



21 March 2019

## **CABINET – 1 APRIL 2019**

A meeting of Cabinet will be held at 6.00pm on Monday 1 April 2019 in the Council Chamber, Town Hall, Rugby.

Adam Norburn  
Executive Director

### **A G E N D A**

#### **PART 1 – PUBLIC BUSINESS**

1. Minutes.  
To confirm the minutes of the meeting held on 4 March 2019.
2. Apologies.  
To receive apologies for absence from the meeting.
3. Declarations of Interest.  
To receive declarations of –
  - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
  - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
  - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

***Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 26 March 2019).

**Growth and Investment Portfolio**

Nothing to report to this meeting.

**Corporate Resources Portfolio**

5. Review of overview and scrutiny arrangements – report of the Joint Overview and Scrutiny Committee.

**Communities and Homes Portfolio**

Nothing to report to this meeting.

**Environment and Public Realm Portfolio**

6. Light-touch review of parking at the Queen’s Diamond Jubilee Centre.

**The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report**

7. Response to Technical Consultations on local authorities relative needs and resources and Business Rates Retention Reform.

8. Adoption of the International Holocaust Remembrance Alliance (IHRA) working Definition of Antisemitism.

9. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 2 and 3 of Schedule 12A of the Act.”

**PART 2 – EXEMPT INFORMATION**

**Growth and Investment Portfolio**

Nothing to report to this meeting.

### **Corporate Resources Portfolio**

1. Financial Services Team restructure.

### **Communities and Homes Portfolio**

Nothing to report to this meeting.

### **Environment and Public Realm Portfolio**

2. Grounds Maintenance Review.

**The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report**

3. Information, Communications and Technology team - Honoraria.

***Any additional papers for this meeting can be accessed via the website.***

The Reports of Officers (Ref. CAB 2018/19 – 10) are attached.

### **Membership of Cabinet:**

Councillors Stokes (Chairman), Mrs Crane, Lowe, Mrs Parker and Ms Robbins.

### **CALL- IN PROCEDURES**

*Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.*

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail [claire.waleczek@rugby.gov.uk](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.*

**AGENDA MANAGEMENT SHEET**

**Report Title:** Review of overview and scrutiny arrangements - report of Joint Overview and Scrutiny Committee

**Name of Committee:** Cabinet

**Date of Meeting:** 1 April 2019

**Report Director:** Executive Director

**Portfolio:** Corporate Resources

**Ward Relevance:** All wards

**Prior Consultation:** Leaders' Steering Group and members of Brooke and Whittle Overview and Scrutiny Committees

**Contact Officer:** Adam Norburn, Executive Director  
Tel: 01788 533430 or email: adam.norburn@rugby.gov.uk

Linn Ashmore, Democratic Services Officer  
Tel: (01788) 533522 email linn.ashmore@rugby.gov.uk

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** No

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

**(CR) Corporate Resources**  To provide excellent, value for money services and sustainable growth

**(CH) Communities and Homes**  Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public Realm**  Enable our residents to live healthy, independent lives

**(GI) Growth and Investment**  Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

- Deliver digitally-enabled services that residents can access (CH)
- Understand our communities and enable people to take an active part in them (CH)
- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

**Statutory/Policy Background:**

**Summary:**

This report details the proposed recommendations following a review of the Council's current overview and scrutiny arrangements.

**Financial Implications:**

A programme of training has been proposed.

**Risk Management Implications:**

There are no risk management implications arising from this report.

**Environmental Implications:**

There are no environmental implications arising from this report.

**Legal Implications:**

There are no legal implications arising from this report.

**Equality and Diversity:**

There are no equality and diversity implications arising from this report.

**Options:**

Members can elect to approve, amend or reject the recommendations made in this report.

**Recommendation:**

IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the overview and scrutiny structure consist of two overview and scrutiny committees having set remits aligned to the four portfolio areas;

- (2) one overview and scrutiny committee be aligned to the Environment and Public Realm and Growth and Investment portfolios and the second be aligned to the Communities and Homes and Corporate Resources portfolios and these be given relevant names;
- (3) a programme of training be carried out for overview and scrutiny committee chairs, committee members, the Democratic Services team and Senior Management Team;
- (4) the scrutiny area of the Council website be improved to encourage better public engagement;
- (5) training opportunities be shared with Parish Councils through Warwickshire and West Midlands Association of Local Councils; and
- (6) the Council's Constitution be amended accordingly.

**Reasons for Recommendation:** To implement improvements to the current overview and scrutiny structure.

**Cabinet - 1 April 2019**

**Review of overview and scrutiny arrangements - report of Joint  
Overview and Scrutiny Committee**

**Public Report of the Executive Director**

**Recommendation**

IT BE RECOMMENDED TO COUNCIL THAT -

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- (2) one overview and scrutiny committee be aligned to the Environment and Public Realm and Growth and Investment and the second be aligned to the Communities and Homes and Corporate Resources portfolios and these be given relevant names;
- (3) a programme of training be carried out for overview and scrutiny committee chairs, committee members, the Democratic Services team and Senior Management Team;
- (4) the scrutiny area of the Council website be improved to encourage better public engagement;
- (5) training opportunities be shared with Parish Councils through Warwickshire and West Midlands Association of Local Councils; and
- (6) the Council's Constitution be amended accordingly.

**1. INTRODUCTION**

The Support Officer carried out a review of the current arrangements of the Council's overview and scrutiny function with a view to implementing procedural improvements, increasing effectiveness, reviewing developments and assessing ongoing performance.

Following discussions at Leaders' Steering Group it was considered that the current structure of two scrutiny committees should be retained and consideration should be given to a revised programme of training for members, the Senior Management Team and the Democratic Services team.

## **2. CONSULTATION**

A Joint Overview and Scrutiny Committee meeting was held on 5 March 2019 when members of Brooke and Whittle considered a matrix outlining the key areas of review together with details of the current structure and working practices. It also outlined what appears to work well and contained both officer comments and suggestions with comments from the scrutiny committee chairs. A copy of the matrix is attached at Appendix 1.

The Joint Overview and Scrutiny Committee made a number of recommendations for consideration by Cabinet and full Council.



**Name of Meeting:** Cabinet  
**Date of Meeting:** 1 April 2019  
**Subject Matter:** Overview and Scrutiny Arrangements  
**Originating Department:** Executive Director

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
Committee structure and terms of reference	<p>Two committees called Brooke and Whittle that have no set remit.</p> <p>Number of meetings – each committee has five meetings and two joint committee meetings – total of 12 meetings per annum.</p> <p>Membership – each committee has nine members and attendance at meetings is very good.</p> <p>The committee meetings and two joint committee meetings are scheduled as part of the Calendar of Meetings agreed by Council on an annual basis.</p> <p>Task group reviews are scheduled into an overview and scrutiny work programme by the committee chairs.</p>	<p>There is some flexibility in not having set remits to allow items to be considered by the next available committee so topics are dealt with in a timely fashion. However, there is an informal arrangement in place linked to the portfolio areas.</p> <p>Holding joint committee meetings works and gives the opportunity to involve all scrutiny committee members in wider topics of general interest.</p> <p>Sub-committees are not governed by the Constitution.</p>	<p>Committees should have a set remit but retain the flexibility to consider items by the next available meeting of either committee. This would ensure items such as NOM's could be considered in a timely fashion and would allow scrutiny to be reactive in dealing with local issues.</p> <p>The committees could be formally aligned to portfolios and perhaps be re-named to better reflect the portfolio areas of responsibility.</p> <p>Consider having one scrutiny committee with more members with task groups set up to carry out specific pieces of work.</p> <p>If committees wish to set up a sub-committee this should be clearly outlined in the</p>	<p>NOM's referred to a scrutiny committee should be considered in time for a response to be made to the next meeting of Council on the outcome or how the NOM will be dealt with. A NOM could form part of the evidence base for a similar review topic already in the work programme.</p> <p>Not sure this is necessary. There would need to be a balance of workload and ensure that the committees do not fall into focusing only on internal or external matters.</p> <p>There would be too much work for one committee. A large committee would become unmanageable and members may feel restricted in the time allotted for questions and feel dissatisfied in their scrutiny role. This could</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
	<p>When time constrained, occasionally a committee will set up a sub-committee.</p> <p>Light touch reviews carried out by a committee or sub-committee are a useful way of reducing the need for a formal task group.</p>		<p>Constitution. In practice these are often task groups not sub-committees of the parent committee.</p>	<p>affect the length of meetings and make it difficult to fit the topics for discussion within a two-hour time slot. It was felt the current number of meetings scheduled in the Calendar of Meetings was appropriate.</p> <p>A single committee would mean a return to the overly prescriptive heavily process driven style of an overarching management board would reduce the level of flexibility.</p> <p>The support of technical officers is required, and external and objective research carried out by DSO's would be welcome.</p>
<p>Independent advice and support</p>	<p>The two Democratic Services Officers (DSOs) work within the current protocol. They act as facilitators. Senior managers and Heads of Services are responsible for attending committee</p>	<p>The direct involvement of technical officers is necessary.</p>	<p>The DSOs feel that this approach is rather resource heavy for other council departments and officers. The DSOs could do more to support the process and they have access to the</p>	<p>Agreed.</p> <p>DSO's should guide task group chairs and ensure they remain within the remit of the one-page strategy and set short, medium and long-term</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
	<p>meetings, producing reports, supporting scrutiny reviews and producing scrutiny review reports.</p>		<p>research information, reports and minutes. DSOs to draft scrutiny review reports and take a stronger lead on directing task groups at meetings.</p> <p>Past experience suggests that the member-led approach is not working as well as it could and stronger guidance is needed to maintain the focus of the review.</p> <p>The DSOs to be proactive and liaise between the scrutiny committee chairs and the senior officers on issues arising and save officer time.</p> <p>A better working relationship is needed between scrutiny and Cabinet and DSOs could lead on this and keep Portfolio Holders briefed on review work and outcomes. This would maintain the relationship between scrutiny and the Executive</p>	<p>recommendations. Giving portfolio holders and Cabinet clear priority order was necessary.</p> <p>Issuing good practice guidance to task group chairs alongside the one-page strategy would be helpful.</p> <p>The joint chairs meeting with SMT has been productive and has helped to agree the forward work programme.</p> <p>Working with portfolio holders as reviews progress allows for a better understanding of the recommendations.</p> <p>Overview and scrutiny is not a Cabinet working party but reserves the right to be a critical friend and highlight where performance or outcomes fail to meet acceptable standards or does not deliver the corporate</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
			and support more favourable review work outcomes.	objectives in a timely manner.
Questioning the Executive and pre-decision scrutiny	<p>Two joint committees are held when members question the portfolio holders and the Leader and Executive Director on performance.</p> <p>Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed).</p>	<p>Not particularly effective. Few members submit questions in advance of the meetings. There is little pre-decision scrutiny.</p>	<p>This should be a mechanism for challenge to monitor decision making, tackle poor service provision and ensure value for money is delivered.</p> <p>The Forward Plan should be a standing item on committee work programmes. Scrutiny would be more effective if reports could be submitted to committees in advance of decisions being made by Cabinet. Scrutiny committees should be seen as a mechanism for improving services and be engaged at an early stage in the decision-making process.</p>	<p>The current format of the Forward Plan is limited in scope and if improved this would be more worthwhile. Each scrutiny committee agenda includes a standing item on the work programme which consists of a rolling annual programme.</p> <p>Sufficient time would need to be factored into both the workload and reporting processes.</p> <p>Through SMT, portfolio holders could make suggestions where scrutiny would be welcome or appropriate.</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
				<p>Overview and scrutiny is at a disadvantage because of poor data collection. The level of detail available on RPMS is inadequate which makes challenge more difficult.</p> <p>There is little done across all council departments to measure customer satisfaction or report on survey outcomes – other than through overview and scrutiny.</p>
<p>Skills of scrutiny chairs and members and preparing for meetings</p>	<p>There is no specific scrutiny related training scheduled and a lack of appetite from members for this. Committees do not hold pre-meetings.</p> <p>The chair's agenda meeting is an opportunity for the chair and vice-chair to read draft reports and guide and prepare officers on what is required by the committee.</p>		<p>To support the effectiveness of committees it is important that members are prepared for meetings.</p> <p>Training could include:  Questioning skills/asking relevant questions.  Listening skills.  Chairing skills – the role of the chair should make sure the committee works as a team, understands the issues being discussed and reaches a consensus. The</p>	<p>A LG peer review would allow members to be part and parcel of leading improvement and would be preferable to holding static teaching style training.</p> <p>Pre-meetings before committee meetings with officers would be overkill but might be appropriate when dealing with external bodies or partners that we fund, in full or part, to help shape questions.</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
			<p>chair should lead and direct the discussion and manage disagreement.</p> <p>Holding committee pre-meetings would give members the opportunity to prepare questions in advance, particularly when external witnesses have been invited to attend. Committee vice-chairs should be more involved in the agenda preparation process.</p> <p>Committee chairs should be impartial. Topics of personal interest to the Chair should be scrutinised by the other committee. For example, a NOM raised by a committee chair or committee member should not be considered by their own committee.</p>	<p>Agree.</p> <p>Agree. Vice-chairs rarely attend pre-meetings with SMT and rarely contribute.</p> <p>Agreed, process instigated by current chairs.</p>
Work Programme and Review Topics	The topics for review are selected following an annual workshop held in March. Following this a meeting is held with the committee chairs, Executive Director	The early involvement of the Executive Director and Heads of Service is very useful for planning the forward work programme and eliminate topics due	It is suggested that committee members have a greater say in agreeing committee work programmes rather than relying on the chair.	Committee members have an opportunity to comment on the work programme at each meeting.

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
	<p>and Heads of Service to agree which topics are selected for review during the new municipal year.</p> <p>Approximately five planning meetings are held with the committee chairs and vice-chairs to agree the work programmes for each committee and schedule in the scrutiny review topics. The work programme is prepared on a rolling basis. Currently, committee members are given the opportunity to comment on the work programme at each meeting and make suggestions for review topics.</p>	<p>to resource issues or duplication of work by individual departments.</p> <p>The annual workshop is not well attended.</p>	<p>The approach taken to gathering suggestions for review topics should be reviewed. Wider social media coverage is needed. Note – changes are already being put in place for the 2019/20 municipal year based on greater communication through social media and public listening post events.</p> <p>There are examples in other authorities that review suggestions are welcomed on an ongoing basis and these are put to committees or members for consideration as and when they are received. This allows scrutiny to be more reactive in there is an urgent issue, or topics could be added to the following year's work programme.</p>	<p>Do not disagree.</p>
Committee reports	The committee chairs are responsible for ensuring officers are aware of the content required in reports.	The experience of each committee varies. There are instances where the chair's meeting could be more useful for officers.	Have clearly defined objectives - reports should be clear and detailed and officers should be clear on what the committee is being	Report content is provided by heads of service or technical officers.



Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
		<p>This is possibly due to lack of training in chairing skills.</p>	<p>asked to do. This would allow for clear outcomes.</p> <p>Chairs should be effective in managing the agenda.</p> <p>Officers should be briefed in advance on what content is required for their reports, which needs to be evidenced. At the committee meeting officers should give short presentations on key information to allow more time for analysis and questioning.</p> <p>See separate comments regarding training.</p>	<p>Most reports do not include recommendations.</p> <p>Recommendations are usually arrived at by consensus with the committee in consultation with the lead officer. It is rare that reports are unsatisfactory. The chair's pre-meeting ensures viable documents.</p>
<p>Engagement and involvement of the public in scrutiny</p>	<p>All committee meetings are held in public.</p> <p>The annual Overview and Scrutiny Workshop is publicised and members of the public are invited to submit review topic suggestions and/or attend the workshop.</p> <p>Members take part in 'Listening Post' exercises during the year.</p>		<p>More could be done to engage with the public.</p> <p>There is a current task group review which may result in recommendations for this.</p>	

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
Progress and overview of reviews	Committees receive reports on task group action plans from information obtained on RPMS.	<p>Not working well. Few actions are being uploaded onto RPMS and this does not provide committees with any feedback on progress of reviews.</p> <p>Reports giving the committee an update on progress are sometimes included in committee work programmes but little work on the outcomes of the implementations of the review recommendations takes place.</p>	DSO's could become more involved in preparing review action plans and monitoring the implementation of actions.	<p>Agree.</p> <p>Performance management was currently a council-wide issue.</p>
Scrutiny reviews	<p>Reviews are scheduled into the forward work programme by committee chairs (not aligned to portfolios).</p> <p>The links to corporate priorities is usually discussed at a joint meeting with SMT prior to the review topics and work programme for the forthcoming year being finalised.</p>	Review topics are selected on the basis that they need to add value and concentrate on issues that the council can have an influence on.	<p>See above. Engagement with portfolio holders at an early stage would be of benefit to review outcomes.</p> <p>It is important that review topics are linked to corporate priorities. Re-enforcing the selection criteria would help ensure the right topics were selected for review and</p>	<p>Scrutiny chairs and portfolio holders are all very busy so adding another layer of meetings would need to be effective to be worthwhile.</p> <p>Happy to refine again.</p> <p>It is important that review topics are linked to corporate priorities.</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
	<p>A one -page strategy is agreed by the parent committee prior to task group membership being sought.</p> <p>The parent committee monitors progress of reviews and agrees the draft findings and recommendations prior to the submission of the final report to Cabinet/Council</p>		<p>worthwhile scrutiny took place.</p>	
Officer support	<p>DSO's contact relevant officers requesting reports.</p>	<p>Needs improvement</p>	<p>Communication and support from managers and senior officers could be improved.</p> <p>DSO's are working towards a more open working relationship with managers.</p>	<p>Training in overview and scrutiny for all tiers of officers is key to this.</p>
Role of DSOs			<p>Role to include:</p> <p>Prepare draft annual scrutiny report.</p> <p>Having a good working relationship with committee chairs and senior officers.</p> <p>Prepare draft committee reports as required.</p> <p>Write draft review reports.</p> <p>Draft action plans following review recommendations being endorsed by Cabinet</p>	<p>A new organisation plan setting out who does what would assist scrutiny chairs in ensuring the right officers were engaging in overview and scrutiny.</p>

Area of Review	Current Structure and Working Practices	What works well?	Officers Suggestions or Comments	Comments from Scrutiny Committee Chairs
			<p>and ensure these are uploaded onto RPMS. Maintain an overview of progress of review action plans and report to committees.</p> <p>Arrange and attend pre-meetings with officers to discuss the scoping of reviews.</p> <p>Assist with the scoping of reviews.</p> <p>Take a more active role at task groups meetings.</p> <p>Carry out research into topics under scrutiny.</p>	

## Agenda No 6

### AGENDA MANAGEMENT SHEET

<b>Report Title:</b>	Light-touch Review of Parking at the Queen's Diamond Jubilee Centre
<b>Name of Committee:</b>	Cabinet
<b>Date of Meeting:</b>	1 April 2019
<b>Report Director:</b>	Head of Environment and Public Realm
<b>Portfolio:</b>	Environment and Public Realm
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	A public consultation was carried out during the review including key stakeholder; GLL, Rugby Thornfield Indoor Bowls Club, Rugby and Northampton Athletics Club and Rugby Sports for the Disabled Association
<b>Contact Officer:</b>	Dan Green, Head of Environment and Public Realm Tel: 01788 533850 or email: <a href="mailto:dan.green@rugby.gov.uk">dan.green@rugby.gov.uk</a>  Stephanie Chettle-Gibrat, Head of Growth and Investment Tel: 01788 533720 or email: <a href="mailto:stephanie.chettle-gibrat@rugby.gov.uk">stephanie.chettle-gibrat@rugby.gov.uk</a>
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	Yes
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies):
<b>(CR) Corporate Resources</b>	<input type="checkbox"/> To provide excellent, value for money services and sustainable growth
<b>(CH) Communities and Homes</b>	<input type="checkbox"/> Achieve financial self-sufficiency by 2020
<b>(EPR) Environment and Public Realm</b>	<input type="checkbox"/> Enable our residents to live healthy, independent lives
<b>(GI) Growth and Investment</b>	<input type="checkbox"/> Optimise income and identify new revenue opportunities (CR)
	<input type="checkbox"/> Prioritise use of resources to meet changing customer needs and demands (CR)
	<input type="checkbox"/> Ensure that the council works efficiently and effectively (CR)

- Ensure residents have a home that works for them and is affordable (CH)
- Deliver digitally-enabled services that residents can access (CH)
- Understand our communities and enable people to take an active part in them (CH)
- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

**Statutory/Policy Background:**

**Summary:**

A review on the theme of parking at the Queen's Diamond Jubilee Centre was included in the overview and scrutiny work programme for 2018/19.

**Financial Implications:**

There could be some financial implications arising from the recommendations.

**Risk Management Implications:**

There are no risk management implications arising from this report.

**Environmental Implications:**

There are no environmental implications arising from this report.

**Legal Implications:**

There are legal aspects to consider regarding the existing contract with GLL and a legal process would be followed for changes to parking restrictions or lease arrangements.

**Equality and Diversity:**

A mix of parking for all users, to include people with a disability and parents with children would be beneficial to the community.

**Options:**

1. To approve the short-term review recommendations as written.
2. To approve the short-term review recommendations with amendments.
3. To not approve the short-term review recommendations.

**Recommendation:**

- (1) The short-term recommendations arising from the review, as detailed in paragraph 3 of the report, be approved; and
- (2) the medium and long-term recommendations be brought to a future meeting of Cabinet.

**Reasons for Recommendation:**

The review recommendations are based on evidence gathered by Whittle Overview and Scrutiny Committee to improve the level of parking available at the Queen's Diamond Jubilee Centre.

**Cabinet - 1 April 2019**

**Light-touch Review of Parking at the Queen's Diamond Jubilee Centre**

**Public Report of the Whittle Overview and Scrutiny Committee**

**Recommendation**

- (1) The short-term recommendations arising from the review, as detailed in paragraph 3 of the report, be approved; and
- (2) the medium and long-term recommendations be brought to a future meeting of Cabinet.

**1. BACKGROUND**

At the annual overview and scrutiny work programme workshop a review on parking at the leisure centre was proposed.

There had been some car parking issues at the Queen's Diamond Jubilee Leisure Centre mainly relating to major events, the availability of parking for staff, and too many spaces for disabled people.

The scrutiny committee chairs agreed that the topic be included in the work programme for the current municipal year and it was allocated to Whittle Overview and Scrutiny Committee to be carried out as a light-touch review. A copy of the one-page strategy for the review is attached at Appendix 1.

**2. EVIDENCE**

The Committee held a site visit on 31 January 2019 and evidence was gathered from the public consultation and from key stakeholders. A special meeting was held on 31 January 2019 which was attended by stakeholders to consider the evidence gathered and to begin formulating recommendations.

The Committee identified that the main cause of parking issues was that non-leisure centre users were using up capacity and the following initial recommendations were proposed:

1. Further negotiations between Heads of Service take place with GLL and other providers regarding utilising other land holdings.



2. The use of an ANPR (automatic number plate recognition) parking system would assist in increasing the turnover of parking spaces at the Queen's Diamond Jubilee Centre and other onsite venues.

### **3. RECOMMENDATIONS**

The Committee Chair met with the Head of Growth and Investment and the Head of Public Realm to discuss the initial review findings. Following this meeting a draft review report and proposed review recommendations were considered by the Committee on 11 March 2019.

Whittle Overview and Scrutiny Committee has almost completed its work on the review and proposed the following recommendations that can be carried out in the short-term:

- (1) relocate cycle racks to patio area to improve accessibility and security – in doing so create an additional two parking spaces;
- (2) improve markings, hatchings and signage to encourage more responsible parking;
- (3) encourage event organisers to prepare more effectively for, and take responsibility for, peak traffic, in liaison with GLL;
- (4) encourage modal shifts, such as increased walking and cycling to reduce burden on the car park;
- (5) enforce against inappropriate parking in line with parking order;
- (6) write to external organisations such as the Hospital of St Cross and Lawrence Sheriff School to request that they direct their service users to other parking areas;
- (7) GLL to look at times of peak activity (such as swimming lessons) and smooth those peaks throughout the day/ week; and
- (8) make the emergency drop off area clear, for example by using hatchings/ signage.

The Committee on 15 July 2019 will consider the medium and long-term recommendations that will include a more detailed review on the use of ANPR technology as a car park management and enforcement system. These recommendations will be presented to a future meeting of Cabinet.

The chair of Whittle Overview and Scrutiny Committee, Councillor Neil Sandison, will present the report.

**Name of Meeting:** Cabinet

**Date of Meeting:** 1 April 2019

**Subject Matter:** Light-touch Review of Parking at the Queen's Diamond Jubilee Centre

**Originating Department:** Environment and Public Realm

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

## **PARKING AT THE QUEEN'S DIAMOND JUBILEE LEISURE CENTRE REVIEW**

### **LIGHT-TOUCH REVIEW ONE-PAGE STRATEGY**

#### **The broad topic area?**

To review the availability of parking for users and visitors to the leisure centre and consider whether additional parking spaces or the re-designation of the current spaces is required.

#### **What is the specific topic area?**

To review the availability and mix of parking available.

#### **What should be considered?**

The current position and whether there is a lack of capacity.

Are there enough provision of family friendly spaces?

Is the land abutting the bowling club available as relief parking?

Is there any other land that could be utilised or re-designated as parking?

Could some form of parking scheme be introduced?

#### **Who shall we consult?**

GLL

Legal Services

Regulatory Services

Community Sports and Recreation

Parks Department

Corporate Property

Rugby Thornfield Indoor Bowls Club

Rugby and Northampton Athletics Club

#### **How long should it take?**

The review could be undertaken as a light-touch review.

#### **What will be the outcome?**

Recommendations, actions or initiatives to improve the amount and mix of parking available for all users of the leisure centre.

**AGENDA MANAGEMENT SHEET**

**Report Title:** Response to Technical Consultations on local authorities relative needs and resources and Business Rates Retention Reform.

**Name of Committee:** Cabinet

**Date of Meeting:** 1 April 2019

**Report Director:** Head of Corporate Resources and CFO

**Portfolio:** Corporate Resources

**Ward Relevance:** N/A

**Prior Consultation:** There have been previous consultation papers as reported to Cabinet 9 April 2018, 5 June 2017 and 31 October 2016.

**Contact Officer:** Mannie Ketley - Head of Corporate Resources & Chief Financial Officer

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** Yes

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

**(CR) Corporate Resources**  To provide excellent, value for money services and sustainable growth

**(CH) Communities and Homes**  Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public Realm**  Enable our residents to live healthy, independent lives

**(GI) Growth and Investment**  Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

**Statutory/Policy Background:** The consultation papers work in conjunction to seek views on reforms to the local government finance system to be introduced in 2020. Previously the system has not been updated since the 2013/14 local government finance settlement.

**Summary:** The Government is working towards delivering local government finance reforms as part of the 2020/21 local government finance settlement. The focus of the consultation papers are:

1. To seek views on the approach to measuring the relative needs and resources of local authorities.
2. To seek views on options for the reform of elements of the business rates retention system from 2020/21 onwards.

**Financial Implications:** As detailed in the consultation response at Appendices 1 and 2.

**Risk Management Implications:** There are no risk management implications arising from this report

**Environmental Implications:** There are no environmental implications arising from this report.

**Legal Implications:** There are no legal implications arising from this report.

**Equality and Diversity:** There are no Equality and Diversity implications arising from this report

**Options:**

**Recommendation:** The response to the Government's consultation papers be noted.

**Reasons for Recommendation:** To inform Cabinet of the Council's response to the Technical Consultations which were submitted on 21 February 2019.

**Cabinet - 1 April 2019**

**Response to Technical Consultations on local authorities relative needs and resources and Business Rates Retention Reform**

**Public Report of the Head of Corporate Resources and CFO**

**Recommendation**

The response to the two Government Technical consultations be noted.

**Introduction**

The Government is working towards implementing reforms to the local government finance system in 2020/21. This will consolidate the following:

- the fair funding review;
- increased business rates retention;
- a full business rates baseline reset and;
- the 2019 Spending Review

The Government is working closely with local authorities and their representatives on the local government reforms through a stage of formal consultations.

Based on the content of the Government consultations to date, the Council, with the assistance of expert funding advisors, have undertaken modelling to assess the impact that funding reform may have on the Council's finances. The potential outcomes were reported to Cabinet throughout the budget setting process.

The latest set of consultations are:

1. A review of local authorities' needs and resources - Technical consultation on the assessment of local authorities' needs, relative resources and transitional arrangements.
  - This consultation seeks views on the approach to measuring the relative needs and resources of local authorities, with the aim of determining new baseline funding allocations for local authorities in 2020-21.
2. Business Rates Retention Reform - Sharing risk and reward, managing volatility and setting up the reformed system
  - This consultation seeks views on options for the reform of elements of the business rates retention system from 2020-21 onwards.

## **A review of local authorities' relative needs and resources**

Funding baselines for local authorities, as determined by the local government finance settlement, are based on an assessment of local authorities' relative needs and resources. The methodology behind this assessment was introduced over ten years ago and has not been updated since the introduction of the 50% business rates retention system in 2013/14.

Whilst this approach has ensured that councils which have grown their business rates since this time have benefited from the additional income generated, it also means that councils' underlying levels of 'need' have not been updated since the 2013-14 settlement. In addition, a desire to fully capture every aspect of local authorities' needs has led to increasingly large numbers of variables being included in the formulas, many of which had a relatively minimal impact on the overall distribution of funding.

In order to address concerns that the current formula is unfair, out of date and overly complex, the Government is carrying out a review of local authorities' relative needs and resources (the 'review') to develop a more robust and up-to-date approach to distributing funding across all councils.

The previous consultation: *Fair funding review: a review of relative needs and resources*, published in December 2017 was an opportunity for local authorities to respond on the important factors which drive costs for the services they deliver on a day-to-day basis. The Council's response was reported to Cabinet 5<sup>th</sup> April 2018.

This consultation paper marks the next step in developing a new distribution methodology. This paper sets out the progress made so far, potential approaches that have been identified to measuring the relative resources of authorities and proposes a set of principles to guide the future development of transitional arrangements.

The technical consultation: *A review of local authorities' relative needs and resources* can be viewed using the following link:

<https://www.gov.uk/government/consultations/review-of-local-authorities-relative-needs-and-resources>

The consultation response at Appendix 1 was compiled by Financial Services with reference to the Rural Services Network response and LG Futures Fair Funding Review Support provided to the Society of District Council Treasurers.



## Business Rates Retention Reform Consultation

Alongside the needs and resources consultation, the Government has published a consultation on business rates retention reform.

There have been two previous consultations on greater business rates retention and the design of the system:

1. *Self-sufficient local government: 100% Business Rates Retention*, published in July 2016. The Council's response was reported to Cabinet 31 October 2016.
2. *100% Business Rates Retention, Further consultation on the design of the reformed system*, published in February 2017. The Council's response was reported to Cabinet 5 June 2017.

This consultation is the next step and responses will help shape proposals across all aspects of how the reformed system is designed and implemented.

In our response, we continue to back these key messages:

- The Council has had to take a pro-active approach to respond to a £2.9m reduction in central government funding over the last 6 years and continues to adapt and alter its operations to meet its self-sufficiency objective by 2020 through the Medium-Term Financial Plan and Financial Strategy.
- The financial dependence this Council has, along with many if not all authorities have on the income retained from business rates to support the cost of service delivery.
- Strong incentives must be in place throughout the system to encourage authorities to continue to take positive steps to develop their local economies.
- Any volatility brought about by partial or full resets will have a detrimental impact on the Council's financial position.

After this consultation, the Government will continue to work with the Sector and aims to publish a further consultation in Summer/Autumn 2019, on the proposed reform of the system including details of implementation and transition. Decisions will be taken, following this consultation, outlining the reforms to be implemented in 2020/21.

The consultation: Business Rates Retention Reform: *Sharing risk and reward, managing volatility and setting up the reformed system* can be viewed using the following link:

<https://www.gov.uk/government/consultations/business-rates-retention-reform>

The consultation response at Appendix 2 was compiled by Financial Services with reference to the Rural Services Network and the Society of District Council Treasurers response.

**Name of Meeting:** Cabinet

**Date of Meeting:** 1 April 2019

**Subject Matter:** Response to Technical Consultations on local authorities relative needs and resources and Business Rates Retention Reform

**Originating Department:** Corporate Resources

**DO ANY BACKGROUND PAPERS APPLY**  **YES**  **NO**

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>
	Cabinet 31 October 2016 – Business Rates Reform Consultation Response
	Cabinet 5 June 2017 – 100% Business Rates Consultation Response
	Cabinet 9 April 2018 – Response to Technical Consultation on the approach to measuring the relative needs of local authorities

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

# A review of local authorities' relative needs and resources

## Technical consultation on the assessment of local authorities' relative needs, relative resources and transitional arrangements

District councils have a proven track record of building better lives and stronger economies in the areas that they serve. Districts protect and enhance quality of life by safeguarding our environment, promoting public health and leisure, whilst creating attractive places to live, raise families and build a stronger economy. By tackling homelessness and promoting wellbeing, district councils ensure no one gets left behind by addressing the complex needs of today whilst attempting to prevent the social problems of tomorrow.

Whilst we recognise that the ever increasing pressures seen within Adults and Children's social care and many County Councils are struggling financially, it is crucial that the system is not further destabilised by more reductions in funding to District Councils that would undermine their ability to do work on prevention that saves money for both social care and the NHS. Now is actually the time to give Districts more financial flexibilities that will help them to deliver on their prevention role.

It is imperative that any new funding formula looks to provide funding which addresses existing demands and is future proof for anticipated changes ahead. Rugby is a fast growing area on all levels and has been for the last five years. There has been significant growth in the local economy, transport links and housing which is expected to continue at similar rates to 2018/19, therefore it is vital that the most up to date information, data and projections are included in any funding baselines.

It is very disappointing that there appears to be little progress made over the last 12 months in the delivery of a funding formula that is tangible and meaningful for constructive feedback to be given.

For example, there are still some very large gaps in what we know about the outcome of the FFR, particularly in respect of the Adult's and Children's social care formulae. Between them these two formulae will distribute about half of the "needs" assessment. We know that they will be based on multi-level – or small-area – statistical analysis, but we have no idea of the outcome of this research and we are unlikely to know until the late Summer 2019. Therefore, this makes it really challenging to feedback on the overall impact of the review on Rugby Borough Council.

**Question 1): Do you have views at this stage, or evidence not previously shared with us, relating to the proposed structure of the relative needs assessment set out in this section?**

### **Specific Need**

Our concern is that MHCLG used statistical analysis, at an aggregate level, to determine the indicators and service specific formulae to be included in the Foundation Formula. However, we don't feel this addresses an authority's specific needs and requirements within smaller or lower tier authorities and the impact is likely to be significant.

For example, on the basis that homelessness on average represents a relatively small proportion of net expenditure (less than 5%) for the majority of councils, the Government is minded to account for homelessness within the Foundation Formula.

However, the Government has dismissed there is a rising demand for homelessness services. This year it is forecast that homelessness will account for **7%** of Rugby Borough Council's total net expenditure. This is an increase of 5% over the last 5 years.

The growing demand is demonstrated in the graph below. Over the last 5 years, Rugby Borough Council has seen a **183%** increase in homeless applications. Consequently the 'net' cost of homeless services has risen by nearly **250%** over the last 5 years.



The Council has been challenged to meet its statutory duties in providing temporary accommodation to meet this demand. This is further compounded as the supply of available social housing is at its lowest point since the Second World War.

The high demand for accommodation means that private sector providers are increasing their rents. Their rents are higher than the Local Housing Allowance (LHA) rate and do not attract full Housing Benefit / Universal Credit subsidy. Consequently, the Council must bear the additional costs.

The funding allocated to deal with rising homelessness is insufficient. We support the DCN who call for additional central government resources to address the issue of homelessness, outside of the funding formulae.

## **Other Specific Individual Relative Needs Formulas**

As some of the information and data is unavailable for both the Children and Young Peoples Services and Adults Social Care until later in 2019. There would need to be further opportunities to make an assessment of any exemplifications and technical papers to enable district councils to understand and comment on any potential impact to future funding.

### **Population**

We have our concerns over the use of ONS population data. The latest published data is based on 2016 projections and our concern is this will not capture any accelerated trend post 2016.

We are a pro-growth authority and we forecast an additional 900 properties per annum over the next 10 years in our local plan. We are of the view that authorities that have taken a proactive approach to generate growth in their local economies should be sufficiently rewarded. In addition, there needs to be some recognition for the cost of growth e.g. infrastructure, waste services and street cleansing.

Example – Additional Housing Growth:

900 new properties x Average Band D £189.72 = £170,748 additional council tax p.a.

This additional income will only just pay for one additional waste collection round for the 900 new households in the Borough Area. It leaves nothing else to support the increased demand placed by the growth in housing numbers on all our other services.

In this case, we would want to see the inclusion of a higher fixed costs element in the lower tier Foundation Formula.

### **Fixed Costs**

Analysis of the current formula shows that 99% of Districts will lose out from the removal of the fixed costs element. Removing fixed costs would therefore be unjustly unfair on District Councils as a whole and would particularly discriminate against councils with smaller populations who are still expected to provide the same level of support for democratic services and elections.

Removing the fixed amount per local authority would reduce shire districts assessed needs by an average of 1.2%. We view this as a significant finding and this is a true reflection of the impact on Rugby.

We endorse the District Council Network's response to fixed costs.

We also endorse the Society of District Council Treasurers response to fixed costs.

## **Prevention**

We endorse the District Council Network's response on prevention.

We also endorse the Society of District Council Treasurers response on prevention.

### **Question 2): What are your views on the best approach to a Fire and Rescue Services funding formula and why?**

We would want to be consulted on any new approach to understand if there is an indirect impact on funding for shire districts.

### **Question 3): What are your views on the best approach to Home to School Transport and Concessionary Travel?**

We would want to be consulted on any new approach to understand if there is an indirect impact on funding for shire districts.

### **Question 4): What are your views on the proposed approach to the Area Cost Adjustment?**

We support the proposed approach to the Area Cost Adjustment which gives greater granularity through being applied at a district level and takes account of costs arriving through longer journey times in both urban and rural areas as well as recognising the additional cost pressures of those districts with high rateable values and labour costs.

There would need to be further consultation and consideration on how we future proof the impact of national changes to infrastructure in the surrounding area, which could impact on assessment of journey times, density, sparsity.

We endorse the District Council Network's response to this question.

We also endorse the Society of District Council Treasurers response to this question.

### **Question 5): Do you agree that the Government should continue to take account of non-discretionary council tax discounts and exemptions (e.g. single person discount and student exemptions) and the income forgone due to the pensioner-age element of local council tax support, in the measure of the council tax base? If so, how should we do this?**

We agree. Councils should not bear the costs of national Government policy decisions. We propose the use of council tax base statistics returns to enable the calculation to be made.

**Question 6): Do you agree that an assumptions-based approach to measuring the impact of discretionary discounts and exemptions should be made when measuring the council tax base? If so, how should we do this?**

The starting point must be that no discretionary discounts or premiums (with the exception of local council tax support for working age claimants) should be adjusted for, with councils bearing the full cost or receiving the full income from the use of these powers.

The approach adopted should not penalise authorities who have applied the flexibilities allowed with for example the empty homes discount/premium or second homes discount.

**Question 7): Do you agree that the Government should take account of the income forgone due to local council tax support for working age people? What are your views on how this should be determined?**

We agree.

We endorse the District Council Network's response to this question.

We also endorse the Society of District Council Treasurers response to this question.

**Question 8): Do you agree that the Government should take a notional approach to council tax levels in the resources adjustment? What are your views on how this should be determined?**

A notional approach is the preferred option for RBC based on the approach offered. However, there needs to be some consideration in the frequency of this adjustment to resources. The assessment and frequency needs to be in line with any assessment and frequency in the Foundation formula.

Annual increases in council tax levels are subject to referenda limits, meaning many shire districts could not increase their tax levels to the national average even if they wanted to. If notional tax rates were used in the funding formula, we suggest this is grounds for referenda limits to be relaxed further for authorities with below-average tax rates (e.g. increase the £5 limit to £10).

**Question 9): What are your views on how the Government should determine the measure of council tax collection rate in the resources adjustment?**

We strongly support the use of a national average collection rate which is fair to all Councils. There would be a clear perverse incentive in using actual collection rates as this would reduce resources for high performing councils. Districts are, on average, the most efficient authorities at collecting Council Tax. In 2017/18, the average collection rate for shire districts was 97.9%, compared to 96.3% for all other billing authorities. Therefore, their efficiency in collecting Council Tax should not be penalised through a perverse incentive.

**Question 10): Do you have views on how the Government should determine the allocation of council tax between each tier and/or fire and rescue authorities in multi-tier areas?**

Our view is that there should be an average approach for simplicity

**Question 11): Do you agree that the Government should apply a single measure of council tax resource fixed over the period between resets for the purposes of a resources adjustment in multi-year settlement funding allocations?**

Yes we agree. Local authorities who build more houses and grow their tax base over time should be able to retain that growth in their tax base and this should be locked in as per the approach taken on data used for the Foundation formula.

**Question 12): Do you agree that surplus sales, fees and charges should not be taken into account when assessing local authorities' relative resources adjustment?**

Yes, we agree. Authorities who have taken a proactive approach to generate growth in the local economies should be sufficiently rewarded. The surplus income from sales, fees and charges will go some way to pay for the increased demand on our services. Especially as the additional council tax generated only just covers the cost of the waste collection for the additional number of households.

Taking wider income could also act as a disincentive for Councils to expand their income at a time of reduced funding, which is a perverse result. It would be contrary to the government's approach of encouraging councils to generate more income through being more commercial.

**Question 13): If the Government was minded to do so, do you have a view on the basis on which surplus parking income should be taken into account?**

We do not support taking surplus parking income into account. There is again a risk of creating a disincentive for Councils to expand their income at a time of reduced funding. Moreover, we do not believe there is sufficient data available to assess councils' capacity to generate such income and to assess to what extent such income is a result of policy decisions, making reliable and objective assessments difficult.

**Question 14): Do you agree with the proposed transition principles, and should any others be considered by the Government in designing of transitional arrangements?**

These are high-level principles and uncontroversial. Without knowing how local authorities' funding will change in 2020/21, it is not possible to recommend a specific response; for example, whether an authority would be better off with a faster or slower transition.



There needs to be some clarity over the levels at which the transitional arrangements will be triggered with some working examples to enable further comments and feedback to be given.

In addition, we consider that the level of funding changes means that there is now an even stronger case for the removal of the current referendum limits for all councils, so that they can manage more of the financial impact themselves.

**Question 15): Do you have views on how the baseline should be constructed for the purposes of transition?**

The transition should be based on actual ongoing funding levels. We therefore propose that the baseline must include income from business rates, with growth up to and including 2019/20, and from New Homes Bonus in 2019/20. The baseline should not include any adjustment for Negative Revenue Support Grant which should be treated as zero, since government has accepted that negative RSG was unfair and it has had to be eliminated, so it does not come with actual funding levels.

There needs to be some clarity on the maximum level of funding reduction that will be experienced by local authorities following the introduction of these changes.

**Question 16): Do you have any comments at this stage on the potential impact of the proposals outlined in this consultation document on persons who share a protected characteristic? Please provide evidence to support your comments.**

No comments

### Business Rates Retention Reform

#### Sharing risk and reward, managing volatility and setting up the reformed system

##### Introduction

This is Rugby Borough Council's response to the technical consultation paper, within which the Council has set out our own views on the proposals and further to this has also endorsed the response from the District Council Network (DCN) or the Society of District Council Treasurers (SDCT) where relevant.

The purpose of business rates retention is to create an incentive for authorities to promote economic growth. Rugby Borough Council is a pro-growth authority and therefore is of the view that authorities that have taken a proactive approach to generate growth in their local economies should be sufficiently rewarded. Moreover, strong incentives to generate economic growth must be in place throughout the system to encourage authorities to continue to take positive steps to develop their local economies.

However, whilst there are many benefits brought about through economic growth it is without doubt important to recognise the financial dependence this Council has, along with many if not all authorities have on the income retained from business rates to support the cost of service delivery, any volatility brought about by partial or full resets will have a detrimental impact on the Council's financial position.

Members of this Council have chosen to support the national government policy over previous years to freeze council tax, all at a cost to the Council; which by the time any reset takes place will be around £1m of foregone income per annum. It is important therefore to bear in mind the decisions Councils such as Rugby have made over the years to keep service delivery costs to a minimum, protect public services, invest in economic growth, all of which have factored in the reliance placed on retained business rate income.

Despite a period of national austerity, the Council has remained resilient in its financial management and the most significant contributor to the Council's financial success during this period has been its "going for growth" agenda. It has been well publicised that Rugby is one of the fastest growing towns in the Country and the fastest in the West Midlands and the Council takes a pro-growth approach to delivery of all services. It is a corporate priority to create an environment that enables investment and business growth. To this end the following is an example of the services and activities delivered by the Council:

- An Economic Investment service that acts as liaison for businesses and investors in the Borough and a route into wider public sector services.
- Active partnerships with the West Midlands Combined Authority, Warwickshire County Council, Coventry and Warwickshire LEP, Coventry and Warwickshire Growth Hub, Warwickshire College, the Chamber of Commerce and the Federation of Small Businesses to provide business support and advice services.

- A planning policy framework that promotes growth in the Borough beyond minimum requirements set out in national policy. The Council is currently at an advanced stage of production of a new Local Plan that will deliver growth significantly beyond the local needs of the Borough.
- A Development Management service that has been designed specifically to enable development and investment. The Council has a proud track record of delivering major investment in the form of nationally significant residential and commercial developments.
- A Licensing service that proactively guides and advises businesses on their regulatory requirements in order to remove barriers to business growth.
- A Town Centre and Tourism service that works with the local business community to ensure Rugby Town Centre is vital and vibrant.

Each of the above services have been developed with an ethos of growth and investment and are reliant on the realisation of the local benefits of economic growth, including retained business rates. A reduction in these benefits will force the Council to review and restrict these services in the future.

Furthermore, as a pro-growth organisation, the Council has benefited financially from growth incentives that have been built into the local government finance system over this period and this is reflected in a budgeted increase from Business Rates of **£2.7m** above baseline.

Whilst Councils have faced the challenges faced by austerity, Rugby Borough Council has continued to invest in the town centre and local growth agenda. Examples include a new leisure centre constructed in 2013 and a new Crematorium, providing a local facility for residents and also a new revenue stream for the Council.

In addition, the Council's pro-growth agenda has played a significant role in the success for the borough;

**Advanced Manufacturing:** Ansty Park is the home of the London Electric Vehicle Company's research, development and assembly site.

**Logistics:** Rugby Gateway is a prime site located at the heart of the Logistics 'Golden Triangle' and occupiers include Hermes, DHL and Amazon.

**Retail:** Elliott's Field Retail Park Phase 1 providing retail and catering was opened in December 2017 and has now been further extended to cater for the furniture and home market.

**Re-development:** Former Peugeot Site at Ryton has been developed into a £25million manufacturing and distribution hub, occupiers include Jaguar Land Rover and UK Mail.

Furthermore, the Council has demonstrated its commitment to develop and grow the town's heritage tourism and local economy by entering into a partnership with World Rugby that has seen a world class tourist attraction the World Rugby Hall of Fame located in Rugby, the birthplace of the sport.

The introduction of the retained business rates system in 2013/14 has been fundamental to shaping the Council's approach and policies to developing and facilitating economic growth in the borough, these investments have been underwritten on the assumption that a large part of the growth will be retained.

In addition, the Council has had to respond to a £2.9m cut in central government funding over the last 6 years. The Council is committed to self-sufficiency and will continue to adapt and alter its operations to meet this objective by 2020 through the Medium Term Financial Plan and Financial Strategy. With this in mind the Council has taken a pro-active approach to address the budget gaps in the Medium Term Financial Plan and has undertaken Voluntary Redundancies since 2016/17.

### **Question 1: Do you prefer a partial reset, a phased reset or a combination of the two?**

The Council welcomes the fact that MHCLG have ruled out full resets due to it creating a 'cliff edge' at the end of each reset period. It is therefore hugely disappointing that the Government intends to carry out a full reset of Business Rates Baselines in 2020/21.

We have doubts whether the Government clearly communicated that it intended to implement a full reset in 2020/21 prior to this consultation. The previous Further Consultation sought view on partial resets and full resets and 83% of respondents supported a partial reset.

The consultation paper makes a very strong argument about why there should not be a full baseline reset post 2020/21 (cliff edges, uncertainty, incentive effect). These are entirely relevant in 2020/21 as well. So why does the Government persist with a full baseline reset if a partial reset meets its objectives more effectively?

Business rates retention has incentivised the Council to promote economic growth and to benefit financially. Business Rates income represents **36%** of our budgeted core funding and is fundamental to RBC. Whilst we do not expect to be able to keep all our business rates growth at a reset, we believe that it reasonable to retain some.

The estimated impact of a full reset would mean RBC would lose **53%** of our Business Rates income and would therefore have a significant impact on the delivery of services moving forward.

The budget position is already challenging in 2020/21 due to:

- Changes to the funding formula
- Restricted ability to raise income from council tax
- Uncertainty over the future of New Homes Bonus
- Pay pressure due to inflation
- Increase in demand for services
- As a result of growth e.g. new waste round
- Homelessness and Housing pressures
- Demand for digitalisation and delivery of 24/7 services

RBC has chosen to support the national government policy over previous years to freeze council tax at a cost to the Council of £1m of foregone income per annum

Councils such as Rugby have made decisions to:

- keep service delivery costs to a minimum
- protect public services
- invest in economic growth

All of which have factored in the reliance placed on retained business rate income.

Such a dramatic cliff-edge reduction in our core funding would be catastrophic for the Council and will threaten the sustainability of key services.

***Our preference would be for a phased reset commencing in 2020/21.***

**Question 2: Please comment on why you think a partial/ phased reset is more desirable.**

We would prefer greater security and the avoidance of cliff edges when it comes to resets. The phased response approach appears to deliver this and therefore it is our preferred approach. The wider system needs to continue to incentivise business rates growth and to reflect the time it takes for investment to deliver economic benefits.

We endorse the Society of District Council Treasurers response to this question.

We endorse the District Council Network response to this question.

**Question 3: What is the optimal time period for your preferred reset type?**

Our preference is for a longer time period for phased resets which increases the incentive effect on Councils and our ability to drive further economic activity for the benefit of the whole sector. District Councils are engaged in long term economic development schemes that require greater certainty of funding. We would support phasing over no less than a 6 year period but if this could be extended to 12 or 15 years then this would be welcome, as it would more fully represent the borrowing periods and investment timescales for councils driving economic growth.

We endorse the District Council Network response to this question.

**Question 4: Do you have any comment on the proposed approach to the safety net?**

We would welcome the safety net being funded through a top slice as this will in effect be shared by all authorities and not just those that have achieved growth.

We also agree that other elements of the system should be set before deciding the level of the safety net.

At present, the 100% retention pilots have a safety net of 97% and we would want to be consulted on the evaluation of this.

**Question 5: Do you agree with this approach to the reform of the levy?**

Yes, we agree as it enables more Councils to keep more of the growth in their local areas, which improves incentive effects.

**Question 6: If so, what do you consider to be an appropriate level at which to classify growth as 'extraordinary'?**

It is difficult to come to a view on the levy threshold without knowing the time periods for resets. However, based on the options presented we would welcome a levy threshold of 250% as this would be closer aligned to removing the levy which was the Governments original intention.

**Question 7: What should the fall-back position be for the national tier split between counties and districts, should these authorities be unable to reach an agreement?**

We support the SDCT along with the DCN, who will be looking to agree a way forward on tier splits with CCN with a view to reaching a final position by May. However, we have identified two key principles that underpin our position on tier splits as follows:

1. No council should be worse off as a result of changes to tier splits
2. A national tier split should be seen as a fall back with a presumption of locally agreed tier splits.

**Question 8: Should a two-tier area be able to set their tier splits locally?**

We support local flexibility for lower and upper tiers to determine their own tier splits for their area, particularly when operating a coterminous pooled area such as Coventry & Warwickshire.

The Council is of the view that lower-tier planning authorities control the “levers of growth” within a two-tier area and therefore the splits should continue to be weighted in the favour of districts to reward them for their success in generating growth.

**Question 9: What fiscally neutral measures could be used to incentivise pooling within the reformed system?**

In addition to tier splits, we believe pools should have flexibility in:

- Setting a local business rates multiplier
- A 100% safety net
- Flexibility on capital receipts
- Be fast tracked to a 100% pilot

**Question 10: On applying the criteria outlined in Annex A, are there any hereditaments which you believe should be listed in the central list? Please identify these hereditaments by name and location.**

**Question 11: On applying the criteria outlined in Annex A, are there any listed in the central list which you believe should be listed in a local list? Please identify these hereditaments by name and location.**

We have a Network Rail hereditament in our Borough Area which is a warehouse facility to store materials for the railways. This building is on the central list with the exception of the office. The building is not in close proximity to any railway network.

In our opinion, this property is suitable for the local list.

Ref 2070339, Rail Network Infrastructure Ltd, DC2 Imperial Road, Ryton on Dunsmore. The office part of the assessment on the local list has an RV of £59,500.

**Question 12: Do you agree that the use of a proxy provides an appropriate mechanism to calculate the compensation due to local authorities to losses resulting from valuation change?**

The proxy that is suggested is reasonable, however if it did transpire that an authority identified a significant valuation error that was not backdated, there should be a mechanism to allow to amend their proxy.

We endorse the District Council Network response to this question.

**Question 13: Do you believe that the Government should implement the proposed reform to the administration of the business rates retention system?**

The proposed reform is currently untested and 2020/21 should be used to pilot this change with a range of local authorities.

**Question 14: What are your views on the approach to resetting Business Rates Baselines?**

We can see that the process for resetting baselines is not going to be easy and there is considerable scope for authorities receiving a new baseline with which they disagree. This further supports the argument for not having a full reset. Adjustments for appeals will be very difficult to manage and none of the options looks particularly attractive. Because of the uncertainty about the baseline reset, we would be interested in exploring either the alternative system or the potential to implement the phased reset.

This further supports the need for the alternative system to be piloted in 2020/21.

**Question 15: Do you have any comments at this stage on the potential impact of the proposals outlined in this consultation document on persons who share a protected characteristic? Please provide evidence to support your comments.**

No comment.



**AGENDA MANAGEMENT SHEET**

**Report Title:** Adoption of the International Holocaust Remembrance Alliance (IHRA) working Definition of Antisemitism

**Name of Committee:** Cabinet

**Date of Meeting:** 1 April 2019

**Report Director:** Head of Communities and Homes

**Portfolio:** Communities and Homes

**Ward Relevance:** All

**Prior Consultation:** Equality & Diversity Steering group

**Contact Officer:** Minakshee Patel, Corporate Equality & Diversity Advisor

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** Yes

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

**(CR) Corporate Resources**  To provide excellent, value for money services and sustainable growth

**(CH) Communities and Homes**  Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public Realm**  Enable our residents to live healthy, independent lives

**(GI) Growth and Investment**  Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

**Statutory/Policy Background:**

**Summary:**

**Financial Implications:** There are no financial implications to the Council as a result of adopting the IHRA definition.

**Risk Management Implications:** The recommendations in this report will have no adverse impact on the Council and its obligations under the Equality Act 2010 and the Public Sector Equality Duty.

**Environmental Implications:** N/A

**Legal Implications:** Adopting the IHRA definition of antisemitism will support the Council's obligations under the Equality Act 2010, and its responsibilities under the Public Sector Equality Duty, to demonstrate due regard and to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

**Equality and Diversity:** The Public Sector Equality Duty includes a responsibility on local authorities to foster good relations between people who share a protected characteristic and those who do not. Adopting the IHRA definition is unlikely to disproportionately disadvantage any protected characteristic and does not directly prevent the promotion of understanding between different groups.

**Options:**

No other option has been considered. Adopting a clear and consistent definition of antisemitism supports the Council's equality objectives and Equality & Diversity Policy, providing our residents and visitors with an assurance that hate crime of this nature will not be tolerated.

**Recommendation:**

IT BE RECOMMENDED TO COUNCIL THAT the proposed International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism and the 11 contemporary examples be adopted.

**Reasons for Recommendation:**

1. Supports the Council in meeting its statutory obligations under the Equality Act 2010.
2. The definition is an important tool for public bodies to understand how antisemitism manifests itself as it gives examples of the kind of behaviours, which can constitute antisemitism.

Cabinet - 1 April 2019

Adoption of the International Holocaust Remembrance Alliance (IHRA) working Definition of Antisemitism

Public Report of the Head of Communities and Homes

**Recommendation**

IT BE RECOMMENDED TO COUNCIL THAT the proposed International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism and the 11 contemporary examples be adopted.

**1 BACKGROUND**

In December 2016, the Government formally adopted the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, the first country in Europe to do so.

In May 2017, the Secretary of State for Communities and Local Government wrote to all local authorities in England to encourage them to do the same.

Since then the definition has been adopted by the devolved governments in Scotland and Wales and by the leadership of the Conservative, Labour, Liberal Democrat, SNP and Plaid Cymru party's, the CPS, College of Policing, the Mayors of London, Liverpool City Region and Greater Manchester and also over 150 local councils across the country.

Rugby has a relatively small population of Jewish residents (0.1%), which is the same as that for the West Midlands region (0.1%) but less than that compared to England and Wales (0.5%) according to the 2011 Census data.

Unfortunately, anti-Semitic hate incidents have been rising in the UK with 1,414 anti-Semitic incidents recorded nationwide in 2017 and with 727 recorded between January – June 2018 by the Community Security Trust.

In December 2018, the Jewish Leadership Council, as an umbrella body for Jewish communal institutions, wrote asking local authorities to adopt the definition into their own policies, as the organisation believes that the first step in combatting this evil is to adequately define it.

**2 DETAILS**

IHRA definition of Anti-Semitism is ***“a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities”***

The IHRA definition includes 11 examples of antisemitism, but is not limited to:

- a) Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- b) Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- c) Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- d) Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- e) Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- f) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- g) Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- h) Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- i) Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- j) Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- k) Holding Jews collectively responsible for actions of the state of Israel.

**Name of Meeting:** Cabinet

**Date of Meeting:** 1 April 2019

**Subject Matter:** Adoption of the International Holocaust Remembrance Alliance (IHRA) working Definition of Antisemitism

**Originating Department:** Communities and Homes

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A