Council Offices Ebley Mill Ebley Wharf Stroud Gloucestershire GL5 4UB

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27 February 2019

STRATEGY AND RESOURCES COMMITTEE

A meeting of the Strategy and Resources Committee will be held on **THURSDAY 7 MARCH 2019** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00pm**.

Kathy O'Leary Chief Executive

WLO Leavy

Please Note: This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

AGENDA

1 APOLOGIES

To receive apologies for absence.

2 <u>DECLARATIONS OF INTEREST</u>

To receive declarations of interest.

3 MINUTES

To approve the Minutes of the meeting held on 17 January 2019.

4 PUBLIC QUESTION TIME

The Chair of the Committee will answer any questions from members of the public, submitted in accordance with the Council's procedures.

DEADLINE FOR RECEIPT OF QUESTIONS

Noon on MONDAY 4 MARCH 2019

Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud, and sent by post or by Email: democratic.services@stroud.gov.uk.

5 LOCAL ENTERPRISE PARTNERSHIP (LEP)

To receive a presentation on the Growth Hub and Local Industrial Strategy.

6 SUBSCRIPTION ROOMS UPDATE

To receive a verbal update on the Subscription Rooms.

7 LAND AT MAY LANE/PROSPECT PLACE, DURSLEY

To present a proposal for a town centre regeneration scheme at May Lane/ Prospect Place, Dursley.

8 BUSINESS RATES PILOT PRINCIPLES OF DISTRIBUTION

To set out the principles of distribution of Business Rates Pilot Funds.

9 BUSINESS RATES - RETAIL DISCOUNT

To adopt a Business Rates Retail Discount scheme.

10 RECOMMENDATION FROM HOUSING COMMITTEE – 7 FEBRUARY 2019

Options for Providing Temporary Accommodation for Homeless Households in the Stroud District (Agenda Item 7)

The Chair of Housing Committee will present this item.

The Committee RECOMMENDS to Strategy & Resources and to Council that delegated authority is granted to the Head of Property Services in consultation with the Head of Finance and Chairs of Housing and Strategy and Resources Committee:

- a) To purchase the former Salvation Army building in Stroud utilising the General Fund: and
- b) To commission the conversion of this property into temporary accommodation; and
- c) To commission the management of the completed property as temporary accommodation for homeless households.

Subject to a business case being made and due diligence being undertaken.

11 WORK PROGRAMME

To consider the work programme.

12 MEMBER REPORTS

- a) Performance Monitoring
- b) Investment and Development Panel

13 TASK AND FINISH GROUPS

- a) ICT Working Group IT Strategy and Investment Progress
- b) Constitution Working Group

14 <u>LEADERSHIP GLOUCESTERSHIRE UPDATE</u>

To receive a verbal update.

15 MEMBERS' QUESTIONS

See Agenda Item 4 for deadline for submission

Members of Strategy and Resources Committee 2018/19

Councillor Doina Cornell (Chair)
Councillor Colin Fryer (Vice-Chair)

Councillor Nigel Cooper Councillor Stephen Davies Councillor Nick Hurst Councillor Keith Pearson Councillor Simon Pickering Councillor Mattie Ross Councillor Tom Skinner Councillor Chas Townley Councillor Ken Tucker Councillor Martin Whiteside Councillor Debbie Young

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STRATEGY AND RESOURCES COMMITTEE

17 January 2019

7.07 pm - 10.30 pm Council Chamber, Ebley Mill, Stroud

Minutes

N	le	m	b	eı	rs	h	i	p	:

Councillor Doina Cornell (Chair)	Р	Councillor Mattie Ross	Р
Councillor Nigel Cooper	Р	Councillor Tom Skinner	Α
Councillor Stephen Davies	Р	Councillor Chas Townley	Р
Councillor Colin Fryer (Vice-Chair)	Р	Councillor Ken Tucker	Р
Councillor Nick Hurst	Р	Councillor Martin Whiteside	Р
Councillor Keith Pearson	Р	Councillor Debbie Young	Р
Councillor Simon Pickering	Р	· ·	

P = Present A = Absent

Officers Present:

Chief Executive HR Manager **Director of Customer Services Head of Asset Management** Property Manager Policy Implementation Manager Head of Finance and Section 151 Officer Solicitor **Principal Accountant Democratic Services Officer**

Revenue and Benefits Manager

Other Member(s) Present:

Councillor Chas Fellows

Members of the public were in attendance who wished to make a statement on climate change.

The Chair explained that there was a process for the public to declare questions in advance of the meeting. The Chair also stated that this topic was already tabled for the next meeting of Full Council. The Chair further stated that an item on the Stroud District Carbon Neutral 2030 Commitment was also part of the agenda for the current meeting.

The Chief Executive clarified the process for asking questions by Members of the public in advance of the meeting.

SRC.044 APOLOGIES

An apology was received from Councillor Skinner.

DECLARATIONS OF INTEREST SRC.045

Councillor Townley declared an interest in the item relating to the Subscription Rooms.

SRC.046 MINUTES

RESOLVED To approve as a correct record the Minutes of the meeting held on

4 October 2018.

SRC.047 PUBLIC QUESTION TIME

There were none received in advance of the meeting.

SRC.048 WORK PROGRAMME

Members discussed the following items on the work programme:

- Councillor Townley clarified that "Housing Initiatives" on the workplan would be a report on the provision of temporary accommodation.
- The Head of Finance stated that he would produce a report by March 2019 setting out the principles in allocating funds for the Business Rate Pilot and a more accurate steer on year end.

SRC.049 MEMBER REPORTS

(a) Performance Monitoring – the report had been circulated prior to the meeting.

Councillor Whiteside noted that IT remained at high risk.
Councillor Young raised concerns about Littlecombe Business Units.

(b) Investment and Development Panel – Councillor Cornell confirmed that a significant amount of work was being undertaken on Brimscombe Port. Committee had been invited to a meeting next Monday.

SRC.050 TASK AND FINISH GROUPS

ICT Working Group – A briefing note had been circulated prior to the meeting.

SRC.051 FINANCIAL REPORTS

(a) Housing Revenue Account (HRA) – Revised 2018/19 and Original 2019/20 and Medium-Term Financial Plan 2018/19 – 2022/23

The Principal Accountant presented the HRA account and discussed the revised, original and medium-term financial plans.

RECOMMENDED TO COUNCIL

- 1. The revised HRA revenue budget for 2018/19 and original budget 2019/20 are approved.
- 2. The movement to and from HRA balances and capital reserves as detailed in Appendix B and section Error! Reference source not found. are approved.
- 3. That from 1 April 2019:
 - i) Social rents and affordable rents are decreased by 1%, as calculated in accordance with legislation.
 - ii) Garage rents are increased by 2.4%.
 - iii) Landlord service charges are increased by 2.4%, except district heating charges which are increased by 14%, capped at £1 per week.

As detailed in Appendix A.

4. That provision for repayment of HRA borrowing is made

- on an annual basis, with flexibility retained for this to be made from revenue, the Major Repairs Reserve, capital receipts, or any combination of these.
- 5. That the HRA Capital Programme for 2018/19 to 2022/23, as detailed in Appendix C, be included in the Council's Capital Programme.

At 8.18 pm the Chair adjourned the meeting while an interruption from a Member of the public was resolved. The meeting resumed at 8.19 pm.

(b) General Fund Revenue Estimates – Revised 2018/19 and Original 2019/20

The Head of Finance and Section 151 Officer outlined the above report.

RECOMMENDED TO COUNCIL

The estimates set out in the report be considered and approved for inclusion in the General Fund Revenue Budget 2019/20 and Medium-Term Financial Plan report to Council elsewhere on this agenda.

(c) The General Fund Budget 2019/20, Capital Programme and Medium-Term Financial Plan 2019/20 to 2022/23

The Head of Finance and Section 151 Officer outlined the above report.

At 8.57 pm the Chair adjourned the meeting while an interruption from a member of the public was resolved. The meeting resumed at 9.01.

RECOMMENDED TO COUNCIL

(Subject to the Government's final settlement announcements):

- 1. To approve the updated Medium-Term Financial Plan as set out in Appendices A-C;
- 2. To increase the council tax by 2.99% to £207.52 at Band D, an increase of less than 12p per week for the services provided by Stroud District Council;
- 3. To note the uncertainty around the impact of changes to local government funding in 2020/21;
- 4. To approve the Capital Programme, as set out in Appendix D:
- 5. To approve the planned changes to the reserves as set out in Section 4 of the report and Appendix E.

(d) Stroud District Council Capital Strategy

The Head of Finance and Section 151 Officer outlined the above report.

RECOMMENDED TO COUNCIL

- 1. To approve the Capital Strategy at Appendix A.
- 2. To grant the S151 Officer Delegated Powers to re-profile capital budgets in consultation with the relevant service Committee chairs.

The Chair reordered the remaining items on the agenda to allow waiting officers to present and then retire from the meeting.

RECOMMENDATIONS FROM ENVIRONMENT COMMITTEE

(a) Motion regarding Achieving Stroud District Carbon Neutral 2030 Commitment

Councillor Pickering outlined the above motion. The key would be enabling people so that larger houses are insulated properly to conserve energy and in future working with partners in a more holistic way. Members debated the impact of the motion and recognised that some decisions would be outside the scope of this Council.

A lot of work would be required, with partners to take this forward. The Motion was unanimously supported by all Members.

RESOLVED

To consider setting aside initial funds via the normal budgeting process in order to fund the scoping and delivery of the "Stroud Carbon Neutral 2030 Commitment". Further the commitment will be added as a piece of work to this Committee's work programme and that work will include the items listed below from 1 to 7.

- 1. To set out a Plan of Action, including clear targets and transparent reporting, to develop District wide Locally Determined Contributions to complement National Determined Contributions in line with the Paris Agreement to limit global warming to 1.5C.
- 2. To include planning and support in the District for adaptation to the climate change that is already happening.
- 3. To develop a strategy for Stroud District Council to play a leadership role in promoting community, public and business partnerships for this Carbon Neutral 2030 Commitment throughout the District, County and region.
- 4. To work with partner bodies across the County to ensure that the climate emergency is adequately reflected in the development and implementation of all county wide strategies and plans, including Gloucestershire 2050, the Gloucestershire Industrial Strategy, Gloucestershire Energy Strategy and Gloucestershire Transport Plans.
- 5. To investigate all possible sources of external funding and match funding to support this commitment.
- 6. To work with key partner organisations within the County and region to secure external funding.
- 7. To report back on an annual basis to Council on progress made.

At 9.50 pm the Chair moved a motion to extend the meeting, in accordance with the Council's Constitution. Members voted unanimously to continue past 10.00 pm.

(b) Community Infrastructure Levy (CIL) – Governance and Spending Arrangements

Councillor Pickering presented the above report.

RESOLVED

 Bids from strategic infrastructure providers are invited subject to completion of the form attached at Appendix A; and 2. Funding commitments are agreed according to performance against the criteria set out in the matrix attached at Appendix B.

(c) Market Towns Centres Initiatives Fund

Councillor Pickering presented the above report.

RESOLVED That the Market Towns Initiative Capital fund is allocated to

individual town councils as identified at Appendix A.

SRC.053 THE FAIR PAY AND SENIOR PAY POLICY STATEMENT 2018/19

The Head of Human Resources presented the above annual report.

RECOMMENDED TO COUNCIL

That the statement is approved.

SRC.054 COUNCIL TAX DISCOUNT FOR CARE LEAVERS

The Revenue and Benefits Manager presented the above report.

RECOMMENDED That it adopts the scheme to be effective from 1 April 2019. TO COUNCIL

Councillor Pearson proposed that short items be scheduled at the start of meetings in the future out of consideration for presenting officers. The Chair commented that at last year's meeting, Members were concerned that the budget papers were dealt with at the end of the meeting, the substantive purpose of the meeting. No change in the order of business for future meetings was agreed.

SRC.055 SUBSCRIPTION ROOMS, STROUD

The Property Manager presented a report summarising the terms negotiated by officers with Stroud Town Council and Subscription Rooms Trust for the simultaneous transfer of the freehold of the building and forecourt to the Town Council and the Subscription Rooms business to the Trust. Questions were answered relating to the structure of the proposed transfer documents. Officers, including the staff at the Subscription Rooms were thanked for their work in getting to this point.

RESOLVED

- 1. To approve the final terms for the transfer of the freehold interest of the Subscription Rooms and forecourt to Stroud Town Council and the transfer of the business (including the staff) to the Stroud Subscription Rooms Trust by 31 March 2019, as outlined in this report and
- 2. To delegate authority to the Director of Customer Services in consultation with the Head of Finance to finalise the pension arrangements for staff transferring to the Stroud Subscription Rooms Trust.

SRC.056 PENSION COMMITTEE

Councillor Cooper, the Council's representative on the above Committee, provided a verbal update on the changes made during the year.

RESOLVED To note the update.

SRC.057 MEMBERS QUESTIONS

There were none.

The meeting closed at 10.30 pm.

Chair

STRATEGY AND RESOURCES COMMITTEE

7 MARCH 2019

7

Donort Title	LAND AT MAY LANE/ PROSPECT PLACE,
Report Title	DURSLEY
Purpose of Report	To present a proposal for a town centre regeneration
	scheme at May Lane / Prospect Place, Dursley
Decision(s)	Committee RESOLVES to:
	(1) Allocate a £50,000 budget for technical investigations and property and procurement
	advisers to confirm the level of viability, the
	procurement approach and the extent of
	property to be acquired at May Lane/Prospect
	Place, Dursley and
	(2) Instruct the Head of Property Services to return
	to this committee with a report on a delivery strategy for a residential led, town centre
	regeneration scheme at May Lane/Prospect
	Place, Dursley
Consultation and	The principle of redeveloping land at May Lane and
Feedback	back land behind Parsonage Street has been
	discussed widely (see previous committee reports).
	Dursley Town Council and Ward councillors want to see this area redeveloped for social and market
	housing. A planning application involving this land
	was submitted by a 3 rd party in 2016 and drew
	generally neutral public comments.
Financial Implications	This report looks to allocate £50k for initial
and Risk Assessment	considerations of viability into a potential regeneration
	scheme.
	The expenditure proposed is of a revenue nature and
	suitable funding can be allocated from within the
	Council's reserves to support the project.
	If a viable scheme is developed consideration may be
	given to restoring the initial funding to the Council's
	reserves when later returns are realised.
	Any future capital scheme related to this project will
	be developed in line with the Council's Capital
	Strategy.
	Andrew Cummings, Head of Finance & Section 151
	Officer Tel: 01453-754115
	Email: andrew.cummings@stroud.gov.uk

Legal Implications	This report is only seeking to implement Phase 1 which will need to be done in accordance with the Council's Contract and Procurement Procedure Rules. Further legal implications (particularly in regards to any compulsory purchase order) will need to be considered when the Feasibility and Delivery Strategy is returned to this committee. Craig Hallett, Solicitor & Acting Monitoring Officer
	Tel: 01453 754364 Email: craig.hallett@stroud.gov.uk
Report Author	Nick Stewart, Principal Estates Surveyor
	Tel 01453 754437 Email: nick.stewart@stroud.gov.uk
	Aliana Field Head of Branauty Comissa
	Alison Fisk, Head of Property Services
Ontions	Tel: 01453 754430 Email: alison.fisk@stroud.gov.uk
Options	Implement a town-centre redevelopment scheme either in an enabling role or directly
	2. Sell/develop the Council's property at 11/11a and
	the former Electric Garage, May Lane for a scheme of
	3-4 houses.
Performance	1. Investment & Development Panel - review of
Management Follow	studies by December 2019
Up	2. Strategy & Resources Committee - approval to
	proceed with CPO and development scheme March 2020
Appendix	Appendix A – Ownerships' plan

1. BACKGROUND

- 1.1 The Council has owned the properties and adjacent access road at 11/11A May Lane, Dursley for many years (see Appendix A), acquiring them as potential access to the site for a proposed town supermarket (subsequently built and now operating in Parsonage Street). The property has been earmarked for various uses during this time but none have come to fruition but it still provides the entrance to a derelict area at Prospect Place. This development site has been unsuccessfully promoted for housing by private landowners since 2012.
- 1.2 In December 2013 Strategy and Resources Committee resolved to sell 11/11A May Lane for social housing or on the open market, however, because of the emerging potential of the land at Prospect Place this was not enacted and discussions have taken place with the principal landowners with officers keeping a 'watching brief ' on the site.
- 1.3 The owner of the property adjacent to 11/11A the former "Electric Garage" promoted their site for redevelopment and secured planning permission to convert it into 2 dwellings in 2016. Had this development proceeded it would have prevented access into the larger backland site. To provide a comprehensive development with 11/11A May Lane and because of its location, the Council acquired this property in 2017.

- 1.4 A large planning application was made by one of the private landowners in 2016 for 16 dwellings and 3 business units on the derelict land and (including the Council's property). This was withdrawn due to technical and ownership complexities. The same problems will face any developer who is unable to acquire all the necessary ownerships. Currently there is no planning permission to redevelop the backland.
- 1.5 Whilst discussions have taken place with the principal landowners at Prospect Place, it has not been possible to reach any agreement which would enable a comprehensive development scheme. The complexity of assembling multiple ownerships means the derelict land will only be redeveloped if coordinated by a promoter not only with resources but also with compulsory purchase powers.

2. ISSUES FOR CONSIDERATION

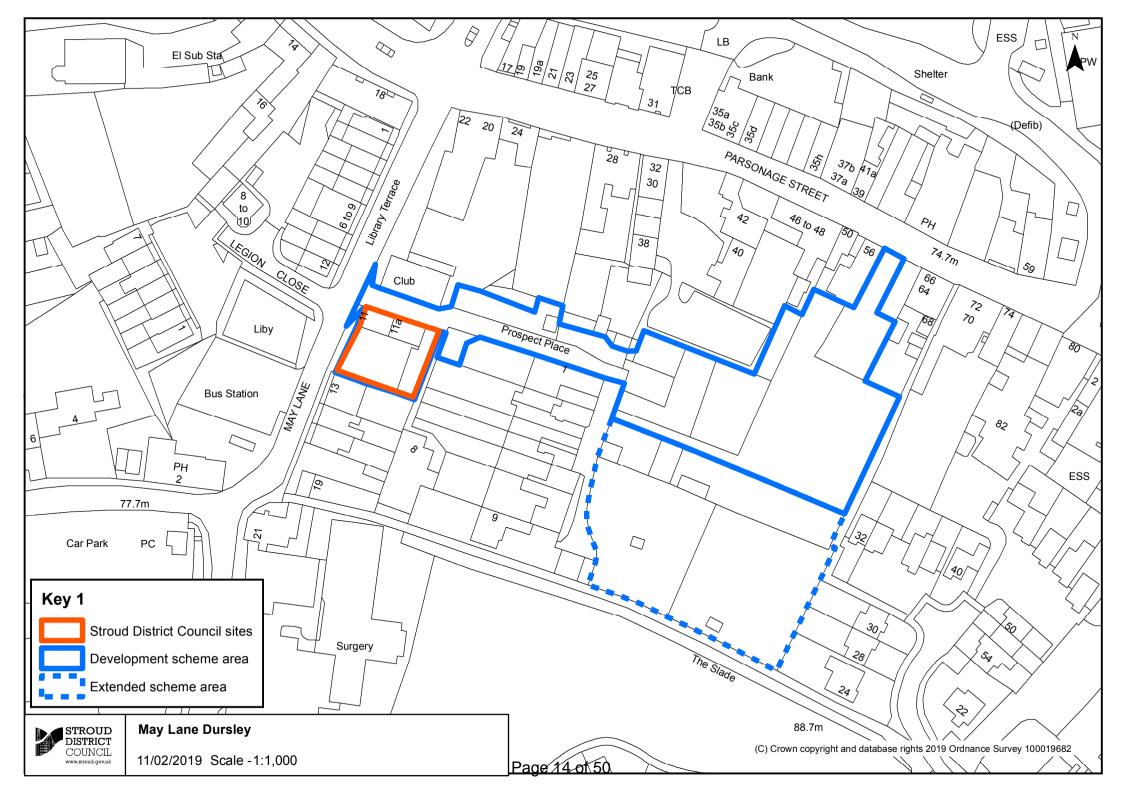
- 2.1 A decision needs to be made on how the council wishes to proceed because 11/11A is derelict, has structural problems and continues to deteriorate, creating an eyesore and underutilised asset.
- 2.2 The Council's property could be developed;
 - a) on its own but maximising housing on the site, potentially preventing any future development of the site at Prospect Place
 - b) on its own, keeping a ransom strip to give wider access for an eventual larger backland development or
 - c) it could be used and developed as part of a larger regeneration scheme for the town with this Council taking the enabling role.
- 2.3 There is support for a comprehensive redevelopment scheme here both from the Town Council and ward members.
- 2.4 Preliminary work and previous planning applications indicate that there is sufficient merit in the location and clear potential to make a housing project here return a positive value. Technical studies, surveys and valuation appraisals will be required to confirm the extent of this viability.
- 2.5 A redevelopment scheme will involve over 20 land interests and many more individuals. It has not been possible to agree a disposal with the 6 principal landowners and they have not been able to promote a scheme themselves or individually in the last 6 years. It is apparent that delivering a project with these challenges will only be happen by using compulsory purchase powers.
- 2.6 If the Council wished to consider the site as part of the new build programme it would need to be appropriated into the Housing Revenue Account.

3. Proposal

- 3.1 It is proposed to adopt a similar approach to that being taken for Brimscombe Port.
- 3.2 The project could be developed by a Registered Provider, a commercial developer or the Council as a new build scheme particularly now that the borrowing cap on the Housing Revenue Account has recently been lifted. There are merits to each e.g. quantity of social housing, capital receipt, capability, completion time, and differing funding requirements. Development agreement options for the Council include acting purely as enabler (with a back to back agreement with a developer), joint ventures or a Council built scheme. These options would be assessed in Phase 1.
- 3.3 Phase 1 Feasibility and Delivery Strategy This will determine ownerships, scheme designs, ground/land/utility surveys, development appraisals, and soft market testing and delivery options. This will guide the nature of the redevelopment, type of partner and amount of affordable housing and show if this could be a Council new build scheme and give costings for Phase 2. The findings would then be reported to this Committee and are anticipated to cost up to £50,000, before the Council proceeded any further.
- 3.4 <u>Phase 2 Procurement</u> The developer/ development partner is selected, development agreement created if required, CPO resolution made and land acquisition starts. Funding approval would be required if the Council wishes to develop the scheme. The planning application can be made before all the land is acquired. This phase would culminate in a CPO being confirmed and final land acquisitions made.
- 3.5 <u>Phase 3 Delivery:</u> Finalises design of the scheme, construction procurement and then start of the development.
- 3.6 The investment to enable the project will be recovered from, variously, sale of the Council's landholdings, delivery of social housing and the profit share from the development agreement. Construction could start by late 2021.

4. RECOMMENDATION

- 4.1 This is a derelict, underused area in the centre of Dursley which cannot be redeveloped without compulsory powers. The site should accommodate at least 12-15 homes, potentially more, subject to detailed information. The project would create new homes, commercial and social activity and is supported by key stakeholders.
- 4.2 It is recommended that Phase 1 of the project is funded to produce a delivery strategy for committee to review at a future meeting.



STROUD DISTRICT COUNCIL

AGENDA ITEM NO

STRATEGY AND RESOURCES COMMITTEE

8

7 MARCH 2019

Report Title	BUSINESS RATES PILOT PRINCIPLES OF DISTRIBUTION			
Purpose of Report	To set out the principles of distribution of Business Rates Pilot Funds			
Decision(s)	The Committee RESOLVES :			
	a) to approve the principles and process of the allocation of the business rates pilot contained within this report			
Consultation and Feedback	Officer Consultation MeetingsGroup Leaders			
Financial Implications and Risk Assessment	This report sets out the principles for the allocation of money generated by Stroud for Business Rates pilot.			
	The 2018/19 MTFP assumed a gain of £500k which was to be allocated at a later date. The revised estimate of the gain is £793k			
	The current MTFP shows a significant budget gap in future years and therefore the use of the business rate pilot funding should be carefully considered.			
	Andrew Cummings - Head of Finance & Section 151 Officer			
	Email: andrew.cummings@stroud.gov.uk			
Legal Implications	The report should be considered with reference to the strategic risks (CCR1 and CCR6 in particular). This report seeks a strategic direction for the allocation of the business rates pilot and as such there are no significant legal implications not covered within. Spending on particular projects will have legal advice provided as and when required.			
	Craig Hallett, Solicitor & Acting Monitoring Officer Tel: 01453 754364 Email: craig.hallett@stroud.gov.uk			
Report Author	Andrew Cummings – Head of Finance & Section 151 Officer Email: andrew.cummings@stroud.gov.uk			
Options	The Committee may make changes to the priorities listed			
Performance	2018/19 Outturn Report			
Management Follow Up				
Background Papers	Stroud District Council MTFP January 2018			

1. Introduction and Background

- 1.1 In 2017 authorities across the Country were invited by the then named Department for Communities and Local Government (DCLG) to apply for the opportunity to join with other Councils in their wider economic area to become a pilot area for 100% Business rates retention. As part of this process a joint bid was submitted by Gloucestershire authorities, and the Local Government Provisional Finance Settlement in December 2017 confirmed that the bid had been successful.
- 1.2 The Government decision to implement pilots was about exploring how rates retention can operate across more than one authority, to promote financial sustainability, and to support coherent decision-making across functional economic areas.
- 1.3 The primary incentive for authorities was the opportunity to retain additional business rates within a pilot area than would have been possible under either the basic 50% rates retention system or the pooling arrangements that many areas, including Gloucestershire, operated.
- 1.4 At the point of making the application for Pilot status it was estimated that the net gain to the County area would be in the region of £10 million. The pilot prospectus from DCLG indicated that splits for sharing growth should promote the financial stability and sustainability of the pooled area. In addition, some retained growth was expected to be invested to encourage further growth across the area.
- 1.5 In light of those requirements the application for Gloucestershire determined that our pilot growth would be allocated in the following fashion.
 - 50% to the County Council reflecting their higher service demands
 - 30% allocated between the districts
 - 20% to the Strategic Economic Development Fund (SEDF). This is allocated by the Gloucestershire Economic Growth Joint Committee to key projects within the County.
- 1.6 At the point of application the methodology for determining the split between districts had not been determined. In the MTFP presented to Stroud District Council in January 2018 an allocation to Stroud of £500k was assumed and this was agreed to be placed in a reserve for allocation at a later date. No criteria for the allocation of this money was established at that point.
- 1.7 Stroud are the lead authority for the pilot, as they had been for the Business Rates Pool, and we retain responsibility for monitoring the pilot throughout the year.

2. THE CURRENT POSITION OF THE PILOT

2.1 Monitoring of the Pilot has taken place throughout the year with information provided by each member authority to Stroud who have then co-ordinated the figures into one overall position for the combined pilot.

- 2.2 On the basis of options presented by Stroud, the joint group of Gloucestershire S151 Officers agreed the mechanism for the distribution of growth between the districts in September 2018. The methodology is a continuation of the previous pool arrangements. Each authority receives a minimum level of award and then an additional payment based upon the contribution that their business rates growth has made to the Pilot.
- 2.3 The performance of the pilot has been strong overall. Inevitably business rates performance has fluctuated across member authorities but the overall growth has been higher than anticipated at the point of submitting the bid application.
- 2.4 At the time of writing the most recent forecasting undertaken for the Pool suggests additional growth retained within the County for the Business Rates schemes will be approximately £13.6 million.
- 2.5 As per the principles of the bid application and subsequent agreement on District distribution this would be distributed in the following proportions
 - £2.7 million to the SEDF
 - £6.8 million to the County Council
 - £4.1 million to the Districts, of which Stroud would receive the 2nd highest allocation at £793k.
- 2.6 These amounts are estimates and will change when the final year rates position is known. Patterns from prior years suggest that rates income is likely to reduce slightly at the end of the year.
- 2.7 The final position for Stroud will be known at the end of the financial year and will be reported to Strategy and Resources Committee as part of the Outturn Reporting Process.

3. Allocation of Funding by Stroud District Council

- 3.1 There are no restrictions around the use of money generated from the business rates pilot. It is un-ringfenced general fund revenue income and as such can be used for legitimate General Fund purpose, be that revenue or capital. It is a one-off funding source and once used cannot be replaced unless the Council uses another source of funding to do so.
- 3.2 The challenges to the authority's financial position in future years are significant. This one-off money is received after significant cuts have been made to other funding sources including the loss of all of the Revenue Support Grant. There is no certainty in the financial position after 2020 and the Council has an estimated deficit of resources against expenditure. Therefore the use of the business rates should be carefully considered with the same prudent decision making that is applied to all Council budgets.
- 3.3 However, it is vital that principles are established to allow the Council to effectively distribute these funds. It should be recognised that the pilot funds represent a significant opportunity for the Council to inject additional funding into

its key strategic priorities and as such it is vital that allocation is considered appropriately.

3.4 Funding to be distributed from the Business Rates Pilot must meet at least one of the following criteria which are listed in no particular order of preference;

Supporting local businesses

Although business rates are now a core part of funding for the Council, having replaced the revenue support grant, it is recognised by the Council that the income from the Business Rates Pilot is generated by growth in the business rates yield in the District. Therefore, supporting business within the District is something which the pilot money can be targeted towards.

Improving the Council's long-term financial position

The financial sustainability of local authorities was a major driver for DCLG in offering the opportunity for pilot status. Although this is additional funding in 2018/19 it should be recognised that it is received against a backdrop of continually reducing central government support. To this end, the pilot gain could be best used for investing in areas which deliver savings or income in the medium to long term. Although the funding could just be added to the overall reserves position this is unlikely to deliver the best overall value for money.

Local Wealth Building

In October 2018 Council formally agreed to adopt the principles of Local Wealth building in district Council policies and procurements. Supporting local businesses and effective procurement within our area has long been a part of Council policy. The Business Rates pilot funding may be used for projects which look to increase the Council's influence in this area.

Supporting a zero Carbon District

The District Council has a strong track record of reducing carbon emissions including recognition as the first carbon neutral Council in Europe. On 24th January 2019 Council voted for both the 2019/20 budget, including funds for a scoping exercise to move the district towards a zero carbon position, and also a motion in support of making the district carbon neutral by 2030. These decisions further solidified this area as a Council priority. The Business Rates Pilot has been identified as a source of funding to meet the costs of potential works arising from the scoping exercise.

Reducing inequality and poverty

The reduction of poverty and inequality is an existing Council commitment as set out in the current Corporate Delivery Plan. Where appropriate schemes are identified the Business Rates pilot growth pot is likely to be a suitable source of funding for projects fulfilling this commitment.

3.5 These principles have been established after consideration of both the current priorities of the District Council and the original expectation from DCLG that money will be used to support financial sustainability and economic growth.

4. Decision making for fund allocation

- 4.1 There is not a need to immediately allocate all of the available funds as to do so would risk not generating value for money by immediately searching for suitable projects rather than identifying those with the best strategic opportunities.
- 4.2 The Budget Strategy approved in October states that options will be presented to members. This document sets out that process.
- 4.3 The Business Rates pilot would be used as the funding source of choice for new priority projects which develop throughout 2019/20 including those priorities created by refreshing the Corporate Delivery Plan or through the outcome of the climate change scoping works.
- 4.4 Where schemes are identified as a sound use of the business rates reserve these will be submitted to the Strategy and Resources committee for approval. Reports to that committee must clearly set out how that particular scheme meets any of the principles of allocation. Future budget monitoring reports to that committee will include an update on the level of the reserve and the progress of projects which have been funded from it.
- 4.5 Projects awarded funding may be of a capital nature. Where that is the case they will be considered in line with the principles of the capital strategy and a full business case will be produced. This is in line with the fundamental principle of the Capital Strategy. Projects requiring an addition to the Capital programme must be recommended by the Committee for a Council decision.
- 4.6 The first project to be identified is the grant funding of a Community Bank which is to be the subject of a separate report to this Committee in April 2019. As an example of the implementation of the Business Rates allocation principles this scheme has been identified as it works both to support local businesses and is an element in the Council's adoption of local wealth building as a priority outcome.
- 4.7 A second project to be funded, although not yet at such an advanced stage, is any works arising from the scoping around climate change. The January 2019 Budget Report identifies the business rates pilot as a prospective funding source and the use of the reserve for works will be presented after scoping is complete.
- 4.8 Officers are also currently considering options for replacing the existing fleet of vehicles for neighbourhood wardens and parking enforcement officers. The existing fleet of vehicles, which is beyond its economic life, is being assessed for replacement with a fleet of a mixture of electric and electrichybrid vehicles. As such a replacement would meet the principles for the

allocation of the pilot funding it will be the subject of a report to Strategy and Resources Committee when a full business case has been completed.

STROUD DISTRICT COUNCIL

AGENDA ITEM NO

STRATEGY AND RESOURCES COMMITTEE

7 MARCH 2019

9

Report Title	BUSINESS RATES – RETAIL DISCOUNT
Purpose of Report	To adopt a Business Rates Retail Discount scheme
Decision(s)	The Committee RESOLVES to approve the
	Business Rates Retail Discount scheme for
	2019/20 and 2020/21.
Financial Implications	This report sets out the Council's policy in relation to
and Risk Assessment	the Business Rates Retail Discount Scheme.
	Discounts given under this policy are fully reimbursed to the District Council by Central Government. Andrew Cummings - Head of Finance & Section 151
	Officer
	Email: andrew.cummings@stroud.gov.uk
Legal Implications	The Government has not changed the legislation around the discretionary relief available under of the Local Government Finance Act 1988 but is encouraging local authorities to implement a Retail Discount Scheme through offering to fully reimburse said authorities for the local share of the discretionary relief given. The Council needs comply with the guidance attached at Appendix B in order to ensure it is fully reimbursed.
	State Aid law is the means by which the European Union regulates state funded support to businesses to make sure member states don't distort competition in favour of their own domestic businesses. Providing discretionary relief is likely to amount to State Aid. However, there is an exemption for de minimis aid provided which is defined as less than €200,000 total (that the business receives) across the current accounting year and the previous two accounting years. That €200,000 total includes State Aid received from any source, so when administering the scheme the Council will need to ensure it has makes appropriate checks with the business in regards to State Aid it has received over the relevant period.

Legal Implications Cont'd/	Where the grant of relief would result in the business receiving over €200,000 of State Aid over the relevant period then no relief should be provided unless another exemption has been shown to apply.
	Any further legal implications are contained within the report and the guidance attached at Appendix B.
	Craig Hallett, Solicitor & Acting Monitoring Officer Tel: 01453 754364 Email: craig.hallett@stroud.gov.uk
Report Author	Simon Killen – Revenue and Benefits Manager
	Tel: 01453 754013
	Email: simon.killen@stroud.gov.uk
Options	The council could decide not to apply the discount but
	this is not recommended.
Performance	The impact of these changes and costs will be
Management Follow	monitored on an on-going basis and any significant
Up	changes will be reported to the committee.
Background Papers/	Appendix A – Retail Discount Scheme
Appendices	Appendix B – Retail Discount Guidance

1. Retail Discounts

- 1.1 In the budget statement on 29 October 2018 the Government announced that it would provide business rates discounts for retail properties for the financial years 2019/20 and 2020/21.
- 1.2 The discounts will be available for occupied properties being used for retail purposes with a rateable value of less then 51,000. The value of the discount is one third of the bill after mandatory and other discretionary reliefs have been applied.
- 1.3 A list of the types of retail properties that will benefit from the relief are included in the guidance shown in Appendix A. It includes shops, bars, pubs, cafes restaurants, coffee shops and takeaways. It also includes those properties being used for services such as travel agents, hair addresses, dry cleaners and shoe repairs.
- 1.4 It is estimated that 208 local businesses would benefit from this relief amounting to approximately £344,598. The relief will be applied to the 2019/20 bills when they are issued in March. Application forms are being issued in other cases to verify whether the qualifying conditions are met.
- 1.5 Some businesses will already have had their Business Rates bill reduced. Retail discount will be applied after mandatory and other discretionary reliefs have been applied.

1.6 The discounts are subject to state aid rules so larger businesses with multiple outlets with not qualify. State aid limits currently stand at 200,000 euros (approximately £179,500).

2. PROPOSALS

- 2.1 Local authorities are expected to adopt and administer a local scheme and will use its discretionary relief powers to award the relief.
- 2.2 Section 47 of the Local Government Finance Act 1988 as amended, gives billing authorities' discretion to grant relief to retail properties.
- 2.3 In line with Government recommendations it is proposed form 1 April 2019 to apply discretionary retail relief to those types of properties in accordance with the Government guidance detailed in Appendix B.

3. FUNDING AND COST OF THE SCHEME

3.1 Central Government will fully reimburse Local Authorities for the discretionary relief using a grant under section 31 of the Local Government Finance Act.

Appendix A

Business Rate Retail Relief Principles

The Government recognises that high streets are under more pressure than ever before due to the growth in online retailing and have set an objective to help town centres and High Streets evolve by cutting business rate bills by one-third for retail properties (including shops, cafes and restaurants) with a rateable value below £51,000.

Retail Relief Delegation

Decisions regarding retail relief are delegated to the Director of Customer Services under C4.4 of the constitution.

Retail Relief Criteria

- The rateable value of the hereditament must be less than £51,000.
- The hereditament must be occupied.
- Hereditaments must be wholly or mainly used as shops, restaurants, cafes or drinking establishments (see additional guidance from The Ministry of Housing, Communities and Local Government) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773424/Retail_Discount_Guidance.pdf
- State aid rule swill apply

Government Guidance on types of establishment eligible for relief

The Ministry of Housing, Communities and Local Government has issued guidance relating to which types of establishments should be considered as retail:

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

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemist, newsagents, hardware stores, supermarkets, etc.)
- Charity shops

Appendix A

- Opticians
- Post Offices
- Furnishing shops/display rooms (such as: carpet shops, double glazing, garage doors)
- Car/Caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

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

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

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

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

Appendix A

Below are some types of hereditaments which the government **does not** consider to be retail use:

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

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



Business Rates

Retail Discount - Guidance



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If you have any enquiries regarding this document/publication, complete the form at http://forms.communities.gov.uk/ or write to us at:

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Telephone: 030 3444 0000

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About this guidance

- 1. This guidance is intended to support local authorities in administering the "Retail Discount" announced in the Budget on 29 October 2018. This Guidance applies to England only.
- 2. This guidance sets out the criteria which central Government considers for this purpose to be retail and eligible for this discount. The guidance does not replace existing legislation.
- 3. Enquiries on this measure should be addressed to: ndr@communities.gov.uk

Introduction

- 4. The Government recognises that changing consumer behaviour presents a significant challenge for retailers in our town centres and is taking action to help the high street evolve.
- 5. The Government announced in the Budget on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of discount should be one third of the bill, and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied. Where an authority applies a locally funded relief, for instance a hardship fund, under section 47 this is must be applied after the Retail Discount.
- 6. This document provides guidance to authorities about the operation and delivery of the policy. The Government anticipates that local authorities will include details of the relief to be provided to eligible ratepayers for 2019-20 in their bills for the beginning of that year.

Retail Discount

How will the relief be provided?

7. As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out in this guidance, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief. It will be for individual local billing authorities to adopt a local scheme and determine in each individual case when, having regard to this guidance, to grant relief under section 47. Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to apply and grant relief to qualifying ratepayers from the start of the 2019/20 billing cycle.

- 8. Central government will reimburse billing authorities and those major precepting authorities for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in this guidance. Local authorities will be asked to provide an estimate of their likely total cost for providing the relief in their National Non-Domestic Rate Return 1 (NNDR1) for 2019-20 and 2020-21. Central government will provide payments to authorities to cover the local share, as per the usual process.
- 9. Local authorities will also be asked to provide outturn data on the actual total cost for providing the relief, as per the usual process via the National Non-Domestic Rate 3 (NNDR3) forms for 2019-20 and 2020-21. Any required reconciliations will then be conducted at these points.¹

Which properties will benefit from relief?

- 10. Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.
- 11. We consider shops, restaurants, cafes and drinking establishments to mean:
 - i. Hereditaments that are being used for the sale of goods to visiting members of the public:
 - Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
 - Charity shops
 - Opticians
 - Post offices
 - Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
 - Car/ caravan show rooms
 - Second hand car lots
 - Markets
 - Petrol stations
 - Garden centres
 - Art galleries (where art is for sale/hire)
 - ii. Hereditaments that are being used for the provision of the following services to visiting members of the public:
 - Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)

¹ As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

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

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars
- 12. To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
- 13. The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for authorities as to the types of uses that Government considers for this purpose to be retail. Authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.
- 14. The list below sets out the types of uses that the Government does not consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.
 - i. Hereditaments that are being used for the provision of the following services to visiting members of the public:
 - Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
 - Other services (e.g. estate agents, letting agents, employment agencies)
 - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)

- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices

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

15. Generally speaking, the government also does not consider other assembly or leisure uses beyond those listed at paragraph 11 to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues which are not similar in nature to the hereditaments described at paragraph 11(iii) above. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, the local authority should exercise their discretion with reference to the above and knowledge of their local tax base.

How much relief will be available?

- 16. The total amount of government-funded relief available for each property for 2019-20 and 2020/21 under this scheme is one third of the bill, after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act which are not funded by section 31 grants². There is no relief available under this scheme for properties with a rateable value of £51,000 or more. Of course, councils may use their discretionary powers to offer further discounts outside this scheme. However, where an authority applies a locally funded relief, sometimes referred to as a hardship fund, under section 47 this is must be applied after the Retail Discount.
- 17. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for particular hereditament in the financial year 2019-20:

Amount of relief to be granted =

<u>V</u> where 3

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs, excluding those where local authorities have used their discretionary relief

7

² As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

powers introduced by the Localism Act which are not funded by section 31 grants³.

- 18. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
- 19. Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid De Minimis limits.

State Aid

- 20. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However Retail Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)⁴.
- 21. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)⁵) and the requirement to convert the aid into Euros⁶.
- 22. To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation). Annex B of this guidance contains a sample De Minimis declaration which local authorities may wish to use, to discharge this responsibility. Where local authorities have further questions about De Minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance⁷.
- 23. The UK is scheduled to leave the EU on 29 March 2019. If there is an Implementation Period, the State Aid rules will continue to apply as now and will be subject to control by the EU Commission as at present. If the UK leaves the EU without a negotiated Withdrawal Agreement, the Government has announced its intention to transpose EU State Aid rules into UK domestic legislation, with only technical modifications to correct deficiencies with the transposed EU law to ensure

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15277/National_State_Aid_La w Requirements.pdf

³ As required in the NNDR3 guidance notes, the former categories of discretionary relief prior to the localism act (i.e. charitable/CASC/rural etc. top up and not for profit) should be applied first in the sequence of discretionary reliefs and, therefore, before the retail discount.

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

⁵ The 'New SME Definition user guide and model declaration' provides further guidance: http://ec.europa.eu/enterprise/policies/sme/files/sme_definition/sme_user_guide_en.pdf

⁶ http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm

⁷ Detailed State Aid guidance can also be found at:

the regime operates effectively in a domestic context⁸. Local authorities should therefore continue to apply State Aid rules, including De Minimis, to the relief for 2019/20 and 2020/21.

Splits, mergers, and changes to existing hereditaments

24. The relief should be applied on a day to day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the relief on that day.

 $^{^{8}\ \}underline{\text{https://www.gov.uk/government/publications/state-aid-if-theres-no-brexit-deal/state-aid-if-theres-no-brexit-d$

Annex A: Calculation examples for 2019/20

The retail discount (one third) is always calculated after mandatory relief and other discretionary reliefs funded by section 31 grant.

Example 1: An occupied shop with a rateable value of £40,000

Gross rates (before any reliefs) = £40,000 x 0.491	<u>= £19,640</u>
Retail discount (1/3):	= - £6,547
Rates due (after retail discount):	=£13,093

Example 2: An occupied charity shop with a rateable value of £40,000

Gross rates (before any reliefs) = £40,000 x 0.491	=£19,640
Net rates after charity relief:	=£3,928
Retail discount (1/3):	= -£1,309
Rates due (after charity relief and retail discount):	=£2,619

Example 3: An occupied shop with a rateable value of £13,500 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = £13,500 x 0.491	= £6,629
Net rates after SBRR (50%):	= £3,314
Retail discount (1/3):	= -£1,105
Rates due (after SBRR and retail discount):	=£2,210

Example 4: An occupied shop with a rateable value of £10,000 eligible for Small Business Rate Relief (SBRR)

Gross rates (before any reliefs) = £10,000 x 0.491	= £4,910
Net rates after SBRR (100%):	= £nil
Rates bill is nil and, therefore, no retail discount applies	

Example 5: An occupied shop with a rateable value of £40,000 eligible for Transitional Relief (TR) and receiving Revaluation Discretionary Relief

Gross rates (before any reliefs) = £40,000 x 0.491	=£19,640
Transitional Relief (say):	= -£1,500
Net rates after Transitional Relief:	=£18,140
Net rates after Revaluation Discretionary Relief (say):	=£15,140
Retail discount (1/3):	= -£5,047
Rates due (after TR, revaluation relief and retail discount):	=£10,093

Example 6: An occupied shop with a rateable value of £18,000 previously paying nothing prior to revaluation 2017 and eligible for Supporting Small Businesses Relief (SSB)

Gross rates (before any reliefs) = £18,000 x 0.491	=£8,838
Supporting Small Businesses Relief (say):	= -£7,038

Net rates after SSB: = £1,800Retail discount (1/3): = -£600Rates due (after SSB and retail discount): = £1,200

Example 7: A shop with a rateable value of £40,000 (example 1) but only occupied until 30 September 2019

Gross rates (before any reliefs) = £40,000 x 0.491 = £19,640 Retail discount (1/3): = -£6,547 Rates due p.a. (after retail discount): = £13,093

Daily charge while occupied (leap year): = £35.77 per day

Occupied charge 1/4/19 to 30/9/19 (183 days): = £6,547

Unoccupied property relief (1/10/19 to 1/1/20): = £nil

Unoccupied property rates (1/1/20 to 31/3/20),

£19,640 x 91/366 = £4,883

Rates due for the year (after retail relief): = £11,430

Example 8: A shop with a rateable value of £40,000 (example 1) with a rateable value increase to £60,000 with effect from 1 October 2019

Gross rates (before any reliefs) = £40,000 x 0.491 = £19,640 Retail discount (1/3): = -£6,547 Rates due p.a. (after retail discount): = £13,093

Daily charge while occupied (leap year): = £35.77 per day

Charge 1/4/19 to 30/9/19 (183 days): = £6,547

Daily charge on standard multiplier (1/10/19 to 1/1/20):

 $(£60,000 \times 0.504)/366$ = £82.62 per day

Charge 1/10/19 to 31/3/20 (183 days): = £15,120

Rates due for the year (after retail relief): = £21,667

Annex B: Sample paragraphs that could be included in letters to ratepayers about Retail Discount for 2019/20 and 2020/21

At Autumn Budget 2018, the Chancellor announced that eligible retailers will receive a one third discount on their business rates bills for two years from April 2019.

Relief will be provided to eligible occupied retail properties with a rateable value of less than £51,000 in 2019/20 and 2020/21. Your current rates bill includes this Retail Discount.

Awards such as Retail Discount are required to comply with the EU law on State Aid⁹. In this case, this involves returning the attached declaration to this authority if you have received any other *de minimis* State Aid, including any other Retail Discount you are being granted for premises other than the one to which this bill and letter relates, and confirming that the award of Retail Discount does not exceed the €200,000 an undertaking¹⁰ can receive under the *de minimis* Regulations EC 1407/2013.

Please complete the declaration and return it to the address above. In terms of declaring previous *de minimis* aid, we are only interested in public support which is *de minimis* aid (State Aid received under other exemptions or public support which is not State Aid does not need to be declared).

If you have not received any other *de minimis* State Aid, including any other Retail Discount you are being granted for premises other than the one to which this bill and letter relates, you do not need to complete or return the declaration.

If you wish to refuse to receive the Retail Discount granted in relation to the premises to which this bill and letter relates, please complete the attached form and return it to the address above. You do not need to complete the declaration. This may be particularly relevant to those premises that are part of a large retail chain, where the cumulative total of Retail Discount received could exceed €200,000.

Under the European Commission rules, you must retain this letter for three years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than three years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'de minimis' aid for the next three years.

⁹.Further information on State Aid law can be found at https://www.gov.uk/state-aid

¹⁰ An undertaking is an entity which is engaged in economic activity. This means that it puts goods or services on a given market. The important thing is what the entity does, not its status. Therefore, a charity or not for profit company can be undertakings if they are involved in economic activities. A single undertaking will normally encompass the business group rather than a single company within a group. Article 2.2 of the de minimis Regulations (Commission Regulation EC/ 1407/2013) defines the meaning of 'single undertaking'.

'De minimis' declaration

Dear []			
NON-DOMESTIC RATES ACCOUNT NUMBER:			
The value of the non-domestic rates Retail Discount to be provided to [name of undertaking] by [name of local authority] is \pounds [] (Euros []).			
This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of <i>De minimis</i> aid within the current financial year or the previous two financial years). The <i>de minimis</i> Regulations 1407/2013 (as published in the Official Journal of the European Union L352 24.12.2013) can be found at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF .			
Amount of de minimis aid	Date of aid	Organisation providing aid	Nature of aid
I confirm that: 1) I am authorised to si	ign on behalf of	[name o	f undertaking]; and
2)[name of undertaking] shall not exceed its <i>De minimis</i> threshold by accepting this Retail Discount.			
SIGNATURE: NAME: POSITION: BUSINESS: ADDRESS: DATE:			

Refusal of Retail Discount form

Name and address of premises	Non-domestic rates account number	Amount of Retail Discount

confirm that I wish to refuse Retail Discount in relation to the above	ve premises.
confirm that I am authorised to sign on behalf of	_ [name of undertaking].
SIGNATURE: NAME: POSITION: BUSINESS: ADDRESS: DATE:	

STROUD DISTRICT COUNCIL

AGENDA ITEM NO

STRATEGY AND RESOUCES COMMITTEE

7 MARCH 2019

10

Housing Committee report - 5 February 2019 - Agenda Item 7

Report Title	OPTIONS FOR PROVIDING TEMPORARY ACCOMMODATION FOR HOMELESS HOUSEHOLDS IN THE STROUD DISTRICT.	
Purpose of Report	To seek authority for the purchase of a property in Stroud for conversion to temporary accommodation; and, to receive the Committee's view on further temporary accommodation provision in the District.	
Decision(s)	The Committee RESOLVES to:	
	(1) Support the further exploration of utilising HRA properties as temporary accommodation for homeless families; and (2) Support the further exploration of providing additional specialist temporary accommodation within the district, AND The Committee RECOMMENDS to Strategy & Resources and to Council that delegated authority is granted to the Head of Property Services in consultation with the Head of Finance and Chairs of Housing and Strategy and Resources Committee:	
	(1) to purchase the former Salvation Army building in Stroud utilising the General Fund; and (2) To commission the conversion of this	
	property into temporary accommodation;	
	(3) To commission the management of the completed property as temporary accommodation for homeless households.	
	Subject to a business case being made and due diligence being undertaken.	

Consultation and report was brought to December Housing Feedback Committee regarding homelessness and temporary accommodation. Discussion at this Committee showed strong support for the provision of temporary accommodation for homeless households within the Stroud District. **Financial Implications** This report sets out some potential options that could and Risk Assessment be utilised to alleviate the use of temporary accommodation in the private rented sector. Each of these options would have different costs. benefits and risks and should members approve the exploration of these options, a full business case would need to be drawn up for each option. Any costs associated with the development of a business case would need to come from existing resources, and is likely to be predominantly officer time. Any new capital programme would need Council approval once a business case demonstrates the benefits of proceeding. Any changes in use of existing revenue budget would need to adhere to the scheme of virement in the Financial Regulations. Lucy Clothier, Principal Accountant Tel: 01453 754343 Email: lucy.clothier@stroud.gov.uk **Risk Assessment**: the provisions of this report should help to mitigate the risk to the council and to individuals facing homelessness. The health risks of homelessness and rough sleeping are well-known and the provision of appropriate accommodation can alleviate this risk. As is identified below, the Council is under a statutory Legal Implications duty to provide temporary accommodation for homeless persons in certain circumstances. Such temporary accommodation can take a variety of different forms, as is identified in the report. Council has a general entitlement to acquire land, which could be used to discharge this duty. It is noted that it is proposed to fund the proposed acquisition from the General Fund. As such, the Strategy and Resources Committee will need to approve the necessary spending and the appropriate amendment/s to the Medium Term Financial Plan. Members may wish to consider whether it is possible to do this in the absence of any current indication of

the likely acquisition costs.

	Moreover, whilst land acquisitions do not fall under	
	the auspices of the public procurement regime, the	
	Local Government Act 1999 imposes a duty on local authorities to "make arrangements to secure"	
	continuous improvement in the way in which its	
	functions are exercised, having regard to a	
	combination of economy, efficiency and effectiveness". Whilst there is a clear urgency in the	
	need to provide temporary accommodation, members	
	may nevertheless wish to make further enquiries as to	
	the relative costs/benefits of the 3 options identified in the report before making a final decision regarding	
	this matter in order to discharge that duty.R1501D2101C2101	
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Options	The council has a statutory duty to carry out certain	
	activities in relation to homelessness. One of these is	
	to provide temporary accommodation to qualifying homeless households. At present, private sector	
	provision outside the district is relied on to	
	accommodate these households. This could continue	
	but may not represent good value nor provide as good accommodation as more permanent housing	
	provision appropriate to the needs of those	
	households.	
Performance Management Follow	Regular update reports on progress will be brought to Housing Review Panel.	
Up	Tiodoling Iteview I ariel.	
Background Papers/	Housing Committee 11 th December 2018:	
Appendices	https://www.stroud.gov.uk/media/970788/item-7-	
	<u>council-responses-to-homelessness.pdf</u>	

1. INTRODUCTION / BACKGROUND

1.1 In December 2018, Housing Committee considered a report which, amongst other things, gave an update on the Homelessness Reduction Act and the additional requirements for temporary accommodation resulting from it. Following the introduction of the Homelessness Reduction Act, the budget expended on temporary accommodation has increased considerably, and shows no sign of reducing. At present,

households are accommodated in a mixture of accommodation provided by private sector landlords and ranging from use of Travelodge hotels to private 'bed and breakfast' style facilities. The majority of this accommodation is located outside the Stroud district and, at times of high pressure, can be as far away as Bristol or Worcester.

- 1.2 The cost of individual placements vary with the average cost for a single or couple at £190 per week, and £415 per week for families. The budget for Bed and Breakfast cost has been increased significantly for 2019/20, in line with current levels of usage. The income budget (from Housing Benefit) has also been increased from next year, but there is a net cost assumed of £71k.
- 1.3 In addition, accommodating homeless households away from schools, support networks or places of employment can be detrimental to the life chances of that household.

2. ISSUES FOR CONSIDERATION

- 2.1 A number of avenues have been explored in order to find the most appropriate and cost-effective solution to providing temporary accommodation for homeless households. It is estimated that 12 units of temporary accommodation are required.
- 2.2 Three potential options are explored in this report. They are:
 - 1. Build, or commission and lease, a purpose-built building
 - 2. Convert an existing building for use as temporary accommodation
 - 3. Convert existing HRA dwellings for use as temporary accommodation
- 2.3 All of these options would give new units of temporary accommodation in the district, but with different cost implications, and different service levels.
- 2.4 They are not mutually exclusive and could be used in combination with each other.
- 2.5 By providing temporary accommodation in-house, or through a Housing Association, it is likely that more of the cost of temporary accommodation is reclaimable through Housing Benefit. This is because Housing Benefit in the private rented sector is limited by the Local Housing Allowance rate, albeit under a slight variation to longer term rents. However Housing Benefit may not cover all aspects of management or additional support so there would still be a net cost to the Council.

3. OPTION 1 - COMMISSION A PURPOSE BUILT BUILDING

The commissioning and / or building of a bespoke temporary accommodation unit in Stroud utilising council funding or private investment, with management provided by a local Registered Provider.

- 3.1 The Council could either consider taking on the building of the temporary accommodation itself, or commissioning this work externally. This would require a site to be identified and acquired, funding secured and building works procured, resulting in a long lead in time before accommodation could be available. It would however provide modern accommodation built to current energy efficiency standards.
- 3.2 Private investment would allow a purpose built temporary accommodation unit to be built in the district with no upfront cost from SDC. However, lease costs would be payable to the private investor for a number of years (for example 40), at which point the freehold would revert to SDC. Over that time the lease payments are likely to be inflated annually, linked to RPI, and would be payable irrespective of occupancy.
- 3.3 A management agreement would also need to be put in place at additional cost.

4. OPTION 2 - CONVERT AN EXISTING DWELLING

The purchase and conversion of an existing building by a Registered Provider, either funded by the Council or utilising the resources available to the Registered Provider, and with management to be supplied by that Registered Provider. If funded by the Council, the property would become an asset in our ownership.

- 4.1 The purchase and conversion of a property would mean an upfront capital cost to the authority. If this capital cost is funded from borrowing there would be a long term impact on revenue from Minimum Revenue Provision (MRP) and interest payments. It is likely that this would be considerably lower than the lease payments payable under Option 1 and potentially lower or similar to the costs of the council funded a new build itself depending on the size, age, condition and location of the property.
- 4.2 An opportunity to purchase a housing unit from the Salvation Army in Stroud has arisen. This unit has been empty for some time and the Salvation Army has indicated that they would welcome its purchase to provide temporary accommodation. A local registered provider has visited the property and assessed it as being eminently suitable for conversion for this use. The location of this unit, close to all the amenities of the town centre, makes it ideal for this use.
- 4.3 At time of writing the report, detailed costings for the management of this unit as temporary accommodation are still awaited from the registered provider. A verbal update will provided at the Committee and this option

will only progress if a business case can be made to support this course of action.

5. OPTION 3 - CONVERT FURTHER HRA STOCK TO TEMPORARY ACCOMMODATION

- 5.1 At present, an HRA property in Stroud has undergone works to make it suitable for use as temporary accommodation; the intention is that it will be managed as such by a private company leasing the property and then making it available for the placement of homeless households.
- 5.2 Further general needs stock in the HRA could be converted for use as temporary accommodation. Whilst this reduce/s the number of units of long term accommodation there is potential social value in a few number of units being used for this purpose.
- 5.3 If it were to be considered on a larger scale, the relaxing of the debt cap means that the loss of units could potentially be offset with replacement stock being purchased on the open market. This would be subject to appropriate housing being available.
- 5.4 This accommodation is only suitable for households without support needs, or where support can be provided through another organisation, as the cost of providing this support over a small number of dwellings would be too costly.

6. CONCLUSION / RECOMMENDATION

- 6.1 It is likely that the most suitable solution overall lies with a combination of some of the above approaches.
- 6.2 Given the pressing need to provide temporary accommodation, a phased approach could be adopted, with the purchase and conversion of the former Salvation Army unit to take place as soon as is practicable, the letting of a small number of HRA general needs properties to continue with additional accommodation brought on-stream afterwards.
- 6.3 Options to provide more units of temporary accommodation than may strictly be needed by Stroud residents are also worthy of further consideration. Any unused units could be offered to our neighbouring local authorities in order to help them meet their accommodation needs and could generate a surplus back to the Council's General Fund. A business case determining the potential benefits against the risks would need to be drawn up to support this.

Business Case - Project to be Included in the Capital Programme

Project Title: Providing Temporary Accommodation for Homeless Households

Project Manager: Pippa Stroud

Date: 21st February 2019

Reviewed by Corporate Team? Y/N

Introduction to Project

The Council has a number of statutory duties relating to homelessness, including a duty to place eligible homeless households into temporary accommodation.

Following the introduction of the Homelessness Reduction Act 2017, the budget expended on temporary accommodation has increased considerably and shows no sign of reducing. The Council has no access to purpose-built temporary accommodation for homeless households and relies heavily on private sector provision.

At present, households are largely accommodated in a mixture of accommodation ranging from use of Travelodge hotels to 'bed and breakfast' style facilities. While this sort of accommodation provides a bed in an emergency situation, it does not provide entirely appropriate accommodation for a number of reasons, including the lack of access to on-site support and the fact that the Council has no knowledge about other residents of the facility, who could present a risk to vulnerable homeless households. In addition, the majority of this accommodation is located outside the Stroud district and, at times of high pressure, can be as far away as Bristol or Worcester.

While some households may merely require a temporary 'roof', others require an element of support to help them maintain their accommodation and make a positive and sustainable onward move into permanent housing. As a result, the provision of good quality temporary accommodation within the Stroud district, with access to onsite management and support, would help ensure that these households are able to maintain essential links to their communities and avoid experiencing repeat episodes of homelessness.

An opportunity to purchase an existing building in the ownership of the Salvation Army has arisen. The size and location of this property have been assessed as making it ideal for conversion to provide six units of temporary accommodation.

Financial

It is expected that the purchase and conversion of the property will cost approximately £500k. The borrowing costs, comprising Minimum Revenue Provision (MRP) and interest costs, in the first year would be in the region of £29k, with borrowing assumed over 30 years.

The overall gross cost of providing the service is expected to be much higher than the existing provision (approximately £433 per household per week, up from an average of £265 per week), which reflects the increase in support provided.

The supported accommodation would need to be provided by a registered provider (this service would need to be procured), as this would allow for a higher Housing Benefit claim than for privately rented accommodation or Bed and Breakfast due to the additional support provided to the homeless household.

This would allow the Council to provide the higher level of support to temporarily housed households at the same net cost, with the additional cost attributable to Housing Benefit (central government). Therefore, allowing this proposal to be funded from existing revenue budgets.

As the project progresses the financial appraisal will need be amended with updated costs as they become known.

Strategic Objectives

The new Housing Strategy (still in draft at time of writing) identifies that the use and cost of temporary accommodation for homeless households has escalated and that the accommodation currently available to us is not sufficient to meet demand. The Strategy proposes that the Council either builds or purchases bespoke temporary accommodation within the Stroud district.

The forthcoming Homelessness Strategy likewise identifies the gap in temporary accommodation provision and proposes that an in-house solution is developed, rather than increasing dependency on a private sector over which the Council has no control.

Capacity

Given the pressing and growing need for temporary accommodation, the purchase and conversion of an existing building will help early delivery of this project, compared to the commissioning of a new-build facility.

The intention is for the building to be purchased by SDC with the conversion works and subsequent management activities to be carried out by a Registered Provider of affordable housing.

The reasons behind this approach are that this project does not need to rely on the Council having the capacity to deliver a refurbishment scheme and manage the completed temporary accommodation in-house; at present there is no identified capacity within the organisation to undertake these activities.

Utilising a registered provider also brings benefits in terms of the rent levels that can be re-charged to Government via Housing Benefit, and the relaxation of the six-week maximum stay rule that applies to accommodation under private sector management.

Deliverability

There are a number of risks to the deliverability of this project.

The Salvation Army may decide not to sell the property. If this should be the case, we can look to source a similar property from the open market. Suitable properties do come to the market from time to time, but there may be a delay before a suitable property can be identified.

We may not be able to attract an RP to deliver the conversion works and / or provide management services. If this should occur, available options are to assess whether the project could be delivered in-house, or by taking on additional temporary or permanent staff, or amended so that it becomes a more attractive project for RP involvement.

Homelessness may decrease to the point that the accommodation is no longer required. At present, homelessness is increasing country wide. However, if local demand should fall we could offer temporary accommodation for the use of other districts, who face similar problems with sourcing decent temporary accommodation.

Future Monitoring

Ownership of this project rests with the Policy Implementation Manager. Housing Committee will have the oversight of the entire project, with updates provided to Housing Review Panel.

The monitoring of the project falls into three phases:

Purchase of the property. The property is to be purchased by SDC Property Services with the legal process managed by Legal Services.

Conversion works. The monitoring of this process will be set out in the contract with the RP commissioned to do this work, and officers will stay in close touch with progress on the conversion works.

Management as temporary accommodation. The Council reports quarterly to government on a number of data sets, including the amount of time spent in temporary accommodation by homeless households. In addition, officers will secure regular and detailed management information from the RP commissioned to manage the accommodation to ensure that safety, quality and support levels meet our requirements.

STROUD DISTRICT COUNCIL

AGENDA ITEM NO

STRATEGY AND RESOURCES COMMITTEE

7 MARCH 2019

11

WORK PROGRAMME

Date of meeting	Matter to be considered	Reporting Member/Officer
11.04.19	Member reports:	
	a) Performance Monitoring	Councillor Whiteside
	b) Investment and Development Panel	Leader
	Brimscombe Port Redevelopment	Head of Property Services
	Housing Initiatives	Director of Development Services
	ICT Strategy	Head of Business Service
		Planning
	Financial Reports	Head of Finance
	a) Housing Revenue Account Budget	
	Monitoring Report 2018/19 (P3)	
	b) General Fund Revenue and Capital	
	Budget Monitoring Report 2018/19 (P3)	
	Support for the Foundation of Avon	Head of Finance
	Mutual	
	Subscription Rooms Update	Head of Property Services
	Leadership Gloucestershire Update	Chief Executive
	Asset Management Plan	Head of Property Services

Information Sheets

Ref/Date	Topic	Author(s)
S&RC-	Developing an IT Strategy	Head of IT and Head of
2018/19-001		Business Service Planning
7.1.19		_