When telephoning, please ask for: Direct dial Email Helen Tambini 0115 914 8320 democraticservices@rushcliffe.gov.uk

Our reference: Your reference: Date: Monday, 1 June 2020

To all Members of the Cabinet

Dear Councillor

A Virtual Meeting of the Cabinet will be held on Tuesday, 9 June 2020 at 2.00 pm to consider the following items of business.

The public part of the meeting will be live streamed via YouTube for the public to listen and view via the link: <u>https://www.youtube.com/user/RushcliffeBC</u> Note: Please be aware that until the meeting starts, the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely

Sanjit Sull Monitoring Officer

AGENDA

- 1. Apologies for Absence
- 2. Declarations of Interest
- 3. Minutes of the Meeting held on 12 May 2020 (Pages 1 10)
- 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.

KEY DECISION

6. Chapel Lane Development (Pages 11 - 30)



Rushcliffe Borough Council Customer Service Centre

Fountain Court Gordon Road West Bridgford Nottingham NG2 5LN

Email: customerservices @rushcliffe.gov.uk

Telephone: 0115 981 9911

www.rushcliffe.gov.uk

Opening hours:

Monday, Tuesday and Thursday 8.30am - 5pm Wednesday 9.30am - 5pm Friday 8.30am - 4.30pm

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



The report of the Executive Manager – Communities is attached.

NON-KEY DECISION

7. Finance Update (Pages 31 - 40)

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."

NON-KEY DECISION

8. Abbey Road Update (Pages 41 - 46)

The report of the Executive Manager – Transformation is attached.

Membership

Chairman: Councillor S J Robinson Vice-Chairman: Councillor D Mason Councillors: A Edyvean, R Inglis, G Moore and R Upton

Meeting Room Guidance

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

Recording at Meetings

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

TUESDAY, 12 MAY 2020

Held virtually at 2.00 pm and live streamed on the Rushcliffe Borough Council YouTube channel

PRESENT:

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

ALSO IN ATTENDANCE:

Councillors Gray, Jones, R. Mallender and Thomas

OFFICERS IN ATTENDANCE:

P Linfield

K Marriott D Mitchell S Sull H Tambini Executive Manager - Finance and Corporate Services Chief Executive Executive Manager - Communities Monitoring Officer Democratic Services Manager

APOLOGIES:

There were no apologies

59 **Declarations of Interest**

There were no declarations of interest.

60 Minutes of the Meeting held on 10 March 2020

The minutes of the meeting held on Tuesday, 10 March 2020 were declared a true record and signed by the Chairman.

61 **Opposition Group Leaders' Questions**

Question from Councillor Jones to Councillor Moore.

"What are the arrangements during the lock down period, which apply to rent owed by residential tenants in financial hardship, by charities and by SMEs in Rushcliffe?"

Councillor Moore responded by saying that the Council did not deal directly with residential tenants from a housing perspective but the Council was working very closely with Registered Social Housing Providers who were putting in significant measures to support tenants financially. In terms of Council Tax, the Council had introduced a Hardship Policy to allocate over $\pounds 0.5m$ of funding and this was covered in the Delegated Decisions report. 1,800 residents who were in receipt of working age Council Tax reductions had

been given a £150 reduction on their Council Tax.

Regarding SMEs, the Council had proactively applied retail, hospitality and leisure business rates relief totalling around £10m and paid out business grants to 1,395 businesses totalling £17m, which equated to 83% of all the businesses in Rushcliffe. There was a new Discretionary Business Rates Grant, which would also be allocated, and was covered in the Delegated Decisions report. Officers were thanked for their hard work and efficiency and the Council had received many grateful responses from residents and businesses.

For businesses that were suffering hardship, the Council had revised repayment arrangements and for the Council's own commercial tenants, introduced payment holidays when requested. The Council had also sign posted businesses to the range of Government loans available. Retail charities were mainly covered by the grant and relief schemes as mentioned.

Councillor Jones asked a supplementary question to Councillor Moore.

"Thinking of tenants who get no financial help for lost income, such as private cleaners. Has the Council encouraged private landlords and Housing Associations, to which we have good relations, to forego rent for the period of lockdown and if not, would you consider doing so?"

Councillor Moore responded by stating that in respect of Housing Associations, considerable work had been undertaken to protect tenants and ensure that no one was evicted. He was unable to comment about the private sector, although he would be happy to supply an answer in the next seven days.

As a point of clarification, the Chief Executive advised that the Council had paid out over 83% of grants to eligible businesses and claimants in Rushcliffe and not 83% of businesses.

Question from Councillor Jones to Councillor Inglis.

"Has the establishment of track and trace arrangements resulted in the Council's Environment Health expertise being in charge locally?"

Councillor Inglis responded by stating that the contact tracing arrangements were being led nationally by Public Health England and they were working with a range of professional bodies and the local Directors of Public Health (DPH). In turn the DPH's would be working closely with local authority Environmental Health teams through the Local Resilience Forum to support the national response where required. However, the situation was evolving and in the early stages of information.

Councillor Jones asked a supplementary question to Councillor Inglis.

"Do I take it that we are confident that local people with local knowledge in Environmental Health will be involved, although you do not know the timescale?"

Councillor Inglis advised that currently timescales were unknown as it was

being led at a national level and it would be filtered through to regional and borough level.

As a point of clarification, the Chief Executive advised that the Executive Manager – Neighbourhoods had a background in Environmental Health and was involved in this work as it was progressing and developing. Local knowledge was key and the Council was working on that.

Question from Councillor Richard Mallender to Councillor Edyvean.

"When will the Council be re-opening the various contact centres around the Borough including the new one in West Bridgford?"

Councillor Edyvean responded by stating that the Council would only reopen its customer facing contact centres when Government guidance allowed it and no date was currently available. Some facilities were located in buildings not managed by the Council and the Council would work with those service providers. The Council was considering how it would provide the safest environment for visitors and staff at the West Bridgford contact centre and its other centres once they reopened. Although face-to-face access for customers was not currently possible, access to the Council's advisors continued via telephone and email.

Councillor Mallender asked a supplementary question to Councillor Edyvean.

"Will the Council give consideration when the centres do reopen to constructing or putting in place shelters and possibly seating outside the contact centres as a number of shops have done locally to provide residents with shelter from the inclement weather?"

Councillor Edyvean confirmed that the Council was looking at measures for managing people and he would provide a written response within the next seven days.

Question from Councillor Gray to Councillor Robinson.

"I would first like to extend a thank you from the Labour group to the Cabinet and the officers of the Council for their hard work and decisive action in this unprecedented time.

We would like to support you as best we can in this time and would ask:

How can we fulfil our role as a critical friend and work together to look at the Council's response to the COVID pandemic and be more involved going forwards?"

Councillor Robinson responded by thanking Councillor Gray for his comments and confirming that the Council's cross-party scrutiny system was well established and the input from those meetings was welcomed. Scrutiny meetings would resume in July 2020, some member groups were being held in June 2020 and monthly Group Leaders meetings were taking place. Budget workshops were being arranged for September 2020 and all Councillors would be notified of those dates shortly. He would continue to be happy to respond to any queries from the opposition groups.

Councillor Gray asked a supplementary question to Councillor Robinson.

"Would you agree, in this new way of working it is going to take some significant cultural change in the Council for everyone to get used to distance and online working and the sooner we start to meet online, whether formally or informally the better and the easier we will adjust to this change?"

Councillor Robinson agreed that it was important to have this communication and confirmed that all Councillors would meet at the full Council meeting in July 2020. As referred to previously, scrutiny groups would resume their meetings in July 2020 and regular Group Leaders meeting would continue to take place.

Question from Councillor Thomas to Councillor Edyvean.

"As stated in Para 5.3 of the report on emergency decisions:

"reopening leisure facilities will be a challenging operation with elements of social distancing likely to be in place for the foreseeable future".

With this being the case, and given the challenges developing in the budget, is the council reconsidering the timetable for the Bingham Leisure Centre capital project, and if so, are there plans for the relevant member group to meet to discuss before tender documents go out?"

Councillor Edyvean responded by stating that at the Cabinet meeting in June 2020, a report would be considered where permission to proceed with tender would be covered, subject to the Covid-19 impact. The Council would need to review all capital projects not yet started and it was anticipated that a revised budget would be reviewed in September 2020. The Bingham Leisure Centre Member Working Group would be reconvened shortly for a full update.

Councillor Thomas asked a supplementary question of Councillor Edyvean.

"Has consideration been given to the fact that the design may need to be altered to facilitate social distancing going forward?"

Councillor Edyvean advised that he would provide a written response within the next seven days.

Question from Councillor Thomas to Councillor Moore.

"Are there any plans to resume car park charges?"

Councillor Moore responded by stating that the Council would continue to follow both Government advice and adopt a 'common sense' approach in terms of when it would be the appropriate time to re-introduce car parking charges. The Council would balance the impact of the decision in terms of supporting the local retail sector, and most importantly still considering the health and well-being of the community and lastly the ongoing financial impact to the Council. The community would be notified of when that was planned in due course.

62 **Citizens' Questions**

There were no questions.

63 **Delegated Decisions for Covid-19**

The Portfolio Holder for Strategic and Borough Wide Leadership presented the report of the Chief Executive outlining the Council's activities to deal with the impacts of Covid-19.

The Portfolio Holder for Strategic and Borough Wide Leadership stated that the report highlighted the urgent decisions that have been made by the Chief Executive, through delegated authority, in collaboration with the Leader and the relevant Portfolio Holder. The report reflected the severity of the crisis and the legislative powers put in place under the Coronavirus Act to enable virtual meetings to take place. This Cabinet meeting was the first virtual meeting, and it was not anticipated that the circumstances which had necessitated urgent delegated decision-making would continue in the same way.

The Portfolio Holder for Strategic and Borough Wide Leadership referred to the list of decisions taken which were detailed in the report and had been split into operational and urgent decisions. The report also highlighted the closure of the various leisure centres around the Borough, which were operated by Lex/Parkwood Leisure. Due to the nature of the leisure business and the closure of the facilities, Parkwood had requested financial assistance and that had been agreed at £106k per month, which would amount to £357k for three months. At the Cabinet meeting on 10 March 2020, it had been agreed to vary the Parkwood contract and that would now have to be reviewed following the three-month period. The Council would continue to review both the contract and payments as it received Government advice regarding opening and managing leisure facilities. The report referred to the Council Tax Support Grant allocation of £515k and highlighted the important principle that the funding had been allocated to those most in need and that had been the underpinning principle across all the Council's funding to residents and businesses. Details of the Business Rates Discretionary Grant were included in the report, with delegated authority to the Executive Manager - Finance and Corporate Services and the Portfolio Holders for Finance and Business and The report referred to the Coronavirus Act and Council Transformation. meetings, highlighting that the Council was now able to hold virtual meetings until May 2021. The Council's Constitution would be updated and considered at full Council in July 2020, to reflect those requirements going forward. Interim arrangements to continue with planning have been put in place and were detailed in the report, with the first virtual Planning Committee on 14 May 2020.

In seconding the recommendation, Councillor Mason thanked the Chief Executive and officers for their hard work and diligence. Over the last few weeks, so much had happened and Rushcliffe had acted very quickly to take action. The Government was constantly reviewing procedures as was the Council and further changes would affect how the Council worked in the future.

The Portfolio Holder for Strategic and Borough Wide Leadership asked that the Chief Executive pass on his thanks to all employees. Councillors, residents and businesses were hugely appreciative of their work and effort and how well the Council had reacted to the crisis.

It was **RESOLVED** that

- a) the decisions made under delegated urgency provisions as set out in paragraph 4.3 of the report be endorsed and that these should be exempted from call in on the grounds of urgency at the time the decision was made, and not subsequently;
- b) that a variation to the Parkwood/Lex leisure contract be negotiated, to cover the period when leisure centres have to remain closed due to Covid-19 and the Section 151 Officer (in consultation with the Monitoring Officer) be granted delegated authority to agree the contract variation;
- c) a report with recommendations on the future contractual arrangements and the variation with Parkwood/Lex Leisure be submitted to a future Cabinet meeting;
- d) the Council Tax Support grant policy paper (Appendix 1) to be endorsed by Full Council (as part of a revised Covid-19 Budget later in the year) be agreed; and
- e) the potential Discretionary Business Rates Grant Fund broad parameters (Appendix 3) be noted and once final guidance is received from central government, the delegation of completing Rushcliffe's final discretionary scheme to the portfolio holders for Finance and Business and Transformation; and the Executive Manager – Finance and Corporate Services be approved.

64 Budget Update

The Portfolio Holder for Finance presented the report of the Executive Manager – Finance and Corporate Services outlining the budget position as a result of the Covid-19 pandemic.

The Portfolio Holder for Finance advised that the impact of Covid-19 on the Council's budget would change as the Council was informed about further proposals to release lockdown, and it was intended to report the ongoing impact to Cabinet each month. A revised budget would be presented to Council in September 2020, with Budget Workshops for all Councillors held earlier in September. The impact had been significant for the Borough as a whole and the Council had welcomed Government support; however, that support would be insufficient, even in the short term to meet the budget For this financial year, the budget shortfall was expected to be shortfall. between £2.5m and £4m. Going forward, it was likely that there would be additional pressures on the budget from the Council's Transformation and Capital Programmes. The report referred to Revenue Budget pressures, which were clearly linked to losses of income and if that continued for the remainder of the year, the Council would see significant losses from car parking, Development Control, investment interest and loss of rental income from commercial properties. The Council was also incurring additional costs, in particular to support Parkwood Leisure to ensure that the leisure centres were in a position to resume services once able to do so. The report referred to the

Council's Capital Programme and two main risks; the potential shortfall and delay of capital receipts, and the requirement to reassess the viability of existing capital projects. Treasury related issues would be reported in detail to the Governance Scrutiny Group. Due to the likely impact on the Revenue Budget, there was scope to revise the Council's Minimum Revenue Provision (MRP) in relation to the Arena and to release New Homes Bonus to support the budget in the medium term. The report highlighted a number of the Council's investments, which had lost capital value. Those were long-term investments and it was hoped that their value would correct over time. The impact on the collection of Council Tax and Business Rates was unknown and the Cabinet would receive a further update in June 2020. Officers had worked extremely hard to ensure that Business Grants had been paid as soon as possible, with 1,395 businesses receiving approximately £17m, which was 83% of all eligible businesses in Rushcliffe. The Council had received many grateful responses and all Cabinet members appreciated the hard work undertaken by employees, not just for this but also for all the work undertaken throughout the Borough. It was important to note that over the years, the excellent stewardship of the Council's finances had given a degree of protection against the economic consequences of Covid-19. The financial resilience of the Council going forward would now be severely tested and would require a revised Medium Term Financial Strategy (MTFS) to deliver its corporate objectives. Goina forward difficult decisions would have to be made; however, the Council was confident that it had the ability to lead the Borough through the crisis.

In seconding the recommendation, Councillor Edyvean reiterated the thanks given to all employees for their hard work. The importance of monitoring the impact of Covid-19 on Council budgets was noted, as was the need to look forward to how the Council could revitalise the prosperity of the Borough.

Councillor Robinson referred to the Business Grants and the decision of the Government to use Borough and District Councils to administer payments and it was a credit to Councils across the country that it had been achieved so efficiently. Officers were again thanked for their efforts. It was prudent and pragmatic that the Council reviewed its budget and that would be taken to Council in September 2020.

It was **RESOLVED** that:

- a) the financial impact of Covid-19 on the Council's Medium Term Financial Strategy (MTFS) be noted and that a revised budget be supported and taken to Full Council once there is more certainty regarding the impact of lockdown and in particular the likely use of Reserves and Balances to meet the projected budget gap;
- b) the position on both Council investments and the likelihood of a change in the Minimum Revenue Provision (MRP) calculation which will be reported to the Governance Scrutiny Group in the Annual Capital and Investment Report be noted; and
- c) the Leader and Chief Executive be supported in making representations to Government and other interest groups to unlock further funding for the benefit of Rushcliffe's community and its businesses.

65 Draft Character Appraisal and Proposed Conservation Area for Cropwell Bishop

The Portfolio Holder for Housing presented the report of the Executive Manager - Communities requesting approval to commence formal public engagement for the purposes of designating a new Conservation Area for the village of Cropwell Bishop.

The Portfolio Holder for Housing stated that for areas, which fulfilled the criteria, the local authority had a statutory duty to designate them as Conservation Areas. Following representation from the Cropwell Bishop Village Heritage Group, local residents, the Parish Council and local Councillors, various meetings have taken place and in accordance with best practice, a draft Character Appraisal had been produced. The next step would be for Cabinet to agree the principle of a Conservation Area for Cropwell Bishop and to approve the draft Character Appraisal and to agree to a public consultation. Following that consultation, any comments would be considered and a Management Plan produced, before a further report was submitted to Cabinet requesting a formal adoption.

In seconding the recommendation, Councillor Inglis referred to the unique and historical features of Cropwell Bishop and the importance of this designation. All parties involved were thanked for their hard work and diligence and it was hoped that the consultation would reflect the same desire and enthusiasm that the project had generated. It was hoped that Cabinet would be able to support the positive outcome in the near future.

Councillor Robinson referred to the importance of this for Cropwell Bishop and noted the value of Conservation Areas to other villages in Rushcliffe and the advantages they gave in helping to preserve the character of an area.

Councillor Moore, as Ward Councillor referred to the hard work and determination of the Heritage Group in bringing this forward and thanked the Service Manager, Communities, Planning and Growth and Conservation Officers for their hard work and support.

It is **RESOLVED** that

- a) the village of Cropwell Bishop would appear to possess qualities of special architectural and historic interest which would warrant its designation as a conservation area under the Planning (Listed Buildings and Conservation Areas) Act 1990;
- b) the Draft Conservation Area Character Appraisal and proposed conservation area boundary be approved for the purposes of public consultation, to last a period of 21 days and to include a public consultation event held in the village (timing of consultation and event will be influenced by any restrictions arising from the Coronavirus Pandemic); and
- c) a subsequent report following public consultation which may include a recommendation for the formal adoption of a revised conservation area

character appraisal and for the designation of a conservation area for Cropwell Bishop be submitted to a future Cabinet meeting.

The meeting closed at 2.42 pm.

CHAIRMAN

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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 in the area, 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 to deliver the scheme. This was subsequently supported by Council on 7 March 2019.
- 1.3. On 14 January 2020, Cabinet approved the RIBA (Royal Institute of British Architects) stage 3 design and cost plan in line with agreed budgets; and also approved the additional costs associated with the inclusion of carbon reduction measures in line with the Council's commitment to carbon management.
- 1.4. 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 stage 4. In response to the technical challenges of the site and following value engineering exercises, the report incorporates several changes to minimise unnecessary cost whilst maximising the energy efficiently and sustainability of the facilities.
- 1.5. On 10 March and 2 June 2020, the Bingham Leisure Centre Member Group provided oversight and feedback in relation to the design proposals, cost plan, existing leisure contract, proposals for naming of the leisure/community hall and office buildings, and the procurement strategy.
- 1.6. A further report covering tender evaluation will be brought to a future Cabinet seeking approval to appoint a construction contractor.

- 1.7. This report does not cover:
 - the ongoing negotiations for future operational management of the new leisure centre, these will be presented to a future Cabinet meeting;
 - 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; and
 - the tender timetable in response to the Covid-19 global pandemic. It seeks to delegate responsibility to the Executive Manager for Communities, in consultation with the Portfolio Holder for Business and Transformation, to satisfy themselves that proposals are appropriate and invitations to tender are not issued until the market can respond accordingly.
- 1.8. The Council is currently considering all Capital Programme projects in light of the current Covid-19 crisis, the development and phasing of the Bingham Chapel Lane development will be considered as part of this process.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) Approves the RIBA stage 4 design and cost plan recommended by the Member Group as detailed in Appendix 1 and 2, which is in line with the approved budget.
- b) Approves the Procurement Strategy as recommended by the Member Group to use the Procurement Partnerships Framework.
- c) Delegates responsibility for proceeding to tender to the Executive Manager for Communities in consultation with the Portfolio Holder for Business and Transformation.
- d) Agrees that a report be brought back to Cabinet with the outcome of any tender exercise to seek approval for any phasing of the build, the procurement timetable and to appoint a construction contractor.
- e) Delegates negotiation and completion of the Basic Asset Protection Agreement (BAPA) with Network Rail to the Executive Manager for Communities in consultation with the Section 151 officer and the Monitoring Officer.

3. Reasons for Recommendation

3.1. The Member Group met six times between June 2019 and June 2020, shaping the design development process and endorsing the RIBA stage 4 designs. 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. Full planning approval was received on 29 April 2020.

3.2. The proposed timetable to complete works is still on schedule to be completed by December 2021; however, there is an associated risk that this may be affected by Covid-19 and any pause will impact on the programme timetable.

4. Supporting Information

- 4.1. Following the appointment of Henry Riley to project manage the multidisciplinary design team, a series of regular design team meetings were held with Council officers to consider input from stakeholders such as Swim England, sports clubs and the current leisure operator. 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.
- 4.2. A Cabinet-led cross-party Member Group was set up to oversee the project. The group met four times in 2019 and twice in 2020, with a summary of the meeting dates and content as follows:

June 2019 – The Group agreed the project objectives, project management structure, budget and delivery timeline.

September 2019 – The Group 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 2019 – The Group considered updated designs and the RIBA stage 2 cost plan for the leisure and office buildings including building finishes and carbon reduction options.

December 2019 – The Group reviewed the RIBA stage 3 designs and cost plan and supported submission for planning approval subject to enhancing the kitchen facility in the community hall. Councillors endorsed £350k 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.

March 2020 – The Group considered several emerging matters relating to the pool construction and design, the water table and its effect on drainage, mitigation measures related to planning, the office fit out costs, procurement routes and naming of the new facilities. It was agreed, subject to consultation with Bingham Town Council, that the buildings be called Bingham Arena, for the Leisure/Community Hall, and Bingham Enterprise Centre (BEC), for the office development.

June 2020 – The Group reviewed the RIBA stage 4 designs and cost plan pretender estimate (as detailed in paragraph 7.1-7.1.6 and Appendix 1) and the procurement strategy which after considering both legal and procurement advice recommended that the Procurement Partnerships Framework offers advantages over the traditional 'Official Journal of the European Union' (OJEU) procurement process.

- 4.3. The built facilities on the site consist of a leisure centre with community hall and a commercially lettable office space.
- 4.4. The leisure centre contains a 25 metre x six-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, control room, kitchen and storage. The community hall element of the leisure building is substantially funded through the Bingham Community Chest and section 106 contributions. In accordance with the section 106 criteria, there are ongoing positive discussions with Bingham Town Council to finalise the detailed specification of this facility and the associated funding.
- 4.5. 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.

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.
- 5.2. The design allows for the build to be phased, paused or amended to meet any emerging requirements from the Covid-19 pandemic.

6. Risks and Uncertainties

- 6.1. 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.
- 6.2. There is risk associated with the Covid-19 global pandemic leading to time delays and cost implications in delivering the project. There has been no guidance on the need to change designs as a response to the pandemic but if anything emerges, the design team will respond accordingly. Tenders will not be sent out until we are satisfied that proposals are appropriate for market conditions that and the market can respond.

- 6.3. There is an associated risk with the current leisure operator with recommendations on the future contractual arrangements and the variation with Parkwood/Lex Leisure be submitted to a future Cabinet meeting.
- 6.4. 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.
- 6.5. There is an associated risk with Network Rail and discussions are ongoing regarding the need for a Basic Asset Protection Agreement (BAPA) which is sought if a development is taking place adjacent to an active railway line. The BAPA seeks to provide mitigation of this risk.
- 6.6. The proposed timetable to complete works is still on schedule to be completed by December 2021; however, there is an associated risk that this may be affected by Covid-19.
- 6.7. There is a risk that the changing economic environment and working requirements as a result of Covid-19 could reduce the demand for office space and, therefore, rental income associated with it.
- 6.8. The Council is seeking grants to support the community hall and office build and there is an associated risk with any grant being revised or withdrawn.

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 section 106 contributions (of which £1.2m is from Bingham Community Chest for the community hall), £924k LEP funding (£174k towards the community hall and £750k towards the office), £1.6m European Regional Development Sustainable Urban Development Funding for the office, up to £10m borrowing and the balance from capital receipts. The external funding secured is all subject to completion of final businesses cases. At RIBA stage 4 the pre-tender estimated costs of the project are £18.54m, which includes the refurbishment of 10 industrial units (which have been carried out) and planning fees.
- 7.1.2. In addition, a provision of £0.750m is required for client specification furniture, fixtures, and fittings and £0.250m has been earmarked to support any remedial works to facilitate our partial withdrawal from the existing Bingham site and to allow continuance access to Community Leisure. 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 giving a total project value of £19.67m for the delivery of the project.

7.1.3. The below table captures the changes to the design and cost plan since the last report to Cabinet on 14 January 2020:

Main changes since Jan 2020 impacting on cost plan							
Value engineering		Foundation & drainage strategies.					
exercise in Feb 2020	(£341,869)	Reduced building height					
Rationalisation of		Style and layout, not capacity					
spectator seating	(£100,000)						
Myrtha Pool tank		Supported by MWG March 2020 to					
construction rather	£235,000	unfavourable ground conditions					
than traditional							
Offsite Biodiversity		Requirement of planning approval					
gain allowance	£56,000						
Additional		Requirement of planning approval					
permeability to the	£63,000						
carpark							
Network Rail S.106		Requirement of planning approval					
for foot crossing	£20,000						
improvements							
Continuation of		Design item omitted in error previously					
footpath and	£20,000						
connection to							
Bridleway							
Glazed partitions and	007.000	Design development					
access control to	£65,000						
offices							
Sprung floors to	000.000	Design development					
dance studios	£30,000	Design development					
Platform lift for	COE 000	Design development					
disability access to	£25,000						
stage	£88,308	Decign Development					
Revised cut and fill analysis to account	£00,300	Design Development					
for the additional fill							
required as per the structural engineer's							
stage 4 design							
Increased cost in	£129,961	Market fluctuation					
Brickwork as result of	2123,301						
supply rates moving							
from £550/1000							
Bricks to £ 770/1000							
Bricks							
NET INCREASE	£290,400.00						
_	,						

7.1.4. To allow for increases in inflation indices as referred to in paragraph 6.1 the total development cost estimates include contingency at 3% to mitigate this risk.

- 7.1.5. The budget allows for up to £10m borrowing which would result in a revenue cost of £390k per annum over 40 years. This is subject to the interest rates at the time of borrowing.
- 7.1.6. As referred to in paragraph 6.3 the anticipated contract savings from the Leisure Contract require re-negotiation; however, 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 £3.759m. This does not give a very good commercial rate of return but there are wider benefits in terms of additional business and job creation.
- 7.1.7. Due to Covid-19, there is a risk to the contract savings from the management of the Leisure Centre and income from the offices. The capital costs and associated borrowing costs could also significantly increase if prices were to be affected. The viability of the project would need to be reassessed in the light of any significant changes.

7.2. Legal Implications

- 7.2.1. The report confirms the procurement strategy in compliance with the regulations and supports the Council's statutory duty to secure best value under the Local Government Act 1999. The project budget has been approved by Council, and the recommendations are within that.
- 7.2.2. Whilst the BAPA with Network Rail is not a legal requirement, it is good practice. As the development is occurring adjacent to a railway line, in the absence of a BAPA Network Rail could seek an injunction to delay the works to seek engagement with them. The liability under the BAPA is unlimited for interference with the railway. If the terms of the BAPA are not agreed, Network Rail could seek recovery of the remedial costs arising from works that have interfered with the railway line in any event. The BAPA is required to be agreed in accordance with the Council's insurance cover.

7.3. Equalities Implications

7.3.1. 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

7.4.1. 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 12-16% 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 4 design and cost plan recommended by the Member Group as detailed in Appendix 1 and 2, which is in line with the approved budget
- b) Approves the Procurement Strategy as recommended by the Member Group to use the Procurement Partnerships Framework
- c) Delegates responsibility for proceeding to tender to the Executive Manager for Communities in consultation with the Portfolio Holder for Business and Transformation
- d) Agrees that a report be brought back to Cabinet with the outcome of any tender exercise to seek approval for any phasing of the build, the procurement timetable and to appoint a construction contractor

e) Delegates negotiation and completion of the Basic Asset Protection Agreement (BAPA) with Network Rail to the Executive Manager for Communities in consultation with the Section 151 officer and the Monitoring Officer.

For more information contact:	Dave Mitchell
	Executive Manager - Communities
	dmitchell@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Cabinet 14 January 2020 'Chapel Lane Development'
	Report to Cabinet 12 February 2019 'Bingham Leisure Centre – Review of Chapel Lane Site'
List of appendices:	Appendix 1 – RIBA Stage 4 cost plan and pre tender estimate
	Appendix 2 - Plans and elevations

Appendix 1.1 – RIBA Stage 4 cost plan and pre tender estimate

RUSHCLIFFE BOROUGH COUNCIL

BINGHAM LEISURE CENTRE

STAGE 4 - COST PLAN

BUDGET RECONCILIATION

	Group Elemental Breakdown
1	HENRY RILEY COST PLAN
1	PLANNING FEES
3	REFURBUSH INDUSTRIAL UNIT
4	Carbon Zero Budget * (Subject to approval)
	Subtotal: Budget Tracker
	Additonal Scope Change
5	
5 6	Additonal Scope Change
_	Additonal Scope Change MOVEABLE FLOOR

(1) CURRENT - STAGE 4	(2) PREVIOUS - STAGE 3	(1) - (2) DIFFERENCE	Approved Budget (3)	(1) - (3) DIFFERENCE
18,395,682	18,034,554	361,128	17,967,276	
75,000	75,000	0	75,000	
70,029	70,029	0	70,029	0
Included	Included		0	0
18,540,711	18,179,583	361,128	18,112,305	0
0		0	Excluded	Excluded
Included	281,446	-281,446	281,446	Included
Included	Included	0	0	0
18,540,711	18,461,029	79,682	18,393,751	146,960

Appendix 1.2 – RIBA Stage 4 cost plan overall breakdown summary

Stage 4 Plan Overall	Leisure Centre	Community Hall	Office	Industrial unit Refurbishment and planning fees	Totals
Summary of component elements	£13,290,993	£1,345,022	£3,759,667	£145,029	£18,540,711

Appendix 2- Plans and elevations







Leisure and community First Floor

Office Ground Floor





Elevation Leisure/Community and Offices









Report of the Executive Manager, Finance and Corporate Services

Cabinet Portfolio Holder for Finance, Councillor Gordon Moore

1. Purpose of report

- 1.1. To provide an update on the budget position reported to Cabinet on 12 May 2020 of the projected impact of Covid-19.
- 1.2. The Council continues to receive further information in what is a very fluid environment resulting in revised updates to the estimated financial position. This includes information on council tax and business rates collection rates and the impact of the easing of the lockdown situation. For this financial year, the budget gap is expected to be at least £2.87m and current Government funding of £1.23m amounts to 42.9% of the anticipated budget gap. In a worst-case scenario, the budget gap could be as much as £3.8m and the Government support currently would meet 32% of the funding required if this scenario materialised.
- 1.3. The main issues continue to be the costs of maintaining the leisure centres with no income streams, loss of income in relation to car parking and loss of other fees and charges.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) Notes the revised financial impact of Covid-19 on the Council's MTFS and the inclusion of these estimates and use of reserves and balances in the revised budget due be taken to full Council.
- b) Supports a report on business support and economic recovery to be considered by the Growth and Development Scrutiny Group.

3. Reasons for Recommendation

3.1. To ensure that the potential financial implications from a range of scenarios are considered and the Council is in a position to respond quickly to the changing environment and that the Council considers the approach to assisting the recovery of the economy in Rushcliffe.

4. Supporting Information

4.1. Revenue

- 4.1.1 The Government have now published a plan to ease lockdown and assuming this plan is effected it would see most business and services begin to return to normal from 4 July. It would not be prudent to assume a complete return to the position prior to Covid-19 and therefore a range of potential scenarios and estimated financial impacts are shown in Appendix A.
- 4.1.2 The impact on fees and charges and commercial income remain a significant risk to the Council's funding (estimated at over £2m for worst case) in addition to the costs incurred supporting Parkwood Leisure (£2m worst case). If in the short term the lockdown is eased, it is unlikely that services will return to normal, realistically with a likely reduction in usage due to social distancing measures. The Council will at some point during the summer re-introduce car parking charges balancing both health and welfare and retail regeneration needs along with financial necessity and the desire to continue to maintain car parks to a good standard. We are assuming only 30% of the car parking income budget will materialise. It is also likely that Leisure Centres re-opening to their precovid-19 levels of demand will be at a much later stage, with restrictions linked to issues such as 'safe distancing' impacting on usage. This will extend the period for which Parkwood requires financial support, a further update will be provided in the July report. The expected position in Appendix A reflects these assumptions.
- 4.1.3 The range of scenarios as shown in Appendix A will be impacted by the speed of recovery from lockdown and local decisions taken by the Council.

4.2. Capital Programme

- 4.2.1 Bingham Hub is still progressing (a report to be considered at this meeting). The intention remains to tender and any progress thereafter will be dependent upon the results of this exercise and reported to Cabinet.
- 4.2.2 Capital receipts due in the first quarter of this year from the Overage Agreement for Sharphill have not been received. This delay will adversely affect any interest we can earn but interest rates are low and therefore the impact will be minimal.
- 4.2.3 The Council is due to receive capital receipts of around £12m from the disposal of surplus operational and investment property namely Abbey Road and Hollygate Lane. Negotiations continue positively and there is a separate report in relation to the Abbey Road disposal on this agenda, due to its nature is confidential.
- 4.2.4 Delays or reductions in capital receipts may lead to either internal or external borrowing earlier than planned or utilising other capital resources such as support from reserves.

4.3. Treasury Issues

4.3.1 The estimated reduction in interest on treasury investments were initially based upon a significant drop in available cash balances and reduction in interest rates. Government has since committed to ensuring Local Authorities are compensated for reductions in cash flow, which means that our available cash balances should be minimally affected by Covid-19 related issues. The interest rates on diversified funds have not dropped as low as expected and money market interest, although following the Bank of England base rate, is still holding above this. These factors have improved the estimated loss included in Appendix A.

4.4. Business Rates and Council Tax

- 4.4.1 Two months payment data is now available to further inform estimates regarding collection rates for Business Rates and Council Tax. As at 24 May, collection rates for Council Tax had reduced by 1% equating to approximately £880k of cash not received. Business Rates are currently largely unaffected as a result of the significant amount of reliefs (circa £9m) granted to the retail, leisure and hospitality sector. This will need to be closely monitored as the position may still change due to trading conditions.
- 4.4.2 Any reductions in income will cause a deficit in the collection fund that will need to be recovered in 2021/22 and 2022/23 therefore affecting future income streams and the MTFS. It is important to remember the County as the largest preceptor bears the biggest burden of the likely Council Tax collection fund deficit.
- 4.4.3 At the time of writing the Council has paid out £16.85m in BEIS grants equating to 86.58% to over 1400 eligible businesses. Hardship Fund allocations totalling £0.225m in relation to Council Tax support have also been made.
- 4.4.4 The Government have recently announced that Local Authorities are to administer a local discretionary business grant scheme, which aims to provide financial support to small businesses who were not eligible for the Small Business Grant Fund or the Retail, Leisure and Hospitality Fund. To receive the grant they must meet the local scheme criteria. The amount of BEIS funding for RBC is £0.972m. The local policy should be active by the beginning of June.

4.5 Economy

4.5.1 The impact of Covid-19 is far reaching with some businesses unlikely to survive the downturn. Growth is low and it is difficult to anticipate the speed of recovery, the general expectation being it will not be 'V' shaped, potentially taking years to recover. Further consideration is needed on the Council's wider approach to assisting the recovery of the economy in Rushcliffe. It is therefore suggested that a report on business support and economic recovery is to be considered by the Growth and Development Scrutiny Group.

4.5.2 The Council will be receiving a share of additional funding (European grant) to support the safe reopening of high streets and commercial areas. The amount allocated to RBC is £106k. This grant will be utilised in delivering additional measures to establish a safe trading environment and assist the local economy. Future reports will confirm progress of spend against this funding stream.

4.6 **Conclusion**

- 4.6.1 The lockdown and recovery situation continues to add pressure to the Council's budget. Additional expenditure is likely to continue to be incurred for the short term and although the easing of lockdown has commenced, the Council will need to continue to provide support to those areas most at risk. The nature of some of the services provided and the objectives of the Council to support the recovery of the economy means that income streams are likely to remain low for some time before returning to budgeted levels.
- 4.6.2 It remains to be seen if there will be further Government support to help bridge the budget gap. If this support is not forthcoming then the worst-case scenario for the Council would be a £3.8m budget gap just for the current year. The £1.23m received from Central Government will go some way to support the shortfall; however, there would still remain a funding gap in the short and medium term. The longer-term impact for the MTFS will need to be assessed and revisiting the viability of projects such as the Bingham Hub will be considered. Importantly going forward the Council has a vital role to assist in the economic regeneration of the Borough helping it recover from this unprecedented situation.
- 4.6.3 Options the Council will have to consider going forward are revisiting its Transformation Programme (looking at further budget efficiencies), utilising Reserves (particularly the Organisation Stabilisation and Climate Change Reserves), the General Fund Balance; and changes in Minimum Revenue Provision (discussed in the May report); which potentially unlocks New Homes Bonus to support the budget.
- 4.6.4 The timing and value of capital receipts is now uncertain, as is the progress on the capital programme owing to potential difficulty in commissioning work along with potential variations in costs, which may inhibit scheme progress. The timing of borrowing is likely to be sooner rather than later.
- 4.6.5 The Council has managed its resources well and as a consequence has in the past held a healthy level of reserves. This enables it to, at least in the short term, deal with this pan-economic crisis but the financial resilience of the Council going forward is now severely tested and will require a revised MTFS to deliver its corporate objectives. A report is planned for Full Council in September.

5. Alternative options considered and reasons for rejection

Options to meet the budget gap will be presented to Full Council when a revised budget is produced when there is more certainty regarding the timing of lockdown and its continuing phases.

6. Risks and Uncertainties

- 6.1. Risk that a balanced budget position is not achieved if mitigating action is not agreed by Full Council when a revised budget is presented.
- 6.2. Risk that the Council may have to issue a Section 114 notice if the Council is unable to replenish lost income or make additional savings and a balanced budget is not achievable. Currently this is not a high risk, but this could change dependent on the ongoing impact of lockdown.
- 6.3. Further delays to the Business Rates System and Fair Funding Reviews (now delayed until at least 2021) add even more uncertainty to the Council's MTFS going forward.
- 6.4. The Government continues to provide different Covid-19 funding streams, for example High Street Funding (see paragraph 4.5.2). The Council will continue to monitor these and ensure it maximises such funding where it applies to district councils.

7. Implications

Financial Implications

Financial Implications are covered in the body of the report.

7.1. Legal Implications

The Council is required to have a balanced budget. The additional pressures on expenditure and on lost income puts at risk the 2020/21 balanced budget position and puts the Council at risk of issuing a S114 notice. As a prudent authority, a review of the MTFS is appropriate at this time.

7.2. Equalities Implications

There are no direct equalities implications.

7.3. Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct crime and disorder implications.

8. Link to Corporate Priorities

Quality of Life	
Efficient Services	
Sustainable	The budget resources the Corporate Plan and therefore
Growth	resources all corporate objectives.
The Environment	

9. Recommendations

It is RECOMMENDED that Cabinet

- (a) Notes the financial impact of Covid-19 on the Council's MTFS and supports that a revised budget is taken to Full Council once there is more certainty regarding the impact of lockdown and in particular the likely use of Reserves and Balances to meet the projected budget gap.
- (b) Supports a report on business support and economic recovery to be considered by the Growth and Development Scrutiny Group.

For more information contact:	Peter Linfield Executive Manager Finance and Corporate 0115 914 8439				
	plinfield@rushcliffe.gov.uk				
Background papers available for	Report to Full Council - March 5 2020: 2020/21				
Inspection:	Budget and Financial Strategy				
	Report to Cabinet 12 th May – Budget Update				
List of appendices:	Appendix A – Budget Impact of Covid19 – Sensitivity Analysis				
	Appendix B – 4 Month Impact of Covid19 on the Revenue Budget				

Appendix A

Budget Impact of Covid-19 – Sensitivity Analysis

		Revised Budget			
Service Area	20/21 budget (£)	Best Case (£)	Expected Case (£)	Worst Case (£)	
Communities	2,907,200	3,131,317	3,236,383	3,637,110	
Finance	3,442,800	3,516,175	3,536,175	3,576,175	
Neighbourhoods	6,520,700	8,421,236	8,795,476	9,243,513	
Transformation	2,000	164,867	246,867	328,867	
Corporate Savings		-70,690	-70,690	-70,690	
Net Service Expenditure	12,872,700	15,162,905	15,744,211	16,714,974	
Variance		2,290,205	2,871,511	3,842,274	

Best Case - Complete return to normal after 4 months

Expected Case -Return to normal for most services with phased return for Car Parks, Leisure, Events (assume after 8 months) Worst Case - situation remains as it is currently for 12 months

Appendix B

4 Month Impact of Covid-19 on the Revenue Budget

	4 Months					
	Income Loss (£)	Notes	Additional Expenditure (£)	Notes	Savings (£)	Notes
Communities	289,067	Planning, Land Charges, Building control. Loss of income from facility hire	1,330	Sanitiser	-66,280	Positive Futures/Young, some savings on arts and events not going ahead
Finance	20,000	Investment income down due to interest rates and reduced balances	60,000	Cameras for virtual meetings, rebilling and overtime on Revs and Bens	-6,625	Photocopiers/ Member training/hospitality, mayors vehicle
Neighbourhoods	414,795	Car Parking Income, Taxi Licensing, Liquor Licensing	1,485,408	Parkwood additional costs, agency on waste collection, housing accommodation	0	

Transformation	160,667	Property rental income due to 3 month rent holidays and loss of projected income.	15,000	Health and Safety Covid related costs	-12,800	Corporate Training (assumed none for 3 months)
Utilities					-4,640	Assumed 5% across closed facilities
Travel/ Seminars					-13,050	Assumed none for 3 months on those not expected to be travelling
Furloughing of staff					-53,000	Based on savings to the end of June
TOTAL	884,528		1,561,738		-156,395	
NET Total	2,290,205					

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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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