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**Our reference:**  
**Your reference:**  
**Date:** Monday, 6 January 2020



**Rushcliffe Community  
Contact Centre**  
Rectory Road  
West Bridgford  
Nottingham  
NG2 6BU

To all Members of the Cabinet

Dear Councillor

A Meeting of the Cabinet will be held on Tuesday, 14 January 2020 at 7.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Sull'.

Sanjit Sull  
Monitoring Officer

## **AGENDA**

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Meeting held on 9 December 2019 (Pages 1 - 4)
4. Opposition Group Leaders' Questions

To answer questions submitted by Opposition Group Leaders on items on the agenda.

5. Citizens' Questions

To answer questions submitted by citizens on the Council or its services.

### **NON-KEY DECISION**

6. Chapel Lane Development (Pages 5 - 18)

The report of the Executive Manager – Communities is attached.

7. Establishment of CIL/Special Expense Member Group (Pages 19 - 24)

**In person**  
Monday to Friday  
8.30am - 5pm  
First Saturday of  
each month  
9am - 1pm

**By telephone**  
Monday to Friday  
8.30am - 5pm

**Telephone:**  
0115 981 9911

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**Postal address**  
Rushcliffe Borough  
Council  
Rushcliffe Arena  
Rugby Road  
West Bridgford  
Nottingham  
NG2 7YG



The report of the Executive Manager – Finance and Corporate Services is attached.

#### Exclusion Of Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.”

#### 8. Edwalton Golf Course (Pages 25 - 32)

The report of the Executive Manager – Finance and Corporate Services is attached.

#### Membership

Chairman: Councillor S J Robinson

Vice-Chairman: Councillor D Mason

Councillors: A Edyvean, R Inglis, G Moore and R Upton

<b>Meeting Room Guidance</b>
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**Fire Alarm Evacuation:** in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

**Toilets:** are located to the rear of the building near the lift and stairs to the first floor.

**Mobile Phones:** For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

**Microphones:** When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

<b>Recording at Meetings</b>
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The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council’s control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt.



## **MINUTES OF THE MEETING OF THE CABINET**

**MONDAY, 9 DECEMBER 2019**

Held at 7.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road,  
West Bridgford

### **PRESENT:**

Councillors S J Robinson (Chairman), D Mason (Vice-Chairman), A Edyvean,  
G Moore and R Upton

### **ALSO IN ATTENDANCE:**

Councillors B Gray, R Jones and R Mallender

### **OFFICERS IN ATTENDANCE:**

L Ashmore

P Linfield

S Sull

H Tambini

Executive Manager - Transformation

Executive Manager - Finance and  
Corporate Services

Monitoring Officer

Democratic Services Manager

### **APOLOGIES:**

Councillor R Inglis

### **30 Declarations of Interest**

There were no declarations of interest.

### **31 Minutes of the Meeting held on 12 November 2019**

The minutes of the meeting held on Tuesday, 12 November 2019 were  
declared a true record and signed by the Chair.

### **32 Opposition Group Leaders' Questions**

There were no questions.

### **33 Citizens' Questions**

There were no questions.

### **34 Revenue and Capital Update Q2**

The Portfolio Holder for Finance and Contracts presented the report of the  
Executive Manager – Finance and Corporate Services outlining the budget  
position for revenue and capital at 30 September 2019 as part of the Financial  
Update for Quarter 2.

The Portfolio Holder for Finance and Contracts confirmed that the report had been considered by the Corporate Overview Group at its meeting on 19 November 2019 and it had forwarded no observations to Cabinet. Despite the challenging current financial climate, the overall financial position for the year remained positive, with an overall revenue efficiency position of £454k. The £454k variation represents 3.95% against the net expenditure budget. The financial position to date reflected a number of positive variances; including additional income from planning applications, treasury investment income and staffing efficiencies. In respect of Capital Monitoring, the updated summary of the Capital Programme monitoring statement and funding position highlighted a projected variance at this stage of £13.530m. This net expenditure efficiency position was primarily due to a number of savings; related to the Bingham Leisure Hub, the Abbey Road redevelopment, the crematorium, a Nottinghamshire Cricket Club loan and reduced Asset Investment Strategy spend. In respect of the Special Expenses Budget, there had been a slight increase in the revised budget and projected spend due to agreed allocations from contingency for park improvements and Christmas lights on Melton Road. That expenditure highlighted the Council's commitment to the maintenance of thriving town centres.

In seconding the recommendation, Councillor Upton welcomed the overall positive financial position for the Council and stated that it was in a good position for significant future capital spending projects.

Councillor Robinson referred to the additional income from planning applications and the associated increasing workload for Planning Services due to the number of large applications being submitted. He noted that this was likely to continue.

**It is was RESOLVED that**

- a) the Revenue and Capital Budget Monitoring 2019/20 – Financial Update Quarter 2 be approved;
- b) the projected revenue position for the year with £454k of budget efficiencies be noted; and
- c) the capital underspend of £13.530m as a result of either projects no longer proceeding or planned programme slippage be noted.

**Exclusion of the Public**

It was RESOLVED that under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

**35 Crematorium**

The Portfolio Holder for Business and Transformation presented the report of the Chief Executive providing information on the proposed route to

procurement and delivery of a new crematorium.

**It was RESOLVED that:**

- a) service of the option notice to acquire the Stragglethorpe site be authorised, as shown in Appendix A (as per agreement in the Cabinet report – November 2018), subject to appropriate due diligence;
- b) the Chief Executive be authorised to undertake a procurement exercise for the construction of a crematorium in accordance with the capital programme; and
- c) a further report on the proposed operating model for the crematorium be presented to Cabinet in Spring 2020.

The meeting closed at 7.10 pm.

CHAIRMAN

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**Cabinet**

**Tuesday, 14 January 2020**

**Chapel Lane Development**

## **Report of the Executive Manager - Communities**

### **Portfolio Holder for Business and Transformation, Councillor Andy Edyvean**

#### **1. Purpose of report**

- 1.1. The Council's Corporate Strategy Action Plan (2019-2023) identifies the projects the Council is dedicated to delivering. The action plan establishes development of a new leisure centre, community hall and separate office building on a Council owned site at Chapel Lane in Bingham as a priority in order to provide employment and leisure opportunities and meet the needs of a growing community.
- 1.2. On 12 February 2019, Cabinet authorised procurement of a professional team to progress designs for the leisure and office scheme, requiring the process to be overseen by a Cabinet-led Member Group. Cabinet also approved the inclusion of £20m in the Council's Capital Programme in order to deliver the scheme. This was subsequently supported by Council on 7 March 2019.
- 1.3. This report provides Cabinet with an update on the designs and cost plan which have been developed with oversight from the Member Group to RIBA (Royal Institute of British Architects) stage 3. In response to the new corporate priority of The Environment, the designs incorporate a range of energy efficiency measures to minimise the carbon emissions from the facilities.
- 1.4. A further report covering tender evaluation will be brought to Cabinet by autumn 2020 seeking approval to appoint a construction contractor.
- 1.5. This report does not cover the ongoing positive negotiations for future operational management of the new leisure centre or the renegotiation of the joint use agreement with Nova Education Trust for continued community use of the sports halls and outdoor sports facilities at Toot Hill School.

#### **2. Recommendation**

It is RECOMMENDED that Cabinet:

- a) Approves the RIBA stage 3 design and cost plan recommended by the Member Group as detailed in Appendix 1 and 2 in line with the approved budget; and
- b) Approves the additional costs associated with the inclusion of carbon reduction measures in line with the Council's commitment to carbon management.

### **3. Reason for Recommendation**

- 3.1. The Member Group met four times between June and December 2019, shaping the design development process and endorsing the RIBA stage 3 designs which were submitted for planning approval on 18 December. The designs contribute to the delivery of the Bingham Master Plan, are energy efficient and meet the needs of both community leisure users and competitive swimmers.

### **4. Supporting Information**

- 4.1. An invitation to tender for a project management led multi-disciplinary design team was advertised through ESPO framework 2664. Eight companies submitted tenders, which following evaluation and interview resulted in the appointment of Henry Riley in July 2019.

- 4.2. Henry Riley subsequently led a series of regular design team meetings with Council officers, and input from stakeholders such as Swim England and sports clubs. Further consultation took place through an on-line sports club user survey, public displays of draft plans, intelligence gathering from other local authority leisure providers, Bingham Growth Board, a Bingham Town Council facilitated public meeting, Network Rail and Nova Education Trust.

- 4.3. A Cabinet-led cross party Member Group was set up to oversee the project. The group met four times in 2019, with a summary of the meeting dates and content as follows:

June – Councillors agreed the project objectives, project management structure, budget and delivery timeline.

September – Councillors commented on the findings of the on-line club survey, design considerations in relation to site layout, community hall, swimming pool spectator seating and moveable floor options for the swimming pool.

October – Councillors considered updated designs and the RIBA stage 2 cost plan for the leisure and office buildings including building finishes and carbon reduction options.

December – Councillors reviewed the RIBA stage 3 designs and cost plan (as detailed in paragraph 4.4 and Appendix 1) and supported submission for planning approval subject to enhancing the kitchen facility in the community hall. Councillors endorsed £367k of additional energy efficiency measures to support the Council's commitment to reducing carbon emissions. Councillors held mixed views regarding the financial justification for a moveable pool floor and ultimately decided that the project should proceed with a traditional fixed pool floor.

- 4.4. The built facilities on the site consist of a leisure centre with community hall and a commercially lettable office space. The leisure centre contains a 25 metre x 6 lane swimming pool with fixed floor and seating for 330 spectators/competitors, 13 x 7 metre learner pool, café, two exercise studios, spin studio, fitness gym and associated changing accommodation. The large



community hall, which is 260sqm, has capacity for 300 people, a fixed stage area with dedicated changing, kitchen and storage. The office building contains six ground floor offices ranging in size from 70sqm to 88sqm, the first floor contains thirteen offices ranging in size from 8sqm to 33sqm, a breakout area, meeting room and shared working space.

- 4.5. The community hall element of the leisure building is substantially funded through the Bingham Community Chest. In accordance with the section 106 criteria, there are ongoing discussions with Bingham Town Council to determine the detailed specification of this facility and the associated funding drawdown.
- 4.6. A planning application was submitted on 18 December and is anticipated to be determined by April 2020.

## **5. Alternative options considered and reasons for rejection**

- 5.1. A revised specification alternative design could be developed, however this would require an amendment to the planning submission, would lead to increased costs and delay project delivery. The proposed designs cater for a range of community, leisure and business needs, whilst minimising carbon emissions and are within the budget allocated for the project.

## **6. Risks and Uncertainties**

- 6.1. There is a risk that planning permission is refused or requires costly mitigation that could make the project financially undeliverable. For example, the site is adjacent to a railway line with crossings and despite pre-planning consultation Network Rail requirements are currently unknown.
- 6.2. There is a risk associated with Brexit which has recently increased the building industry inflation indices. There is a risk that indices may fluctuate further prior to tendering for a construction contractor. The overall project budget contains a contingency which could be used to mitigate this risk.
- 6.3. There is a risk that costs could increase due to abnormal ground conditions or unforeseen circumstances, however a wide range of site surveys have been undertaken during the design development process and appropriate mitigation built into the cost plan.

## **7. Implications**

### **7.1. Financial Implications**

7.1.1. There is £20m earmarked in the Capital Programme for this project. It will be funded by just under £3m S106 contributions (of which £1.2m is from Bingham Community Chest for the community hall), £750k LEP funding, up to £10m borrowing and the balance from capital receipts. At RIBA stage 3 the total estimated costs of the project are £18.8m (excluding the moveable floor option).

7.1.2. In addition to the Revised Stage 3 Cost Plan total of £18.8m in (Appendix 2), a provision of £0.250m has been earmarked to support any remedial works to facilitate our partial withdrawal from the existing

Bingham site and to allow continuance of Community Leisure access. There will also be additional costs to be met by the Council such as of employing a Clerk of Works to oversee the project from the client side together with internal project management costs.

7.1.3. As referred to in paragraph 6.2 the cost of the project has increased from stage 2 by over £400k due to increases in inflation indices and there is a risk that the cost of the project could increase further. The total development cost estimates include contingency at 4% to mitigate this risk.

7.1.4. The budget allows for up to £10m borrowing which would result in a revenue cost of £435k per annum over 40 years.

7.1.5. As mentioned at paragraph 1.5 there are anticipated contract savings from the Leisure Contract. Furthermore, there will be capital investment for environmental initiatives and the anticipated financial savings should be allowed for in the future negotiations of the contract. These will be included in the Transformation Programme along with expected annual gross revenue from the new offices of around £85k, current estimated capital costs of the offices are £3.6m. This does not give a very good commercial rate of return but there are wider benefits in terms of additional business and job creation.

## **7.2. Legal Implications**

There are no direct legal implications from this report. The budget has been approved by Council, the recommendations are within that.

## **7.3. Equalities Implications**

By providing a new leisure facility in Bingham, the Council will be able to sustain the existing provision whilst it is being built and, therefore, not cause any adverse effects on specific groups. The designs for the new leisure facility and offices meet the requirements in relation to accessibility and equalities legislation, including accessible equipment and concessions for underrepresented groups.

## **7.4. Section 17 of the Crime and Disorder Act 1998 Implications**

The Department for Culture Media and Sport has studied published evidence on the varied benefits of sport. Key findings are that underachieving young people who take part in sport see a 29% increase in numeracy skills and a 12 to 16% rise in other transferable skills. Investment in sports programmes for at-risk youth are estimated at £7.35 of social benefit for every £1 spent – through financial savings to police, the criminal justice system and the community.

## 8. Link to Corporate Priorities

Quality of Life	The new leisure and community facilities will provide much needed community infrastructure which has been identified as needed within the Bingham Community Plan and Rushcliffe Borough Council Leisure Facilities Strategy.
Efficient Services	The new facilities will be more efficient to operate than the current outdated Bingham Leisure Centre and deliver revenue cost savings to the Council through the leisure contract.
Sustainable Growth	Developing this strategic site will deliver the vision within the Bingham Master Plan to enlarge the local centre. Creation of a modern 10,000 sq/ft office hub for small and medium sized enterprises will create up to 91 FTE jobs and support economic growth by meeting a gap in the market not met by private developers.
The Environment	The new facilities will incorporate over £350k of energy efficiency measures to minimise the carbon emissions from this site. Technology proposed includes a combined heat and power system, photovoltaic panels, LED lighting, office heat recovery units and air source heat pumps.

## 9. Recommendations

It is RECOMMENDED that Cabinet:

- a) Approves the RIBA stage 3 design and cost plan recommended by the Member Group as detailed in Appendix 1 and 2 in line with the approved budget; and
- b) Approves the additional costs associated with the inclusion of carbon reduction measures in line with the Councils commitment to carbon management.

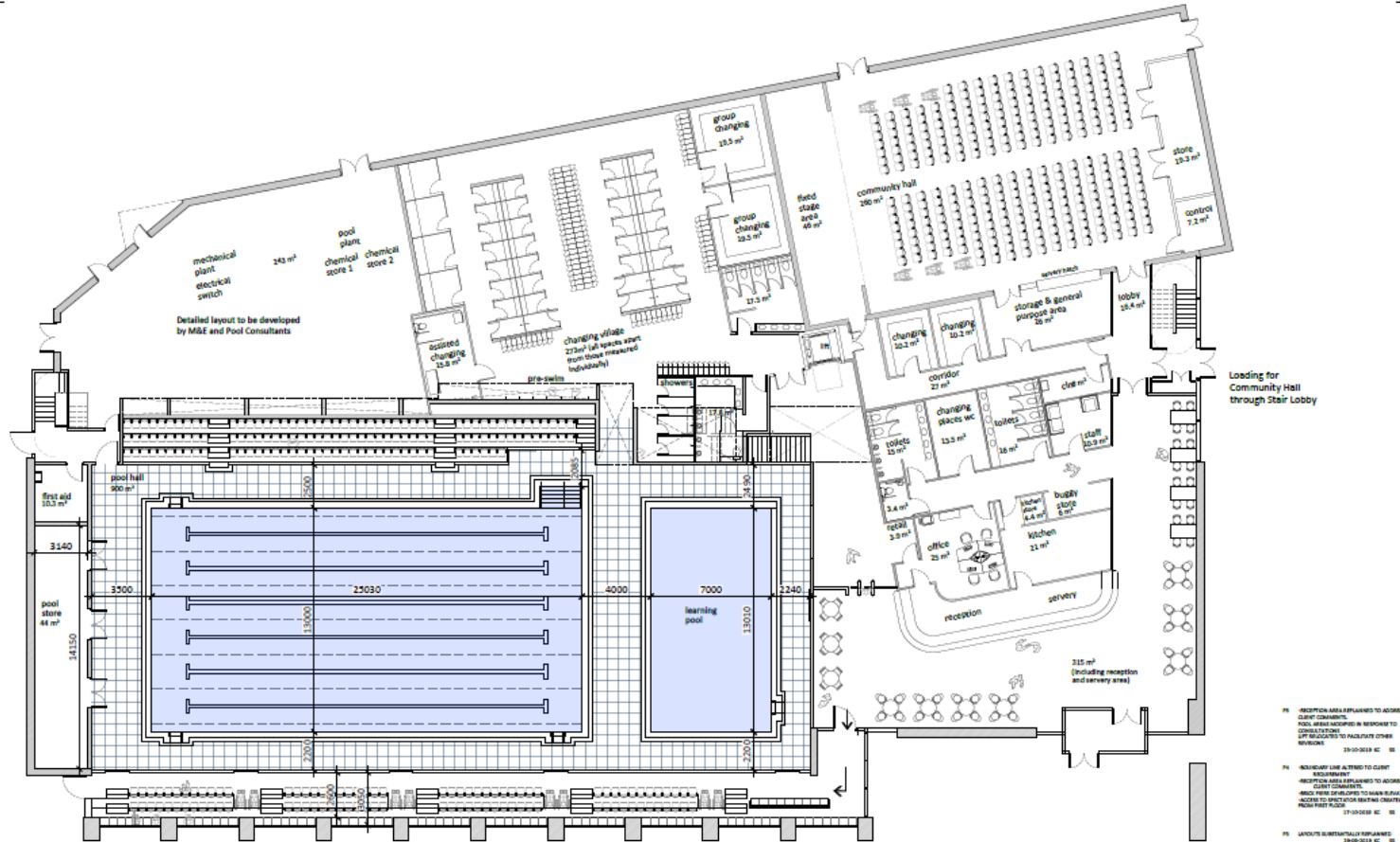
<b>For more information contact:</b>	Dave Mitchell Executive Manager - Communities  dmitchell@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	Report to Cabinet 12 February 2019 'Bingham Leisure Centre – Review of Chapel Lane Site'
<b>List of appendices:</b>	Appendix 1 – Plans and elevations  Appendix 2 - Cost plan

# Appendix 1- Plans and elevations

page 10



# Leisure and Community Ground Floor



page 11

## Design Status

- Preliminary Stage 3 Architects Layout
- Changing Client comments sought
  - Structural Engineer to develop initial framing proposals
  - Pool Consultant to review layout and submit comments and proposals
  - M & E Engineers to review and comment on space allocated for services installations.

DO NOT REPLY FROM THIS DRAWING  
 REPORT THE NUMBER OF REVISIONS  
 Change history

THIS DRAWING IS THE PROPERTY OF YMD BOON ARCHITECTS & CONSULTANTS  
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Architects & Construction Consultants

15, Chapel Lane, Bingham, Nottingham, NG10 0JL  
 Tel: 01509 231207  
 Fax: 01509 231208  
 www.ymdboon.co.uk

REVISION AREA EXPLANED TO ADDRESS CLIENT COMMENTS. POOL AREA ACCORDING TO REVISIONS TO CORRECT THE LIFT RELOCATED TO FACILITATE OTHER REVISIONS  
 29-10-2018 IC BS

REVISION AREA ALIGNED TO CLIENT REQUIREMENT  
 REVISION AREA EXPLANED TO ADDRESS CLIENT COMMENTS. REVISIONS DEVELOPED TO MAKE REVISION ACCESS TO SPECIFIC MACHINE CHANGING ROOMS EASIER  
 17-10-2018 IC BS

REVISIONS SUBMITTALLY REFINISHED  
 29-10-2018 IC BS

PT - DESIGN DEVELOPMENT - 08-10-2018 IC BS

**PRELIMINARY**

Bassetfield Borough Council

For: Bingham Chapel Lane  
 New Leisure Centre & Office

Project No: 1509/18/0000 FLOOR PLAN

Scale: 1:500 @ A1 (1/2000 @ A0)

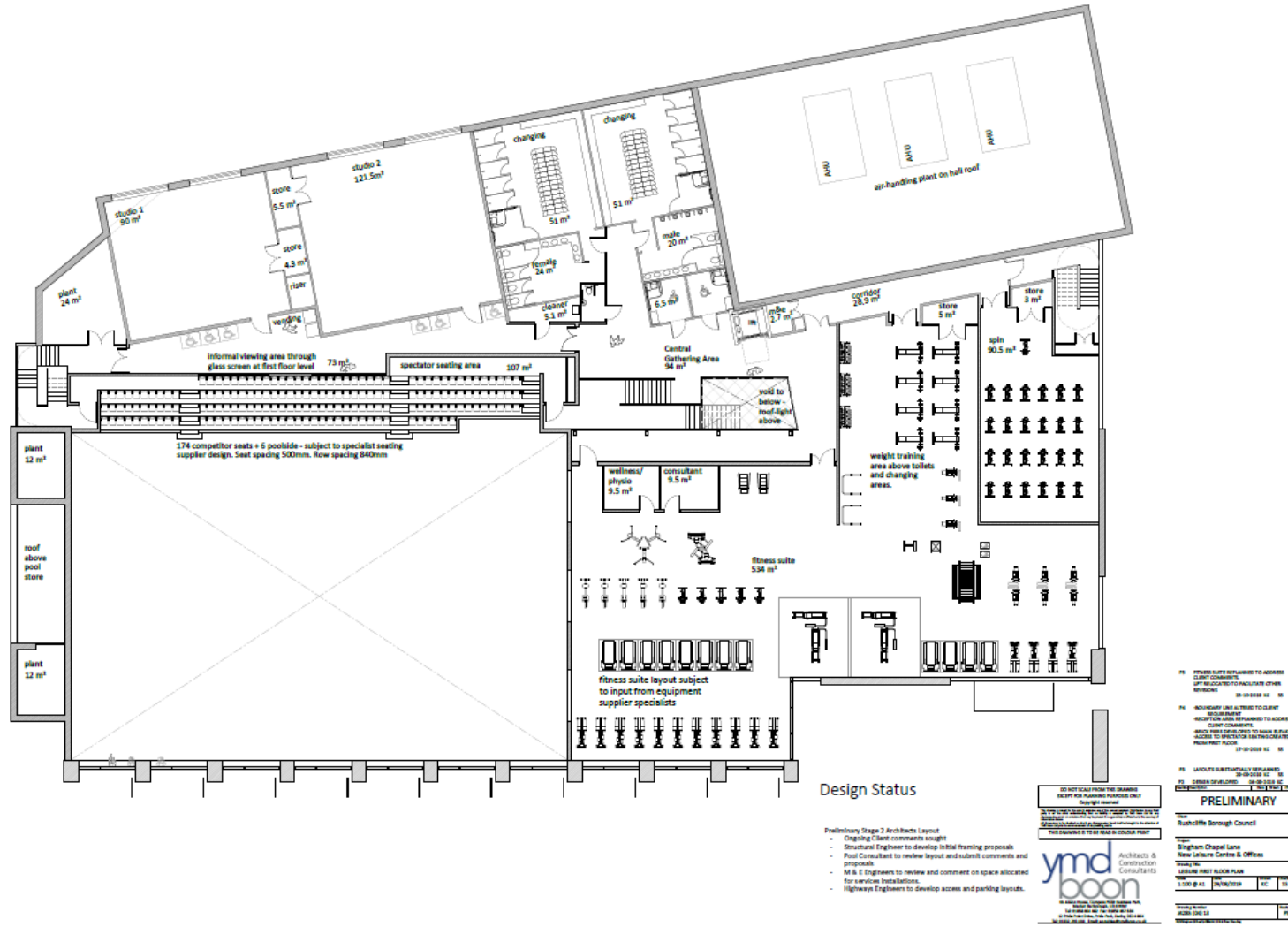
DATE: 29-10-2018

DESIGNED BY: JAMES (JG) L

CHECKED BY: JAMES (JG) L

DATE: 29-10-2018

# Leisure and community First Floor



page 12

- Preliminary Stage 2 Architects Layout**
- Dingling Client comments sought
  - Structural Engineer to develop initial framing proposals
  - Pool Consultant to review layout and submit comments and proposals
  - M & E Engineers to review and comment on space allocated for service installations.
  - Highways Engineers to develop access and parking layouts.

DO NOT SCALE FROM THIS DRAWING  
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Architects & Consultants

**PRELIMINARY**

Client: RugbyLife Borough Council  
Project: Brighton Chapel Lane  
New Leisure Centre & Offices  
Drawing: LEISURE FIRST FLOOR PLAN  
Scale: 1:500 @ A1  
Date: 15/06/2019  
Rev: 01

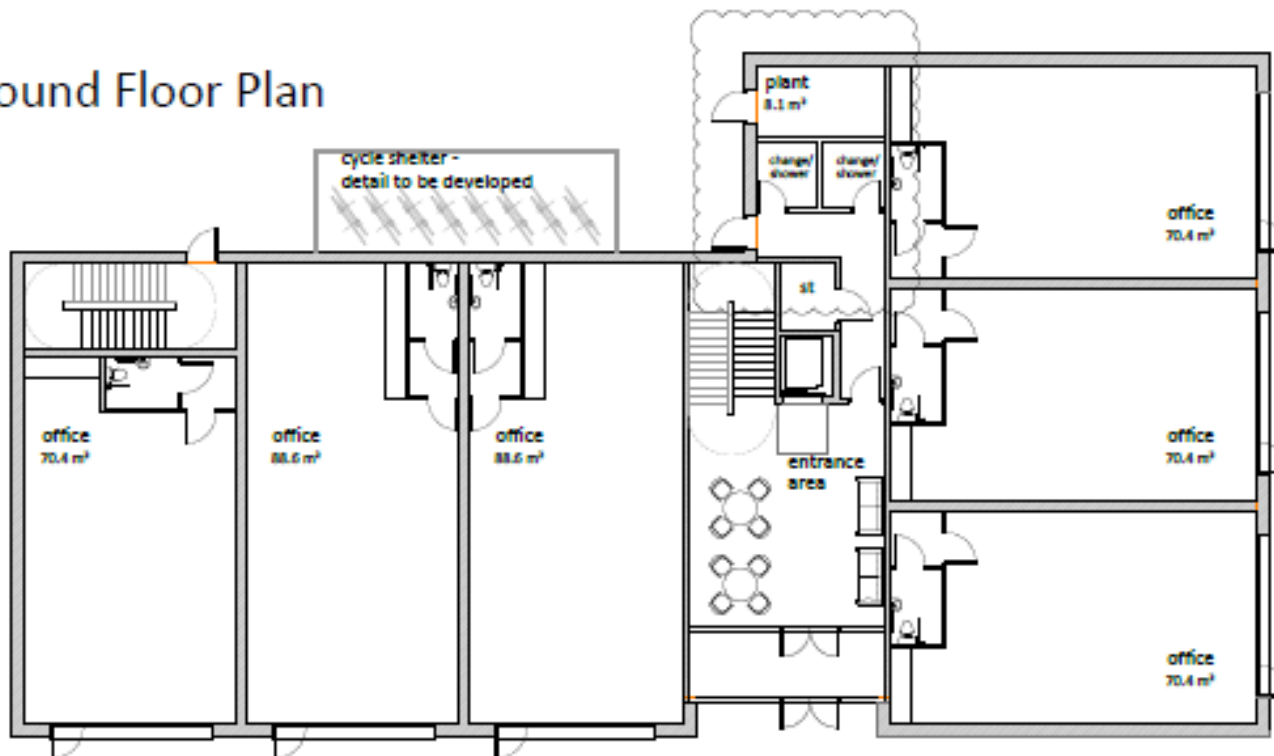
P1: FITNESS SUITE REMAINS TO ADDRESS CLIENT COMMENTS  
BUT REDUCED TO FACILITATE OTHER PROVISIONS  
20/06/2019 EC: 02

P4: ADVISORY LINE AS IT RELIES TO CLIENT'S SUPPLIER  
- RECEPTION AREA REMAINS TO ADDRESS CLIENT COMMENTS  
- BALANCE WHEEL DEVELOPMENT TO AVOID ELEVATION ACCESS TO SPECTATOR SEATING CREATED FROM FIRST FLOOR  
27/06/2019 EC: 02

P5: LANDSCAPE GENERALLY REMAINS UNCHANGED  
- 20/06/2019 EC: 02  
- 27/06/2019 EC: 02

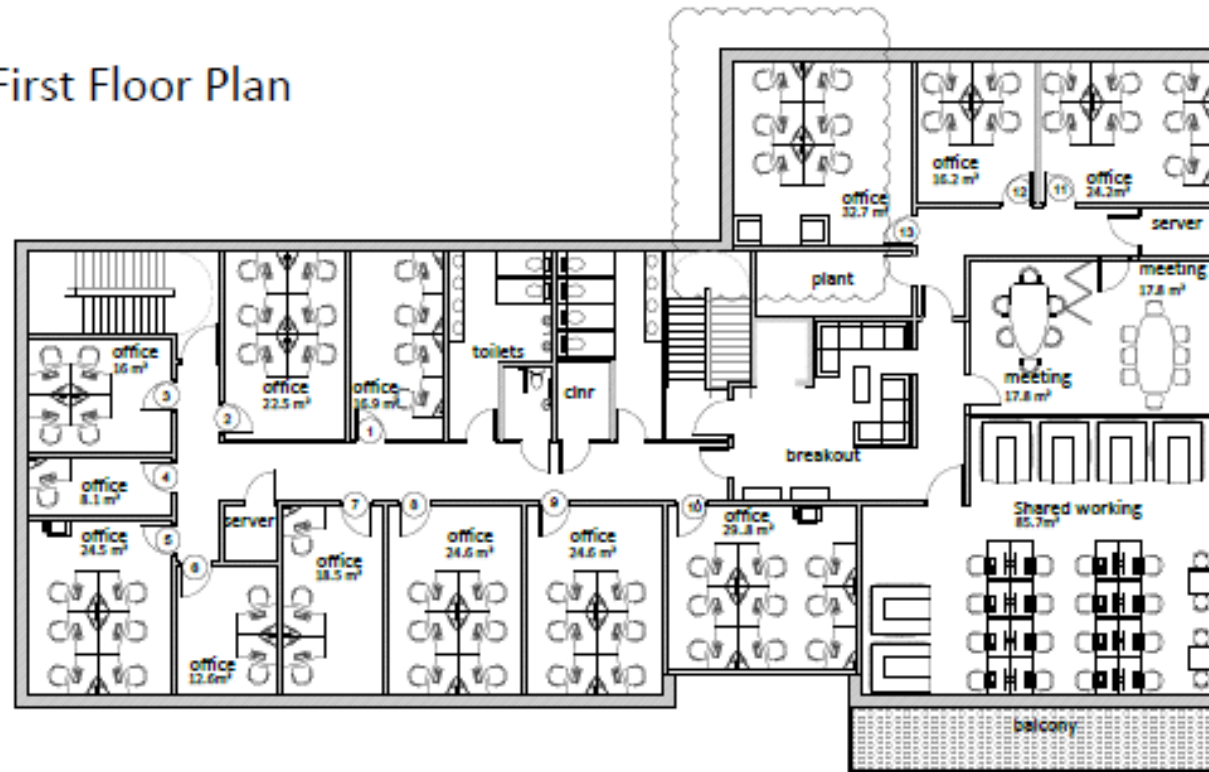
Office Ground Floor

Ground Floor Plan



Office First Floor

First Floor Plan





Elevation Leisure/Community and Offices



Elevation – Leisure/Community



Elevation – Office



## Appendix 2 – Stage 3 cost plan

RUSHCLIFFE BOROUGH COUNCIL

BINGHAM LEISURE CENTRE

STAGE 3 - COST PLAN

OVERALL SUMMARY

<u>Group Elemental Breakdown</u>	AREAS (M2)	3,605	430	1,182	5,217		
		LEISURE	COMMUNITY	OFFICE SHELL & CORE	OFFICE CAT A	TOTALS	Cost/m <sup>2</sup>
TOTAL DEVELOPMENT COST		13,837,581	1,426,217	2,405,876	911,224	18,580,898	3,561.61

**BELOW THE LINE ITEMS (SEE 6)**

1	MOVEABLE FLOOR	706,656	135.45
2	OFFICE CAT B	231,040	44.29
3	CARBON ZERO	Included	0.00
	REVISED COST	19,518,594	3,741.34



**Cabinet**

**Tuesday, 14 January 2020**

**Special Expenses and Community Infrastructure Levy  
Advisory Group**

## **Report of the Executive Manager – Finance and Corporate Services**

### **Portfolio Holder for Finance and Contracts, Councillor Gordon Moore**

#### **1. Purpose of report**

- 1.1. Given the requirements to potentially allocate Community Infrastructure Levy (CIL) to West Bridgford and that there is no forum to do this; and also to provide further transparency in relation to West Bridgford Special Expenses this report focuses on the setting up of a Special Expenses and CIL Group for West Bridgford.

#### **2. Recommendations**

It is RECOMMENDED that Cabinet endorses and recommends to Full Council:

- a) The creation of the Special Expenses and Community Infrastructure Levy Advisory Group (in the meantime the group operates informally and develops draft Terms of Reference); and
- b) The allocation of Members for the Special Expenses and Community Infrastructure Levy Advisory Group (for West Bridgford) to accord with the methodology stated at paragraph 4.6.

#### **3. Reason for Recommendation**

- 3.1 To provide governance arrangements so that West Bridgford related future CIL can be appropriately allocated; and that there is further transparency in relation to special expenses and the setting of the West Bridgford Special Expense budget.

#### **4. Supporting Information**

- 4.1. Rushcliffe Borough Council has three areas where there are Special Expenses charged. These normally relate to expenditure that either parish councils no longer are responsible for eg Ruddington and Keyworth cemetery expenditure or expenditure that typically a parish/town council would pay for but there is no parish/town council (this applies to West Bridgford). Appendix A gives more background with regards to both the legislation and the typical revenue items attributed to special expenses.
- 4.2. Currently Special Expenses are reported as part of the budget setting process to Cabinet and Full Council and also in budget monitoring reports. The Council has also introduced a policy on the Community Infrastructure Levy (CIL).

Parish and Town Councils can allocate CIL but for West Bridgford there is no such body, therefore Governance arrangements need to be in place so that decisions can be determined in relation to any CIL that accumulates. Any commitment of such sums should be undertaken in consultation with the local community. Commitment of sums held could be subject to a bidding process for infrastructure work. The money has to be spent in the area from which the CIL has been derived.

4.3. It is therefore proposed that a Special Expenses and Community Infrastructure Levy Advisory Group is set-up in relation to West Bridgford, albeit to be ratified by Full Council.

4.4 It is suggested the split of the Group should be based upon proportionality. This is the basis upon which Groups are formed and accords with the Constitution and legislation.

4.5 Furthermore, given that in setting a Special Expense Budget there is a consequence for the Council regarding its referendum limit for Council Tax overall, it is proposed the Chair of the Group should be independent and should be the Finance Portfolio Holder.

4.6 Ideally the Group should also consist of ward members for West Bridgford (except the Chair as mentioned above). Based on the current Member split this would mean the Group would be as follows:

Chair of the Group to be the Finance Portfolio Holder (Conservative)  
Additional five Conservatives, one Labour, no Green, one Liberal Democrat, one Independent. As there are no Independents who are West Bridgford ward members it is proposed that this position is taken by the Green Party. If proportionality changes going forward this would be reported as part of the Full Council report on Group Membership after local elections.

4.7 The Group will need to be formally approved by Full Council and included as part of the Constitution. In the meantime, it is proposed the Group will meet to determine draft Terms of Reference to be included in the Council's Constitution.

4.8 Formal Terms of Reference will need to be drawn-up which will include:

- Recommending a draft budget for approval by Full Council (to work within the parameters of the existing MTFs, for example council tax referendum limits);
- Reviewing the progress of the budget – every six months (ie two meetings a year, subject to the need of any extraordinary meetings in relation to CIL); and
- Approving the strategy for the allocation of CIL – which will be subject to public consultation.

It is suggested the Group meets informally to agree the Terms of Reference until formally ratified by Full Council and the Constitution is appropriately amended.

4.9 It is proposed the scope of the Group will only cover West Bridgford given Parish Councils exist for both Ruddington and Keyworth and the nature of their Special Expense is limited to cemetery improvements.

## **5. Risks and Uncertainties**

5.1. The upside risk of the recommendations are that governance arrangements will be in place to ensure CIL can be expended appropriately in the West Bridgford area.

## **6. Implications**

### **6.1. Financial Implications**

There are no direct financial implications.

### **6.2. Legal Implications**

The Council accounts for Special expenses in accordance with the Local Government Finance Act 1992. CIL is a discretionary charge. Authorities intending to take up the CIL regime are required to prepare a charging schedule setting out the CIL rates applicable in their area (s.211 Planning Act 2008). The charging schedule must have regard to matters including the total cost of the infrastructure requiring funding from CIL, other sources of funding available and the potential effect of CIL on the viability of development in the area.

Further, the Community Infrastructure Levy Regulations (2010) require the council to provide an annual monitoring statement on funds received and spent. Parish Councils are regulated in terms of the spending of CIL monies and are also required to publish this information.

### **6.3. Equalities Implications**

No known equalities implications.

### **6.4. Section 17 of the Crime and Disorder Act 1998 Implications**

No known implications.

## **7. Link to Corporate Priorities**

Quality of Life	Effective utilisation of CIL and the Special Expense budget effects all of the corporate priorities.
Efficient Services	
Sustainable Growth	
The Environment	

## 8. Recommendations

It is RECOMMENDED that Cabinet recommends and endorses to Full Council:

- (a) The creation of the Special Expenses and Community Infrastructure Levy Advisory Group (in the meantime the group operates informally and develops draft Terms of Reference); and
- (b) The allocation of Members for the Special Expenses and Community Infrastructure Levy Advisory Group (for West Bridgford) to accord with the methodology stated at paragraph 4.6.

<b>For more information contact:</b>	Peter Linfield Executive Manager – Finance and Corporate Services Tel: 01159148439 plinfield@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	Community Infrastructure Levy Report to Full Council (September 2019) Medium Term Financial Strategy 2019/20 Report to Full Council (March 2019)
<b>List of appendices:</b>	Appendix A – Background to Special Expenses



## Appendix A

### Background to Special Expenses

1. The concept of 'special expenses' dates back to the Local Government Act (LGA) 1933. Further provision was made in the LGA 1972. Section 147 of that Act deemed all expenses to be general unless the district council, by resolution, declared any expenses to be special expenses only chargeable on part of their area. The current provisions are set out in S35 of the LGFA 1992 which lists limited categories of expense which may be treated by a billing authority as 'special expenses'. These restrictions first appeared in the LGFA 1988 (S33).
2. The categories of special expense provided for in S35 of the 1992 Act are:
  - a. The expenses of meeting a levy or special levy issued to the billing authority;
  - b. Relate to expenses arising in respect of property held in trust for part of the area;
  - c. Any expenses incurred by the billing authority in performing in part of its area a function performed elsewhere in its area by a parish council;
  - d. Any expenses incurred in performing in part of its area a function performed elsewhere in its area by a body with a power to issue a levy or special levy to it.
3. For Rushcliffe Borough Council the following have been deemed special expenses:
  - a. Parks and Playing fields:
    - i. Bridgford Park
    - ii. West Park (including Julien Cahn)
    - iii. Abbey Park
    - iv. Alford road
    - v. Bridge field
    - vi. The Hook
    - vii. Boundary Road
  - b. Children's Play Areas:
    - i. Adbolton Lane
    - ii. Oaktree Close
    - iii. Carnarvon Road
    - iv. Denton Drive
    - v. Greythorn Drive
    - vi. Boundary Road
  - c. Allotments
  - d. Community Halls – Lutterell and Gamston

- e. Christmas Illuminations in West Bridgford
  - f. West Bridgford market and other events (eg outdoor Cinema)
  - g. Musters Road Memorial Gardens
  - h. Provision of seats, litter bins, and notice boards in WB
  - i. Annuity Charges for capital projects for assets listed above. For these, the initial outlay is met by capital receipts and it is recharged to WB Tax Payers through an annuity.
  - j. Revenue contribution to capital outlay for capital works to play areas.
4. The costs incurred by RBC on behalf of Ruddington Cemetery are deemed special expenses for Ruddington tax payers.
5. The costs incurred by RBC on behalf of Keyworth Cemetery are deemed special expenses for Keyworth tax payers.

# Agenda Item 8

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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