

# Public Document Pack



## RUSHMOOR BOROUGH COUNCIL

### CABINET

*at the Council Offices, Farnborough on  
Tuesday, 17th October, 2017 at 7.00 pm  
in Concorde Room, Council Offices, Farnborough*

To:

Councillor D.E. Clifford, Leader of the Council  
Councillor K.H. Muschamp, Deputy Leader and Business, Safety and Regulation  
Portfolio Holder

Councillor Barbara Hurst, Health and Housing Portfolio Holder  
Councillor G.B. Lyon, Concessions and Community Support Portfolio Holder  
Councillor M.L. Sheehan, Leisure and Youth Portfolio Holder  
Councillor P.G. Taylor, Corporate Services Portfolio Holder  
Councillor M.J. Tennant, Environment and Service Delivery Portfolio Holder

Enquiries regarding this agenda should be referred to Chris Todd, Democratic  
Services, on 01252 398825 or e-mail: [chris.todd@rushmoor.gov.uk](mailto:chris.todd@rushmoor.gov.uk)

## A G E N D A

1. **MINUTES** – (Pages 1 - 2)

To confirm the Minutes of the meeting held on 19th September, 2017 (copy attached).

2. **MEDIUM TERM FINANCIAL STRATEGY 2017/18 - 2020/21** – (Pages 3 - 24)  
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

To consider Report No. FIN1731 (copy attached), which sets out the Council's Medium Term Financial Strategy and provides an update on the Medium Term Financial Forecast.

3. **COUNCIL TAX SUPPORT SCHEME AND COUNCIL TAX DISCOUNTS - CONSULTATION ARRANGEMENTS** – (Pages 25 - 34)  
(Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

To consider Report No. FIN1730 (copy attached), regarding arrangements for a public consultation exercise on the Council's Council Tax Support Scheme and certain, locally set, Council Tax discounts and exemptions.

4. **SAFEGUARDING POLICY AND PROCEDURE** – (Pages 35 - 62)  
(Councillor Ken Muschamp, Business, Safety and Regulation Portfolio Holder)

To consider Report No. EHH1731 (copy attached), which sets out the Council's proposed new Policy and Procedure for the Safeguarding of Children and Vulnerable Adults.

5. **FUNDED SUPPLEMENTARY ESTIMATE FOR AIR QUALITY FEASIBILITY STUDY ON THE A331** – (Pages 63 - 64)  
(Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder)

To consider Report No. EHH1729 (copy attached), which seeks approval for an income and expenditure supplementary estimate to undertake a feasibility study into measures to improve air quality along the A331.

6. **PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES: CONSULTATION PROPOSALS** – (Pages 65 - 88)  
(Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder)

To consider Report No. PLN1733 (copy attached), which provides a summary of the content of and comments to be submitted on the Government's Planning for the Right Homes and the Right Places consultation, including the implications for the preparation of the Rushmoor Local Plan.

7. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND** – (Pages 89 - 92)  
(Councillor Martin Tennant, Environment and Service Delivery Portfolio Holder)

To consider Report No. COMM1719 (copy attached), which sets out details of an application for a grant from the Farnborough Airport Community Environmental Fund.

8. **VICTORIA ROAD CHAPEL, FARNBOROUGH** – (Pages 93 - 98)  
(Councillor Paul Taylor, Corporate Services Portfolio Holder)

To consider Report No. LEG1715 (copy attached), which seeks approval for a supplementary estimate to carry out the restoration of the chapel's roof and agreement of an approach for the future of the chapel.

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# RUSHMOOR BOROUGH COUNCIL

## CABINET

*Tuesday, 19th September, 2017 at 7.00 pm  
at the Council Offices, Farnborough*

Councillor D.E. Clifford, Leader of the Council  
Councillor K.H. Muschamp, Deputy Leader and Business, Safety and Regulation  
Portfolio Holder

Councillor Barbara Hurst, Health and Housing Portfolio Holder  
Councillor G.B. Lyon, Concessions and Community Support Portfolio Holder  
Councillor M.L. Sheehan, Leisure and Youth Portfolio Holder  
Councillor P.G. Taylor, Corporate Services Portfolio Holder  
Councillor M.J. Tennant, Environment and Service Delivery Portfolio Holder

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **3rd October, 2017**.

33. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 22nd August, 2017 were confirmed and signed by the Chairman.

34. **NEW BUSINESS RATES DISCRETIONARY RATE RELIEF (REVALUATION) POLICY –**

(Councillor Gareth Lyon, Concessions and Community Support Portfolio Holder)

The Cabinet considered Report No. FIN1728, which set out a proposed new Discretionary Rate Relief Policy, which was intended to support those Ratepayers who had been worst affected by the 2017 Business Rate revaluation exercise.

Members were informed that this new policy would complement those adopted previously and would enable the Council to use its discretionary powers, with effect from 1st April, 2017, to award relief to those small and medium sized businesses that were facing the largest increases following the national revaluation, which had come into force earlier in 2017. The draft policy was set out in Appendix 1 to the Report. In

response to a question, it was confirmed that recipients would need to reapply for the relief each year.

**The Cabinet RESOLVED** that

- (i) the adoption of the new policy, to be known as the Business Rates Discretionary Rate Relief (Revaluation), as set out in Report No. FIN1728, be approved; and
- (ii) the Head of Financial Services be authorised to apply the reliefs.

The Meeting closed at 7.11 pm.

D.E. CLIFFORD  
LEADER OF THE COUNCIL

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CABINET

COUNCILLOR PAUL TAYLOR  
CORPORATE SERVICES PORTFOLIO HOLDER  
REPORT NO. FIN1731

INSERT DATE

KEY DECISION? YES/NO

**MEDIUM TERM FINANCIAL STRATEGY 2017/18 – 2020/21****SUMMARY:**

This report sets out the Medium Term Financial Strategy, which provides the framework to deliver a stable and sustainable financial position to enable the Council to achieve its strategic objectives, and which will support the preparation of the 2018/19 budget.

It also sets out the Medium Term Financial Forecast, which is produced for indicative planning purposes as final decisions on the overall Budget and Council Tax level will be made by Council in February 2018.

**RECOMMENDATIONS:**

That Cabinet

- (i) recommend the Medium Term Financial Strategy 2017/18 – 2020/21 to Council for approval (Appendix A) and
- (ii) note the Medium Term Financial Forecast and the principal issues and risks associated with the forecast

**1 INTRODUCTION**

- 1.1 The Medium Term Financial Strategy (MTFS) complements the Council Plan by providing a framework for financial decision-making. While the Council Plan sets out the Council's priorities and how it intends to meet the needs of its residents, businesses and visitors, the financial strategy describes how the financial management process will contribute to delivering these priorities.
- 1.2 It is a fluid strategy, adapting to local and national conditions, which aims to take account of the risks to the Council's financial position and to mitigate against such risk, in order to protect the financial health of the Council.
- 1.3 The MTFS covers both Revenue and Capital activities.
- 1.4 As we move into the next budget-setting cycle, it is appropriate to review and update the strategy in response to internal and external factors such as changing corporate priorities, the prevailing economic conditions, government policy and changes to funding mechanisms.
- 1.5 The MTFS has been updated but remains largely unchanged from the Strategy approved by Council on 6th October 2016.

## 2 STRATEGY REVIEW

2.1 The key risks and considerations for future budget planning are set out below:

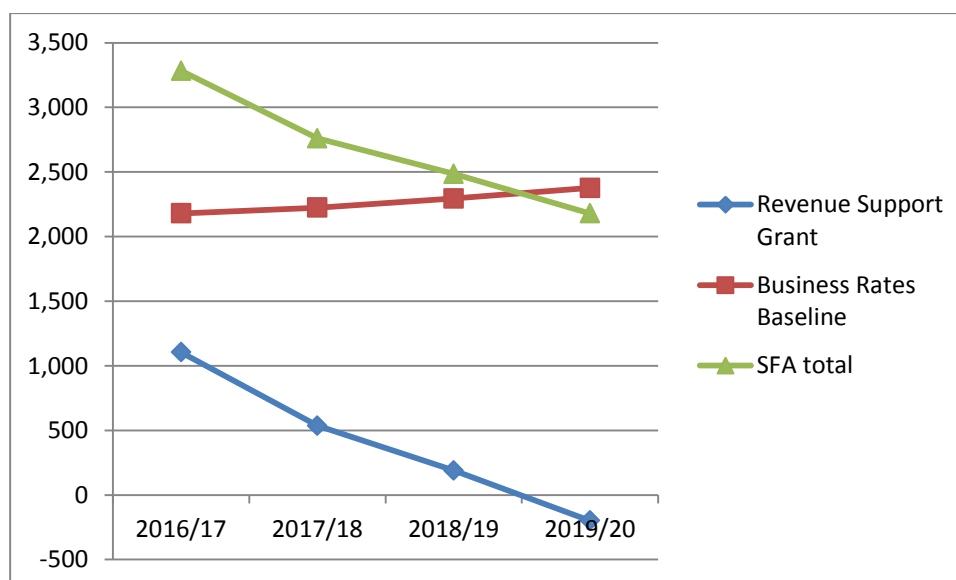
### 2.1.1 Central Government Funding – general comments

In recent years, local government has weathered significant cuts in funding coupled with additional risk and responsibility.

Both the Business Rates Retention and Localised Council Tax Support Schemes have introduced a level of funding risk to local authorities balanced by some increased flexibility around the level of reliefs, discounts or exemptions awarded. Flexibilities around business rate reliefs are aimed at not only allowing Councils to support local ratepayers but to encourage economic development in the Borough and thereby benefit from increased rates income. For example, the Council has recently adopted a policy which can provide incentives to attract inward investment and to bring unoccupied business premises back in to use.

In addition, a number of grants have been subsumed into overall funding levels and are no longer visible as individual lines within the Settlement Funding Assessment (SFA). The SFA continues to reduce in total, with the Revenue Support Grant element disappearing altogether by 2019/20 to be replaced by an increased tariff payable against business rates (a negative grant) as illustrated below:

CHANGE IN LOCAL GOVERNMENT FINANCE SETTLEMENT					
	Revenue Support Grant	Business Rates Baseline	SFA Total	Change	Change
Year	£000	£000	£000	£000	%
2016/17	1,104	2,179	3,283		
2017/18	536	2,223	2,760	-523	-15.9%
2018/19	190	2,295	2,485	-275	-10.0%
2019/20	-198	2,377	2,179	-306	-12.3%



### 2.1.2 Business Rates Retention Scheme

The current Rates Retention Scheme has introduced major fluctuations in income levels for Rushmoor due to the complexity of the scheme, the significant sums involved, the perverse accounting mechanisms and the requirement to make a provision against successful appeals.

The Chancellor has previously announced plans for a 100% Business Rates Retention Scheme with local government retaining all business rates rather than the current system whereby 50% of the rates collected locally are pooled centrally and redistributed back to local authorities.

Key points of the new system are:

- Local authorities will keep rates growth, i.e. there will be no levy on growth payable to central government.
- Councils will be given new responsibilities to ensure reforms are 'fiscally neutral' and Revenue Support Grant (RSG) will be phased out.
- All councils will be able to reduce the multiplier. Combined Authority mayors will be able to increase the multiplier with Local Enterprise Partnership agreement, to fund new infrastructure.

The new scheme also aims to deliver a fundamental fair funding review of the way relative needs are assessed.

The system design needs to be simple to understand and operate, although complexity will no doubt emerge due to the need to retain a method of redistribution between authorities and to allow for revaluations and resets of the system. A key issue for the design will be how to balance the incentives of the scheme (i.e. retention of local growth) and the redistributive aims of the system. Some form of safety net is likely to remain in the system and some consideration of how to avoid a 'race to the bottom' should neighbouring authorities use their flexibilities to reduce the multiplier for their area.

While work is continuing on the Fair Funding Review and the expansion of 100% Business Rate pilots, the legislative workload created by the UK's decision to leave the European Union meant that the Local Government Finance Bill failed to be mentioned in the Queen's Speech and may mean that elements of the new scheme requiring legislative change may be delayed.

The government has however, published an invitation to Councils to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models. This provides an opportunity to retain the Government's 50% share of growth in business rates but also brings risks and uncertainties. There is currently no guarantee within the system that the area would be no worse off than under the current scheme and the area would be required to meet the cost of all appeals and backdating in the year.

In addition, pressure on income could occur in the short-term from the granting of local discretionary reliefs such as the Growth Incentive Scheme referred to earlier in the report. Care must be taken to ensure short-term investment of this nature reaps the expected rewards of inward investment and future business rates growth.

### 2.1.3 Devolution

While devolution remains on the national agenda, supporting government's policy of devolving the powers and budgets of public bodies to local authorities and combined authorities, it is not clear how this policy will develop post Brexit and there seems to be less urgency around deal negotiation than previously.

While a number of proposals have been under consideration locally, it is unlikely that any of these will progress in the short-term. However, as local devolution necessitates a locally determined method of redistribution of business rates, this does result in a level of uncertainty over the medium-term.

### 2.1.4 New Homes Bonus

Reforms to the New Homes Bonus (NHB) introduced for 2017/18, meant a reduction in the number of legacy payments from 6 to 4 by 2018/19 and the introduction of a national baseline for housing growth to sharpen the incentive for councils to deliver more new homes. (Bonus will only be paid for growth above the baseline). This significantly reduced expected payments under the scheme based on normal rate of growth within the Borough. However, the increased housing numbers due to the Wellesley development in Aldershot are now starting to feed into the system, which is based on changes to the number of houses in each council tax band, measured October to October of the preceding year i.e. 2018/19 NHB is based on growth between October 2016 and October 2017.

It is likely that when the local government finance settlement is announced, the baseline for growth will be increased which could significantly affect future payments. In addition, recent consultation on the Local Government Finance Settlement 2018/19 raised again the potential for NHB to be lost on developments granted on appeal to the Planning Inspectorate. The government also intends to introduce further reforms in 2019/20.

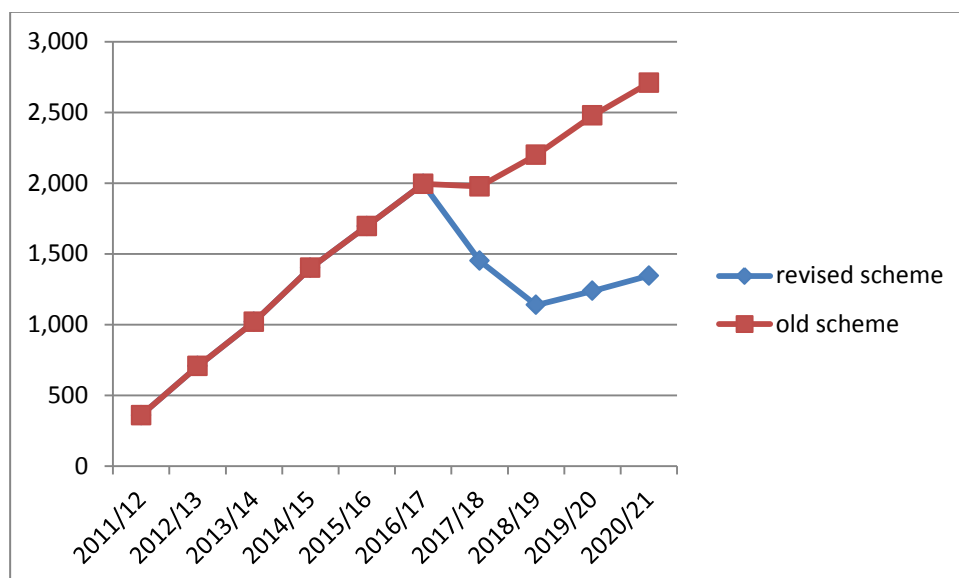
The chart below shows actual allocations up to 2017/18 and forecast allocations from 2018/19 to 2020/21 based on estimated local housing growth but without change in growth baseline or reductions related to planning decisions.

New Homes Bonus		2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
		£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Actual allocation	2011/12	359	359	359	359	359	359				
Actual allocation	2012/13		347	347	347	347	347				
Actual allocation	2013/14			313	313	313	313	313			
Actual allocation	2014/15				382	382	382	382			
Actual allocation	2015/16					295	295	295	295		
Actual allocation	2016/17						298	298	298	298	
Actual allocation	2017/18							162	162	162	162
Forecast allocation	2018/19								383	383	383
Forecast allocation	2019/20									394	394
Forecast allocation	2020/21										407
	Total	359	706	1,019	1,401	1,696	1,994	1,450	1,138	1,237	1,346

The following graph compares the bonus that would have been awarded under the old and current schemes and illustrates the significant reduction in



funding resulting from the 2017/18 changes to the scheme.



### 2.1.5 The multi-year settlement offer

On 10th March 2016, the Secretary of State for Communities and Local Government wrote to every local authority in England setting out the conditions for an offer of a multi-year settlement, spanning the four years from 2016/17 to 2019/20.

97% of Councils (including Rushmoor) took up the offer as it provided a level of certainty for Councils regarding their financial position for the period to 2019/20. Councils that chose not to accept the offer are subject to the existing annual process for determining the level of central funding that they will receive and the uncertainty that this will bring.

The period of certainty allowed Councils to take longer-term decision, planning ahead and implementing reforms. However, as we now move into the third year of the offer, the certainty over future funding is vastly reduced and less benefit is derived.

### 2.1.6 The 2018/19 Local Government Finance Settlement – Technical Consultation paper

On the 14<sup>th</sup> September 2017, DCLG published a technical consultation paper on the 2018/19 Local Government Finance Settlement, as referred to in section 2.13.

It outlines

- the method for distributing NHB and plans for further reform
- proposal for the 2018/19 council tax referendum principles (for Shire Districts less than 2% or up to and including £5 whichever is higher)
- the approach to business rates tariffs and top-ups to cancel out the impact of business rates revaluation on local authority income
- the approach to Mayoral Combined Authorities precepts in 2018/19
- the approach to allocating funding where a fire authority transfers from a County Council to a Police and Crime Commissioner

### 2.1.7 Council Tax

Council Tax currently forms around 8% of our total income.

If Councils increase their Council Tax by, or above, a certain pre-announced percentage then they have to arrange a referendum for taxpayers to approve the increase. This, alongside the availability of Council Tax Freeze Grants between 2011/12 and 2015/16 has contributed to keeping Council Tax levels relatively stable in recent years, with little growth, other than through growth of the tax base itself.

National average Band D Council Tax percentage change 2005/06 – 2017/18

Year	£	% change
2005/06	1,214	4.1
2006/07	1,268	4.5
2007/08	1,321	4.2
2008/09	1,373	3.9
2009/10	1,414	3.0
2010/11	1,439	1.8
2011/12	1,439	0.0
2012/13	1,444	0.3
2013/14	1,456	0.8
2014/15	1,468	0.9
2015/16	1,484	1.1
2016/17	1,530	3.1
2017/18	1,591	4.0

Source: BR and CTR forms; DCLG

At Rushmoor, our share of the Band D Council Tax remained at £184.07 from 2010/11 to 2015/16. However, the 2016/17 financial settlement included an assumption that all local authorities would raise their Council Tax within the restrictions of the referendum limits, thus building in this increase to the funding calculations. In addition, those authorities with social care responsibility were given the flexibility to raise their Council Tax by an additional 2% without triggering a referendum. This is reflected in the increases shown in the table for 2016/17 and 2017/18.

Rushmoor raised its Council Tax by £5 in 2017/18, the maximum permissible for Shire Districts without triggering a referendum. The forecast contained in the report includes future increases at the same rate, which equates to a 2.59% increase for 2018/19, above the 2017/18 level.

Over the medium-term period, raising Council Tax by £5 per annum generates £913,000 of additional income to spend on services when compared to holding Council Tax at its current level.

	2017/18 £000	Forecast 2018/19 £000	Forecast 2019/20 £000	Forecast 2020/21 £000
<b>COUNCIL TAX REQUIREMENT</b>	5,864	6,016	6,168	6,320

Illustrative CT Levels (£)	192.73	197.73	202.73	207.73
CT Base	30,424.24	30,424.24	30,424.24	30,424.24
& CT Increase (%)		<b>2.59</b>	<b>2.53</b>	<b>2.47</b>
Additional income p/a		152	152	152
Additional income above base year 2017/18		152	304	456
Cumulative additional income		152	456	913
Annual Council Tax increase per Band D		5.00	5.00	5.00
Cumulative Council Tax increase per Band D from 2017/18 - 2020/21				<b>15.00</b>

### 2.1.8 Transformational change

The Council has responded well to the significant cuts in central government funding to date and the increasing pressures on its front line services but these on-going pressures mean that transformational change is now required to deliver the level of savings necessary to put the Council in a stable position for the future. A key part of this transformational change will be to reduce our reliance on sources of funding that are uncertain and outside of our control. The Council must deliver efficiencies over the medium-term alongside developing new (and maximising existing) income streams, while having due regard to affordability by its residents and customers.

One significant project that has already delivered £950,000 of additional annual income to the Council, is the purchase of commercial property for rental returns. The Council has earmarked a further £15 million for investment to add to the £16 million already undertaken. However, the practice of investing in commercial property, particularly outside of a Council's own area, has received some negative publicity over recent months as more and more Councils utilise their borrowing capabilities to secure long-term, reliable income streams. Hints of government intentions to tighten regulations in this area, or even to go as far as preventing borrowing for these purposes, is widespread and could potentially be introduced in the autumn Budget on 22<sup>nd</sup> November.

This could mean that there is just a small window of opportunity for the Council to build on the returns it has already successfully achieved; generating income that has been vital to the continuation of service provision in the Borough.

### 2.1.9 Treasury Management

The Chartered Institute of Public Finance and Accountancy (CIPFA) recently consulted on proposed changes to both the Treasury Management and Prudential Codes. The former aims to bring commercial investments within the same reporting framework as cash investments. The latter introduces a requirement to report on the overall capital strategy to full council in order to demonstrate that the authority takes capital expenditure and investment decisions in line with service objectives and properly takes account of stewardship, value for money, prudence, sustainability and affordability. The capital strategy should set out the long term context in which capital

expenditure and investment decisions are made and give due consideration to both risk and reward and impact on the achievement of priority outcomes. It is intended to publish revised codes towards the end of the current year for implementation for 2018/19. The new requirements will be incorporated into the annual Treasury Management Strategy, which will be considered by Council in February 2018.

Changes to International Accounting Standards will see the introduction of IFRS 9 in 2018/19, which sees the removal of the 'Available for Sale' classification for some investments, which allows gains and losses to be held in a reserve until realised i.e. once the asset is sold. In future, if there is a loss then that becomes a cost to the Council, and could impact on the council tax payer. This introduces added risk to the revenue position. It is hoped that DCLG may introduce a statutory override, as they have done in other areas, to reverse the impact of IFRS 9.

At its meeting on 13<sup>th</sup> September 2017, the Monetary Policy Committee voted 7 – 2 in favour of maintaining the Bank Rate at 0.25% with the minutes suggesting that the upside risk to Bank Rate had increased. This potential rise in bank rates is dependent upon policy makers seeing continued erosion of economic capacity and a gradual rise in underlying inflationary pressure.

All members agreed that any prospective increases in Bank Rate would be expected to be at a gradual pace and to a limited extent. This was reinforced by comments from the Governor of the Bank of England, Mark Carney, speaking on BBC Radio 4's "Today" programme on 29th September, who suggested that if the economy continued on the track that it has been on, then an interest rate increase would be expected in the relatively near term.

Continued low interest rates have a direct effect on the Council's resources by reducing the potential returns on our investments. The current Treasury Management Strategy seeks to address this by maximising available returns with longer-term funds and the use of a diverse portfolio, while putting the security of taxpayer's money at the heart of the policy.

The Council also has extensive capital expenditure plans over the medium-term, to deliver Council priorities for regeneration of its town centres, for example, in addition to significant invest-to-save projects. Interest rates will play a significant part in determining when and how much the Council borrows to support these plans, as our internal capital resources are now largely depleted.

The Council undertook its first major borrowing on 14<sup>th</sup> September 2016, borrowing £6m until 1<sup>st</sup> December 2016 from another Local Authority at 0.25%. While the Council's level of investments is likely to be maintained at around £33.5 million over the medium-term, producing returns of approximately £850,000 per annum, its level of external borrowing (based on estimated capital expenditure over the period) could rise to around £97 million. The costs of borrowing are reflected in the Medium Term Financial Forecast (MTFF) set out in this report and include both Minimum Revenue Provision and interest costs. The interest costs depicted are shown at short-

term rates. At some point, the Council will need to consider whether to lock in some of its borrowing to long-term, fixed rates. This will have considerable impact on the revenue budget in the short to medium term while avoiding the risk of higher rates in the future. The table below illustrates the difference in borrowing costs between current short-term and long-term borrowing rates.

<b>Borrowing costs</b>	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
Forecast total borrowing	48,000	55,000	76,000	97,000
Cost of borrowing (at short term rates):				
Minimum Revenue Provision	164	203	383	416
Interest cost (short-term)	51	141	173	267
	215	344	556	683
Cost of borrowing (at long term rates):				
Minimum Revenue Provision	164	203	383	416
Interest cost (long-term)	51	752	920	1,424
	215	955	1,303	1,840

If all borrowing were locked into long-term rates from 1<sup>st</sup> April 2018, this would result in an additional £1.1m pressure on the general fund in 2020/21 for example. In reality, a mix of long and short-term rates is likely to be utilised.

Long-term decision-making is required as decisions made now may still be affecting the Council 50+ years into the future. For example, the capital forecast for the medium-term includes projects that will be completed in the final year of the forecast period. MRP does not commence until the year after a project is completed. So while the Council may borrow in the next few years to support Town Centre regeneration, Leisure provision and the development of various Housing projects, the effect of the MRP is not shown in the current forecast but amounts to an additional cost of £666,000 annually for the following 50 years.

#### 2.1.10 Level of Reserves

The Council maintains a level of usable reserves to support fluctuations in its revenue position from variations in income and expenditure, while invest-to-save projects deliver longer-term net cost reductions. Key reserves are the Service Improvement Fund, which supports the delivery of invest-to-save schemes, and the Sustainability and Resilience Reserve, which is used to manage short-term fluctuations in net revenue expenditure. In addition, in April 2016 Council approved a strategy for the flexible use of capital receipts, setting aside £500,000 of capital receipts to meet costs incurred in order to generate ongoing revenue savings in the delivery of services and/or transform service delivery in a way that reduces costs or demand for services. In 2017/18, a further £300,000 of qualifying costs were identified subject to the sale of previously identified surplus assets.

The Council needs to consider the level of reserves set aside to support the financial position particularly given the fast pace of change of local government funding, the exposure to risk of fluctuations in business rate income and our reliance on funding streams such as NHB. The Council should ensure that it has sufficient levels of reserves to cope with such short-

term risk whilst it builds up other sources of income and reduces its expenditure.

#### 2.1.11 Other

Other key risks include:

- Fluctuations in the value of investment funds and investment properties following the UK's decision to leave the European Union
- Loss of income and chargeable services,
- Increased demand for services,
- Consequences from the challenges facing the Eurozone and other wider economic disruption,
- Welfare Reform, with potential loss of benefits for some parts of the community leading to greater demand for support via Council services.
- The fallout for local services from budget proposals being considered by Hampshire County Council
- Regulatory changes such as the inability to pass on surcharges for the use of credit cards to the consumer

#### 2.1.12 Sustainability

With these key risks in mind, the Council must continue to strive towards sustainability by looking at our priorities, reviewing what we do and how we do it. This will form the underlying basis of the Financial Strategy, ensuring that this delivers the Council's corporate objectives within a balanced budget in the short-term and within a sustainable financial framework over the medium to longer term.

The Financial Strategy sets the context for the Council's 8-Point Plan, which is the delivery mechanism for financial sustainability, and the tool by which delivery of the various elements can be measured and managed.

### **3 MEDIUM TERM FINANCIAL FORECAST**

3.1 For the Financial Strategy to be relevant to current decision-making, it needs to be considered in light of a revised Medium Term Financial Forecast (MTFF). In such an uncertain environment, amid high-level announcements about the future of business rates and ahead of the Autumn Budget (November 22nd) and the subsequent Local Government Financial Settlement, the forecast can only be a high-level indicator of the direction of travel for the Council's finances over the medium-term.

3.2 The forecast needs to be robust enough to set strategic financial direction without being a detailed budget plan for future years. It takes into account known budgetary pressures, for both Revenue and Capital expenditure, alongside estimates of future funding.

#### 3.3 Revenue Forecast

3.3.1 The Medium Term Financial Forecast for revenue expenditure includes the day-to-day running costs of our services, any associated income, any corporate expenditure and income (such as interest receivable from investments or the costs of borrowing) and various funding streams such as grants, business rates and council tax.

3.3.2 The starting point for the forecast at Table 1 is the 1<sup>st</sup> quarter budget monitoring position for 2017/18 as reported to Cabinet 22<sup>nd</sup> August 2017. After allowing for any significant one-off items of expenditure or income for the current year, the forecast takes into account major changes forecast for the period up to 2020/21.

<b>Revenue Forecast 2017/18 - 2020/21</b>	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
<b>Net Revenue Budget</b>	11,575	11,575	11,913	12,912
<b>Revenue savings:</b>				
Additional contract savings		(276)	(88)	(48)
Additional staff turnover savings		(150)		
Commercial Property		(155)		
<b>Cost Pressures:</b>				
Pay award/Increments		265	320	380
Inflation/contract growth		115	180	180
Pensions (increase in Super % + fixed sum)		160	175	155
Variations in Service & further supplementary estimates in year		250	200	150
Interest cost		90	32	94
Minimum Revenue Provision		39	180	33
<b>Net increase in Revenue Budget</b>		338	999	944
<b>Transfers to/(from) Reserves:</b>				
Stability & Resilience Reserve	0	(800)	(400)	(400)
General Fund balance	(551)	51		
<b>Total Transfers to Usable Reserves</b>	(551)	(749)	(400)	(400)
<b>Adjusted Net Revenue Budget</b>	11,024	11,164	12,512	13,456
<b>Funding:</b>				
Other grants	(40)			
New Homes Bonus	(1,450)	(1,138)	(1,237)	(1,346)
Revenue Support Grant	(536)	(190)	-	-
RBC share of rates collected	(18,990)	(19,365)	(20,140)	(20,901)
Tariff payable	15,443	15,940	16,705	17,649
Levy /(Safety net )	828	953	881	733
s31 Business Rates grants	(915)	(777)	(705)	(674)
Council Tax	(5,864)	(6,106)	(6,354)	(6,609)
Collection Fund (surplus)/deficit – C/Tax	(88)	(75)	(75)	(75)
- NNDR	779	332	-	-
<b>Total Funding</b>	(10,833)	(10,426)	(10,924)	(11,223)
<b>Annual Funding Gap</b>	191	547	850	645
<b>Cumulative Funding Gap</b>	191	738	1,588	2,233

<b>Revenue Balances</b>	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
General Fund Balance	1,449	1,500	1,500	1,500
Stability & Resilience Reserve	3,808	3,008	2,608	2,208
Service Improvement Fund	514	414	314	214
<b>Estimated Balances at 31 March</b>	<b>5,771</b>	<b>4,922</b>	<b>4,422</b>	<b>3,922</b>
	7.21%	6.15%	5.53%	4.90%

3.3.3 The following assumptions have been made in the forecast:

- Pay awards of 1.5% in 2018/19, 2% in 2019/20 and 2.5% in 2020/21 plus incremental progression within grades
- An element of contractual inflation and growth in contract costs due to development in the Borough
- Increased pension liability
- An allowance for one-off and on-going variations in service,
- Interest costs at short-term rates of approximately 0.45% and the associated Minimum Revenue Provision
- Drawdown of £800k from the Stability & Resilience Reserve in 2017/18 and £400k thereafter
- General Fund balances held at the mid-point of the approved range from 2018/19 to 2020/21
- Assumed increase in business rates income of 3% per annum in 2018/19 and 3.5% thereafter
- £5 increase in Council Tax year on year and
- 1.5% growth in Council Tax base

3.3.4 The forecast shows a projected budget gap of £2.2m by 2020/21, based on the assumptions above. Some of these assumptions relate to inherent risk within the forecast, such as the level of business rates income, which could go up, or down, and the outcome of further changes to New Homes Bonus. The forecast also contains a number of choices that the Council is able to take, which will directly affect the level of savings required and the level of reserves available to build resilience into the model.

3.3.5 The table below provides some sensitivity analysis around key variables in the forecast.

<b>Sensitivity Analysis</b>	2018/19 £000	2019/20 £000	2020/21 £000
Council Tax rate +/- 1%	59	59	59
Council Tax Base +/- 1%	59	59	59
Business Rates +/- 1%	184	193	202
Pay award +/-1%	115	115	115
NHB growth threshold change from 0.4% to 0.5%	44	44	44
	461	470	479



As mentioned earlier in the report, one of the biggest variables would be the timing and extent of moving to longer term, fixed rate borrowing.

<b>Interest Payable short v long term rates</b>	2018/19 £000	2019/20 £000	2020/21 £000
Current projections at short term borrowing rate of 0.45%	141	173	267
If locked in to long term borrowing rates at 2.4%	752	920	1,424

3.3.6 The Council plans to close the revenue funding gap by continuing to deliver against its 8-Point Plan for financial sustainability. The plan includes a range of projects that aim to establish new income streams and reduce costs by more efficient service delivery and better use of Council assets. The Council's Quarter 1 Revenue Monitoring report showed £464,000 of savings likely to be achieved during the year as a direct result of the plan. The most significant item reported was the reduction in contract costs for Waste Collection, Recycling, Street Cleansing and Grounds Maintenance following an innovative competitive dialogue tendering exercise. This reduction in net revenue budgets is already taken into account within the forecast above. The table below provides indicative values for income generation or cost savings over and above those already reported.

<b>8-Point Plan Cumulative Indicative Values</b>	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
<b>8 Point Plan - Cost Reductions</b>				
- Efficiency savings (Customer & Digital/Shared Services/Service Transformation)	-	113	173	173
- Organisational Redesign/MARS	-	53	368	368
- Better Procurement & major contract renewal	50	108	400	400
<b>8 Point Plan - Income Generation</b>				
- Investment in Property (Commercial & Residential)	113	450	500	500
- Better use of existing assets	22	36	36	36
- Other income generation projects	11	10	20	20
- Reviewing fees, charges and concessions	-	107	186	203
<b>Future projects to be identified</b>				400
<b>Total potential revenue generated</b>	196	877	1,683	2,100

<b>Cumulative Funding Gap</b>	191	738	1,588	2,233
<b>Surplus/(Deficit)</b>	5	139	95	(133)

3.3.7 The table shows the funding gap being largely met via income or savings generated by the 8-point plan with identification of further projects to come from a combination of future budget challenge exercises alongside the work of the Budget Strategy Working Group. There is sufficient time to develop and implement these new initiatives to close the funding gap over the medium-term.

3.3.8 However, it should be noted that there will be additional pressures of around £666,000 on the revenue budget from 2021/22 if all of the forecast capital expenditure is incurred and met from borrowing. The current funding gap will also increase dependent on use of long-term borrowing rates and other sensitivity as outlined in paragraph 3.3.5, requiring additional savings to be found. This will also have an impact on the forecast income from commercial property investment included as part of the savings plan at 3.3.6, as this shows income net of short-term interest cost and MRP. If long-term rates were used, additional savings of £285,000 would be necessary in each of the years 2018/19 to 2020/21.

3.3.9 It is also important to recognise the resource constraints to delivering a significant change programme. Work is being undertaken to review the resource and governance requirements in order to ensure timely delivery of the plan.

### 3.4 Capital Forecast

3.4.1 The Medium Term Financial Forecast for capital expenditure includes the costs of acquiring or maintaining fixed assets such as land, building or equipment. The capital programme concentrates on four key areas – asset maintenance, invest to save projects, regeneration schemes and support to housing such as Disabled Facility Grants and grants to Registered Social Landlords.

3.4.2 The following forecast is based on the Quarter 1 Capital Monitoring position for capital expenditure for 2016/17 to 2019/20, adjusted for latest data and with a small allowance in future years for additional projects.

<b>Forecast Capital Programme 2017/18 – 2020/21</b>	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
Original capital programme published February 2017	13,629	2,026	2,161	1,341
Supplementary capital expenditure approvals in 2017/18	23,359	-	-	-
Potential future regeneration schemes	-	6,800	27,100	26,600
	36,988	8,826	29,261	27,941
<b>Funded by:</b>				
Grants and Contributions	3,285	1,331	1,431	831
Revenue Contributions to Capital	-	-	-	-
Use of Capital Receipts	5,100	400	6,200	6,200
Prudential Borrowing	28,603	7,095	21,630	20,910
	36,988	8,826	29,261	27,941

3.4.3 Rushmoor's capital receipts reserve was £5.9m at the start of 2017/18, much of which is ring-fenced for use against specific projects such as the Council's investment in the new conference and exhibition centre at Farnborough

International (FIL). The Council will in future need to borrow substantially to afford its ambitious capital programme, while always having an eye to the affordability of borrowing within the revenue account. The need for good business cases, with sound financial analysis, will be essential to evaluate schemes moving forward, ensuring that income generating schemes more than cover their revenue costs and that all other capital projects focus on the delivery of key strategic objectives or are essential for future service delivery.

- 3.4.4 The Council will seek to alleviate the pressures on its internal capital resources by maximising alternative sources of funding such as Growth Deals, administered by Local Enterprise Partnerships, or the Housing Infrastructure Fund from the Homes and Communities Agency, or by seeking private sector funding to support regeneration plans. In addition, some of the expenditure above is repayable in later years (for example, loan arrangements with FIL) or have the potential to provide future capital receipts once assets have been redeveloped and sold, or if the Council chooses to realise capital appreciation of assets held during the medium-term.
- 3.4.5 The Council will hold a balanced portfolio of investments and borrowing, maintaining sufficient liquidity to meet its working capital requirements while continuing to hold some longer-term Pooled investments due to the quality of the funds and their significant contribution to the revenue account in terms of interest receivable.
- 3.4.6 The Council will review its prudential indicators for capital financing, including borrowing limits, in February, as part of the annual Treasury Management Strategy.
- 3.4.7 High-level risks to the forecast are set out at Appendix B.

## **4 CONCLUSIONS**

- 4.1 The Medium-Term Financial Strategy as set out at Appendix A sets a framework for managing the Council's finances and will support the Council Plan.
- 4.2 The Council has taken significant steps to reduce its cost base whilst protecting front line service delivery and continuing to invest in the future through annually reviewing its priorities and undertaking key invest-to-save and regeneration projects.
- 4.3 The 8-Point Plan will produce significant efficiency savings over the medium term from a combination of service efficiency reviews, procurement savings, invest-to-save projects, new income generation and decisions on the structure of the Council.
- 4.4 However, the Council continues to face significant financial challenges due to reduced central government funding, increased financial volatility, uncertainty and risk over the medium-term. The Council will need to continue to undertake a detailed review of areas where efficiencies can be made in order

to realign budgets to meet its priorities and to develop new income streams to support current spending plans.

- 4.5 The Council will need to ensure adequate risk reserves are maintained to provide capacity to invest in service transformation and to mitigation against future shortfalls. The use of reserves is not a long-term solution to funding challenges but does enable the Council to plan and implement service changes over time, whilst providing a buffer against sudden shifts in the Council's income streams. This strategy provides resilience and allows the Council time to approach future funding requirements in a considered, structured way.

**AMANDA FAHEY**  
**HEAD OF FINANCIAL SERVICES**

## MEDIUM TERM FINANCIAL STRATEGY 2017/18 – 2020/21

The Medium Term Financial Strategy is based around five key principles. These are set out below with supporting actions for each principle.

*Revenue Expenditure - The Council recognises that it has to target its limited resources to where they are most needed, ensuring good services that represent good value for money. The Council recognises the need to reduce its net revenue expenditure in the face of reduced funding from central government, economic pressures, local demography and increased demand for services.*

- The Council will set a balanced budget each year, reflecting its objectives, priorities and commitments.
- The Council will seek to deliver efficiencies, new income streams and cost reductions based on the key elements of its 8-point plan for delivering financial sustainability;



The 8-point plan is a fluid plan, responding to new pressures and adapting to new initiatives so these over-arching headings may change over time.

- There is no presumption that non ring-fenced grants will be spent on the purposes for which they are nominally provided (appropriate business cases to be provided for spending against such grants)
- Regular review of the Council's fees and charges
- The Council will seek to reduce reliance in its revenue budget on uncertain funding streams such as New Homes Bonus.

*Capital Expenditure - the Council will only undertake capital investment in support of its priorities and where its supports asset maintenance, invest-to-save schemes or strategic intent (such as regeneration). Capital spending plans, whether funded from internal resources or through borrowing, will be affordable, prudent and sustainable.*

- The Council will develop an asset management strategy that seeks to maximise return on existing Council assets, divest itself of low-performing assets and sets out parameters for investment in property to increase income to the Council.
- The Council will set prudential indicators, including borrowing limits, for capital financing through its annual Treasury Management Strategy ensuring any future borrowing is affordable, prudent and sustainable.
- The Council will explore opportunities for borrowing as the need arises such as Public Works Loan Board, European Investment Bank, through the Local Enterprise Partnership, other Local Authorities and the UK's Municipal Bond Agency.
- The Council will seek alternative forms of funding to use of its internal resources where possible, maximising the use of external resources such as s106 contributions and funding from Local Enterprise Partnerships and exploring private sector funding opportunities where available.
- The Council will review the estimated level of Revenue Contributions to Capital annually as part of the budget process, the actual level of contribution being dependent on the outturn position each year. As the Council moves towards borrowing, the contributions to capital may be replaced in the revenue budget by the cost of carrying debt.
- Capital receipts from the sale of assets will be used to meet future corporate priorities rather than be retained for use by the service that has relinquished the asset
- Resources allocated to particular capital projects but subsequently not required are returned to meet future corporate priorities rather than be retained for use by that service
- No new capital schemes are included in the programme without the necessary resources to meet the full capital costs and any on-going Revenue costs being in place.
- All new capital schemes are subject to the bid process for inclusion in the Capital Programme, which requires whole life costing for new bids for the current revised budget and for the upcoming year. Indicative bids are required for future years in order to have a picture of capital spending over the medium term but these later projects will require business cases and further approval as they come forward. New capital schemes brought forward in-year are supported by business cases and reported to

CLT and Cabinet in line with current financial regulations.

*Reserves - the Council will maintain a reasonable level of usable reserves to enable it to weather the volatility of its funding position and to support invest-to-save schemes as part of its aim to reduce net revenue costs.*

- The Council will maintain its General Fund balance between £1 million and £2 million.
- In addition, the Council will maintain other usable reserves (E.g. Stability & Resilience Reserve/Service Improvement Fund) to provide a buffer against fluctuations in income and expenditure and to support invest-to-save schemes. The estimated level of these usable reserves (including the General Fund Balance) at the close of 2017/18 is £5.8 million, which is around 7.2% of the Council's gross expenditure. The Council will aim to maintain a minimum level of reserves at 5% of gross expenditure, while recognising that the figure may go up or down, adjusting to short-term pressures within the revenue budget principally as a result of the operation of the Business Rates Retention Scheme.
- Reserves are not used to meet on-going, unsustainable levels of expenditure but may be used in the short-term in conjunction with plans to reduce net revenue costs over the medium-term
- Regular review of all reserves in order to:
  - Maintain and replenish funds which will be used to mitigate the substantial risks identified over the medium term
  - Maintain reserves to support the provision of major projects, invest-to-save schemes or service reviews in order to support the work of the 8-point plan as referred to above
  - Release those reserves which are no longer required due to changing circumstances
- The Council will annually review the level of earmarked reserves it sets aside to mitigate against known risks or future liabilities, to ensure that the level of those reserves remains appropriate, returning balances no longer required to the General Fund.

*Governance and Performance - the Council will monitor the delivery of its financial strategy and performance against savings requirement, adjusting the plans to meet changing demands. This will be achieved by:*

- Annual review of key strategies such as Medium Term Financial Strategy and Treasury Management Strategy, with updates to relevant Committees, Policy and Review panels and Cabinet as appropriate.
- Continuous improvement of governance and project management of key programmes and projects, ensuring benefits of invest-to-save projects

are realised.

- Ensuring that the Council's budgets, financial records and accounts are prepared and maintained in line with accounting standards, CIPFA Code of Practice on Local Government Accounting, the CIPFA Prudential code and relevant sections of the Council's Constitution and Financial Regulations.
- Timely budget and performance monitoring arrangements (through budget monitoring and quarterly performance monitoring reports).
- Preparation of financial plans to cover a four-year period, including revenue and capital expenditure, Tax bases and Council Tax Support Scheme.
- Budget guidelines are maintained and reviewed annually by the Council's s151 officer.
- New spending plans are considered only if they make a clear contribution to the Council's objectives and priorities or meet new statutory responsibilities.
- Ensuring proposals for significant projects and changes are set out in an appropriate business case to assess the impact on the Council.

*The Council will seek out opportunities to work with partners to maximise outcomes for our residents, explore access to funding and maximise the shared benefits of joint working.*

- The Council will explore joint working opportunities or shared services where they add benefit to the Council or its residents with partners including (but not exclusive to):
  - County Council
  - Police
  - Fire and Rescue Authority
  - Other local authorities
  - Local Enterprise Partnership
  - Voluntary and Community sector
  - Private sector
- The Council will seek to maximise the financial benefit and security of any potential devolution deal with government.
- The Council will seek to optimise external funding opportunities to defray cost of services and capital investment or to increase available resources.



## SUMMARY OF RISK ASSESSMENTS

Risk	Level	Mitigation
Overall government funding through formula grant and business rates is less than assumed.	HIGH (RED)	Assess impact of Local Government Settlement at earliest opportunity, monitor impact of any change to the business rates retention scheme and revise forecasts as necessary. Major mitigation is afforded by the acceptance of the multi-year settlement which provides greater certainty over funding over the medium term
Planned efficiency savings and savings targets are not achieved.	HIGH (RED)	The Council has developed an 8-point plan towards financial sustainability with on-going review of the plan in respect of timescales, deliverability and net benefits. The Council has also set aside Reserves to support invest-to-save schemes and to mitigate against the effects of fluctuations in net revenue spending while longer-term sustainability plans are moved forward.
Reduction in interest income due to low interest rates or investment returns being lower than budgeted for.	MEDIUM (AMBER)	Interest rate risk is managed through the Treasury Management Strategy, which has moved towards longer-term, pooled funds and other fixed rate instruments to protect the Council from the impact of low base rates. Mid-and year-end monitoring reports are produced on all treasury management activity, in addition to reporting during the budget monitoring cycle.
Pressure on Revenue account due to cost of borrowing	MEDIUM (AMBER)	Interest rate risk will be managed through the Treasury Management Strategy. Careful consideration will be given to timing and duration of borrowing and the application of policy to determine the minimum revenue provision, in order to maintain prudent, affordable borrowing.
Fees and Charges income does not achieve the assumed levels.	MEDIUM (AMBER)	The Council has a well-developed in-year budget monitoring process that identifies any variations early to allow corrective action to be taken. The Council also maintains a Stability and Resilience Reserve to mitigate against large fluctuations in its income streams in the short term, while longer term plans to reduce net expenditure are being progressed.
Legislative changes not anticipated.	MEDIUM (AMBER)	Keep up to date with Government policy and consultations.
Expenditure is not contained within approved budgets.	LOW (GREEN)	The Council has a well-developed in-year budget monitoring process that identifies any variations early to allow corrective action to be taken. A reasonable level of usable reserves is maintained to meet any unavoidable unexpected costs.
Unplanned expenditure requirements.		
External grants and contributions are less than forecast.		

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CABINET

**COUNCILLOR GARETH LYON  
CONCESSIONS AND COMMUNITY SUPPORT  
PORTFOLIO HOLDER**

17 OCTOBER 2017

REPORT NO. FIN1730

**COUNCIL TAX SUPPORT SCHEME AND COUNCIL TAX DISCOUNTS  
CONSULTATION ARRANGEMENTS**

**SUMMARY AND RECOMMENDATIONS:**

The Council is required to carry out a public consultation exercise on any proposed changes to its local Council Tax Support Scheme (CTSS), ahead of the deadline of 31<sup>st</sup> January for setting the scheme. This report sets out proposals for inclusion in that consultation.

The report also provides options for change to certain locally set Council Tax discounts and exemptions, which would also require public consultation and could run alongside the CTSS exercise.

A report on the outcome of the consultation exercises will be presented to Cabinet during January 2018, following which, recommendations for final scheme proposals will be made to Council.

In respect of the Council Tax Support Scheme:  
Cabinet are recommended to:

- i. Endorse the recommendation from the Welfare Reform Group that a consultation be undertaken in respect of the harmonisation elements set out in the report
- ii. Consider and approve which, if any, options on changes to the minimum contribution payable should be included in the consultation
- iii. Endorse that the detail of the consultation paper be agreed by the Head of Financial Services in consultation with the Portfolio Holder for Concessions and Community Support ,following discussion with the Welfare Reform Group

In respect of Council Tax Discounts and Exemptions:  
Cabinet are recommended to:

- iv. Agree that a public consultation be undertaken on options around the level of Council Tax Discounts as set out in this report
- v. Endorse that the detail of the consultation paper be agreed by the Head of Financial Services in consultation with the Portfolio Holder for Concessions and Community Support

**1. INTRODUCTION**

- 1.1 The purpose of this report is to seek Cabinet approval to undertake a public consultation in respect of the Council's Council Tax Support Scheme (CTSS),

in order to inform any decision to review or amend the Scheme for the 2018/19 financial year.

- 1.2 This report also seeks Cabinet approval to undertake a public consultation to vary the amount of Council Tax Discount awarded for certain empty dwellings.

## **COUNCIL TAX SUPPORT SCHEME**

### **2. BACKGROUND**

- 2.1 Since 1<sup>st</sup> April 2013, local authorities have been developing their own CTSS to replace the previous national Council Tax Benefit Regulations, which had supported residents with their Council Tax costs.

- 2.2 Whilst local authorities have the freedom to set their own local schemes, based on local circumstances and needs, local authorities are required to provide pensioners with the same level of support received under the previous national Council Tax Benefit arrangements.

- 2.3 Accordingly, most local authorities have devised hybrid schemes, whereby those of pensionable age receive up to 100% of their Council Tax bill in support, whilst the maximum level of support for working age customers is typically lower and a range of other local adjustments have been made.

- 2.4 The Council is in the fourth year of operating its local scheme, which has been overseen by the cross-party Member Welfare Reform Group.

- 2.5 The main elements of the scheme for working age customers are as follows:

- Minimum contribution of 10%
- Savings threshold of £6k
- Maximum support restricted to a Band D level for Bands E and above
- Treating Child Benefit and Maintenance as income
- Disregarding War Widow Pensions as income
- Harmonisation with other benefits e.g. Backdating, Temporary absence, Family Premium

- 2.6 This local scheme has proved effective and the Council Tax collection rates remain high, increasing in 2016/17 to 98.1% from 97.9%. Those in receipt of Council Tax Support (CTS) are generally meeting their Council Tax liabilities; however, the collection rate for the CTS group is lower than for all Council Tax payers across the whole of the Borough. Current year payment rates for those of working age in receipt of CTS are running at around 85.1%, which

compares favourably with a DCLG study, which shows rates on average of between 65 – 75% across the board nationally for this group of people.

### **3. OPTIONS FOR CHANGE**

3.1 The Welfare Reform Group has given considerable thought to the data and evidence presented to them at their meetings over the past year. The Group has always been keen to maintain a principle of harmonising the Council's local CTSS with national government changes to the wider Housing Benefit scheme. The Group has recommended in past years a series of adjustments to the CTSS as a result of this guiding principle. This year, the Group again is unanimous in its recommendation to Cabinet that the Council should consult on two harmonisation changes to be effective from 1<sup>st</sup> April 2018. These are:

- a) That the new Bereavement Support Payment is disregarded as income within the Council's CTSS
- b) That a two dependent children rule as operated for Housing Benefit and Universal Credit purposes, is also applied within the Council's CTSS

3.2 As regards the principle of a minimum contribution to be paid towards Council Tax for CTS recipients who are of working age, the Group are divided in opinion. This divergence in opinion is set out in the following two options:

**a) To consult on a range of increases to the minimum contribution payable (from the current 10%) to 12%, 15%, 18%, 20% and 25%**

This option for consultation is supported by a majority of the Group and is based on the rationale that the Council's current scheme is stable, collection rates are good and the current minimum contribution of 10% is at the lower end of similar Councils' schemes within our Audit grouping. Furthermore, those supporting this approach to consultation regard this as a consultation to become better informed and do not regard the decision to consult about an increase as indicative of the increase becoming an inevitability.

**b) To not undertake a consultation regarding any alterations to minimum contribution payable at this time**

This option is supported by a minority of the Group and is based on the rationale that current economic conditions are challenging. In particular, a number of national reports have recently highlighted the scale of consumer debt currently being experienced nationally and locally.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications for carrying out the consultation exercise, which will be managed within existing resources and budgets.
- 4.2 If, following consultation, an increase to the minimum contribution for Working Age CTS recipients is recommended to, and adopted by, Council this will reduce the cost of the Scheme. Savings will accrue to all preceptors (Rushmoor Borough Council, Hampshire County Council, Police and Crime Commissioner and the Fire and Rescue Authority) in proportion to the share of Council Tax that they receive. Changes to the scheme will of course also have a financial effect on individual claimants.
- 4.3 The table below provides indicative data, which will be included in the consultation if Cabinet choose to consult on any of these options.

<b>% Contribution</b>	<b>Total Savings</b>	<b>RBC (13%)</b>	<b>HCC (72%)</b>	<b>Police (11%)</b>	<b>Fire (4%)</b>
12	£52,781	£6,861	£38,002	£5,805	£2,111
15	£130,460	£16,959	£93,931	£14,350	£5,218
18	£207,878	£27,024	£149,672	£22,866	£8,315
20	£259,343	£33,714	£186,726	£28,527	£10,373
25	£387,391	£50,360	£278,921	£42,613	£15,495

<b>Indicative annual bill for a Band C property using 2017/18 Council Tax level</b>						
	<b>10%</b>	<b>12%</b>	<b>15%</b>	<b>18%</b>	<b>20%</b>	<b>25%</b>
<b>Couple</b>	138.24	165.88	207.35	248.82	276.47	345.59
<b>Single</b>	103.68	124.41	155.51	186.62	207.35	259.19

#### 5. CONCLUSIONS

- 5.1 The Council reviews the operation and content of its CTSS on an annual basis and is required to consult on any proposed changes before setting the scheme. This consultation allows us to gather resident's views to inform any recommendations for change.
- 5.2 Harmonising the scheme for changes to other welfare benefits, including Housing Benefit, streamlines the administration of the scheme and is easier to understand for customers.
- 5.3 The effectiveness of the Scheme continues to be closely monitored by Members and will be reviewed and amended as appropriate on an annual basis.

## **COUNCIL TAX DISCOUNTS AND EXEMPTIONS**

### **6. BACKGROUND**

- 6.1 The Local Government Finance Act 2012 (LGFA 2012) removed Council Tax Exemption Class A (Property that requires major repair work) and Exemption Class C (Unoccupied and Unfurnished), and instead gave billing authorities discretion to award discounts of between 0 and 100 per cent.
- 6.2 The Act also enabled billing authorities to remove the previously statutory minimum 10% discount for second homes (not job related) and to set a premium charge for long-term empty dwellings.
- 6.3 The Council used its discretion to change the Council Tax Discounts and Exemptions available to residents from 1<sup>st</sup> April 2013 and ran the initial consultation exercise alongside consultation on the new localised CTSS.
- 6.4 Key considerations in choosing the discounts to apply from 1<sup>st</sup> April 2013, were:
- Allowing sufficient flexibility within the Council Tax regime for small and large scale landlords to manage short term voids without having to pick up short-term costs whilst preparing accommodation for new tenants and the associated administration that this would require
  - To encourage empty homes back in to use by applying a premium to those that have stood empty for more than two years
  - To reduce the period of discount for homes undergoing major repair work to encourage those works to be conducted in a timely manner, thereby bringing the property back in to use sooner
  - Balancing the potentially beneficial behavioural consequences of discounts and exemptions against the cost to the general taxpayer of awarding such reliefs
- 6.5 The table below shows the Council Tax discounts and exemptions available before and after the changes in April 2013:

<b>Council Tax Discounts &amp; Exemptions</b>	<b>Prior to April 2013</b>	<b>Introduced from 1<sup>st</sup> April 2013</b>
<b>Second Homes</b> (including properties that are unoccupied but furnished)	10% discount	Remove discount

<b>Properties undergoing major repair work or structural alteration</b>	Exempt payment of Council Tax for 12 months and then 50% of the Council Tax is payable.	50% discount for 12 months
<b>Properties that are and unoccupied unfurnished</b>	Exempt payment of Council Tax for 6 months and then 50% of the Council Tax is payable	Exempt for 3 months
<b>Empty Homes Premium</b>	Not Applicable	50% premium added to Council Tax Bills where a property has been unoccupied and unfurnished for two years or more

## 7. OPTIONS FOR CHANGE

- 7.1 Point 8 of the Council's 8-point plan for achieving financial sustainability is Effective Taxation Policies. This work stream includes on-going review of policies such as rent and rate reliefs, Council Tax Support Scheme and Council Tax discounts and exemptions to ensure policies are effective in their operation: balancing support to local residents, businesses and community or voluntary organisations with the funding needs of the Council to support the provision of services.
- 7.2 As part of this review, the Cabinet are asked to consider a number of options for change to some of these locally set Council Tax discounts for inclusion in a consultation document that could run alongside the CTSS exercise.
- 7.3 The consultation will include options for change to discounts for properties undergoing major repair or structural alteration and for properties that are unoccupied and unfurnished only, leaving the Empty Homes premium as it is and not providing any discount for second homes<sup>1</sup>.

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<sup>1</sup> In England, there are some special cases where local authorities have no discretion and the second home discount must be set at 50%. These are where:

- the second home is owned by someone who cannot live there because they have to live elsewhere in England, Wales or Scotland because of their job or their partner's job
- the second home is a pitch with a caravan on it or a mooring occupied by a boat.



- 7.4 The Empty Homes Premium is intended to encourage action to bring long-term empty properties back into use. This has a number of benefits to the Council such as adding to the local housing stock and avoiding the property becoming an environmental nuisance or the target for anti-social behaviour and neighbour complaints. In addition, while the premium brings in additional income to the Council, once a long-term empty property is returned to use it triggers payment under the New Homes Bonus Scheme.
- 7.5 The council is currently charging the maximum premium permissible under LGFA 2012.
- 7.6 The following tables set out the proposed options for inclusion in a consultation exercise. The tables include the potential financial implications of each option on both the Council and the other Council Tax preceptors (County Council, Police and Crime Commissioner, Fire and Rescue Authority).
- 7.7 Unoccupied and Unfurnished

<b>Options</b>	<b>Level of discount</b>	<b>Annual value of discount*</b>	<b>Average Saving per year (all preceptors)</b>	<b>Average Saving to RBC per year (12.8%)</b>
Option 1- no change	100% discount for three months	£344,161	NIL	NIL
Option 2	100% Discount for two months	£229,440	£114,721	£14,684
Option 3	100% Discount for one month	£114,720	£229,441	£29,368
Option 4	No Discount	NIL	£344,161	£44,053

\*Based on averages for awards in the four years 2013/14 to 2016/17

- 7.8 Rationale for inclusion of these options in the consultation:
- Offering a discount for empty properties for a limited period reduces the administrative and cost burden on landlords who would otherwise have to pick up Council Tax costs when a property is empty between tenancies
  - Options 1 to 3 provide for varying periods for the discount and Options 2 and 3 result in modest savings to the Council with more significant savings accruing to the Council Tax preceptors as a whole
  - Option 4 removes the discount altogether which means that there would be no incentive to inform the Council when a property becomes empty. This means that the Council would have no way of tracking the length of

time a property stands empty, and could miss out on premium charges once the property has been empty for two years or more. In addition, if the premium charge were not applied after the relevant period, there is a reduced incentive for the homeowner to bring the property back into use. Empty properties have a negative impact on the Borough, reducing the available housing stock and sometimes becoming an environmental nuisance and source of neighbour complaints. This option does provide additional savings but would cause additional administrative and cost burden on local landlords.

#### 7.9 Major repair work and structural alterations

<b>Recommendations</b>	<b>Current Position</b>	<b>Annual value of discount*</b>	<b>Average Saving per year</b>	<b>Average Saving to RBC per year</b>
Option 1- no change	50% Discount for 12 months	£30,178	NIL	NIL
Option 2	50% Discount for 6 months	£15,089	£15,089	£1,931
Option 3	40% Discount for 12 months	£27,160	£3,018	£386
Option 4	100% discount for 1 month	£5,030	£25,148	£3,219
Option 5	No Discount	NIL	£30,178	£3,863

#### 7.10 Rationale for inclusion of these options in the consultation:

- Discourage derelict properties by reducing the amount of discount they are entitled to
- Derelict properties as well as serving no useful housing purpose often attract a disproportionate amount of public resources. Sometimes becoming an environmental nuisance or the target for anti-social behaviour and neighbour complaints.
- Options 2 to 4 vary the time period and/or the percentage of discount awarded, realising small savings to the Council and modest savings to the preceptors as a whole. They still reflect a concession for the taxpayer while the property is undergoing the work and during which time it may not be drawing as heavily on Council resources as an occupied property.

- Option 5 removes the discount altogether which again removes the incentive to advise the Council when a property becomes vacant, which will makes it difficult to charge a premium rate after the appropriate time or claim New Homes Bonus for bringing a long-term property back into use
- Allowing a discount for properties undergoing major repair could provide an incentive to refurbish properties
- Restricting the discount to a limited period could encourage works to be carried out in a timely manner, and would potentially benefit the neighbourhood scene

## 8. CONCLUSIONS

- 8.1 The Council should periodically review its taxation policies to ensure they are effective. It is timely to review the level of Council Tax discounts referred to in the report and take the opportunity to consult on any changes alongside the consultation exercise on the CTSS.

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### BACKGROUND DOCUMENTS:

2013 – Consultation on important changes to Council Tax Benefit and discounts draft report – Customer Services  
Local Government Finance Act 2012

### CONTACT DETAILS:

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CABINET

COUNCILLOR KEN MUSCHAMP  
BUSINESS, SAFETY AND REGULATION  
PORTFOLIO HOLDER

17<sup>th</sup> OCTOBER 2017

REPORT NO. EHH1731

KEY DECISION? YES

## SAFEGUARDING POLICY AND PROCEDURE

### SUMMARY AND RECOMMENDATIONS:

The attached 'Policy and Procedure for the Safeguarding of Children and Vulnerable Adults' is based on national safeguarding legislation.

This report summarises the guidance and requirements for safeguarding arrangements. It sets out a proposed new 'Policy and Procedure for Safeguarding Children and Vulnerable Adults' for Rushmoor Borough Council.

#### Recommendation

Cabinet is asked to approve the adoption of the Policy and Procedure for the Safeguarding of Children and Vulnerable Adults (Appendix 1).

## 1. INTRODUCTION

- 1.1 The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults.
- 1.2 The safeguarding policy of the Council is attached at Appendix 1 for Cabinet to recommend its adoption.

## 2. BACKGROUND

- 2.1 Under the Children Act 1989, Local Authorities, have a general duty to safeguard and promote the welfare of children within their area who are in need (Section 17 Children Act 1989). The Every Child Matters Green paper published in September 2003 proposed changes to policy and legislation in England to maximise opportunities and minimise risks for all children, young people and their families and the Children Act 2004 subsequently came into force in October 2005.
- 2.2 Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

**2.3** The duty under Section 11 of the Children Act 2004 is placed on local authorities and district councils that provide children's and other types of services, including, housing, sport, culture and leisure services, licensing authorities and youth services. Section 11(2) of the Children Act 2004 provides:

*“ Each person and body to whom this section applies must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children ”*

In discharging this duty the council has to have regard to any guidance given to them for the purpose by the Secretary of State.

**2.4** The most recent statutory guidance that has been produced on safeguarding children is the updated Working Together to Safeguard Children which came into force in April 2013. This simplifies previous guidance documents and clarifies the responsibilities of professionals towards safeguarding children. Most of the responsibilities and procedures remain the same and include the need for arrangements that reflect:

- A clear line of accountability for the commissioning and/or provision of services designed to safeguard and promote the welfare of children;
- a senior level lead to take leadership responsibility for the organisation's safeguarding arrangements;
- a culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services;
- arrangements which set out clearly the processes for sharing information, with other professionals and with the Local Safeguarding Children Board;
- a designated professional lead for safeguarding.
- safe recruitment practices for individuals working regularly with children, including policies on when to obtain a criminal record check;
- appropriate supervision and support for staff, including undertaking safeguarding training;
- clear policies for dealing with allegations against people who work with children.

**2.5** In addition to these Section 11 duties, further safeguarding duties are also placed on individual organisations through other statutes such as Part 1 of the Housing Act 2004.

**2.6** There is a legal requirement on districts and boroughs to have vulnerable adults safeguarding arrangements in place or to report suspected abuse of adults under the Care Act 2014. Related guidance is available in the form of

the Care Act Statutory Guidance, the Department of Health 'No Secrets' 2000 guidelines (revised in 2010) and the Government's Statement of Government Policy on Adult Safeguarding, 2013.

- 2.7 Whilst it is recognised that different issues must be taken into account when dealing with cases of abuse, common principles apply. The work of the council brings it into contact with vulnerable people of all ages and it has a role in supporting vulnerable adults who are unable to take their own decisions and or protect themselves and their assets.
- 2.8 This Policy can be linked to supporting and empowering our communities and meeting local needs.

### **3 DETAILS OF THE PROPOSAL**

#### **General**

- 3.1 The draft policy (Appendix A) sets out the council's commitment to safeguarding the welfare of children and vulnerable adults, including main principles and associated responsibilities.
- 3.2 Recognising the various types of abuse and reporting concerns is critical. The various types of abuse are defined in section 5 of the draft policy. It is not our role to investigate allegations, but we may hold a piece of the jigsaw that helps ensure appropriate action is taken by others.
- 3.3 Key provisions of the guidance are identified within the draft policy. A Safeguarding Referral Process chart is also included as an appendix to the Policy.
- 3.4 A joint safeguarding policy and procedure for children and vulnerable adults been developed due to the fact that the general principles of safeguarding and related information are similar in both cases. Duplication is avoided and the guidance is a more accessible resource to anyone who may need to use it. A number of neighbouring authorities have also developed their policies in this way.

### **4 SAFEGUARDING AUDIT**

- 4.1 The council works in partnership with a range of agencies to safeguard children and vulnerable adults in the borough and is signed-up to Hampshire County Council's 'Multi-agency Agreement'. Hampshire Safeguarding Children Board (HSCB) is responsible for co-ordinating and ensuring the effectiveness of local work to safeguard and promote the welfare of children in Hampshire. To support this role the HSCB conduct an annual Section 11 safeguarding audit to inform overview of current practice and support improvement.

## **5 COMMUNICATION AND CONSULTATION**

- 5.1** All staff are required through induction and periodically thereafter to undertake some safeguarding training. This is largely provided through the councils e-learning modules.
- 5.2** The e-learning training is currently being updated and will be promoted to all staff from the autumn. It will incorporate key elements of the councils safeguarding policy. Further training is available for frontline staff more likely to have contact with vulnerable groups. Awareness training is also available to councillors.
- 5.3** The updated policy will be available to third parties and procurement procedures include the need for contractors to have a safeguarding policy in place that complies with the council's policy and have suitable arrangements in place to ensure compliance with relevant legislation.

## **6 IMPLICATIONS**

### **Risks**

- 6.1** There are significant risks if the Safeguarding Policy and Procedure for Children, Young People and Vulnerable Adults is not approved and adopted. Section 11 of the Children's Act 2004 places a duty to make "arrangements to safeguard and promote welfare" on a range of agencies including Councils. This includes making arrangements to ensure that all Council functions are discharged having regard to the safeguarding and promoting the welfare of children.

A failure to have such a policy and procedures in place will result in the Council being open to legal challenge as the Council will not be complying with the requirements of the Children's Act 2004.

The Policy and Procedure will ensure that there is a focussed effective and joined up approach to Safeguarding Children, Young People and Vulnerable adults in Rushmoor.

Our new policy, procedure and training will strengthen our partnership response to ensure that no child, young person, or vulnerable adult are disadvantaged due to lack of procedure or due to an officer, member or contractors lack of collective responsibilities

### **Legal Implications**

- 6.2** The proposed policy and procedures support the council's obligation in responding to safeguarding related legislation, in particular the Children Act 2004 Section 11 duties and the Care Act.



## **Financial and Resource Implications**

- 6.3** There are no new financial implications arising from the recommendations of this report. It is expected that any resource demands arising from the policy will be met from within existing council budgets.

## **Equalities Impact Implications**

- 6.4** This Policy will provide additional support helping children, young people and vulnerable adults and will ensure that their specific needs are addressed and considered. The Policy and Procedure will ensure that there is focussed effective and joined up approach to Safeguarding in Rushmoor. This will in turn strengthen our partnership response to ensure that no child, young person or vulnerable adult is disadvantaged due to lack collective responsibility or procedure.

## **HR Implications**

- 6.5** The policy identifies recruitment and training procedures for anyone who works directly with children or vulnerable adults, or may come into regular contact with vulnerable individuals during the course of their work. It also outlines training provision for all staff and provides specific guidance to councillors.

## **7 CONCLUSIONS**

- 7.1** This policy and procedure will provide staff, members and others with a clear understanding of the councils commitment to safeguarding, awareness of the regulations and guidance to ensure best practice is embedded across the work of the council and its partners.
- 7.2** Based on the contents of this report, Cabinet is asked to approve that the Policy and Procedure for Safeguarding Children and Vulnerable Adults be adopted.

## **BACKGROUND DOCUMENTS:**

Policy and Procedure for the Safeguarding of Children and Vulnerable Adults

## **CONTACT DETAILS:**

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# **Rushmoor Borough Council**

## **Policy and Procedure for the Safeguarding of Children and Vulnerable Adults**

**Owner: Community Safety Manager**  
**Version: 3.0**  
**Issued:**  
**Last updated: September 2017**  
**Review date: March 2020**

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## **1 Policy Statement**

Rushmoor Borough Council is committed to safeguarding the welfare of children and vulnerable adults. Safeguarding is about protecting vulnerable people from harm, regardless of their age, gender, disability, race or any other protected characteristic (Equality Act 2010), and promoting the prevention of impairment.

The council undertakes a wide range of services through which council employees, councillors and volunteers may encounter vulnerable people during the course of their work. Although the extent and frequency of contact varies, everyone has a responsibility to recognise and respond to safeguarding issues and must be aware of this policy and procedure. Services that are identified as having contact include, but are not limited to: Community Safety, housing and homelessness prevention, benefits, home visits, licensing premises and taxis, supporting local voluntary and community groups, building control, electoral registration canvassers, CCTV, environmental health, front desk and call centre staff.

The senior responsible officer for safeguarding is the Head of Service for Environmental Health and Housing. On a day-to-day basis, the main point of contact for raising safeguarding issues is the Designated Safeguarding Officer. The Council has also identified individuals to act as Safeguarding Champions across the organisation who are able to offer information and advice when concerns are raised.

This policy is compliant with the Children Act 2004, the Care Act 2014 and associated guidance. The council works in partnership with a range of agencies to safeguard children and vulnerable adults in the borough, including the Hampshire Children and Adults Safeguarding Boards, and is signed-up to Hampshire County Council's Multi-agency Agreement.

The Counter Terrorism and Security Act 2015 places a duty on specified authorities in the exercise of their functions to have due regard to the need to prevent people from being drawn into extremism and terrorism. Prevent is included as part of our safeguarding responsibilities in accordance with guidance.

This policy will be made available to all employees, councillors and volunteers and training will be provided commensurate with roles and is mandatory for all staff and councillors on induction. Hard copies of the policy are available in councillors' group rooms and on request.

## **2 Aims and Review**

The main aim of this policy is to put the council's legal and moral commitment to safeguarding into practice, and to act as a guide for employees, councillors, volunteers and third party agencies on how to deal with safeguarding concerns. It outlines the council's approach to safeguarding vulnerable people, roles and responsibilities and the procedure for raising concerns. It also includes guidance on best practice when working with vulnerable people to ensure that, where possible, no one is placed in situations where abuse by them might be alleged.

This policy will be reviewed every three years or when there is a significant change in relevant legislation/to RBC procedures. The councils approach to safeguarding is subject to annual audit by the local safeguarding Boards.

### 3 Scope

The scope of this policy is in respect of this council's responsibility towards:

- Children and young people legally defined as any person under the age of 18.
- Vulnerable adults – The Care act refers to an 'adult at risk of abuse or neglect with care and support needs'
- council employees who will come into contact with children or vulnerable adults during the course of their work
- councillors when on council business
- volunteers who are performing a task or duty at the request of , or on behalf of the borough council
- contractors when carrying out work on the council's behalf
- the policy covers all functions and services of the council.

Safeguarding and promoting the welfare of children and young people is defined as:

- protecting children from maltreatment
- preventing impairment of children's' health or development
- ensuring that children are growing up and living in circumstances consistent with the provision of safe and effective care
- undertaking that role so as to enable children to have optimum life chances

Adult safeguarding is defined as

- safeguarding is aimed at adults with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect
- protecting an adults right to live safely, free from abuse and neglect

### 4 Responsibilities

Responsibility for the implementation of this policy lies at all levels of the council: Strategic Leadership, Cabinet, councillors, heads of service, managers, all employees, contractors and volunteers. Main responsibilities include:

- providing clear procedures to staff, councillors and vulnerable groups relating to voicing concerns about issues they may feel unhappy or unsure about
- sharing information with the appropriate agencies
- ensuring that all staff are appropriately trained and supervised
- ensuring all staff are recruited following recommended procedures
- ensuring that all staff coming into regular contact with vulnerable individuals are Disclosure and Barring Service (DBS) checked
- promoting protection issues to grant recipients, partners and service providers.

The Designated Safeguarding Officer, Head of Housing and Environmental Health, has the responsibility to:

- provide advice and information relating to safeguarding concerns
- receive and record information from employees, councillors, volunteers, children, vulnerable adults or parents and carers who have safeguarding concerns
- assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate
- ensure a formal referral to a statutory agency or the police has been made without delay and ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary
- ensure appropriate training is available for employees, councillors, and volunteers.
- be aware of the local child and vulnerable adult protection networks, the role of the Hampshire Safeguarding Children Board and The Hampshire Safeguarding Adult Board and the existence of local safeguarding procedures.

**Remember it is not up to you to decide if abuse has taken place, that is the role of Hampshire County Council's Children and Adult Services, however, it is your responsibility to report any concerns you may have. RBC has a duty of care to respond to any concerns to ensure the appropriate action can be taken. When raising a concern, a sense of proportion should be maintained and common sense applied to situations. The main priority must be to safeguard the welfare of the vulnerable person involved.**

## **5 Types and indicators of abuse**

Abuse can occur anywhere, at an individual's home, at another address, via the internet, in residential homes, education or day care settings or public spaces. Abusers equally can be anyone, relatives, family members, professional staff, care workers, volunteers, other service users, neighbours, friends and associates, people who exploit the vulnerable, strangers and organised or linked networks.

Abuse is a form of maltreatment. A child or vulnerable adult can be abused or neglected because they are being harmed or because no-one is preventing that harm from being caused. Abuse is categorised but an individual who is being abused is likely to experience a number of these abuses, for example, a child who is being neglected is also a victim of emotional and physical abuse.

The following definitions have been taken from a range of safeguarding guidance and legislation including Working Together to Safeguard Children 2015 and No Secrets 2015.

### *Physical Abuse*

May involve causing pain, injury or impairment by behaviour such as: hitting, slapping, pushing, kicking, misuse of medication, restraint, inappropriate

sanctions, shaking, throwing, poisoning, burning, scalding, malnutrition, dehydration or any other acts causing physical harm or illness.

#### *Emotional Abuse*

The persistent emotional maltreatment of a person, such as to cause severe ongoing adverse effects on a person's emotional development and well being. This may involve threats of harm, controlling, intimidation, coercion, harassment, verbal abuse and isolation from supportive networks.

#### *Sexual Abuse*

Involves forcing/enticing a child or vulnerable adult to take part in sexual activities including; prostitution, rape, sexual harassment, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault or sexual acts to which consent has not been given or has been given under duress, sexual photography, inappropriate touching, sexual teasing or innuendo. This abuse includes children who are victims of Child Sexual Exploitation (CSE) or are missing or being trafficked.

#### *Neglect*

Persistent failure to meet the basic, psychological and/or emotional needs of a child or vulnerable adult. This abuse includes; ignoring medical or physical care needs, failing to provide access to appropriate health/social care, welfare benefits or educational services, withholding necessities of life such as medication, adequate nutrition and heating. Neglect to a baby may occur in utero as a result of maternal alcohol or substance misuse.

#### *Domestic Abuse*

An incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence. In the majority of cases this abuse is perpetrated by a partner or ex-partner but also by a family member or carer.

#### *Financial Abuse*

This abuse is specific to vulnerable adults and does not affect children. The abuse includes, theft, fraud, pressure in connection with wills, property of inheritance or financial transactions, misuse or misappropriation of property, money, possessions or benefits.

#### *Honour Based Violence*

Honour based violence is a violent crime or incident which may have been committed to protect or defend the honour of the family or community. It is often linked to family members or acquaintances who mistakenly believe someone has brought shame to their family or community by doing something that is not in keeping with the traditional beliefs of their culture.

#### *Discriminatory Abuse*

This is abuse that affects protected characteristics under the Equalities Act 2010 and include any act aimed specifically at an individual; age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and/or sexual orientation. This abuse includes; harassment, slurs or similar treatment classed as hate crime.



### *Abuse of Disabled Children / Adults*

Disabled children and adults are at increased risk of abuse and neglect and this risk increases further with the severity of the disabilities as they may; have few social contacts/interactions, be receiving intimate care from a number of individual carers and/or have impaired capacity to protect themselves from abuse through challenge or communication.

### *Forced Marriage*

A marriage in which one or both of the parties is married without his or her consent or against his or her will.

### *Modern Slavery*

Modern slavery, 'trafficking in persons' and 'human trafficking' have been used as umbrella terms for the act of recruiting, harbouring, transporting, providing, or obtaining a person for compelled labour or commercial sex acts through the use of force, fraud or coercion.

### *Female Genital Mutilation (FGM)*

FGM comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non medical reasons. FGM is a criminal offence in the UK and is an extremely harmful practice and a form of child abuse and violence against women and girls.

### *Self-neglect, Self-harm or Attempted Suicide*

Self-neglect includes failing to care for one's personal hygiene, health or surroundings and includes hoarding behaviours. Deliberate self-harm is physically harmful behaviour without suicidal intent, resulting in non fatal injury, it is, however, a common precursor to suicide. Attempted suicide is self-harm with intent to take life, resulting in non fatal injury.

### *Institutional / Organisational Abuse*

Institutional or organisational abuse is the mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects a whole setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

Indications that an individual may be experiencing abuse could include:

- unexplained or suspicious injuries such as bruising, cuts or burns, particularly if located on a part of the body not usually prone to such injuries
- someone else expresses concern about an individual's welfare
- unexplained changes in behaviour e.g. withdrawn, watchful, over sexualised language
- fear of going home or distrustful towards adults, particularly those with whom they have a close relationship
- difficulty making or keeping friendships, or prevented to socialise
- changes in eating habits including overeating or loss of appetite

- loses weight for no apparent reason or becomes increasingly unkempt

This is by no means an exhaustive list and the presence of one or more of these indicators is not proof that any abuse is or has taken place. Multiple forms of abuse can occur in an abusive service setting to one or more individuals at a time, making it important to look beyond single incidents to underlying dynamics and patterns of harm.

#### *Injuries to non-mobile children*

Unexplained bruising is the commonest indicator of physical abuse in children, however, the significance of bruising is sometimes not recognised in those not yet crawling, cruising or walking independently. NICE guidance states that bruising in any child not independently mobile should prompt suspicion of maltreatment.

## **6 Prevent Duty**

Under the Counter Terrorism and Security Act 2015 a duty has been placed on Local Authorities to:

- provide Prevent training to staff and those contracted to the Council
- recognise and report concerns of radicalisation through safeguarding procedures
- ensure that council owned or controlled building are not used by those engaged in extremist behaviours or spouse extremist views
- take opportunities when new contracts for delivery of services are being made to ensure that the principles of the duty are written in to those contracts in a suitable form
- to work in partnership with other agencies at a County level to provide Channel Panels to challenge ideologies and behaviours of those identified as at most risk of radicalisation

## **7 Referral and reporting safeguarding concerns**

If you have a concern that an individual is at risk of immediate harm or danger then you should dial 999 and report your concerns directly to the police.

If you have a concern that an individual may be a victim of abuse of any kind and would like to discuss your concerns in more detail then you can approach one of the Safeguarding Champions. The Safeguarding Champion will be able to offer you guidance and support in raising your concern. If a safeguarding referral needs to be made to address your concerns then you will be asked to complete a Safeguarding Referral Form (Appendix 1) which can be found on the staff intranet. This form should be completed with as much relevant information as possible and then submitted to the Designated Safeguarding Officer at Community Safety Safeguarding in the online staff address book or to [safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org). Allegations of abuse may be subject to criminal proceedings so it is vital that once your concern has been escalated you do not try to intervene further as this could hamper the police investigation.

## 7.1 Disclosure

This is when a child or vulnerable adult (or someone associated with them), tells you something that raises a concern that abuse is or may have happened. The different types of abuse are outlined in Section 5. Disclosure can be defined as either:

- Full disclosure: where an individual gives you the whole story of what is happening to them including the name of the abuser/s.
- Partial disclosure: where an individual tells you only that “something” is happening to them. They may not say who or what, and may not say any more.

A disclosure can be deliberate or made as part of a normal conversation. Either way it must be reported.

During a disclosure by a victim of abuse **you should:**

- stay calm and listen patiently
- reassure the person they are doing the right thing by telling you
- ask clarifying questions to ensure that your understanding is the same as the individual making the disclosure
- make the individual affected aware of the need to pass on any information they tell you, and that ‘secrets’ cannot be kept
- explain what you are going to do with the information, and who it will be shared with
- try to ensure the disclosure area is kept confidential and that it is not possible for anyone else to hear
- attempt to make a written note of what is being said as soon as possible (this note should be kept for use as potential evidence in subsequent legal proceedings).

**You should not:**

- ask leading questions, appear shocked, horrified, disgusted or angry.
- press the individual for details (it is not your duty to undertake the investigation).
- make comments or judgements other than to show concern.
- promise to keep secrets or confront the abuser.
- risk contaminating evidence.

## 7.2 Reporting a safeguarding concern

Advise the Designated Safeguarding Officer immediately after the issue is identified:

- record the full conversation about the disclosure or suspicion of abuse on the Child/Vulnerable Adult Safeguarding Referral Form, detailing as much as possible of what the person said, and their behaviour whilst disclosing.
- only language used by the individual should be used, and assumptions in your own words should not be made
- ensure that the form is completed fully and sent to the Designated Safeguarding Officer ([safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org)) as soon

as possible (preferably within 24 hours). It will then be passed to Children/Adult Services within 48 hours.

The referral form contains confidential information that is subject to the Data Protection Act 1998. The form can either be submitted through a designated email address or handed to the Designated Safeguarding Officer (Community Safety Manager), copies should not be retained by the referrer. The Designated Safeguarding Officer will create a record of the individual on SafetyNet, upload the referral form once it has been submitted to the Multi Agency Safeguarding Hub (MASH) and then close the record. No one else will be able to view this record unless it relates to an ongoing case and it is appropriate to share this information in the interests of safeguarding all (including staff) concerned.

In the event of a concern being raised out of normal office hours, contact can be made directly with;

- Children /Adult Services on telephone number 0300 555 1373

this must be followed up with a completed referral form being submitted to the Designated Safeguarding Officer within 48 hours.

A social worker from Children/Adult Services will assess the information to determine whether a formal investigation should commence, and may contact you directly for further information. You may also be contacted by the Police.

### 7.3 Procedure in the event of an allegation made against a staff member

Anyone who suspects that a member of the council's staff may be abusing a child or vulnerable adult must act on their suspicions immediately. This will not only protect vulnerable individuals but also colleagues from false accusations. Everyone must understand that allegations made against a member of staff will be dealt with seriously and may have far reaching consequences.

If you are a member of staff and have concerns about the behaviour or conduct of a member of staff or other adult working on behalf of the council:

- it must be treated in the strictest confidence.
- details must be recorded immediately and information discussed with HR.
- if necessary, appropriate action will be taken to remove the child or vulnerable adult from immediate danger. This could mean, in serious cases, the head of service responsible for the individual (in consultation with HR) asking the employee to go home whilst an investigation is conducted.
- HR must telephone the Local Authority Designated Officer (LADO) without delay to notify them of the concern which has been raised and to seek advice on the way forward. The LADO can be contacted on 01962 876364 or by email at [child.protection@hants.gcsx.gov.uk](mailto:child.protection@hants.gcsx.gov.uk). If required, the LADO will send the Head of HR a LADO Notification Form to complete and return without delay.
- HR will investigate whether the allegation is due to poor practice in delivery of the service (i.e. the principles of this policy have not been applied in the planning and delivery of services) or whether there is

deliberate non-compliance by the employee with regard to the approved policies and procedures. If poor practice is highlighted, the service manager will be responsible for improving procedures.

- if the matter relates to deliberate non-compliance, HR will decide the next course of action or refer it to the Designated Safeguarding Officer.
- if it is deemed necessary to suspend an employee it is essential to follow the guidance given under the Disciplinary Policy.
- if you do not work for the council and have concerns about the behaviour or conduct of a member of council staff contact the council's HR on 01252 398421.

The council's Whistleblowing Policy also allows staff to raise serious concerns in strict

Confidence. This policy is intended to encourage staff to raise serious concerns within the council rather than ignoring a problem.

#### 7.5 Procedure in the event of an allegation made against a councillor

Anyone who suspects that a councillor may be abusing a child or vulnerable adult should immediately notify the Monitoring Officer for the Council.

## **8 Confidentiality, record keeping and complaints**

### 8.1 Confidentiality

The right of a child or vulnerable adult to be protected from harm is paramount. While there are clear rules on confidentiality, if the needs of the individual affected outweigh the need for confidentiality, then the need of the vulnerable person takes precedence. However, where an allegation is made, and whilst it is being investigated, every effort should be made to ensure confidentiality is maintained for all concerned. If enquiries arise from the public (including parents) or any branch of the media, it is essential that all employees, councillors and volunteers are briefed so that they do not make any comments regarding the situation, unless authorised to do so.

### 8.2 Record keeping

Safeguarding records will be stored on SafetNet, a secure information sharing database which has robust governance and auto archiving functions to ensure that the Data Protection Act 1998 is adhere to. The case on SafetyNet will be locked down to ensure that only those who need to know have access and unless it is a live case it will be opened and closed once the safeguarding referral has been made. If the need arises, the case will be reopened by the Designated Safeguarding Officer for additional information to be added or action taken.

### 8.3 Complaints regarding the council's approach/response to safeguarding issues

When dealing with complaints, it is important to maintain an open culture. Staff, councillors, volunteers and others must feel able to express concerns about safeguarding issues and issues of poor practice when dealing with vulnerable people. An easy to follow complaints procedure for members of the public regarding

staff is available from the council offices. Guidelines for staff are also available with reference to face-to-face, telephone and written complaints.

## **9 Recruitment and training**

### **9.1 Recruitment**

Through the council's recruitment procedures anyone who works directly with children or vulnerable adults, or may come into regular contact with vulnerable individuals during the course of their work, must have:

- a Disclosure and Barring Service (DBS) check (formerly known as a Criminal Records Bureau (CRB) check).
- their experience of working or contact with children or vulnerable adults fully explored, prior to appointment
- two references obtained from people who have had experience of the applicant's work with children or vulnerable adults (paid or voluntary)
- training in recognising the signs of abuse, in reporting procedures, and in good working practice.

Pre-recruitment checks will always be carried out. This includes conducting a risk assessment for all posts to determine whether or not the post has access to children or vulnerable adults (this will apply regardless of the employment status of the post i.e. permanent, temporary or casual). Job descriptions of staff that are subject to a DBS check will include reference to specific safeguarding responsibilities and where relevant, reference to the 'early help' agenda.

### **9.2 Managing Work Experience**

All young people undertaking work experience with the council and council trainees are

- to be regarded as employees for the purposes of health and safety and they should receive all of the same protection we afford to our own employees.

### **9.3 Training**

The council recognises that it has a commitment to ensure that all staff have a clear understanding of their roles and responsibilities when working with children or vulnerable adults. The training process will help staff to:

- be able to recognise the different signs of abuse, and what appropriate course of action should be taken in these circumstances.
- have an understanding of the potential risks to themselves, and ensure good practice is adhered to at all times.
- recognise signs of improper behaviour from other staff, and take appropriate action.

Managers and supervisors of staff must also have training, even if they themselves do not come into contact with vulnerable groups. All staff will be required to attend interactive training in the above areas.

## **10 Funding and grants**

Where organisations and groups that work with children or vulnerable adults apply to the council for grants, the granting of funds will be subject to a safeguarding policy being in place by the recipient organisation. Guidance to organisations or groups can be provided on adopting a safeguarding policy if needed.

## **11 Hiring facilities to others**

Any hirer who provides activities for children or vulnerable adults is required to adhere to current safeguarding legislation and guidance. When hiring out a Council venue, the Counter Terrorism and Security Act 2015 duty must be observed to ensure that they are not being used by radical speakers or for the purposes of radicalisation.

## **12 Third Party Obligations**

Contractors, sub-contractors and organisations that are commissioned, funded by or working on behalf of the council, that are involved in areas where workers come into regular contact with children or vulnerable adults, must have safeguarding children and vulnerable adult policies in place that comply with the terms of this policy. These organisations must ensure that the correct DBS checks have been carried out for all relevant workers and provide staff with appropriate safeguarding training. All new contracts let by the council, which involve providing services for vulnerable individuals, will include appropriate provisions for complying with the principles of this policy.

## **13. Photography and use of photographic equipment**

If you are organising an event or meeting and would like to take photographs or record a video of activities, please contact the Communications Team at the council to obtain further advice and a Photographic Consent form.

### Legislation and guidance

This policy has been based on current safeguarding legislation and guidance for children and vulnerable adults, including:

- Working together to safeguard children, – A guide to interagency working HM Gov., 2015
- Care Act 2014
- Information Sharing Advice for practitioners, 2015
- The Role of District Councils in Safeguarding Children and Young People, 2010
- National Framework of Standards – adult safeguarding, 2005
- The Children Act 2004 (including provisions and guidance in 2005).
- Every Child Matters Green Paper, 2003
- 'No Secrets' guidance, 2000 (including the revision of this guidance in 2010)
- The Protection of Children Act, 1999

Other related legislation includes: the Data Protection Act 1998, the Equality Act 2010 and the Freedom of Information Act 2000. Further detail on safeguarding legislation can be found by accessing the relevant links on this website:  
<http://www.isa.homeoffice.gov.uk/>

## Appendix 2

### Hampshire County Council Multi-Agency Agreement responsibilities

Rushmoor Borough Council has a responsibility to:

- promote awareness of the nature and extent of abuse and of the multi-agency policies for safeguarding children and vulnerable adults
- have an internal safeguarding policy and ensure that it reflects and refers to the multi-agency policies
- take appropriate action wherever abuse is suspected
- promote the safety of service users
- call on emergency services appropriately where there is immediate danger.
- provide opportunities for training on safeguarding children and vulnerable adults for staff.
- assure service users that they will be listened to and make them aware of policies and procedures
- offer appropriate support to those reporting abuse, and to those involved in investigating abuse, and keep records of any incidents/concerns
- commission safe services and ensure effective monitoring of those services as well as having systems in place to take action where services are found to be abusive
- provide comprehensive information on the rights of staff and how employers will respond if abuse is alleged against them. Robust management procedures should be in place for addressing conduct and capability issues.



### Good practice guidelines – ‘Dos and Don’ts’

The following ‘Do’s and Don’ts’ are designed to safeguard children and vulnerable adults and protect staff etc. from situations where false allegations can be made. The lists on the following page are not exhaustive. Some specific posts and activities may need more detailed guidance. If you have any concerns about the appropriateness of any practice or action, contact the Designated Safeguarding Officer.

#### **In the course of their day to day work on behalf of the council, Rushmoor Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will ...**

1.	be professional, use common sense, and maintain the highest standards of personal behaviour at all times
2.	ensure all activities undertaken involving any risk to children or vulnerable adults are properly risk assessed and appropriate control measures recorded and implemented
3.	avoid being the only adult in an enclosed room with a young person
4.	treat all children and vulnerable adults with equal dignity and respect
5.	where appropriate, be identifiable – wear a form of identification
6.	respect the child/vulnerable adult’s right to privacy
7.	maintain an appropriate distance and consider placing a physical barrier (e.g.) coat/handbag, between themselves and the child/vulnerable adult
8.	keep the child’s needs first and the outcomes second
9.	obtain written consent for the taking of photos for publicity purposes and when children are to participate in supervised activities and events without the presence of the parents or guardian
10.	if physical contact is necessary for demonstrating skills etc., explain and discuss these actions with the person first

#### **In the course of their day to day work on behalf of the council, Rushmoor Borough Council councillors, staff, managers, volunteers and anyone who is acting on behalf of the council will NOT...**

1.	have inappropriate physical / verbal contact with children and vulnerable adults
2.	discriminate against a child or vulnerable adult on the grounds of their age, gender, disability, race, religious belief, sexual orientation, transgender status or any other protected characteristic
3.	transport or offer to transport a child unless written consent has been given by their parent and or guardian
4.	engage in physical intervention unless in emergency situations, where, if personnel did not intervene there would be a real or actual risk to others
5.	be under the influence of drink, drugs or any illegal substance
6.	allow bullying or the use of inappropriate language unchallenged
7.	let allegations a child or vulnerable adults makes be ignored or go unrecorded
8.	do things of a personal nature for a child or vulnerable adult that they can do themselves
9.	enter a house when a child is alone or arrange to meet with a child outside of council work, unless you have full consent of the child’s parent/ guardian and your line manager
10.	administer medication unless specifically trained and approved

## Specific guidance for councillors

### When should a councillor comply with the council's safeguarding policy?

When acting as, or perceived to be acting as, a councillor.

### When is a councillor acting as, or perceived to be acting as, a councillor?

It can be unclear as to when a councillor's duties end and when their private life takes over. With regard to safeguarding children there would appear to be three possible situations:

- 1 A councillor clearly acting in an official capacity, for example where a planned visit to a school or care home has been organised by officers and the councillor is attending in their official capacity. In this situation, councillors would be expected to follow the same policy and procedures as officers.
- 2 A situation where the councillor could be perceived to be acting in an official capacity – this could be a situation where councillors are fact finding on their own without officers in attendance (for example where complaints of anti-social behaviour in a children's play area have been made and a ward councillor goes out to see how bad the situation is). In this situation, the councillor may come into contact with children. Again, councillors would be expected to follow the same policy and procedures.
- 3 Purely social contact with children (for example giving a lift to the children of a family friend) or vulnerable adults (for example visiting an older person who is a friend at a care home). There is no need to follow the council's child protection policy and procedures.

It is noted that councillors often get involved with, or take on, other roles in the community, for example school governor, helping at youth clubs, care homes etc. In these circumstances the councillor will have to comply with the policy of the relevant organisation (i.e. the school etc).

### What does a councillor have to do to comply with the policy?

While acting as, or perceived to be acting as, a councillor:

- all councillors must report any concerns or disclosures made to them relating to child or vulnerable adult safeguarding issues to the council's Designated Safeguarding Officer. Email: [Safeguarding@communitysafetynh.org](mailto:Safeguarding@communitysafetynh.org)
- all councillors must comply with the Good Practice Guidelines.
- In the unlikely event that a councillor needs to work frequently with children or vulnerable adults on behalf of the council then they would be required to have a DBS check and meet with the Designated Safeguarding Officer, to ensure that they are familiar with the council's safeguarding policy and procedure. Should a councillor not attend this meeting and/or in the absence of a satisfactory DBS check, then the council will not place them in the position of working directly with vulnerable individuals on its behalf. Councillors will receive additional guidance on their safeguarding responsibilities as part of the councillor induction process

## **Additional children/young people safeguarding guidelines**

These guidelines relate to working with one or two young people and should be followed for: work placements, work shadowing days and individual meetings with young people.

Where a member of staff intends to work with a group of three or more young people the supervision and gender ratio is a matter of judgement for the officer concerned who must conduct a specific risk assessment in the context of the activity to be undertaken.

### At the Council Offices

The council is generally open plan; therefore risk to the individual/council is minimal, however:

- No child/young person should be left alone in an enclosed room/office or be alone in an enclosed room with only one adult; two members of staff should be present.
- 1:1 meetings/discussions in an open plan office environment is acceptable.
- DBS checks are not required for staff involved in office based placements.
- When Business Units agree to take on a work placement and have concerns in relation to the putting either the young person/person or the organisation at risk then they should contact HR for advice. Advice will be given on a case by case basis.

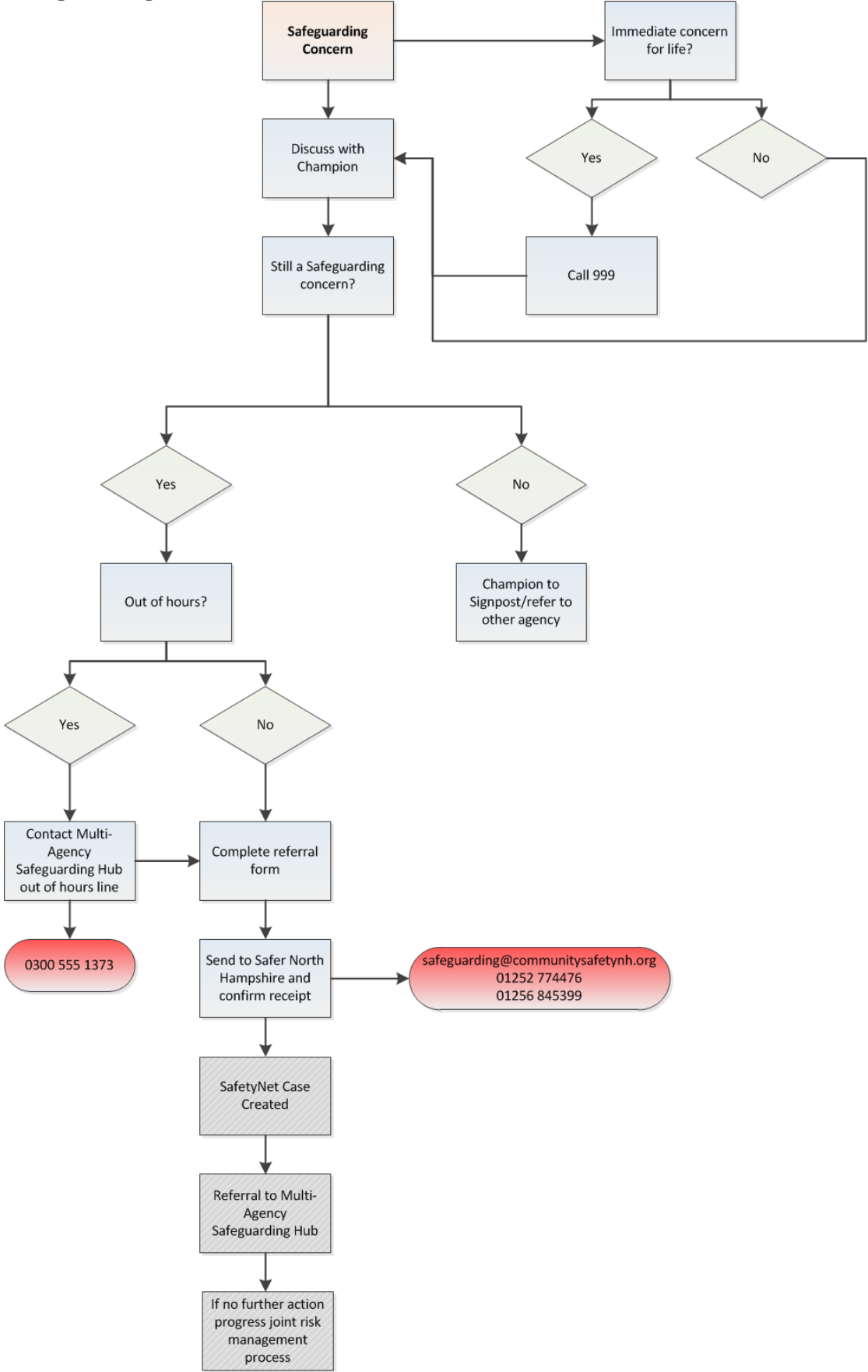
### Meetings/visits away from the office

- When leaving the offices for meetings or visits young people will be accompanied by two adults at all times. Where possible one of these individuals must be the same gender as the young person (i.e. with a female student there must either be 2 female adults, or 1 female, 1 male adult but not two males; with a male student there must either be 2 male adults, or 1 female, 1 male adult but not two females).
- One of the adults may be someone other than a member of staff; this person should be a 'responsible' adult known in their professional capacity to the member of staff, e.g. councillor, member of community organisation, teacher. (this will generally be a matter of judgement for the officer concerned)
- Approval must be obtained from the school/placement body for the young person to be taken off site during their placement. For placements arranged through HR, consent will have been obtained in advance as part of a Risk Assessment. If the placement has been organised by the business unit directly with a school, the business unit will be responsible for seeking/evidencing consent from the school. If a placement is agreed directly between a business unit and young person, the business unit is responsible for seeking and evidencing consent from the young person's legal guardian.
- If going off site involves travelling in a car belonging to a member of staff, the car must be insured for the purpose of carrying passengers for business use.

### Risk assessments

- HR will undertake a risk assessment for corporate work placement arrangements.
- Business Units should include safeguarding within their risk assessments for any activity with or for young people outside the scope of the corporate work placement arrangements

Safeguarding Referral Process



## Safeguarding Referral Form

## Children and Vulnerable Adults Safeguarding Incident Reporting Form

<b>Date:</b>		<b>Time:</b>	
<b>Venue:</b>			
<b>Your Name:</b>			
<b>Your Position:</b>			

<b>Name of child/vulnerable adult:</b>			
<b>Gender M/F:</b>		<b>Age:</b>	
		<b>Date of birth:</b>	
<b>Child/vulnerable adult's religious and ethnic background:</b>			
<b>Any identified disability or special factors:</b>			
<b>Child/vulnerable adult's address:</b>			
<b>Other people living at the address (if known)</b>			
<b>Tel No:</b>			
<b>Next of kin:</b>			
<b>Address (if different from above):</b>			
<b>Tel No (if different from above):</b>			

**Brief description of what has prompted the concerns: include dates, times etc of any specific incidents:**

--

<b>Have you or anyone else spoken with the parent/family/carer(s)?</b> <b>Y/N</b>	
If yes, please outline what was said:	
<b>Have you explained that you may have to disclose information regarding this allegation to a third party?</b> <b>Y/N</b>	
If yes, please outline what was said:	
<b>Date:</b>	<b>Signature:</b>

**Remember; do not discuss this with friends or colleagues. Arrange to see your Designated Child/Adult Safeguarding Officer urgently, they will initiate appropriate action.**

**For office use only:**

SafetyNet Reference number	
Date input to SafetyNet	
Reporting officer interview date	
Interview time	
Interviewing officer	

Please return this form to Community Safety as soon as you have filled it out – [safeguarding@communitysafetynh.org](mailto:safeguarding@communitysafetynh.org) or call 01252 774476. You are responsible for confirming that a member of the team has received it. **If there is an immediate concern for life please call 999.**

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**CABINET**  
17<sup>th</sup> October, 2017

**COUNCILLOR MARTIN TENNANT**  
**ENVIRONMENT AND SERVICE DELIVERY**  
**PORTFOLIO HOLDER**  
**REPORT NO. EHH 1729**

**KEY DECISION - NO**

**FUNDED SUPPLEMENTARY ESTIMATE  
FOR AIR QUALITY FEASIBILITY STUDY ON THE A331**

**SUMMARY AND RECOMMENDATIONS:**

The purpose of this paper is to seek Cabinet approval for an income and expenditure supplementary estimate of £50,000 in 2017/18. The Council has been required, and fully grant funded by DEFRA, to undertake a "Proposal for a Feasibility Study" into measures to improve air quality along the A331.

It is recommended that Cabinet:

- note the additional duties placed on the Council, and the deadlines for completion of key milestones
- approve an income and expenditure supplementary estimate of £50,000 in 2017/18 and, noting that further work may also be grant funded by DEFRA, approve future income and expenditure through the budget monitoring process, with the expectation that expenditure will be kept in line with income
- endorse the approach being taken to this work as described in the report, noting that the final Plan will require Cabinet approval.

**1. INTRODUCTION AND BACKGROUND**

- 1.1 The UK Plan for tackling roadside nitrogen dioxide (NO<sub>2</sub>) concentrations, published on 26 July 2017, sets out how the Government will improve air quality to meet EU targets. Rushmoor Borough Council, along with Guildford and Surrey Heath, have been named within the Plan due to modelled exceedances of the annual mean NO<sub>2</sub> limit value along the A331 (Blackwater Valley Relief Road). This requires local assessments (Feasibility Studies) to be undertaken to consider the best options to achieve compliance.
- 1.2 The first required deliverable is the submission of a 'Proposal for a Feasibility Study', due by November 2017. DEFRA have allocated a grant of £50,000 to each Borough to develop this initial work. All three Boroughs have agreed to work collaboratively and the Government supports this approach. The Final Plan, to be completed by December 2018, will be considered by Members when presented to Cabinet at that time.

## **2. LEGAL IMPLICATIONS**

- 2.1 The requirement to undertake this work is set out in the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2017, which came into force on 28 July 2017.

## **3. FINANCIAL AND RESOURCE IMPLICATIONS**

- 3.1 DEFRA have advised that the work will be fully funded and that support will be provided at key stages. The initial resource grant payment has been made under Section 31 of the Local Government Act 2003, to enable the development of a "Proposal for a Feasibility Study". On approval, further funding will be allocated to undertake the Feasibility Study itself.
- 3.2 The Government has the right to request reimbursement of the grant funding if a task is not progressing within the agreed project timeline. This risk is mitigated by the fact that DEFRA will be working with us and directing the work as it progresses.

## **4. EQUALITIES IMPACT IMPLICATIONS**

- 4.1 No issues arise.

## **5. CONCLUSIONS**

- 5.1 It is recommended that Cabinet:
- Approve an income and expenditure supplementary estimate of £50,000 in 2017/18 and, noting that further work may also be grant funded by DEFRA, approve future income and expenditure through the budget monitoring process, with the expectation that expenditure will be kept in line with income

### **CONTACT DETAILS:**

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**CABINET**  
**17 OCTOBER 2017**

**COUNCILLOR MARTIN TENNANT**  
**ENVIRONMENT AND SERVICE DELIVERY**  
**PORTFOLIO HOLDER**

**KEY DECISION: Yes**

**REPORT NO. PLN1733**

**PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES:  
CONSULTATION PROPOSALS**

**SUMMARY AND RECOMMENDATIONS:**

The Government published its “Planning for the Right Homes in the Right Places” consultation in early September 2017. It is seeking responses to the consultation by 9<sup>th</sup> November 2017.

This report to Cabinet sets out an analysis of the issues raised by the consultation, including the implications for the preparation of the Rushmoor Local Plan. It concludes that the preparation of the current Local Plan should continue. The Council’s proposed response to the consultation questions is set out at Appendix 1 of this report.

It is recommended that the Cabinet:

- Endorses the continuation of the preparation of the Rushmoor Local Plan with submission to the Planning Inspectorate in early 2018
- Endorses the proposed responses to the consultation as set out in Appendix 1 of this report.

**1. INTRODUCTION**

1.1 The Government published on 14<sup>th</sup> September 2017 its long awaited consultation on planning for the right homes in the right places. This consultation paper arises from matters raised in the housing White Paper, published earlier in 2017.

1.2 The consultation paper poses a series of questions, and the deadline for comments on the consultation is 14<sup>th</sup> November 2017. It is important that the Council responds to the consultation paper given the potential implications for future plan-making in particular.

**2. BACKGROUND**

2.1 As noted in the Government’s covering correspondence, proposals set out in the planning for the right homes consultation include:

- A standard methodology for calculating local authorities’ housing need;
- How neighbourhood planning groups can have greater certainty on the level of housing need to plan for;

- A statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries;
  - Making viability assessments simpler, quicker and more transparent;
  - Increasing planning application fees in those areas where local planning authorities are delivering the homes their communities need.
- 2.2 Where relevant to the work of the Council, these proposals are discussed in more detail below.

### **3. DETAILS OF THE PROPOSAL**

#### **Proposed Approach to Calculating Local Housing Need**

- 3.1 It is accepted by the Government that the current approach to assessing housing need is too complex, open to interpretation and challenge, and costly for local authorities in terms of developing an evidence base. Following on from the report of the Local Plan Expert Group in 2016, the consultation paper proposes a new approach to assessing housing need. Hence, rather than as at present, identifying objectively assessed housing need across a defined Housing Market Area, the proposed methodology can be applied at individual local authority level. It is implied that the cross boundary implications of meeting this need should instead be dealt with in the context of a compulsory “Statement of Common Ground”, discussed later in this paper.
- 3.2 The proposed standard methodology for assessing housing need at the local authority level consists of three strands:
- The starting point should be a demographic baseline, based on projections of household growth (annual average over 10 years), for each local authority area;
  - This should be modified to take account of market signals (the price of homes), using the most recent workplace-based median house price to median earnings ratio. Using this data, a formula is applied to uplift the housing requirement about projected household growth;
  - Proposing a 40% cap above the current Local Plan housing target, or above the projected household growth over the Local Plan period.
- 3.3 In addition, unlike currently, the proposed methodology does not make a specific adjustment to take account of anticipated employment growth. However, if there were a strategic policy in place to increase economic growth substantially, the consultation suggests that local planning authorities may wish to plan for a higher level of growth than the new formula proposes.
- 3.4 The consultation paper is accompanied by a summary of housing need for each local authority, based on the proposed methodology. For Rushmoor, Surrey Heath and Hart (the Housing Market Area within which Rushmoor falls), the data for annual housing need is set out in Table 1 below, alongside the existing annual housing need established through the most recent Strategic Housing Market Assessment:

LPA	New Methodology	SHMA OAHN (2016)	Net difference
Rushmoor	294	436	- 142
Surrey Heath	352	382	- 30
Hart	292	382	- 90

**Table 1: Housing need: net new homes per annum**

- 3.5 In implementing this approach, the Government is proposing to change the tests of soundness with regard to Plan-making, to include the use of a robust methodology for assessing housing need, and to make it clear (through guidance) that the use of the proposed standard methodology will be sufficient to satisfy this test. Thus, where a plan is based on an assessment of local housing need in excess of that which the standard methodology would provide, Planning Inspectors would work on the assumption that the approach adopted is sound unless there were compelling reasons to indicate otherwise.
- 3.6 Transitional arrangements are proposed in the consultation paper for implementing the new methodology. For a local authority where a Local Plan has been published, but not yet submitted, the Council should continue to progress the Plan based on the current methodology and timetable. This applies in Rushmoor, and means that the Plan needs to be submitted on or before 31<sup>st</sup> March 2018.

### **Statement of Common Ground**

- 3.7 Whilst joint working on strategic cross boundary planning matters is taking place through the “Duty to Cooperate”, the Government is concerned that the process is not working as well as it should be. The consultation paper therefore proposes to set out in the National Planning Policy Framework that all local planning authorities should produce a statement of common ground (SCG). The consultation paper notes that although the proposed approach to assessing local housing need shifts the focus away from housing market areas, in most instances, the SGC should still be prepared over the housing market area.
- 3.8 The SCG should set out the cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls, and record where agreement has, and has not, been reached.
- 3.9 The consultation paper notes that the local authorities in the agreed geographical area (effectively the HMA) will be the primary authorities responsible for developing and maintaining the SCG. However, it also notes that it is unlikely that all authorities within the geographical area will share an interest in all strategic matters; and individual authorities may have interests that overlap with neighbouring statement of common ground areas. In the light of this, the consultation paper proposes that local planning authorities should only be signatories to those strategic issues covered in the statement of common ground in which they have an

interest, and that they can be signatories to more than one statement where appropriate.

3.10 It is proposed that 12 months after the revision to the NPPF, the tests of soundness for assessing Local Plans should be amended to include that:

a) plans should be prepared based on a strategy informed by agreements over the wider area; and

b) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground.

### **Planning for a Mix of Housing Needs**

3.11 The consultation paper notes that existing planning guidance will be updated on how to plan for different types of homes, and that this will be published alongside a revised NPPF. Plan makers will need to disaggregate overall housing need into need for each type of housing. However, the consultation paper is unclear on how this need will be evidenced, and is therefore seeking views on how to streamline the process for identifying housing need for individual groups, and what evidence could be used to help them do so.

### **Proposed Approach to Viability Assessment**

3.12 The viability of development is a locally contentious issue when it comes to the submission of planning applications, as on the basis of viability concerns, developers have the opportunity to present a proposal that falls short of policy requirements, such as for affordable housing provision. Such policy requirements are caveated with the phrase, "subject to viability". The consultation paper therefore proposes that national planning policy is amended to set out additional expectations for Local Plans. They should establish the types and thresholds for affordable housing contributions required; the infrastructure needed to deliver the plan; and expectations for how these will be funded and the contributions developers will be expected to make.

3.13 The consultation paper goes on to state that, in connection with the approach to viability in decision taking, the NPPF will be amended to make it clear that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage. However, it notes that there could be circumstances where viability assessment is still needed in the course of determining planning applications, but that planning guidance relating to such instances will be updated to help make viability assessments simpler, quicker and more transparent.

## **Planning Fees**

- 3.14 The consultation paper acknowledges that it is vital to have well-resourced, effective and efficient local authority planning departments. It confirms that regulations will be brought forward “at the earliest opportunity” to enable a 20% increase in nationally set planning fees where local planning authorities have committed to invest this increase in improving the productivity of their planning departments.
- 3.15 The concept of a further 20% increase on the current fee level was put forward in the housing White Paper for those authorities who are delivering the homes their communities need. At present, the criteria for establishing which authorities should be eligible for this additional fee increase has not been determined, and views are sought in this respect.

## **Alternative options**

- 3.16 The consultation does not suggest any alternative options to those proposed in the paper. However, it seeks views from stakeholders on the matters proposed through a series of consultation questions.

## **Consultation**

- 3.17 The planning for the right homes consultation runs until 9<sup>th</sup> November 2017. Appendix 1 to this report contains the Council’s proposed responses to the consultation questions.

## **4. IMPLICATIONS**

### **Risks**

- 4.1 The consultation paper raises a number of issues in terms of the next steps for the preparation of the Rushmoor Local Plan, and on this basis, presents the Council with the following options:

Option 1: Continue with submission of current Local Plan (before 31<sup>st</sup> March 2018);

Option 2: Delay submission until after the publication of the new NPPF and methodology for calculating housing need (not before April 2018).

- 4.2 With regard to Option 1, there are a number of pros to continuing with the current Local Plan process. This would follow the transition guidance given that the Council has consulted on a Draft Submission Local Plan, and that the level of objection is not significant, nor likely to go to the heart of the soundness of the Local Plan. Significant investment in respect of time and resources has been made in getting the Plan to this stage. Moreover, the strategy therein plans proactively for development and regeneration, and on this basis, the housing number proposed over the Plan period would not reduce significantly even if the baseline were to be

revisited. In addition, the housing number in the current iteration of the Plan supports higher “affordable” housing delivery.

- 4.3 In terms of the cons of Option 1, arguably it would use up available development land in Rushmoor more quickly. At Examination, the Council may be challenged on the validity of the evidence base (although this argument is weakened given that the emerging Plan delivers more new homes than the draft methodology indicates should be the starting point). In addition, the current approach raises some SANG capacity issues (although SANG capacity constraints are not a justification for the reduction in a housing target).
- 4.4 With regard to Option 2, the pros of delaying the preparation of the Local Plan could be that the new methodology for assessing housing need will be available. The evidence base would be updated. There may be a slightly reduced housing requirement, which would consequently reduce the numerical requirement for SANG (but not necessarily alleviate the need in terms of the geographical reach of SANG catchments).
- 4.5 In terms of the cons of Option 2, to delay would effectively require the Plan preparation process to start again. This would result in a major delay in the adoption of the Local Plan, and significant additional costs in terms of the need to update the evidence base, and re-consult on the Local Plan. The proposed standardised methodology for assessing housing need may change from the consultation version, and in addition, any re-assessment of housing need would have to be based on the July 2018 update to household projections. The baseline will therefore change from the indicative figures set out alongside the consultation, and it may be that the figure for housing need, and any reworked strategy in the Local Plan, would not, in reality, be significantly different to that set out in the Draft Submission version. Moreover, if the Council were to delay, it would be caught by the requirements of the update to the National Planning Policy Framework, and the new obligations relating to the preparation of Statements of Common Ground.
- 4.6 In this context, it is suggested that the preferred way forward would be to continue with the current timetable for the preparation of the Local Plan, supported by the existing evidence base. Submission of the Local Plan to the Planning Inspectorate would most likely take place in early 2018, suitably in advance of the 31<sup>st</sup> March 2018 deadline, after which the standardised methodology for assessing housing need would apply.

#### **Legal Implications**

- 4.7 There are no known legal implications of the decision, given that it is simply providing feedback on a consultation process.

#### **Financial and Resource Implications**

- 4.8 The exact financial and resource implications of the consultation are difficult to predict, as the final outcome in terms of plan making may differ.



Nevertheless, given the resources invested in the preparation of the Rushmoor Local Plan to date, it is a more expedient use of future resources to continue to progress the emerging Local Plan through Examination at the earliest opportunity. To delay the preparation of the Local Plan would incur significant additional cost in terms of the need to update the evidence base, and republish a draft Plan for consultation.

- 4.9 The indications in the consultation paper of a proposed increase in planning fees, potentially supported by a further rise in due course, are welcomed.

#### **Equalities Impact Implications**

- 4.10 There are not considered to be any Equalities Impact Implications arising from the decision.

### **5. CONCLUSION**

- 5.1 In considering the matters set out in the Government's consultation on Planning for the right homes, a proposed response to the consultation questions is set out in Appendix 1 to this paper.
- 5.2 In the light of the content of the consultation, and an analysis of its implications for the preparation of the new Rushmoor Local Plan, it is concluded that the preparation of the current Local Plan should continue, with Submission to the Planning Inspectorate to take place in early 2018.

#### **Appendix1: Consultation response pro-forma**

##### **BACKGROUND DOCUMENTS:**

Planning for the right homes in the right places: consultation proposals, DCLG 2017

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

##### **CONTACT DETAILS:**

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# Consultation response proforma

If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. You are able to expand the comments box should you need more space

Your Details (Required fields are indicated with an asterix(\*))

<b>Family Name (Surname)*</b>	Piper
<b>First Name*</b>	Louise
<b>Title</b>	
<b>Address</b>	Council Offices, Farnborough Rad
<b>City/Town*</b>	Farnborough
<b>Postal Code*</b>	GU14 7JU
<b>Telephone Number</b>	01252 398410
<b>Email Address*</b>	<a href="mailto:Louise.piper@rushmoor.gov.uk">Louise.piper@rushmoor.gov.uk</a>

Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?\* (please tick as appropriate)

- Personal View
- Organisational Response

Name of Organisation (if applicable)

Rushmoor Borough Council

If you are responding on behalf of an organisation, please tick the box which best describes your organisation

- Local Authority (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)
- Neighbourhood Planning Body/Parish or Town Council
- Private Sector organisation (including housebuilders, housing associations, businesses, consultants)
- Trade Association / Interest Group/Voluntary or Charitable organisation

Other (Please specify)

Proposed approach to calculating the local housing need

Question 1 (a)

do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

Yes

No

Not sure / don't know

Please enter your comments here

The principle of a standard approach to assessing housing need is welcomed. However, the final approach should not be subject to adjustment or interpretation, as this undermines the value of setting out a "standard approach". If opportunities to adjust and challenge this approach remain, then the objective of achieving a simpler approach to assessing housing need will not be achieved, bringing into doubt the whole purpose of the approach.

With regard to the proposed methodology, it is notably simpler, and potentially far less costly to local planning authorities, in terms of establishing that housing need figure for Local Plans. This is welcomed. However, the determination of housing need is not an exact science, and Rushmoor Borough Council is concerned that the proposed methodology could result in quite different figures for housing need calculated on each iteration of the publication of updated household projections and median affordability ratios. Moreover, the proposed use of affordability ratios takes account of work-place based earnings rather than resident earnings. In Rushmoor Borough, this could distort the actual need, due to the fact that the Borough is a net importer of higher paid workers who reside in adjoining authorities. Its residents are less well paid on average, and therefore, may still struggle to afford to access housing within the Borough.

The use of statistics as a basis for the methodology needs to be predicated on a certainty that those statistics are a robust basis for the assessment of housing need, in order to ensure that a consistent and valid approach to assessing housing need is applied across the whole of England. Critically, if a set methodology is set out in national planning policy, this must be adhered to on a universal basis.

The opportunity should also be taken to clarify in the update to the NPPF that it is appropriate for local authorities to determine housing need at an administrative level, rather than across a Housing Market Area. In addition, where a Local Plan is able to demonstrate that it can plan within its boundaries to meet that housing need, national planning policy should make it clear that a Local Plan will be found sound at Examination. The approach to dealing with any unmet need within a local authority area should then be discussed and agreed through the "Statement of Common Ground" process, but a Local Plan should not be found unsound where it meets the housing need identified in the assessment based on the standard methodology.

Question 1(b)

how can information on local housing need be made more transparent?

Please enter your comments here

The use of a standard methodology for assessing housing need will assist in transparency of information. The

assessment of housing need should be published on local authority websites.

## Question 2

do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

Ye

No

Not sure / don't know

Please enter your comments here

It is considered that the proposal to rely on the assessment of local housing need from submission is flawed. The time between publication and submission is an unknown in as much as it is dependent on the level of objection received on a Local Plan. Moreover, there is no certainty with regard to the timeframe from submission to Examination.

In addition, during the time from publication of a Draft Submission Local Plan for consultation, and its submission to the Planning Inspectorate for Examination, further updates to household projections or median workplace earnings could be released. This could introduce uncertainty in respect of the robustness of the evidence base that could be raised by objectors to a Local Plan during the Examination process.

This proposal should be adjusted such that the assessment of local housing need should be relied upon from the start of publication of a Draft Submission Local Plan (Regulation 19), through until a set period after the adoption of that Local Plan. This set period after adoption of the Local Plan should be at least a year.

## Question 3

do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?

Ye

No

Not sure / don't know

Please enter your comments here

This clear and justified method should not be subject to challenge or interpretation. Care is also required in respect of how the issue of unmet need is dealt with. A Local Plan that meets its housing need within its administrative area should not be found unsound on the basis of uncertainty regarding unmet need in adjoining administrative areas.

#### Question 4

do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?

- Yes  
 No  
 Not sure / don't know

Please enter your comments here

An approach that removes opportunities for interpretation and challenge is supported.

#### Question 5(a)

do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?

- Yes  
 No  
 Not sure / don't know

Please enter your comments here

No comment.

#### Question 5(b)

do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?

- Yes  
 No  
 Not sure / don't know

Please enter your comments here

No comment.

### Question 5 (c)

do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?

Yes

No

Not sure / don't know

Please enter your comments here

No comment.

### Question 6

do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?

Yes

No

Not sure / don't know

Please enter your comments here

As with the introduction of all changes to the planning process, there is the potential for some delay and confusion in the implementation of new approaches. It is difficult to formulate transitional arrangements that suit all parties. This is particularly the case with the standard methodology for assessing housing need, given that indications are that the reworking of housing need is potentially delivering some divergent results when compared with current assessments of housing need.

## Statement of Common Ground

### Question 7(a)

do you agree with the proposed administrative arrangements for preparing the statement of common ground?

Yes

No

Not sure / don't know

Please enter your comments here

Rushmoor Borough Council supports the principle of preparing a Statement of Common Ground. However, it is concerned about the potential complexity of the process. The Council would welcome more detail on the operation of the process, mindful of the need to consider carefully the potential for this requirement to delay Local Plan preparation. In particular, the Council is concerned about the number of Statements that may be required, given the potential for differing strategic cross boundary issues between different groupings of local authorities, and the frequency of updates/reviews required (and the process for doing so). The Council suggests that amendments to the NPPF should state that Statements of Common Ground are limited to local authorities lying within a defined Housing Market Area. Furthermore, the Council questions the necessity of County Councils being signatories to Statements of Common Ground, which would potentially add delay to the process.

Thus, of concern to the Council is that a potential update of each Statement will be required as each signatory authority reaches each stage in the preparation of its Local Plan. As an example, for a Statement of Common Ground to which three local planning authorities are signatories, it will require an update 4 times, which means that there is the potential for the SCG to require updating 12 times during the course of the preparation of the Plans for each Local Authority. This is considered to be disproportionate in terms of the cross boundary work required to achieve a "sound" Plan, and is at odds with the intention of the proposals in the consultation paper to simplify and accelerate the Plan making process.

### Question 7(b)

how do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?

Please enter your comments here

No comment.

### Question 7(c)

do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?

Yes

No

Not sure / don't know

Please enter your comments here

No comment.

### Question 8

do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?

Yes

No

Not sure / don't know

Please enter your comments here

As noted in response to Question 7(a), Rushmoor Borough Council supports the principle of preparing a Statement of Common Ground. However, it is concerned about the potential complexity of the process. The Council would welcome more detail on the operation of the process, mindful of the need to consider carefully the potential for this requirement to delay Local Plan preparation. In particular, the Council is concerned about the number of Statements that may be required, given the potential for differing strategic cross boundary issues between different groupings of local authorities, and the frequency of updates/reviews required (and the process for doing so).

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The Council suggests that amendments to the NPPF should state that Statements of Common Ground are limited to local authorities lying within a defined Housing Market Area. Furthermore, the Council questions the necessity of County Councils being signatories to Statements of Common Ground, which would potentially add delay to the process.



**Question 9(a)**

do you agree with the proposal to amend the tests of soundness to include that:

i) plans should be prepared based on a strategy informed by agreements over the wider area; and

ii) ) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?

Yes

No

Not sure / don't know

Please enter your comments here

Rushmoor Borough Council is concerned about the ability for these tests to be clear, and not subject to interpretation or challenge at Examination. It is unclear how either of these new tests of soundness will be measured objectively. This gives the Council cause for concern given the objective of the consultation paper to simplify and accelerate the Plan making process. The Council requests further clarification on the measures against which these tests of soundness will be benchmarked, otherwise it is concerned that they will be open to differing interpretations by Inspectors at Local Plan Examinations.

**Question 9(b)**

do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?

Yes

No

Not sure / don't know

Please enter your comments here

No comment.

## Planning for a mix of housing needs

### Question 10(a)

do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?

Please enter your comments here

Rushmoor Borough Council considers any assessment of the housing need for individual groups should be based, as far as possible, on existing published data sources. Such data sources include: the Census of Population, ONS projections of population change, Local Authority collected data for administration of the housing allocations scheme (identifies affordability and affordable housing needs). It would be helpful for national planning guidance to set out data sources for assessing the needs of individual groups, together with information on how to access the data.

However, whilst there is a mechanism for the delivery of affordable homes in place currently, the NPPF does not provide adequate mechanisms to support the delivery of homes to meet other types of housing need. The NPPF should therefore be updated to support the inclusion of robust delivery mechanisms in Local Plans.

### Question 10(b)

do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?

Yes

No

Not sure / don't know

Please enter your comments here

The current definition of older people within the NPPF is very broad ranging. Rushmoor Borough Council considers it remains fit for purpose as it reflects the fact that the needs of this group will be met in a broad range of ways. It may be helpful to identify specifically the needs of older people with specialist housing care requirement (C2 uses). In addition, the NPPF should provide more support for the provision of homes built to accessible and adaptable standards (Building Regulations Part M4(2)), as such homes will incorporate the flexibility to meet the changing needs of older people.

## Neighbourhood Planning

### Question 11(a)

should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?

- Yes
- No
- Not sure / don't know

Please enter your comments here

No comment.

### Question 11(b)

do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

- Yes
- No
- Not sure / don't know

Please enter your comments here

The identification of housing need in a neighbourhood plan should reflect the standard methodology for assessing housing need. However, a standard apportionment relative to the area covered by the neighbourhood plan, compared to the overall size of the host local authority, is a statistical exercise that fails to take into account the finer details that affect the ability of different parts of a local authority area to accommodate new residential development. The logic that neighbourhood plans cover a limited geographical area, and that decisions on actual capacity should take place at a wider strategic level, does not follow through in terms of the overall sum of the parts, as this approach to neighbourhood planning implies that this wider strategic approach will not in fact apply.

## Proposed approach to Viability Assessment

### Question 12

do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?

Yes

No

Not sure / don't know

Please enter your comments here

It is a valid approach. Nevertheless, it must be proportionate in terms of the need to gather evidence to support the Local Plan. This is particularly important given that the LPA is not responsible for delivering infrastructure, but has to work with a diversity of infrastructure providers to secure its delivery. Whilst LPAs can be encouraged to (continue to) engage with all the different parties responsible for delivering infrastructure, these providers are not obligated to engage with LPAs. Moreover, the costing of infrastructure is not an exact science, and can change due to market forces, the state of the national economy and for site-specific reasons. Moreover, the expectation that such information is included in Local Plans also needs to align with the outcome of the forthcoming review of the Community Infrastructure Levy (CIL), particularly given that the current system compromises the ability to plan for infrastructure. This is related to pooling restrictions for S106 agreements, restrictions on contributions from smaller development sites, and the failure of CIL to provide a workable solution for local authorities affected by the mitigation requirements associated with the potential recreational impact of net new residential development on the Thames Basin Heaths Special Protection Area.

### Question 13

in reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?

Please enter your comments here

No comment.

### Question 14

do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

Yes

No

Not sure / don't know

Please enter your comments here

The suggested approach is strongly supported and welcomed. It would increase both the speed of planning application determination and the amount of affordable housing provided by establishing the principle that policy compliant development is assumed to be viable. However, this policy approach should go further to support affordable housing delivery. The NPPF should set out that where affordable housing policy requirements have been tested for their viability this would effectively remove the "subject to viability" clause from the policy framework in the Local Plan.

### Question 15

how can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?

Please enter your comments here

In circumstances where a viability assessment is required, applicants should demonstrate that they have consulted with Housing Associations on the assumptions that have been made about the price that could be paid for affordable housing. Furthermore, this information should be provided in such a way that the LPA can verify it with the Housing Association.

### Question 16

what factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?

Please enter your comments here

A standardised report format would be welcomed and supported. In addition, all viability assessments should be required to be submitted as an open book assessment to ensure viability issues are open to public scrutiny. Guidance should also support strongly the inclusion of information on overage provisions.

### Question 17(a)

do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?

Yes

No

Not sure / don't know

Please enter your comments here

Planning agreements would best be monitored and reported on in Authority Monitoring Reports (AMRs). The NPPF amendments should incorporate a requirement to publish such data in AMRs. This would provide a national framework for the monitoring and reporting on planning agreements. It should be made clear that this is also a function of sound corporate financial management practice, invoicing and debt recovery. The authority, in its planning role, "collects" but does not spend monies.

### Question 17(b)

what factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?

Please enter your comments here

It should be left to the discretion of local authorities to publish relevant data in their AMR.

### Question 17(c)

how can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Please enter your comments here

Infrastructure and affordable housing could be publicised through joint press releases.

## Planning fees

### Question 18(a)

do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?

- Yes
- No
- Not sure / don't know

Please enter your comments here

A further 20% fee increase is supported. The criteria that should be used to measure this are: the issue of planning permission; completions/registrations of properties for Council Tax purposes; major planning application approvals in time/in accordance with Planning Performance Agreements.

### Question 18(b)

do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?

- Yes
- No
- Not sure / don't know

Please enter your comments here

No comment.

### Question 18(c)

should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?

- Apply nationally
- Apply to Individual authorities
- only Not sure / don't know

Please enter your comments here

It is unreasonable to make only the additional fee increase available once all local planning authorities meet the required criteria. This is likely to be unachievable, meaning that the incentive to process expediently planning applications and maximise housing delivery is not likely to be effective.

### Question 18(d)

are there any other issues we should consider in developing a framework for this additional fee increase?

Please enter your comments here

It is only fair that a local planning authority should be able to recoup the costs of running its development management service. Where the service is run efficiently and expediently, there should be appropriate mechanisms in place to ensure that the fee income is fairly and reasonably related to the cost of running that service. A strong development management service will deliver positive outcomes for the economic, environmental and social well-being of a Borough or District, and it should therefore be supported by a fee structure that enables this to be sustained.

### Other issues

### Question 19

having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?

- Yes
- No
- Not sure / don't know



Please enter your comments here

There are existing effective incentives to process planning applications. Moreover, the speed of decision-making does not necessarily deliver new homes. There should be more support for improved performance on the part of statutory consultees. Mechanisms should be put in place to make it easier for local planning authorities to intervene through compulsory purchase to help expedite delivery.

Your opinion is valuable to us. Thank you for taking the time to read the consultation and respond.

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**Cabinet**  
**17 October 2017**

**Councillor Martin Tennant**  
**Environment and Service Delivery**  
**Portfolio Holder**  
**Report No. COMM1719**

**Key Decision - No**

**Farnborough Airport Community Environmental Fund**

**Summary and Recommendation**

The Environment and Service Delivery Portfolio Holder has considered one application and has awarded £3,477, which Cabinet is recommended to approve.

**1. Introduction**

1.1 This paper seeks approval to award a grant from the Farnborough Airport Community Environmental Fund to assist a local project.

**2. Background**

2.1 The Community Environmental Fund commenced in 2001. It is levied by Farnborough Airport on business aviation movements at a rate of £2 per aircraft movement and £5 per aircraft movement where the aircraft is a Boeing business jet or an Airbus A310 corporate jet.

2.2 The fund is available to groups and organisations under the following criteria:

- Located within 5 kilometres (3 miles) from the centre of Farnborough Airport (taken to be halfway down the main runway) and is demonstrably and regularly affected by aircrafts travelling to and from Farnborough Airport
- Will result in the improvement or provision of an outdoor facility or area that is accessible to the public and able to be enjoyed by the community as a whole
- Is a community or environment based bid, projects may include: -
  - Green or open spaces
  - Natural habitats
  - Environmental improvements or outdoor play
  - Community projects with an emphasis on improving the local environment or outdoor education

**3. Details of Bids**

3.1 The Environment and Service Delivery Portfolio Holder has considered one application (Appendix A) and has made an award recommendation:

• <b>Community Matters Partnership Project (CMPP)</b>	<b>£3,477</b>
<b>Total</b>	<b>£3,477</b>

#### **4. Financial Implications**

4.1 The Community Environmental Fund is currently £27,953. Taking the application recommended in this paper of £3,477 would leave £24,476 available for allocation.

#### **Contact Details:**

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#### **Head of Service**

Peter Amies – Head of Community and Environmental Services  
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#### **Background Documents:**

Completed application form - Appendix A

<b>Environment Fund applicant bid</b>							
<b>Name &amp; address of Applicant</b>	The Community Matters Partnership Project (CMPP) Site address: Balmoral Pond, Balmoral Drive, Frimley						
<b>Grant requested (Total cost of project)</b>	£3,477 (£9,680)						
<b>Purpose of grant</b>	Balmoral Pond Wildlife and School Project - to redevelop an overgrown balancing pond back to its original state						
<b>Previous grants from this fund</b>	2012 - £5,000 – Queen Elizabeth Pond restoration 2013 - £5,000 – Manor Junior outdoor sensory garden 2015 - £7,750 – Fernhill Secondary outdoor classroom						
<b>Distance from centre of runway</b> (within 5 kilometres / 3 miles)	Within distance						
<b>Other sources of funding for this project</b>	£6,203 – CMPP Give & Gain Fund						
<b>Accounts</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Income</td> <td style="text-align: right;">£88,897</td> </tr> <tr> <td>Expenditure</td> <td style="text-align: right;">£88,151</td> </tr> <tr> <td>Balances</td> <td style="text-align: right;">£746</td> </tr> </table>	Income	£88,897	Expenditure	£88,151	Balances	£746
Income	£88,897						
Expenditure	£88,151						
Balances	£746						
<b>Additional Info</b>	<p>The project is to redevelop an overgrown balancing pond in Frimley. The pond has not been maintained for around 20 years and is no longer functional or attractive for wildlife or the local residents.</p> <p>The balancing pond has a number of environmental benefits when operational: it aids in reducing pollution from traffic fumes and the risk of flooding and offers a great habitat for wildlife, as well as being visually attractive and a great public amenity for local residents.</p> <p>CMPP, with the local wildlife trust and environmental experts from TAG, will redevelop the pond back to its original state and add some extras to encourage the return of insects, frogs, grass snakes, birds, bats, newts, snails, hedgehogs and shrimp etc.</p> <p>The project will provide an opportunity for 50 - 80 employee volunteers from local partner businesses to get involved in clearing the pond as well as inviting local residents to join in and volunteer during the day.</p> <p>Local primary and infant schools will be invited to join in with the wildlife aspect of the pond by creating bird and bat boxes and a bug hotel as an educational project. CMPP are working with Sandringham School to look at developing an educational pond project that relates directly to the school curriculum.</p> <p>CMPP will buy in the services of a freelance project manager to manage the project and work with the schools for 80 hours; and will provide all of the administration and marketing/flyers and posters of the project free.</p>						
<b>Aim of organisation/group</b>	CMPP is a business funded project that enables local companies and organisations to work together to make a difference within the local community via employee volunteering projects and fundraising events.						
<b>Application recommendation</b>	£3,477						

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**CABINET**  
17<sup>th</sup> October 2017

**COUNCILLOR PAUL TAYLOR**  
**CORPORATE SERVICES PORTFOLIO HOLDER**

**KEY DECISION: NO**

**REPORT NO. LEG1715**

**VICTORIA ROAD CHAPEL, FARNBOROUGH**

**SUMMARY**

**RECOMMENDATIONS:**

- Cabinet to approve a variation to the Capital programme of £44,000 to fund the roof restoration;
- That if the Farnborough Society indicate they wish to take forward option 2 set out in section 6 of the report then subject to Farnborough Society raising the capital funding to convert the Chapel to a columbarium within 2 years and establishing a legal entity to take a lease, the Solicitor to the Council be delegated authority to agree the terms and conditions of a lease to transfer a leasehold interest in the Chapel
- In the event that the Farnborough Society indicates they are not in a position to support option 2 then the Solicitor to the Council be delegated authority to apply for de-consecration of the Chapel and to make a bid in the capital programme, subject to viability, to convert the chapel to a residential use for letting.

**1. INTRODUCTION**

The purpose of this report is to:

- a) Request funding of £44,000 for the construction of a new structural roof and minor masonry repairs at Victoria Road Chapel, Farnborough to restore the building to its pre fire condition; and
- b) To agree the approach for the future of the chapel

**2. BACKGROUND**

- 2.1 In July 2016, a fire caused by two sea scouts practising their fire lighting skills at the Chapel caused extensive damage to the roof structure, resulting in the roof being demolished.
- 2.2 The Council's Insurers would not cover the cost of repairs due to the council's failure to provide evidence of carrying out weekly property inspections on the chapel. Subsequently a nominal goodwill payment of £10,000 has been received from the insurers.
- 2.3 Scaffold to protect the chapel from further deterioration was erected in December 2016 and this has an ongoing financial implication as detailed in the financial implications section of this report.

### **3. HISTORY OF THE CHAPEL**

- 3.1 The cemetery was acquired by a predecessor council in 1859 for use as a burial ground. The chapel was built in 1859 and became consecrated when the sentence of consecration was made. Thus, the whole of the cemetery and chapel are consecrated land.
- 3.2 The Chapel has not been used for religious purposes since the early 1980's, though it had been used as a furniture store by the Council until shortly before the fire.
- 3.3 In 2002, Cabinet made a decision to demolish the Chapel, which required the land to be deconsecrated – a memorial was to be left on site. This approach appears to have floundered when bats were discovered in the Chapel and, despite obtaining a licence from Natural England to remove the bats, it would appear the demolition decision was put on hold in 2006 following some media interest. At that time, there were various alternative uses suggested including a music studio but none proved to be realistic and it would appear that no application for an Order to remove the effects of consecration was made.
- 3.4 There has been no correspondence with the Bishops of Guildford's registry since October 2009.
- 3.5 A potential project to create a columbarium originating from the Communities Service was discussed with the Farnborough Society, who then mounted a fund raising campaign on the basis that there would be a grant application and the grant funder would be likely to require matched funding. There is evidence that the Heritage Lottery Funding of £40,000 needed for immediate repairs was to be sought and the Garfield Weston Foundation was to be approached for the £65,000 thought to be needed for the conversion of the building to a columbarium. The Farnborough Society aimed to raise £5000 towards the additional cost of a card entry system, from fundraising events and from donations.
- 3.6 In May, the Farnborough Society submitted a report for the current cost of refurbishment and installation of a columbarium compiled by the Worthy Group. This was included a budget sheet detailing the works in the sum of £262,725.00.
- 3.7 The Council's current financial position coupled with its stated priorities mean that it is not recommended that we allocate these resources.

### **4. DETAILS OF ACTION SINCE THE FIRE**

- 4.1 After the fire, the Council has said it would restore the Chapel to its pre-fire condition. Initial protective supports to the building were put in place whilst decisions were made about the building's future. On 3<sup>rd</sup> May 2017, a Structural Engineer was employed to carry out an inspection of the Chapel. The conclusion of the report is the existing scaffold is not providing structural support to the remaining walls. It is however providing some protection from



the wind and, even if the gable peaks were to collapse, they would probably fall inwards due to the external restraint the scaffold affords.

- 4.2 If the scaffold were to be removed, it would be necessary to either:
- a) Restrain the gable walls against wind load but this would require a proper shoring system. This would be more expensive as such designs typically have to resist a lateral force applied at the head, equivalent to at least 10% of the weight of wall that they restrain; or
  - b) Reduce the gable peaks height to 3m to match the sidewalls.
- 4.3 The alternative is to rebuild the structural roof. This rebuild has been designed by architects and tendered under the Council's building framework.

## 5. SHORT TERM PROPOSAL

- 5.1 To follow through on our commitment it is proposed to adapt the existing scaffold and rebuild the structural roof as it appeared originally. This will consist of rafters complete with Collars, Ashlar pieces, Sarking board, battens and slate. The addition of roofing felt and insulation will put the building in its pre fire state and provide a warm roof, which could enable any future conversion works.

## 6. FUTURE

- 6.1 As explain above the Farnborough Society has a longstanding interest in the future of the Chapel and prior to the fire was keen to work alongside the Council to secure its future as a columbarium. However, the Council now has higher priorities and whilst it would be happy to support a community organisation to take such a proposal forward it would only be with a view to an organisation such as the Farnborough Society undertaking the necessary fundraising and grant applications and would ideally include transferring the asset.

## 7. OPTIONS

### **Option 1- Council to fund restoration of the Chapel as a columbarium.**

- 7.1 The Farnborough Society's quote shows a cost of the order of £262,725.00. This would need to be funded by borrowing with ongoing revenue implications in maintaining the building. When the columbarium project was conceived, it was never intended to be a council funded project and any such capital expenditure would need to be considered in light of other council competing capital projects. This is not considered to be affordable.

### **Option 2 - Restore the roof and let the Chapel for a columbarium subject to external funding being raised**

- 7.2 The level of proposed roof restoration is detailed in paragraph 5.1. This returns the building to its pre-fire condition. The Farnborough Society could be invited to form a Community Interest Company to take a lease of the

building, allowing the community to bring forward the columbarium project. The lease could be granted upon confirmation that sufficient funds having been raised, to include any grant funding, and with the CIC taking on future repairing and insuring obligations. This would need to be time limited, as the Council remains responsible for the empty building and the onerous inspection regime required by our insurers. If this option were to be agreed, a period of 2 years is recommended. If the building is to remain then it is important to find a viable use to prevent further cost and deterioration after restoration of the roof. A view on this option is currently being sought from the Farnborough Society and this will be reported at the meeting

### **Option 3 - Restore the roof, de-consecration and convert to a dwelling**

- 7.3 The building could be converted to a one bedroom dwelling by inserting a mezzanine floor. There is sufficient space to create car parking with turning area and a small terraced sitting out area. Mains services are available in the highway. The building is locally listed and such a conversion could respect the integral features of the building. The Chapel would only be suitable for letting given its location within the cemetery and in this way, the Council could maintain control over the tenants. A Local agent has confirmed that it would generate interest and provide a rental income. This option is recommended should the Farnborough Society not be able to raise the funds within a two year period, as a fall back option, to give the building a future and to end on going revenue liability. The restoration of the building with a warm roof will enable this to happen without incurring substantial conversion costs. The estimated further conversion costs are likely to be between £60,000 and £70,000 if the roof is insulated.

### **Option 4 - Demolition**

- 7.4 This has been considered previously by the council and rejected and is unlikely to find favour with the community.

## **8. IMPLICATIONS**

### **8.1 Risks**

The risks of collapse are as stated above. The works need to be undertaken before the winter worsens the weather.

### **8.2 Legal Implications**

Section 22 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 provides that a Bishop of a diocese may order the removal of the legal effects of consecration, provided that the building is not held by any ecclesiastical corporation and that no purpose will be served by its remaining subject to the legal effects of consecration. The bishop must consider the preservation human remains buried in or beneath the affected building and the maintenance of orderly behaviour in the affected building. The file shows that there are no remains and therefore it seems likely that any such application would be successful.

### 8.3 **Financial and Resource Implications**

#### ***For restoration of the roof only***

A Framework Contractor has provided a quotation of £33,755.00 plus a contingency of £10,000.00 for any unforeseen works for the re-construction of the roof. The quotation is based on a Structural Engineers design work. These particular works should not exceed £44,000.00. Cost of borrowing £198.00 p.a. (short-term interest rates) plus MRP of £880.00 p.a.

This Framework Contractor has also provided an additional quotation of £17,340.00 for some internal remedial works, which are not part of the recommendation.

#### ***For funding the columbarium project***

Cost of borrowing of £262,725.00 is £1,182.00 p.a. plus MRP of £5,255.00 p.a.

### 8.4 **Equalities Impact Implications**

None

### 8.5 **Property Implications**

If the roof is restored but no permanent use for this building is found, then it will continue to deteriorate and be a drain on the council's revenue resources both in terms of maintenance and in terms of the cost of empty property inspection and keeping the Chapel secure. As an empty property, it is liable to break-ins and vandalism such as that which caused the fire in 2016

## **9. CONCLUSIONS**

- 9.1 Restoration of the roof will resolve the existing stability problems with the damaged fabric of the property and end the ongoing scaffolding costs.
- 9.2 It was never envisaged that the Council would fund the columbarium project and there are other competing priorities for capital funding which would be a better use of council resources.
- 9.3 It is unclear whether there is a realistic prospect of grant funding and fund raising coming forward and therefore a period of a 2 years will allow this to be established, giving the possibility of transferring this asset to the community should the project be achievable. If the community does not wish to pursue Option 3 then Option 4 should be undertaken.
- 9.4 If the columbarium project cannot be funded then converting the property to a dwelling for letting will at least preserve the appearance of this locally listed building whilst removing the revenue costs of an empty building.

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