.

Contributing to preventing admissions to hospital – through prevention of accidents and ill health from unsuitable housing conditions.

2.6 Councils are obliged, under the 1996 Housing Grants, Construction and Regeneration Act, to facilitate the delivery of the last remaining mandatory grant for private housing assistance – the Disabled Facilities Grant (DFG). However, if they wish to go further, they are required to do so under an adopted and published policy via the 2002 RRO (see above). Whilst reference to the mandatory DFG is not required in this policy, it provides useful context through which some of the other forms of assistance can be framed and understood.

2.7 The context of this policy is therefore to deliver safer and appropriate housing which is affordable to heat, and which reduces the risks of ill health, accidents and the costs of their impacts on residents and wider society. Further, it is to do so in a county-wide consistent and harmonised way, through a joint delivery partnership – HEART.

3 Priorities and capital resources

- 3.1 The following capital financial resources are available to apply and deliver through this policy:

Capital grants from central government distributed through the Better Care Fund or otherwise.

Where capital monies are provided through the BCF they will be allocated for spending in line with decisions regarding capital expenditure agreed with the Warwickshire Cares Better Together Board and the Capital Annex of the HEART partnership agreement.

Local capital from the Boroughs and Districts which each Council may provide for any specified purpose.

Monies from national schemes such as energy company obligations.

Money provided from partners or other public sector organisations to address specified problems.

Money obtained from charitable or other sources on behalf of customers.

- 3.2 The above will be targeted in accordance with the following priorities;

Local Housing Authorities are obliged first and foremost to deliver mandatory DFGs either via the 1996 Act route or an equally effective parallel pathway. Alternative discretionary assistance should not normally be promoted at the expense of delays to the statutory grant. They may then consider measures which will prevent injury or ill health, and/or limit harmful effects, reduce risks, reduce care costs and negative impacts etc., to promote recovery and improve quality of life and support carers.

- 3.3 In addition to mandatory DFGs, Councils will therefore determine their local priorities to offer;

- Discretionary Disabled Facilities Assistance (DDFA)
- Relocation assistance
- Hospital discharge support
- Home Safety Check Scheme
- Warm and Safer Homes (WaSH) Grant
- Energy efficiency support

3.4 Not all of the above forms of financial aid can or will be delivered or deliverable via HEART, and some partner Councils may pick and choose from the discretionary menu to suit their local circumstances, priorities and resources. However, those partner Councils wishing to deliver assistance outside of HEART and not contained in this policy will need their own local policy to do so. Partner Councils may choose to NOT offer any of the assistance types detailed in this policy – with the exception of mandatory DFG – or to modify conditions, criteria, limits etc. ONLY IF they have provided a codicil to this policy if they require the HEART service to act differently in their local area.

3.5 Budgets will be set for each form of assistance based on available resources and some forms of assistance may not be funded in any particular year. To ensure the delivery of mandatory DFGs and maximum impact of resources the budgets for each form of assistance will be transferrable. Each Councils funding will be ring fenced for spending within their local areas.

4 Assistance types – details

4.1 Mandatory Disabled Facilities Grants (included for context and for a small number of variable options)

4.1.1 The Council will award mandatory Disabled Facilities Grant (DFG) according to the governing legislation – principally the 1996 Act and subordinate Regulations and Orders as amended - and guidance issued by central Government, and which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the test of financial resources where applicable. A more detailed information leaflet is available on request, along with online materials.

4.1.2 Qualifying criteria – all owner-occupiers and tenants, licensees or occupiers who are able to satisfy the criteria in sections 19-22 of the 1996 Act are eligible to *apply* for DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger). Tenants of Council and other Social Housing are also eligible to apply, but Councils and some social landlords (Registered Providers) may have parallel and equally effective systems which can be no less effective or generous than DFG. Being eligible to apply does not automatically confer approval – some cases will not meet statutory tests as described below, and others may have significant means tested contributions in excess of the cost of works. Other (private) landlords may also apply for mandatory DFG on behalf of their disabled tenants.

4.1.3 As a part of the application process, the Councils will require certificates relating to property ownership and future occupation, and will request permission from the owner as standard legislation does not specify owner's permission for grant aided works to tenanted property. The Council would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client. The Council can also waive the owner's certificate requirement if it is considered 'unreasonable in the circumstances'.

4.1.4 Qualifying works – eligible works for mandatory DFG are set out in section 23(1) of the 1996 Act, as amended. These are;

(a) facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, (now including the garden) or

(b) making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with him;

(c) facilitating access by the disabled occupant to a room used or usable as the principal family room;

(d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;

- (e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- (f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- (g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- (h) facilitating the preparation and cooking of food by the disabled occupant;
- (i) improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his needs;
- (j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- (k) facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable him to care for a person who is normally resident and is in need of such care;

4.1.5 The Councils will include as part of the mandatory DFG the cost of a maintenance agreement for a period of five (5) years from the certified date for stair lifts, through-floor lifts, Clos-o-mat type toilet, step-lifts and similar equipment installed with the assistance of that grant. Where installing a reconditioned stair lift, any unspent warranty will be increased to a full 5 years if possible and affordable.

4.1.6 A DFG will only be made if the works are both 'necessary and appropriate' and 'reasonably practicable', where the housing authority has consulted the welfare authority or its agents. Where an applicant prefers a different scheme of works to that approved by the Councils, the Council may offer to 'offset' the value of the original scheme towards those greater works with appropriate safeguards. This is at the discretion of the Council (HEART).

4.1.7 Works which have been commenced prior to the approval of an application will not be eligible for financial assistance without prior written consent from the Local Authority/HEART by a person authorised to give such consent.

4.1.8 Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen before commencement and if they are vital to the completion of a safe and effective scheme. Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Approval should always be sought in writing, timed and dated with details of the

extra items and costs. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported as discretionary DDFA in accordance with this policy. Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important where an architect or similar is acting on the customers behalf, and where issues such as planning permission, building control and other regulation are involved. Specialist advice from a private occupational therapist may be necessary to ensure that the objectives of the original scheme are being effectively met.

4.1.9 Councils are funding the HEART service in part through agency fees which have been harmonised at 12.5%. Where those fees take the cost of works above the specified maximum, then these will be paid as Discretionary DFA. HEART fees have no impact on an applicant's assessed contribution – the applicant does not contribute towards the fees. An applicant's actual costs may exceed their assessed contribution if the works cost exceeds the maximum, or the applicant has arranged for a wider scope or better quality of works or product, or has chosen a more expensive contractor.

4.1.10 The Council's DFG award is for a sum of funding only, and is not inclusive or exclusive of using particular contractors or products. Customers may specify and choose their own contractors, agent, products and design – but take responsibility for those choices which may fall outside of the remit of any HEART contractors, as long as the result meets the Council's and Occupational Therapist's requirements.

4.1.11 Financial Assistance - Mandatory DFG will be subject to a means test in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is £30,000 minus any contribution required by a 'means test' (test of financial resources). Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs, or the delivered scheme fails to meet the needs. Where successive applications are awarded, the applicants contribution to the first grant award will be taken into account if within the time period of the contribution originally calculated (10 years if owner, 5 years if tenant). NOTE: where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years age or younger at the date of application – they too will be exempt a means test.

4.1.12 Where works are being carried out to Council properties, the Council will carry out or arrange those works directly without a formal DFG application based on the recommendation of the welfare authority directly or through HEART). Local policies and procedures will determine whether that recommendation can be approved and how.

4.1.13 Public and private DFG applications or recommendations will usually be processed in chronological order, excepting in emergency circumstances at the discretion of the Council or HEART service. Enquiries for DFG will initially be assessed to determine if alternative services, equipment, support or advice are more appropriate as well as or initially instead of more significant works. The purpose of the screening assessment is to support residents to improve or maintain their capability and to reduce, delay or otherwise avoid creating dependency where independence is a viable, healthier and better long-term option.

4.1.14 Recovery of Assistance Awarded – Some mandatory DFG may be recoverable in accordance with permitted values. Where the customer is an owner-occupier and not a tenant, a sum of up to £10,000 may be recovered for works in excess of £5,000. This sum would only be recovered if the property was sold or title otherwise transferred within 10 years of the certified (completion) date of works, subject to the Council's discretion to reduce or waive in the case of financial hardship. NOTE: this is separate and different to the potential repayment of grant in the event of a breach of occupancy conditions or detected fraud. Also, Councils are entitled to recalculate grant awards in limited circumstances, such as for example if any relevant insurance claims are pending, and to cease making payments and to seek repayment in some cases as detailed in sections 40-42 of the 1996 Act.

4.1.15 The Council will also impose a standard condition that it may recover specialised equipment, such as stair lifts, where no longer required. For clarity – the equipment is the property and responsibility of the customer, both during and after any warranty period, but in the event it is no longer required for the customer the Council have an automatic first right to recovery for re-use, subject to the condition of the equipment and any making-good costs. Such equipment recovery, assessment, repair, refurbishment, cleaning, storage and reinstallation is at the Councils discretion, cost and risk, and not at the customers. The customer or their family, executor or heirs should notify the Council in such circumstances, and the Council will endeavour to provide a swift assessment and decision. The Council may also waive this recovery requirement if it considers it appropriate to do so, and is not obliged to remove or dispose of unwanted equipment.

4.1.16 Conditions relating to Contractors, Standard of Works and Invoices –

- In approving an application for financial assistance, the Council will require as a condition that the eligible works are carried out in accordance with any specification it has decided to impose.
- An applicant must take all reasonable steps to pursue any relevant legal or insurance claim (e.g. medical negligence or accident) which can be made in relation to the eligible works and must notify the Council of the outcome of such a claim and repay the equivalent financial assistance so far as is appropriate, in the Councils view.
- The eligible works must be carried out by the contractor(s) upon whose estimate the financial assistance is based, or if two estimates were submitted, by one of

those contractors. The Council's consent must be obtained prior to the works if a contractor who did not submit an estimate is to carry out the works, and if an agreement is given, an estimate from the new contractor must be submitted to the Council (this does not automatically convey a difference in revised grant award – any additional costs must be separately financed by the client).

- An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family. Where works are carried out by the applicant or a member of their family, only the cost of materials used will be eligible for financial assistance.
- It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the eligible works cannot be completed for good cause – requests for additional time must be made in writing before the 12 month period ends, and approved extra time will be confirmed in writing by the Council.
- The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand or receipt for the works and any preliminary or ancillary services or changes.
- The Council will usually make payments direct to the contractor on behalf of the client, and not usually to the applicant. Where the applicant disagrees with a payment made direct to a contractor, no payment shall be made until any dispute is resolved. Legislation permits the Council to make payment by delivering to the applicant an instrument of payment in a form made payable to the contractor, OR by making payment direct to the applicant in accordance with information provided prior to grant approval. NOTE: Contractors receiving direct payment may be required to provide sufficient information to be set up on the Council's financial systems – BUT this should not frustrate the client's choice, as the mandatory DFG grant (only) is an award of funds and not an award tied to a specific contractor with additional financial conditions. Other discretionary awards and forms of assistance may allow different rules on payment in kind etc.

4.1.17 Recovery of compensation – it is a condition of the grant that the applicant must take all reasonable steps to pursue any relevant claim for personal injuries which caused the applicant to apply for a DFG or related assistance, and to repay to the Council the grant or assistance, so far as is appropriate, out of the proceeds of any claim, or to use that award directly to fund the adaptations work.

4.1.18 Future occupation of the dwelling – it is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation or availability for letting, or intended tenancy. NOTE: There are no provisions regarding the possible

repayment of a mandatory DFG in the event of an exempt disposal of the property. No conditions apply in respect of future occupation of a dwelling where a DFG is approved for works to the common parts of a dwelling.

4.1.19 Recovery of specialised equipment –

- Where a mandatory DFG is approved for the installation of a stairlift, or a through-floor lift, or other specialist equipment the applicant shall notify the Council if, and as soon as, the equipment is no longer needed within a period of 5 years after the certified date.
- The Council, HEART service or its agents shall be entitled upon reasonable prior written notice given to the applicant or their representative either following the giving of notification above, or at any time during the 5 year period after the certified date, to inspect the equipment and to remove it at their discretion.
- The Council agrees, within a reasonable time following an inspection of the equipment, to:
 1. notify the applicant in writing whether the equipment is to be removed, and
 2. if the equipment is to be removed, to remove it or arrange for it to be removed and forthwith make good any damage caused to the property by its removal by the Council or its agents,
- the Council agrees that where the applicant has contributed to the cost of installing equipment which the Council intends to remove, to pay him/her within a reasonable time of that removal the proportion of the reasonable current value of its original cost (residual value – at time of removal) which represents the proportion of their contribution to the cost of the installation.
- Subject to the Council giving prior written notice in accordance with the above, the applicant agrees, within their power, to give reasonable access to the property to the Council and its agents for the purposes of inspection and removal of equipment, and will not act to prevent, delay, prohibit or frustrate such activity.

4.1.20 Where a charge (repayable grant or loan) is due for recovery, on receipt of a written request from the responsible person the HEART or Private Sector Housing Manager will consider the options to reduce or waive repayment in particular circumstances to be determined in accordance with the following criteria;

- (i) the extent to which the recipient of the grant would suffer financial hardship were he to be required to repay all or any of the grant;
- (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;

- (iii) whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;
- (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

If that initial decision is not accepted and further appealed, details of that appeal will be determined by the Head of Home Environment Services as the head of the HEART service, together or in consultation with the appropriate Head of Housing from the Council for that address or area.

4.1.21 Where funds are repaid, they will return to the home Council for that property who may determine to redirect back into their local HEART capital resources, or otherwise.

4.1.22 All recoverable charges will be recorded as local land charges. Any Council wishing to record charges on the national Land Registry may do so directly themselves, either at their expense or added to the repayment cost ONCE HAVING INFORMED THE LIABLE PARTY. Residents will need to seek permission from their mortgage provider and potentially seek independent financial advice prior to agreeing to charges placed against their property.

4.2 Discretionary Disabled Facilities Assistance (DDFA)

4.2.1 The Council will consider applications for discretionary Disabled Facilities Assistance (DDFA), subject to terms and conditions. A means test of financial resources similar to that applied to mandatory DFG will be applied to all applications for DDFA, excepting applications where the works are for the benefit of a disabled child or young person as defined by the relevant regulations.

4.2.2 DDFA may be awarded and will be subject to the availability of resources. An extra £10,000 may be available as a top-up to owner occupiers* with sufficient equity (works costing £30-40,000). A further £10,000 may be available as a 0% repayable loan (charge) for when works cost £40-50,000 and there is no viable alternative such as relocation support.

*tenant cases depending on particular circumstances – as tenants have no equity and landlords may decline charges, Registered Social Landlords (RSL's) may be requested to accept charge against property. Whilst tenants should not be disadvantaged, nor should their landlords be rewarded with improved properties with no security of tenure for the tenant. Offers should represent good value, but be prudent and low risk.

Where the landlord is a private landlord or Registered Social Landlord, options will be explored with the owners of the property depending on circumstances.

4.2.3 DDFA will be registered as a local land charge against the property and any sum over £40,000 will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales. Note – this is separate to the £10,000 recoverable DFG which expires at 10 years from certification of works completion.

4.2.4 Councils are required first to consult the 'welfare authority' to consider what assistance would be necessary and appropriate for the client, and then apply a test of what is reasonable and practicable in the circumstances of the property (as at 4.1.6). The service must consider viable alternative solutions which appear more cost effective. Such solutions may include contributions towards alternative house purchase and moving costs to an adapted or more economically adaptable and suitable property.

Moving and house purchase finance will be determined on a case by case basis determined by:

- the tenure and location of the original and new properties,
- the residual equity and any increased mortgage debt,
- whether moving within the District/Borough, or the County, or beyond,
- whether the original property is unadaptable, unaffordable or poor value to adapt,

or that moving is purely an occupier choice or as a result of a landlords refusal to permit adaptation – see examples at 4.2.14.

DFG of up to £30,000 is available for adaptations in properties residents have moved to (within the local or County area only), but may be reduced by any contributions to moving costs and purchase contributions.

DDFA is available to owner-occupiers with sufficient equity, but also to tenants subject to individual determination and equitable opportunities dependent on the attitude of RSL or private landlords as regards repayable charges as above. Note – neither tenants nor owner occupiers will be disadvantaged and the system will be equitable as far as possible, to be ‘tenure blind’. Tenants, however, with works projected to cost in excess of £30,000 will be encouraged or required to consider housing options such as relocation in priority to actual works to their rented home. Case workers may have similar options conversations with owner-occupiers.

As there are too many variables to set a fixed policy on awards for moving or buying property, each case will be determined on its merits subject to resources by recommendation from the Case Officer to the HEART Manager with sufficient discretionary authority to approve works of that value.

4.2.5 Qualifying criteria – these are the same as for mandatory DFG.

4.2.6 Qualifying works – applications within this heading will be considered for the following purposes;

To top up the financial assistance for adaptation works where the reasonable cost of the required work exceeds the set maximum for mandatory DFG (currently £30,000). The amount of DDFA in such circumstances shall be reasonable. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. NOTE: Welfare Authorities (Warwickshire County Council) also have resources and responsibility for adaptations and equipment under other legislation, e.g. the Care Act. HEART service staff may also assist with charitable applications.

Assist the disabled person to move to a more suitable property where it is impracticable to adapt or more cost effective than adapting the current home of a disabled person to make it suitable for his or her present or future needs, even though the new property may need some adaptation.

4.2.7 Rehousing options include trying to identify and offer suitable accommodation in the social rented sector. The Council will, however, bear in mind that for many disabled people the location of their home is a key consideration – often they have an established support system and network of friends, family and local organisations that, understandably, they will wish to maintain.

4.2.8 Works which have been commenced prior to the approval of an application, and unforeseen works – the same conditions apply to DDFA as to DFG.

4.2.9 Financial Assistance – all DDFA will be subject to a means test the same as that for mandatory DFG, including the exemptions for young people. DDFA to meet the difference between the maximum mandatory grant that can be awarded and the total eligible cost of the qualifying works, inclusive of HEART fees, will not incur any interest charges to maintain or increase its value over time (i.e. the liability will not grow).

4.2.10 Unless specified below, where properties are owner occupied the DDFA awarded will be placed as a charge on the property and will be recoverable on the sale or transfer of the property title, subject to the rules regarding exempt sales.

4.1.11 Circumstances where DDFA it may be considered NOT to be registered as a charge against the property;

- Applicants for DDFA who are not owner occupiers will be referred for a financial assessment for a commercial loan. If it is not possible for the applicant to obtain affordable loan finance, then the DDFA may be in the form of a grant award, subject to conditions.
- Applicants who have transferred ownership of a property to others within the previous 10 years or where the transfer did not involve a sale at market value, or those who are not owners but who are living with family, then the family will be asked to register the DDFA loan as a charge which may or may not be a viable option depending on the family circumstances.

4.2.12 Conditions relating to contractors, standards of work and invoices – as for mandatory DFG

4.2.13 Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of DDFA;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- DDFA will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of DDFA that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the DDFA shall be repayable subject to above.

- If a relevant disposal takes place after a period of 5 years after the certified date of completion of works, no amount shall be recovered which, after repayment of all charges registered against the property, results in owner(s) having a residual equity of less than £10,000. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, in order to recover the grant repayable.

4.2.14 Criteria for consideration in cases of help-to-buy/move; (this is not an exclusive or exhaustive list, as other factors may become apparent with experience):

- The disabled person may wish or need to move to give or receive care, or to receive medical treatment.
- The disabled person may wish or need to move to maintain or gain employment.
- The cost of works to the property may exceed the benefit to the client.
- The cost of works may exceed the available grant and loan maximum and any available client or third party contribution.
- The client's calculated contribution may be unaffordable and moving/buying is a better financial solution.
- The client may need to move to reduce rent and/or release spare bedrooms which they can no longer afford (e.g. benefits cap and/or the spare room subsidy).
- A different property may provide a greater benefit for the client for the funds.
- The current property may not be adaptable, and another property may be more amenable to adaptation.
- The current property may contain hazards or defects which would not be sufficiently addressed by the works or otherwise by the client or owner.
- The property owner (landlord) refuses to permit the adaptation.
- The property is for sale, or pending foreclosure, bankruptcy (as security against debt) or repossession.
- The tenancy is due to end and not be renewed, or is otherwise unstable.
- Relationship breakdown.
- The client wishes to downsize and/or release equity (some of which could be used towards adaptation and moving costs).
- The client wishes to move to or purchase in another Council area and may be entitled to mandatory DFG in addition to support to move or buy (this may be within or outside of Warwickshire).

4.3 Hospital Discharge Grant

4.3.1 Hospital Discharge Grant (HDG) of up to £10,000 will be payable where housing defects or adaptation works are preventing discharge from hospital as assessed by professionals attached to either Social Services, Acute or Primary Care Trust, or a senior officer working in the recognised hospital discharge process, or to reduce the risk of re-admission or address significant difficulties in providing safe and dignified home based care. Works may include adapting the living environment to accommodate a disability, remedying defects including safety hazards including security, and thermal comfort measures (insulation, heating).

4.3.2 Hospital Discharge Grants will NOT be subject to a test of applicant's financial resources (i.e. NOT means tested) where it facilitates rapid discharge and the release of a hospital or care bed resource. In such cases, clients may be assessed ahead of date order and as a priority – which will impact on other less urgent cases. Contractors may also be asked to prioritise or re-schedule works to accommodate the need for a rapid adaptation, and may charge a premium for such. Additional works that may assist with reducing re-admission may also be included within the considered works, or other forms of assistance included within this policy.

4.3.3 Conditions;

The works must be necessary in order to facilitate discharge from hospital or care or reduce readmission, to save or reduce hospitalisation or residential care costs or to facilitate safe and dignified home care and avoid or reduce the cost of a care package,

Assessment for HDG will take priority over other casework at the discretion of the HEART Team Manager or Head of Home Environment Services.

The Council reserve the right to refuse this award if there is doubt or another form of assistance is more appropriate, or where the primary responsibility lies with an alternative organisation.

All other conditions e.g. relating to repayment, contractors, standards of work and invoices etc. that apply to DFG will apply to HDG.

4.3.4 HEART and Councils will work with other agencies including Health and Social Care to provide a flexible and rapid offer for genuine and needy cases where other assistance types are likely to be ineffective. This will include exchange of information, getting approval of the customer and family / carers, access to the property for assessment, completion of appropriate records, liaison with contractors and the conduct of work. The form of this flexible package cannot be prescribed in greater detail – each case will have its own merits and opportunities, some of which may be fluid in any event.

4.4 Home Safety Grant and 'Handyperson'

4.4.1 A free home safety check (inspection) will be offered to any qualifying resident assessed by HEART for other services or as a stand-alone request or referral. Qualifying criteria defining the vulnerable target group are; available to those of any tenure aged 55 or over, or a household containing a disabled person.

4.4.2 Assessment may indicate a need below the level that qualifies for statutory intervention through Social Care, for equipment (aids), and/or minor works or adaptations (half step, grab rail, ramp, key safe, smoke and CO alarms etc.). Assessed minor works are not means tested, up to financial limits.

4.4.3 If NO Care Act need is assessed but preventative works are strongly indicated, equipment and minor works of up to £500 can be funded, reimbursed if agreed prior to works being commenced or otherwise provided via any approved 'handy-person' scheme or directly purchased by or on behalf of the customer if suitability is agreed. This can fund both labour and materials – see examples at 4.4.7. Fees on the value of each works / equipment will be applied by HEART and in addition to the maximum award where necessary. Cases costing more than the maximum sum may be referred if eligible for DFG, or WaSH grant and subject to means test. Provision of assistance is a *spend-to-save* measure intended to reduce more expensive accidents and their consequences.

4.4.4 HEART processing fees for handy-person type works and services will be 12.5% (2017) or whatever standard fee rate applies.

4.4.5 To facilitate a better service, it is proposed to explore the options to establish, procure or contract one or more Handy-person services. To fully explore the opportunities would delay the agreement of the principal tools of this policy, and thus will be addressed retrospectively.

4.4.6 The service will make award(s) to a maximum of the £500 of Home Safety Grants within a 3 year period. The awards are per household, not per person.

4.4.7 The safety check aims to provide a free Home Environmental risk assessment to identify potential hazards, such as -

- Falls Prevention; Advise on safe clear floor pathways, ill-fitting carpets, trailing electrical wires, uneven floors, furniture obstructions, garden paths and shed / garage access, access to main doors (front, side, rear), bins etc.
- Mobility and use of facilities; Freedom of movement within home, identify ill-fitting doors and windows, stair & grab rails, steps, lighting, switches and sockets, changing a lightbulb, putting up or adjusting curtains / blinds and fittings,
- Hazards from hot surfaces and materials; Radiators, gas fires, hot water cooker arrangements,

- Warm Home Assessment; Identify damp & mould, insulation (cavity & loft), lack of central heating, draught proofing, water cylinder jacket, fuel poverty assessment, tariff/supplier choice, meter position and readability
- Security checks; Window & door locks, fitting key safes,
- Fire Safety; Smoke alarms, carbon monoxide detectors.

Provision of remedial work once agreed by the Service User

- Grab rails
- Stairs rails
- Internal ramps (half steps)
- Refitting and/or easing doors
- Easing windows
- Key safes
- Fit smoke alarms
- Door safety chains
- Access to property (minor trip hazards)
- Change & fit light bulbs
- Tack loose fitting carpets
- Re-route trailing wires
- Fixing loose floor boards (or refer on to others)
- Relocate small items of furniture
- Remove minor slip trip or fall hazards within the home or garden.

4.5 Warm and Safer Homes (WaSH)

4.5.1 The Decent Homes Standard contains four elements, that dwellings¹;

1. meet the current statutory minimum standard for housing (that a property is free of category 1 hazards as identified by an appropriately trained professional under the Housing Health and Safety Rating System - Housing Act 2004)
2. are in a reasonable state of repair
3. have reasonably modern facilities and services
4. provide a reasonable degree of thermal comfort

4.5.2 Further detail is available at section 4 of the linked document;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7812/138355.pdf. This standard was originally introduced for social housing, then adopted as an aspirational target for private housing – but not as an enforceable standard excepting the first element.

4.5.3 All partner Councils agree that reducing category 1 HHSRS hazards is a key aim along with element 4 on thermal comfort, which has significant crossover with fuel poverty and health risks particularly to vulnerable groups. Elements 2 and 3 are important but less vital, and in the context of existing budgets, staffing and priorities there is no intention to include them in any current discretionary scheme as stand-alone items (i.e. excepting where they also meet element 1, HHSRS hazard). Element 4, thermal comfort, would be treated under the separate Energy Efficiency support (details following) except where it also constitutes a category 1 hazard which takes priority. Offers may be combined at the discretion of the service. NOTE: at the discretion of HEART, a category 2 hazard that will deteriorate over time or adversely affect the occupant due to health conditions will be considered for assistance. See 4.5.6 below for an indicative list of HHSRS hazard categories and circumstances which should be recognisable to Housing Assessment Officers, and circumstances suggesting escalation to more experienced surveyors.

4.5.4 For **owner-occupiers** partner Councils will award SUBJECT TO RESOURCES a discretionary sum for works identified or agreed by the service, as follows;

1. Grant of up to £10,000 for works agreed by service.
2. Full costs awarded if a member of the household is in receipt of a qualifying means tested benefit, otherwise
3. where the applicant has a qualifying health risk (to be agreed and varied as appropriate by HEART Board members) which can be alleviated or improved by works to the home, subject to the DFG test of financial resources – an

¹ excludes certain mobile homes, houseboats as defined in legislation (Housing Act 2004)

applicant's calculated contribution is offset against the cost of works. Where Board members agree to provide assistance based on designated health conditions such as dementia, then they will agree the specific details and criteria of any assistance under this section.

4. Minimum property ownership period of 3 years before award, no repeat application or further award within 3 years of certification (completion)
5. An expectation of reasonable care, not due to deliberate or negligent damage, use of insurance award

Qualifying means tested benefits;

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Support under Part IV of the Immigration and Asylum Act 1999 (? or perhaps not)
- The Guarantee element of State Pension Credit
- Child Tax Credit (provided you are not also entitled to Working Tax Credit, and your annual gross income does not exceed £16,190 as assessed by Her Majesty's Revenue and Customs)
- Working Tax Credit run-on (paid for 4 weeks after you stop qualifying for Working Tax Credit)
- Universal Credit (during the initial roll-out of this benefit) – or equivalent

4.5.5 For **private sector landlords**, there is not just an expectation but a legal obligation for their properties to be free of category 1 HHSRS hazards. Action on category 1 and relevant category 2 hazards will be referred to local private sector housing teams for enforcement consideration in accordance with their policies.

4.5.6 The Housing Health & Safety Rating System classifies 29 hazard types, split into four broad groups; physiological, psychological, protection against infection, and protection against accidents. Within each hazard profile (see HHSRS Operating Guidance), properties are allocated an average risk rating dependent - in some cases - on property age, tenure, HMO or non-HMO, house or flat. Certain hazard profiles identify a 'vulnerable client group', based on age. The top four hazards, by average HHSRS score, are excess cold, falls on level surfaces, falls on stairs and entry by intruders. The remaining 25 hazards score on average very low, and conditions would have to be severe to escalate towards a category 1 score. A numerical score is calculated by a function of the probability of an incident occurring within the next 12 months (based on observable or reported data), together with the severity of harm types resulting from the incident, and range from zero to several thousands. The cut-off between category 2 hazards and the more severe category 1 hazards is a score of 1000

points or more. Councils have discretion to act on category 2, but MUST act on category 1 hazards, and can do so regardless of tenure – but not in the Council’s own stock.

The other 25 hazards are;

- Damp and mould growth
- Excess heat
- Asbestos and manmade fibres (MMF)
- Biocides
- Carbon monoxide, Nitrogen Dioxide and Sulphur Dioxide
- Lead
- Radiation, including Radon
- Un-combusted fuel gas (asphyxiation, not explosion of fire)
- Volatile Organic Compounds (VOCs)
- Crowding and Space
- Lighting
- Noise
- Domestic hygiene, pests and refuse
- Food safety
- Personal hygiene, sanitation and drainage
- Water supply
- Falls with baths
- Falls between levels
- Electrical hazards
- Fire
- Flames and hot surfaces
- Collision and entrapment, including low architectural features
- Explosions
- Position and operability of amenities
- Structural collapse and falling elements

Housing Assessment Officers may consider the following to be likely category 1 hazards;

1. Excess cold - ineffective or lack of heating systems, occupier(s) unable to maintain comfortable temperatures, lack of radiators or central heating to commonly used rooms, sole means of heating to a room is electric on-peak fires or convector heaters, uncontrollable draughts, exacerbating factors such as broken window(s), windows which cannot be closed, lack of insulation (loft, cavity wall or hot water tank).
2. Slips, trip, falls - Very uneven or unstable flooring or external yards/pathways, holes and/or rot to floorboards, dangerous changes in level, poor slip resistant surfaces to external steps, missing balustrading/guarding to stairs or external steps.
3. Lack of security - Insecure windows and doors, faulty/broken locking mechanisms or glazing, if high crime rate area.

4. Electrical hazards – live bare wires at accessible level, water/moisture ingress to electrical fixtures and fittings, damaged lighting/power fixtures or fittings, missing blanking plates or circuit breakers to consumer units.
5. Lack of electric supply.
6. Lack of hot and cold water to washing and bathing facilities or other disrepair.
7. Smell of natural gas, signs of incomplete combustion to gas appliances, gas appliances marked as do not use by gas safety engineers, open flue gas fires within sleeping rooms.
8. Lack of food storage, preparation areas and water supply available for preparing/cooking food.
9. Fire risk within properties where occupier exhibits behavioural problem leading to high fire loading – such as hoarding.
10. Structural collapse – falling brickwork, defective chimney stacks/pots, other building elements either at risk of falling from height or being heavy (window frames etc.).
11. Falls on stairs - no handrail, handrail not extending to full length of flight, steep stairs, narrow stairs, twisting stairs, gaps in balustrades / spindles, poor lighting.

Housing Assessment Officers may also consider the following cases likely category 2 hazards that need to be rectified, as they will deteriorate over time:

1. Damp and mould - Extreme condensation and mould growth, resulting from lack of natural or mechanical extract ventilation, inadequate heating or insulation, penetrating dampness from holes in the roof etc.
2. Toilets blocked due to defects or other defective foul or surface water drainage such as gullies, pipework, guttering etc.
3. Operation of windows/doors - difficult to open/close, external doors swollen, missing door/window handles
4. Collapse of internal elements such as falling plasterwork, fixtures and fittings etc.

4.6 Energy efficiency support

4.6.1 Fuel poverty, or ‘affordable warmth’, is a key health issue as it impacts severely and directly on the most vulnerable sections of our communities – from the very young to the oldest. Around 30,000 excess winter deaths are attributed to cold related illness annually. These can include flu, pneumonia and chest infections as well as strokes and heart attacks. It can also contribute to increased risk of falls. Those impacts which are not fatal may nonetheless be debilitating with severe and permanent effects, and all may bear upon stretched medical and social care services. Increases in allergies and asthma from exposure to mould spores from condensation and damp are also harmful, and in the very young can develop into whole lifetime conditions which can affect educational achievement and employment prospects. NICE guidelines advocate action to address fuel poverty and excess cold.

4.6.2 Funding for domestic energy efficiency improvements via national schemes like ECO (Energy Companies Obligation) and the Green Deal have lacked stability and are under review or early stage implementation. Phase 2 of ECO was due to expire on 31.3.2017 but is being extended in a modified form until September 2018. Exact details of modifications and guidance are awaited from the Department of Business Energy and Industrial Strategy. Energy companies are still delivering schemes, in some cases nationwide and in others bespoke with local partners such as Councils.

4.6.3 Councils can play an important role in delivering schemes, particularly in partnership with energy companies, as they have a track record of delivery along with local data, knowledge and networks of connections and communications, and can act as a trusted brand and bridge between communities and the private sector. Councils can generate publicity and capture potential leads for onward referral, and also act as intermediaries and ambassadors of their constituents in dealings with other funders or providers. Councils can also ‘top up’ energy company offers and fill gaps where certain customers, properties or works may not be covered by ECO-type schemes.

4.6.4 As schemes and relationships with funders and their delivery infrastructure may change on a rapid cycle – and it would not be possible or prudent to re-write this policy every time such a change occurred – only a generic description of the types of assistance which may be offered can be given at this point. This policy may be supplemented by codicils from time to time which capture more specific offers, but in general the service will offer appropriate grants and/or loans, materials and the provision of works directly or otherwise with partners to the criteria, limits and terms & conditions as are negotiated and agreed to provide maximum impact and benefit. This is likely to include a Statement of Intent under new ECO2 rules to target flexible eligibility provision and declare households as qualifying under Fuel Poor (FP) or LIVC (living on a low income and vulnerable to the effects of cold housing), and any solid wall in-fill insulation scheme, pending DBEIS guidance.

4.7 Other forms of assistance

4.7.1 Councils may from time to time wish to consider grants or other financial and non-financial assistance for purposes not aligned to the Better Care Fund, or to address local issues, either directly or via HEART. These matters may include; empty homes, conversions / HMOs, assistance to down-size and release larger family housing.

4.7.2 As those issues are not directly associated with the HEART harmonisation agenda, they are not explored here further and await development at the discretion of the Councils or HEART Management Board.

NOTE: If a Council is going to offer or deliver any RRO qualifying assistance directly or through HEART, it should be included either in their own stand-alone policy or in this policy as an appendix/codicil.

5 Assistance process, and access

5.1 Customers may refer themselves or be referred to the HEART service either directly or indirectly by all appropriate channels – telephone, email, regular mail (post) or at appropriate offices (main office at Town Hall, Nuneaton – satellite offices at Bedworth and partner Councils offices and satellites). Satellites, partners and switchboards will have been briefed to channel all relevant enquiries to the HEART duty desk at Nuneaton Town Hall (for the North – NBBC, NWBC and RBC) and Warwick District Council HEART duty desk at Riverside House, Leamington Spa for the South (WDC/SoADC), which serve to screen incoming contacts to either immediately signpost or redirect or to conduct initial enquiries for processing onwards. Other District/Borough Council offices and sites may be used by staff as drop-in offices and for occasional meetings.

5.2 The HEART duty desk operates from 0900-1700, Monday to Friday excluding Bank and Public holidays. There is no emergency out of hours service or contact (messages can be left), but staff will sometimes have to arrange home or other visits or make contact with customers outside of those hours by agreement to deliver better and more effective service. Enquiries will usually be addressed in chronological order as received, excepting cases as detailed further under prioritisation (section 9).

5.3 All information received and processed will be treated in accordance with confidentiality and data protection rules, as agreed in the HEART Data Sharing Protocol.

5.4 Staff have all had additional training in equalities and diversity, and on the safeguarding of both adults and children. In appropriate circumstances, staff may be legally obliged or directed by a supervisor to refer cases of 'concern for welfare' to other appropriate agencies for investigation in line with agreed policies.

5.5 Once initial screening has occurred, unless referred to other services, each case will be allocated to an Occupational Therapist, Housing Assessment Officer, or Home Improvement Officer as appropriate to the needs and circumstances. Those staff will normally make contact by telephone or otherwise as directed, and will then usually arrange for a home visit to view the property and discuss the customer's wishes and needs. The outcome of that visit will inform any schedule or specification of works, and the staff will provide and assist the customer to complete any necessary application documentation. Customers may be asked to sign a customer agreement for some types of work, but HEART fees for financially assisted works are all grant aided and are not paid by the customer.

5.6 Once customers have been supported to apply for assistance, they should receive written notification of a decision in due course. Prior to that, the HEART service can arrange for contractors to visit and view the property and quote for the identified works, and can also engage a design professional who may draw plans and assist with the process for more major, complex and expensive adaptations which may require planning permission and

which may need refinement from an initial brief. An asbestos testing contractor may also be engaged to check if works require special protection. Other professionals such as structural engineers etc. may also be necessary from time to time. The value of some works may dictate that two or even three different quotes are obtained to compare value. (Note- see section 8 – contractors are a customer choice, customers may choose contractors other than those working with the HEART service, and are not obliged to use the least cost contractor but may be liable for additional costs outside of any award).

5.7 The customer's key worker will contact the customer regularly with updates, and will visit during works and on completion as appropriate. Some cases require one or more pre-start meetings, as some customers may have to make temporary arrangements to facilitate the works.

5.8 During and on completion of works, contractors may make requests for interim or final payments, which will be checked by the service before approval with the customer's permission only. In the case of dispute over value, work quality or otherwise, the HEART service will mediate towards mutual satisfaction and a fair outcome for all. After completion and final payment, customers should receive any appropriate warranty, guarantee, certificate or similar. If customers have any contribution to pay towards works, for extra works or other purposes, the customer should pay the contractor directly and up front i.e. before Council funds, and in any event for works outside of grant scope. The Council is not responsible for chasing applicants for money and receiving it and then paying it out to a contractor. Contractors should be responsible for obtaining the money owed to them by clients

5.9 Stairlifts and similar are usually provided with a standard 5 year warranty. Whilst the lift becomes the property of the customer, if the customer no longer requires it or can no longer use it, the HEART service has 'first call' to survey and remove any reusable lift for other customers. 'Make good' works will be offered (or compensation to the value of any decor), together with the proportional residual value of any original customer contribution. See 4.1

5.10 Customers are able to make repeat or successive applications if their needs change and within the specific assistance type conditions. If customers are concerned or unhappy with any issue and wish to speak with a supervisor, they may ask for the Senior Housing Assessment Officer or Senior Occupational Therapist, and may then escalate to the HEART Team Manager as appropriate in advance of options to appeal or complain.

5.11 ALL applicants for and beneficiaries of financial assistance must have a valid UK National Insurance number, a UK address and the right to reside in the UK and to receive the benefit of public funding. Grants and assistance will be provided for works to Warwickshire properties only, but relocation support (costs) may be provided for moves outside Warwickshire County.

6 Assistance conditions, and advice

6.1 Assistance conditions will be particular to each assistance type and will be provided in writing with any application form, paperwork, and approval or otherwise. Customers may ask their key worker for clarification or further detail as necessary.

6.2 Approvals of grant or loan will usually relate to a sum of money and not be specific to a particular contractor or set of contractors the customer must use. However, the Council must have received and be satisfied with quotes from alternative contractors in advance of works.

6.3 An approval may be for less than 100% of the cost of the works, and the customer should be informed of their contribution or shortfall and should not instruct the commencement of works until that sum can be covered. Customers should also be aware of the possibility of unforeseen works which may fall outside of the scope of further financial aid, and may require a reasonable contingency.

6.4 Customers may be assisted by their key worker to seek charitable finance for any shortfall or assessed contribution, but should seek professional independent financial advice for any commercial loan or equity release type product.

6.5 Certain assistance types may require a minimum period of occupation or ownership to avoid the partial or complete repayment of funds. Some assistance types may have a non-expiring obligation to repay funds, and unless otherwise stated will usually be in the form of a zero-interest loan or charge not requiring periodic repayment, but terminal settlement. Mandatory DFGs may require up to £10,000 to be repaid if circumstances are triggered within 10 years of the certified (completion) date.

7 Fees and Ancillary Charges

7.1 The Council will consider reasonable fees for financial assistance. The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy;

- Confirmation, if sought by the Council, that the applicant has a relevant owners interest
- Relevant legal fees
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms
- Advice on financing the costs of the relevant works which are not met by grant
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Advice on contracts
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works
- Payment of contractors
- In a case where the application is for DFG or DDFA, the reasonable services and charges of a (private) occupational therapist in relation to the relevant works

7.2 HEART fees – The HEART service charge fees for the services they provide which are in excess of the statutory minimum necessary to approve the grant application. Currently the fees are set at 12.5% of cost of grant / loan funded works. This can be amended by the agreement of the HEART Management Board.

7.4 In order to streamline the process, these fees will be deducted at source by HEART. Any HEART fees will be excluded from any repayable element of financial awards, and in any case these fees will be in addition to the maximum amounts specified for any particular award. The fees will be based on the maximum grants amount.

Examples

DFG Grant	(£30,000 Max)	Home Safety Grant	(£500 max)
Cost of works	£10000	Cost of Works	500
Fee	£1250	Fee	62.5
Total Award	£11250	Total Award	£562.5

10 year charge for works between £5000 and £15000	£5000		
Amount excluded from charge	£1250		

7.5 Where the Council / HEART service is not assisting the works with grant or financial award, but the customer still requires technical or professional services to support their project, the customer will be responsible for paying HEART fees accordingly. Customers will need to sign an appropriate customer agreement form. Dispute resolution will be between customers and their chosen contractors, but with appropriate support from HEART staff.

7.6 The HEART Management Board will set the level for technical and professional services for privately funded customers.

8 HEART Contractors

8.1 The HEART service currently operates an open list of contractors which can be joined on successfully meeting the requirements of the contractor's standards and code of conduct. In addition some contractors may be accessed through framework agreements provided by external organisations.

8.2 All Councils are keen to promote the economy within their local areas and as such capital spending can contribute towards this objective. Where feasible and not to the detriment of the service provided then local contractors will be given the opportunity to tender for works.

8.3 HEART has a number of types of contractors and specialist services within its supply chain. These include

- Architects
- Structural engineers
- Asbestos surveying companies
- Stair lift manufacturers and installers
- Bathroom installers
- General builders
- Specialist builders
- Gas and electricity contractors

As HEART effectively links contractors and suppliers with grant applications it is recognised that a responsibility and relationship exists between the contractor and HEART. It is therefore the commissioning intention of HEART to procure and manage the supply chain through a series of appropriate tenders and frameworks. Some of these frameworks may be national public sector frameworks that the Council can access. Further commissioning may be necessary to create more local frameworks where effectively contractors are working for HEART and HEART is making its own contractors available to customers. Procurement will seek to ensure a suitable legal relationship between HEART and contractors where each body is responsible for their work and actions and suitable arrangements are in place to ensure poor performance is rectified.

8.4 Each job that is intrusive will be subject to an asbestos survey to determine if specialist removal or precautions are necessary to complete the job. This survey will be paid via the capital grant irrespective of whether work progresses as will other specialist survey or design works where the grant works do not progress.

9 Prioritisation

9.1 Where possible the Council will commence consideration of an enquiry for assessment for financial support or other services within this policy in chronological order of receipt of enquiry, subject to the following provisions;

- With the agreement of HEART senior supervisor, an enquiry must be considered as urgent if the customer would be unable to remain in their home safely unless the works are expedited, notwithstanding that care in the home is provided, OR that required works are necessary to facilitate discharge from hospital or nursing or residential care,
- Any priority scheme agreed for DFGs
- The property subject of the enquiry is in such a condition as to present an immediate and significant danger to the occupants or visitors.
- For the purposes of budgetary control a category of financial assistance may be given priority over another, or sums may be switched between categories but NOT to the detriment of mandatory DFGs
- For the purposes of policy or project implementation a category of financial assistance may be given priority over another
- Where staff resources are employed to work in a specialist area e.g. Home Improvement Officers dealing with complicated WaSH grants, then the enquiries generated for those specific work areas will be considered within their own chronological priority order, irrespective of the wider enquiries dealt by the wider team.
- NOTE: devolved budgets are NOT pooled – if a budget for an area is fully committed, budgets from other areas will not be transferred but sub-budgets for different assistance types in that local area may be reallocated at the discretion of the home partner Council. This means that some enquiries or applications may be suspended pending identification of local funds, whilst later cases from other areas go ahead.

9.2 Where resources (financial, staffing or other) are limited, those services which are provided for vulnerable groups or most vulnerable individuals will take priority over other types of assistance or cases.

9.3 Where a property, case, customer or category of service is to be considered outside of chronological order the Head of Service or HEART Team Manager / Private Sector Housing Manager or Team Leaders will sanction the action and a written record will be retained on file in justification of that decision.

10 Enforcement Policies

10.1 Although this Financial Assistance Policy is designed to support and encourage the co-operation of owners and landlords to maintain and improve their homes, it must be borne in mind that the Council may have to resort to statutory action. This may be necessary:

- To comply with legislation compelling the Council to act, as a mandatory duty or statutory function
- To protect the living conditions of private tenants, particularly those living in shared accommodation or houses in multiple occupation (see separate local HMO licensing policies)
- To protect the conditions of owner occupiers where necessary and appropriate, or those of their neighbours affected by poorly maintained property

10.2 Each Council has adopted its own enforcement policy to ensure that their actions are carried out with clearly understood principles, practices and standards, in a consistent way, proportional to the issues being addressed, and with a courteous and helpful approach by the Council staff involved. Councils will seek to act with an open, transparent and honest approach. Each Council's policies and actions should reflect the principles of the Regulators Code; <https://www.gov.uk/government/publications/regulators-code>.

10.3 A copy of each Council's housing enforcement policy will be available online and at each principal office of the Councils at reasonable time and without charge. Printed copies can be provided for a nominal charge, but free copies will be available on request to voluntary organisations and partners, particularly those representing customer groups who may receive assistance under this policy, Warwickshire County Council Social Services (Adult and Children's Social Care), the Library Service and the National Health Service.

10.4 Each Council's policy may be updated from time to time.

11 Complaints

11.1 Whilst each partner Council has its own separate formal complaint process, HEART has a process which should be used regardless of the location of the service provided or requested, or the particular employing organisations involved.

Note – if Councils have opted to provide any assistance within this policy directly and outside of HEART then their own process should be followed – details via their individual websites, main offices or contact centres which can be referred onwards by HEART or for which HEART can give details.

11.2 Any member of the public who is dissatisfied with the performance of the HEART service in administering this policy may make a formal complaint through the HEART procedure. However, we would encourage both the public and the staff (and their supervisors) to try to address any misunderstandings or disagreements by mutual agreement – within the jurisdiction of the staff to do so – to avoid the need for a matter to escalate to formality. Staff should still make supervisors and managers aware of such issues even if resolved, in order to facilitate learning and service improvement.

11.3 Complaints that amount to a disagreement with the Council about its decisions, or the Policy, rather than the way in which the decisions or policies have been implemented, cannot be considered under this (HEART) Complaint Procedure:

https://www.nuneatonandbedworth.gov.uk/info/19999/feedback/201/customer_feedback

Where appropriate an appeal can be made to the Appeals Panel to consider the merits of a decision on whether a case outside of policy should receive assistance – see ‘Appeals and out of policy cases’ – section 12.

11.4 Examples of the type of complaint that will come within this complaints procedure are:

- Failure of HEART to provide the service to an appropriate level or standard as described in this policy
- Unhelpful attitude of a HEART service employee
- Neglect or delay in answering a query or responding to a request for service outside of that which is reasonable
- Failure to follow the services agreed policies, rules or procedures
- Failure to take account of relevant matters when coming to a decision
- Failure to inform people of their rights
- Malice, bias or the non-application of Equal Opportunities policies or principles

11.5 Complaints, compliments and feedback are made through the NBBC web site as above.

11.6 The complaints procedure is not a substitute or alternative to any person's right to complain to their elected representatives or to the appropriate Ombudsman, but the latter will usually insist on the customer using the service complaints process first.

12 Appeals and out-of-policy cases

12.1 The appeals process has been designed to incorporate the following key principles:

- Accessibility
- Simplicity and clarity
- Promptness of action and speed of resolution
- Objectivity and independence
- Confidentiality
- Comprehensiveness

12.2 There are two forms of appeal which may occur:

- a. Issues of a professional or technical nature, e.g. where an applicant disagrees with the assessment of conditions or needs,
- b. 'special case' issues where the works, social or financial circumstances of the applicant or type of assistance required are not accounted for within the policy or where the customer believes the policy to be wrong or unfair.

12.3 In order to properly consider appeals, there will be two levels of escalation: The Supervisors Panel (Private Sector Housing Manager and Heart Service Manager), and the Senior Management Panel (Head of Home Environment Service and the local Head of Housing or equivalent).

12.4 Technical / professional appeals may be in relation to:

- Hazards determined under the HHSRS
- The perceived condition of any building element
- The remedial works determined by the Council

12.5 Special Case Appeals – where the works, social or financial circumstances of the applicant or type of assistance requested for are not accounted for within the policy, the applicants will be able to appeal.

12.6 Where the Supervisors Panel declines an appeal then the appellant (client, disabled person or applicant – directly or via an advocate or agent) may escalate to the next level (Senior Management).

12.7 Appellants will be eligible to appeal where it is argued that their special circumstances are not adequately reflected through the existing policy. The claim can only be successful if they establish to the satisfaction of the Panel that their case falls within the following criteria:

- Failure to carry out works will place the applicants or existing family's health and safety at immediate risk

- The applicant or member of their family has a specific and serious medical condition or disability – including mental health – which is being aggravated by the existing condition of the property and the provision of assistance would significantly improve the condition
- The condition of the house will imminently prevent the ability of the existing family to continue to live together
- The condition of the property will lead to the intervention of other statutory services, thereby causing additional expenditure from other public sources e.g. children being taken into care
- The work would be of wider benefit than to the applicant and their family e.g. where other properties are affected.

12.8 In all of the above cases:

- The applicant has no means by which they could reasonably be expected to fund the work, either privately or with 'welfare' assistance, and
- The assisted works must significantly reduce the problems under the above criteria, described by the applicant or identified by the Council

12.9 Where the applicant does not fulfil the above criteria, they will be notified and they may then appeal to the Senior Management Panel to decide their case. Where a Panel agrees that the case fulfils the above criteria, then the assistance may be agreed.

12.10 Initial assessments – a form will be provided to the applicant in order for them to document their case, along with the criteria listed above. It will be for the applicant to provide sufficient detail concerning their case. Where the applicant requires support to make an appeal submission, the HEART service may assist with the form.

12.11 Initial assessments will be carried out by the Supervisors Panel based on the evidence provided on the form. Clients will not be requested to attend an initial hearing, but submit written representations only. If the Supervisors Panel require further information from the client, they will make appropriate arrangements.

12.12 Written notification of the Supervisors Panel decision will be given to the applicant along with information concerning their legal rights or how the claim will progress.

12.13 The initial assessments will be recorded along with reasons for the decision.

12.14 Where the medical criterion is being used it may be appropriate for independent medical advice to be sought which may require revenue funding.

12.15 Upon escalation, the Supervisors Panel will provide reasons for refusing the appeal and will provide information regarding the implications of a positive decision and further information required, and will act to keep the applicant informed of progress.

12.16 The appellant will provide any additional information requested and may be invited to attend or address a **hearing** of the Senior Management Panel if appropriate, or to provide further information to clarify their case. The appellant may bring with them a representative to help or present their case if invited. The Panel will listen to the available evidence and will be able to question both Officers and the Appellant, if in attendance. The applicant may also request a written hearing of the Senior Management Panel and to make representations in person.

12.17 Written notification of the Panel decision will be given to the applicant and where the decision is negative or conditional information concerning their legal rights will also be given.

12.18 The Panels although acting independently are advised that the guidelines described at paragraphs above may also be used to determine any case, however they may also want to consider any individual circumstances that do not fall within the guidelines.

12.19 Decisions to grant appeals and continue and application will then be dealt with in date order from initial enquiry unless the Panel decides to deal with the case urgently, i.e. the appeal will not delay the process excepting for the unavoidable time taken to hear and determine the matter.

12.20 Due to the personal nature of the appeals process, none of the reports will be published unless all methods of identifying the applicant including their address have been removed from the report.

12.21 Outcomes – if the Panel finds in favour of the appellant then it may decide to:

- Offer one of the standard forms of assistance contained in this policy or as so modified, or
- Decide a special form of assistance which would address the issues raised, imposing any terms and conditions as thought appropriate, which nonetheless comply with the spirit of legislation and Council policies.

13 Service standards, Key Performance Indicators and Targets

13.1 There is no national standard for aspects of the above matters excepting a statutory requirement for Councils to determine valid and fully made applications for mandatory DFG within six months. This does not account for pre-application activities such as the screening process and the 'application support' and administration including occupational therapy assessment, means testing, producing specifications, finding contractors etc. In practice, when an application is received by the HEART service it is practically complete and ready for an almost instant decision. In a few cases there may be details to pursue, such as proof of property ownership, landlord or owner's permission etc., and if there are alternative schemes under consideration or issues to do with financing the customers contribution. However, the service records all key activities and dates and can report on a variety of measures, including date enquiry received, date application submitted, date determined, date works started, value of works and contributions, date works finished, and completed as in signed-off.

13.2 There is also a national standard for giving 12 months for works to be completed, but this can be extended by negotiation if there are valid reasons to do so, such as the customer receiving care or wanting works deferred, occasional changes in contractor or specification, complex snagging etc. Generally, for most cases not involving additional building or conversions e.g. level access showers and straight stairlifts, works are complete within one week of starting (time between approval and start is dependent upon outside factors). Curved stair lifts have a longer manufacturing lead time, but a short installation time once produced. Conversions and extension buildings take longer but usually within 4 months from start. All key dates and any delays, and the reasons for them, are recorded on a case by case basis. Cases with delays are individually considered to identify any causes which could be avoidable or to pass on any service improvement learning. General Service process times on an officer by officer and HEART wide basis are also considered for any variable factors affecting efficient delivery, as all front line service staff are supervised and monitored frequently.

13.3 Locally, the service aims to apply the funding it receives fully each year with minimal waiting lists and with maximum benefit to customers. All HEART KPIs and measures have been agreed through the partnership agreement which are reported on a quarterly basis to the Management Board. Other forms of assistance may require the development of further KPIs which will be agreed via the HEART Management Board. HEART Partnership Agreement Measures and Indicators are set out below in 3.15 but may be subject to change as the partnership develops.

13.4 Minor changes to this policy will be made by the Head of Housing or equivalent within each authority whereas more substantial changes will be made in consultation with relevant elected members of each partner authority.

3.15 HEART Partnership Measures and Indicators

	Outcomes – number of instances where the service has helped customers to:	
KPI 1	Managing and maintaining nutrition and hydration	
KPI 2	Maintaining personal hygiene	
KPI 3	Managing toilet needs	
KPI 4	Being appropriately clothed	
KPI 5	Being able to make use of the home safely	
KPI 6	Maintaining a habitable home environment	
KPI 7	Developing and maintaining family or other personal relationships	
KPI 8	Accessing and engaging in work, training, education or volunteering	
KPI 9	Making use of necessary facilities or services in the local community, including public transport, and recreational facilities or services	
KPI 10	Carrying out any caring responsibilities the adult has for a child.	
	Major Adaptations	
KPI 11	Number of Private Sector DFG's Approved within the quarter	
KPI 12	Number of Private Sector DFG's where works are completed within the quarter	
KPI 13	Number of Private Sector DFG's where the case was closed in the quarter	
	Demand	
KPM 1	Number of enquiries within the quarter	
KPM 2	Total number of Telephone Assessments in period	
KPM 3	Total enquiries on Intake list with no telephone assessment at period end	
KPM 4	Total number on list waiting for face to face visit at period end	
KPM 5	Total number that had face to face visit at period end	
KPM 6	Total number closed within period	
KPM 7	Number of cases closed within period that had received a visit	
	Interventions – the number of instances that the service delivers the activities.	
KPI 11 a	Finance Support	Charity support
KPI 11 b		Direct payment – social care
KPI 11 c		Maximising income - Benefits
KPI 12 a	Energy Efficiency	Energy efficiency survey
KPI 12 b		Energy efficiency referral
KPI 13 a	Falls and Safety	Falls prevention assessment
KPI 13 b		Falls prevention works carried out
KPI 13 c		Home safety survey
KPI 13 d		Home Safety works carried out
KPI 14 a	Housing Hazards (statutory)	Full Housing Hazards Assessment
KPI 14 b		Housing Hazards Identified
KPI 14 c		Housing hazards removed – grants / loans
KPI 15 a		Housing hazards removed – other

		means
KPI 15 b		Social housing repairs
KPI 15 c		Social Housing Fast Track
KPI 16 a	Advice	Information & Advice – Health promotion / prevention
KPI 16 b		Information & Advice – Housing related
KPI 16 c		Information & Advice – general
KPI 17 a	Activities of Daily Living	Major Adaptations – Disabled Facilities Grant
KPI 17 b		Major Adaptations – Social Housing
KPI 17 c		Minor Adaptations – ICESS
KPI 17 d		Minor Adaptations – other
KPI 18 a	Alternative Accommodation Support	Rehousing support
KPI 18 b		Suitability of property assessment
KPI 18 c		Specialist Professional support – self funding adaptations
KPI 19 a	Referrals	Referral to Social Care
KPI 19 b		Referral to Health
KPI 19 c		Referral to Housing – Private Sector
KPI 19 d		Referral to Housing - Allocations
	Council Housing Major Adaptations	
KPM 8	Total number of Major Adaptation Assessments for Council Housing referred within quarter per authority.	
	Average costs of Major Adaptations	
KPM 9	Average cost of a private sector major adaptation within the quarter per local authority area.	
	End to End Time and Key Stage Times (for major adaptations closed within the quarter)	
KPM 10	Time from enquiry to the service to completion of building works.	
KPM 11	Enquiry to Telephone Assessment (all cases)	
KPM 12	Telephone Assessment to Face to Face Assessment (all cases)	
KPM 13	Face to Face Assessment to Contractor visit	
KPM 14	Contractor visit to Quotation	
KPM 15	Quotation to DFG Approval	
KPM 16	DFG Approval to Start of Works	
KPM 17	Start of Works to Completion of works	
	Timeframe (enquiry to works complete) & Cost for Each type of Major Adaptation (north / south split)	
KPM 18	Type	
KPM 19	Number	

KPM 20	Average duration
KPM 21	Best time
KPM 22	Poorest time
KPM 23	Average cost
	Drop out rate
KPI 20	Customers who are identified as requiring a major adaptation but the case is closed without it being delivered.
	Compliments and Complaints (north / south split)
KPI 21	Number of compliments received by the service within the quarter.
KPI 22	Number of formal complaints received by the service in the quarter.
KPI 23	Number of times the service was found to be at fault following a formal complaint.
	Customer Satisfaction Survey (percent of customers reporting the service performance at good or better on the agreed satisfaction survey under the following themes)
KPM 24	Respect and Dignity
KPM 25	Communication
KPM 26	Responsiveness
KPM 27	Reliability
KPM 28	Contractors
KPM 29	Overall experience

14 Policy implementation plan

14.1 The policy will be implemented from a date to be agreed by Partner Councils and the Service once it has received the necessary political approvals. HEART is already delegated to approve and vary financial assistance offers on behalf of partner Councils, and – where budgets have been devolved – to make and claim payments for such. Systems will be in place to record at each Council each transaction which may require recording as a Local Land Charge, which could trigger notification of liability for repayment, recovery of specialised equipment, or similar including the appropriate legal authority to pursue such claims if any and to write-off, waive or reduce any unrecoverable claims or those accepted as inappropriate or hardship cases.

14.2 This policy will be reviewed no less frequently than five years from commencement, with interim annual reports to partner Councils and KPI reports on a more frequently agreed basis as per the agreed HEART partnership agreement and as directed by the Management Board.

14.3 Notwithstanding the above, if circumstances require the policy to be reviewed then the HEART service will report to the Management Board or each partner authority may request the Management Board to review the policy.

15 Signatories and key dates

This document must be ratified by each partner Housing Authority by its own process, and duly minute as agreed and adopted. The effective date of the policy is that of each partner Council.

Minute reference number Date

Representing (organisation) **Nuneaton & Bedworth Borough Council**

Minute reference number Date

Representing (organisation) **North Warwickshire Borough Council**

Minute reference number Date

Representing (organisation) **Rugby Borough Council**

Minute reference number Date

Representing (organisation) **Stratford on Avon District Council**

Minute reference number Date

Representing (organisation) **Warwick District Council**

Appendix A

Contacts for HEART service and partner organisations

HEART

- Main office base – Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA
- Telephone – 02476 376294
- Email – customer.services@nuneatonandbedworth.gov.uk
- Website - https://www.nuneatonandbedworth.gov.uk/info/21036/heart/353/heart_%E2%80%93_helping_you_live_independently_at_home

Warwickshire County Council

- Main office base – Shire Hall, Warwick CV34 4RL
- Telephone – 01926 410410
- Email - customerservicecentre@warwickshire.gov.uk
- Website - <http://www.warwickshire.gov.uk/>

Nuneaton & Bedworth Borough Council

- Main office base - Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA
- Telephone – 02476 376376
- Email – customer.services@nuneatonandbedworth.gov.uk
- Website - <https://www.nuneatonandbedworth.gov.uk/site/>

North Warwickshire Borough Council

- Main office base – Council House, South Street, Atherstone, Warwickshire CV9 1AD
- Telephone – 01827 715341
- Email - customerservices@northwarks.gov.uk
- Website - <https://www.northwarks.gov.uk/site/>

Rugby Borough Council

- Main office base – Town Hall, Evreux Way, Rugby, Warwickshire CV21 2RR
- Telephone – 01788 533533
- Email - contact.centre@rugby.gov.uk
- Website - <https://www.rugby.gov.uk/site/index.php>

Stratford on Avon District Council

- Main office base - Elizabeth House, Church Street, Stratford-upon-Avon, Warwickshire, CV37 6HX

- Telephone – 01789 267575
- Email – info@stratford-dc.gov.uk
- Website - <https://www.stratford.gov.uk/index.cfm>

Warwick District Council

- Main office base - Riverside House, Milverton Hill, Leamington Spa, CV32 5HZ
- Telephone – 01926 450000
- Email - contactus@warwickdc.gov.uk
- Website - <https://www.warwickdc.gov.uk/site/>

Service Contacts:

Contact Details – To help us deal with your enquiry please choose the correct team to contact for your property address.

Residents of **Rugby, Nuneaton and Bedworth and North Warwickshire Borough Councils** – contact:

HEARTNorth@nuneatonandbedworth.gov.uk 02476376294

Residents of **Warwick District and Stratford on Avon District Councils** – contact:

southhat@warwickdc.gov.uk 01926 456422

For informal Service Complaints, Press and Partner Enquiries, Councillor and MP Enquiries contact:

HEART@nuneatonandbedworth.gov.uk

Formal complaints, compliments and comments can be made through NBBC web site at:

https://www.nuneatonandbedworth.gov.uk/info/19999/feedback/201/customer_feedback

Appendix (b1) – Local Scheme of Policy Variation – North Warwickshire Borough Council

Appendix (b2) – Local Scheme of Policy Variation – Nuneaton & Bedworth Borough Council

Appendix (b3) – Local Scheme of Policy Variation – Rugby Borough Council

Appendix (b4) – Local Scheme of Policy Variation – Stratford on Avon District Council

Appendix (b5) – Local Scheme of Policy Variation – Warwick District Council

Appendix (C) - Articles 3 & 4 of The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

Power of local housing authorities to provide assistance

3.—(1) For the purpose of improving living conditions in their area, a local housing authority may provide, directly or indirectly, assistance to any person for the purpose of enabling him—

- (a) to acquire living accommodation (whether within or outside their area);
- (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- (c) to repair living accommodation;
- (d) to demolish buildings comprising or including living accommodation;
- (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.

(2) The power conferred by paragraph (1)(a) may be exercised to assist a person to acquire living accommodation only where the authority—

- (a) have acquired or propose to acquire (whether compulsorily or otherwise) his existing living accommodation; or
- (b) are satisfied that the acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by the carrying out of work of any description in relation to his existing living accommodation.

(3) Assistance may be provided in any form.

(4) Assistance may be unconditional or subject to conditions, including conditions as to the repayment of the assistance or of its value (in whole or in part), or the making of a contribution towards the assisted work; but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution.

(5) Before a local housing authority provide assistance to any person, they shall—

- (a) give to that person a statement in writing of the conditions (if any) to which the assistance is to be subject; and
- (b) satisfy themselves that that person has received appropriate advice or information about the extent and nature of any obligation (whether financial or otherwise) to which he will become subject in consequence of the provision of assistance.

(6) A local housing authority may take any form of security in respect of the whole or part of any assistance.

(7) Where any such security is taken in the form of a charge on any property, the local housing authority may at any time reduce the priority of the charge or secure its removal.

(8) This article is subject to articles 4 and 5.

(9) Nothing in this article affects any power of a local housing authority under Part 14 of the 1985 Act (loans for acquisition or improvement of housing).

Provision of assistance: supplementary

4. A local housing authority may not exercise the power conferred by article 3 in any case unless—

(a) they have adopted a policy for the provision of assistance under that article;

(b) they have given public notice of the adoption of the policy;

(c) they have secured that—

(i) a document in which the policy is set out in full is available for inspection, free of charge, at their principal office at all reasonable times; and

(ii) copies of a document containing a summary of the policy may be obtained by post (on payment, where a reasonable charge is made, of the amount of the charge); and

(d) the power is exercised in that case in accordance with that policy.

Appendix D1 –Assistance Measures – summary

Mandatory: Disabled Facilities Grant (DFG) - Maximum £30,000 grant, partial repayable element (owner occupiers), means tested except children's cases and/or qualifying means tested benefits, stairlift recovery, no limit on repeats.

Discretionary:

Discretionary Disabled Facilities Assistance (DDFA) – Further grant of up to £10,000 and loan of up to £10,000 for works exceeding maximum mandatory DFG or for removal costs and/or purchase cost difference to move to more suitable property. Extra loan element repayable. Means tested INCLUDING child cases.

Hospital Discharge Grant (HDG) – Maximum up to £10,000 to overcome delayed hospital discharge, reduce (re)admission risk enabling safe and dignified home based care. NOT means tested where facilitating rapid hospital discharge, else may be referred for DFG.

Home Safety Grant / Handy-person (HSG) – Free home safety check for those 5+ or with disabled person in household. Minor aids, equipment and adaptations / works of up to £500 (cumulative in 3 years) for non Care Act cases, and £1000 for Care Act assessed needs (via Community Care <Delayed Discharges etc.> Act 2003 funding stream). Not repayable.

Warm & Safer Homes Grant (WaSH) – Maximum up to £10,000 for removal of HHSRS category 1 and key category 2 hazards for owner occupiers, not further/repeat means tested for those already on a qualifying means tested benefit (i.e. passported), OR vulnerable (agreed medical need) and then subject to DFG test of financial resources. Owner occupiers 3 year minimum ownership, no repeat award for 3 further years.

Energy Efficiency Support – not specified, in accordance with offers from utility companies and national schemes which change from time to time, such as the ECO Energy Companies Obligation initiative.

Other – The service may from time to time amend the above offers, including revocation and/or additional measures, along with LOCAL schemes which may be applied directly by relevant Councils in their own areas (see appendices b1 – b5 above).

Appendix D2 –Assistance Measures – tabulated

Assistance Name	Mandatory (M) / Discretionary (D)	Value (max. £)*	Purpose(s)	Criteria	Repayable / other notes
Disabled Facilities Grant – DFG	M	£30,000 Means tested except for child cases <19 years, otherwise means tested benefit passported qualification)	Specified purposes in 1996 Housing Grants Construction & Regeneration Act, section 23 (as amended)	Owner occupier, landlord or tenant, for disabled person. Necessary & appropriate, reasonable & practicable.	Up to £10,000 for works over £5,000 if disposal within 10 years – owner occupiers only. Repeat applications OK.
Discretionary Disabled Facilities Assistance (DDFA)	D	£10,000 grant £10,000 loan / charge (means tested including child cases)	Top-up to DFG, plus and relocation assistance (purchase and move costs)	DFG costs in excess of £30,000 plus agreed move value on case by case basis	Grant not repayable, loan repayable (0%, charge against property – not time expiring)
Hospital Discharge Grant (HDG)	D	£10,000 (not means tested)	Facilitate rapid hospital discharge, prevent or reduce risk of (re)admission	Agreed as urgent, cost saving, best option given alternatives	Not repayable
Home Safety Grant / Handy-Person (HDG)	M/D	£500 over 3 years Not means tested	Minor aids, equipment, repairs and adaptations	Over 55 or disabled person in household	Not repayable
Warm and Safer Home Grant (WaSH)	D	£10,000 <u>Either</u> qualifying means tested benefit OR vulnerable (agreed medical need) with DFG means test	Removal of HHSRS category 1 and key category 2 hazards	Owner-occupiers, 3 years minimum ownership	Not repayable, no re-award for 3 years
Energy Efficiency Support	-	n/a – tba (ECO etc.)	Reduction in fuel poverty, improve domestic energy efficiency	n/a	n/a
Other – revisions, revocations, additions and local schemes as indicated	D	n/a	Tba – including local		

- NOTE: all above for owner-occupiers and private tenants only except where detailed, notwithstanding £500 Home Safety Grant for equipment and minor aids also available to Council tenants.

Equality Impact Assessment

Service Area	Housing Services – Private Sector Housing
Policy/Service being assessed	Housing Financial Assistance Policy
Is this is a new or existing policy/service?	It is a new county wide policy
If existing policy/service please state date of last assessment	None undertaken as previous policy was approved in 2006
EIA Review team – List of members	Ken Bruno Mark Lingard Ian Jackson
Date of this assessment	25 th July 2017
Signature of completing officer (to be signed after the EIA has been completed)	Mark Lingard
Name and signature of Head of Service (to be signed after the EIA has been completed)	Bill Hunt

A copy of this Equality Impact Assessment Report including relevant data and information should be saved in the Equality and Diversity Folder on the shared drive.

Form A1

INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION AND PROMOTE EQUALITY



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

Note:

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

DEPARTMENT:	Relevance/Risk to Equalities																							
State the Function/Policy /Service/Strategy being assessed:	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Socio-economic			Priority status For EIA		
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Housing Financial Assistance Policy	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>		
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Form A2**Equality Impact Assessment**
Please Explain**Stage 1 – Scoping and Defining**

(1) What are the aims and objectives of policy/service?

On the 1 April 2017 the Council entered into a partnership agreement with the five Warwickshire District and Borough Councils and Warwickshire County Council to participate in a county wide HEART service (Home Environment Assessment and Response Team), for the delivery of home adaptations and related services.

The reasons for reviewing the Housing Financial Assistance Policy are directly linked to the creation of HEART and the increase in Disabled Facilities Grant funding.

The purpose of the new Housing Financial Assistance Policy is to:

- Create consistent forms of financial assistance across Warwickshire for delivery by the HEART partnership.
- To align the policy with the objectives of the Better Care Fund. Which are to assist with the prevention of admissions to hospital and social care and support hospital discharge and reduce the need for social care interventions.
- To make effective use of the increased budgets from the Disabled Facilities Grant allocation to meet the Better Care Fund objectives.

<p>(2) How does the policy/service fit with the council's wider objectives?</p>	<p>The proposed Housing Financial Assistance Policy links in with the Service and Money strands of Fit for the Future. The service is focused on managing resources efficiently to meet customer demand and make best use of available budgets.</p> <p>The effective delivery of aids and adaptations to residents' homes directly and positively contributes to the Housing and Health and Wellbeing priorities within the Council's Sustainable Community Strategy.</p>		
<p>(3) What are the expected outcomes of the policy/service?</p> <p>Who is intended to benefit from the policy/service and in what way?</p>	<p>The aim of the Housing Financial Assistance Policy is to use the additional Disabled Facilities Grant funding in a more holistic way to deliver better outcomes for residents. This will have a positive impact for adults and children with disabilities, older people and other service users as defined under the protected characteristics in the Equality Act 2010.</p>		
<p>(4) Does this policy/service have the potential to directly or indirectly discriminate against any particular group?</p> <p>Please identify all groups that are affected and briefly explain why</p>	<p>RACE NO</p>	<p>AGE NO</p>	<p>GENDER NO</p>
	<p>RELIGION/BELIEF NO</p>	<p>DISABILITY NO</p>	<p>SEXUAL ORIENTATION NO</p>
<p>(5) Are there any obvious barriers to accessing the service?</p>	<p>Other – please specify</p> <p>There are no obvious barriers.</p> <p>As HEART is a new service, further work is planned to publicise the proposed Housing Financial Assistance Policy, once it has been approved.</p>		


(6) How does the policy/service contribute to promotion of equality?	The Housing Financial Assistance Policy aims to improve the quality of life and social justice for residents across the whole of the county so that all residents in Warwickshire can enjoy the same opportunities to access adaptation and related services to be able to remain independent at home. In addition we are working in partnership to improve health and well being and to reduce health inequalities for residents across the county.
(7) Does the policy/service have the potential to promote good relations between groups?	The Housing Financial Assistance Policy has the potential to foster good relations between groups (older people and disabled people and the wider community) by enabling service users to fully participate and contribute to society / communities.
<u>Stage 2 - Information Gathering</u>	
(1) What type and range of evidence or information have you used to help you make a judgement about the policy or service?	Information and experience from the five District and Borough Councils in Warwickshire, Warwickshire County Council, Public Health and the government body – Foundations.
(2) What consultation/ information has been used? What new consultation, if any, do you need to undertake?	<p>The Housing Financial Assistance Policy has been developed by the five District and Borough Councils in Warwickshire. The HEART Project Board which also includes Warwickshire County Council and Public Health have also approved the proposed policy.</p> <p>Foundations, the government appointed body who oversee the national network of Home Improvement Agencies have also been consulted about the policy.</p>
<u>Stage 3 – Making a Judgement</u>	

<p>(1) From your data and consultations is there any adverse or negative impact identified for any particular group?</p> <p>Is there any evidence of needs not being met? e.g. language or physical access barriers; lack of appropriate resources or facilities</p>	<p>No adverse or negative impact has been identified for any particular group as a result of proposed policy.</p> <p>There is no evidence of needs not being met. The HEART Project Board will be monitoring the effectiveness of the new Housing Financial Assistance Policy on a quarterly basis.</p> <p>The financial assistance will be accessed via the HEART service so for customers who experience communication problems a range of measures are available including the provision of information in different formats, use of interpreters and close working with partners in social care and health to provide the necessary support to enable customers to access the service. The service offers home assessments so there is no requirement for customers to attend Council offices.</p>
<p>(2) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>

(3) What actions are going to be taken to reduce or eliminate negative or adverse impact?	N/A				
(4) Is there any positive impact? Does it promote equality of opportunity between different groups and actively address discrimination?	Yes. The Housing Financial Assistance Policy will help support the independence of disabled and older people, enabling these groups to access opportunities available to other groups in Warwickshire.				
<u>Stage 4 – Action Planning, Review & Monitoring</u>					
If No Further Action is required then go to – Review & Monitoring					
(1)Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.	EIA Action Plan				
	Action	Lead Officer	Date for completion	Resource requirements	Comments
(2) Review and Monitoring State how and when you will monitor policy and EIA Action Plan	The operation of the Housing Financial Assistance Policy will be monitored by the Project Board and reviewed after it has been in place for 12 months. If any equalities issues have arisen these will be addressed during that review.				

A copy of this EIA has been filed to the Council's L drive - **L:/Equalities & Diversity/EIA/2010/Housing Financial Assistance**

The Equality Impact Assessment on this policy was undertaken on 25th July 2017 and it will be reviewed on 25th July 2020.

i  Executive meeting – 31st August 2017		Agenda Item No. 4
Title	Car Park Fees and Charges 2018	
For further information about this report please contact	Gary Charlton Contract Services Manager gary.charlton@warwickdc.gov.uk 01926456315	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	15 th August 2017	Bill Hunt
Head of Service	4 th August 2017	Rob Hoof
CMT	15 th August 2017	Bill Hunt
Section 151 Officer	15 th August 2017	Mike Snow
Monitoring Officer	15 th August 2017	Andy Jones
Finance	15 th August 2017	Mike Snow
Portfolio Holder(s)	15 th August 2017	Councillor Moira-Ann Grainger
Consultation & Community Engagement		
Local Business Groups and Town Councils have been updated on the revised charges.		
Final Decision?		Full Council 20 th September 2017
Suggested next steps (if not final decision please set out below		

1. Summary

- 1.1) There are significant challenges on the horizon for car parks in Warwick and Leamington and the increases to car park charges take in to account the individual towns parking needs and forthcoming car parking issues.
- 1.2) The changes to car park fees and charges detailed in this report estimate to increase overall car park income by 2%. The additional income is to be generated from a review of season ticket rates, increases to the pay & display rates in the Kenilworth car parks, Old Town Car Parks and the overnight charge.

2. Recommendation

- 2.1. The Executive Committee recommend to Full Council on 20th September 2017 to the increase to car park fees and charges as detailed in sections 8.5 and 8.7 for implementation from 1st January 2018.
- 2.2. The Executive Committee grants delegated authority to The Head of Neighbourhood Services, in consultation with the Portfolio Holder for Neighbourhood Services, to implement the car park fees and charges (as detailed in Appendix 1), in accordance with the Off-Street Parking Order Process.

3. Reasons for the Recommendation

- 3.1 Consultation on the proposed increases to car park charges is still ongoing and will be completed before the Executive meeting on 31st August 2017, therefore a verbal update on any further stakeholder comments will be provided at this meeting. To date officers have been able to gain support for the proposed charges from Leamington Town Council and Kenilworth Town Council. Warwick Town Council is due to review the proposals on the 17th August and comments are still to be received from local business groups.
- 3.2 The Council is required to update its Fees and Charges in order that the impact of any changes can be reflected in the setting of the budget for April 2018. Discretionary Fees and Charges for the forthcoming calendar year have to be approved by Members.
- 3.3 The provision of off-street car parking is an important service that Warwick District Council provides as it supports residents, town centre businesses and tourism.
- 3.4 The car park stock requires substantial funds on an ongoing basis to maintain and improve it. All the costs of operating, maintaining and supporting the car park service have been brought together in a car parking Memorandum Account. This demonstrated that the car parks are operating at a substantial deficit. With continued financial restraint by Central Government upon Local Authorities there is a requirement for Warwick District Council to seek to recover the full costs of the service. Charges for this year have been devised to take into account the need to reduce the net cost of the service whilst understanding the parking needs associated with each town.
- 3.5 The proposed Riverside House move would result in the closure to Covent Garden multi storey and surface car parks in late 2018, also the structural condition of Linen Street car park is under constant review and this car park could potentially close at any time. Both of these closures will have significant

impacts on parking within Warwick and Leamington Spa and there is ongoing work in relation to car park displacement planning which might necessitate the need for further changes to charges. This has been factored in to the new car park charges resulting in only minor changes to Warwick and Leamington Spa car parks rates.

4. Policy Framework

- 4.1 Fit for the future, supporting the vitality and viability of town centres.
- 4.2 Fit for the Future, ensuring that the Council achieves additional income to enable it to set a balanced budget whilst maintaining service provision.

Budgetary Framework

- 5.1. The increases to Pay & Display and Season Ticket charges will generate circa £70k for this forthcoming financial year which is an overall increase to car park income of 2%.

- 5.2. Budget Estimate

	2017/18 £ Budget	2018/19 £ Estimate	% Variation
Off-Street Charges	£2,640,000	£2,695,000	+2
Season Ticket Income	£225,000	£240,000	+6.5
Penalty Charge Notices	£105,000	£105,000	+0
Total Income	2,970,000	3,040,000	+2

- 5.3 Changes to pay & display charges are estimated to generate an additional £55k. The table in section 8.6 gives a detailed breakdown of the existing charges and the table in section 8.7 provides a detailed breakdown of the new charges proposed for each car park. A summary of the pay & display increases are as follows;

5.3.1 Car parks with the overnight charge will see the charge increase by 50p and the new rate will be £1 for overnight parking. It is proposed this will generate circa £15k.

5.3.2 The all day rates in Old Town car parks of Bath Place, Court Street and Packington Place to be increased by £1 to £4.50. It is proposed this will generate circa £4.5k.

5.3.3 The charges at Station Approach Lower Road which are £1.50 for 6 hours and £3 all day are to be changed to the linear charge in operation within the Old Town car parks which is 12 minutes for 10p with a maximum all day rate of £4.50. It is proposed this will generate circa £5.5k.

5.3.4 Amend the linear charge at all Kenilworth car parks from 10p for 12 minutes to 10p for 10 minutes. This will increase the hourly rate by 10p. It is proposed this will generate circa £30k

- 5.4 The changes to season ticket charges are estimated to generate an additional £15k. All car park season ticket charges will now be derived from a formula whereby the total number of days of parking is multiplied by the all-day parking rate in that car park. The introduction of this formula will see increases to most of the current season tickets available to purchase. The table in section 8.5 gives a breakdown of all the old and new season ticket price increases. A summary of the formula is as follows;
- 5.4.1 Increase all annual season tickets prices to reflect 110 days of all day parking in long stay car parks and 135 days of all day parking in high use town centre car parks.
- 5.4.2 Increase all monthly season tickets to reflect 16 days of all day parking in car parks.
- 5.5 The Council's Medium Term Financial Strategy assumes an overall increase in income from discretionary fees and charges of 2% per annum. The proposed changes to car park charges should meet this requirement.

6. Risks

- 6.1. Increasing prices could deter usage as the take up is discretionary. Customers may choose to use the Service less frequently or use an alternative supplier where one is available.
- 6.2. If objections are received during the off-street parking order process, the Council will seek to negotiate the withdrawal of the objection, depending on the amount and type of objection received a report to the Executive Committee may be required.

7. Alternative Option(s) considered

- 7.1 All three towns are utilising the linear charging regime, whilst this type of charge gives greater flexibility for customers it limits the ability to increase prices. With nearly 55% of ticket sales being 2 hours or under, the option to increase the up to 2 hours off-street parking charges was considered. This option has been discounted due to the District not being able to increase these lower band charges without the County Council increasing their up to 2 hours on-street charges.
- 7.2 During the consultation process, the increase of the overnight charge by 50p was considered high by the Town Councils. Officers looked at a lower increase to the overnight charge of 20p which would increase the charge to 70p for overnight parking and is estimated to generate £10k. However this option has been discounted as stakeholders accepted that original 50p increase was still low in comparison to the charges on offer in the car parks.

8. Background

8.1 Off-Street Parking Orders Process;

- 8.1.1 Informal consultation with local stakeholders is carried out prior to the Executive and Full Council agreeing to increases.
- 8.1.2 As part of the Off-street Parking Order process it is necessary to submit a report detailing the proposed charges to the Executive for approval. If approved at Executive the charges will then need full Council approval. Once approval is obtained at WDC, approval is then required from WCC as the Highways Authority. If WCC approve, the Parking Orders can then be advertised locally for public consultation.
- 8.1.3 The Off-street Order process requires objections to be countered by officers. If objections are received, the Council will seek to negotiate the withdrawal of the objection, dependent on the amount and type of objection received a report to the Executive Committee may be required. The Executive Committee may wish to disregard objections made at any stage by any party and accept the risk of High Court action but must only do so if they believe a reasonable argument exists.
- 8.2 Linear Charge - The Linear charge means progressing from one charge to another in a series of incremental time steps. Where there is a minimum stay of 30 minutes no pay and display tickets can be purchased for amounts below this tariff vend. Where the linear charge is 10p for 6 minutes the minimum vend for 30 minutes will be 50p subsequent additional coins will add to the expiry time of 6 minutes for every 10p inserted.
- 8.3 The recent report "Off-street car parking charges review" produced by the Task & Finish Group at the end of May 2017 gave consideration to number of proposals in relation to price structure and income generation. It will take some time for officers to work through all of these proposals. The timescale for implementing the car park charges for 2018 is very tight, therefore the proposal from the Parking Task and Finish Group cannot be considered as part of this process. Officers will work on the proposals from the Task and Finish Group report separately.

8.4 Comments from stakeholder consultation;

- 8.4.1 Leamington Town Council comments - Members initiated a debate on this matter and agreed that no objection is raised to the parking charge increases. However, the following observations were made:-
 - The Council recognises the reasons for the increases in the all- day parking charge for Car Parks in South Leamington. It is supportive of strategies that strive to achieve a balance between parking for residents and commuters.
 - The Council notes the intended progressive increase in charges at Kenilworth and would wish to see equalisation of charges with those in Leamington as soon as practicably possible.
- 8.4.2 Kenilworth Town Council comments - Members have asked that the following response be sent in response to the consultation

- Kenilworth Town Council were supportive of the car park charge increase proposals but wanted Warwick District Council to note that they felt the level of increase to the overnight charge and season tickets was high.

8.5. Detailed Season Ticket Table

Area	Car Parks	Maximum Permits Available	Current Annual Charge	Proposed New Charge	Current Monthly Charge	Proposed New Charge
Leamington, Warwick and Kenilworth	District wide Long Stay Car Parks (includes Adelaide Bridge, Rosefield Street, Court Street, Packington Place, Bath Place, West Rock, St Nicholas Park, St Marys Lands Area 2 & 4, Myton Fields, Abbey End and Square West)	25	£735.32	£787.50	£76.60	£81.00
Royal Leamington Spa	St Peters multi-storey car park	170	£592.34	£607.50	£66.38	£72.00
	Covent Garden multi-storey car park	250	£357.44	£330.00	£49.02	£48.00
	Royal Priors multi-storey car park	50	n/a	n/a	£112.34	£128.00
	Adelaide Bridge	10	£482.55	£495.00	£56.17	£72.00
	Rosefield Street	20	£482.55	£495.00	£56.17	£72.00
Leamington Old Town	Packington Place, Court Street and Bath Place	45	£375.83	£495.00	£40.85	£72.00
Warwick	St Nicholas Park	100	£428.94	£495.00	£45.96	£72.00
	West Rock	40	£428.94	£495.00	£45.96	£72.00
	St Mary's Lands Area 2 - (The Racecourse)	150	£199.15	£110.00	£20.43	£16.00
	St Mary's Lands Area 4	60	£428.94	£495.00	£45.96	£72.00
	Linen Street multi-storey car park	100	£674.04	£607.50	£81.70	£72.00
	Priory Road	10	£428.94	£495.00	£45.96	£72.00
Kenilworth	Square West	75	£375.32	£440.00	£40.85	£64.00
	Abbey End	75	£375.32	£440.00	£40.85	£64.00
	Abbey Fields	30	£375.32	£440.00	£40.85	£64.00

8.6 Pay and Display Tariff Tables for 2017

CAR PARK	Tariff Structure for Leamington Car Parks								
	Linear charge of £0.10 for 6 minutes								Over night
	12 mins	24 mins	30 mins	1 hour	2 hours	3 hours	4 hours	All Day	
ROSEFIELD STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
ADELAIDE BRIDGE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	n/a
ST PETERS (MSCP)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
COVENT GARDEN (MSCP)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	N/A	£3.00	£0.50
COVENT GARDEN (SURFACE)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£0.50
CHANDOS STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£0.50
BEDFORD STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£0.50
BATH PLACE	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£3.50	£0.50
PACKINGTON PLACE	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£3.50	£0.50
COURT STREET	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£3.50	£0.50
STATION APPROACH (LOWER ROAD)	n/a	n/a	n/a	n/a	n/a	n/a	£1.50	£3.00	n/a

CAR PARK	Tariff Structure for Warwick Car Parks								
	Linear charge of £0.10 for 6 minutes								Over night
	12 mins	24 mins	30 mins	1 hour	2 hours	3 hours	4 hours	All Day	
LINEN STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
CASTLE LANE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
THE BUTTS	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
PRIORY ROAD	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
WEST ROCK	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
ST NICHOLAS PARK	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	n/a
WESTGATE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	n/a	n/a	£0.50
NEW STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	n/a	n/a	£0.50
MYTON FIELDS	n/a	n/a	n/a	n/a	n/a	n/a	£3.00	£4.50	£0.50
ST MARYS LANDS AREA 2	n/a	n/a	£0.50	n/a	n/a	n/a	n/a	£1.00	£0.50
ST MARYS LANDS AREA 3	Free	Free	Free	Free	Free	£2.00	£3.00	n/a	n/a
ST MARYS LANDS AREA 4	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£0.50
BARRACK STREET	n/a	n/a	n/a	£0.70	£1.20	£2.00	£2.80	£4.00	n/a


CAR PARK	Tariff Structure for Kenilworth Car Parks						
	Linear charge of £0.10 for 12 minutes						Over night
	36 mins	1 hour	2 hours	3 hours	4 hours	All Day	
ABBEY END	£0.30	£0.50	£1.00	£1.50	£2.00	£4.00	£0.50
SQUARE WEST	£0.30	£0.50	£1.00	£1.50	£2.00	£4.00	£0.50
ABBEY FIELDS	Free	Free	Free	£1.50	£2.00	£4.00	£0.50

8.7 Proposed Pay and Display Tariff Tables for 2018

CAR PARK	Tariff Structure for Leamington Car Parks								
	Linear charge of £0.10 for 6 minutes								Over night
	12 mins	24 mins	30 mins	1 hour	2 hours	3 hours	4 hours	All Day	
ROSEFIELD STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
ADELAIDE BRIDGE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	n/a
ST PETERS (MSCP)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
COVENT GARDEN (MSCP)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	N/A	£3.00	£1.00
COVENT GARDEN (SURFACE)	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£1.00
CHANDOS STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£1.00
BEDFORD STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	n/a	£1.00
BATH PLACE	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£4.50	£1.00
PACKINGTON PLACE	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£4.50	£1.00
COURT STREET	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£4.50	£1.00
STATION APPROACH (LOWER ROAD)	n/a	n/a	£0.30	£0.50	£1.00	£1.50	£2.00	£4.50	£1.00

CAR PARK	Tariff Structure for Warwick Car Parks								
	Linear charge of £0.10 for 6 minutes								Over night
	12 mins	24 mins	30 mins	1 hour	2 hours	3 hours	4 hours	All Day	
LINEN STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
CASTLE LANE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
THE BUTTS	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
PRIORY ROAD	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
WEST ROCK	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
ST NICHOLAS PARK	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	n/a
WESTGATE	n/a	n/a	£0.50	£1.00	£2.00	£3.00	n/a	n/a	£1.00
NEW STREET	n/a	n/a	£0.50	£1.00	£2.00	£3.00	n/a	n/a	£1.00
MYTON FIELDS	n/a	n/a	n/a	n/a	n/a	n/a	£3.00	£4.50	£1.00
ST MARYS LANDS AREA 2	n/a	n/a	£0.50	n/a	n/a	n/a	n/a	£1.00	£1.00
ST MARYS LANDS AREA 3	Free	Free	Free	Free	Free	£2.00	£3.00	n/a	n/a
ST MARYS LANDS AREA 4	n/a	n/a	£0.50	£1.00	£2.00	£3.00	£4.00	£4.50	£1.00
BARRACK STREET	n/a	n/a	n/a	£0.70	£1.20	£2.00	£2.80	£4.00	n/a

CAR PARK	Tariff Structure for Kenilworth Car Parks						
	Linear charge of £0.10 for 10 minutes						Over night
	30 mins	1 hour	2 hours	3 hours	4 hours	All Day	
ABBAY END	£0.30	£0.60	£1.20	£1.80	£2.40	£4.00	£1.00
SQUARE WEST	£0.30	£0.60	£1.20	£1.80	£2.40	£4.00	£1.00
ABBAY FIELDS	Free	Free	Free	£1.80	£2.40	£4.00	£1.00

 Executive 31 August 2017		Agenda Item No. 5
Title	Budget Review to 30 June 2017	
For further information about this report please contact	Mike Snow Jenny Clayton	Tel 01926 456800 Tel 01926 456013
Wards of the District directly affected	N/A	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	February 2017 Executive – Budget Setting	
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	10/8/17	Chris Elliott
Head of Service	10/8/17	Mike Snow
CMT	10/8/17	Chris Elliott
Section 151 Officer	10/8/17	Jenny Clayton
Monitoring Officer	10/8/17	Andrew Jones
Finance	Finance Report	Jenny Clayton/Andy Crump
Portfolio Holder(s)	10/8/17	Cllr Peter Whiting
Consultation & Community Engagement		
Not applicable		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		
A further report will be presented in the Autumn on options regarding business rates pool		

1. **Summary**

- 1.1 Since the Budgets were set in February of this year, various changes have been identified and are now presented to Members for their approval and to inform them of the latest financial position for both 2017/18 and in the medium term. The Medium Term Financial Strategy has subsequently been reported to the Executive in June 2017, as part of the Fit for Future Report.
- 1.2 There are various other sections within the Report, covering Exemptions to the Code of Procurement Practice, revised arrangements for the Enterprise Reserve, and proposals for other funding adjustments.

2. **Recommendations**

- 2.1 That the Executive note the latest variances for the General Fund budget, the projected outturn on budget and approve the budget changes detailed in paragraph 3.1.
- 2.2 That the Executive note the latest variances for the Housing Revenue Account, the projected outturn and approve the budget changes detailed in paragraph 3.5.
- 2.3 That the Executive agree to fund a Data Protection Officer (DPO) post, to be shared with Stratford District Council (SDC), for two years from the Contingency Budget, noting that the post will sit on SDC's staffing establishment operating as a shared service.
- 2.4 That the Executive notes the spend to date on Earmarked Reserves brought forward from 2016/17.
- 2.5 That the Executive agree to changes to the Capital Programme, the use of Right to Buy Receipts and other funding adjustments as detailed in this report.
- 2.6 That the Executive note the savings required as shown within the Medium Term Financial Strategy and note that a further Fit For the Future report will be forthcoming recommending how these savings can be made.
- 2.7 That the Executive approve that 26 Hamilton Terrace be accounted for in the same way as the other enterprise schemes, with the allocation to the Enterprise Reserve being the net surplus (excluding support services and capital charges) on the scheme.
- 2.8 That the Executive delegate authority to the Head of Development Services to draw down up to £20,000 from the Enterprise Reserve, and for amounts above this to do so in conjunction with the Development Portfolio Holder, beyond this threshold.
- 2.9 That the members agree to the appointment of Grant Thornton (UK) LLP as the Council's external auditors for the five year period commencing from 2018/19.
- 2.10 That the Executive agree an exemption to the Code of Procurement Practice to enable the Head of Finance, in conjunction with the Finance Portfolio Holder, to agree the appointment of the Council's auditors for the Housing Benefits Subsidy from 2018/19.

- 2.11 That the Executive approve the use of the Council's local discretionary powers to introduce the Business Rate Relief scheme for Pubs from 01 April 2017.
- 2.12 That the Executive approve the use of the Council's local discretionary powers to introduce the supporting Small Businesses Relief scheme from 01 April 2017.
- 2.13 That the Executive note that the Government has announced a package of Funding which local authorities are to use to implement a local discretionary business rates relief scheme. This scheme is currently under design and will require software updates to implement. The scheme will be subject to consultation and will require member approval. A further report will follow in due course.
- 2.14 That the Executive agree the funding of the Home Choice system support as detailed in paragraph 3.12.
- 2.15 That the Executive note the changes to the Gypsy and Travellers Site Works discussed in Section 3.13.

3. Reasons for the Recommendations

3.1 General Fund 2017/18

- 3.1.1 The latest variances to Budgets are shown in Appendix A, totalling £31,200 favourable.
- 3.1.2 Europa Way There are several stages to this project which will be subject to a future Executive Report. Members have already approved that the project costs of taking this forward would be funded from the Community Projects Reserve. This will not impact on the Council's overall finances for 2017/18. However, the purchase of the land and any further Capital Expenditure and subsequent purchase of the Football site will be funded in the short term from internal borrowing. For 2017/18 the "cost" in lost Investment interest was originally estimated at £13,600, although this will be reviewed to reflect the actual date of completion.

This has been factored into the Medium Term Financial Strategy along with assumed external borrowing costs should the project proceed to the next stages.

- 3.1.3 Business Rates – In the current year, this Council received a refund on the rates for Newbold Comyn Leisure centre of £24,000. Other sites have had one off increases of £23,000 adverse which net this off to £1,000 favourable. The 2017 Revaluation has increased costs of business rates on the Council's property on a recurrent basis by £45,100 for the General Fund, there have been some small HRA reductions amounting to £300. There will be further costs in future years as the transitional relief is phased out. This has been factored into the Financial Strategy (Section 3.8.6)
- 3.1.4 Officers within Neighbourhood Services forecasted the impact of property growth on the Council's Major Contracts. An additional £65,900 has been factored into 2017/18 Budgets.

3.2 Contingency Budgets

- 3.2.1 Appendix B gives details of the allocations from this budget with a balance of £77,900 (at 30th June) left for the rest of the year. The other contingency budgets have the following balances:-

Contract Cleaning	£22,300
Price Inflation	£64,500

- 3.2.2 With effect from 25th May 2018, the General Data Protection Regulations will apply to all businesses and public bodies in the UK. There will be a legal requirement for a specific officer to be responsible for adherence to the regulations. It will not be possible for the preparation, implementation and compliance work to be delivered from within current resources. It is therefore proposed that a new Data Protection Officer (DPO) post is shared with Stratford DC. The post can be funded from the Contingency Budget, with the likely cost to be £40,000. Members are asked to approve this, leaving, a balance of £37,900 for the rest of the year. This is before any other requests, agreed by the August Executive.

3.3 Revenue Slippage- Earmarked Reserves

- 3.3.1 Revenue slippage from 2016/17 has been added into the 2017/18 budget, totalling £288,600 for the General Fund, Appendix C, as reported to Executive in July as part of the Final Accounts Report. This will be monitored separately and reported to Executive on a quarterly basis. As at the end of June £57,700 (20%) has been spent to date. In addition £163,900 of revenue slippage was approved for the HRA and these can also be seen in Appendix C.

3.4 Income Budgets

- 3.4.1 Appendix D details income against budget for the last three years for major income budgets. This includes details of the income to date, and projected outturn. These figures are being closely monitored. Changes are factored into the Budget and Medium Term Financial Strategy.

3.5 HRA

- 3.5.1 The latest variances that have been identified by managers are detailed below:-
- 3.5.2 Communal Safety Checks contracts require additional, ongoing, funding of £15,000. The budget was reduced in September 2015, but it is no longer sufficient for the works needed.
- 3.5.3 Minor variations - Business Rate (see para 3.1.3 above) £2,400 (A),
Warwickshire Safeguarding Children Board - HRA contribution £1,500 (A).

HRA Salary Variations	£
Head of Housing vacancy	20,000 (F)
H & PS Service Improvement - vacancies to date	5,600 (F)
Warwick Response - service under review.	7,000 (F)
H&PS Business support - recruitment ongoing	9,600 (F)
	42,200 (F)

- 3.5.4 The total of all these variances come to a net saving of £23,300. It is proposed these budgets are amended, resulting in an additional contribution to the HRA Capital Investment Reserve.

3.6 Capital

Variances reported so far in 2017/18 include:-

- 3.6.1 It is proposed that the budget of £318,200 for the Leamington Spa One Stop Shop be deleted from the Capital Programme. It is no longer required due to the forthcoming office move to the new premises. This will result in additional funding being available within the Capital Investment Reserve.
- 3.6.2 It is proposed to increase the Play Area Improvements Budget by £1,100 for the Castle Farm access point this will be funded from Section 106 monies.
- 3.6.3 The Public Address System in Council Chamber, £45,000, was agreed as part of the February 2017 Budget report. Whilst it is funded from revenue, the scheme is classed as capital, and so has now been included within the Capital Programme.
- 3.6.4 It was agreed to fund the St Nicholas Park Tennis Courts refurbishment, £30,000, from the Equipment Renewal Reserve. The latest estimated cost is £25,100. Any underspending would be returned to the Reserve.
- 3.6.5 Work on the refurbishment of Newbold Comyn and St Nicholas Park Leisure Centres is currently on-going following Members agreement to the project in November 2015. The total budget agreed within the Capital Programme for these works is £15,259,800. Both sites have experienced significant disruption to the construction programme as a result of delays and errors of utility companies and their contractors. Officers have instructed Warwickshire Legal Services to examine the history and documents relating to these matters and consequently Counsel's advice has been sought on the next steps the Council should take. The Portfolio Holder for Culture and more broadly the Executive are being kept up to date on an ongoing basis.

The delayed programme means that currently the estimated cost of the works stands at £16,537,864, being £1,278,065 over budget. The vast majority of this amount (£1,237,158) has been caused by the aforementioned delays and disruption. At this point it must be emphasised that this revised budget is not agreed between the Council and its contractor, Speller Metcalfe. On the Council's behalf, Mace, the project manager, is challenging the claims made by Speller Metcalfe. This is normal process for a construction contract. However, it is clear that there will be a substantial amount that Speller Metcalfe will be able to claim under the terms of its contract with the Council.

As a result of the above, it is necessary to recommend that Members increase the Capital Budget for the refurbishments by £1.3m. This is proposed to be funded from the usable Right to Buy Capital Receipts. Currently the Council holds £5.1m for which there are no specific plans for their use (but see another item on this Agenda). As previously advised, other than the One for One element of these receipts, which is excluded from the figures quoted, the Council has total freedom as to how these receipts are used to fund the capital programme. Currently these receipts are invested to receive an investment

return of approximately 0.5%. Alternatively, the Council could increase the borrowing already agreed for the leisure centres. With rates here likely to be in excess of 2.5%, it is recommended that the use of the Right to Buy Receipts is agreed.

3.7 Medium Term Financial Strategy

- 3.7.1. The Financial Strategy was last presented to Members as part of the June Fit for the Future Report. This forecast a £536,000 Deficit by the end of 2022/23.
- 3.7.2. It has now been updated to incorporate the rest of the variations discussed above, with the exception of the ICT Salary Top slice, Salary variations in Development Services and Finance. These have not been reflected in the Strategy as managers are not certain that these may change. The positions will be monitored as part of the Budget Review process.
- 3.7.3. The most significant changes since June are the incorporation of the increase in Member Allowances (£26,000) which was approved by Members in June 2017. This is being funded from the Contingency Budget for 2017/18, but will impact on future years.
- 3.7.4 The impact on the Council's Major Contracts from new property growth has been fully assessed and a trajectory produced until 2022/23. The full impact on the forecast is an additional £288,000 including the £40,000 additional growth from 2016/17.
- 3.7.5 The additional savings required are partly mitigated by a greater increase in the Council Tax Base than forecasted in February of the year reflecting the increased housing developments across the district. In 2022/23, there is an increase in income approaching some £550,000.
- 3.7.6 The impact on the General Fund's Business Rates budget for the rates due on the Council's municipal properties from the 2017 Revaluation is included in the Table at 3.1.1. However this year's increase is tapered by transitional relief. When this is phased out, there will be a further ongoing impact of £162,000.
- 3.7.7 It has been established that a lot of the land within the General Fund's Grounds Maintenance Budgets actually belongs to the HRA. Approximately £82,600 was built into General Fund Budgets for this work. At the time of writing this report, Officers are in confirming the full amount within the General Fund to enable these costs to be transferred to the HRA. General Fund Budgets will be reduced. The HRA expenditure will be funded from Capital Investment Reserve. The Strategy includes this estimate for now and both the Strategy and Members will be updated in due course. It has not been included in the variations reported in section 3.1.
- 3.7.8 The MTFS currently includes 1% per annum for pay awards in line with Government expectations. With the National Living Wage due to increase in forthcoming years, there is a national review of spinal column points on-going. The impact of this has not been reflected in the MTFS but it is expected to present an additional pressure as pay differentials are sought to be maintained.
- 3.7.9 From January 2018, organisations are no longer able to pass on the Credit Card Surcharges onto their customers. The amount recovered currently is £16,500 per annum. A proportion of this relates to Council Tax (circa 8%). By January

the majority of this will have been paid, so the first quarter's impact will not be so great. Also, the £16,500 includes the Leisure Centres. However, once the surcharge is abolished some customers currently paying by Debit Card, may then use their Credit Cards instead. Until the system is introduced the full impact cannot be accurately assessed. This will be closely monitored and a prudent approach taken when the 2018/19 Budgets are set.

3.7.10 Having factored in all these changes, the Strategy now forecasts an ongoing deficit of some £385,000 unless further savings can be identified and delivered. The Profile of these savings is shown below-

	2017/18 £'000	2017/18 Latest £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Deficit-Savings Required(+)/Surplus(-) future years	0	-15	203	203	-546	212	385
Change on previous year Current Year Surplus(-) Deficit (+)	0	-15	218	0	-749	758	173

3.7.11 Members will note that the 2017/18 forecast differs from that in Section 3.1 and Appendix A. The transfer of the Grounds Maintenance Costs to the HRA is discussed in 3.7.7 above. Some of the Salary Variations reported are estimated and at this point in the year, it is considered prudent to report them but not as yet factor them into budgets until they are more definitive. A reconciliation of the 2 Surpluses is shown below-

	£'000's
Surplus 2017/18 in Strategy	-15
Remove Grounds Maintenance Transfers to the HRA	82.6
Development Salaries	-9.1
Finance Salaries	-39.7
ICT Top slice	15.6
Housing Advice Salaries	-18
Building Surveying Salaries	-34.8
Property/Estates Salaries	-13
Rounding	0.2
Quarter One Report	-31.2

3.7.12 With substantial savings still to be agreed for 2018/19 and future years, it is proposed that a further Fit For the Future report will be presented to Executive ahead of the Budget setting process for 2018/19.

3.8 Enterprise Schemes

3.8.1 Spencer Yard, Althorpe Enterprise Centre and Court Street Arches
Spencer Yard (West Wing and North Hall), Althorpe Enterprise Centre and Court Street Arches are all schemes partly funded by grants from Advantage West

Midlands. The grant conditions included the condition that any surplus on the operating costs be re-invested in employment initiatives. The surpluses on these projects (excluding support services and capital charges) are allocated to the Enterprise Reserve.

- 3.8.2 26 Hamilton Terrace was funded by the Local Enterprise Partnership. In July 2014 Executive agreed that 12% of the gross rental income for this scheme is used for sector specific business support initiatives. This allocation method is at variance to the AWM funded schemes. It is proposed that in future, 26 Hamilton Terrace is brought under the same regime as the other schemes, with the net surplus being allocated to the Enterprise Reserve. The net impact of this on budgets will be minimal (£100 based on 2017/18 Budget).
- 3.8.3 The Enterprise Reserve was originally created to "smooth" any surpluses and deficits on the Enterprise projects. The balance on the Reserve is currently £81,000, having built up over several years. It is proposed that in future the reserve is used to also fund specific business support initiatives. To enable this to happen, it is proposed that the Head of Development Services is granted authority to agree initiatives up to £20,000. Above this, funding requests would need to be determined by the Executive.

As part of the Final Accounts Process, annual contributions have been made to this Reserve from the surpluses from the Enterprise schemes; this has never been built into the Budgets. This will be redressed within the base budgets presented to Members in November.

87.5% of the gross rental income from 26 Hamilton Terrace was being contributed to the Capital Investment Reserve. Due to the revised arrangements (subject to member Approval) this will no longer be appropriate.

3.9 Housing Benefits (HB) Subsidy – Appointment of Auditors.

- 3.9.1 Following consideration of a report in November 2016, members agreed that the Council opts in to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors from 2018/19 for a 5 year period. PSAA have now awarded the contracts under this tender process, with Grant Thornton, the Council's current auditors, Headline figures suggest that there will be a reduction of approximately 18% in the scale fees. The PSAA have recently proposed that Grant Thornton will continue as Warwick District Council's external auditors from 2018/19. It is recommended that members accept this appointment.
- 3.9.2 Following the abolition of the Audit Commission, the Department for Communities and Local Government (DCLG) delegated statutory functions for the certification of Housing Benefit subsidy claims to PSAA for a temporary period. This included responsibility for the appointment of auditors to the local authorities (LAs). This temporary period ends in March 2018.
- 3.9.3 From the 2018/19 Housing Benefits Subsidy Audit, local authorities are to appoint their own external accountants. The Department for Work and Pensions (DWP) will be responsible for the HB assurance framework instructions, and the control of grant payments based on the assurance reports supplied under the new arrangements.

- 3.9.4 Consequently, the arrangements for the appointment of auditors, by PSAA (section 3.9.1), do not include the HB Subsidy Audit, for which local authorities will need to make their own appointment. DWP need to be notified of the selected auditors by 28 February 2018.
- 3.9.5 The annual value of the Benefits audit is approximately £10,000.
- 3.9.6 The audit needs to be carried out by a provider registered with the Institute of Chartered Accountants of England and Wales (ICAEW). However, given the detailed and technical nature of the work, only the auditors that have carried out recent local authority audits are likely to have the required expertise that is limited to 7 firms across the country. Based on how the contracts have been awarded geographically, different firms have greater representation in certain areas.
- 3.9.7 Discussions have been held with the other Warwickshire district councils to consider a collaborative approach to the appointment of the auditors. Assuming this was to be for a 5 year period, the value would require a full EU procurement which did not find favour with all parties.
- 3.9.8 Given the value of the contract, it is believed the most pragmatic way to it is proposed that when the Council has been notified of the 2018/19 auditor, discussions are held with them with a view to agreeing their appointment for the HB audit. Given the synergies that should exist with the auditors carrying out the main audit also carrying out the HB audit, this approach is likely to present best value. The appointment is proposed to be initially for one year, with the arrangements reviewed annually.
- 3.9.9 It is therefore recommended that an exemption to the Code of Procurement is agreed to enable the Head of Finance, in consultation with the Finance Portfolio Holder, to agree the appointment of the Council's auditors for the Housing Benefits Subsidy from 2018/19.

3.10 Exemptions to the Code of Procurement Practice

- 3.10.1 In accordance with the Code of Procurement Practice exemptions granted to the Code of Procurement Practice. These are recorded within Appendix E. The first part of the table primarily relates to exemptions granted under paragraph 6.5.1 of the Code. These relate to the renewal of software licenses. The other exemptions listed are those below £20,000 which may be agreed by the Head of Finance under paragraph 6.2.

3.11 Business Rate Relief

- 3.11.1 The 2017 revaluation of all non-domestic rate properties came into force on 1 April 2017. Following the revaluation the rateable value of businesses in the borough has gone up by 3.9% although nationally this figure is 9.6%. As with previous revaluations, the Government has introduced a five year transitional scheme to phase in increases and decreases in rates payable.
- 3.11.2 In the Spring Budget the Chancellor announced three measures to help reduce the impact of business rate increases from April 2017:
1. Supporting Small Business Relief (SSBR) - SSBR will help those ratepayers who, as a result of the revaluation, are losing some or all of their small business or rural rate and, as a result, are facing large increases in their

bills. SSBR will ensure that the increase per year in the bills of these ratepayers is limited to the greater of:

- A percentage increase per annum of 5%, 7.5%, 10%, 15% and 15% from 2017/18 to 2021/22, or
- A cash value of £600 per year (£50 per month)

Initial investigations have shown that this will only affect 16 Businesses. Due to the complex nature of this relief specific software enhancements are required to both identity cases and apply the relief. The DCLG have recognised this and new burdens will be given to software providers to meet the cost of these changes. Any relief awarded will be recompensed via a Section 31 grant from the Government.

2. Public House Relief Scheme - This is a new relief scheme that provides a discount of £1,000 for pubs with a rateable value of less than £100,000 subject to state aid limits. The scheme is for 2017/18 only. Government guidance as to what constitutes an eligible pub has been made available and it is estimated there will be approximately 100 properties eligible. This will require software changes that are currently being tested. Any relief awarded will be recompensed via a Section 31 grant from the Government.
3. Discretionary Rate Relief Scheme – The Government has made available a 4 year funding package to Each Billing Authority in order to set up its own local Discretionary Rate Relief Scheme (DRRS). The purpose of the fund is to provide support to some ratepayers facing an increase in their bills because of the revaluation. The DRRS will require software changes to implement the scheme and will be subject to consultation with Warwickshire County Council. The 5 Warwickshire billing authorities have been in close contact regarding each other's schemes and whilst it is recognised that there are differences between authorities it is anticipated that there will be a consistent approach across the county. Various schemes are being modelled at present however any scheme will require member approval and consequently a further report will follow shortly

3.11.3 With all of the above the Government has announced its intention that it would not be altering legislation in order to effect these changes. Instead local authorities are to use their discretionary powers (under section 47 of the Local Government Finance Act 1988) to implement these changes.

3.12 Home Choice

3.12.1 The Housing Services and Assets teams currently use the MIS ActiveH system for their day to day activities. While the ActiveH system is modular, MIS Limited does not provide a Choice Based Lettings module. This is because, apart from Warwick District Council, all their other ActiveH customers are housing associations who are not required to provide a Choice Based Lettings solution.

3.12.2 In the absence of an ActiveH Choice Based Lettings module, Warwick District Council developed a fully integrated in-house solution, to administer our HomeChoice policy.

3.12.3 Currently there is only one developer within ICT Services who has a complete understanding of the coding in HomeChoice and the business processes in

Housing Services. Consequently there is a business resilience issue and a risk to the allocations and lettings service because of the over-reliance upon a single officer. Furthermore, ICT Services now require the officer concerned to work on other aspects of the council's digital inclusion strategy and as a result support on HomeChoice will no longer be possible.

3.12.4 This means that it may not be possible to make changes required as a result of members' recommendations, changes to legislation, or corrections to policy/process errors discovered during day-to-day operations. Hence, a new support provider is required and a tender process is currently underway.

3.12.5 While Housing Services initially considered purchasing an 'off the shelf' Choice Based Lettings solution, they discovered that this functionality was only available if they procured a replacement for the entire ActiveH system, which was neither practical nor required.

3.12.6 Housing Services also briefly considered the standalone Abritas system, which initially looked promising. However, Abritas has now been acquired by Civica plc to integrate directly with their own housing software.

3.12.7 It is proposed to secure a company to provide ongoing support and future development of our HomeChoice software solution. One major advantage of providing the successful company with our existing in-house solution is that this software is fully integrated with our MIS ActiveH system.

3.12.8 The upfront development costs are anticipated to be in the range £35,000-£50,000, with ongoing revenue implications of £28,000. Most of the one off costs can be funded from the 'RSL contributions towards advertisements' reserve where there is currently an unallocated balance of £35,000, with further funding available from the HRA. It is proposed that the on-going running costs from 2018/19 be included in the Medium Term Financial Strategy.

3.13 Gypsy and Travellers

3.13.1 Alongside the Grounds Maintenance works on HRA Land discussed in 3.7.7 above, a further £17,500 of works relating to Gypsy and Traveller to Encampments was approved to be funded from the Community Projects Reserve (June 2017 Executive).

3.13.2 In total £182,700 (£174,000 plus a 5% contingency) of work was approved to come from this Reserve. However, the HRA element will need to be funded from the HRA Capital investment Reserve in order to abide by the ring-fencing regulations relating to GF/HRA charges. £17,500 can therefore be returned to the Community Projects Reserve.

3.13.3 It has been established that the General Fund element is now forecast to be £152,500, so a further £12,700 can also be returned to the Community Projects Reserve, a total reduction of £30,200.

4. Policy Framework

4.1 Policy Framework

This report is in accordance with the Council's Financial Strategy as last approved by the Executive in February. This provides the Council with the resources to deliver its other policies and strategies.

4.2 **Fit for the Future**

One of the 3 Strands of Fit For the Future is ensuring that the Council achieves the required savings to enable it to set a balanced budget whilst also maintaining or improving service provision. This report updates Members on the financial projections for future years, savings required to be found and some of the key issues affecting the Council's Medium Term Financial Strategy up to 2022/23.

5. **Budgetary Framework**

- 5.1 Officers review current year budgets on a monthly basis at the same time as considering implications for the medium term. Members are updated on a quarterly basis.
- 5.2 The Budget Review Process provides a planning tool to ensure resources are directed to the Council's priorities. Alongside the Council's own activities, external factors influencing its finances are also taken into consideration, for example Central Government Financing, the Business Rates Retention scheme, changes in legislation and the economy.
- 5.3 The Council maintains its Reserves to deliver Capital and other projects, and to ensure that there are sufficient resources available to manage unforeseen demands and continue to deliver its services. Close monitoring of these Reserve balances, together with plans to replenish them will preserve the financial stability of the organisation for future years.

6. **Risks**

- 6.1 The Council's Significant Business Risk Register contains several risks which are finance related. Shortage of finance will impact upon the Council's plans for the provision of services. Reduced income or increased expenditure will reduce the funding available.
- 6.2 The main sources of income which may be subject to reductions include:-
 - Government grant (e.g. Revenue Support Grant, Benefits Administration Grant)
 - Business Rates Retention
 - Fees and charges from the provision of services
 - Rent income
 - Investment Income
- 6.3 Increased expenditure in service provision may be due to:-
 - Inflation and price increases for supplies and services.
 - Increased demand for services increasing costs
 - Changes to taxation regime
 - Unplanned expenditure
 - Assumed savings in budgets not materialising
- 6.4 Triggers for increased costs or reduced income include:-
 - Economic cycle – impacting upon inflation, interest rates, unemployment, demand for services, Government funding available

- Unplanned expenditure, e.g. Costs from uninsured events, Costs of planning appeals or other legal process
- Project costs – whereby there are unforeseen costs, or the project is not properly costed, or the risks related to them are not properly managed.
- Changes to assumptions underpinning the Medium Term Financial Strategy – these assumptions are closely monitored.

6.5 Many controls and mitigations are in place to help manage these risks. These include:-

- The comprehensive Budget Review process. This entails all budget managers reviewing their budgets on at least a monthly basis, considering previous, current and future years, along with any possible issues that may impact upon their budgets. As part of this process, Budget Review reports are issued to the Executive and Senior Management Team.
- Financial Planning with the Medium Term Financial Strategy/financial projections, bringing together all issues that will impact on the Council's finances in the medium term.
- Financial controls, including the Codes of Financial and Procurement Practice, system controls, reconciliations, audit (internal and external).
- Project Management and associated controls.
- Trained staff and access to appropriate professional advice (e.g. WCC Legal, Local Government Futures for advice on local government funding).
- Risk Management process across the Council, including the on-going review and maintenance of risk registers.
- Scrutiny by Members of the Council's finances, including Budget and Treasury Management Reports, and the financial implications of all proposals brought to them for consideration.
- Within the 2017/18 Accounts, there is a Contingency Budget with an uncommitted balance of £77,900 (prior to this meeting) for any unplanned or unavoidable expenditure.
- Reserves – Whilst much of these Reserves have already been earmarked for specific projects, it is important that Reserves are held for any unforeseen demands.
- In addition to the reserves, the Council holds the General Fund Balance of £1.5m. This is available to accommodate any unplanned expenditure, or to make up any shortfall in income. However, the Council should seek to maintain the balance at this level.
- The specific causes of reductions to income or increased expenditure should continue to be managed by the relevant Service Area as part of managing the risks within each Service Risk Register. Individual Service

Area Risk Registers are brought to Finance & Audit Scrutiny Committee on a rolling programme every 2 years.

7. Alternative Option(s) considered

- 7.1 Monitoring expenditure and income and maintaining financial projections is good financial management and part of good governance. Accordingly, to propose otherwise is not considered.

APPENDIX A – VARIATIONS REPORTED TO 30th JUNE 2017

2017/18 Cumulative variations	Variance £
Major Variations	
Review of Ranger Service	30,000 (F)
Crematorium Restructure net increased income	61,700 (F)
Support Service Review	31,000 (F)
Council Tax Support Grant Shortfall	15,000 (A)
HB Admin Subsidy Grant Shortfall	25,000 (A)
Private Sector Housing-Joint Post Contribution Ceased December 2015	17,400 (F)
Estate Management (parking Spaces rear of Jury Street no longer renting)	6,700 (F)
Democratic Representation & Management councillors superannuation costs not needed	14,100 (F)
NDR Refund Newbold Comyn Leisure Centre –one off	24,000 (F)
NDR revaluations – various – one off	23,000 (A)
NDR Revaluations – WDC Properties - recurrent	45,100 (A)
Rent Rebates Crash Pad income budget	6,000 (A)
Legal Costs for Waterloo Housing Agreement, budget too high now agreement in place	13,700 (F)
Provision for National Living Wage not drawn on in previous years	19,100 (F)
Golf course electricity service charges arrears written off	17,900 (A)
Growth in property numbers impact on Waste Collection Contract (Growth for last three years)	40,000 (A)
Waste Management Growth above original assumptions July 2017	14,100 (A)
Street Cleaning Growth above original assumptions July 2017	11,800 (A)
Equitrac-purchase software instead of lease, £9.4k shortfall 17/18, saving £5k(p.a) for following years, then need £1k recurrent Support	9,400 (A)
Leisure Client team – no training budget provided	7,000 (A)
Aviary rental income overstated	7,100 (A)
Land Charges Income Budgets Overstated	10,000 (A)
Total Major Variations	13,700 (A)
Minor Variations (Pay and Non pay)	
Service Charges Kenilworth Senior Citizens Clubhouse Southbank Road	1,300 (A)
Community safety salaries	1,500 (A)
Sports Facilities Admin - reinstate some budget for April & May 2017	1,500 (A)
Contract Cleaning at Town Hall	4,000 (F)
Land adjacent to Stable Block Transferred to Jockey Club	3,000 (F)
Leasing Printers	3,300 (A)
Total Minor Variations	600 (A)
Total Major & Minor Variations	14,300 (A)
Salary Variations	
ICT – top slice	15,600 (A)
secondment budget from One Stop Shop not built in Waste Management budget.	20,900 (A)
Vacancies - FSTeam/Procurement/Benefits/Finance	39,700 (F)

APPENDIX A – VARIATIONS REPORTED TO 30th JUNE 2017

2017/18 Cumulative variations	Variance £
Customer Contact Centre	
Housing advice & allocations vacancies to date	18,000 (F)
Building/surveying vacancies to date	34,800 (F)
Property & Estates vacancies to date	13,000 (F)
Development Services	9,100 (F)
Neighbourhood Services - regrades	9,100 (A)
April /May salary Sports & Leisure Manager omitted from budgets in error	7,600 (A)
Total Salary Variations	61,400 (F)
Total Forecast Variations	47,100 (F)
Below the Line Variations	
Europa Way, lost investment interest	13,600 (A)
Reduction in New Homes Bonus Returned	2,300 (A)
Total Below the Line Variations	15,900 (A)
Overall Total Variations	31,200 (F)

Contingency**2017/18
£****Appendix B****General Contingency****200,700**

Heathcote Lane Covenant Costs	-5,000
Compensation - Valuation Report, The Old Library, L/Spa	-10,000
VAT Costs of Non-Business Sports Appeal	-2,000
ICT Firewalls	-7,500
Maternity cover	-5,200
FFF Change Programme	-10,000
Update of Indoor sports facilities and playing pitch strategies	-30,000
Members' Allowances Review - effect in 2017/18	-15,100
New Printers project - extra work	-3,000
Voluntary &Community Sector Consultants Fees	-15,000
Royal Pump Rooms Concourse	-20,000

General available**77,900**

EARMARKED RESERVES - now included in 2017/18 Accounts

£

GENERAL FUND**CULTURE**

Castle Farm £1,700 & St Nix nets £4,700

6,400

Strategic Arts Programme

Delays in receipt of match funding

5,300

TOTAL CULTURE**11,700****DEVELOPMENT SERVICES****St Marys Lands Masterplan**

Work ongoing

39,300

TOTAL DEVELOPMENT SERVICES**39,300****HEALTH & COMMUNITY PROTECTION****Electric Pool Vehicles**

Procurement process delayed and lease costs will be paid on a quarterly basis. Vehicles received later than expected.

2,100

Heat Distribution Network

Part of the Climate Control Strategy / Sustainability Action Plan. Staff vacancies and delays in the tendering process.

17,200

TOTAL HEALTH & COMMUNITY PROTECTION**19,300****HOUSING & PROPERTY SERVICES****Lillington Regeneration**

Work delayed whilst co-operation of third party landowner sought.

26,300

Europa Way Strategic Opportunity Proposal

Delays in information provision by external organisations and time required to assess the impact of new legislation.

6,400

TOTAL HOUSING & PROPERTY SERVICES**32,700****NEIGHBOURHOOD SERVICES****Open Spaces**

Legal fees and disbursements required to potentially lift restricted land covenants.

103,800

Crematorium

Rebranding of Crematorium, including new signage, etc. delayed due to delays in the capital works. Re-branding delayed as resources might be needed for additional drainage works.

24,000

TOTAL NEIGHBOURHOOD SERVICES**127,800**

EARMARKED RESERVES - now included in 2017/18 Accounts

£

STRATEGIC LEADERSHIP**HQ Relocation Project Manager**

The contract overlaps 2016/17 and 2017/18 - need to carry forward the 2017/18 element 9,000

Coventry & Warwickshire LEP Growth Hub

Three contribution funded from contingency budget. Years 2 and 3 Funding carried forward. 22,500

Website

Development of web services delayed due to software issues -

Digital transformation work delayed due to delay in appointment of a social media officer 2,900

ICT hardware 3,100

Human Resources

Printer Software 11,200

Relocation plan changed causing delays in workplace transformation 9,100

TOTAL STRATEGIC LEADERSHIP 57,800

TOTAL GENERAL FUND SERVICES 288,600

HOUSING REVENUE ACCOUNT**EARMARKED RESERVES - now included in 2017/18 Accounts****New Carpeting for Chandos Court**

Carpeting delayed whilst redecorations and re-wiring works completed. 10,700

Independent Satisfaction Survey for Tenants and Leaseholders

Survey undertaken every 2 years and is currently going through the procurement process 5,800

Chandos Court Scooter Store

Work on converting a former warden's flat to the new store has been delayed due to a change in contractor 32,700

New Fire Panels for Sheltered Schemes

Work delayed due to contractor staffing changes 114,700

TOTAL HOUSING REVENUE ACCOUNT 163,900

APPENDIX D**Major income budgets v actual 2013-2017**

Jun-17

£

£

£

£

%

Crematorium

	Original budget	latest budget	Actual	variance	variance
crematorium fees 2013/14	-940,300	-1,105,800	-1,134,700	-28,900	2.6%
crematorium fees 2014/15	-857,000	-1,051,000	-1,051,500	-500	0.0%
crematorium fees 2015/16	-902,600	-752,800	-1,045,200	-292,400	38.8%
crematorium fees 2016/17	-1,184,700	-1,205,200	-1,173,200	32,000	-2.7%
2016/17	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
crematorium fees 2017/18	-1,334,500	-197,900	-1,205,200	-213,700	
percentage of prior year actual/actual YTD		16.9%		18.2%	
Forecast indicative outturn based on prior year profile		-1,086,500	Despite slow start, manager believes		
Manager's Estimated out-turn		1,200,000	income budget will be achieved, this being helped by the new ways of working recently introduced.		

Waste recycling credits

	Original budget	latest budget	Actual	variance	variance
Recycling credit 2013/14	-420,000	-420,000	-438,900	-18,900	4.5%
Recycling credit 2014/15	-420,000	-420,000	-423,500	-3,500	0.8%
Recycling credit 2015/16	-420,000	-420,000	-473,800	-53,800	12.8%
Recycling credit 2016/17	-420,000	-440,000	-445,100	-5,100	1.2%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
Recycling credit 2017/18	-450,400	-2,193	-440,000	-1,082	
percentage of prior year actual/actual YTD		0.5%		0.2%	
Forecast indicative outturn based on prior year profile		-450,400			
Manager's Estimated out-turn		-450,400			

Planning

	Original budget	latest budget	Actual	variance	variance
fees & charges general 2013/14	-695,700	-850,000	-1,088,400	-238,400	28.0%
fees & charges general 2014/15	-695,700	-896,300	-1,031,700	-135,400	15.1%
fees & charges general 2015/16	-702,000	-870,000	-1,276,300	-406,300	46.7%
fees & charges general 2016/17	-702,000	-1,094,800	-1,084,600	10,200	-0.9%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
fees & charges general 2017/18	-1,100,000	-442,700	-1,094,800	-483,000	
percentage of prior year actual/actual YTD		40.8%		44.5%	
Forecast indicative outturn based on average weekly income this yr		-1,141,300	Includes projected carry over of income to 18/19		
Manager's Estimated out-turn		-1,100,000	Could be exceeded but early in year, depends when major developments come in. Also some income received in advance ie for 2018/19		

Car parking

	Original budget	latest budget	Actual	variance	variance
car parking fees 2013/14	-2,411,100	-2,506,100	-2,766,400	-260,300	10.4%
car parking fees 2014/15	-2,494,100	-2,706,100	-2,898,100	-192,000	7.1%
car parking fees 2015/16	-2,606,100	-2,746,100	-2,997,200	-251,100	9.1%
car parking fees 2016/17	-2,776,100	-2,966,100	-3,112,544	-146,444	4.9%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
car parking fees 2017/18	-2,973,000	-797,490	-2,966,100	-784,765	
percentage of prior year actual/actual YTD		25.6%		25.2%	
Forecast indicative outturn based on prior year profile		-3,163,000	Income above budget goes to Parking Reserve.		
Manager's Estimated out-turn		-3,040,000	This reflects no income now being received for Station Approach, and assumes no significant adverse weather over the rest of the year.		

APPENDIX D**Major income budgets v actual 2013-2017**

Jun-17

£

£

£

£

%

Royal Spa Centre"Royal Spa Centre - all income (excluding Non-WDC Shows)"

	Original budget	latest budget	Actual	variance	variance
2013/14	610,900	571,900	606,000	34,100	5.96%
2014/15	581,600	585,200	591,600	6,400	1.09%
2015/16	581,500	581,500	633,600	52,100	8.96%
2016/17	582,800	760,900	826,400	65,500	8.61%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
2017/18	634,100	180,000	760,900	140,500	
Forecast indicative outturn based on prior years	600,100				

"Payments to Artistes for WDC promotions"

	Original budget	latest budget	Actual	variance	variance
2013/14	344,800	344,800	434,600	89,800	26.04%
2014/15	344,800	344,800	364,400	19,600	5.68%
2015/16	344,800	344,800	384,900	40,100	11.63%
2016/17	344,800	466,800	466,500	-300	-0.06%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
2017/18	344,800	51,800	344,800	71,136	
Forecast indicative outturn based on prior years	325,600				

"Net income"

	Original budget	latest budget	Actual	variance	variance
2013/14	266,100	227,100	171,400	-55,700	-24.53%
2014/15	236,800	240,400	227,200	-13,200	-5.49%
2015/16	236,700	236,700	248,700	12,000	5.07%
2016/17	238,000	294,100	359,900	65,800	22.37%
	latest budget	YTD 2017/18	budget 2016/17	YTD 2016/17	
2017/18	289,300	128,200	416,100	69,364	
Forecast indicative outturn based on prior years	274,500				


APPENDIX E

Record of over £20k Exemptions to CoPP rules approved 2017 – 2018

Date	Service Team	Contract Owner	Description	Reason	Total Value (£)	Approved
12/04/17	ICT	Lee Millest	Web and E-mail Content Filtering Systems (Clearswift)	Exemption from formal quotation based on 6.4.2 (now 6.5.1)	£37,100	Yes – Mike Snow
16/05/17	Health and Community Protection	Marianne Rolfe	CIVICA license and support for HCP, NS and Housing	Exemption under 6.4.1 (now 6.5.1) to allow review process with procurement	£93,000	Yes – Mike Snow
07/06/17	Finance	Andy Crump	TOTAL system with Totalmobile Ltd	Exemption under 6.5.1 to allow review process with procurement	£67,950	Yes – Mike Snow

Record of under £20k Exemptions to CoPP rules approved 2017 – 2018

Date	Service Team	Contract Owner	Description	Reason	Total Value (£)	Approved
26/05/17	Finance	John Roberts	Intend procurement system	Exemption from formal quotation based on 6.4	£10,000 (£2000/year for 5 years)	Yes – Mike Snow
19/06/17	Neighbourhood Services	Gary Charlton	Parking meters support contract	Exemption under 6.2 and 6.5	£13,239 (1 year)	Yes – Mike Snow

 Executive 31 August 2017		Agenda Item No. 6
Title	Corporate Asset Management Strategy – Update Report	
For further information about this report please contact	Bill Hunt Deputy Chief Executive bill.hunt@warwickdc.gov.uk 01926 456014	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	5/4/17 Executive, Minute number 123	
Background Papers	Corporate Property Repair and Planned Maintenance programme 2017/18, Executive 5/4/17; Multi-storey car park survey report – update, Executive 29/6/16; Council HQ Relocation and replacement of Covent Garden car park project Parts A & B, Executive & Council 20/4/16; Review of Council's non-operational assets Parts A & B, Executive 3/9/15; Asset's Review Update report, Executive 12/2/14; Asset's Review, Executive 11/12/13; Feasibility study of Leamington assets, Executive 30/5/12	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes, 641
Equality Impact Assessment Undertaken	No
Not applicable – no policies being approved	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		Bill Hunt - author
Head of Service		n/a
CMT	8/8/17	Chris Elliott, Andrew Jones, Bill Hunt
Section 151 Officer	14/8/17	Mike Snow
Monitoring Officer	8/8/17	Andrew Jones
Finance	8/8/17	Jenny Clayton
Portfolio Holder(s)	14/8/17	Cllr Mobbs, Cllr. Butler, Cllr. Whiting

Consultation & Community Engagement	
N/A	
Final Decision?	Yes
Suggested next steps (if not final decision please set out below)	

1. **Summary**

- 1.1 The Council's Medium Term Financial Strategy (MTFS) was considered in detail as part of the Fit for the Future Update report approved by Executive in June 2017 with a further update being provided in the Budget Review report elsewhere on this agenda. When considering the MTFS the Council's s151 Officer always stresses that there are a number of financial liabilities that are not fully funded in the medium term, including the maintenance and improvement of corporate assets.
- 1.2 The Council has made significant strides towards the creation and adoption of an integrated and funded corporate asset management strategy to address this issue and this report provides the latest progress update.
- 1.3 It is intended that a final report, presenting a strategy for approval, will be brought to Executive in February 2018 as part of the budget setting process.

2. **Recommendations**

- 2.1 That Executive notes the contents of this report and the progress made in developing a corporate asset management strategy.
- 2.2 That Executive approves the Asset Management Plan for 2017/18, as set out in Appendix One.
- 2.3 That Executive notes that from 2018/19 an annual Asset Management Plan will be presented to members for approval, replacing and incorporating the current annual Corporate Property Repair and Planned Maintenance programme report.
- 2.4 That Executive approves the release of a maximum of £40,000 from the Capital Investment Reserve to allow the engagement of a partner to develop a tailored programme of disposals and acquisitions that reconfigures the Council's non-operational asset base, generates additional revenue returns for the General Fund and enables the Council to ensure its assets liabilities are fully funded in the medium term.
- 2.5 That, subject to approval of recommendation 2.4, Executive delegates authority to the Deputy Chief Executive (BH), Interim Asset Manager and Business Manager – Projects, in consultation with the Business and Finance Portfolio Holders, to procure a partner for the proposed work, in compliance with the Code of Procurement Practice.
- 2.6 That Executive notes that, subject to the approval of recommendations 2.4 and 2.5, a Corporate Asset Management Strategy Property will be presented to the February 2018 meeting for approval.

3. **Reasons for the Recommendations**

- 3.1 Officers have been working on the development of a Corporate Asset Management Strategy for all the assets owned by the Council other than those held in the Housing Revenue Account (HRA) for a number of years. This will set out the Council's strategic approach to the consideration of the alternative uses, future improvements and the funding of all maintenance liabilities for the corporate asset base, issues that are dealt with in respect of the HRA assets through the HRA Business Plan.

- 3.2 The corporate assets which the strategy will cover can be categorised as:
- Operational assets – required to deliver the services that the Council provides to the public, e.g. HQ offices, Leisure Centres, Art Gallery & Museum, Spa Centre, Jubilee House, Edmonscote Track, Crematorium and cemeteries etc.
 - Car Parks – multi-storey and surface car parks, which are separated from the other operational assets above due to the relationship between car park charge income and car park maintenance
 - Non-operational assets – the buildings and structures owned by the Council that are held for community benefit or income generation e.g. offices, shops, club buildings and other community facilities, public conveniences, memorials etc.
 - Land assets – Parks, gardens, open spaces, sustainable drainage schemes and other parcels of land held in the General Fund
- 3.3 Since an initial Asset's Review in 2012 a range of initiatives have been developed to improve and enhance the corporate asset base including the:
- HQ relocation project
 - Creative Quarter project
 - Leisure Development programme
 - St. Mary's Lands strategic programme
 - Town Hall alternative use project
 - Pump Room Gardens 'Parks for People' improvement scheme
 - Development of the Enterprise Assets, including the creation of 26HT
 - Multi-storey car park improvement programme, including Linen Street and Covent Garden re-provision
 - Projects to support the delivery of the new Local Plan, including the Europa Way project and the relocation of sports clubs to enable the Thickthorn housing development schemes
 - Security enhancements to open spaces
 - Spa Centre improvement scheme
 - Pump Rooms and Museum/Art Gallery foyer improvement scheme
 - Crematorium improvement project
- 3.4 These initiatives have addressed, or begun to explore, many of the issues affecting the operational, land and car park assets including how the future maintenance liabilities of high cost assets such as the HQ building, Covent Garden multi-storey car park, St. Nicholas & Newbold Comyn Leisure Centres can be funded. Whilst not all of these initiatives have been completed and the issues relating to one category of asset, the non-operational properties, have yet to be fully explored, significant progress has been made towards the development of a fully funded and integrated corporate asset management strategy.
- 3.5 The current year's programme of activity in respect of the corporate assets is set out in the 2017/18 Asset Management Plan, attached as **Appendix One**. All the works included within this Plan are fully funded. In future it is proposed that an annual report setting out the Asset Management Plan for the corporate assets for the forthcoming financial year is brought to the March Executive, incorporating but replacing the current Corporate Property Repair and Planned Maintenance programme report.
- 3.6 It is now proposed to engage an external partner to explore the issues relating to the non-operational asset base, focussing initially on the properties listed at **Appendix Two**. A number of other Council's have developed programmes to utilise this category of asset to deliver an enhanced revenue stream and officers

believe that the development of a programme of disposals and acquisitions within this category of assets could be used to minimise future (non-funded) asset maintenance liabilities and generate additional revenue returns to support the asset management strategy across all 4 categories of the corporate asset base. However, the Council lacks the internal expertise and detailed understanding of the commercial property market within the district to undertake this work and its private sector partner within the Limited Liability Partnership, Public Sector Plc, whilst potentially possessing the expertise is fully committed to delivery of the HQ Relocation Project and lacks the capacity to do so in the short to medium term.

- 3.7 Soft market testing has identified that it should be feasible to secure the proposed work for a maximum cost of £30-40,000. The proposal to release funding of this level will allow a fully compliant procurement exercise to be undertaken under delegated authority. Completion of this exercise and the establishment of actual costs will allow any non-required funding to be returned to the Capital Investment Reserve.
- 3.8 The appointment of an external partner to undertake the proposed work will allow the final element of the staged approach towards the development of the corporate asset management strategy to be completed. A final, fully integrated strategy, complete with proposals for the future funding of all known liabilities would then be brought to the February 2018 Executive so that it can be considered in conjunction with the 2018/19 Budget report.

4. **Policy Framework**

- 4.1 A sound financial strategy is critical to the ability of the Council to function effectively. The Council therefore produces an annual budget and a 5 year, rolling, Medium Term Financial Strategy (MTFS). The MTFS is one of the 'bedrocks' of the Council's policy framework and the basis used for planning the approach to many of its activities. However, the maintenance liabilities of the corporate assets, unlike the HRA assets, are currently unfunded in the medium term. The completion and future adoption of a Corporate Asset Management Strategy will address that issue.
- 4.2 The Council's Fit for the Future (FFF) Strategy is designed to deliver the Council's Vision for the district: to make it a Great Place to Live, Work and Visit. The FFF Strategy has three strands – People, Services and Money, and each of these has an external and internal element to it. The Corporate Asset Management Strategy and the recommendations within this report directly support all three elements of FFF, as shown in the table below:

FFF Strategy		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes</u> <ul style="list-style-type: none"> Improved health for all Housing needs met for all 	<u>Intended outcomes</u> <ul style="list-style-type: none"> Area has well looked after public spaces All communities have access to decent 	<u>Intended outcomes</u> <ul style="list-style-type: none"> Dynamic and diverse local economy Vibrant town centres Improved

<ul style="list-style-type: none"> • Impressive cultural and sports activities • Cohesive and active communities 	<ul style="list-style-type: none"> • open space • Improved air quality • Low levels of crime and anti-social behaviour 	<ul style="list-style-type: none"> • performance and productivity of local economy • Increased employment and income levels
<u>Impacts of this report</u> <ul style="list-style-type: none"> • The Asset Management Plan details the investment being made in the district's leisure centres, swimming pools and athletics track. • The Asset Management Strategy will address the funding and future investment strategy in this category of operational property asset. 	<u>Impacts of this report</u> <ul style="list-style-type: none"> • The Asset Management Plan details the investment being made in the district's parks and open spaces. • The Asset Management Strategy will address the funding and future investment in these facilities in this category of asset. 	<u>Impacts of this report</u> <ul style="list-style-type: none"> • The Asset Management Plan details the investment being made in some of the Council's existing non-operational and enterprise assets that are let to local businesses to support the local economy. • The recommendation to explore a reconfiguration of the Council's non-operational asset base would allow a focus on commercial activities that can promote economic activity
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes</u> <ul style="list-style-type: none"> • All staff are properly trained • All staff have the appropriate tools • All staff are engaged, empowered and supported • The right people are in the right job with the right skills and the right behaviours 	<u>Intended outcomes</u> <ul style="list-style-type: none"> • Focusing on our customers' needs • Continuously improving our services • Increasing the digital provision of services 	<u>Intended outcomes</u> <ul style="list-style-type: none"> • Better return/use of our assets • Full cost accounting • Continued robust approach to cost management • Maximising income earning opportunities • Seeking best value for money
<u>Impacts of this report</u> <ul style="list-style-type: none"> • The recommendation to explore the reconfiguration of the Council's non-operational asset base will offer the opportunity for some staff to become more familiar with commercial 	<u>Impacts of this report</u> <ul style="list-style-type: none"> • The recommendation to explore the reconfiguration of the Council's non-operational asset base is underpinned by the desire to move to a commercially based approach to the future 	<u>Impacts of this report</u> <ul style="list-style-type: none"> • The Asset Management Plan, the future Asset Management Strategy and the recommendation to explore the reconfiguration of the Council's non-operational asset

assessments of property based schemes and asset management so helping the Council's aim of becoming more enterprising.	management of this category of asset, designed to deliver additional revenue to help the Council to maintain or improve its services.	base proposal directly support this strand. <ul style="list-style-type: none"> • All are aimed at ensuring the Council makes effective use of its corporate assets, gets the best possible value for money returns from them and assesses options to generate additional revenue.
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5. **Budgetary Framework**

- 5.1 There is currently an uncommitted balance of £1.076m in the Capital Investment Reserve. If the recommendation to fund the engagement of a partner to develop a strategy for reconfiguring the non-operational property asset base, this will leave an uncommitted balance of £1,036m.

6 **Risks**

- 6.1 There is a risk that the Council fails to maximise potential opportunities that exist from the adoption of a more rigorous and commercial approach to the management of its corporate assets. This can be mitigated by the adoption of an integrated Corporate Asset Management Strategy.
- 6.2 There is a risk that the Council's MTFS does not properly address all future financial liabilities and this exposes the Council to the risk of having to take action that could impact of the quality or breadth of services that it delivers. The development of the Corporate Asset Management Strategy will mitigate this risk and the proposal to explore how additional revenue can be generated and/or how potential future financial liabilities can be reduced by reconfiguring the non-operational asset base will assist the development of a comprehensive Strategy.

7 **Alternative Option(s) Considered**

- 7.1 As can be seen from paragraph 3.3 a considerable amount of work has gone into the development of a comprehensive asset management strategy. Members could decide not to pursue the recommended approach of exploring how the Council's non-operational property base could be reconfigured but this has been discounted as it would detract from the ambition of having a strategy that encompasses all elements of the corporate asset base.
- 7.2 Members could choose not to receive and approve an annual Asset Management Plan but this is not recommended as the intention of producing one is to ensure that members are aware of the totality of the work being undertaken in relation to the corporate assets and for this knowledge to inform future decision making.

Asset Management Plan 2017/18

1. Purpose and format

- 1.1 The purpose of this plan is to outline the totality of the work and/or investigations that will be undertaken during the financial year 2017/18 to the Council's corporate assets (excluding the council's rented homes, garage sites and amenity space but including any larger land assets owned by the Housing Revenue Account).
- 1.2 The Plan will be presented to Executive for approval but will subsequently be updated through the remainder of the financial year with any variances reported to the Executive as appropriate, through verbal briefing(s) at one of the regular CMT/Executive meetings. This will ensure that the Plan remains a 'living document' at by year end will document all activity relating to the corporate asset base that has been undertaken during the period.
- 1.3 The Plan covers all categories of asset within the corporate asset base, namely:
 - Operational assets – these are the assets required to deliver the services that the Council provides to the public, e.g. HQ offices, Leisure Centres, Art Gallery & Museum, Spa Centre, Jubilee House, Edmonscote Track, Crematorium and cemeteries etc.
 - Car Parks – these are the Council owned multi-storey and surface car parks. These are categorised separately from the other operational assets above due to the relationship between car park charge income and car park maintenance
 - Non-operational assets – these are the buildings and structures owned by the Council that are held for community benefit or income generation e.g. offices, shops, club buildings and other community facilities, public conveniences, memorials etc.
 - Land assets – these are the parks, gardens, open spaces, sustainable drainage schemes and other parcels of land held in the General Fund and, for the purposes of this Plan, the Housing Revenue Account.
- 1.4 The Plan will categorise the type of activity that is to be undertaken which will allow the data it contains to be used to inform the development of the Council's Corporate Asset Management Strategy. The categories of work that are used are:
 - Maintenance work – the work scheduled within the Planned and Preventative Maintenance (PPM) schedule for the corporate asset base, updated as appropriate with revised stock condition survey information. This work is designed to maintain the asset base 'as is' but not to facilitate improvements.
 - Improvement work – any work that is additional to the PPM to improve an asset to enhance service delivery, enable improved community benefits or increase its revenue earning potential

- Change of use – any work designed to enable to the alternative use of an asset
- Acquisitions and disposals – any new acquisitions or disposals that alter the corporate asset stock base.
- Feasibility work – any studies or other activities designed to inform future decision making relating to corporate assets.

2. Work scheduled to be completed and/or initiated during 2017/18

2.1 Maintenance Work

Asset	Nature of work	Estimated cost	Date of approval by Executive
Abbey Fields Outdoor Pool	Works to maintain building fabric	£10,000	5/4/17
Town Hall	Works to maintain building fabric	£103,500	5/4/17
Royal Spa Centre	Works to maintain building fabric	£95,000	5/4/17
Royal Pump Rooms	Works to maintain building fabric and mechanical/electrical maintenance work	£85,000	5/4/17
Oakley Wood Crematorium	Works to maintain building fabric	£60,000	5/4/17
Jephson Gardens Temperate House and Restaurant	Works to maintain building fabric and mechanical/electrical maintenance work	£31,000	5/4/17
Victoria Park Bowls Pavilion	Works to maintain building fabric	£16,500	5/4/17
Victoria Park Tennis Pavilion	Works to maintain building fabric and mechanical/electrical maintenance work	£53,000	5/4/17
Jubilee House	Works to maintain building fabric	£30,000	5/4/17
Warwick Cemetery Lodges	Works to maintain building fabric	£6,000	5/4/17
Leamington Cemetery Lodges	Works to maintain building fabric	£12,000	5/4/17
Abbey Fields Barn	Works to maintain building fabric	£60,000	5/4/17
Abbey Fields Public Toilets	Works to maintain building fabric	£7,000	5/4/17
8 Clarendon Avenue	Works to maintain building fabric prior to re-letting	£18,000	5/4/17
10 Hamilton Terrace	Works to maintain building fabric	£13,000	5/4/17
44-46 Regent Street	Works to maintain building fabric	£10,000	5/4/17
Old Dole Office, Spencer Yard	Works to maintain building fabric	£66,000	5/4/17

The Royal Navy Association	Works to maintain building fabric	£8,500	5/4/17
Althorpe Business Hub	Works to maintain building fabric	£12,000	5/4/17
Minor Works (items below £2,000) at Church Walk, Saltisford Canal, St Nicholas Park Boating Centre and Café, Leamington Boat House, Myton Kiosk	Works to maintain building fabric	£8,000	5/4/17
Abbey Fields	Works to paths, fencing and structures within the park	£17,000	5/4/17
Castle Farm Recreation Area	Works to paths, fencing and structures within the open space	£6,000	5/4/17
Cubbington Waterworks Park	Works to paths, fencing and structures within the park	£62,000	5/4/17
Kenilworth and Milverton Cemeteries	Works to paths, fencing and structures within the cemetery	£19,000	5/4/17
Leamington Cemetery	Works to paths, fencing and structures within the cemetery	£8,000	5/4/17
Kenilworth Common	Works to paths, fencing and structures within the open space	£2,500	5/4/17
Priory Park	Works to paths, fencing and structures within the park	£2,500	5/4/17
Saltisford Common	Works to paths, fencing and structures within the open space	£10,000	5/4/17
St Mary's Lands	Works to paths, fencing and structures within the open space	£10,000	5/4/17
St Nicholas Park	Works to paths, fencing and structures within the park	£143,000	5/4/17

Pageant House gardens	Works to paths, fencing and structures within the gardens	£90,000	5/4/17
Rushmore Street	Works to paths, fencing and structures within the open space	£3,500	5/4/17
Abbey Fields	Works to paths, fencing and structures within the park	£8,500	5/4/17
Victoria Park	Works to paths, fencing and structures within the park	£4,000	5/4/17
Riverside Walk	Works to paths	£4,000	5/4/17
Minor Works to various parks/open spaces (below £2,000) at Cox's Orchard, Edmondscote Track, Harbury Lane Sports Fields, Hatton Park, Knowle Hill, Littleton Close, Macbeth Approach, Midland Oak, Myton Fields, Newbold Comyn, Parliament Piece, School Lane, St Magdalene Church, St Michael's Church, The Dell, Townsend Meadow	Minor works to paths, fencing, buildings/structures within the park/open space	£14,000	5/4/17
Square West surface car park	Car park maintenance	£5,000	
Chandos Street surface car park	Car park maintenance	£3,000	
Priory Road surface car park	Car park maintenance	£4,000	
St Marys Lands surface car parks	Car park maintenance	£3,500	
The Butts surface car park	Car park maintenance	£6,300	
Minor Works (items below	Car park maintenance	£7,000	

£2,000) at Abbey End, Adelaide Bridge, Bath Place, Bedford Street, Court Street, Packington Place, Rosefield Street, Castle Lane, Myton Fields, New Street, St Nicholas Park, West Gate, and West Rock surface car parks			
Covent Garden multi-storey car park	Essential maintenance work to keep the car park open	£300,000	29/6/16
St. Peter's multi-storey car park	Car park maintenance	£120,000	10/2/16

2.2 Improvement Work

Asset	Nature of work	Estimated cost	Date of approval by Executive
Newbold Comyn Leisure Centre	Leisure development enabling works	£9,500,000	27/6/16
St. Nicholas Park Leisure Centre	Leisure development enabling works	£7,000,000	27/6/16
Royal Pump Rooms	Improvements to foyer and public concourse	£29,000	26/7/17
Pump Room Gardens	Improvements to bandstand, paths, drainage, riverbank and provision of new signage	£1,063,000	9/3/16
Whitnash Brook North	Security enhancements to open space	£4,000	8/3/17
Parliament Piece	Security enhancements to open space	£1,000	8/3/17
Beehive Hill Playing Fields	Security enhancements to open space	£1,000	8/3/17

Priory Park	Security enhancements to car park and open space	£1,000	8/3/17
Crabtree Meadow	Security enhancements to open space	£1,000	8/3/17
Cumberland Crescent	Security enhancements to open space	£2,000	8/3/17
Sydenham Central	Security enhancements to open space	£2,500	8/3/17
Warneford Green	Security enhancements to open space	£2,500	8/3/17
Twycross Walk/Raynsford Walk/Stanton Walk	Security enhancements to open space	£4,000	8/3/17
The Holt	Security enhancements to open space	£5,000	8/3/17
Leam View £3,000 Height Restriction Barrier	Security enhancements to open space	£3,000	8/3/17
Townsend Meadow	Security enhancements to open space	£3,000	8/3/17
Campion Hills	Security enhancements to open space	£3,000	8/3/17
Newbold Terrace East	Security enhancements to open space	£5,000	8/3/17
Eglamour Way/Othello Avenue,	Security enhancements to open space	£5,000	8/3/17
Land adj. Tachbrook Road/Warwick Gates	Security enhancements to open space	£5,000	8/3/17
The Chantry	Security enhancements to open space	£10,000	8/3/17
St John's Playing Fields	Security enhancements to open space	£7,500	8/3/17
Hatton Park Public Open Space	Security enhancements to open space	£15,000	8/3/17
Abbey Fields	Security enhancements to park	£8,000	8/3/17

Victoria Park	Security enhancements to car park	£300	8/3/17
Riverside House	Security enhancements to car park	£1,000	8/3/17
Castle Farm Leisure Centre	Security enhancements to car park	£3,000	8/3/17
Myton Fields	Security enhancements to open space and car park	£3,000	8/3/17
Edmondscote Track	Security enhancements to car park	£3,000	8/3/17
Packington Place surface car park	Security enhancements to car park	£3,000	8/3/17
St Mary's Lands 1 & 2 surface car parks	Security enhancements to car park	£10,000	8/3/17
St Mary's Land 3 surface car park	Security enhancements to car park	£5,000	8/3/17
St Mary's Lands 4 surface car park	Security enhancements to car park	£3,000	8/3/17
Priory Road surface car park	Security enhancements to car park	£4,000	8/3/17
St Nicholas Park car park	Security enhancements to car park	£5,000	8/3/17
Bath Place surface car park	Security enhancements to car park	£4,000	8/3/17
Rosefield Street surface car park	Security enhancements to car park	£6,000	8/3/17
Court Street surface car park	Security enhancements to car park	£6,000	8/3/17
Adelaide Bridge car parking areas	Security enhancements to car park	£9,000	8/3/17
St. Mary's Lands	Public Realm improvements	£60,000	8/3/17
Racing Club Warwick	Improvements to create public toilet facilities and loan to repair roof	£26,000	28/6/17

Hill Close Gardens	Public realm improvements (match funding)	£5,000	30/11/16
Hampton Road/Gog Brook footpath	Pedestrian access improvements	£10,000	30/11/16
The Pound, Kenilworth	Improvements to boundary wall	Nil (funded by adjoining landowner)	30/11/16
Myton Fields	Closure and re-instatement of former sea scouts sailing facility	Nil (funded by Sea Scouts)	26/7/17

2.3 Change of use

Asset	Nature of work	Estimated cost	Date of approval by Executive
Land adjacent to stable block, St. Mary's Lands	Inclusion within Racecourse lease	Nil	8/3/17
Provision of public access, previously sited within the demise of 29 High Street	Inclusion within Abbey Fields land	Confidential – see Executive report	30/11/16
St. Nicholas Park	Provision of land for development of new building for 2 nd Warwick Sea Scouts, refurbishment of existing building, construction of new boatyard, relocation of skate park	tbc	26/7/17

2.4 Acquisitions and disposals


Asset	Nature of work	Estimated cost	Date of approval by Executive
Former Nursery, Spencer Yard	Acquisition	Confidential – see Executive report	28/9/16
Land at rear of 2-10 The Square, Kenilworth	Disposal	Confidential – see Executive report	1/6/17
Land at The Holt, Cubbington	Disposal	Confidential – see Executive report	Recommended to 31/8/17 Committee
Leamington Cemetery Lodge	Potential disposal	tbc	Being considered for reporting to a future Executive meeting

2.5 Feasibility Studies

Asset	Nature of work	Estimated cost	Date of approval by Executive
Abbey Fields	Footpath improvements	£55,000	1/6/17
St. Mary's Lands	Possible hotel development	tbc	28/6/17
St. Mary's Lands	Cycleway improvements	tbc	28/6/17
St. Mary's Lands 3 surface car park	Car Park expansion	tbc	28/6/17
St. Mary's Lands Golf Centre	Investment options	tbc	28/6/17
Linen Street multi-storey car park	Replacement options	£20,000	10/2/16
Old Italian Club, Packington Place/High Street	Potential new use as a Night Shelter	tbc	n/a – delegated powers and agreement of Portfolio Holder
Myton Fields/St. Nicholas Park	New bridge link	£60,000	8/2/17
Potential use of WDC assets to support Warwick and Leamington car park displacement strategies	Change of use/car park extensions	tbc	28/6/17

Selected Non-Operational Assets**Appendix Two**

<u>Asset</u>	<u>Location</u>
Jephson Gardens - North Lodge	Leamington
Jephson Gardens - South Lodge	Leamington
Jephson Gardens East Lodge	Leamington
Jephson Gardens -Temperate House Educational area	Leamington
Newbold Comyn Barn	Leamington
Shop 1 Church Walk	Leamington
Shop 2 Church Walk	Leamington
Shop 3 Church Walk	Leamington
Shop 4 Church Walk,	Leamington
Shop 44 - 46 Regent Street	Leamington
10 Hamilton Terrace	Leamington
24 Hamilton Terrace	Leamington
26 Hamilton Terrace	Leamington
28 Hamilton Terrace	Leamington
30 Hamilton Terrace	Leamington
32 Hamilton Terrace	Leamington
Shop 8 Clarendon Avenue	Leamington
Unit 16 Althorpe St Industrial Estate	Leamington
Cafe Station Approach	Leamington
36 Market Place	Warwick
Shop 3 Market Street	Warwick
Shop 9 Market Street	Warwick
Shop 13 Market Street	Warwick
Shop 15 Market Street	Warwick
Shop 17 Market Street	Warwick
Shop 21 Market Street	Warwick
Shop 23 Market Street	Warwick
Shopp 25 Market Street	Warwick
Shop 27 Market Street	Warwick
Shop 29 Market Street	Warwick
Shop 33 Market Street	Warwick
Shop 37 Market Street	Warwick
Shop 39 Market Street	Warwick
Shop 41 Market Street	Warwick
Pageant House Warwick	Warwick
Car Park rear of Pageant House	Warwick
4 Jury Street	Warwick
6 Jury Street	Warwick
Car Park rear of 8 Jury Street	Warwick

 EXECUTIVE – 31st August 2017		Agenda Item No. 7
Title	Development Brief – East of Kenilworth	
For further information about this report please contact	David Barber Dave.barber@warwickdc.gov.uk Policy and Project Manager 01926 456065	
Wards of the District directly affected	Park Hill, St Johns	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	N/A	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes (ref 891)
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	31/7/17	Andy Jones
Head of Service	2/8/17	Tracy Darke
CMT	8/8/17	Chris Elliott/Bill Hunt/Andy Jones
Section 151 Officer		Mike Snow
Monitoring Officer	8/8/17	Andy Jones
Finance	3/8/17	Jenny Clayton
Portfolio Holder(s)	14/8/17	Cllr Alan Rhead
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 This report sets out the proposals to prepare a Development Brief for land to the east of Kenilworth and seeks to draw down funds from the Local Plan Delivery Reserve to support this work

2. **Recommendations**

- 2.1 That a Development Brief of the land east of Kenilworth (detailed at Appendix I) is prepared to support the development of the proposed housing, education and employment allocations to the east of Kenilworth.
- 2.2 That £30,000 is made available from the Local Plan Delivery Reserve to enable relevant studies and consultations to be undertaken but with authority delegated to Deputy Chief Executive (AJ), in consultation with the Development Portfolio Holder, to draw down further funding should it be required to deliver the brief and/or associated work considered essential by officers.

3. **Reasons for the Recommendations**

- 3.1 Recommendation 2.1: The Local Plan allocates land for the development of 1400 dwellings, a secondary school and 8 hectares of employment land on land to the east of Kenilworth (sites H06, H40, E2, ED2). Policy DS15 of the Plan also requires that applications for these allocations be brought forward in the context of comprehensive development proposals, either through a Development Brief or a Layout and Design Statement.
- 3.2 In addition, Kenilworth Town Council are preparing a Neighbourhood Plan to support development across the Town. Consultation on the pre-submission Plan closed earlier in August. This draft of the Plan includes a policy (KP4) which seeks to support the comprehensive master-planning of this area and includes a number of key principles that should underpin this work.
- 3.3 The Local Plan and the emerging Neighbourhood Plan together provide a clear, strong framework for the preparation of a more detailed Development Brief to address the following:
- Access and configuration of key roads through the sites
 - Pedestrian and cycle routes through the site including linkages to the wider network and other local facilities
 - Strategic approach to landscaping
 - Approach to green space and ecological corridors, including where appropriate retention of existing features
 - High level flood alleviation measures
 - Approach to addressing heritage issues, including the Scheduled Ancient Monument of the Glasshouse Roman Settlement
 - How different uses across the site interlink, including the housing, employment, secondary school and existing uses (such as the Woodside Conference Centre)
 - Infrastructure requirements including primary school(s), open space, local centre and community facilities
 - Linkages with existing communities and facilities including routes to the town centre
 - Linkages with adjacent areas including open Countryside and the Golf Course

- Issues relating to potential development phasing
- 3.4 The process for preparing the Development will draw on the following:
- The Local Plan and emerging Neighbourhood Plan policies
 - An evidence base taking account of key environmental constraints and opportunities and strategic infrastructure requirements
 - Collaborative working with Kenilworth Town Council (linked to the Neighbourhood Plan)), the emerging Kenilworth Forward Partnership, developers (including Kenilworth School) and infrastructure providers
 - Representations made during a period of public consultation
- 3.5 The work will be led by the Policy and Projects Section in Development Services and specifically by the newly appointed Kenilworth Site Delivery Officer.
- 3.6 Recommendation 2.2: As set out in para 3.4 above, the Development Brief will need to draw robust evidence regarding infrastructure, constraints and opportunities. The evidence base prepared for the Local Plan provides a high level starting point for this. However, it is likely that more local and detailed evidence will be required to support the development brief. This may include:
- Access and localised traffic generation studies
 - Environmental constraints and opportunities (such as heritage, noise, flooding, ground conditions, ecology etc)
 - Layout and design proposals
 - Infrastructure requirements and costs
- 3.7 Until the work is commenced, the likely costs associated with these studies cannot be fully appraised. However based on experience of similar work from elsewhere in the District, design parameters work is likely to cost in the region of £15,000. On top of that, in this case, it is likely to be necessary to fund a number of specialist studies around constraints. Together these may well cost £10-15,000. It is therefore proposed that £30,000 be made available from the Local Plan Delivery Reserve to support the preparation of the development brief, including consultations and expert advice, but that authority is delegated to Deputy Chief Executive (AJ), in consultation with the Development Portfolio Holder, to draw down further funding should it be required. This will ensure that the process can move along at speed without the need for a further report to Executive and that any studies not currently anticipated can be commissioned as the work progresses.

4. **Policy Framework**

- 4.1 **Fit for the Future:** The recommendations relate directly to the delivery of the Local Plan and thereby support the Fit for the Future Strategy. The report is therefore closely aligned with the Council's vision of the District as a great place to live, work and visit. In particular the proposals will play an important role in delivering the prosperity and housing strands of the Sustainable Community Strategy.
- 4.2 **Impact Assessment:** The consultation will be undertaken in line with the Council Statement of Community Involvement. The proposals relate directly to the Local Plan which has been subject to an equalities impact assessment

5. **Budgetary Framework**

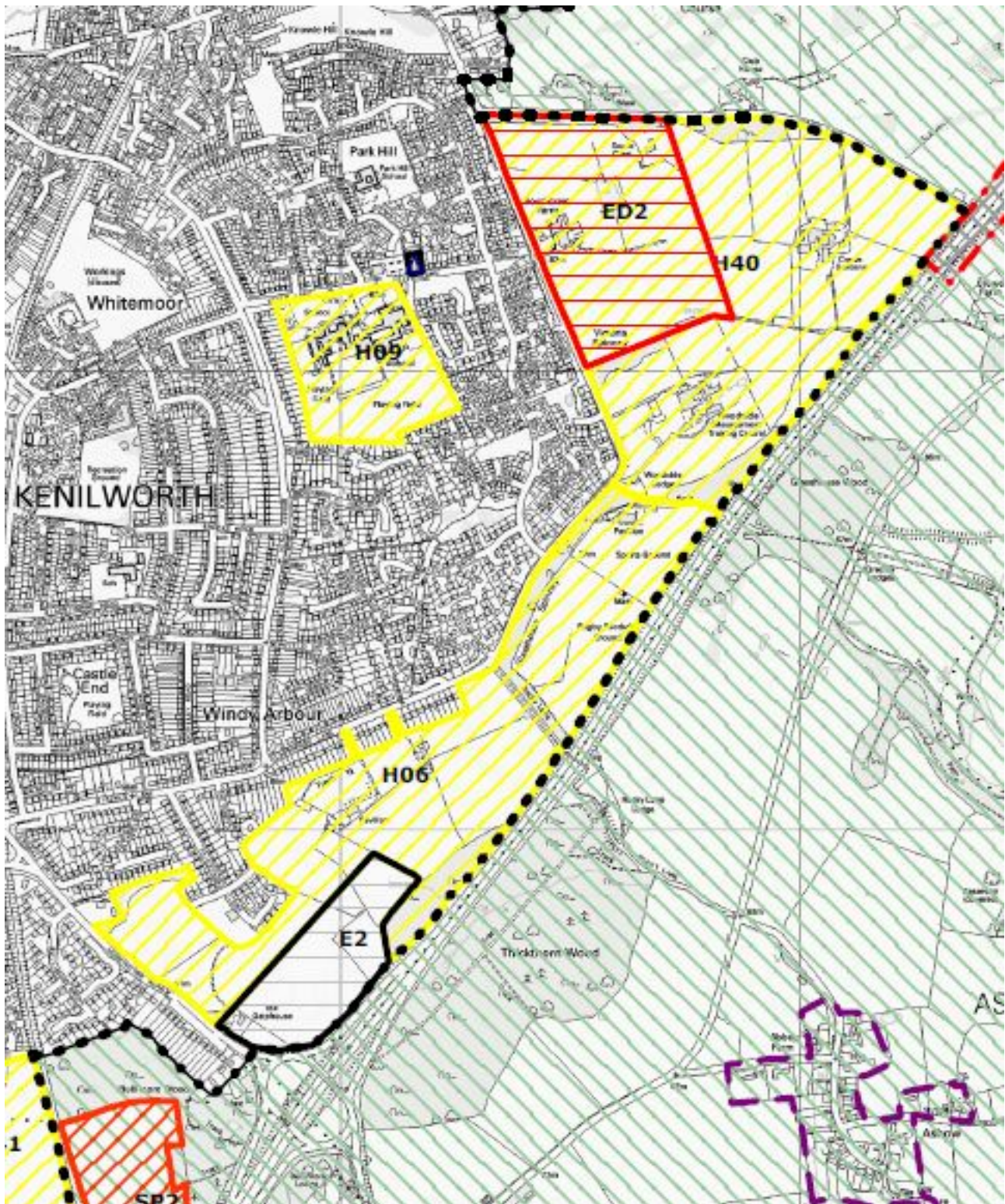
- 5.1 The recommendations seek to set aside £30,000 from the Local Plan Delivery Reserve. This reserve currently has £149,000 which has not been allocated for specific purposes. Approving this recommendation will leave a remaining balance of £119,000.
- 5.2 In addition to the funding provided by the Council, it will be expected that site promoters and developers will need to invest in preparing detailed evidence in support of specific planning applications. Where this information is available, it can inform the development brief.


6. Risks

- 6.1 The work involved in preparing the Development Brief is complex and there is likely to be a diverse range of interests involved. There is therefore the potential for issues to take a substantial amount of time to resolve. This raises the risk that the preparation of the Brief will delay the delivery of the allocated sites to the detriment of the Council's housing land supply, the delivery of the new school and the ability to bring forward much needed employment land quickly. It is therefore important that a balance is struck that enables a high quality outcome at the same time as ensuring the process does not lead to delays in delivering development.
- 6.2 Connected to the above risk, there is an additional risk that it will not be possible to reach agreement between different interests associated with the development of this area. This has the potential to lead to poor quality development, delays and unfilled expectations (particularly the local community). In the event of this it will be important for the Council to take a pragmatic approach that enables development to progress with minimal delay without compromising the need for high quality.

7. Alternative Option(s) considered

- 7.1 One alternative option would be to leave the preparation of the framework for the comprehensive development of the area to developers through the preparation of a comprehensive layout and design statement. Whilst this option would reduce the costs to the Council it has significant disadvantages, notably difficulties in coordinating work between different development interests all of whom may be working to different timescales and different objective. The recommendations set out in section 2 above ensure the Council leads the process to take account of all interests. The approach also ensures momentum towards delivery is generated.
- 7.2 Another alternative would be to broaden the scope of the brief to include the redevelopment of the school sites and/or the development of land at Warwick Road and/or the provision of the sports facilities. Each of these development proposals is interlinked with the land east of Kenilworth and the development brief would certainly need to be brought forward with an understanding of the position associated with these proposals. However, by broadening the scope, there would be a significant risk of delay resulting from the Development Brief having to specifically address some complex issues such as the relocation of the sports clubs to Castle Farm and Warwick Road and the redevelopment of the existing school sites. In addition, this scope would go beyond the scope of the Policy DS15 in the Local Plan and Policy KP4 in the emerging Neighbourhood Plan. For these reasons this alternative is not recommended



		Executive – 31 st August 2017	Agenda Item No. 8
Title	12 month Waste Container Charging Update		
For further information about this report please contact	Becky Davies 01926 456615 Becky.davies@warwickdc.gov.uk		
Wards of the District directly affected	All		
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No		
Date and meeting when issue was last considered and relevant minute number	Waste container charging paper: Executive meeting – 10 th February 2016 - Agenda item no.3 and Council – 24 th February 2016 8 month review of waste container charges: Finance and Audit Scrutiny Committee – 7 Feb 2017 Agenda item no.9 and Overview and Scrutiny Committee – 7 Feb 2017 Agenda item no.7		
Background Papers			

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes (ref. 857)
Equality Impact Assessment Undertaken	Yes

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	8/8/17	Chris Elliott/Bill Hunt
Head of Service	8/8/17	Rob Hoof
CMT	8/8/17	Chris Elliott, Bill Hunt and Andy Jones
Section 151 Officer	8/8/17	Mike Snow
Monitoring Officer	8/8/17	Andy Jones
Finance	8/8/17	Mike Snow
Portfolio Holder(s)	8/8/17	Cllr Moira-Ann Grainger
Consultation & Community Engagement		
Not required		
Final Decision?	No	

1. Summary

- 1.1. On 6th June 2016 Warwick District Council (WDC) introduced a new policy to charge households for the provision of waste containers. Prior to this, WDC was spending £165k per annum on waste container provision and there was a significant budget shortfall.
- 1.2. This report provides an update on the first 12 months of the policy using information gathered from the Council's customer relationship management (CRM) system and other sources.

2. Recommendation

- 2.1. That there is no change to the waste container charging policy.
- 2.2. That the Head of Neighbourhood Services in consultation with the Portfolio Holder for Neighbourhood Services agree a criteria for waiving the replacement waste container charge where there are special personal circumstances such as financial hardship.
- 2.3. Subject to Executive agreeing 2.2, that as part of the fees and charges report in September 2017, the fees for waste container charging be amended to enable them to be waived in line with the issues identified in 2.2.

3. Reasons for the Recommendation

- 3.1. The first 12 months of the charging scheme has generated £77k to contribute to the cost of waste container provision. In addition, the contribution required from WDC's General Fund has reduced dramatically due to reduced container demand and more effective procurement of containers. In effect, this means that the cost of waste container provision is almost being covered by the contribution from residents. Please see section 5 for further information.
- 3.2. A recommendation from Legal Services at Warwickshire County Council is that the policy should have a level of flexibility to ensure it is operated fairly and with equality in mind.
- 3.3. A criteria is required to ensure a clear and transparent framework on which decisions are made.

4. Policy Framework

- 4.1. The policy shows a positive outcome in terms of money, but a less positive outcome in terms of people (customers and WDC staff) as demonstrated in sections 6.1.1 - 6.1.2 and 8.2 – 8.3.
- 4.2. Introducing the charging scheme has enabled WDC to maintain service standards whilst helping to reduce future budget pressures, in line with two of the Fit for the Future key strands; Service - maintaining or improving services; and Money – delivering a sustainable balanced budget.

5. Budgetary Framework

- 5.1. **Income:**

5.1.1. The charging policy was estimated to contribute £78k per annum to the Council's overall £165k annual spend on waste containers. WDC proposed to cover the remaining £87k per annum from the General Fund as set out in the budget.

5.1.2. The first 12 months of the charging scheme (6th June 2016 – 5th June 2017) has generated £77k to contribute to the cost of waste container provision.

5.1.3. Charges are currently being made in approx. 63% of cases. Containers have been provided free of charge in the remaining 37% of cases due to bins falling into the back of collection vehicles (usually because the bin has reached the end of its usable life and fails), additional/larger containers provided to large households/households with special medical needs, or where containers are damaged beyond use (again due to their age).

5.2. Overall budget status:

	Budget - Predicted annual income / expenditure prior to scheme introduction	Actual income/expenditure over first 12 months of charging policy¹
Annual expenditure on waste container provision	£165k	£80k
Annual contribution from residents	£78k	£77k
Annual contribution from WDC General Fund	£87k	£3k

5.2.1. The level of contribution required from the General Fund has significantly reduced due to a dramatic reduction in demand for waste containers and more effective procurement of waste containers.

5.2.2. Since the policy was introduced requests for containers have reduced in all cases. Red box and recycling bag requests have reduced by 51% and 48% respectively, grey bins by 21% and green bins by 10%. The number of deliveries by Suez (delivery of containers to households) has reduced by 36% due to the reduction in requests.

5.2.3. WDC has also procured a new contract for the supply of waste containers that has reduced costs by approx. 18%.

5.2.4. Assuming the recommendations in this report are accepted, the budget for waste container provision should be reduced from the current £165k to reflect the actual expenditure on provision.

6. Risks

¹ These figures represent the income and expenditure for the first 12 months of the charging policy (6th June 2016 – 5th June 2017) which extends across two financial years. The figures have been taken from WDC's CRM system as opposed to WDC's finance system to provide more realistic figures. The finance system shows capital expenditure for containers over the 12 month period but does not provide an accurate reflection as a large stock of containers was already in existence prior to the introduction of the policy which meant capital expenditure was low over the 12 month period.

- 6.1. Some of the risks identified at the time of recommending the waste container charging policy have been recognised as follows:
- 6.1.1. Some households have refused to pay the charges and are using their own containers, some of which do not meet health and safety standards for waste storage and collection. Suez has instructed their operatives not to empty containers that they consider unsafe to handle.
- 6.1.2. There have been 819 expressions of customer dissatisfaction about the policy over the 12 month period. To help put this number into context, there were 5337 requests for containers in the same 12 month period. The cost in staff time spent dealing with these complaints has been approx. £3.5k. Forty three of these expressions of dissatisfaction were escalated to Stage 1 corporate complaints and 7 were then escalated to Stage 2 corporate complaints, all at the customer's request. There were additional requests from customers for Stage 2 level investigations however WDC decided that further investigation was not warranted. The investigation of Stage 1 and Stage 2 complaints has cost in the region of £6k for the first 12 months in terms of staff time. Following this update to Executive, officers will no longer investigate corporate complaints about the Council's decision to levy a charge to replace a waste container as this is a policy of the Council that (subject to agreeing the recommendation in this report), Executive considers should continue. Customers' dissatisfaction with the policy will be logged as normal and will be considered as part of ongoing consideration of service provision.
- 6.2. The income figures in this report cannot be guaranteed for future years and additional funds may be required to cover the cost of the service.

7. Alternative Option(s) considered

- 7.1. The alternative is to revert back to the previous free provision of waste containers, however this has been discounted due to the impact on the Council's Medium Term Financial Strategy.

8. Background

- 8.1. On 6th June 2016 Warwick District Council introduced a new policy to charge households for the provision of waste containers as follows:

Wheeled bin (grey and green)	£25.00
Recycling box with lid	£5.00
Lid only (for recycling box)	£1.50
Recycling bag	£2.50
Food caddy	No charge (funded by Warwickshire County Council)
Delivery Cost Per Order	£5.00

Table 1: Waste container charges introduced on 6th June 2016

- 8.2. The majority of complaints received are with regards to containers going missing after collection. An analysis of waste container orders shows that 21% of all containers ordered are due to containers going missing (please see Item 8 / Page 4

section 8.5 for further analysis of the reasons for order). The figures are highest for recycling bags (30%) and box lids (31%), and lower for red boxes (16%) and grey bins (15%) and green bins (9%). A common assumption is that collection crews have removed boxes or bags but this cannot be substantiated. They have no reason to do so and have no room to store containers on the collection vehicles. In reality it may be that neighbours are taking the wrong containers or containers are being blown away during windy weather, etc. Unfortunately there is not an easy solution to this. If WDC agrees to replace lost containers free of charge it creates a loophole in the charging scheme and would have a major impact on the financial contribution to waste container provision. A recent decision by the Local Government Ombudsman with regards to a missing container complaint ruled that "Without any definite evidence about how the bin went missing, there is no fault in the Council charging for the bin."

8.3. The Contract Services Team, within Neighbourhood Services, has provided the following feedback:

8.3.1. A large number of residents complain about the added delivery charge, especially for recycling containers. The added delivery charge can mean that residents pay £10 for a recycling box, £7.50 for a recycling bag or £5 for a food caddy. Residents would like to be able to collect these items to avoid the delivery charge however the payment and operational systems in use are not capable and significant investment would be required.

8.3.2. A small number of residents have complained that the charge for wheeled bins is high, especially when ordering both grey and green bins together.

8.3.3. A small number of residents have refused to pay for recycling containers stating that they will use their own or put everything in the refuse bin.

8.4. Customers are able to request and pay for waste containers online and currently 43% of requests are made in this way. 28% of waste container requests are made over the phone or face to face at WDC offices. The remaining requests are either made by SUEZ or the method has not been recorded on WDC's CRM system.

8.5. Analysis of the reasons for waste container orders:

The table below shows an analysis of the reasons why customers order containers.

	Fallen into truck	%	Needs replacing (old, dirty or damaged)	%	Missing/stolen	%	No container at property/new property	%	Large household/medical waste - extra capacity	%	Previous order not received	%	Additional container required	%	Reason unknown	%	Total ordered
Grey bin	61	7%	53	6%	135	15%	539	59%	96	11%	17	2%		0%	12	1%	913
Large grey bin	1	2%	3	5%	4	7%	2	3%	51	84%		0%		0%	0	0%	61
Green bin	561	31%	194	11%	162	9%	491	27%		0%	36	2%	346	19%	0	0%	1790
Red box	46	1%	978	30%	539	16%	1076	33%		0%	101	3%	439	13%	96	3%	3275
Recycling bag	10	0%	654	19%	1045	30%	1099	32%		0%	127	4%	433	12%	107	3%	3475
Box lid	0	0%	207	29%	226	31%	202	28%		0%	40	6%	49	7%	1	0%	725
Total	679	7%	2089	20%	2111	21%	3409	33%	147	1%	321	3%	1267	12%	216	2%	10239

8.6. Analysis of waste container orders – what orders consist of:

The table below shows an analysis of waste container orders and what they generally consist of.

Contents of order	Number of orders	% of total orders
Orders for boxes and/or bags and/or lids only	2922	55%
Orders for grey and/or green bin only	1632	31%
Orders for a combination of different containers	783	15%
Total	5337	100%

8.7. Household refuse and recycling – tonnage collected over the past 3 years

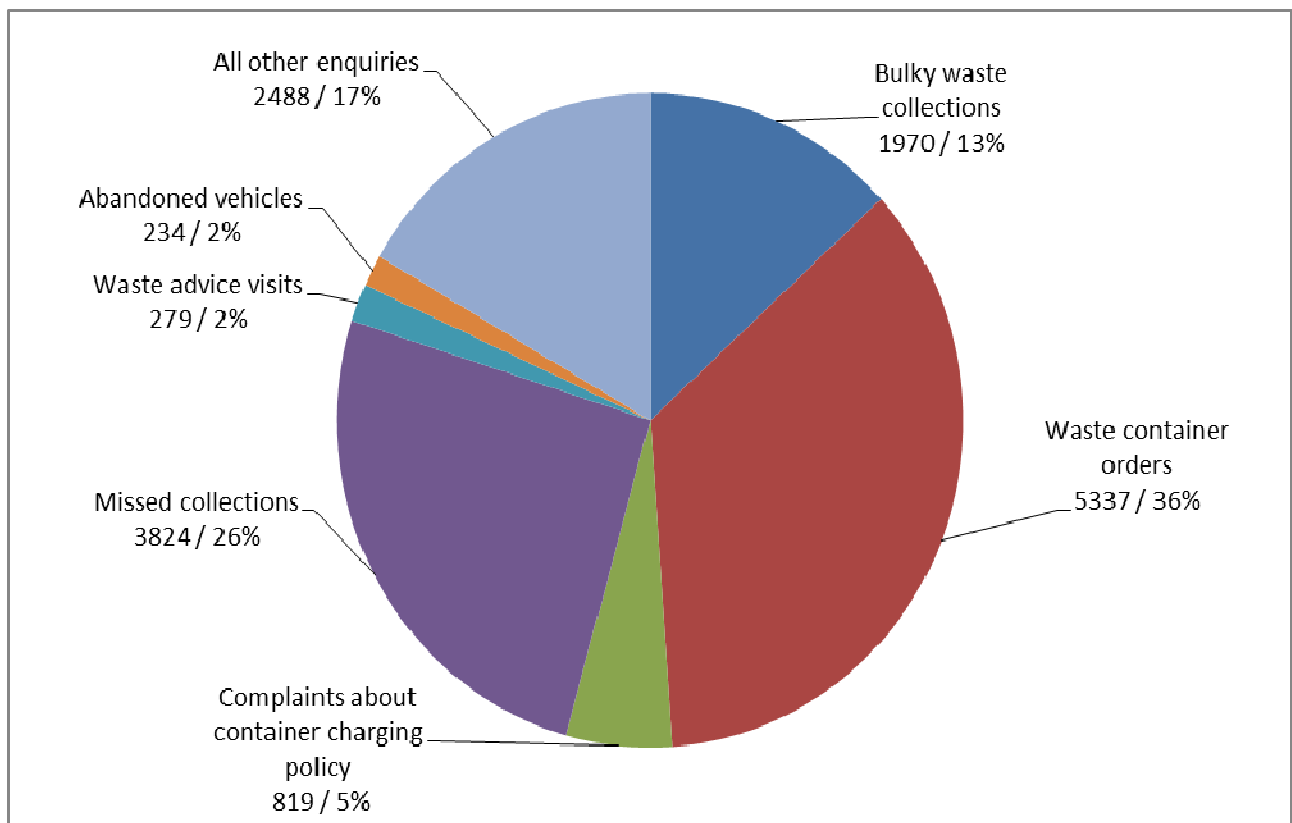
The table below shows the tonnage of refuse and recycling collected from households in Warwick District over the past 3 years. There has been a downward trend in the tonnage of recycling collected but an upward trend in the tonnage of refuse collected. There have been changes in the recycling/materials markets during this time which may help to explain the reduction in recycling tonnage. For example, there has been a dramatic reduction in the tonnage of paper collected for recycling due to changes in the newsprint industry with more news available online, fewer newspapers purchased and less advertising in newspapers. However, with the level of housing growth in Warwick District we would hope to see a general upward trend in the tonnage of recycling collected in the same manner as refuse.


	2014-15	2015-16	2016-17
Paper	2,656.78	1,694.76	883.00
Mixed Glass	2,980.71	3,028.85	3,077.16
Cardboard	2,314.88	3,095.92	3,701.76
Plastic	939.06	1,049.48	1,076.66
Cans	335.51	389.68	422.62
Textiles	59.98	46.90	35.00
Batteries	0.00	0.00	0.00
Aluminium Cans	77.39	70.92	44.69
Total recycling	9,364.31	9,376.51	9,240.89
Total refuse	19,953.65	20,321.29	21,180.10

8.8. Waste collection service – analysis of customer communications:

The chart below shows an analysis of all customer communications received with regards to the waste collection service over the same 12 month period since the introduction of the waste container charging policy (6th June 2016 – 5th June 2017).

The section of the chart entitled 'All other enquiries' mainly includes general enquiries about the service, general complaints about the service, requests for collection calendars, issues with waste collection or the collection crews, and spillage of waste following collection.



 Executive 31st August 2017		Agenda Item No. 9
Title	Leisure Development Programme – extension of temporary contracts	
For further information about this report please contact	Rose Winship Rose.winship@warwickdc.gov.uk 01926 456223	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Executive 9 th March 2016	
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	No
Not applicable – no policies being approved	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	3 rd Aug 2017	Andrew Jones
Head of Service	3rd Aug 2017	Rose Winship
CMT	3rd Aug 2017	Chris Elliott, Andrew Jones, Bill Hunt
Section 151 Officer	3rd Aug 2017	Mike Snow
Monitoring Officer	3rd Aug 2017	Andrew Jones
Finance	3rd Aug 2017	Mike Snow
Portfolio Holder(s)	3rd Aug 2017	Cllr Coker
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The report seeks approval to extend the fixed term contracts of the Programme Manager and the Project Officer associated with the Leisure Development Programme. The extension is required as a result of the delays to the construction works at Newbold Comyn and St Nicholas Park leisure centres. It will ensure the effective completion of Phase I (Newbold Comyn and St Nicholas Park leisure centres) and also allow work to commence on the feasibility of Phase II of the Leisure Development Programme ie the improvements to leisure provision in Kenilworth.

2. **Recommendation**

- 2.1 Subject to Employment Committee agreement to the extension of the Programme Manager and Project Officer posts to the end of September 2018, Executive approves release of £55,800 from the Leisure Options Reserve to ensure the posts are fully funded.

3. **Reasons for the Recommendation**

- 3.1 In March 2016, the Executive approved the extension of the Programme Manager post to March 2018. At this point it was anticipated that the leisure centre construction works would be completed in late 2017 and that the extension would allow for completion of the construction phase and the inevitable "snagging" that will follow. The construction works, as previously reported to Members, have been delayed and at the time of writing this report, the works at Newbold Comyn and St Nicholas Park are scheduled to be completed in late Spring 2018. The March 2016 report committed to further reports being brought to the Executive should they be necessary as the Programme developed.
- 3.2 Both officers referred to in the report have been essential in the progress made on the 2 elements of the Leisure Development Programme ie the complex issues faced in the construction works and the appointment of the external partner to manage the District's leisure centres on behalf of the Council. The officers have lead on development of the new dual use site agreements with Myton and Kenilworth schools, and are also ensuring that the Sport England grant conditions are met to allow the Council to draw down the £2 million at the earliest opportunity.
- 3.3 Looking ahead, the Programme Manager and Project Officer's involvement with the construction projects will continue through to completion in Spring 2018, undertaking the following:
- Client role for Mace project management on both sites
 - Coordination of WDC actions as required from various service areas (Neighbourhood, Development, Property, Finance, and Warwickshire Legal Services)
 - Management of scheduled project meetings and ad hoc meetings as required.
 - Liaison between the construction projects and leisure centre operator
 - Monitoring of spend against budget and regular reporting with Finance

The retention of the Project Officer role will also allow a continued day to day link between Mace Ltd and the Council, enabling the Programme Manager to focus on Phase II. It is therefore considered essential to retain the post to work alongside the Programme Manager to the end of September 2018.

- 3.4 The Executive report in November 2015 which approved the appointment of the Programme Manager, also referred to Phase II of the Leisure Development Programme which will focus on leisure provision in Kenilworth. Work on Phase II has yet to commence, as all efforts have been focussed on Phase I, and this further extension of the Programme Manager contract will provide the professional input into the scoping, planning and feasibility of this work which is expected to start in late summer 2017. The work on Phase II will need to recognise the key findings that emerge from the update of the Indoor Facilities Strategy and Playing Pitch Strategy. Members approved the appointment of NAA to undertake this work which will commence in September 2017 with a refresh of the Sport England Facilities Planning Model (FPM) for the north of the district, which will have a specific relevance to Phase II of the Leisure Development Programme. An outline timeline for Phase II is detailed below.

Late summer 2017	Commence work on scoping Phase II based on results of FPM modelling of indoor provision in north of district.
Autumn 2017	Report to Members on outline proposals and seeking approval to appoint architect and professional services to get to RIBA 2 and approval to start initial public consultation.
May/June 2018	RIBA 2 plans and feasibility report to members for decision on whether they wish to progress the Project to RIBA 4.
End 2018	RIBA 4 and appoint a contractor to start works early 2019

- 3.5 As identified above, a further report will be brought to Members in early summer 2018 with recommendations for Phase II. This report will include any requirement for project management resources to progress Phase II to delivery.

4. **Policy Framework**

- 4.1 The FFF Programme is designed to help deliver the Sustainable Community Strategy (SCS) for Warwick District and to that end it contains a number of significant projects one of which is the Leisure Development Programme.
- 4.2 The FFF Programme has 3 strands and the successful delivery of the Leisure Development Programme being coordinated by the postholder referred to in this report makes a clear contribution to two of these strands:

Maintain or Improve Services – the Programme will see two leisure centres significantly extended and enhanced in Phase I, which will in turn lead to a better quality of service for customers. There is recognition that proposals for facility enhancement in Kenilworth will be brought forward as Phase II of the project.

Achieve and maintain a sustainable balanced budget – on completion of the Programme the Council will be better placed to address its financial revenue situation by making better use of its physical assets and reducing the level of subsidy for these discretionary services.

5. Budgetary Framework

- 5.1 The annual cost of the Programme Manager post is £56,000 and the Project Officer £41,700 (including on costs). It is intended that the extension to both posts is funded from:

Leisure Options Reserve (£28,000 for a further 6 months for the Programme Manager and £27,800 for a further 8 months for the Project Officer)

- 5.2 The 2017/18 Leisure Options Reserve currently has an unallocated balance of £407,000. If this recommendation is approved, the remaining uncommitted balance will reduce to £351,200.

6 RISKS

- 6.1 Should the contracts of these 2 posts not be extended as described, there is a risk that Phase I of the Programme would not be effectively completed and there would be no appropriate officer to manage the end of Phase I of the Programme.
- 6.2 There is a risk to the deliverability of Phase II of the Programme (Kenilworth) if there is no additional management resource to coordinate this work.

7 ALTERNATIVE OPTION(S) CONSIDERED

- 7.1 The Executive could chose not to extend the contracts or just extend one of the posts and consider alternative solutions to the management of any over-run of Phase I and the work required for Phase II.

 EXECUTIVE - 31st AUGUST 2017		Agenda Item No. 10
Title	Disposal of WDC land off The Holt/Cubbington Road, Lillington, Leamington Spa	
For further information about this report please contact	Chris Makasis, Estates Manager	
Wards of the District directly affected	Manor, Leamington Spa	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No, but there is a linked confidential appendix	
Date and meeting when issue was last considered and relevant minute number	None	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant Deputy Chief Executive, Head of Service, Finance, Monitoring Officer and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	8 th August 2017	Chris Elliott
Head of Service	8th August 2017	Robert Hoof
CMT	8th August 2017	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	8th August 2017	Jenny Clayton
Monitoring officer	8th August 2017	Andrew Jones
Portfolio Holder(s)	14th August 2018	Cllr Mrs Grainger
Consultation Undertaken		
Please insert details of any consultation undertaken with regard to this report.		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 To consider the disposal of a parcel of Council owned land off The Holt, Lillington, Leamington Spa.

2. **RECOMMENDATION**

- 2.1 That Executive approves the "in-principle" disposal of land as set out on the terms contained in the Private and Confidential **Appendix One**, with agreement to the ultimate sale of the land being delegated to Deputy Chief Executive (AJ) in consultation with the Portfolio Holder for Neighbourhood Services.

3. **REASON FOR THE RECOMMENDATION**

- 3.1 The piece of land in question is owned by Warwick District Council (WDC) , and hatched on Plan 1 (attached), and covers an area of approximately 1,356 square metres, or 0.35 acres.
- 3.2 The site previously accommodated a local Scout Hut. This hut was removed in the late 1980's due a decline in the numbers of scouts using the facility combined with its overall poor condition. The poor condition of the hut had also attracted instances of vandalism that had occurred as a consequence of its location (being hidden away from public surveillance by the neighbouring Church and residential development).
- 3.3 Since then, the site has been absorbed into (and now forms part of) the current wider area of open space. It should be noted that as a consequence of its particular location it has periodically been subjected to fly tipping and the location for occurrences of anti-social behaviour. This element of the open space is an ongoing liability as it has continuing cost implications to WDC as part of the Council's Grounds Maintenance contract. In the context of its value to the overall public open space it is considered as an underutilised / marginal element of the land available to the local population for play and recreation.
- 3.4 The land immediately to the south of the land in question is currently the subject of a planning application W17 /0823 by Lillington Free Church. This planning application is yet to be determined. The proposal comprises of the development of 25 affordable homes, for Orbit Housing Association (OHA) and a new (replacement) Church/ Community Hall for the Lillington Free Church.
- 3.5 More recently OHA have approached WDC with a view to purchase the land that is the subject of this report to enable its addition to their development proposal. Subject to planning approval, this would enable them to deliver additional affordable housing units. Discussions with WDC's 'Development Services' and 'Neighbourhood Services' units have concluded that the inclusion of the land in question in the proposed OHA development site would make good use of an otherwise underused site. This is considered a good rationalisation of the site whilst also assisting WDC in its ambition to assist in the delivery of affordable homes in the District.
- 3.6 Terms & conditions for the sale of the land in question have been negotiated between WDC and OHA. These are private & confidential as they fall within the provision of information that relates to the financial or business affairs of any particular person, including the authority holding that information.

Consequently, they are set out in full in the Private & Confidential Appendix One of this agenda.

- 3.7 The area of land in question is of marginal operational value in the context of the wider parcel of important open space, known as 'The Holt Play Area', and is considered to add little in terms of quality to the overall open space that is available to the public.
- 3.8 In this context the proposed disposal of this area of open space is deemed appropriate, as the attainment of 7 additional affordable dwellings can be delivered & achieved without prejudicing the overall functionality of what would be the residual area of open space.
- 3.9 The land sale would be predicated on the receipt of a proportionate S106 contribution from the additional OHA development towards enhancement projects that are already itemised to improve the enjoyment and utilisation of what would be the remaining area of open space at The Holt Play Area (after disposal of this parcel).
- 3.10 A footpath connecting The Holt residential area to The Holt Play Area will be incorporated in the future development in order to retain the connection that is currently in place.
- 3.11 This disposal is seen to be appropriate in the context of Policy HS2 (Protecting Open Space, Sport and Recreational Facilities) of the emerging Local Plan as this particular proposal is considered to be of sufficient benefit to clearly outweigh the loss of this underutilised element of the open space.
- 3.12 The only caveat to the recommendation and hence the "in principle" element, is that South Warwickshire Clinical Commissioning Group has also expressed an interest in acquiring the land in question, this time for a surgery, and would want to discuss with OHA and the Council whether a mixed development scheme could be brought forward.
- 3.13 Whilst this is late in the day, officers consider the approach should be explored but do not wish to stymie OHA's ambitions should the discussions come to nought.

4. **POLICY FRAMEWORK**

- 4.1 The proposal would comply with FFF through the 'money' strand, by assisting this council to achieve a sustainable balanced budget, and its 'service' strand, by assisting additional affordable dwelling to be developed in the District.

5. **BUDGETARY FRAMEWORK**

- 5.1 The proposal shall provide WDC with a capital receipt and assist it to achieve a sustainable balanced budget.

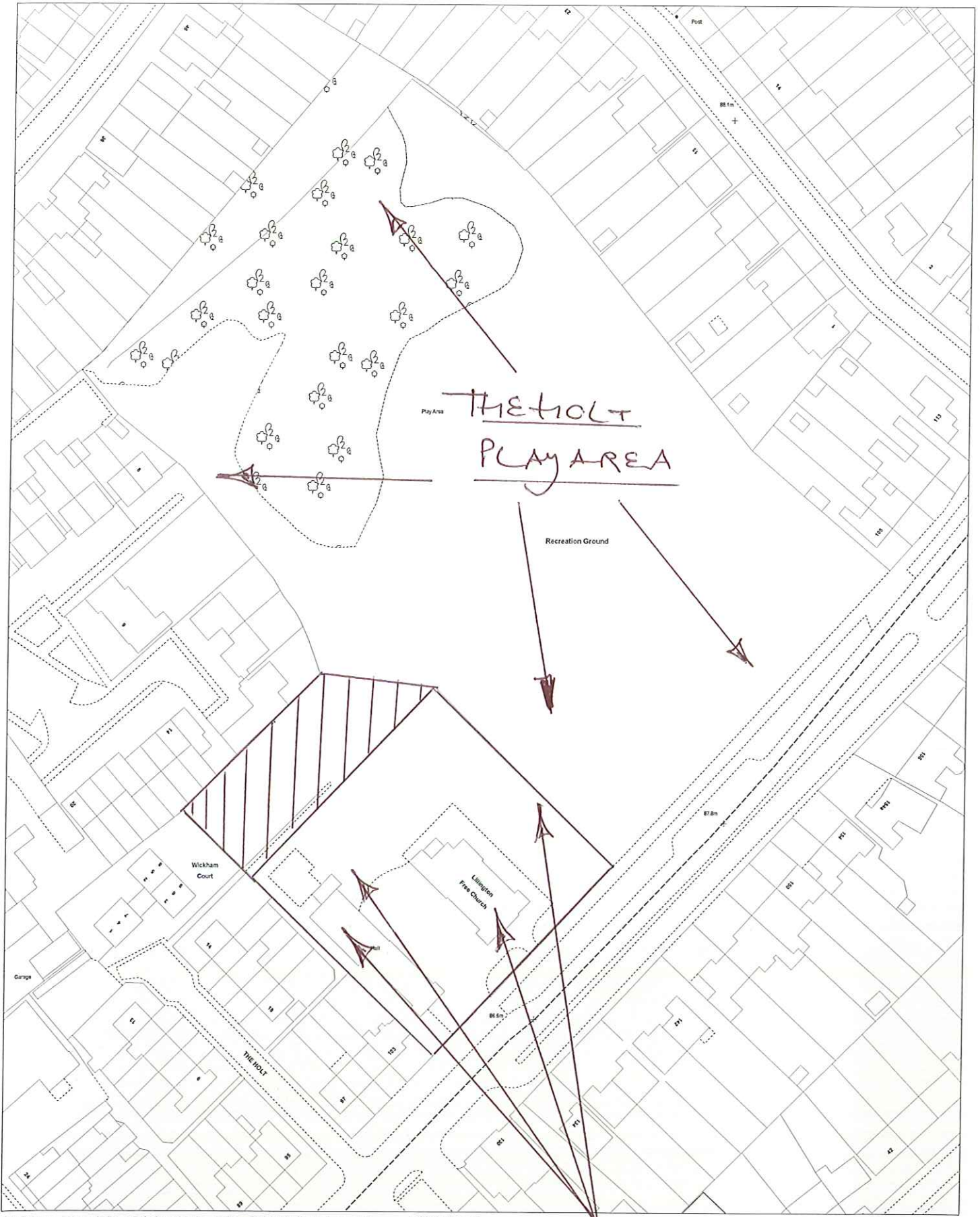
6 RISK

6.1

Risk	Possible Trigger	Possible Consequences	Risk Mitigation / Control
Refuse to Dispose of Land	The land will remain within ownership & responsibility of WDC	Reduced Capital Receipt Reduced affordable housing WDC continue to pay Grounds Maintenance costs of the Public Open Space & continue to insure/indemnify WDC against any claims that may be brought against it due to injuries/damages that may occur on the land	Approve disposal of the land

7. ALTERNATIVE OPTION(S) CONSIDERED

- 7.1 WDC refuse the proposal, leaving the current landscaped open space in place over which WDC will need to pay the annual grounds maintenance costs.




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Scale: 1:1250
Date: 21/06/2017
OS Tile: SP3267NE

 = The Site.

LILLINGTON
FREE CHURCH



 Executive 31 August 2017		Agenda Item No. 11
Title	Procurement Exemption for WDC VCS Commissioned Contracts 2015 – 2018	
For further information about this report please contact	Liz Young Community Partnership Team Manager Ext: 6019 Liz.young@warwickdc.gov.uk	
Wards of the District directly affected	ALL	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Executive 8 March 2017	
Background Papers	Executive 8 March 2017: Item 08 – Community Forums & Voluntary and Community Sector Spending Review	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes
Equality and Sustainability Impact Assessment Undertaken	Yes
Officer/Councillor Approval	
Officer Approval	Date Name
Chief Executive/Deputy Chief Executive	27/07/17 Andrew Jones
Head of Service	27/07/17 Marianne Rolfe
CMT	03/08/17 Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	27/07/17 Mike Snow
Monitoring Officer	27/07/17 Andrew Jones
Finance	27/07/17 Mike Snow
Portfolio Holder(s)	09/08/17 Andrew Thompson
Consultation & Community Engagement	
Meeting of VCS Commissioning & Grants Panel – 12 July 2017	
Final Decision?	Yes
Suggested next steps (if not final decision please set out below)	

1. SUMMARY

- 1.1 This report seeks approval for an exemption to the Code of Procurement Practice to allow the extension of the Voluntary & Community Sector (VCS) contracts for 3 months.

2. RECOMMENDATIONS

- 2.1 That Executive agrees to an exemption to the Code of Procurement Practice to allow the extension of the VCS Contracts until 30 June 2018.

3. REASONS FOR THE RECOMMENDATIONS

- 3.1 As agreed at March 2017 Executive, officers set out to procure consultants to project-manage the re-commissioning process and review of VCS spend. Unfortunately this first attempt proved unsuccessful at finding someone appropriately qualified and experienced to meet requirements, specifically identifying social return on investments and achieving savings targets.
- 3.2 Having gone through a second procurement process Inspira Consulting has now been appointed and inception meetings have taken place. However this delay has meant the re-commissioning process is now three months behind where it should be. As it stands the re-commissioning process has been constricted as far as practicable in order to minimise the required time period for extension.

4. POLICY FRAMEWORK

- 4.1 **Fit for the Future –**
The review of the council's investment in the Voluntary and Community Sector specifically supports the Service and Money strands of Fit for the Future in relation to continuously reviewing and improving our services whilst ensuring resources are managed appropriately and creatively to ensure value for money and social return on investment.
- 4.2 The VCS Commissioning Framework is aligned to the Sustainable Community Strategy and contributes to the vision of making Warwick District a great place to live work and visit.

5. BUDGETARY FRAMEWORK

- 5.1 £49,000 had been factored into the Medium Term Financial Strategy, in line with the June 2017 Fit for the Future Report to the Executive.
- 5.2 This should have been included in the 2018/19 Savings Targets. However, it was inadvertently factored into the following year. This has now been corrected. The revised Profile shows £36,750 being saved in 2018/19 and the residual £12,250 being realised the following year. This has been factored into the Strategy that is reported as part of the Budget Review Report elsewhere on this agenda.

6. RISKS

- 6.1 Without the extension it would be impossible to carry out the full commissioning process, including the extensive consultation required with a wide range of stakeholders.

- 6.2 If the current contracts were terminated on 31 March 2018 that would leave a gap in service provision until such a time that the new contracts were awarded thus impacting on both the voluntary and community sector organisations and the local communities receiving those services.
- 6.3 WDC could have liabilities in terms of TUPE that would need further investigation if contract delivery was not continuous.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 An alternative option would be to go out to tender in October 2017 and terminate the contracts as originally planned on 31 March 2018. However this would not allow time for full stakeholder consultation and pre market engagement which is essential to inform the re-commissioning process and to develop a tender specification that is going to deliver the Council's objectives and meet community needs.
- 7.2 Another option is to terminate on 31 March 2018, whilst conducting the full re-commissioning process, but that would leave a gap in service provision of 3 months until the new contracts commenced on 1 July, thus having a negative impact on both the voluntary and community sector organisations and the service recipients.

8. BACKGROUND

- 8.1 The first procurement process began immediately after March Executive with a closing date of 27 April due to the Easter break. Only one bid was received which did not fulfil the criteria. The second process adopting a 'quick quote' approach was instigated almost immediately with a closing date of 12 May and Inspira Consulting were awarded the tender by the end of May and inception meetings took place mid June once contracts had been agreed and signed.
- 8.2 Consideration was given to not carrying out a second procurement process due to time pressures however the value of external input into this review is a high priority as agreed at March Executive - 'Bringing in an external specialist in this field will provide the necessary objectivity and demonstrate to VCS partners that the Council is striving to manage the balance between savings, value for money and social value.'



www.warwickdc.gov.uk

Approval for an Existing Contract Extension Form

INSTRUCTIONS

This form must be completed to obtain Approval for an Existing Contract Extension

SECTION 1

In accordance with Warwick District Council Code of Procurement Practice and Financial Regulations, I request a approval for an Existing Contract

SECTION 2: NAME AND ADDRESS OF SUPPLIER

Sue Howarth
Brunswick Hub
98-100 Shrubland Street
Leamington Spa
CV31 3BD

Kate Cliffe
Sydni Centre
Cottage Square
Sydenham
CV31 1PT

Aidan Knox
Citizens Advice
10 Hamilton Terrace
CV32 4LY

Alison Selwood/Pete Bailey
The Chain
89 Crown Way
CV32 7SH

Andrea Hammond
WCAVA
4-6 Clemens Street
CV31 2DL

Marcos Campos
The Gap Community Centre
39 Oakwood Grove
Warwick
CV34 5TD

SECTION 3: COSTS

Total annual cost (including VAT):	330,000
Total contract commitment (including VAT):	82,500 (3 months extension costs)

VCS Commissioned Contracts 2015 – 2018: £330,000 per annum

Lots	Type of Service	Service Provider	Yearly Value of Contract
Lot 1. Third Sector Support	Ensuring that local third sector organisations get the advice, support and representation they need to improve the circumstances of the people and communities they work with	Warwickshire Community and Voluntary Action (WCAVA)	£55,000
Lot 2. Services in Targeted Geographic Areas – Brunswick	To target those people living in disadvantaged areas within Brunswick, Crown, West Warwick and Sydenham who are feeling socially excluded due to lack of resources, rights, services and the inability to participate in the normal relationships and activities available to the majority of people in a community, whether those are of an economic, social or cultural nature	Brunswick Healthy Living Centre	£50,000
Lot 3. Services in Targeted Geographic Areas – Crown		Crown Community Hub (formerly The Chain)	£30,000
Lot 4. Services in Targeted Geographic Areas – West Warwick		The Gap Warwick Percy Estate Community Projects Ltd.	£35,000
Lot 5. Services in Targeted Geographic Areas – Sydenham		Sydni Sydenham Neighbourhood Initiatives	£20,000
Lot 6. Financial Inclusion	To minimise the likelihood and impact of financial exclusion in	Warwick District Citizens Advice Bureau	£100,000

Lots	Type of Service	Service Provider	Yearly Value of Contract
	Warwick District through the provision of advice, support and services at the point of need in a coordinated and collaborative manner		
Lot 7. Delivery of Employment Clubs	To manage the three Employment Clubs currently operating from the Brunswick Healthy Living Centre, Lillington Youth Centre and The Gap Community Centre	Brunswick Healthy Living Centre	£40,000

SECTION 4: SERVICE AREAS FOR WHICH GOODS / SERVICES ARE REQUIRED

Health and Community Protection

SECTION 5 REASON FOR REQUEST TO WAIVE STANDING ORDERS (PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE)

Background to requirement

As agreed at March Executive, officers set out to procure consultants to project manage the re-commissioning process and review of VCS spend. Unfortunately this first attempt proved unsuccessful at finding someone appropriately qualified and experienced to meet requirements, specifically identifying social return on investments and achieving savings targets.

Reason

Having gone through a second procurement process Inspira Consulting has now been appointed and inception meetings have taken place. However this delay has meant the re-commissioning process is now three months behind where it should be.

Without the extension it would be impossible to carry out the full commissioning process, including the extensive consultation required with a wide range of stakeholders.

If the current contracts were terminated on 31 March 2018 that would leave a gap in service provision until such a time that the new contracts were awarded thus impacting on both the voluntary and community sector organisations and the local communities receiving those services.

WDC could have liabilities in terms of TUPE that would need further investigation if contract delivery was not continuous.

SECTION 6: COMMERCIAL REASONABLENESS

I hereby confirm that, to the best of my knowledge request is commercially reasonable.

**Procurement
Manager**

Signed:

Date:

SECTION 7: Approval for an Existing Contract Extension

6.2 Authorising Exemptions


- Where the total contract value is £20,000 and above. The Exemption request form must be completed by the Sponsoring Manager and agreed by the Procurement Manager and Executive, prior to any work being carried out.

SECTION 8: Approval for an Existing Contract Extension to be returned to :

Name:

**Job
Title:**

Location:

 Executive Committee 31st August 2017		Agenda Item No. 12
Title	Delivery of the proposed Hotel forming part of the St Mary's Lands Masterplan, Warwick	
For further information about this report please contact	Chris Elliott 01926 456003 chris.elliott@warwickdc.gov.uk	
Wards of the District directly affected	Aylesford and Saltisford	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Council Meeting 9 th August 2017 Executive meeting 28 th June 2017 min 17 Executive meeting 8 March 2017 min 108 Executive meeting 30 th November 2016 min 65 Executive meeting 06 th April 2016, min 132 Executive meeting 3 rd September 2015, min 34 Full Council 19 th November 2014, min 50 Executive meeting 1 st October 2014, min 56 Executive meeting 16 th April 2014, min 189 Executive meeting 11 th September 2013, min 55 Executive meeting 19 th June 2013, min 13 Executive meeting 12 th December 2012, min 107	
Background Papers	Previous reports as above; Agreed FFF Strategy 2017; Local Plan Publication version and Main Modifications 2017; Reports from Bridget Baker Consulting and GL Hearn on Needs Assessment for a Hotel and Economic Impact 2017; Adopted Masterplan August 2017.	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	No
Not relevant	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive	08/08/17	Chris Elliott
Head of Service	08/08/17	Tracy Darke, Rob Hoof, Rose Winship, Marianne Rolfe
CMT	08/08/17	Chris Elliott, Andrew Jones, Bill Hunt
Section 151 Officer	08/08/17	Mike Snow
Monitoring Officer	08/08/17	Andrew Jones
Finance	08/08/17	Jenny Clayton, John Roberts
Portfolio Holder(s)	14/08/17	Noel Butler
Consultation & Community Engagement		
The proposed hotel forms part of the adopted Masterplan which was the outcome of an extensive consultation process undertaken since 2015 with the St Mary's Lands Working Party as the co-ordinating body.		
Final Decision?		NO
Suggested next steps (if not final decision please set out below)		
A further report will be presented setting out the outcome of the process.		

1. **Summary**

- 1.1 This report seeks approval for the process and funds to help the Council deliver the proposed hotel forming part of the adopted Masterplan for the St Mary's Lands area of Warwick. In addition, an exemption from the Code of Procurement is sought to procure the services needed to conduct the process.
- 1.2 The process will also require the preparation of a constraints brief for the site and for discussions to be undertaken and concluded on the relationship, if any, with the Jockey Club.

2. **Recommendation**

- 2.1 That the proposal at Appendix 1 is agreed as the way to bring the hotel proposal forward.
- 2.2 That the cost of the proposal (as rounded up and allowing for a small contingency) of £15,000 be agreed, to be funded from the Contingency Budget.
- 2.3 Subject to 2.1 and 2.2 above being agreed, that an exemption from the Code of Procurement Practice under clause 6.4 be agreed.
- 2.4 That a constraints development brief is prepared for the proposed hotel site.
- 2.5 That discussions/negotiations are undertaken with the Jockey Club.

3. **Reasons for the Recommendation**

Recommendation 2.1

- 3.1 At its meeting on 28th June 2017 the Executive agreed to recommend to Council that the Masterplan for St Mary's Lands should be adopted as policy. This was then confirmed by Council at its meeting on 9th August 2017. The Masterplan contained within it a proposal for a hotel at the southern end of the Grandstand area on Hampton Road, Warwick (see Plan 1). The Masterplan now forms part of the Council's planning policy framework used for determining planning and related applications as well as providing a framework for investment decisions by the Council and its partners.
- 3.2 The hotel proposal has been supported by the research that the Council has commissioned on the need and demand for a hotel in the Warwick area. This research had been presented to the Council at its meeting on 28th June to accompany the report on the Masterplan. Following a procurement exercise GL Hearn and Bridget Baker Consulting had been jointly appointed to undertake that research work. Their research demonstrated very clearly that there is a significant gap in the hotel market for Warwick which a hotel on the St Mary's Lands area could fill. The research further demonstrated that there would be a significant economic benefit locally from such a proposal.
- 3.3 However, bringing forward a hotel on the site will not be straight forward. A land use allocation within a Masterplan does not of itself guarantee delivery of the proposal. It was agreed by the Executive at its meeting on 28th June that a report be brought back to the Executive on how the hotel proposal may be brought forward for implementation.

3.4 A proposal is set out at Appendix 1 from Bridget Baker Consulting (BBC) (which has had the proposed costs redacted on the grounds of commercial sensitivity) and GL Hearn on how this might be achieved. In summary:

- The first part of the next steps would be to turn the previous report into a market demand and financial feasibility study which will show the impact of the new supply, and we can include the above project. It will also have financial estimates for the first five years of operation. This report can then be presented to interested parties (developers, hotel groups, investors). If done relatively soon it will reduce the time it will take as there would be no need to have to do additional research in the local market.
- Based on the needs assessment report for the site, prepare a market demand and financial feasibility study, this would be a re-ordered report but would also include more information on recommended facilities and would take out some of the references to 'need'. It would also have a section on the likely revenue and costs for the first five years of operation to EBITDA level.
- GL Hearn would provide planning advice on any issues that may impact the location, size, design of the hotel etc.
- BBC would then prepare a summary document of the report that could be used as a 'taster' for hotel companies/operators, investors, developers etc. The full report would be given to interested parties subsequently.
- BBC can assist in identifying potential developers/operators and approach them to gauge their interest, this may include site visits.
- BBC can assist in the selection process to identify the most suitable developer/operator/brand and then provide support in bring the hotel to completion.
- The proposal will include assessing the option of the Council funding the construction of the hotel.

Recommendation 2.2

3.5 This will cost £15,000 plus VAT as rounded and allowing for a small contingency element. If the approach is successful then a further £18,000 would be payable plus VAT and reasonable expenses. It is suggested that the first element is funded from the Contingency Budget. The latter would be funded from the proceeds of a successful outcome.

Recommendation 2.3

3.6 However, this step does require an exemption from the Council's Code of Procurement Practise under Clause 6.4. The Procurement Manager has been consulted and agrees that in this case additional services are required which were not included in the original contract and which are strictly necessary to continue the process. Given that the original award was the outcome of a tendering process officers are aware that the cost proposal is reasonable from a market perspective. In addition it is probable that to go out to the market would be likely to cost the Council more as any other company would need to

undertake the steps the Council has already paid for. Therefore, the Council would in that respect pay for the same work twice. Whilst with hindsight it would have been better to seek a commission for this element of work at the beginning given the contentious nature of the hotel proposal, officers did not want to give any impression of a presumption about whether a hotel proposal could in fact be justified, especially as it was not known at that stage that it would be.

Recommendation 2.4

- 3.7 The proposal will also need a constraints development brief to illustrate the capabilities and limitations of the site to integrate. This is already proposed to be done and the Council has already agreed to fund this work from Plincke.

Recommendation 2.5

- 3.8 Part of the proposed hotel site is subject to a lease with the Jockey Club and it hosts facilities that form part of its operation that will need to be considered and provided for discussions/negotiations are undertaken with the Jockey Club. The Jockey Club is aware of the proposal and views it favourably but detailed discussions and agreements will be necessary. A further report on the proposed agreement will be necessary.
- 3.9 Members will need to be aware of the “interesting” legal situation regarding the leases applying to St Mary’s Lands arising from the Warwick District Council Act 1984. A summary of the situation is set out at Appendix 2. It will be against this legal background that discussions with the Jockey Club and the market at large will need to be conducted.

4. Policy Framework

4.1 Fit for the Future (FFF)

- 4.1.1 The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects. St Mary’s Lands is one of those Key projects. This report shows the way forward for implementing a significant part of one of the Council’s Key projects.
- 4.1.2 The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy

	Low levels of crime and ASB	Increased employment and income levels
Impacts of Proposal		
<i>The proposal will complement the District's cultural and sports activities</i>	<i>The proposal if it is successful will help to It will also help to attract people to use its parks and open spaces in Warwick.</i>	<i>This proposal as demonstrated by the research already undertaken will have a very beneficial effect on the local economy in terms of attracting visitors to the town and by creating new jobs and so have positive impacts on the intended outcomes above.</i>
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
<i>The scheme will offer the opportunity for some staff to become more familiar with commercial assessments of property based schemes so helping the Council's aim of becoming more enterprising.</i>	<i>If successful the additional revenue generated will help the Council to maintain or improve its services.</i>	<i>The proposal will help to maximise the use of an existing asset and get a better return as the proposal has the potential to create a revenue generating opportunity for the Council for which the process will establish the viability.</i>

4.2 Supporting Strategies

Each strand of the FFF Strategy has several supporting strategies and the relevant ones for this proposal are explained below.

Local Plan

4.2.1 The Council has an agreed a strategy statement "The future and sustainable prosperity for Warwick District" which amongst other things seeks to:

- Support the growth of the local economy; and
- Maintain and promote thriving town centres.

4.2.2 The Council has determined that a spatial masterplan should be developed for St Mary's Lands via public consultation as it recognised that it is an essential

community amenity that needs to receive the necessary investment to enable its attractions and operations to prosper.

4.2.3 The Local Plan - Publication Draft has a specific proposed policy for St Mary's Lands as follows:

"3.142 The Council will therefore work with the operators of the Racecourse to bring forward a Masterplan for the area which;

- ensures the ongoing vitality and viability of the Racecourse;*
- protects and enhances the significance of the Listed Building and Conservation Area and their setting;*
- retains the land for public recreation;*
- protects and enhances biodiversity within the Racecourse as well as links to the open countryside and other areas; and*
- restricts uses to those associated with visitor accommodation, recreation, leisure and horse racing"*

This requirement picks up the non-Local Plan overall strategy for St Mary's Lands adopted in 1998 and the regeneration master plan agreed in 2004 which have both been reviewed as part of this work.

4.2.4 The Local Plan has recently been found sound by the Inspector who undertook the Examination in Public. It is proposed that the Local Plan, with modifications, will be adopted by the Council on 20th September 2017. The Local Plan Main Modifications recommended by the Inspector include some changes to Policy CT7 in line with the consultation undertaken by the Council in 2016. The main focus of the modifications is to clarify that the policy applies to the whole of St Mary's Lands, including the racecourse and to clarify the role of the Masterplan. The proposals in this report do not conflict with Policy CT7 as modified.

5. Budgetary Framework

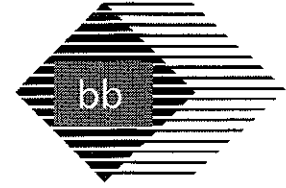
- 5.1 The proposal as discussed in Section 3.5 can be funded from the Contingency Budget. The Contingency Budget currently has a balance of £77,900 (at 30th June). Should Members approve this recommendation, there will be a remaining balance of £62,400, notwithstanding any other requests on this Agenda.

6. Risks

- 6.1 At this juncture, the risk is that the proposed work does not reveal any interest in a hotel in this location and at a value attractive enough to the Council. This would then mean that the proposed fee would have been wasted. However, it is clear even without marketing that there is market interest in the site as a hotel so the risk is judged to be small.
- 6.2 However, as the work progresses, this will turn into a project itself as opposed to just part of a project for St Mary's Lands and will be deserving of its own project plan and risk assessment.

7. Alternative Option(s) considered

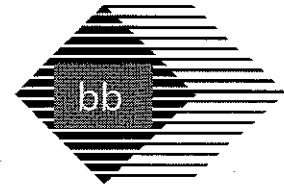
- 7.1 The Council decide not to pursue the hotel proposal further but that would be contrary to its own policy adopted in the form of the Masterplan and of its revised FFF Strategy of supporting a more enterprising approach.
- 7.2 The Council could decide to put the supporting process out to tender. This is likely to cost the Council more since it would of necessity repeat work already undertaken and paid for. Since the original work was subject to tendering exercise officers are aware that the companies involved provided good quality service at a good value price. Part of any fee is entirely dependent on the success of the project.



Bridget Baker Consulting

**PROPOSAL RELATING TO ADVISORY SERVICES
TO ASSIST IN DELIVERING A HOTEL AT
WARWICK RACECOURSE – NEXT STEPS**

August 2017



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Chris Elliott
Chief Executive
Warwick District Council,
Riverside House, Milverton Hill,
Royal Leamington Spa,
CV32 5HZ

Sent via email

11 August 2017

Dear Chris

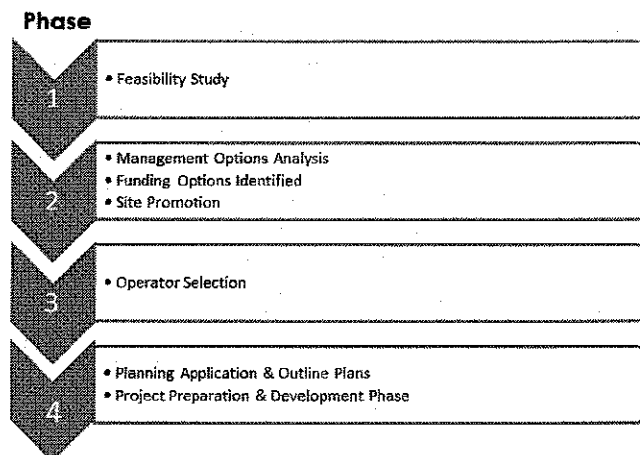
Advisory Services to Deliver a Hotel Project at Warwick Racecourse – Next Steps

Further to your instructions we are pleased to submit our proposal regarding how we would suggest providing continued assistance to you in relation to the above.

Background and your Requirements

We have recently undertaken research and issued our report relating to the potential 'need' for a hotel at Warwick Racecourse. This report showed a positive result and following our recent correspondence you now wish that we assist you in moving the project forward.

We set out below the phases that would normally be required to bring a hotel to opening:



We would recommend that the following be undertaken:

- Convert the Hotels Needs report to a Hotel Market Demand and Financial Feasibility Study including recommended facilities, with GL Hearn advising on planning issues separately.
- Prepare a summary version of the report to show the opportunity to be presented to interested parties.
- Assisting you with the selection process of operators.

Further to your email confirming the above, this proposal answers this request.

Methodology

Phase 1 – Updating the report to from Market Demand and Financial Feasibility study

- Based on the needs assessment report for the racecourse site, prepare a market demand and financial feasibility study, this would be a re-ordered report but would also include more information on recommended facilities and would take out some of the references to 'need'.
- Ideally this report should be prepared within the next two months then we would not need to undertake additional research in the market area, but we would rely on you and your team to update us on any changes in planning applications for any new major infrastructure and/or hotel projects that have changed since we issued our report.
- We would prepare more detailed estimates of Room Occupancy and Average Achieved Room Rate for the proposed Hotel. These would form the basis of the likely revenue and costs for the first five years of operation to EBITDA level (in current day values) of the hotel project.
- GL Hearn would need to provide planning advice on any issues that may impact the location, size, design of the hotel etc. Their fees are not included in this quote.

This report would be issued electronically and would be suitable to present to potential funders, hotel operators and developers.

Phase 2 - Development & Management Options & Site Promotion

At this point we would propose having a meeting to discuss the preferred options for the Council.

Issues that are likely to be covered could include:

- Who would develop the hotel?
- How the hotel would be funded?
- Would an option be for the Council to fund the construction?
- Identification of management options: such as a hotel management company with/without a franchise from a major brand; a non-branded hotel; a joint venture partner etc.

It may be that you are open to a range of options depending on the interest in the project site.

In order to attract potential developers/partners we will prepare a 'taster' information pack relating to the project. We would ask you to provide any relevant site plans and photographs. The majority of this information will be taken from the Market Demand and Financial Feasibility Study. The full report would be given to interested parties subsequently.

At the outset we would present this in a word/pdf format. We do not think it will be necessary to prepare a 'glossy' type of brochure/pdf, but if you would like to do this, then we can discuss this.

We will then prepare a listing of these types of companies and the relevant individuals and then contact them to present the opportunity. At the outset we would propose contacting them by telephone/email and follow up with meetings as required. In terms of the larger hotel groups we would approach their national development teams in order to obtain likely franchise/development partners who develop and operate their brands.

It is likely that some of the interested parties would wish to visit the site and we could set aside a day for these visits.

After the initial promotion campaign and site visits we will give you a verbal update on the reaction of each company.

We will invite these developers/operators to submit expressions of interest, detailing what they would offer in terms of development and preferred management options.

We would then list and analyse the responses and provide you with the following:

- Evaluation of the bids presented by the interested parties including background information on each of the companies;
- An indication of how the hoteliers' brands/standards would fit at the Warwick Racecourse site.

From this we would prepare a shortlist (depending on how many expressions of interest are received) and we can discuss the best way to proceed.

Phase 3 - Operator Selection

Pending the interest in the site from hotel developers/operators we are able to assist further with the negotiations which are likely to include the following issues, although as negotiations proceed we would recommend that we involve a specialist lawyer:

- Evaluation of profit and loss forecasts provided by the hotel operators on the shortlist.
- Joint venture options – if any.
- The type of contract that would be preferable.
- The term and renewal options.
- The requirement for equity, loan, grant etc.
- The fee structure i.e. base and incentive fee (management contract).
- Recommendations as to performance guarantees.

Other issues may need to be explored depending on the outcome of Phase 2.

Professional Fees

Phase 1 – Update Hotel Needs Report to Provide a hotel Market demand and Feasibility Report - [REDACTED]

Phase 2 – Site Promotion & Initial Operator Shortlist - For the site promotion process our fee will be [REDACTED]

A retainer fee of [REDACTED]

Phase 3 – Operator Selection - If following this phase an operator is secured for the project a success fee [REDACTED]

Although we are confident we will identify an appropriate operator and conclude a deal satisfactory to you, we cannot of course offer any guarantee that this will be the case, and there is always the risk we will not be successful.

Subsequent Phases - Following selection of the operator we would be happy to offer ongoing support during the development phase and these terms can be agreed in due course.

If you have any questions or wish to discuss any aspect of these proposed terms, then please give me a call.

We look forward to hearing from you and having the opportunity to see hotel at Warwick Racecourse, Warwick be realised.

With kind regards
Yours sincerely



Bridget Baker

WARWICK RACECOURSE – WARWICK DISTRICT COUNCIL ACT 1984

1. The Warwick District Council Act 1984 is an “empowering” Act, authorising (but not compelling) the District Council to do various things which it might otherwise not have the power to do. The Act covers not only the operation of the Racecourse, but also the rest of St. Mary’s Lands, Newbold Comyn Park, Pump Room and Gardens. The 1984 Act is the successor to the Warwick Corporation Act 1948.

2. The Act contains a detailed description of the Racecourse and the various parts thereof which are depicted coloured on a plan enclosed with the Act. Key extracts of the Act and plan are set out below. The “grandstand and paddock area” is shown on the plan coloured brown. The “racecourse” track itself is coloured pink, and the “racecourse extension” to the South-West of the site is coloured green.

3. The relevance the colours is explained in Section 3 of the Act, specifying which parts of St. Mary’s Lands **may** be included in any Racecourse Lease. Section 3 mentions the racecourse track (pink) and the grandstand and paddock (brown). Section 6 of the Act also imposes a specific prohibition on the grandstand and paddock and the racecourse extension being used for the purposes of a circus/ fair, camping, which uses are allowed in respect of the rest of St. Mary’s Lands.

4. The Act does not require the District Council to continue operating the Racecourse as a whole, nor does it state that the coloured areas must only be used for Racecourse purposes.

5. There are at least three procedures which could potentially be used to promote a Hotel (if the District Council resolves to support the same in their capacity as landowner), either:

(A) Within the scope of the Jockey Club’s current 2005 Racecourse Lease from Warwick District Council,

(B) By means of the Jockey Club surrendering from their current Racecourse Lease the land needed for the Hotel, and the District Council then granting, or

(C) Outright Sale to Jockey Club

The relevance of the 1984 Act may be different depending on whether (A) (B) or (C) is being considered.

(A) Hotel within existing Racecourse Lease

6. In 2010 the District Council obtained Counsel's Opinion to clarify the District Council's powers and duties under the 1984 Act in the context of the on-going controversy over hotel proposals. Counsel stated:

"7.16. As to the impact of the 1984 Act, by virtue of section 3(3)(b) the District Council may "as respect the whole or any part of the racecourse and the grandstand and paddock area ... use or permit the use of the same and the works buildings and facilities incidental thereto for such other purposes as they think fit". I am of the view therefore that there is nothing in the 1984 Act which prevents the use of part of the Premises as an hotel. "

7. Section 3(3)(b) of the Act makes it clear that there is no fundamental prohibition on change of use, or development of, the racecourse, including the entrance thereto from Bread & Meat Close, Hampton Street/ Friar's Street. The District Council could approve the construction of the Hotel without the need to grant a new lease to the Jockey Club.

8. That does not however alter the fact that the 1984 Act limits Racecourse Leases to a maximum of 21 years duration. It would not therefore be possible to have a 99 year term within the current 2005 Racecourse Lease.

(B) Hotel within new Lease

9. Although the terms on which it may grant Racecourse Leases are restricted, Section 8 of the Act expressly records that the District Council has the same powers to sell and change the use of St. Mary's Lands, including the Racecourse, as it would with any of its other landholdings not within the scope of the 1984 Act.

10. Accordingly, there is nothing in the 1984 Act to prevent the District Council accepting a surrender from the Jockey Club of part of the land within the current Racecourse Lease and granting the Jockey Club a fresh Lease in respect of the land required for the Hotel. Such a lease would not be a Racecourse Lease within the meaning of the 1984 Act and accordingly would not be caught by the 21 year duration limit. The District Council could, if it was considered commercially prudent and appropriate, grant a lease of any duration for hotel purposes e.g. 99 years.

(C) Outright Sale

11. The District Council would equally have the power to make an outright sale of the land to the Jockey Club for Hotel purpose if that was judged to be the most appropriate course of action.

12. Would the 1984 Act continue to apply to land after it was leased or sold for hotel purposes?

The 1984 Act would cease to be relevant. Its main purpose is to underpin and confirm the District Council's ability to operate a racecourse, and otherwise manage St. Mary's Lands. Once land is converted to another use, and/or sold, as the Act allows, the Act's provisions no longer apply.

Appendix 1. Extracts from Warwick District Council Act 1984

		PART I PRELIMINARY
Citation and commencement.	1.—(1) This Act may be cited as the Warwick District Council Act 1984.	
	(2) This Act shall come into operation on 1st January 1985.	
Interpretation. 1972 c. 70.	2. In this Act unless the context otherwise requires—	
	“the Act of 1972” means the Local Government Act 1972;	
	“contravene” includes failure to comply;	
	“the Council” means the Warwick District Council;	
	“the district” means the district of Warwick;	
	“the grandstand and paddock area” means the area shown coloured brown on the deposited map comprising the grandstand, stables, structures and other buildings and enclosures;	
	“Lammas Field Common” means the lands in the district known as Lammas Field Common which lands are shown coloured pink on the deposited map;	

- “Newbold Comyn Park” means the land in the district known as Newbold Comyn Park vested in the Council and any lands adjoining any part thereof acquired by the Council for the purpose of being held therewith;
- “the racecourse” means the racecourse on Lammas Field Common and includes the racecourse extension;
- “the racecourse extension” means the land shown coloured green on the deposited map being land adjacent to Lammas Field Common acquired for an extension of the racecourse under the Warwick Corporation Act 1948; 1948 c. xviii.
- “Saltisford Common” means the lands in the district known as Saltisford Common which lands are shown coloured blue on the deposited map;
- “St. Mary’s lands” means Lammas Field Common and Saltisford Common, the grandstand and paddock area and the racecourse extension collectively known as the St. Mary’s lands;
- “the standard scale” has the meaning given by section 37 of the Criminal Justice Act 1982. 1982 c. 48.

PART I
—cont.

PART II
ST. MARY'S LANDS

3.—(1) The Council may—

Use and
leasing of
racecourse.

- (a) continue to operate the racecourse for horseracing;
- (b) erect and maintain on the Lammas Field Common and the grandstand and paddock area stands, stables and other buildings and enclosures in connection with the racecourse.

(2) The Council may lease—

- (a) the racecourse and the grandstand and paddock area for any term not exceeding 21 years;
- (b) such part or parts of the Lammas Field Common as may be necessary for the purpose of erecting and maintaining stands, stables and other buildings and enclosures in connection with the racecourse.

(3) The Council may as respects the whole or any part of the racecourse and the grandstand and paddock area—

- (a) by themselves or by any other person authorised by them, levy charges for admission (including charges for admission to enclosures or stands, and so as to

PART II
—cont.

- permit different charges in different circumstances), provide and sell refreshments and programmes and advertise the facilities offered;
- (b) use or permit the use of the same and the works, buildings and facilities incidental thereto for such other purposes as they think fit.

Domestic

6.—(1) Without prejudice to their powers under section 5 (Use of St. Mary's lands as pleasure grounds) of this Act or under section 145 of the Act of 1972 (provision of entertainments) or section 19 of the Local Government (Miscellaneous Provisions) Act 1976 (recreational facilities) the Council may from time to time—

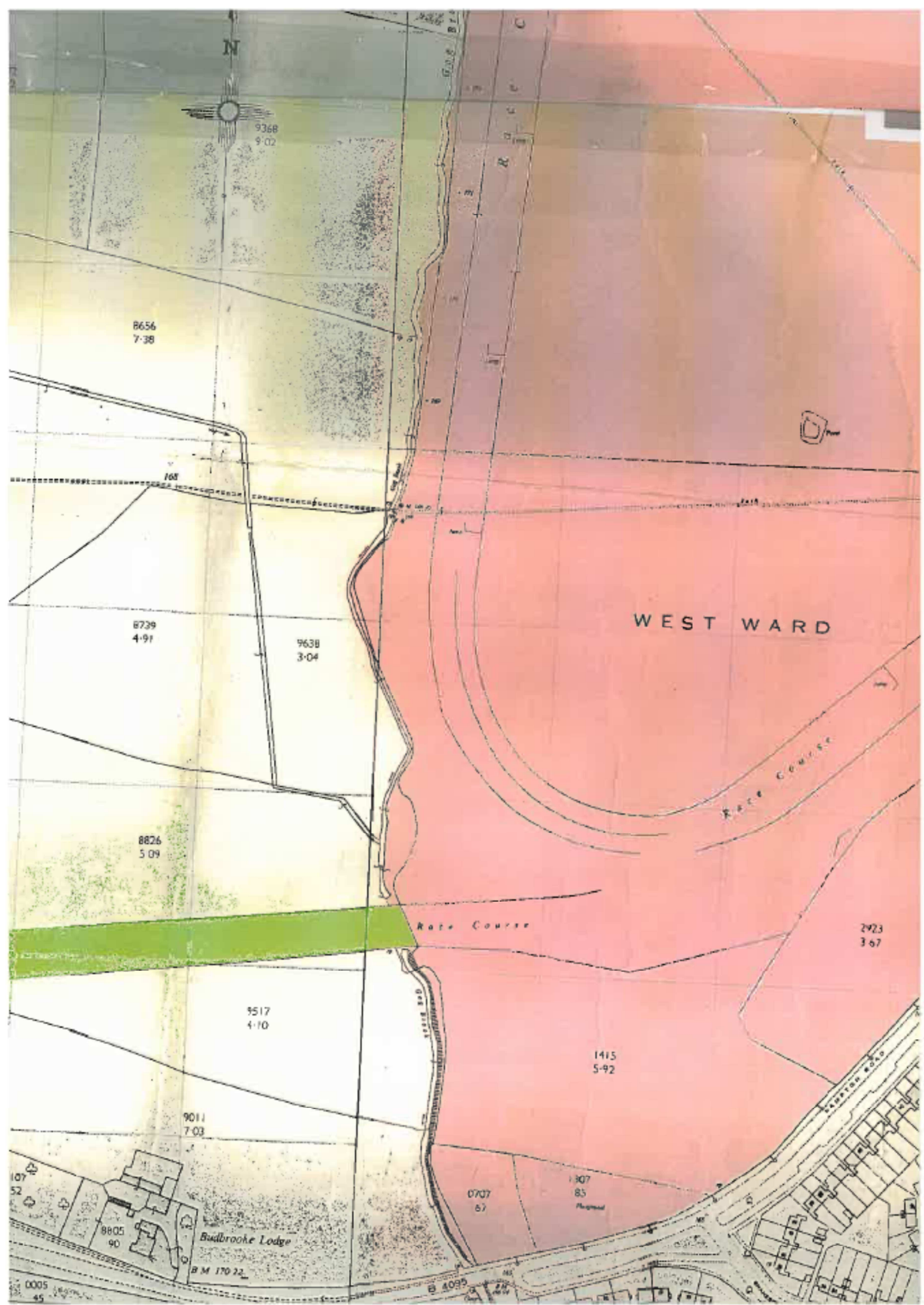
PART II
—cont.
Further powers with respect to St. Mary's lands.
1976 c. 57.

- (a) erect and maintain on Lammas Field Common booths, tents or stalls in connection with the racecourse and may lease such part of Lammas Field Common as may be necessary for the purpose of erecting and maintaining the same;
- (b) erect and maintain on Lammas Field Common keepers' and caretakers' houses;
- (c) set apart, fence or enclose, and let or allow the use of, any part of the St. Mary's lands except the grandstand and paddock area and the racecourse extension for the purposes of—
 - (i) circuses and other public entertainments for periods not exceeding six weeks in any year and as respects an area not exceeding 8 hectares;
 - (ii) fairs, agricultural, horticultural and other shows for periods not exceeding three months in any year and as respects an area not exceeding 40 hectares;
 - (iii) camping grounds, camp sites, holiday camps, athletic sports, cricket, football, lawn tennis or other games;
 and make agreements as to the control and maintenance of the parts so set apart or let;
- (d) continue, alter and maintain the golf course laid out upon the St. Mary's lands and make such charges as the Council think fit for the playing of golf upon such course and may let such course for such periods, not exceeding 21 years, as they think fit;
- (e) subject to the provisions of this Part of this Act close to the public any part of the St. Mary's lands leased or let under this section during the period of the lease or letting;

Provided that with respect to any parts of the St. Mary's lands set apart or let for the purpose of playing games only such fences shall be erected as shall be reasonably necessary for the protection of such parts for the purposes for which they are so set apart;

8. Nothing in this Part of this Act shall prejudice or affect the exercise by the Council with reference to the whole or part of the St. Mary's lands of the powers of sections 122 and 123 of the Act of 1972 (appropriation or disposal of land).

Appropriation
or disposal of
St. Mary's
lands.



Appendix 3 – Extracts from 1984 Act Plan





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