



CABINET

13 March 2019

A meeting of the CABINET will be held on Thursday, 21st March, 2019, 6.00 pm in Committee Room 1 - Marmion House

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of Previous Meeting (Pages 3 - 10)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 Question Time:

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules

6 Corporate Plan 2019 - 2022 (Pages 11 - 32)

(Report of the Leader of the Council)

7 Town Centre Programme and Projects update (Pages 33 - 36)

(The Report of the Leader of Council)

8 Tamworth Assembly Rooms (Pages 37 - 42)

(Report of the Leader of the Council)

9 Mandatory and Discretionary Rate Relief Policy (Pages 43 - 96)
(Report of the Portfolio Holder for Assets and Finance)

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal stroke extending to the right.

Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: D Cook, M Cook, R Pritchard, J Chesworth and S Doyle.



**MINUTES OF A MEETING OF THE
CABINET
HELD ON 25th FEBRUARY 2019**

PRESENT: Councillor D Cook (Chair), Councillors J Chesworth, S Doyle and M Cook

The following officers were present: Andrew Barratt (Chief Executive), Stefan Garner (Executive Director Finance), Matthew Bowers (Assistant Director Growth & Regeneration), Lynne Pugh (Assistant Director Finance), Michael Buckland (Head of Revenues), John Day (Corporate Performance Officer) and Stephen Lewis (Head of Environmental Health)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Pritchard

2 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 24th January 2019 were approved and signed as a correct record.

(Moved by Councillor J Chesworth and seconded by Councillor M Cook)

3 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

4 QUESTION TIME:

None

5 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

The Chair of the Infrastructure Safety and Growth Committee, Councillor S Goodall, presented an update on the Castle Review, including the Infrastructure Safety and Growth Committee's endorsement of the work undertaken to date, which was received by Cabinet.

The Chair of the Infrastructure Safety and Growth Committee, Councillor S Goodall, presented the following recommendations of the Committee on the Taxi Licensing Policy – Amendment Taxi Licensing Points System and Dress Code:

1. That the Infrastructure Safety and Growth Committee endorsed the proposed amendments to the Taxi Licensing Conditions at Appendix A to the report to the Committee and recommended them to Cabinet, subject to clarification of Points 20 and 22 of the Equality Impact Assessment; and
2. That there be a review of the policy by the Infrastructure Safety and Growth Committee 12 months following implementation.

This matter was considered further by Cabinet at item 9 on the Agenda.

The Chair of Corporate Scrutiny, Councillor J Oates, presented the recommendations of the Working Group for Member Support – sub-group Member Induction to Cabinet which had been endorsed by the Corporate Scrutiny Committee.

Cabinet endorsed that:

1. At signing of the declaration newly elected and returning members would receive an up dated list of officers and details of their responsibilities.
2. At the earliest opportunity post local election existing members would receive an up dated list of officers and details of their responsibilities.
3. At signing of the declaration newly elected and returning members would receive “First point” of contact details.
4. At the earliest opportunity post local election existing members would receive “First point” of contact details.
5. Contact details of officers and information how and who to escalate issues with would be circulated to all members in full at the start of the municipal year.
6. Updates from cabinet members and senior officers highlighting key projects of the year, risks and challenges against their corporate plans would be presented to all members at the earliest opportunity post the Council’s AGM.
7. Subject to a protocol being prepared on how the following would work in practice, it was agreed in principle that where a scrutiny committee received reports, papers must be updated with the latest information, including cabinet papers as appendices.
8. The Constitution Review process would consider and make recommendations to Council on the supply of paper to members being removed from the Constitution and printed copies of reports being administered on a case by case assessment.

The Leader of the Council provided Cabinet with a performance and financial health-check. The report had been considered by the Corporate Scrutiny Committee on 7th February 2019.

RESOLVED

That Cabinet;

Endorsed the contents of this report

That the Capital budget for Disabled Facilities Grants be increased by £107,170 to reflect the additional grant funding from Ministry of Housing Communities and Local Government.

That £200,000 be vired from the Walkways at Magnolia capital scheme into the Bathroom Renewals scheme to fund additional bathroom replacements.

(Moved by Councillor D Cook and seconded by Councillor J Chesworth)

7 CORPORATE VISION, PRIORITIES PLAN, BUDGET & MEDIUM TERM FINANCIAL STRATEGY 2019/20

The Leader of the Council proposed the Vision Statement, Priority Themes, Corporate Priorities and Outcomes and their inclusion in the Corporate Plan and Support Service Plan.

The recommendation package of budget proposals to enable the Council to agree the:

- General Fund (GF) Revenue Budget and Council Tax for 2019/20;
- Housing Revenue Account (HRA) Budget for 2019/20;
- 5 Year General Fund Capital Programme (2019/24);
- 5 Year HRA Capital Programme (2019/24);
- 3 Year General Fund Medium Term Financial Strategy (MTFS) (2019/22); and
- 5 Year HRA Medium Term Financial Strategy (MTFS) (2019/24).

To comply with the requirement of the Council's Treasury Management Policy in reporting to Council the proposed strategy for the forthcoming year and the Local Government Act 2003 with the reporting of the Prudential Indicators

- RESOLVED** That Cabinet endorsed the following recommendations to proceed to Council
- 1 The Vision Statement, Priority Themes, Corporate Priorities and Outcomes for 2019/20
 - 2 The proposed revisions to Service Revenue Budgets (Policy Changes)
 - 3 The sum of £62,517 be applied from Council Tax Collection Fund surpluses in reducing the Council Tax demand in 2019/20
 - 4 The sum of £752,887 be applied from Business Rates Collection Fund surpluses in 2019/20
 - 5 That on 29th November 2018, the Cabinet calculated the Council Tax Base 2019/20 for the whole Council area as 21,761 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")]
 - 6 That the Council Tax requirement for the Council's own purposes for 2019/20 is £3,849,303
 - 7 The following amounts as calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:
 - a. £49,832,645 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (Outgoings excluding internal GF Recharges);
 - b. £45,983,342 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (Income excluding internal GF Recharges);
 - c. £3,849,303 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31A(4) of the Act);
 - d. £176.89 being the amount at 7(c) above (Item R), all divided by Item T (at 5 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
 - 8 The Council Tax level for the Borough Council for 2019/20

- of £176.89 (an increase of £5.14 (2.99%) on the 2018/19 level of £171.75) at Band D;
- 9 An aggregate Council Tax (comprising the respective demands of the Borough Council, Staffordshire County Council, Office of the Police and Crime Commissioner Staffordshire and Stoke-on-Trent and Staffordshire Fire and Rescue Authority) of £1,715.41 at Band D for 2019/20 be noted (£1,648.36 in 2018/19)
- 10 The Council Tax levels at each band for 2019/20
- 11 The sum of £1,408,174 be transferred from General Fund Revenue Balances in 2019/20
- 12 The Summary General Fund Revenue Budget for 2019/20
- 13 The Provisional Budgets for 2020/21 to 2021/22, summarised at Appendix G, as the basis for future planning;
- 14 Minimum level for balances of £500k to be held for each of the General Fund, Housing Revenue Account, General Capital Fund and Housing Capital Fund;
- 15 Cabinet be authorised to release funding from the General Contingency budget and that the release of funding for Specific Contingency items be delegated to the Corporate Management Team in consultation with the Leader of the Council;
- 16 Proposed HRA Expenditure level of £13,164,850 for 2019/20
- 17 Rents for Council House Tenants in General Accommodation for 2019/20 be set at an average of £85.52 (2018/19 £86.50), over a 49 week rent year (including the required 1% reduction);
- 18 Rents for Council House Tenants due for 53 weeks in 2019/20 be collected over 49 weeks;
- 19 The proposed 5 year General Fund Capital Programme of £5.297m, as detailed in Appendix I to the report;
- 20 The HRA deficit of £115,050 be financed through a transfer from Housing Revenue Account Balances in 2019/20
- 21 The proposed 5 year Housing Capital Programme of £44.496m, as detailed in Appendix J to the report;
- 22 To delegate authority to Cabinet to approve/add new capital schemes to the capital programme where grant funding is received or there is no net additional cost to the Council;
- 23 The Treasury Management Strategy Statement, the Treasury Management Policy Statement, Minimum

- Revenue Provision Strategy and Annual Investment Statement 2019/20
- 24 The Prudential and Treasury Indicators and Limits for 2019/20 to 2021/22
- 25 Adoption of the Treasury Management Practices contained within ANNEX 8;
- 26 The detailed criteria of the Investment Strategy 2019/20 contained in the Treasury Management Strategy within ANNEX 4; and
- 27 The Corporate Capital Strategy and associated Action Plan

(Moved by Councillor D Cook and seconded by Councillor M Cook)

8 WRITE OFFS 01/04/18 TO 31/12/18

The Report of the Portfolio Holder for Assets and Finance proposed that Members endorse the amount of debt written off for the period 01 April 2018 to 31 December 2018 and sought approval to write off irrecoverable debt in line with policy regarding Business Rates in excess of £10k.

RESOLVED: The Committee endorsed the amount of debt written off for the period 01 April 2018 to 31 December 2018 as set out in Appendices A-D, and:
Approved the write off of irrecoverable debt for Business Rates of £322,199.74, as set out in Appendix E.

(Moved by Councillor D Cook and seconded by Councillor J Chesworth)

9 TAXI LICENSING POLICY - AMENDMENT TAXI LICENSING POINTS SYSTEM & DRESS CODE

The Portfolio Holder for Communities and Partnerships presented the Taxi Licensing Policy – Amendment Taxi Licensing Points System and Dress Code.

RESOLVED That Cabinet;

- 1 Considered the proposed amendments to the Taxi Licensing Conditions that introduce a Taxi Licensing Points system for drivers and operators that breach conditions and include guidance on appropriate dress, and recommended them to Council for adoption
- 2 Agreed that there be a review of the policy by the Infrastructure, Safety and Growth Committee, 12 months

following implementation.

(Moved by Councillor S Doyle and seconded by Councillor D Cook)

10 AMINGTON COMMUNITY WOODLAND

The Portfolio Holder for Culture and Operational Services and the Leader of the Council updated Cabinet on the progress of the Amington Community Woodland Project, and requested that Cabinet approve the plan for the project and delegate approval for procurement of a Landscape Architect and professional team to the Assistant Director Operations and Leisure in consultation with the Portfolio Holder for Culture and Operational Services.

RESOLVED

That;

1. Cabinet endorsed the programme management approach as detailed in Appendix 3
2. Cabinet endorsed the draft Project Initiation Document (Appendix 1) and reporting lines for the Amington Community Woodland Project.
3. Cabinet approved commencement of the Amington Community Woodland Project, as per the project plan (Appendix 2).
4. Cabinet endorsed the design principles and consultation programme set out in the report
5. Cabinet approved the list of services required from an appointed Landscape Architect and associated professional team, as detailed in Appendix 4.
6. Cabinet authorised the commencement of the procurement process for the Landscape Architect and professional team and delegate responsibility for the appointment to the Assistant Director Operations and Leisure in consultation with the Portfolio Holder for Culture and Operational Services to appoint.
7. The 2018/19 approved Capital Programme be increased by a total of £305k being:
 - Additional £115k for the Amington Community Woodlands scheme to reflect the additional external funding secured through the “Small Habitats Grant”
 - Additional £150k for the Amington Community Woodlands scheme to reflect the revised

- phasing of the project funded through Section 106 agreement.
- Additional £40k for the Community Woodland Cycleway scheme to reflect the additional Section 106 contributions to fund the scheme.
8. Cabinet gave delegated authority to the Assistant Director Operations and Leisure in consultation with the Portfolio Holder for Culture and Operational Services to:
- a. agree the final design for the hard and soft landscaping works
 - b. prepare and endorse the contract briefs to be used as part of future procurement of contractors to implement the elements of the scheme;
 - c. Commence the procurement processes
 - d. Award the contracts to the successful tenderers.

(Moved by Councillor J Chesworth and seconded by Councillor D Cook)

Leader

THURSDAY, 21 MARCH 2019

REPORT OF THE LEADER OF THE COUNCIL

CORPORATE PLAN 2019 - 2022

EXEMPT INFORMATION

None

PURPOSE

To provide Cabinet Members with the details and information relating to the Council's Corporate Plan for the period 2019 – 2022.

RECOMMENDATIONS

It is recommended that:

1. Cabinet Members endorse the document and so adopt the Council's Corporate Plan for the period 2019 - 2022

EXECUTIVE SUMMARY

The focus of this document is upon how the Council will use its Corporate Plan, Medium Term Financial Strategy (MTFS) and agreed priorities to achieve the new vision.

The plan also includes an Annual Review element and, in addition, Cabinet Members with portfolios for specific services have taken the opportunity to reflect upon some of the achievements in their respective summaries.

It is both prudent and good practise to provide our key stakeholders with the assurance they need that Tamworth Borough Council has a vision and clear priorities that are supported by ambitious plans and actions.

The Corporate Plan covers a period of three years, the same period as the MTFS and in doing so, represents a level of assurance and confidence in the alignment between forward planning and financial planning – what we intend to do and how we intend to resource it.

The Corporate Plan 2019 – 2022 is detailed at **Appendix 1** and, subject to Cabinet Members' approval; the document will be posted on the Council's website and intranet for access on demand.

OPTIONS CONSIDERED

Not applicable

RESOURCE IMPLICATIONS

There are none directly arising from this report. The plans and proposals set out in this plan will be resourced as necessary from the annual budget and MTFS as approved by Council at their meeting on 26th February 2019.

LEGAL/RISK IMPLICATIONS BACKGROUND

There are none directly arising from this report.

EQUALITIES IMPLICATIONS

There are none directly arising from this report.

SUSTAINABILITY IMPLICATIONS

There are none directly arising from this report.

BACKGROUND INFORMATION

Tamworth Borough Council has complied with recognised best practise and produced a Corporate Plan annually since 2008.

REPORT AUTHOR

The report was compiled by John Day and produced by the Council's Graphics Team. Contributions from Cabinet Members and Corporate Management Team have served to enhance the report.

APPENDICES

1. Corporate Plan 2019 - 2022

TAMWORTH BOROUGH COUNCIL CORPORATE PLAN 2019-2022



OUR VISION: To put Tamworth, its people and the local economy at the heart of everything we do

PEOPLE & PLACE

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ORGANISATION

CORPORATE PLAN 2019-2022

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WELCOME

Welcome to Tamworth Borough Council's Corporate Plan for the years 2019 – 2022. The document sets out what we want to achieve in the coming years.

INTRODUCTION

In February 2019, Council approved our new vision: **'To put Tamworth, its people and the local economy at the heart of everything we do'**. This continues to ensure we can take full advantage of every opportunity that leads to Tamworth being a better place and its people having better lives or the Council being a better organisation.

Our Strategic Priorities remain centred on 'people and place' and 'organisation' and this plan details these, why they are important and the things we want to achieve over the plan period 2019 to 2022.

The Council remains committed to promoting and stimulating economic growth, meeting our housing needs, creating a vibrant town centre and protecting those most vulnerable in our communities.

Creating a thriving, competitive and sustainable economy is central to delivering improvements in people's lives. Therefore, regeneration and economic growth remain high priorities for us and we will continue to champion the interests of Tamworth at all levels. We will work hard to ensure that local people and businesses are ready to take advantage of planned and future developments to secure the long term prosperity of Tamworth.

The medium term financial planning process is being challenged by the Government's continuing efforts to get the country free of the national deficit to ensure services for future generations can be financed, this leaves us continued uncertainty locally. The accomplishment of a balanced three year Medium Term Financial Strategy for the General Fund is a major achievement as the Council, like others, has planned to deliver its budget process in light of unprecedented adverse economic conditions with a great deal of uncertainty over future investment and income levels such as car parking, land charges and corporate property rents.

The Council has responded to these challenges by considering the opportunities to grow its income. Consequently, we are ambitious with our commercial view, have established a trading company and will continue to work hard to identify income streams that enable us to continue to meet the needs of our residents.

The basic belief within Tamworth Borough Council is to grow the economy to generate funds to help those less fortunate in our society.

Our focus will be on putting our energy and resources into supporting 'our people' and 'our place' to ensure that we achieve our new vision; **'To put Tamworth, its people and the local economy at the heart of everything we do.'**



Andrew Barratt
Chief Executive



Daniel Cook
Leader of the Council



OUR VISION, PURPOSE & PRIORITIES

Shown below is our **'Corporate Plan - On a Page'**. Appendix A gives more detail, explains why these are a priority and the things we will deliver over the plan period to 2022.

TAMWORTH BOROUGH COUNCIL: VISION

To put Tamworth, its people and the local economy at the heart of everything we do

OUR PURPOSE IS TO:

- ▶ help tackle causes and effects of poverty and financial hardship
- ▶ increase all residents' resilience and access to information
- ▶ engage with our residents to promote community involvement and civic pride
- ▶ support the development of Tamworth now, and in the future
- ▶ help the local economy to grow in a way which benefits our residents and businesses
- ▶ utilise Council resources effectively
- ▶ help tackle the causes of inequality and increase opportunities for all residents and businesses
- ▶ help protect, nurture and celebrate our local heritage
- ▶ help prevent homelessness and help people access suitable housing
- ▶ help build resilient communities
- ▶ help develop and safeguard our environment and open spaces

OUR STRATEGIC PRIORITIES FOR 2019-2022

People and Place



To meet housing needs through a variety of approaches and interventions



To facilitate sustainable growth and economic prosperity



To work collaboratively and flexibly to meet the needs of our communities



To create a new and developing vision for the continued evolution of Tamworth, including a town centre fit for the 21st century

Organisation



To be financially stable



To ensure our employees have the right skills and culture to help our residents, visitors and businesses



To ensure our service delivery is consistent, clear, and focused



To ensure our decisions are driven by evidence and knowledge

PORTFOLIO HOLDER STATEMENTS

PORTFOLIO: ASSETS & FINANCE

CLLR ROBERT PRITCHARD DEPUTY LEADER OF THE COUNCIL



Our journey of change and improvement continues.

The Council has responded well to the financial challenges facing local government and has a balanced three year budget that continues to protect front line services for the public.

The Council has strong financial management which has helped to ensure continued delivery of frontline services without the need for major service reductions – and the achievement of a balanced Medium Term Financial Strategy. At a time when many councils across the country are cutting frontline services and support to vulnerable residents we have continued to protect vulnerable people in our community who are in greatest need. We will continue to review every service at the council to ensure maximum efficiency. We will also focus our investment strategy to drive local economic growth and council financial stability.

During the year, the Council's external auditors confirmed that the Council prepared a very good set of accounts and has a track record for delivering budgeted savings. Going forward, the preparation and provision of high quality financial management information will assist in enabling and informing the decision making process of the Council.

The Council's Revenues Team has once again performed to very high standards and has been proactively increasing the authority's income and its preceptors – to assist in financing the balanced Medium Term Financial Strategy again ensuring continued frontline service provision.

The organisational structure of senior management underwent a fundamental review resulting in significant savings being achieved and the delivery of a management structure that is flexible and focussed to meet future needs. This change has provided the council with a further opportunity to subsequently realign services so that teams are aligned and able to work more closely together. To achieve this we have continued to work collaboratively with trade unions to ensure employee relations remain productive.

The council will be taking the opportunity to develop a comprehensive Asset Management Plan for both the Housing Revenue Account and General Fund assets in support of a revised Capital Strategy.

PORTFOLIO: ASSETS & FINANCE cont.

The new Data Protection Regulations, which came into force May 2018, has meant that every member of staff and every elected member underwent compulsory training on the new regulations so as to ensure that the Council was compliant with requirements of the Act.

Our customer services continue to promote 'digital by default' with the purchase of a new customer portal currently being developed for roll out over the next few months.

In addition, we will be developing our operating model to further strengthen our service delivery and strategic approaches. In particular we will further reinforce our use of knowledge and evidence in decision making to ensure that we are clear in our service offer and accountable to residents.

We continue to work with County Council colleagues to ensure that the needs of Tamworth residents are fully understood in relation to the delivery of Disability Facilities Grants.

Over the next twelve months we will be investing in elected members and employees to equip them with the skills, knowledge and information they need in order to achieve our new revised vision and priorities.



PORTFOLIO: CULTURE & OPERATIONAL SERVICES

CLR JOHN CHESWORTH



Our shared waste collection service with Lichfield District Council continues to provide a quality service that delivers value for money and assists in meeting the challenging recycling targets set. This has become more challenging due to the import ban in China of some recycling plastics and paper, however the percentage of recycling collected against waste sent for incineration (energy from waste) is holding firm in the high 40 percent bracket. The sign up rates for our Green Waste collection service again look promising, and we are currently delivering an education program aimed at reminding residents what can, and can't, be recycled in our blue bins. This is already showing signs of reducing the number of rejected loads of recycling waste.

The Street Scene team have again proven to be invaluable and are proactive in their approach. They deliver the day to day functions necessary to keep our town looking clean and tidy, and this is recognised in the number of positive comments received about their work. To help them going forwards, a new fleet of mowers and sweepers has been procured. The team, along with community groups from across the town, have again achieved a Gold Award in the Heart of England 'In Bloom' competition, which was a fantastic effort. They are also responsible for maintaining our open spaces, ensuring that they are safe, attractive and fit for purpose for our residents and visitors.

We continued to make improvements in Information Communication Technology (ICT), including a much needed upgrade of a number of our business applications and operating systems, a new web based application for Sheltered Housing Scheme Managers, and prepared the organisation for General Data Protection Regulation (GDPR) compliance. It was pleasing to see that 95.21% of 815 Freedom of Information requests were completed within 20 days, in the 12 months from January 2018. This year we will continue to review our ICT strategy, including our telecommunications, our network security, and aim to create a 'Knowledge Hub' to make best use of customer insight.

The outdoor events program has again been an overwhelming success, with incredible crowds attending our fireworks night and sell out performances for the open air cinema in the summer. We again offered something for everyone, with additional events such as the creation of the Mercian Mosaic Arts in Unusual Spaces and the Christmas lights switch-on. We also supported events celebrating the 1100th anniversary of the death of Lady of the Mercians Aethelflaed. In 2019 we will develop and deliver an events programme that offers a wide range of educational and entertaining experiences. We will also re-open the Assembly Rooms, our 130-year-old theatre, following a multi-million pound regeneration project, offering theatre shows and new conference facilities. The leisure and culture offer in Tamworth continues to be strong.



PORTFOLIO: HERITAGE & GROWTH

CLLR DANIEL COOK

WITH CREDIT TO FORMER COUNCILLOR STEVE CLAYMORE

In June 2017 we saw the opening of our new 'Tamworth Enterprise Centre' offering high quality, fully serviced offices with easy 'in and out' affordable rent to 'start-up' and fledgling businesses. Since then we have maintained 100% occupancy, seen several businesses outgrow the facility and been immediately replaced by new businesses locating there. There has also been an increase in the use of the flexible meeting space available, as businesses recognise the value of using this facility.

As part of the Council's business growth agenda we have directly supported 21 businesses with small business grants, and have been successful in our bid to deliver Growth Hub advisory support on behalf of both the Greater Birmingham Local Enterprise Partnership, and the Greater Birmingham Chamber of Commerce & Industry for the Southern Staffordshire Area. The aim of this programme is to provide a diagnostic interview with at least 110 businesses over the next year.

As part of the wider Enterprise Quarter Project in the town, the redevelopment and extension to the Assembly Rooms is now well under way, with a formal opening planned in the autumn of this year. The project has not been without its challenges as you would expect with such a historic building but is progressing well

In April the Council agreed to acquire the vacant Gungate site in the town centre, and work has started on a master planning exercise to look at what options are viable, necessary, and will act as a catalyst to encourage regeneration within our town. This is coupled with our town centre 'What's Next' consultation programme where we are seeking views of the town's future aspirations from residents and businesses to help inform this options appraisal.

Our adopted Local Plan continues to allow us to control the necessary growth and development required within Tamworth. Our Local Plan covers the period from 2006 to 2031; consequently, all development carried out within the last twelve years contribute to our total requirement. The Council continue to pursue and actively engage with our neighbouring authorities to ensure that any proposals to develop around our boundaries do so with proper consideration to our highways network and infrastructure needs. It is encouraging to note that many of our strategic housing sites identified within this plan are now coming forward, with activity on many of them started this year.

The Council will also be developing a new Community Woodland project on part of our open space network, consisting of eight hectares of the former golf course, set aside for the creation of a new public open space. The project will design and create a green space with a mosaic of habitats to increase biodiversity and green connectivity in the area as well as space for informal recreation, health and wellbeing. Existing woodland areas will be improved, new woodland planted, meadows



created as well as other biodiversity improvements such as bulb planting, bat and bird boxes. Access will also be improved through the site with a network of footpaths, connecting with the new housing development.

Our non-constituent membership of the West Midlands Combined Authority (WMCA) continues to be a wise move, and I am sure will reap benefit in the long term. The philosophy of a combined authority is quite simply that local authorities work together to move powers and money from Whitehall to the local combined authority area. Then, its locally elected politicians, who know their areas best, will make decisions and spend money for the benefit of their own region. The WMCA devolution deal will see £40 million per year over 30 years to unlock an overall investment of £8 billion and could create up to half a million jobs.

Being part of the WMCA does not mean we relinquish any of our sovereignty in Tamworth, all councils will continue to deliver their own services and retain their individual identities, but we will have the pooled resources to work together on bigger issues such as economic growth, skills, transport, mental health and productivity.

Over the past few years we have seen how, by working in partnership with both the Greater Birmingham and Solihull and the Stoke and Staffordshire Local Enterprise Partnerships, our unemployment figures drop to an all-time low, along with millions of pounds worth of investment coming into Tamworth and the wider Local Enterprise Partnership area. The Greater Birmingham and Solihull Local Enterprise Partnership's updated Strategic Economic Plan (SEP) gave a commitment to create 250,000 new jobs by 2030, and already this stands in excess of 134,200.

Along with job creation also comes the requirement for skills to fill these jobs and we continue to engage with stakeholders to ensure we deliver enough of the required skills and at the right time. This has to be a medium to long term investment and commitment by all concerned.

Our programme to provide around 140 new homes in the Tinkers Green and Kerria areas continues to progress well. This ambitious project involves the demolition and replacement of outdated and unsuitable housing with new homes for those in need. The scheme is being supported by grant funding from Homes England as part of the national affordable housing development programme. During 2019 we anticipate the first completed homes will be let via nominations from the Housing Register. This scheme forms part of the Council's ambitious plans to deliver new affordable homes across the borough through a variety of means including acquisition, Council new build and by working in partnership with other registered housing providers.

We have seen many achievements over the past year and the start of the delivery phase of other important projects and I look forward seeing these all through to completion and the benefits these will bring to Tamworth.

PORTFOLIO: COMMUNITIES & PARTNERSHIPS

CLLR STEPHEN DOYLE



Tamworth Borough Council continues to play a strong and vital role in ensuring funding for community groups and looking to address the needs of those most vulnerable.

This is assisted through a number of projects such as the Tamworth Advice Centre, TAC, advising on debt issues and general advice for local Residents.

We also work with and seek funding for a number of voluntary groups such as the Samaritans, Tamworth Dementia Action Alliance and Communities Together CIC.

The Community Wardens and Close Circuit Television (CCTV) services continue to provide important services to both the Council and our partners and with changing times and demands we look to further develop the services to meet those new demands.

The Council's Community Wardens continue to engage with residents, particularly the younger members of the community, on issues such as internet safety and anti-social behaviour as well as working with our partners in maintaining Community Safety.

The CCTV service plays an important role in the partnership and operates a 24/7 monitoring service at strategic locations around the town and borough, helping to increase public confidence. The upgrade of the system is currently under review as we look at what service we should provide to the town.

The Community Safety Partnership continues to provide a high level of confidence within the community, particularly those who are the most vulnerable in our society, providing an environment where partners can share information and avoid duplication of effort.

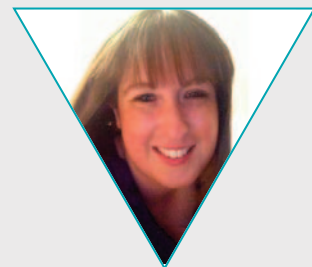
In line with the Council's key priorities, there is a strong theme of seeking to protect the most vulnerable within our communities, by providing training and guidance to partners, working with neighbouring Councils and, recently, upgrading the Gambling Policy within Tamworth to reflect concerns over the young and vulnerable.

In an effort to tackle the causes of anti-social behaviour there has been the move to introduce further public space protection notices; these are aimed at further empowering the Police and Community Wardens.

Also domestic violence remains a high priority for the Council and has recently secured funding to protect the work being done by Pathway in this area. Early intervention will remain key to much of the work carried out by Tamworth Borough Council and the partnership.

PORTFOLIO: HOUSING

CLLR MICHELLE COOK



The Housing portfolio has had a very busy but exciting year, with lots of achievements made. I am delighted to share a few highlights:

Our long term housing strategy, the Housing Revenue Account (HRA) business plan, was signed off during the year, which covers 2018 to 2048. This sets out our wider strategic ambitions and established a community investment fund of £250,000 per annum. This will be influenced by our tenants and communities to directly enhance local areas.

Our long term aspiration to enhance the number of homes available and the overall quality of our accommodation continued in year. The Kerria and Tinkers Green developments are fully underway, with the first homes due to be occupied in summer 2019. We added 54 homes to our books in 2018, which was accompanied by an Affordable Rent Policy, which will help build future opportunities to acquire additional units.

Tamworth Borough Council remains committed to investing in our council owned stock; works in our high rise blocks, including new lifts, balconies and internal decoration, were a highlight of 2018. These works will continue into 2019 where we will also see sprinklers being installed across the six high rise blocks and also at Eringden. Lovells, our installation contractor, are currently engaging with residents and will soon be opening a show flat to help alleviate fears of internal visual intrusion.

Homelessness reduction remains a top priority of the Council. There has been a 25% reduction in rough sleeping in Tamworth and we have had periods of no bed and breakfast usage. This shows that the early prevention activities which were so heavily invested in during 2017 has worked. The extension of temporary accommodation options, including private sector leases and working with the third sector, has helped ensure people do not get to the 'final' stage of being homeless. We are very proud of this and we will continue to invest in 2019, including supporting the Starfish winter night shelter campaign once again.

2019 will see us launch our new allocation policy, go out to the market for a new enhanced repairs contract and see the completion of the first phase of the largest council house rebuilding programme in Tamworth in a generation. It will be an exciting year for all involved, especially our tenants.

Finally, I wanted to finish on how we have been capitalising on our social value. My personal favourite has been the construction employability programme run in conjunction with our repairs contractor, Wates. This saw eight care leavers find employment after completing a course to gain employment experience and skills - well done all!

THE MEDIUM TERM FINANCIAL STRATEGY

STEFAN GARNER, EXECUTIVE DIRECTOR (FINANCE)

The medium term financial planning process is being challenged by Government austerity measures as well as continued uncertainty. The accomplishment of a balanced three Year Medium Term Financial Strategy for the General Fund is a major achievement as the Council, like others, has planned to deliver its budget process in light of unprecedented adverse economic conditions – with a great deal of uncertainty over future investment and income levels such as car parking, land charges and corporate property rents.



There is also a high degree of uncertainty arising from the work progressing with regard to Business Rates retention (and the associated impact on the Council's Business Rates income and associated baseline and tariff levels), the 'Fair Funding Review,' as well as the planned Business Rates Reset which will also take effect from 2020/21.

The Council is responding to these challenges by considering the opportunities to grow our income. We are ambitious with our commercial view and will continue to work hard to identify income streams that enable us to continue to meet the needs of our residents.

More than ever, we recognise that our financial capacity will be less than in previous years which means that we will need to maintain our approach to innovation, collaboration and transformation. So, not only will the Council seek investment from businesses and developers, but the Council itself will explore viable and sustainable investment opportunities using all returns to support public services.

We continue to invest in our teams, transform our processes and ensure our technology infrastructure is fit for purpose. We have identified a number of opportunities to improve customer access to information and services as well as our engagement with our citizens and the way in which we manage our data and information.

Despite the impact of continuing austerity and significant reductions in Government funding, Tamworth Borough Council has, in the main, continued to sustain a full suite of essential services, and has recorded one of its most successful periods in terms of customer satisfaction; measured performance; project delivery and financial management.

The adoption of a Demand Management operating model was approved by Cabinet in February 2015. This signifies a shift away from trying to sustain a full suite of services at high standards with continuing budget reductions, to understanding the needs of our customers and working with them to co-design how we meet those demands. It will also involve the application of existing and new technology to capture, collate and analyse customer insight, intelligence and data so as to understand not just the 'need' but the cause, behaviours or decisions creating the need.

Linked with this, a major 'Delivering Quality Services' project will incorporate a review of processes and demand, with the aim of re-designing processes to meet changing customer expectations and making the best use of technology to deliver efficient and effective services to the customer, including self-service and digital functionality.

Work is continuing on a number of actions to address the financial position in future years:

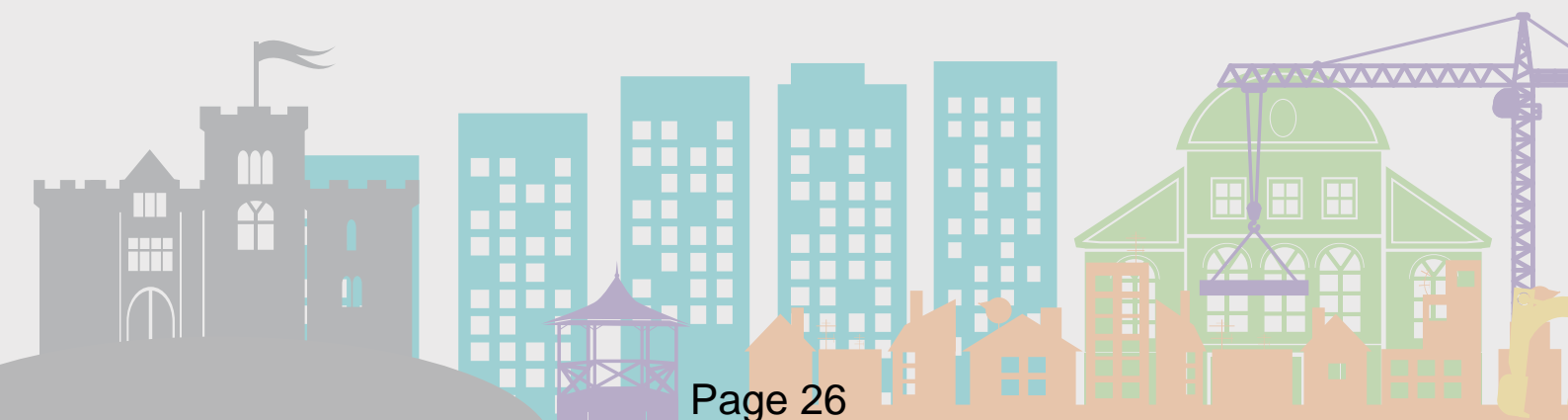
- ▶ Recruitment freeze – there is a robust challenge / re-justification process in place for all vacant posts with a requirement to investigate alternative options including restructuring to fill vacancies / looking at what we can stop doing
- ▶ Spend freeze – A review of the underspend position has been undertaken with a view to drive out as many savings as possible – and has identified annual savings of c.£450k p.a. from 2019/20
- ▶ Alternative investment options arising from the Commercial Investment Strategy (as well as the Treasury Management Investment Strategy) to generate improved returns of c. 4% to 5% p.a. (plus asset growth)
- ▶ Review of reserves (including ensuring adequate provision for the funding uncertainties) and creation of fund for transformation costs (if needed)
- ▶ Targeted Savings – to identify potential areas for review in future years
- ▶ Review and rationalisation of IT systems.

Council, on 26th February 2019, approved a three year Medium Term Financial Strategy for the General Fund with a Council Tax increase within the Government referendum limits – in order to continue to deliver those services essential to the local community. Challenging savings targets have been included which need to be achieved over the next three years. However, in the longer term, the Council faces on-going grant reductions and income uncertainties which mean that substantial additional savings and additional income will need to be made into the future to deliver a balanced budget in the longer term.

With regard to the Housing Revenue Account, a five year MTFS was approved by Council, despite significant funding reductions over the four years from 2016/17, given the Government requirement for Councils to reduce social housing rents by 1% per annum, including significant investment in regeneration projects to meet future housing needs and sustain the HRA in the longer term.

The headline figures for 2019/20 are:

- ▶ a General Fund Net Cost of Services of **£9,403,410** a reduction of 8.4% compared to 2018/19;
- ▶ the Band D Council Tax would be set at **£176.89** an increase of **£5.14** (2.99% - c.£0.10 per week) on the level from 2018/19 of **£171.75**;
- ▶ a General Fund Capital Programme of **£5.297m** for five years;
- ▶ a Housing Revenue Account (HRA) Expenditure level of **£13,164,850** for 2019/20 (excluding interest & similar charges);
- ▶ an average rent of **£85.52** set in line with the approved Rent Setting Policy including a 1% reduction in average rent, in line with the Government's requirement to reduce rents by 1% p.a. for the 4 years from 2016/17 (based on a 49 week rent year) which represents a reduction of **£0.98** (on the current average rent of **£86.50**) and equates to **£79.09** on an annualised 52 week basis;
- ▶ a Housing Capital Programme of **£44.496m** for 5 years.



SUMMARY ACCOUNTS 2018/19

Due to the earlier publication of this combined document the draft summary accounts for 2018/19 are not yet available. As soon as they are (approximately end of June 2019) they will be posted on the Council's website.

ANNUAL GOVERNANCE STATEMENT

The Annual Governance Statement is a statutory document published following a review of the effectiveness of the Authority's system of internal control. It explains the governance framework (systems and processes, culture and values) that the Authority has in place, and includes an action plan to address any significant governance issues identified.

Due to the earlier publication of this combined document, the annual governance statement for 2018/19 is not yet available. The Annual Governance Statement is published with the Annual Statement of Accounts and will be available later in the year.



WHAT WE DID IN 2018/19

Shown below, under the headings People, Place and Organisation, are some of our achievements in 2018/19. All that has been achieved is not included but we have identified those achievements which we feel will be of most community interest due to their impact and benefits.

PEOPLE

- ▶ An improved and more user friendly website was launched 'Finding a home; choice based letting service' to make it easier for applicants to apply for a Council house in Tamworth,
- ▶ Tamworth Borough Council's Sports Development Team unveiled their programme of sporting events, 'Playscheme 2018', in July last year and have reported record numbers of over 3,000 children and young people attending the daily programme throughout the school summer holiday,
- ▶ Four Syrian refugee families were placed in Tamworth and settled into their homes,
- ▶ Tamworth Borough Council, in partnership with Lichfield District Council and East Staffordshire Borough Council, has secured almost £100,000 in Government funding to continue the provision of vital services for victims of domestic abuse,
- ▶ Public Space Protection Orders (PSPOs) were adopted at Warwickshire Moor and Kettlebrook/Borrowpit Lakes,
- ▶ Tamworth was a finalist for the Alzheimer's Society's Dementia Friendly Community of the Year award in the rural area, village, or town category for 'leading and inspiring a change that will transform the lives of people living with dementia forever.'



PLACE





- ▶ The 'Your Business, Your Voice' event was organised by Tamworth & Lichfield for business,
- ▶ Since its launch in April 2017, a total of 40 businesses to the value of nearly £35,000 have so far been supported under the Start-up Business Grant Scheme,
- ▶ Thousands of visitors were attracted to the town for events including; St George's Day, Outdoor Cinema, Fireworks Evening, Christmas Lights Switch On and We Love Tamworth,
- ▶ The statue of Anglo-Saxon warrior queen Aethelflaed was unveiled for the first time,
- ▶ The Council purchased the Gungate and Spinning School Lane car park site for investment purposes and to masterplan significant regeneration in the area over the coming years,
- ▶ Work commenced on the extension to The Assembly Rooms,
- ▶ Internal improvements were carried out at the Town Hall,
- ▶ One year on from its official opening in July 2017 the Tamworth Enterprise Centre continues to flourish, as do the businesses which use it. All 16 offices are fully let to 14 businesses and around 45 people work from the hub each day,
- ▶ Tamworth had another successful year in the Heart of England in Bloom competition – striking GOLD for the ninth year in a row, as well as picking up a special award for the Moor Street Island display and Wigginton Park was awarded Gold in the Parks and Open Spaces category,
- ▶ Work commenced at Tinkers Green and Kerria to build 140 modern Council homes.

ORGANISATION





- ▶ A customer portal was procured that, when implemented, will enable customers to manage their business with the Council online 24/7,
- ▶ The Web Access channel for customers was further developed,
- ▶ Cyber security training was undertaken throughout the Council,
- ▶ A senior management review was undertaken that contributed in excess of £1m over the period of the Medium Term Financial Strategy,
- ▶ A 'Gender Pay Gap' was published to comply with equal pay legislation,
- ▶ A new back-up information technology solution was implemented,
- ▶ All employees and councillors undertook General Data Protection Regulation (GDPR) awareness training,
- ▶ Borough Council elections were undertaken.

APPENDIX A

OUR PRIORITIES: PEOPLE & PLACE PRIORITIES

Priority	Why is this a Priority	Key Actions/Deliverables
<p>To meet housing need through a variety of approaches and intervention</p> 	<p>Access to safe and suitable accommodation is a key issue for Tamworth residents and continues to be the highest area of demand for Council services overall.</p> <p>The Council places a high priority on its role in supporting people to access the housing they need, seeking to improve standards across all tenures and working to ensure that neighbourhoods can thrive.</p>	<ul style="list-style-type: none"> ▶ Completion of new council housing at Tinkers Green and Kerria to deadline and budget ▶ Implementation of the Homelessness Reduction Act and associated actions ▶ Reviewing our local plan to ensure it is fit for purpose and reflective of housing needs ▶ Working with landlords to ensure relevant standards for rented accommodation are achieved by offering advice, guidance and where necessary by taking enforcement to ensure compliance.
<p>To facilitate sustainable growth and economic prosperity</p> 	<p>Tamworth is well placed to benefit from the economic prosperity of the West Midlands as a whole and the Council recognises the importance of its role in ensuring that this increased prosperity benefits all residents and enhances our town.</p> <p>We welcome continued infrastructure growth including increased housing. However, we believe that the Council has a pivotal role to play in ensuring that this growth is managed in a way which enhances the lives of our residents, protects our environment and supports a balanced economy.</p>	<ul style="list-style-type: none"> ▶ Development of a Place Investment Strategy ▶ Production of a viable and deliverable masterplan to encompass the Gungate site that is both reflective of the town's needs and fiscal requirements ▶ Delivery of sound business advice through locally engaged Growth Hub advisors.
<p>To work collaboratively and flexibly to meet the needs of our communities</p> 	<p>The Council has invested strongly in the development of innovative and proactive collaboration across agencies and sectors and has a well-earned reputation for placing partnership at the heart of our approach.</p> <p>We consider that our ability to deliver positive outcomes for residents is enhanced by working with others and as a result we will continue to invest in the development of purposeful and meaningful partnerships. In particular we will focus on enhancing the work that we do with others to protect vulnerable people and enhance neighbourhoods.</p>	<ul style="list-style-type: none"> ▶ Review of Tamworth Strategic Partnership ▶ Promotion of the Councils role in community leadership and member involvement ▶ Engage with residents to shape our services, test customer satisfaction and empower communities ▶ Ensuring early help and intervention is at the heart of service delivery.
<p>To create a new and developing vision for the continued evolution of Tamworth, including a Town Centre fit for the 21st century</p> 	<p>As is the case across the UK, the nature and use of our town centre is changing, with a reduction in the viability of the retail offer in its traditional form. However, the town centre remains an important resource for the town as a whole, with the potential to greatly enhance Tamworth's already enviable leisure offer. We believe that the Council is well placed to lead the development of a clear and inclusive vision for the town centre which provides the framework for future sustainability. This will link to our own plans for regeneration including the re-development of the Gungate Area.</p>	<ul style="list-style-type: none"> ▶ Develop a master plan for the town centre ▶ Delivery of a co-ordinated town centre programme ▶ Relocation of Tamworth Information Centre ▶ Delivery of the HLF funded "Battle and Tribute" project at the Castle ▶ Timely opening of the refurbished Assembly Rooms ▶ Develop a masterplan for new community green space and the delivery of a local centre at Amington.

OUR PRIORITIES: ORGANISATION PRIORITIES

Priority	Why is this a Priority	Key Actions/Deliverables
<p>To be financially stable</p> 	<p>Along with much of the public sector Tamworth is facing an uncertain financial future. The Council has a proven track record as a trusted custodian of public finances and we will continue to emphasise the importance of sound financial management linked to effective risk management and governance.</p> <p>We further believe that by adopting commercial approaches and critically evaluating commercial opportunities we can significantly increase our financial sustainability and increase our ability to offer VFM for residents.</p>	<ul style="list-style-type: none"> ▶ Delivery of a 3 year Medium Term Financial Strategy ▶ Review of Corporate Capital Strategy ▶ Asset Management Strategy for Housing Revenue Account and General Fund assets ▶ Complete a commercialisation review and implement measures identified ▶ Invest in commercial activities including: <ul style="list-style-type: none"> Development of the Council's trading company and associated income stream Maximise returns of cash flow through property fund investments Prepare a viable deliverable plan for the regeneration of Gungate ▶ Continue with channel shift to digital across all departments: <ul style="list-style-type: none"> Implement Corporate customer portals ▶ Complete phase 2 of Senior Management Review
<p>To ensure our employees have the right skills and culture to help our residents, visitors and businesses</p> 	<p>We consider that our teams and our elected members constitute our greatest asset and that by ensuring that every individual has the necessary skills, competencies and knowledge to fulfil their roles we can work most effectively for the benefit of residents.</p> <p>Ensuring that front-line staff and elected members have access to useful and up to date information regarding service delivery and community issues also greatly increases effectiveness and we will prioritise the development of resources which maximise the accessibility of information.</p>	<ul style="list-style-type: none"> ▶ Develop an Organisational and People Strategy that ensures the organisation is focussed on the future ▶ Undertake a Peer Review ▶ Develop a training and development programme that focusses on generic skills as well as the technical skills required for the 21st century public servant ▶ Develop a member training portal to equip elected members with the necessary skills and knowledge to allow them to act as public advocates.
<p>To ensure our service delivery is consistent, clear, and focused</p> 	<p>Ensuring that residents are able to easily access clear information about the standards of service they can expect from us will greatly help to reduce waste demand and promote confidence in the Council. Of equal importance is ensuring that the right tools are in place to deliver consistently to the expected standard.</p> <p>We will prioritise the development of clear standards of service across the organisation and will further develop our approaches to measure and respond quickly to customer intelligence and levels of satisfaction.</p>	<ul style="list-style-type: none"> ▶ Development of a Communication Strategy that reinforces public expectation of transparency and accountability from the Council ▶ Delivery and approval of the Tamworth Community Offer ▶ Work collaboratively with our partners to maximise our effectiveness and support vulnerable people and communities.
<p>To ensure our decisions are driven by evidence and knowledge</p> 	<p>The Council receives a considerable amount of useful information through customer feedback along with statistical information from a variety of sources. We believe that by ensuring we are making the maximum of use of all available information and knowledge we can create insight to inform decision making at every level.</p> <p>We will work to further develop the means by which we collect, collate and analyse all available information for the purpose of enhancing our ability to support evidence based decision making.</p>	<ul style="list-style-type: none"> ▶ Review our data sets and collate into one data repository ▶ Creation of a data/insight resource ▶ Make full use of available customer insight and resident feedback to inform our decisions.

TAMWORTH BOROUGH COUNCIL CORPORATE PLAN 2019-2022

CONTACT US

To provide feedback specifically on the form and content of this Annual Review and Corporate Plan, email john-day@tamworth.gov.uk.

For more information about Tamworth Borough Council visit our website: www.tamworth.gov.uk

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THURSDAY, 21 MARCH 2019

REPORT OF THE LEADER OF THE COUNCIL**TOWN CENTRE PROGRAMME AND PROJECTS UPDATE****EXEMPT INFORMATION**

None.

PURPOSE

To update Cabinet on progress made on the Town Centre Programme and individual projects, including the Gungate project.

RECOMMENDATIONS

It is recommended that:

1. To note the progress on the town centre programme and individual projects.
2. To note the feedback so far in relation to the Tamworth....What's Next? Campaign.
3. To approve the submission of an Expression of Interest to the Future High Street Fund based on the outline of the vision described in this report.
4. To note and endorse the workstreams and timetable for the feasibility stage of the Gungate project.

EXECUTIVE SUMMARY

The programme approach to managing various town centre projects is being implemented.

The Leader has launched an engagement campaign to start a conversation about the future of the town centre. There has been a high number of people making comments and asking to be involved in the future. Future engagement activity is planned and will be developed over the coming months.

The Government have a "Future High Streets Fund" to support the regeneration of town centres. The Council has prepared an Expression of Interest (EOI) for revenue funding to help develop a business case for capital funding for various projects as detailed below.

The Gungate project is currently at an early stage and the Council is currently working with consultants to develop options for the site, and resources have been secured from the Local Government Association (LGA) and the Greater Birmingham and Solihull Local Enterprise Partnership to fund this work. Future reports will be brought back to Cabinet as the options are developed and narrowed down.

OPTIONS CONSIDERED

In relation to the town centre programme the options considered formed part of the November 2018 report.

In relation to the Expression of Interest to the Future High Street Fund, various options for the vision have been considered by officers however, the proposed option is the one that is felt to align closest to the aspirations of the Council and community and the principles of the Fund.

In relation to the Gungate workstreams there are no alternative options.

RESOURCE IMPLICATIONS

There are no implications arising directly from this report. The EOI provides an estimate of the revenue funding support that is needed to develop project plans for capital funding applications. The Cabinet report of the 8th November 2018 approved a 5 year revenue town centre programme budget that could be utilised to develop plans in support of a formal submission if we are successful with the EOI.

LEGAL/RISK IMPLICATIONS BACKGROUND

There are no legal or risk implications arising directly from this report.

EQUALITIES IMPLICATIONS

There are no equalities implications arising directly from this report.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications arising directly from this report.

BACKGROUND INFORMATION

At its meeting on the 8th November 2018, Cabinet approved a programme management approach to the delivery of town centre activity and projects.

The town centre coordination group have continued to work up projects and the Executive Leadership Team have considered and approved a project brief for the "Town Centre Strategy" and will consider a brief for Communication and Engagement Project and Project Implementation Document (PID) for Gungate later this month.

Communication and Engagement

On January 31, the Leader of the Council launched a new 'Tamworth...What's Next?' campaign with a 10-minute video to start a conversation about the evolution of Tamworth town centre so it is fit for the 21st Century. As part of this campaign, people are being encouraged to fill out a short survey form so we can identify those who would be willing to take part in future discussions/workshops and support the work of the council.

At the time of writing, more than 180 people have filled out the form and 165 of those have indicated they would be willing to actively participate in shaping the future vision for the town centre. So far 20 of those have come through the Tamworth Herald newspaper and the rest via our dedicated webpages. Respondents include more than 20 businesses, many of which we were not previously engaging with.

The campaign has resulted in our widest ever reach and engagement on our social media channels, including a Facebook reach of more than 30,000 on the TBC page alone, plus widespread media coverage. Specifically, Tamworth What's Next is being supported by the Tamworth Herald and Tamworth Informed. Hundreds of ideas have been submitted on what people would like to see the town centre used for and these cover a variety of themes, such as a greater variety of high quality restaurants and bars, more independent niche retailers, more activities and destinations for families, transport links between the town centre and Ventura Park, promotion of the town centre in Ventura Park, better promotion of the town's history and cheaper parking/parking schemes.

The Leader of the Council has met with groups including the former BID steering group, now operating as Tamworth Together, and business networking group FaB Networking.

Some of the ideas have been fed into the State of Tamworth Debate report which will be discussed at Full Council on March 12th.

Further actions will be considered as part of the Communication and Engagement PID.

Town Centre Funding

On the 29th October 2018, the Government launched the £675m “Future High Streets Fund” the purpose of which is to “support and fund local areas’ plans to make their high streets and town centres fit for the future”. On the 26th December 2018, the Government launched a call for Expressions of Interest (EOI) for funding as part of the “Future High Streets Fund”. The fund will contribute up to £25m to a place to enable the projects they put forward. The deadline for EOI’s is 22nd March and the Government have indicated they will announce in the summer 2019 those Councils that they will ask to develop a final submission for capital funding. The Government will provide some revenue funding to help Councils develop their cases.

The EOI requires Councils to identify a town centre and the challenges it faces. It also asks for a vision and ambition for change.

Officers have been developing an expression of interest to secure funding to help the evolution of the town centre so it is fit for the 21st Century. It is based on the Councils adopted plans and Strategies such as the Corporate Plan and Local Plan, relevant national best practice, consultation feedback from the Leaders “Tamworth’s...what next?” campaign, engagement with the former BID steering Group – Tamworth Together CIC, along with other stakeholders.

The EOI sets out a vision for the Town Centre which is to restore it as the beating heart of the community; to become a place that people *want* to visit, rather than a place they *have* to visit. It expresses the desire to make the town centre a place where people can come together, to relax, to eat and drink, to be entertained and to enjoy activities with their friends and families in pleasant surroundings. This will be achieved through:

- A greater leisure offer, including places to eat and things to do;
- A greater variety of smaller independent shops;
- Provision of housing to meet a range of local needs
- Provision of offices and places of innovation
- An accessible and improved physical environment

Gungate Project Update

Council on 11th April 2018 approved the purchase of the Gungate site within Tamworth town centre, incorporating the site of the former Gungate shopping precinct; a private pay and display car park currently leased to NCP ; and a Council run pay and display car park. . This was funded from a £4million capital budget financed from capital receipts from the sale of the Golf Course..

The Council is entitled to purchase land to hold as an investment and regeneration opportunity under the Local Government Act 1972; and the Local Government Act 2003 gives the Council the power to invest for any purpose relevant to its functions under any enactment, or for the purposes of the prudent management of its financial affairs.

As part of that report, Members also approved the development of a regeneration opportunity including further site acquisition should this be beneficial; including formal negotiations with Staffordshire County Council and Staffordshire Police to look at the inclusion of land bordering the site; and to commence masterplanning works to bring the site to a commercially viable development opportunity.

The report to Council recognised that any return from future redevelopment is not guaranteed, and that it could take several years to get a major regeneration project up and running. Initial plans are for a mixed housing/leisure development. The Council is currently working with consultants to develop options for the site, and resources have been secured from the Local Government Association (LGA) to pay for 40 days’ consultancy; and an £80k grant has been received from the Greater Birmingham and Solihull Local Enterprise Partnership. It is expected that this will take approximately 8 - 10 months to complete.

This is the feasibility stage of the project and the workstreams and timeline is as follows:

Stage 1 – Baseline Analysis : January 2019 – March 2019
Stage 2a – Options, Masterplan & Viability : April 2019 – June 2019
Report to Cabinet – update on options and consideration of preferred option - June / July 2019
Stage 2b – Options, Masterplan & Viability - July 2019
Stage 3 – Delivery and Implementation Strategy : August 2019 – September 2019
Report to Cabinet – update and consideration of preferred option and delivery mechanism

REPORT AUTHOR

Matt Bowers, Assistant Director Growth and Regeneration, x276

LIST OF BACKGROUND PAPERS

Report to Cabinet, 8th November 2018, “Town Centre Report”
Future High Streets Fund <https://www.gov.uk/government/publications/future-high-streets-fund/future-high-street-fund>

APPENDICES

THURSDAY, 21 MARCH 2019

REPORT OF THE LEADER OF THE COUNCIL**PROGRESS REPORT ON TAMWORTH ASSEMBLY ROOMS****EXEMPT INFORMATION**

None

PURPOSE

To provide members with a comprehensive update in respect of the Assembly Rooms project.

RECOMMENDATIONS

It is recommended that:

1. Members endorse the update as detailed within the report.

EXECUTIVE SUMMARY

- The Project in its entirety is progressing well in part however, there are currently health and safety issues concerning the condition of high level lime plaster in the main auditorium. Both internal and external Project Teams meet regularly to monitor progress, resolve issues and provide regular updates to the Executive Leadership Team.
- The Heritage Lottery Fund (HLF) continue to support the Project with regular project meetings and visited earlier this week on 18th March
- Plans for the soft launch opening together with the Official Opening are underway but not yet confirmed. A further update will be brought to Cabinet on 4th July 2019.

BACKGROUND

On 20th December 2018, Cabinet considered a detailed update with regards to Tamworth Assembly Rooms. At that time:

- A design freeze had been achieved
- A gap in funding had been identified (the request was approved)
- The project plan was updated to account for previous delays and variations from the original bid
- Final costs from the Contractor (Novus) were awaited together with a revised completion programme
- A revised Communications Plan and newly developed Marketing Plan were underway
- A potential health and safety risk (plaster to walls of main hall) and effective treatment measures were being considered with regards to high level plastering
- Approval of the release of Heritage Lottery Funding (HLF) contingency remained

- outstanding thus rendering us unable to progress any invoice payments
- Confirmation from SCC on Public Realm Works had not yet been received

Since the report was considered and approved:

- The Arts & Entertainment Manager has left the authority
- A new organisational restructure was announced on 29th January which created a new post of Theatre & Events Manager (Job Profile attached) with the remit to co-ordinate all events across the authority (external and internal) as well as providing a strong commercial focus to the business development and programming of the Assembly Rooms activities.
- The provision of the approval of additional funding by Cabinet has meant that
 - HLF agreed the release of their contingency and subsequent processing of payments
 - The Councils commitment to completing the programme was declared
- The main externally appointed Contract Project Manager has been transferred to another project within the company, resulting in 2 x Project Managers now being appointed to deliver the completion of the build project.
- The issue of the risk / safety of plaster (previously referred to) is currently being resolved. From Monday 11th March scaffolding was being erected around the entire circumference of the auditorium to enable the Specialist Plasterers to safely access the unstable high level lime plaster. It is envisaged that this work could potentially delay the completion date further. The project team has been advised that a revised completion programme will be available by the end of March which will confirm the extent of the delay. To mitigate this, weekly meetings of all parties will now be held. The Contracts Manager for Novus is working hard with the project team to identify any further potential areas where time allocated within the programme could be reduced. In addition, with the weather improving we are looking at time worked on site i.e. a longer working day as well as work on weekends and bank holidays.
- A further issue has been identified with a water egress into the building from the adjoining private car park. This has been fully investigated by both BWB (the site structural engineers) and by an independent contractor. Options have been drawn up to resolve the matter and are being discussed.
- The BT broadband line was inadvertently 'cut through' during the earlier construction stage and needs to be repaired as a matter of some urgency. Discussions are ongoing with BT to expedite the remedial works.
- Value re-engineering continues to ensure costs remain stable and/or reduced further where possible. Examples of where this has worked exceptionally well are: tiling to the toilet areas, reduced wainscoting, amendments to the curtains, heritage paint, together with CCTV and intruder alarm systems.
- With regards to the public realm works, we are still awaiting final confirmation of timelines from SCC. Novus have been appointed by SCC to undertake the first phase of the works to the Library which have to be completed before Phase 2 of the public realm works which is within St Edithas churchyard (provisionally due to commence in June). Phase 3 (nearest to the building) will be completed last. Work on Phases 2 and 3 will be undertaken by Amey. The situation is being closely monitored to minimise disruption/impact.
- Both the Communication and Marketing plans are already well developed and making use of a 'whole Council' approach to utilise skills and knowledge throughout the organisation. Work on the website, products, bookings, facilities and the What's On guide are all key activities in order to achieve the aspirations of the business plan.

- Programming is well underway with the aim to maximise sales, entrance fees and delivery of community and conference facilities. Acts are now being confirmed including 'trial and tested' old favourites.
- The fees and charges have been reviewed and market tested against our local competitors as well as giving consideration to the enhanced offer of both the Theatre and its conference facilities. The revised fees and charges reflect both a full commercial rate and a reduced community rate.
- The reorganisation announced on 29th January now provides a detailed structure for the management and operational aspects of the building
- Site visits and hard hat tours have commenced for Members, Theatre Ambassadors and Community Champions/Groups as well as a general offer to all members of the public.
- The oral history project has commenced together with the 'Assembly Rooms' on tour which is currently in Ankerside Shopping Centre. A video has also recently been launched showing progress on site.
- Operational procedures are being developed and will be finalised in the next few months prior to building handover.
- Staff are to be mentored by Birmingham Hippodrome to assist with the programming strategy.
- Work has begun on developing an associated schools programme with a consultant which will include education workshops, access to Assems' loans box, after school programme, ticket credits, meeting room access, end of year shows and back stage tours.
- IT Systems including:
 - Wi-Fi for staff and visitors
 - Facilities for conferencing
 - New EPOS system for Lounge and Bar area
 - On-line booking for tickets
- The Food & Beverage provision is currently being developed in order to ensure the "offer" meets all needs both now and for further events. An external catering consultant is supporting the project team with the internal fit as well as menu and interior design.

RESOURCE IMPLICATIONS

All resource implications remain unchanged as of the Cabinet report of 20th December 2018

REPORT AUTHORS

Anica Goodwin (Executive Director)
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 Lynne Pugh (Assistant Director)

APPENDICES

1. Theatre and Events manager Job Profile

JOB PROFILE THEATRE AND EVENTS MANAGER	
<p>Job Purpose</p> <ul style="list-style-type: none"> • Reporting to the Assistant Director Operations and Leisure you will be responsible for the operational running of the Assembly Rooms, ensuring it functions effectively and within budget. • To develop Arts and Events in Tamworth providing a year round programme of events/projects • Managing all staff, resources and systems for the venue • Working closely with the marketing team to maximise publicity for all arts and events 	<p>Experience</p> <ul style="list-style-type: none"> • Extensive experience in theatre programming • Experience of day to day theatre management • Experience in Arts development • Experience of team management and development • Proven track record of initiating and delivering improvements in service • Experience of alcohol, food and beverage provision within a business environment.
<p>Functional Responsibilities</p> <ul style="list-style-type: none"> • To develop, implement and review the Assembly Rooms overall business plan • To plan and book a theatre programme by applying your knowledge of audiences, ensuring a balance between different types of productions, being aware of which productions have been well received elsewhere and accepting new work offered by reputable production companies • To liaise and negotiate with production companies to plan the programme of work • To have overall responsibility for managing Arts and Events, co-ordinating and implementing projects with colleagues • To support the commissioning of new pieces of work • To monitor and evaluate the delivery of the Assembly Rooms programme to ensure it meets the needs of the overall business plan • To oversee the development of a catering function for both the Assembly rooms and other event locations • To manage the budget and ensure you meet the financial and operational targets of the Assembly Rooms in line with Financial regulations • To lead a team of theatre staff, working closely with the marketing, finance and administration teams. • To oversee training for front of house and stage door staff • To ensure that the theatre meets the requirements of legislation such as health and safety and licensing laws (theatre managers may act as licensees) and safeguarding children arrangements • To develop partnership working and links with local industry and communities, educational organisations, relevant bodies and the public and encourage engagement in artistic activities • To research write and present reports to senior management and committees as required • Attendance of any meetings of the Council or outside bodies as required • Identify and manage risks including the use of the corporate risk management system 	<p>Knowledge, Skills and Abilities</p> <ul style="list-style-type: none"> • Degree or equivalent in arts administration/arts management/business studies/management; drama/theatre studies • Excellent communication skills for dealing with the public, staff and other related companies • Strong organisational abilities • Business acumen for making sure the theatre is profitable • Leadership abilities to manage and motivate staff • Team work skills and the ability to work alone • Attention to detail to make sure all aspects of the theatre run smoothly • Flexibility and the ability to juggle competing priorities • The ability to work well under pressure in a fast-paced environment. • Knowledge of performance management and financial management methods • Keyboard/it systems skill and ability to use a variety of display equipment • Able to analyse data, solve problems and apply creative solutions, new concepts and untried ideas. • Full driving licence – this post attracts an Casual Car User Allowance

<ul style="list-style-type: none"> • To Act as Duty Manager as required • To oversee all licensee/DPS requirements for the Assembly Rooms ensuring that all legal requirements are adhered to. 	
<p>Strategy/Policy Development</p> <ul style="list-style-type: none"> • To develop policy and strategic initiatives in partnership with other to improve the commercial viability of the Assembly rooms. • Operational services policies and procedures 	<p>Attributes</p> <ul style="list-style-type: none"> • Personal credibility with a high degree of integrity • Resilient and resourceful in the face of conflict and uncertainty • Commands the confidence of members, staff and partners

21 March 2019

REPORT OF THE PORTFOLIO HOLDER FOR ASSETS AND FINANCE**MANDATORY AND DISCRETIONARY RATE RELIEF POLICY****EXEMPT INFORMATION**

Not applicable

PURPOSE

To seek Cabinet approval of the proposed Discretionary Rate Relief Policy (Appendix A) with effect from 1 April 2019.

RECOMMENDATIONS

1. **Members note the Government Funding for Retail Discount.**
2. **That Cabinet approves the Discretionary Rate Relief Policy (Appendix A) which will be applied with effect from 1 April 2019.**

EXECUTIVE SUMMARY

The current framework, which has served the Council well, has been in effect since 1 April 2017.

The proposed new framework continues the key principles of the previous policy in the support of local organisations. The key changes are as follows:

1. The removal of public house relief.
2. The introduction of a Retail Discount scheme which was announced by the Chancellor on 29 October 2018. It will provide a discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of the discount should be one third of the bill and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.

OPTIONS CONSIDERED

Two options were considered, either a case by case approach or a formulaic approach. A case by case approach would be administratively burdensome. Therefore a formulaic approach has been adopted. This requires officers to verify that applications fit the set criteria without the need for an in depth consideration of each case.

RESOURCE IMPLICATIONS

The cost of the existing Business Rate reliefs are shared between the Council, the County Council, the Fire and Rescue Authority and Central Government in line with the respective retained shares:

50% Central Government
40% Borough Council
9% County Council
1% Fire & Rescue Authority

In respect of Retail Discount the Government is providing the relief by reimbursing Local Authorities that use their discretionary relief powers (under section 47 of the Local Government Finance Act 1988) to grant relief in prescribed circumstances.

Under the proposed scheme the estimated relief showing the number of properties to be granted is as follows

Rateable Values (£)	Amount of Relief (£)					Total
	Up to £9,999	£10,000-£19,999	£20,000 - £29,999	£30,000 - £39,999	£40,000 - £50,999	
Total Retail Discount	£20,698.88	£165,181.43	£134,459.37	£139,640.85	£96,727.07	£556,707.60
Number of recipients	26	78	36	24	12	176

In 2019/20 the Council will form part of a pilot scheme for Business Rates Retention and at this stage it has not been possible to determine any impact this may have on the cost of awarding discretionary reliefs.

LEGAL/RISK IMPLICATIONS BACKGROUND

That Government refuse to fund the reliefs if it is not awarded in line with the criteria specified by Government. This is a very low risk factor as the Authority will ensure that reliefs are granted in line with guidelines.

EQUALITIES IMPLICATIONS

None

SUSTAINABILITY IMPLICATIONS

The granting of relief will ensure the continued stability of funding for the organisations concerned.

BACKGROUND INFORMATION

The Council already has in place a policy regarding the application and award of Discretionary Rate Relief. Under the Business Rates Retention Scheme the Council will fund 40% of the cost.

The Ministry of Housing, Communities and Local Government (MHCLG) published Business Rates information guidance papers in November 2018 and December 2018 which identified the new Retail Discount to be implemented in 2019. It stated that occupiers of retail properties with a rateable value below £51,000 should receive a discount of one third of their chargeable amount on their rates bills.

The new Retail Discount recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve.

The Government have confirmed that there will be no change to the rules on when a property becomes entitled to relief. Instead they are providing the relief by reimbursing Local Authorities that use their discretionary relief powers (under section 47 of the Local Government Finance Act 1988) to grant relief in prescribed circumstances. The reimbursement will be via a grant under section 31 of the Local Government Act 2003 in respect of the Local Authorities local share claimed through the NNDR 1 and 3 returns.

The guidance notes intended to support Local Authorities in administering the Retail Discount and set out the criteria which would be used to determine funding. It stated that Local Authorities should ensure application of the Retail Discount as part of the normal 2019/20 billing cycle.

Properties to benefit from Retail Discount

Government considers that “shops, restaurants, cafes and drinking establishments” mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/display rooms (such as: carpet shops, double glazing, garage doors)
- Car/caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hairdressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops

- Pubs
- Bars

Government guidance further states that they do not consider the following types of use as retail and as such would not qualify for relief:

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices

ii. Hereditaments that are not reasonably accessible to visiting members of the public

The guidance states that where there is doubt over whether the property qualifies, the Local Authority should exercise their discretion with reference to the above and knowledge of their local tax base.

Amount of relief to be awarded

The total amount of government-funded relief available for each property for 2019-20 and 2020-21 under this scheme is one third of the bill after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where Local Authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants. There is no relief available under this scheme for properties with a rateable value of £51,000 or more.

Councils may use their discretionary powers to offer further discounts outside this scheme (and under local rate retention, 50 per cent of the cost would be locally funded and 50 per cent funded by central government).

The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula will be used to determine the amount of relief to be granted for a chargeable day for a particular hereditament in the financial year:

Amount of relief to be granted = $V/3$

Where V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where Local Authorities have used their discretionary relief powers which are not funded by section 31 grants.

Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

State Aid Relief

State Aid is support from public bodies which has the potential to distort competition and effect trade between member states of the European Union.

Any form of discretionary rate relief may amount to State Aid. State Aid is generally prohibited, but there are exceptions and aid is allowed under the De Minimis Regulations which allow a business to receive up to €200,000 of aid over a three-year period.

The Local Authority is required to establish that the award of relief will not exceed the de minimis limit. It is therefore recommended that any ratepayer receiving the relief is informed of the De Minimis Regulation and asked to declare if they consider that the award of relief will breach the relevant limit.

The UK is scheduled to leave the EU on 29 March 2019. If there is an Implementation period, the State Aid rules will continue to apply as now and will be subject to control by the EU Commission as at present. If the UK leaves the EU without a negotiated Withdrawal Agreement, the Government has announced its intention to transpose EU State Aid rules into UK domestic legislation, with only technical modifications to correct deficiencies with the transposed EU law to ensure the regime operates effectively in a domestic context. Local authorities should therefore continue to apply State Aid rules, including De Minimis, to the relief for 2019/20 and 2020/21.

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LIST OF BACKGROUND PAPERS

Local Government Finance Act 1988, Local Government Finance Act 1997 Non Domestic Rating (Discretionary Relief) Regulations, Local Government Act 2003, Localism Act 2011 Autumn Statement 2018,
Business Rates information guidance letters November 2018 and December 2018

APPENDICES

Appendix A Discretionary Rate Relief Policy

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Tamworth Borough Council Policy for the granting of Discretionary Non-Domestic Rate Relief

Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	July 2017	LM	Policy
2	July 2017	DA	Revisions
3	July 2017	LM	Revisions
4	August 2017	DA	Sign Off
5	September 2017	LM	Revisions MB
6	January 2019	LM	Update and Revision of Policy
7	February 2019	LM	Revisions MB
8	March 2019	LM	Revisions MB

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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Tamworth Borough Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers subject to certain criteria being met. In the case of new reliefs, guidance has been issued by Central Government outlining actions expected to be taken by local authorities.
- 1.4 This document outlines the following areas:
- Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
 - The Council's policy for granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs and reductions;
 - European Union requirements including provisions for State Aid; and
 - The Council's Scheme of Delegation.
- 1.5 This document covers all aspects of discretionary rate relief (subject to changes in legislation). Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.

2.0 Mandatory Relief - Legislative Background

Charity Relief

- 2.1 The powers relating to the granting of mandatory¹ and discretionary relief are given to the Council under the Local Government Finance Act 1988². Charities and Trustees for Charities are only liable to pay one fifth of the Non-Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has recently been extended under the Local Government Act 2003 (effective from 1st April 2004) to registered Community Amateur Sports Clubs (CASCs).
- 2.2 The Council has discretion to grant relief of up to a further 20% for these cases under the discretionary provisions.

¹ S43 & S45 Local Government Finance Act 1988

² S47 & S48 Local Government Finance Act 1988

3.0 Discretionary Relief – Legislative Background

Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to 'top' up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers may be obliged to make a written application to the Council.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities of the Council's area. There is no statutory appeal process against any decision made by the Council although as with any decision of a public authority, decisions can be reviewed by Judicial Review.
- 3.6 Granting of the relief falls broadly into the following categories:
 - a. Discretionary Relief – Charities who already receive mandatory relief.
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes of recreation;
 - c. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - d. Local Newspaper Relief (from 1st April 2017 for a period of three years);
 - e. Local Public House Relief (from April 2017 for a two-year period);
 - f. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016));
 - g. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years);
 - h. Discretionary Relief- Retail Discount (from 1st April 2019 for a period of two years);
 - i. S44a Part Occupied Premises Relief; and
 - j. S49 Hardship Relief.

3.7 The decision to grant or not to grant relief is a matter purely for the Council.

The Council's approach to granting Discretionary Relief

3.8 In deciding which organisations should receive discretionary Rate relief, the Council has taken into account the following factors and priorities:

- a. The policy should support business, charities, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
- b. Help and encourage business, charities, organisations, groups and communities to become self-reliant;
- c. Awarding discretionary relief should not distort competition or significantly change the provision of services within Tamworth;
- d. Every business/ organisation should contribute something towards the provision of local services;
- e. The Council will consider whether the applicant organisation is receiving any form of financial assistance from the Council, other organisations, private companies or commercial suppliers. Annual turnover, value of assets or unallocated reserves. Where an organisation has unallocated reserves greater in value than 12 months running costs, the organisation will be required to demonstrate the reasons for holding those reserves
- f. Local organisations will be given priority over national organisations. The organisation will need to supply the Council with clear evidence of the amounts of monies raised and used / invested locally within Tamworth. This will be particularly important where the organisation is national in nature.
- g. To support appropriate organisations that deliver outcomes to the community which relate to the priorities of the Council. In particular, how the work of the organisation furthers the work of the Council to provide tangible benefits to the community;
- h. The Council will not normally provide relief where it already provides core funding or receives services under a contract arrangement; and
- i. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it and in respect of the cost to local taxpayers.

3.9 Discretionary relief shall not be granted to any organisation that has a political affiliation.

3.10 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.

4.0 Effect on the Council's Finances

- 4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex. From 1st April 2019, Staffordshire authorities are piloting a 75% Business rates retention scheme which broadly means that business rates income is apportioned between Central and Local Government as follows:

Two Tier Authorities	75% Scheme
Central Government	25%
Staffordshire County Council	34%
Staffordshire Fire and Rescue Service	1%
District /Borough Councils	40%

- 4.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. For any amounts granted for similar cases after 1st April 2019, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme shown above. This also applies where mandatory relief is granted.
- 4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas
- 4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1st April 2019
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	40% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	40% borne by the Council
	Localism	
C	Discretionary Relief granted to ratepayers generally and not covered by any other section	40% borne by the Council

Appendix	Relief Type	Granted after 1 st April 2019
	Local Newspaper Relief	
D	Discretionary Relief granted to local newspapers meeting the criteria (From 1 st April 2017 for a period of three years)	Section 31 Grant
	Public House Relief	
E	Discretionary Relief granted to public houses meeting the criteria (From 1 st April 2017 for a period of two years)	Section 31 Grant
	Supporting Small Business Relief	
F	Supporting Small Businesses Relief (from 1 st April 2017 for a period of up to five years if conditions are met)	Section 31 Grant
	Discretionary Business Rates Relief Scheme	
G	Discretionary Business Rates Relief Scheme (from 1 st April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 40% by the Council
H	Retail Discount Scheme	
	The Retail Discount Scheme (from 1 st April 2019 for a period of up to 2 years)	Section 31 Grant
	S44a Part Occupied Relief	
I	Discretionary relief where premises are part occupied and part unoccupied for a short term	40% borne by the Council
	S49 Hardship Relief	
J	Granting relief where the ratepayer is suffering hardship	40% borne by the Council

5.0 Discretionary Relief – EU State Aid requirements

- 5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)³. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 5.4 Where the relief to any one business is greater than the De Minimis level then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers may be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

6.0 Administration of Discretionary Relief

- 6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation⁴

Applications and Evidence

- 6.2 All reliefs may be requested by the ratepayer. Application forms are produced within the Council and issued to all ratepayers requesting the relief. The Council will specify how applications are to be received and this may vary from time to time. In certain cases, relief may be granted without the need for an application form under s47 Local Government Finance Act 1988, as agreed with either the Executive Director Finance or the Head of Revenues
- 6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts, financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. Normally 2 years audited accounts will usually be required to support any application.
- 6.4 Applications should initially be made to the Revenues Team and will be determined in accordance with Section 7 of this policy.

Granting of relief

- 6.5 In all cases, the Council will notify the ratepayer of decisions made within 28 days (or as soon as practicable) of any application being received provided all information requested has been supplied.
- 6.6 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
 - If relief has been granted for a specified period, the date on which it will end. (It should be noted that reliefs are granted for the period specified in the appropriate Appendix and may vary from a day to a full financial year);
 - The new chargeable amount;
 - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
 - A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 6.7 Where relief is not granted then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and

⁴ The Non-Domestic Rating (Discretionary Relief) Regulations 1989

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- An explanation of the appeal rights (see below).
- 6.8 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made.
- 6.9 A decision to award discretionary relief and how much relief is given, is only applicable to the financial year for which the application is made.
- 6.10 A fresh application for discretionary relief will, if required by the Council, be necessary for each financial year.

Variation of a decision

- 6.11 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased by the Council, from the date to be decided by the Council;
 - Where the amount is to be reduced due to a reduction in the rate charge from the date of the decrease in rate charge; and
 - Where the amount is to be reduced for any other reason takes effect at the expiry of a financial year, and so that at least one year's notice is given
- 6.12 A decision may be revoked at any time and the change will take effect at the expiry of a financial year.

7.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

- 7.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011. However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.
- 7.2 The Council's scheme of delegation allows for the Head of Revenues to award, revise or revoke any discretionary relief applications. However, any application which is considered to be of a significant nature, will be subject to consultation with the S151 Officer of the Council prior to final determination.
- 7.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

Reviews

- 7.4 The policy for granting relief will be reviewed annually or where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.

Appeals

- 7.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Head of Revenues. Where a decision is revised then the ratepayer shall be informed. If the original decision is upheld the case will be considered by the S151 Officer.

8.0 Reporting changes in circumstances

- 8.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief to be reported as soon as possible and, in any event, not more than 21 days from the happening of the event. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.
- 8.2 Where a change of circumstances is reported, the relief will, if appropriate be revised or cancelled. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.

9.0 Fraud

- 9.1 Where a ratepayer falsely applies for any relief, or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

Appendix A

Discretionary Relief - Mandatory Relief recipients

Discretionary Relief – Mandatory Relief recipients

General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered⁵ Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

- A.3 Charities are defined within the legislation as being an institution⁶ or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved, in the majority of cases, by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation⁷, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
 - trusts for the advancement of religion;
 - trusts for the advancement of education; and
 - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;

⁵ Registered with HMRC as a CASC

⁶ S67(10) Local Government Finance Act 1988

⁷ Income Tax Special Commissioners v Pemsell (1891)

- any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
- units of the Boy Scouts Association or the Girl Guides Association; and
- voluntary schools within the meaning of the Education Acts of 1944 to 1980.

A.6 The Council would consider charitable organisations, registered or not, for mandatory relief.

Use of Premises - wholly or mainly used

A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection but on occasions the Council has had to question the actual use to which the premises are to be put. It will be an essential part of the process of the application for the Council to inspect any premises fully.

A.8 Guidance from the Department of Communities and Local Government (now the Ministry of Housing Communities and Local Government) has stated that in the case of 'mainly', at least 51% must be used for charitable purposes whether of that charity or of that and other charities.

A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which could be equally considered for discretionary rate relief.

Offices, administration and similar premises

- A.10 Premises used for administration of the Charity including:
- Offices
 - Meeting Rooms
 - Conference Rooms

Charity shops

A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64(10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.

- A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received.

Charity Relief - Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

- A.13 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.

- A.14 In determining the application, the following matters will be taken in to consideration:

1. How the charity supports and links into the Council's corporate vision and priorities;
2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested;
3. Where the organisation has a bar - the mere existence of a bar or retail outlet will not in itself be a reason for not granting relief, but the main purpose of the organisation will be examined and its ability to trade will be a consideration in determining any award granted; and
4. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity;

- A.15 The Council is keen to support businesses that have a critical role to play in the local economy and the achievement of the Council's Economic Strategy.

- A.16 In the case of registered Community Amateur Sports Clubs, the key criteria in determining the application will be:

1. The ratepayer occupies the whole hereditament;
2. Relief cannot be granted in respect of premises that are occupied by the Council or any Town and Parish Council, although the latter could be a minority tenant of such premises;
3. How the CASC supports and links into the Council's corporate vision and priorities;
4. The membership and fee structure and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
5. Membership numbers and the number and percentage of these members that are Tamworth residents;
6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
7. Whether facilities are available to the wider community regardless of ability. We will also require additional financial information including; and
8. If the CASC runs a bar or food provision, the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC.

- A.17 Organisations already in receipt of mandatory relief such as;

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- Charity Offices
 - Community Centres, Village Halls
 - Cultural Organisations
 - General Welfare Groups
 - Scouts, Guides, Youth Clubs,

currently receive an additional 20% discretionary relief (currently Classified by the Council as Group A recipients)⁸

- A.18 Any Community Amateur Sports Clubs (CASC) that apply are currently granted either 5% or 10% discretionary relief (currently Classified by the Council as Group B (i) recipients).
- A.19 Charity shops or educational establishments that receive mandatory relief, currently receive no additional assistance through the discretionary relief scheme (currently Classified by the Council as Group C recipients)
- A.20 A decision to award discretionary relief and how much relief is given is only applicable to the financial year for which the application is made.

⁸ Discretionary rate relief application and guidelines for qualifying organisations 2011 onwards – Cabinet 16th March 2011.

Appendix B

Discretionary Relief - Non-Profit Making Organisations including Recreation

Discretionary Relief - Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

- B.1 The legislation⁹ allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.
- B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (*excepted premises*).
- B.3 A number of issues arise from the term 'not established or conducted for profit'. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.¹⁰

Recreation Clubs

- B.4 Ideally all recreation clubs should be encouraged to apply for Community Amateur sports Club (CASC) status, which would automatically entitle them to 80% mandatory relief. The relief granted to CASCs is covered earlier within this policy.
- B.5 Recreation Clubs can also apply to the Charity Commissioners for registration as a Charity (thereby falling under the mandatory provisions for 80% relief) where they meet the following conditions:
- a. The promotion of community participation in healthy recreation and by the provision of facilities for the playing of particular sports; and
 - b. The advancement of the physical education of young people not undergoing formal education.
- B.6 Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted (0-100%) where the property is not an *excepted* one, it is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

⁹ S47 Local Government Finance Act 1988

Definition of Recreation

- B.7 Recreation is clearly defined by the Sports Council as any in the following document;
<https://www.sportengland.org/media/10266/uk-recognised-ngbs-and-sport-list-april-2016.pdf>

Access to clubs

- B.8 Guidance issued by the DCLG (now the MHCLG) also requires the Council to consider access to clubs within the community before granting discretionary relief.
- B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.
- B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to show that the criteria by which it considers applications for membership are consistent with the principle of open access.
- B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities, LGBT groups' etc.?'

Provision of facilities

- B.12 Clubs which provide training or education are encouraged as are those who provide schemes for particular groups to develop their skills e.g. young people, the disabled, retired people.
- B.13 A number of organisations run a bar. The mere existence of a bar will not in itself be a reason for not granting relief. However, the Council focuses on the main purpose of the organisation. The Council is encouraged to examine the balance between playing and non-playing members.
- B.14 Within this area the Council also considers whether the facilities provided relieve the Council of the need to do so, or enhance and supplement those that it does provide.

Discretionary Relief - Non-Profit Organisations including Recreation - the Council's Policy

- B.15 Applications will be considered from non-profit making organisations, which can demonstrate the following:
- a. That the activities of the organisation are consistent with the Council's core values and priorities;
 - b. That they are non-profit making associations, groups, clubs which are accessible to all potential users, possess a representative management group and are clearly accountable to users, beneficiaries and members (e.g. evidence of constitution, GM, membership and/or participation are required);
 - c. That the membership comprises mainly residents of Tamworth or that activities are of direct benefit to residents of Tamworth;
- B.16 When making decisions on the applicability of awarding discretionary rate relief the Council takes into consideration the ability of the applicant to:
- generate funds from its activities (e.g. bar trading); and
 - utilise its current assets to obtain funds/funding.
- B.17 Currently these organisations fall within Group B (ii) of the Council's policy and receive either 25% or 50% depending on individual circumstances. A decision to award discretionary relief and how much relief is given is only applicable to the financial year for which the application is made.

Appendix C

Discretionary Relief - Localism Act 2011

Discretionary Relief – Localism Act 2011

General explanation

- C.1 Section 69 of the Localism Act 2011 amended Section 47 of the Local Government Finance Act 1988. These provisions allow all Councils to grant discretionary relief in **any** circumstances where it feels fit having regards to the effect on the Council Tax payers of its area.
- C.2 The provisions are designed to give authorities flexibility in granting relief where it is felt that to do so would be of benefit generally to the area and be reasonable given the financial effect to Council Tax payers.

Discretionary Relief – Localism – the Council’s Policy

- C.3 Applications will be considered from any ratepayer who wishes to apply. However, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council’s discretionary relief policy.
- C.4 Details of any other business owned by the ratepayer will be considered. This will indicate if the owner could rely on the income of another branch of business. It will also indicate if the profits of one business could be invested in the applicant business to aid survival.
- C.5 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities or non profit making organisations) must meet **all** of the following criteria and the amount of relief granted will be dependant on the following key factors:
 - a. The ratepayer **must not** be entitled to mandatory rate relief (Charity Relief);
 - b. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
 - c. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
 - d. The premises and organisation **must** be of *significant* benefit to residents of Tamworth;
 - e. The premises and organisation **must not** be in receipt of a Central Government fully funded discretionary relief scheme;
 - f. The premises and organisation **must** relieve the Council of providing similar facilities;
 - g. The ratepayer **must**;
 - a. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**

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- b. Provide *significant* employment or employment opportunities to residents of Tamworth; **or**
 - c. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;
 - h. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term; **and**
 - i. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.
- C.6 Where a ratepayer can demonstrate that **all** the above criteria are met, relief will be considered for initially a short period.
- C.7 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements.

Appendix D

Local Newspaper Relief

- D.1 This is a temporary relief for 2017-18, 2018-19 and 2019-2020 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.
- D.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

Eligibility criteria

- D.3 The scheme will provide a £1,500 relief (per annum) for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for three years from 1 April 2017.

Local Newspapers

- D.4 The relief is to be specifically for local newspapers and by that, the Council means what would be considered a "traditional local newspaper." The relief will not be available to magazines.

Office Space

- D.5 The hereditament **must** be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

Amount of Relief

- D.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary rate relief, any grant will be subject to State Aid limits as defined within section 6 of this policy.

Local Newspaper Relief - the Council's policy for granting discretionary relief.

- D.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix E

Supporting Small Businesses Relief

General Explanation

- E.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. Unfortunately, despite these changes, some small businesses may lose their entitlement to the relief due to increases in Rateable Value through the revaluation on 1st April 2017.
- E.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business rate relief may face large percentage increases in bills from 1 April 2017.
- E.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business rate relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.
- E.4 The relief is to be known as the 'Supporting Small Businesses Scheme'.

Who is eligible for the relief and how much relief will be available?

- E.5 The Supporting Small Businesses relief will help those ratepayers who, as a result of the change in their rateable value at the revaluation, are losing some or all of their small business rate relief and, as a result, are facing large increases in their bills.
- E.6 To support these ratepayers, the Supporting Small Businesses relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**
- a. a percentage increase per annum. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. (Unlike the transitional relief scheme under the Chargeable Amount regulations), for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief; **or**
 - b. a cash value of £600 per year (£50 per month).
- E.7 This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are gradually brought into paying something.
- E.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less

to more than £15,000) would under this scheme be paying £3,000 in year 5.

- E.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- E.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts)(England) Regulations 2016).
- E.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- E.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

Recalculation of relief

- E.13 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:
- A backdated change to the rateable value or the hereditament; or
 - The awarding of another relief.
- E.14 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

Other Reliefs

- E.15 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill further under the Supporting Small Business scheme.
- E.16 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

Supporting Small Businesses Relief - the Council's policy for granting discretionary relief.

- E.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines. Officers may grant relief without a formal application where the relief amount is up to £1,000.

Appendix F

Public House Relief

General Explanation

- F.1 This was a temporary relief for 2017-18 and 2018-19 only and the Government is not changing the legislation around the reliefs available to premises. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988) to grant £1000 relief in line with the eligibility criteria set out in guidance produced by Central Government
- F.2 Central Government guidelines have been received and it has been established that any amount granted will be reimbursed by a section 31 grant.

Eligibility criteria

- F.3 The Council's policy provides a relief of £1,000 relief for two years only (1st April 2017 to 31st March 2019) for all eligible public houses who have a rateable value of less than £100,000 on 1st April 2017.
- F.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.
- F.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

Other Reliefs

- F.6 Pubic House relief will be granted after applying any other mandatory reliefs and reductions

Public House Relief - the Council's policy for granting discretionary relief.

- F.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines. Officers may grant relief without a formal application where the relief amount is up to £1,000.

Appendix G

Discretionary Business Rate Relief Scheme

General Explanation

- G.1 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- G.2 Every authority within England is to be provided with a share of a £300 million fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.
- G.3 Government also believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- G.4 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- G.5 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government is still unclear at this stage as to whether any underspend can be 'vired' from one year to the next although their initial guidance is that any underspend will be returned to Treasury¹¹.
- G.6 A key criteria of reimbursement is that all Billing Authorities will consult with major precepting authorities when formulating their schemes.
- G.7 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) - Tamworth Borough Council			
2017-18	2018-19	2019-20	2020-21
213	104	43	6

¹¹ DCLG Letter 27th April 2017 - Discretionary Rates Relief Scheme - Payment of Section 31 grant to reimburse cost of relief

Consultation

- G.8 The Council has consulted with the major preceptors at the SCFOG (Staffordshire Chief Finance Officer Group) meeting of 8/9/17 on the main principles and actions in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- G.9 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major precepting authority; and
 - b. Any combined authority.
- G.10 In the case of Tamworth Borough Council the major precepting authorities that have been consulted are:
- Staffordshire County Council;
 - Staffordshire Police and Crime Commissioner; and
 - Staffordshire Commissioner Fire and Rescue Authority.

State Aid

- G.11 The rules relating to State Aid (as defined within section 6 of this policy) apply. The Council will ensure full compliance in this area to ensure that relief can be given to the most deserving ratepayers.

Decisions by the Council

- G.12 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 7 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 3.8.
- G.13 It should be noted that whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **will not take account** of the level of any funding.

Discretionary Business Rate Relief Scheme- the Council's policy for granting discretionary relief.

Applications for relief under this scheme

- G.14 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.
- G.15 The Council has decided that relief under the scheme will be awarded under the following criteria:
- a. The scheme is designed solely to assist ratepayers who have suffered significant increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
 - b. The ratepayer or occupier is **not** a Local Government agency or an organisation providing service directly to Local or Central Government;
 - c. In assessing any potential entitlement to an award under this scheme, The Council will compare the following;

The rate liability of the ratepayer at 31 March 2017 for the 2016/17 financial year after any reliefs; and

The rate liability of the ratepayer at 1 April 2017 for the 2017/18 financial year after any reliefs;
 - d. Relief will only be given to premises which are liable for occupied rates. **No relief within this scheme will be granted for unoccupied premises or where the premises becomes re-occupied;**
 - e. Relief will only be granted to ratepayers who were in continuous occupation from the 31 March 2017. Relief will cease at any point the hereditament becomes unoccupied and will not be re-granted;
 - f. Ratepayers (included previous ratepayers) taking up occupation after the 1 April 2017 will **not** be eligible for relief on the basis that new ratepayers would be expected to be aware of the rates payable;
 - g. Relief will be targeted to local businesses and not those businesses that are National or Multi-National in their nature. Local businesses are for the purposes of this scheme those which have premises that operate principally in the Council's area;
 - h. Relief may be awarded for more than one premises as long as all other criteria are met;
 - i. Relief will not be granted in respect of any of the following:
 - Bookmakers and Gambling establishments;
 - Pawnbrokers;
 - Payday Lenders;
 - Hereditaments which have a 1st April 2017 Rateable Values of £200,000 or more;
 - Ratepayers who are in receipt of mandatory relief; and
 - Properties where s 44a relief has been applied for or awarded.
 - j. Relief (or further relief) will not be awarded where the ratepayer has an increase in rateable value after the 1 April 2017 which increases the rate charge above the 1 April 2017 value

Amount of Relief

G.16 The amount of relief shall be awarded as follows:

2017/18

Providing all of the criteria are met the awards of relief shall cap charges to 2016-17 liability plus 11%

2018/19

Providing all the criteria are met the awards of relief shall be calculated as 50% of the 2017/18 award

2019/20

Providing all the criteria are met the awards of relief shall be calculated as 40% of the 2018/19 award

2020/21

Providing all the criteria are met the awards of relief shall be calculated as 14% of the 2019/20 award

G.17 The Council may increase awards in exceptional circumstances. The Council reserves the rights to refuse awards. Reductions in awards will be in accordance with S47 of the Local Government Finance Act 1988. Officers may grant relief without a formal application where the relief amount is up to £1,000. The Council may reduce or refuse awards in exceptional circumstances, including but not restricted to applications made after the period to which they relate, or where other funding is reasonably available to the applicant.

Variation and amendment of relief under the scheme

G.18 As with all reliefs, the amount of relief awarded under the Discretionary Business Rates relief scheme will be recalculated in the event of a change of circumstances. In effect relief is calculated on a daily basis in line with the ratepayer's liability on that day. This will include, for example, a backdated change to the rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year.

G.19 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Appendix H

Retail Discount

General Explanation

- H.1 The Government announced on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.
- H.2 The value of discount should be one third of the bill and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.
- H.3 Where an authority applies a locally funded relief, under section 47 this must be applied after the Retail Discount.
- H.4 As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria defined by them, reimburse any authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.
- H.5 It is for the Council to adopt a local scheme and determine in each individual case when to grant relief under section 47.

Who is eligible for the relief?

- H.6 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. The Government consider shops, restaurants, cafes and drinking establishments to mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres

- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Laundrettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

H.7 To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

Hereditaments that are not likely to receive relief under the scheme

H.8 The list below sets out the types of uses that the Government does **not** consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)

- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices

ii. Hereditaments that are not reasonably accessible to visiting members of the public

- Generally speaking, Government also does not consider other assembly or leisure uses beyond those listed to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, the Council will exercise discretion.

How much relief will be available?

H.9 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for particular hereditament in the financial year 2019-20:

H.10 Amount of relief to be granted = $V / 3$ where V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs.

Retail Discount - the Council's policy for granting discretionary relief.

H.11 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix I

Section 44a - Partly Occupied Hereditaments

Section 44a - Partly Occupied Hereditaments

General explanation

- I.1 A ratepayer is liable for the full non-domestic rate whether a property is wholly occupied or only partly occupied. Where a property is partly occupied for a **short term**, the local authority has discretion in certain cases to award relief in respect of the unoccupied part.

How will the relief be provided?

- I.2 The Council will consider written (including email) applications. The ratepayer will need to provide the following:
- a. A detailed plan of the premises clearly identifying the occupied and unoccupied areas;
 - b. Access to the premises so that they can be inspected fully by the Council's representative;
 - c. Details of how long the premises are likely to be temporarily unoccupied;
 - d. Details of any future plans to occupy the premises; and
 - e. Full contact details of the ratepayer and any agent they have representing them

Section 44a Partly Occupied Hereditaments - the Council's Policy

- I.3 The Council will also consider applications for S44a from all ratepayers, whose premises meet the criteria. Each case will be considered on its own merits on a case-by-case basis. The Head of Revenues will consider applications.
- I.4 In determining the application the following matters will be taken in to consideration:
- a. Whether, the premises will be unoccupied for a short term;
 - b. The reasons for the temporary un-occupation;
 - c. Whether it would be more appropriate for the ratepayer to apply to the Valuation Officer Agency to have the premises reassessed; and
 - d. Whether it is reasonable to grant the relief;
- I.5 The Council will grant any relief based on the Valuation Office Agency's certificate (as required by the legislation). The Head of Revenues will determine the period of any relief and it will be for a short term only. **It should be noted that Applications will not be considered for retrospective periods after which full occupation has taken place.**

Appendix J

Section 49 - Hardship Relief

Section 49 – Hardship Relief

General explanation

- J.1 The Council is able to exercise its discretion under Section 49 of the Local Government Finance Act 1998 to provide either partial or full relief for non-domestic rate payments in cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers in general.

Section 49 Hardship Relief – the Council's Policy

- J.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Head of Revenues will consider applications.
- J.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):
- Any reduction or remission of rates on the grounds of hardship should be the exception rather than the rule;
 - Any reduction of the rates must be shown to be significant to the future viability of the business;
 - The business must continue to trade;
 - Cash flow forecast for a minimum of the next twelve months must be provided together with a comprehensive Business Plan incorporating a brief history of the business;
 - The test of "hardship" is not strictly confined to financial hardship and that this, in itself, is not a deciding factor;
 - The loss of the business would reduce amenities of an area if it is the sole provider of a service in the area;
 - Details of any state aid, grants or subsidies either from central or local government over the previous three years;
 - The loss of the business would worsen the employment prospects in the area;
 - The interests of the Council Tax payers of the area would be best served by awarding the relief;
 - The business must demonstrate how it is beneficial to the local community and why it is currently suffering financial hardship;
 - The business provides employment to local residents in an area where employment opportunities are limited;
 - Independent advice given by banks or financial advisors should be sought to demonstrate the future viability of the business;
 - Applications will only be considered where signed by the ratepayer, or, where an organisation is the ratepayer, an appropriately authorised representative of the organisation; and
 - The ratepayer will provide additional information as deemed necessary by the Council to be essential in order for a fair evaluation of the application.