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19 August 2020

To: All Councillors

As a Member of the **Council**, please treat this as your summons to attend a **virtual meeting on Thursday, 27 August 2020 at 6.00pm** via the Zoom application. (Joining details will be provided separately).

Under Regulations made under the Coronavirus Act 2020, the meeting will be held virtually. As a member of the public you can view the virtual meeting via the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

Yours sincerely

James McLaughlin
Director of Corporate Services

AGENDA

1. APOLOGIES

Please advise the Committee Team on 01629 761133 or e-mail: committee@derbyshiredales.gov.uk of any apologies for absence.

2. PUBLIC PARTICIPATION

Public Participation, as provided for in the Constitution, is suspended temporarily and is replaced with an alternative mechanism for the public to bring matters to the Council's attention.

Members of the public will be able to comment on any agenda item or matters in the wider public interest and will be invited to submit their questions or comments in writing, before 12 noon on the working day prior to the meeting by:

Webform: [Make your submission here](#)

Email: committee@derbyshiredales.gov.uk

Post: Democratic Services, Derbyshire Dales District Council, Town Hall, Matlock DE4 3NN

The Committee Team will assist any member of the public without access to electronic means by capturing their concerns over the telephone.

Phone: 01629 761133 (working days only 9am – 5pm)

Any such correspondence will be read out at the meeting.

The public will not be admitted to the meeting through virtual means. All meeting proceedings open to the public will be streamed live on our YouTube channel when all non -exempt items are being considered. Recordings of the meeting will also be available after the event on the District Council's website.

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

Council	15 July 2020
Council – Annual Council	22 July 2020
Council – Extraordinary Meeting	12 August 2020

5. LEADERS' ANNOUNCEMENTS

Announcements of the Leader of the Council:

6. CHAIRMAN'S ANNOUNCEMENTS

Announcements of the Civic Chairman.

7. COMMITTEES

To receive the non-exempt minutes of the Committees shown below:

Committee	Date
Non Exempt Minutes to be Received	
Council	02 July 2020
Council	15 July 2020
Council – Annual Meeting	22 July 2020
Council – Extraordinary Meeting	12 August 2020
Planning Committee	21 July 2020
Licensing & Appeals Sub-Committee	03 August 2020
Licensing & Appeals Sub-Committee	10 & 17 August 2020
Planning Committee	11 August 2020
Community & Environment Committee	19 August 2020
Governance & Resources Committee	20 August 2020

MINUTE BOOK TO FOLLOW

9. QUESTIONS (RULE OF PROCEDURE 15)

Questions, if any, from Members who have given notice.

- 10. NON TRADITIONAL HOMES IMPROVEMENT SCHEME** **05 - 09**
- To consider a report seeking approval for the inclusion of £1,000,000, within the Capital Programme for 2020/21, for improvements works to non-traditional homes in the Derbyshire Dales together with energy efficiency measures to Platform housing stock. The work would be funded be a combination of government grants, District Council funding and a contribution from Platform.
- 11. ASHBOURNE RECREATION GROUND PAVILION** **10 - 42**
- To consider a report seeking approval for the terms for a lease of land and associated sports pitches, to Ashbourne Recreation Ground Sport & Community Partnership (ASCP). Also to seek approval for the provision of capital contributions to the scheme, comprising a new sports pavilion building and a programme of sports pitch improvements and to consider the early release of some of the capital funding as detailed in the report.
- 12. PROVISIONAL REVENUE AND CAPITAL OUTTURN 2019/20, REVISED REVENUE BUDGET 2020/21, CAPITAL PROGRAMME AND MEDIUM TERM FINANCIAL PLAN** **43 - 65**
- To receive a report providing details of the provisional financial outturn for the District Council's Revenue and Capital spending for the year ended 31st March 2020 and significant variations from the revised budget. Also to consider approval of the recommendations listed in the report for the updated Capital Programme for 2019/20 to 2023/24, revised revenue budget for 2020/21 and an updated Medium Term Financial Plan (MTFP) for 2020/21 to 2024/25.
- 13. COVID-19 COUNCIL TAX HARDSHIP FUND 2020/21 & REVIEW OF POLICY ON DISCRETIONARY COUNCIL TAX DISCOUNTS** **66 - 71**
- To consider a report seeking approval to increase the award of Hardship Assistance to £200 (or the balance of the council tax bill if less than £200) where a household has been or is in receipt of Council Tax Support during 2020/21 and for changes as detailed in the report to the Council's policy for Council Tax Discretionary Reliefs under Section 13A (1) (C) of the Local Government Finance Act 1992. Also to seek approval that delegated authority be given, under the Local Government Finance Act 1992 – Section 13A(1)(C), allowing the Director of Resources and the Benefits Manager to make ad hoc awards from the balance of the Council Tax Hardship Fund, supplementing the £200 initial award, for deserving households identified as having severe financial vulnerability.

APPENDIX 1 TO FOLLOW

- 14. DERBYSHIRE DALES SECTION 106 MONITORING FEES** **72 - 78**
- To consider a report informing of changes to legislation, that allows Local Authorities to recover their costs associated with monitoring the operation and implementation of Section 106 Obligations, seeking approval for the introduction and publication of a charging regime for monitoring the implementation of relevant Section 106 Obligations, with immediate effect, as detailed in the report.
- 15. BIODIVERSITY OF ROAD VERGES AND PUBLIC OPEN SPACE** **79 - 86**
- To consider a report, outlining the potential, to increase the biodiversity of the road verges and public open spaces managed by Derbyshire Dales District Council, seeking approval for the creation of a Working Group to investigate and pursue this potential to increase biodiversity as detailed in the report.
- 16. COMMUNITY PAYBACK SCHEME** **87 - 91**
- To consider a report seeking approval for the creation of a Derbyshire Dales District Council Community Payback Scheme and for a supplementary revenue budget of £6,000, for 2020/21, to be used to fund the scheme to improve areas within the District. Also seeking approval to trial a work placement, with Community Rehabilitation Company to work within our Clean & Green Team, for a 3 month period, with the option to extend this period if the Clean and Green Manager is satisfied with the placement scheme.
- 17. EXCLUSION OF PUBLIC AND PRESS**
- At this point the Committee will consider excluding the public and press from the meeting for the remaining items of business for the reasons shown in italics.
- 18. COMMITTEES**
- To receive the exempt minutes of the Committee shown below:
- (The following minutes are exempt because they contain information relating to individuals)*
- | | |
|-----------------------------------|---------------------|
| Licensing & Appeals Sub-Committee | 03 August 2020 |
| Licensing & Appeals Sub-Committee | 10 & 17 August 2020 |
- 19. SEALING OF DOCUMENTS**
- To authorise that the Common Seal of the Council be affixed to those documents, if any, required completing transactions undertaken by Committees or by way of delegated authority to others, since the last meeting of the Council

NOTE

For further information about this Agenda or on “Public Participation” call 01629 761133 or e-mail: committee@derbyshiredales.gov.uk

COUNCIL
27TH AUGUST 2020

Joint Report of the Director of Housing and Director of Regulatory Services

NON TRADITIONAL HOMES IMPROVEMENT SCHEME

PURPOSE OF REPORT

This report sets out a proposal for a bid to the government’s recently announced Green Homes Grant: Local Authority Delivery (GHG: LAD). The funding package could reach £1,000,000 comprising government grant, council funding and further contributions from Platform Housing Group. The focus of the programme is a further round of improvement works to non-traditional homes in the Derbyshire Dales together with energy efficiency measures to Platform housing stock.

RECOMMENDATION

That Council be requested to approve the inclusion of £1,000,000 within the Capital Programme for 2020/21 for the improvements to homes as set out in the report.

WARDS AFFECTED

All

STRATEGIC LINK

Improving the energy efficiency of non-traditional homes can be an effective way of improving the wider environment, tackling poor housing conditions and supporting vulnerable people in their housing choices. Improving non-traditional homes delivers on the Council’s priorities of People, Place and Prosperity. It also supports a post covid19 economic stimulus package and delivers on the Housing Team’s Regeneration Strategy for Hurst Farm

1 SUMMARY

- 1.1 The Council recently funded a programme of external wall insulation improvements to 11 non-traditional homes on Hurst Farm. This work is a central feature of the Hurst Farm Regeneration Project and is one of many projects currently in progress. Across the Derbyshire Dales there remain 68 non-traditional homes, including Hurst Farm (33), Brookside, Ashbourne (24), Hognaston (6), Oker, Darley Dale (4) and Tansley (1). These properties are some of the least energy efficient homes in the district.
- 1.2 Since March 2020 officers have been working on a proposed second round of insulation improvements on Hurst Farm and potentially adding further properties in Tansley and Darley Dale, subject to the identification of suitable funding.
- 1.3 On the 4th August 2020 the government announced the GHG: LAD, a new £200m funding package to promote a ‘green recovery’ post covid19. The timetable for this programme is very challenging, with bids to be submitted by the 1st September and

works completed by March 2021. However the Council is well placed to meet this timetable given the experience of the previous insulation scheme on Hurst Farm and the work already undertaken to prepare for a second round of works. The additional funding available through the GHG: LAD programme also provides scope to include the non-traditional homes in Hognaston and Ashbourne.

- 1.4 The GHG: LAD programme can also include energy efficiency works to housing association properties. Platform Housing Group have asked to join the Council's application. Platform are proposing works to 50 properties focussing on solar thermal photo voltaic and energy efficient doors, with a total project cost of £342,000. Including Platform strengthens the Council's application and helps to meet the minimum funding requirement of £500,000. Platform are able to complete their proposed works by March 2021.
- 1.5 The central themes of the GHG: LAD are sustaining and creating jobs, reducing carbon emissions and tackling fuel poverty. This proposed programme delivers on all three themes;
 - The non-traditional homes project will create 5 new apprentice opportunities and secure 67 jobs
 - Lifetime carbon emissions will reduce significantly from the improved homes
 - The resulting savings in energy bills will be approximately 40% for households
- 1.6 The GHG: LAD programme appears to be the first of several funding opportunities that will come forward in the short term. A scheme that provides vouchers for homeowners is likely to go live in the next few months and a further capital programme for councils and partnerships should be available from April 2021.

2 REPORT

Non Traditional Homes

- 2.1 After WW2, at a time of labour and building material shortages, successive Governments commissioned significant house building programmes using new methods of system built construction. Many of these system built homes were later found to be defective. During the 1980s Councils across the country accessed Government grants to reinstate many of the defective homes that were owner occupied. In the Derbyshire Dales, estates in Matlock, Darley Dale, Tansley and Ashbourne received funding to improve the majority of the homes. A further round of improvements was undertaken by Dales Housing after stock transfer in 2002 of the social housing units in their ownership. However, like many councils, there remains a spread of owner occupied homes across the district, all in their original state. Some of the residents who bought their homes in the late 1970s and early 1980s missed the application deadline for government funding to reinstate their property.
- 2.2 Non-traditional homes are difficult to heat and cannot benefit from a mortgage, leaving owners at a particular disadvantage. Property values are significantly depressed. When properties come on to the market, they typically sell for cash at auction. Chesterfield BC commissioned a survey of the non-traditional homes in their ownership in 2014. The defective 'Unity' house types which are the same as those in Matlock, had an estimated reinstatement cost of £51,000 per home. The likely cost in 2020 will be closer to £60,000

per home. This leaves owners of non-traditional homes in a property with a lower market value, high energy bills and reinstatement costs beyond their reach.

3 Hurst Farm and Estate Regeneration

- 3.1 Estate regeneration remains a priority for the Government, though the means to improving estates tends to be linked to the development of additional market homes so that profits from one, can fund improvements of the other. This approach is not feasible on Hurst Farm, given the development constraints that exist. Despite approaches to the Government, there simply is not the funding to fully modernise the non-traditional properties. At today's prices, it is estimated that over £2m for Hurst Farm alone would be needed. Whilst increased housing investment has been announced by the government, there is no sign that estate regeneration will receive any specific funding.
- 3.2 Several Hurst Farm projects are progressing well including the Community Café, support for the Social Club, with a detailed stock condition survey and planning consent for the improvement of the building. The Spider Park has also been improved following a successful application for government funding.

The Local Characteristics of non-traditional properties

- 3.3 Of the remaining 32 non-traditional homes on Hurst Farm, 23 have expressed a desire to take part in a second phase of improvement works. All are in private ownership, with the majority owner occupied and two owned by private landlords. Many of the occupiers are retired and some have complex health issues. The average age of owner occupier residents is 69 years old. A further 3 households in Darley Dale, 1 in Tansley, 6 in Hognaston and 11 in Ashbourne have also expressed a desire to be part of the project (further households may have applied to the Council by the 27th August).
- 3.4 The properties themselves are relatively sound with owners generally keeping the properties in good order. Though some are in poor repair, this is generally due to condition of gardens and windows etc. The external appearance of the properties is in stark contrast to the neighbouring properties, which have been modernised and have a brick skin finish. Improving the external appearance of the homes would make a significant contribution to the regeneration of the wider area.
- 3.5 The thermal efficiency of non-traditional buildings is very poor, comparable to solid wall properties built before 1919. Taking into account the age and characteristics of occupiers, many would be considered to be in fuel poverty, i.e. households have required fuel costs that are above average (the national median level), and were they to spend that amount, they would be left with a residual income below the official poverty line. The Hurst Farm Estate is within 10% of the most deprived wards in England and so there is a strong likelihood that many owners and private tenants are in fuel poverty. The impact on the health of households in fuel poverty is well documented, with access to health services and admission to hospital often resulting from cold homes, particularly for older people.
- 3.6 The reduction in CO₂ emissions resulting from the insulation scheme will have a significant impact. Each semi-detached house such as those in Matlock, Darley Dale, Tansley and Hognaston would save 30.4 lifetime tonnes of carbon if heated by gas. A mid terrace property such as those in Ashbourne would save 15.1 lifetime tonnes of carbon. For homes heated by oil or electricity, the carbon savings are significantly higher.

Funding Solution

- 3.7 The proposed programme involves combining government grant at £750,000 with further funding from the Council of £250,000 and Platform £92,000 (the Platform funding is their own funding and so is not part of the Council's capital programme).
- 3.8 The Council's usual capital resources such as S106 and Right To Buy receipts are either not eligible for improvement works or risk diminishing the ambition of the Council on other capital projects. There is another capital fund which has come about through the Council's relationship with Platform.
- 3.9 If Council approves this project for inclusion in the capital programme, it will also determine the capital financing. It is proposed that this project be financed from capital receipts, subject to an agreement with Platform that will permit the Council to use monies that Platform has paid to the Council for Disposal Properties and that, in return, the Council will ring fence the same amount of funding for Platform projects within the Council's S106 programme.
- 3.10 Platform own many of the homes neighbouring the non-traditional homes that will benefit from this programme. It is in Platform's interests to support the wider regeneration of the area and see the improvement of homes that neighbour their properties.
- 3.12 As well as funding for capital works, the government grant can also be used to recover some of the costs of delivering the programme. It is proposed that the Housing Team apply a fee to recover the costs of delivering the project. This income would be used to maintain the Regeneration Officer post. In addition the grant funding can also be used to remedy building defects that might arise when making a home suitable to retrofit.
- 3.13 Subject to approval by Council, the works will begin in Q3 2020 with a programmed finish by the end of Q4 2020. The GHG: LAD programme is described by government as a competition. There are stringent quality assurance and monitoring requirements in place that will take up considerable officer time. However the carbon savings, job creation, reduced fuel bills and wider environmental impact are substantial.

4 RISK ASSESSMENT

4.1 Legal

The Regulatory Reform (England and Wales) (Housing Assistance) Order 2002 (the RRO) has radically changed the way in which government seeks to encourage private sector home improvement in England and Wales. The RRO introduced a general power on local authorities to provide "assistance" "in any form" "to any person", to improve, repair, adapt or rebuild residential premises. The legal risk is therefore low.

4.2 Financial

Phase 2 would cost around £1m in total, with £750,000 being financed by government grants and £250,000 from the District Council. If Council approves this project for inclusion in the capital programme, it will also determine the capital financing. It is proposed that the District Council element of this project be financed from capital receipts, subject to an agreement with Platform that will permit the Council to use monies that Platform has paid to the Council for Disposal Properties and that, in return,

the Council will ring fence the same amount of funding for Platform projects within the Council's S106 programme.

It is possible that the amount to be funded from capital receipts might be reduced by government grants. However, the exact level of external funding will not be known until the chosen installer undertakes their assessment of the properties and the household income levels and a bid for 'Green Homes Grant: Local Authority Delivery' has not yet been submitted so the outcome is unknown at the time of writing this report.

It is proposed that the Housing Team apply a 10% fee to recover the costs of delivering the project. This income would be used to maintain the Regeneration Officer post.

Given the level of investment required, and the possibility of external funding, the financial risk is assessed as medium (as the programme could be adjusted if the external grant funding is not achieved).

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Robert Cogings - Director of Housing
 Email: robert.cogings@derbyshiredales.gov.uk
 Telephone: 01629 761354

Tim Braund - Director of Regulatory Services
 Email: tim.braund@derbyshiredales.gov.uk
 Telephone: 01629 761118

7 BACKGROUND PAPERS

Date	Description	Location
2016	Community and Environment Committee 2 nd June 2016, Estate Regeneration Programme: Expression of Interest	Head of Housing
2016	DCLG regeneration programme bid documents	https://www.gov.uk/government/publications/estate-regeneration-fund
2017	Environment Committee 16 th March 2017, Hurst Farm Regeneration Bid	Head of Housing
2018	Community and Environment Committee 11 nd January 2018, Estate Regeneration Programme: Hurst Farm Regeneration Project	Head of Housing
2020	BEIS information GHG:LAD	https://www.gov.uk/government/publications/green-homes-grant-local-authority-delivery-scheme-entering-a-bid

COUNCIL
27 AUGUST 2020

Report of the Director of Community & Environmental Services and Director of Regulatory Services

ASHBOURNE RECREATION GROUND PAVILION

PURPOSE OF THE REPORT

To consider terms for a lease of land and associated sports pitches to Ashbourne Recreation Ground Sport & Community Partnership (“ASCP”) and the provision of capital contributions to the scheme comprising a new sports pavilion building and a programme of sports pitch improvements and to consider the early release of some of the capital funding.

RECOMMENDATION

1. That, subject to Public Open Space Consultation, approval is granted to enter into an Agreement for Lease and, subject to appropriate terms being met, a 50 year lease of land at Ashbourne Recreation Ground with Ashbourne Recreation Ground Sport and Community Partnership (Charity No 1178134) (ASCP) as indicated in the plan and Heads of Terms at Appendix 1 of this report.
2. That, subject to the entering into the long term lease in Appendix 1, approval is given to enter into the Construction Licence with ASCP as indicated in the plan and Heads of Terms at Appendix 2 of this report.
3. That, subject to the entering into the long term lease in Appendix 2, approval is given to provide a revised amount of £79,000 from within the existing Capital Programme budgets together with S.106 funds of £71,573 relating to the Redrow Homes Leys Farm development (when received) to ASCP as match funding towards the proposed redevelopment scheme.
4. That consideration is given to releasing the amount of £36,000 from the above funds immediately to meet the cost of professional fees incurred by the ASCP to date.
5. That the request for additional capital funding recently received from the ASCP included as Appendix 3 of this report is considered and, should additional funding be approved, appropriate provision is made in the Capital Programme.
6. That the Pitch Improvement Programme for the 3 football pitches outlined in Appendices 4 and 5 of the report is approved and the associated increased revenue funding required of £42,000 over a 6 year period should external grant funding for this amount not be available is noted.

WARDS AFFECTED

Ashbourne North and South, and surrounding wards

STRATEGIC LINK

The provision of a lease and funding as proposed in this report support the District Council's Corporate Aim to promote quality of life and also makes a significant contribution to the safety, health and wellbeing of the community of Derbyshire Dales.

1. BACKGROUND

- 1.1 A report on the Ashbourne Pavilion project was originally presented to Community & Environment Committee on 7 June 2018. This report proposed working with Ashbourne Recreation Ground Sport & Community Partnership ("ASCP") to explore a different way of providing appropriate sports pavilion facilities given the poor condition of the existing buildings on Ashbourne Recreation Ground, whilst also securing the use of the facilities for current users.
- 1.2 Approval was given to enter into a 50 year lease of the site of the existing Memorial Pavilion to ACSP, subject to:-
- Due diligence checks on the governance arrangements and constitution of the organisation.
 - ASCP successfully securing the level of external funding required to complete the project.
 - Public Open Space consultation.
- 1.3 Under this proposal, ASCP would also be responsible for pavilion and pitch bookings, therefore relieving the Council of this responsibility. The income for the pavilion would be retained by the ASCP with the pitch income being paid to the Council.



2. REPORT

- 2.1 Since the 7 June 2018 report, ASCP have continued to develop the scheme including commissioning civil engineers, architects, project managers and quantity surveyors to produce a detailed costed design specification for the new pavilion building for which planning permission has been obtained.
- 2.2 Further work took place last year to refine the specification for the scheme including some cost engineering. Following this the scheme was advertised for tender and 5 submissions were received. Following further cost engineering and financial analysis, the cost of delivering the scheme is considered to be £830,000. This would entail the demolition of the existing Memorial pavilion and construction of the new facility with an estimated construction period of 10 months.
- 2.3 Since this time, the ASCP have continued work to source external funding for the scheme. One significant source of funding is via the Football Foundation which is subject to various requirements regarding security of tenure of the sports pitches.
- 2.4 A considerable amount of work has taken place over the last 6 months to provide a suitable agreement which provides the group with the security of tenure required to secure external funding without compromising the public open space status of the wider Recreation Ground. It is considered that the proposed lease agreement recommended by this report and approved by the ASCP meets these requirements.

Proposed Lease and Construction Licence

- 2.5 The proposed lease agreement, the terms of which are included in the Heads of Terms at Appendix 1 of this report, provides the security of tenure required by the ASCP and funding bodies such as the Football Foundation whilst also respecting the public open space status of the wider Recreation Ground.
- 2.6 The proposed agreement comprises an Agreement for Lease for a 50 year lease of the pavilion site and associated football pitches subject to the following conditions being met:-
- planning permission is achieved on the scheme;
 - funding to fully complete the project is secured & verified by providing written agreement from funding bodies equivalent to the full cost of the works required to complete the entire project;
 - Council's due diligence on club's legal entity and funding are satisfactory;
 - tender for construction and demolition of existing planning permission have been issued and contractor nominated;
 - timescale for works has been submitted;
 - POS advertising has been undertaken;
 - Council approval has been granted and any reasonable issues raised by Public Open Space consultation are adequately addressed.
- 2.7 In order to cover the demolition and construction phase of the project, terms have been agreed for a Construction Licence, the terms of which are included in the Heads of Terms at Appendix 2 of this report.

Public Open Space Consultation

- 2.8 Due to the nature of the proposed lease and the fact that the football pitches and part of the site of the proposed new Pavilion comprise public open space, formal Public Open Space Consultation is required. This is out for consultation at present. Should no adverse comments be received, the lease would progress as indicated. Should any fundamental objections be received, these will be reported to a future meeting of Council.

Financial Contribution

- 2.9 At the time of the 2018 report, a capital contribution of £70,000 was proposed. It is now recommended that this is revised to £79,000 from within the existing Capital Programme budgets, together with S106 funds of £71,573 relating to the Redrow Homes Leys Farm development (when received) to ASCP as match funding towards the proposed redevelopment scheme.
- 2.10 A request has been received from the ASCP to release £34,980 of the above funding now to cover the cost of professional fees incurred by the Group for work up to start on site.
- 2.11 An additional request for further capital funding has recently been received from ASCP as outlined in the letter at Appendix 3 of this report.

Pitch Improvement Programme

- 2.12 To enable ASCP to receive external funding from the Football Foundation towards the new pavilion one of the conditions is for the grass football pitches to be upgraded and maintained to a 'GOOD' standard.
- 2.13 The pitches at Ashbourne Recreation Ground are currently rated at a 'POOR' standard, see Appendix 4, Pitch Improvement Plan Report which was undertaken by the Institute of Groundsmanship in February 2019.
- 2.14 We have worked with Derbyshire County Football Association to develop a maintenance plan to support us in upgrading and maintaining the pitches to a 'GOOD' standard. This plan includes: the application of fertiliser, vertical tine aeration, over seeding and top dressing. The costs involved in this maintenance work equates to £42,846 across a 6 year period. See Appendix 5 – Maintenance Plan.
- 2.15 There is an opportunity for a local football club such as Ashbourne Aztecs to apply for external funding through the Football Foundation and receive £28,564 towards these costs over a 6 years period. This would mean there will be £14,282 partner match funding required.
- 2.16 DDDC needs to upgrade the football pitches on Ashbourne Recreation Ground to enable local clubs and users to play football on a 'GOOD' standard pitch. It is therefore necessary to allocate additional revenue of £42,000 over a 6 year period should external grant funding for this amount not be available

3. CONSULTATION

- 3.1 The relevant Ward Members and Town Council will be consulted on the proposed transfer and any comments received will be reported verbally at the meeting. Public Open Space Advertising is also taking place.

4. OTHER EXPRESSIONS OF INTEREST

- 4.1 None received.

5. RISK ASSESSMENT

- 5.1 Legal

Clause 19 of the Football Foundation – General Terms and Conditions of Grant make the parties applying for the grant jointly and severally liable. The Council therefore will not be making a joint application for funding. It has therefore established that a leasing and licensing arrangement would satisfy the Football Foundation and negate any risk of a joint application.

The main risk is that if the charity do not finish the work and the pavilion is returned to the Council's management incomplete, then further Council funding may be required to complete the project.

The legal risk is considered as Medium

- 5.2 Financial

The revised capital programme that is elsewhere on the agenda for this Council meeting includes £325,573 for this project, subject to Members' approval of this report.

The sum of £325,573 comprises:

- £79,000 previously included in the capital programme under "Condition surveys for Parks & Pavilions" (now moved);
- £71,573 from section 106 contributions (yet to be received) – Treated as a NEW BID for the capital programme for 2020/21;
- £175,000 for further request (see Appendix 3 to this report) – Treated as a NEW BID for the capital programme for 2020/21.

Given the level of investment and the levels of the Council's reserves, the financial risk of the recommendations of this report is assessed as high.

6. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

7. CONTACT INFORMATION

Becky Bryan, Community Development Manager
Tel: 01629 761385
E-mail: becky.bryan@derbyshiredales.gov.uk

Mike Galsworthy, Estates and Facilities Manager

Tel: 01629 761207

E-mail: mike.galsworthy@derbyshiredales.gov.uk

8. BACKGROUND INFORMATION

The Football Foundation – General Terms and Conditions of Grant –

<https://www.footballfoundation.org.uk/resources/assets/attachment/full/0/20592.pdf>

9. ATTACHMENTS

Appendix 1 - Heads of Terms, agreement for lease

Appendix 2 - Heads of Terms, construction licence

Appendix 3 – Request for additional Capital Funding

Appendix 4 - Pitch Improvement Plan report

Appendix 5 - Maintenance plan

HEADS OF TERMS

Subject to Contract, DDDC approval and POS advertising consultation

A.	AGREEMENT TO LEASE	This is an agreement which will determine when the parties will enter into a lease for the land for the pavilion with rights to use the 4 pitches
1.	Party 1	<p>Derbyshire Dales District Council Matlock Town Hall Matlock Derbyshire DE4 3NN</p> <p>Contact details:</p> <p>Client Department – Becky Bryan, DDDC becky.bryan@derbyshiredales.gov.uk Surveyor – Carolyn Lucas, DDDC carolyn.lucas@derbyshiredales.gov.uk Solicitor– Christie Limb, DDDC Christie.limb@derbyshiredales.gov.uk</p>
2.	Party 2	<p>Ashbourne Recreation Ground Sports & Community Partnership (ARGSCP) CE013930/Charity No 1178134 Registered Address: 7 Northwood Rise, Ashbourne, DE6 1BF</p> <p>Contact details:</p> <p>David Wood Secretary Ashbourne Recreation Ground Sports and Community Partnership [REDACTED] melaniewood65@gmail.com Telephone [REDACTED]</p> <p>Solicitor contact details:</p> <p>Richard Alan Kerry JC Lawyers 44a St John Street Ashbourne DE6 1GH</p>
3.	Commencement	ASAP (after Council approval)
4.	Terms	Parties Agree to enter into the lease agreement attached within 30 days the following conditions being met – <ul style="list-style-type: none"> • Planning permission is achieved on the scheme

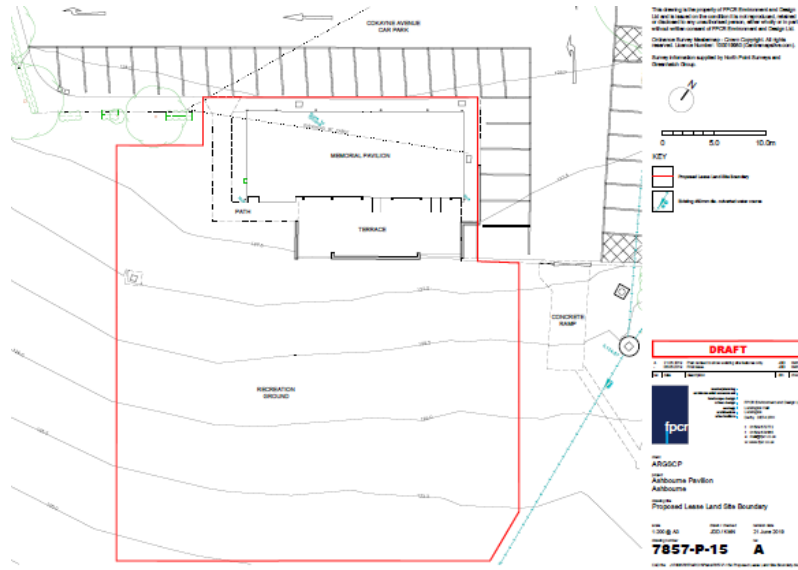
		<ul style="list-style-type: none"> • Funding to fully complete the project is secured & verified by providing written agreement from funding bodies equivalent to the full cost of the works required to complete the entire project • Council's due diligence on club's legal entity and funding are satisfactory • Tender for construction and demolition of existing planning permission have been issued and contractor nominated • Timescale for works has been submitted • POS advertising has been undertaken • Council approval has been granted and any reasonable issues raised by Public Open Space consultation are adequately addressed
5.	Termination	The Agreement to Lease may be terminated on 6 months notice by either party acting reasonably with a backstop of two years from the commencement date of the Agreement to Lease.

B.	LEASE	This Lease will be attached to the Agreement to Lease. It is for the pavilion and rights to use the 4 pitches.
1.	Lessor	<p>Derbyshire Dales District Council Matlock Town Hall Matlock Derbyshire DE4 3NN</p> <p>Contact details:</p> <p>Client Department – Becky Bryan, DDDC becky.bryan@derbyshiredales.gov.uk Surveyor – Carolyn Lucas, DDDC carolyn.lucas@derbyshiredales.gov.uk Solicitor– Christie Limb, DDDC Christie.limb@derbyshiredales.gov.uk</p>
2.	Lessee	<p>Ashbourne Recreation Ground Sports & Community Partnership (ARGSCP) CE013930/Charity No 1178134 Registered Address: 7 Northwood Rise Ashbourne DE6 1BF</p> <p>Contact details:</p> <p>David Wood Secretary Ashbourne Recreation Ground Sports and Community Partnership [REDACTED] melaniewood65@gmail.com Telephone [REDACTED]</p> <p>Solicitor contact details:</p> <p>Richard Alan Kerry JC Lawyers 44a St John Street Ashbourne DE6 1GH</p>

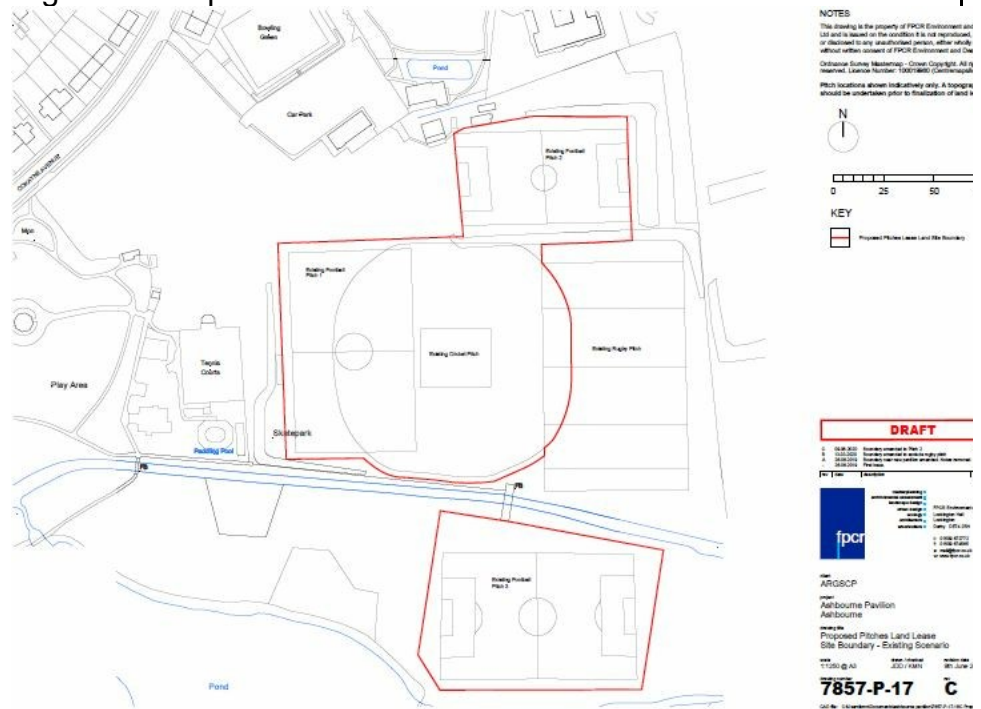
3. Property

Pavilion area Ashbourne Recreation Ground (scale plan provided 7857-P-15 rev A)

Lease Area



Rights to use pitches



Plans for illustrative purposes only

4.	Commencement Date	TBC
5.	Term	50 years Tenant only break at 35 years, to give landlord 12 months written notice
6.	Rent	£1 pa payable on demand

7.	Use	<p>To use as general purpose community sports pavilion including changing rooms, WCs, hall, kitchen, office, terrace, store rooms in accordance with Planning Application No. 2019/00409/FUL</p> <p>To operate and manage the pavilion in accordance with the Charitable aims and objects of the Lessee as set out in the Constitution of the ARGSCP as at the commencement date of the lease</p>
8.	Lessee's Obligations	<p>To pay rent</p> <p>To pay outgoings (including utilities, services, rates etc)</p> <p>To complete the general purpose community sports pavilion as per Planning Application No. 2019/00409/FUL within 5 years of commencement of the lease and any associated fitout in relation to the construction and completion of the pavilion.</p> <p>To keep the Pavilion and any surrounding leased area within the defined plan boundary in a good state of repair and clean and tidy</p> <p>To comply with all statutory obligations (including but not limited to Asbestos, Water, Energy Efficiency, electricity, gas and fire)</p> <p>Not to make alterations to the Property or the exterior of the Pavilion without Lessor's consent which should not to be unreasonably withheld</p> <p>To make appropriate arrangements for the disposal of waste</p> <p>Not to charge (raise funds against the lease), underlet or part possession with the whole or part of the property ie. not to sell the lease, have sub tenants or undertenants or otherwise without the written consent of the lessor - for avoidance of doubt this does not include temporary hiring of facilities within the scope of the user restrictions</p> <p>Not to assign the lease unless assigned to a community interest corporation (CIC) or Charitable Incorporated Organisation (CIO) with common aims to the lessee at the commencement of this agreement subject to consent not being unreasonably withheld. Any assignment so permitted would apply to the whole of the property.</p> <p>To obtain any licences required by statute or regulation for activities undertaken at the premises</p> <p>Not to hold auctions (other than for charity)</p> <p>Not to cause any actionable nuisance</p> <p>To permit entry to the Lessor or authorised agents to inspect the premises on reasonable notice and at reasonable times except in the case of an emergency</p>

		<p>Not to erect signage without the Lessor's approval in writing (Lessor acting reasonably)</p> <p>Not to store dangerous or hazardous substances</p> <p>To pay fees (including legal and surveyors' fees) relation to operation of the lease (ie. for breach of conditions of lease, recovery of arrears, dilapidations, consents).</p> <p>To yield up at the end of term in a tenantable condition with all Lessee's possessions, fittings and fixtures removed and to repair any damage caused</p> <p>Ensure compliance with ARGSCP Child Welfare Policy dated September 2019 as appended to this agreement in relation to Protecting Children and Vulnerable Adults and compliance of other such policies of recognised bodies in relation to activities undertaken.</p> <p>Comply with statute (such as but not limited to Environmental regulations, Disability Discrimination Act 1995/2005, Workplace (Health, Safety and Welfare) Regulations 1992 & other equalities legislation) and indemnify Council against all costs, claims, demand and liability</p> <p>To provide documentation upon request (eg constitution, business plan, risk assessment, other policy and procedure)</p> <p>To comply with DDDC title</p> <p>Not to apply for planning permission without the Lessor's written consent acting reasonably.</p> <p>To contribute to the reasonable costs of maintaining and repairing the common access way to the site according to user.</p>
9.	Lessor's Obligations	<p>To work with the ARGSCP and constituent football clubs to enable, secure external funding, manage and (subject to further Committee approval for allocation of further funding from the District Council's capital programme) part fund an agreed Pitch Improvement Programme for the pitches forming part of this agreement.</p> <p>Allow Lessee, subject to performing covenants, to peaceably and quietly hold and occupy the Property for the Term</p> <p>To undertake pitch maintenance so as not to disrupt the Lessee's scheduled programme of use.</p>
10	Lessee's Rights	<p>Right of way by vehicle and pedestrians between the demised area and the Public Highway across the existing Cokayne Avenue Car Park on a route to be defined by the Lessor from time to time</p> <p>To use adjoining land (in common with other parties) to gain access to the sports pitches.</p>

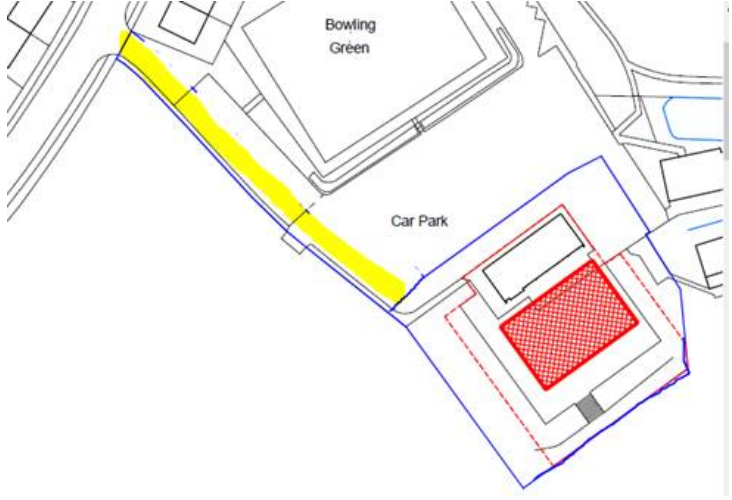
		<p>To connect to services at their own cost</p> <p>Right of Support</p> <p>In relation to the pitches -</p> <ol style="list-style-type: none"> 1. The right to use the football pitches and cricket field for playing team sports in leagues/cup, practice or training. 2. Site must be kept clean and tidy condition, with no litter, waste, or other items to be left on it. 3. Not to cause nuisance 4. To use in common with other users 5. Not to erect signage unless written consent is obtained from DDDC, not to be unreasonably withheld. 6. Ensure compliance with DDDC policy in relation to Protecting Children and Vulnerable Adults. 7. To use the cricket wicket and outfield (in common with all others) but to be treated as a priority user from mid April to mid September. ('priority' is to give first option of use) 8. To use the football pitches (in common with all users) but to be treated as a priority user from mid September to mid April. ('priority' is to give first option of use) 9. Undertaking bookings for one hockey/mini football pitch, two football pitches, one cricket field for all users compatible with the normal sports played on these pitches. 10. Bookings to be recorded electronically 11. Funds for bookings are to be adequately accounted for and reconciled 12. Pitch booking fees for the pitches will be set by and paid to DDDC but subject to consultation with ARGSCP should an increase in the pricing structure for the hire of pitches by more than 5% from the date of signing of this lease be proposed. 13. Pitch booking fees are to be remitted on a quarterly basis with a reconcilitaion of bookings and fees collected. 14. Additional booking fees for use of the Pavilion will be set and collected by ARGSCP. 15. Ensuring that Football and Cricket have priority during the times specified in 7. and 8. and thereafter other groups/residents wishing to use facilities have proper access
11	Lessor's Reserved Rights	<p>Passage of services</p> <p>Right to enter to repair services (conduits, drains, wires, pipes, cables) or inspect adjoining property giving reasonable notice except in the case of emergency</p> <p>Right of support for adjoining property</p> <p>Right to execute works on adjoining land with both parties acting reasonably to minimise inconvenience</p>
12	Agreements & Declarations	<p>Forfeiture clause for act of insolvency, dissolution of Lessee breach or non-observance of lease not remedied within 28 days.</p>

		<p>Lessee shall not be entitled to any right of light or air which would restrict use or development of adjoining land</p> <p>Notices served in writing either delivered personally or by first class registered post</p> <p>Local Authority Functions – nothing in this lease affect's the Council's rights, powers duties and obligations in the exercise of its statutory functions as a Local Authority.</p>
13 .	Indemnity	Lessee to indemnify the Lessor against all loss, damage, proceedings and claims arising out of use or occupation of the premises or use of shared areas
14 .	Insurance	<p>Lessee to insure the premises and building (all risks) and maintain third party public liability insurance (minimum initial cover of £10million).</p> <p>Maintain insurance for project completion should the contractor fail to complete</p>
15 .	L&T Act	Contracted in the provisions of S24-28 of Landlord and Tenant Act 1954
16 .	Legal Costs	<p>Each party to bear their own legal and surveyors costs</p> <p>Lessee to register the lease as soon as practicable at the Lessee's cost</p>

HEADS OF TERMS

Subject to Contract, DDDC approval and POS advertising consultation

	LICENCE	Licence for the the demolition of existing pavilion and construction of community sports pavilion
1.	Licensors	<p>Derbyshire Dales District Council Matlock Town Hall Matlock Derbyshire DE4 3NN</p> <p>Contact details:</p> <p>Client Department – Becky Bryan, DDDC becky.bryan@derbyshiredales.gov.uk</p> <p>Surveyor – Carolyn Lucas, DDDC carolyn.lucas@derbyshiredales.gov.uk</p> <p>Solicitor - Christie Limb, DDDC christie.limb@derbyshiredales.gov.uk</p>
2.	Licensee	<p>Ashbourne Recreation Ground Sports & Community Partnership (ARGSCP)</p> <p>CE013930/Charity No 1178134 Registered Address: 7 Northwood Rise, Ashbourne, DE6 1BF</p> <p>Contact details:</p> <p>David Wood Secretary Ashbourne Recreation Ground Sports and Community Partnership</p> <p>melaniewood65@gmail.com</p> <p>Telephone</p> <p>Solicitor contact details:</p> <p>Richard Alan Kerry JC Lawyers 44a St John Street Ashbourne DE6 1GH</p>

3.	Property	<p>Marked on attached plan</p>  <p>[Plan to follow]</p> <p>Access to area through Cokayne car park - marked in yellow</p> <p>Licensed Area – outlined in blue (subject to further discussion including the contractor)</p>
4.	Fee	£1pa payable on demand
5.	Purpose	<p>Authorise ARGSCP together with their agents and contractors acting on their behalf to enter the land to use as a compound for works -</p> <ul style="list-style-type: none"> - to demolish existing pavilion as per Schedule of Works Ref _____ (Appendix 1) - to build a general purpose community sports pavilion including changing rooms, WCs, hall, kitchen, office, terrace, store rooms in accordance with Planning Application No. 2019/00409/FUL as per Schedule of Works Ref _____ (Appendix 2)
6.	Commencement Date	On signing of Lease
7.	Period	Licence terminates 5 years from commencement or on completion of new pavilion whichever is earlier
8.	Licensee's Obligations	<p>To demolish existing pavilion and construct a general purpose community sports pavilion as per Planning Application No. 2019/00409/FUL at their own cost and any associated costs in relation to the demolition and construction</p> <p>To complete the pavilion within 5 years of the licence commencement.</p> <p>Access to the site is permitted between 7.30am and 6.pm Monday to Friday or such other time, with the agreement of the District Council, for construction projects of a similar nature.</p> <p>During demolition and reconstruction to keep the site fully secure (with safety Heras or other suitable fencing) and clean and tidy with no litter, waste or similar items to be left on it.</p> <p>Weight limit of 10 tonnes per vehicle or such other weight as is deemed appropriate in the circumstances provided this does not cause damage to the existing surface or exceed the weights permitted on the public highway.</p> <p>The Licensee will obtain and comply with all statutory obligations and consents in connection with their use of the Land and to comply with all relevant legislation including but not limited to Health & Safety Regulations and Environmental &</p>

		<p>Wildlife regulations.</p> <p>The Licensee to be responsible for obtaining any consents and compliances prior to the works commencing.</p> <p>Not to store noxious or dangerous materials.</p> <p>Skips are to be secured so as not to become a fire/arson risk.</p> <p>The Licensee is responsible for ensuring adequate investigations are made in relation to ground conditions, other services and potential hazards.</p> <p>Any damage to or loss of property caused by the works or contractor's shall be reinstated, repaired, made good or made safe at the Licensee's expense to the reasonable satisfaction of the Council and/or owners or occupiers of any neighbouring land affected. This should be evidenced by a Photographic Schedule of Condition provided before works commence.</p> <p>The Licensee shall not cause nuisance, annoyance or damage to any of the neighbouring or adjoining land or the owners, occupiers or tenants.</p> <p>At the end of the licence period, or if it terminates earlier, the site compound will be removed immediately and made good any damage to leave the site in its existing condition. If the site is not reinstated to the satisfaction of the Estates manager the work will be undertaken and recovered as a debt including a management charge of 10% of the cost of the works. Schedule of condition attached.</p> <p>The Licence is personal to the Licensee and is not assignable.</p> <p>The Licensor accepts no responsibility whatsoever for vehicles parked or equipment on the site or any personal losses or damage incurred.</p> <p>Adequate access must be provided for emergency vehicles to access the site and recreation ground to the rear.</p> <p>Access to be taken from the right of way and this is to be kept clean and useable by the public at all times.</p> <p>To ensure there is adequate provision of contractor's parking on the licensed site to ensure that the DDDC car park remains available for regular users.</p>
9.	Indemnity	The Licensee will indemnify the Council against all third party claims which might devolve upon it as a direct consequence of the use of this area subject an agreed limit of liability.
10.	Insurance	Licensee must carry adequate insurance to a minimum of £10 million pounds
11.	Legal & Surveying Costs	Each party to pay their own costs.

Appendix 3

Dear Councillor Richard FitzHerbert - Chairman of the Council,

You will be aware that the Ashbourne Recreation Ground Sport & Community Partnership (ARGSCP) has been working closely with the District Council in proposing a new Pavilion in Ashbourne, to replace the existing 'worn out' Memorial Pavilion, that meets the objectives of the District Council's Playing Pitch Strategy as well as national bodies for sport in England. This project has been developed over the last few years with the support of the District Council and has now reached a critical point which is the subject of an officer's report to the District Council's Full Council on 27 August.

The ARGSCP project team is working closely with Ms Becky Bryan and Mr Mike Galsworthy, two key District Council officers, on the project and I have been informed by our project manager that you have suggested that the ARGSCP formally requests that the District Council considers additional capital investment in the project over and above the £70,000 that has already been agreed. I understand that this figure may be proposed to increase to £79,000 in the report to Full Council.

Ms Becky Bryan has been sent the ARGSCP's project financial profile for the Pavilion project based on current tendered costs to demonstrate the project's viability for the 27 August committee report. In broad terms this shows total cost of the project at £830,000 approximately. Project income from a variety of organisations, including the District Council, at £775,375. Since that information was sent to Ms Becky Bryan the ARGSCP has had further positive discussions with the English Cricket Board (ECB) which indicates that their investment in the project could be more significant subject to what funding shortfall is required to let a contract.

The financial profile for the Pavilion project therefore, if all funding applications are successful, is that the ARGSCP will be able to secure all the funding required to complete the project. However if one or more of these fail then there could be a funding shortfall. Most important for ECB investment is to spend their investment on the project by January 2021. This means that the ARGSCP would need to agree a start for the project in early December 2020.

One of the main challenges with a community project of this scale is to align all confirmed external funding in sequence so that external funders can commit funding at approximately the same time. For the ARGSCP this would need to be in November 2020. It may not be possible to secure all external funding by this date, specifically from Sport England. I am asking therefore whether the District Council could consider a further 'in principle' capital contribution to the Pavilion project at £175,000 on the understanding that this may not be required if external funding applications are successful. Needless to say that even if it was required it would still mean that the cost to the District Council of providing a modern high quality sport and community Pavilion, with a total cost of £830,000, would be £254,000 with no further annual maintenance and other revenue cost for the 50 year period of the proposed lease from the District Council to the ARGSCP.

I look forward to receiving the views of the Full Council.

Your sincerely,

John Lake, Chairman Ashbourne Recreation Ground Sport & Community Partnership

Ashbourne Aztecs JFC



Pitch Improvement Programme

Initial Report

Supported by

**GROUNDS & NATURAL TURF
IMPROVEMENT PROGRAMME**

15/02/2019



Section One – Background/Objectives

Background and Visit Objectives

This report has been compiled at Ashbourne Recreation Ground for Derbyshire CFA & Ashbourne Aztecs JFC to see how support can be offered in improving the standard of football pitches and level of maintenance across the area. *Please note this report has been produced on the basis of evidence found during the initial visit and is for guidance purposes only.*

It will give:

- An overall appraisal of the site and maintenance
- Advice on how to improve playability of the pitches
- Advise and recommend potential improvements to maintenance practices

Overall Summary/General appearance

The site visit was carried out by myself and Liam Rooney Head of Development and Facilities at Derbyshire CFA whilst on site we met with a member for the Derbyshire Dales District Council groundsteam who was able to give us some additional information on pitch maintenance to supplement the information provided by Ashbourne Aztecs in the visit request form. A representative from Ashbourne Aztecs was not able to attend.

The pitches are maintained by Derbyshire Dales District Council, they are mown during growing season weekly or fortnightly depending on growing conditions. They are marked out weekly. The pitches are rolled back after fixtures and then aerated using a slitter following rolling. No wholesale over-seeding has taken place for 3 years although there is some remedial seeding and levelling works done in the goal mouths through the season. The pitches are deep spiked once annually.

The PQS testing was done on 3 zones across the 11v11 and 9v9 pitches. The areas assessed can be seen on the site image. The pitches as they are currently marked are clearly visible. There were line markings on the pitches and they were bright and correctly marked apart from on pitch 3 as it's not used through the winter months as its on a flood plain.

Surface levels across the pitches were generally good, but low lying to 60mm mainly in the high wear areas such as goal mouths and centre spots, these will naturally pond water. The goal mouth at the far end of pitch 1 is in a very poor condition and steps should be taken to improve the surface levels.

As labelled in the site image pitch 2 and 3 (11v11) generally had adequate grass cover given the time of year, pitch 1 (9v9) was suffering from high wear through the middle of the pitch.

There was generally an adequate percentage of desirable grasses and of the total ground cover 60% on average was Perennial Ryegrass. The length of the grass was largely suitable for the time of year varying between 36mm and 40mm providing sufficient protection from winter conditions and pitch use.

The soil was predominantly loamy/clay. According to the data on <http://www.landis.org.uk/soilscapes/> it describes the indigenous soil as being slowly permeable seasonally wet acid loamy and clayey soils. This refers to soils with a tight, compact deep subsoil that impedes downward water movement; after heavy rainfall, particularly during the winter, the subsoil becomes waterlogged. Particularly taking this into account regular use of heavy trailed rolling equipment that is likely to further contribute to compaction and drainage issues should be avoided.

The ground was compacted below 80mm, despite this the depth of the soil suitable for grass growth was good between 100-160mm. However, this was not reflected by good root depth varying between 50-100mm which could certainly be improved.

No detail on weed treatment was provided although the minimal presence of weeds indicates that the pitches may have been treated within the last few years. Thatch content was greater than would be desirable.

There was minimal presence of pests in the form of worm casts covering on average 6% of bare ground.

Although there was an excellent pair of portable box goals used by Ashbourne Town on pitch 2 the socketed goals on both pitch 1 and pitch 3 were in poor condition and require replacement. Particularly the far goal on pitch 1 appears to be almost 10 inches lower on one side to the other.

Please refer to Goal Post Safety Standards BSEN 748 (2004) and BS 8462 (2005).

<http://www.thefa.com/get-involved/goalpostsafety#maFqRpWmlkssVsyG.99> Action should be taken to make sure the goalposts are compliant. Speak to your County FA for further information.

Conclusions and Recommendations.

- The local authority should look to carry out further decompaction works on the site. The pitches would benefit from further deep spiking and/or linear aeration to alleviate the compaction and improve plant health. If this can be carried out when ground conditions are appropriate it will be an essential step in the right direction. When spiking, tines of 24mm would be recommended to penetrate the soil effectively at a depth between 180mm-220mm. Regular surface slitting and barrel spiking would help to relieve the surface compaction. Use of trailed heavy rollers is not recommended.
- Problem areas that are suffering with waterlogging such as the goal mouths or other high wear or low lying areas should be hand forked and regular applications of a suitable sport sand be applied to reinstate surface levels and aid drainage. If areas such as goal mouths are low lying come season end they can be turned over and the existing soil combined with a suitable sport sand to reinstate a level and then be re-seeded. If this is not possible re-turfing is an option.
- The pitches would benefit from over seeding with a suitable Perennial Ryegrass mix of at least 3 cultivars. The aim should be to apply between 10-15 20kg bags per full sized pitch using a disc seeder in multiple directions. Although there was some Perennial Ryegrass, improvement of the grass sward would improve the wear tolerance and uniformity of the surface. I would suggest this is carried out in early April when ground and weather conditions should better support germination and establishment of new grass.
- The advice to the local authority is that they should have a soil analysis carried out by a suitable materials provider, following this applications of a suitable controlled/slow release fertiliser should be made, two applications per season would be the minimum recommended. Some fertilisers offer 5-6months longevity and these would be ideal for bi-annual application. In conjunction with an effective aeration programme this will help to improve root depth and density.

- The weeds on the pitches should be treated with a broad spectrum selective herbicide during the growing season when the weeds are actively growing. This must be applied by a qualified professional with appropriate spraying licences. Please take care to use a product that will not affect the sowing of new seed if over seeding has taken place. It can be effective to mix a small amount of liquid fertiliser in with the selective herbicide to aid penetration into the weeds.
- The medium/long term recommendation for the site is that the pitches could be scarified in multiple directions to remove as much of the thatch, dead weeds and undesirable grasses as possible. Ideally 60 tonnes of a suitable sports sand dressing would then be applied (per full size pitch) followed by over seeding with a suitable Perennial Ryegrass mix using a disc seeder at a rate of 50g/sqm and followed by further deep spiking and fertiliser application.



Section Two – Site Details



Club/Organisation:	Ashbourne Aztecs JFC				
Address:	Ashbourne Recreation Ground, Cokayne Ave			Postcode:	DE6 1EJ
Active Places Site ID:	1207896				
Main contact job title / responsibility:	Julian Burton Chairman				
Tel:	07889932464	Mob:	07889932464		
Email:	Jburton07@btinternet.com				
Groundsman	DDDC	Qualified:	Yes	IOG Member:	No
Mobile:	Not provided	Email:	Not provided		
Number of groundstaff:	2	Volunteer /Professional	Professional		
Maintenance budget per season (£):	Not provided	Renovation Budget	Not provided		
In House:	No	Contractor:	No	Local Authority:	Yes
Site Owner:	DDDC	Site Size (Ha):	Pitches 4ha		
RPA	Julien Morris	Site visit	15/02/2019		

NLS Step	Charter Standard	Number of teams	
Step 7 & Below	Yes - Charter Standard	Mini Soccer	10
		Youth Male	5
		Youth Female	1















Pitch Size	Number	Initial comments
11 v 11	2	Some bare areas typical of normal wear and tear
9v9	1	Some bare areas typical of normal wear and tear

Additional Facilities e.g. Dual Sport.	Details	Initial comments
Cricket and Rugby	1	In decent condition typical of normal wear and tear

Section Three PQS – Performance Quality Standards

This report utilizes the Performance Quality Standard criteria (PQS) as endorsed by the Football Association (FA) and published by the Institute of Groundsmanship (IOG) as benchmark standards for safe, true, consistent and fit for purpose playing facilities.

IOG PQS Table - Football Pitch - Mid Season						
Ashbourne Rec Ground		Pitch Location			Grading Results	
Assessment Criteria	Unit	Goal mouth	Centre Circle	Wing	Median	PQS Grade
1 Length of grass	mm	40	36	40	40	Intermediate
2 Total ground cover	%	82	4	82	82	Upper Basic
3 Desirable grasses	%	60	3	62	60	Upper Basic
4 Weeds	%	9	4	7	7	Intermediate
5 Pests & Diseases	%	10	6	1	6	Intermediate
6 Thatch	mm	30	20	15	20	Lower Basic
7 Root depth	mm	100	60	50	60	Lower Basic
8 Growing Medium	mm	160	120	100	120	Upper Basic
9 Pitch surface levels	mm	65	40	10	40	Inadequate
10 Compaction					Below Standard	
11 Goal posts					Below Standard	
12 Line Marking					Standard	
13 Surface debris					Standard	
14 Unofficial Use					Below Standard	
Performance Quality Standard:		Upper Basic				
Pitch Advisor:		Julien Morris				
Date of Assessment:		15th February 2019				

<p>Mowing Height*36-40mm</p> 	<p>Bare areas 18-96%</p> 	<p>Desirable grasses. 3-62%</p> 
<p>Undesirable grasses. 1-22%</p> 	<p>Weeds. 4-9%</p> 	<p>Pests and disease. 1-10%</p> 
<p>Thatch. 15-30mm. Picture for demonstration purposes only.</p> 	<p>Root depth* 50-100mm</p> 	<p>Growing medium* 100-160mm</p> 
<p>Presentation/ appearance* Std</p> 	<p>Goalposts* Not Std</p> 	<p>Peak soil strength. Below Std</p> 
<p>Surface levels/Evenness* 10-60mm</p> 	<p>Post- match divoting: None</p> 	<p>Click on the link below for more information on PQS assessment</p> <p>GROUNDS & NATURAL TURF IMPROVEMENT PROGRAMME</p>

Section Four – Useful Links

Details	Web Address
The Football Association (FA)	www.thefa.com
The Institute of Groundsmanship (IOG)	www.iog.org
Sport England/IOG Football Groundsmanship	www.groundsmanship.co.uk/
IOG Pitch training	www.iog.org/winter-pitches-training-courses
Football Stadia Improvement	http://www.fsif.co.uk/
Football Foundation	http://www.footballfoundation.org.uk/

Section Five– Current Machinery

Current machinery -summary:	The current stock of machinery is inadequate to support the recommended maintenance improvements detailed within the report. If the club were able to supplement the maintenance of the district council further investment would be required. Funding support may be available to help with the purchase of new equipment please speak to your County FA contact for further information.
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Current Machinery		
Item	Make/Model	Purchase date
DDDC Machinery: 5 Gang Cylinder Mower	Ransomes	Approx 5 years old
DDDC Machinery: Iseki compact tractor	Fleet Combi	Approx 10 years old
DDDC Machinery: Trailed Roller	Unknown	Approx 20 years old
DDDC Machinery: Slitter	Unknown	Unknown
DDDC Machinery: Ride on rotary mower	John Deere x740	Approx 12 years old
DDDC Machinery: Pedestrian line marker	Rigby Taylor Impact Glider	Unknown

Section Six – Recommendations

Maintenance

Outline maintenance guide

Maintenance Item	Timing/Frequency (PS = Playing Season)	Additional Comments
Mowing	Must be maintained between 25-40mm	Maintaining playing height between 35mm-40mm year-round may be more suitable on heavily used areas. The direction of cut should be alternated and no more than 30% of the leaf cut at one time. This will improve pitch appearance and encourage recovery and grass growth.
Line Marking	Weekly	The lines were bright and correctly marked for the most part apart from pitch 3 that was out of use due to waterlogging.
Aeration - slitting	PS	The use of a surface slitter or dimple spiking attachment every week would be beneficial to aid surface drainage and help the breakdown of thatch and other organic matter.
Decompaction	Renovation, Autumn	Deep spike decompaction should be carried out at least twice a year. Ideally end of season April/May and prior to the winter months (September-early November). Decompaction is essential to allow air, water and nutrients to pass into and through the soil profile. It will aid drainage, improve surface levels and help to breakdown thatch. Tines of 24mm should be used to breakdown the heavy compaction.
Turf Nutrition	Spring, Summer and Autumn	To encourage a strong and healthy grass cover during the course of a season a fertiliser programme is recommended following a soil analysis. A minimum of two applications per year would be desirable. Slow release fertiliser is recommended to provide a continuous nutrient level.
Weed Control	NPS	Application of an appropriate broad spectrum selective herbicide should be made to control the weeds present in the playing surfaces. This must be applied by a qualified person or contractor. Please pay attention to guidelines for the herbicide as some recommend a period of time passes between application and reseeding areas.
Seeding and Overseeding	End of season and in season	April-early May would be an ideal time to over-seed using a Perennial Ryegrass mix of at least 3 cultivars. The main component of a high quality playing surface is the amount and quality of grass coverage. A healthy grass sward accompanied by a deep root system will provide a better resistance to wear and provide a stable, uniform surface. This in turn will enable more matches to be played. As timing of seeding is key consider over-seeding just before the conclusion of the playing season as this will allow the maximum time for germination and establishment to take place. Weather conditions should also be more favourable to produce a good yield.

Worm and Pest Control	As required	Any presence of worm casts in the playing surface could be alleviated by regular brushing or drag matting of the surface this would also help with thatch build up and help to disperse any surface debris. Worm casts are unsightly and can smear and cover fine turfgrasses.
Top Dressing	End of season	Should budgets permit – ideally 30-60 tonnes per full size pitch – medium coarse sand. Remedial work should be undertaken to sand and seed the bare and undulated areas on the pitches particularly goal mouths and centre spots.
Scarification	End of Season	Again, should budgets permit scarification would greatly benefit this site. Scarification will remove thatch, reduce the population of undesirable grasses and unwanted vegetation such as weeds. Contractor recommended.

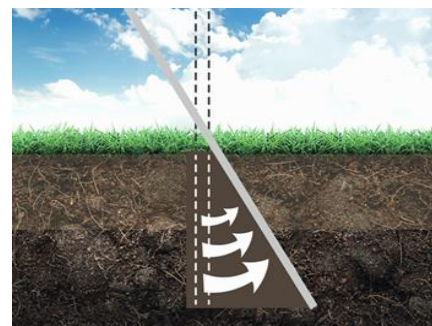
Key Priorities

Decompaction

Decompaction operations are essential for aeration to allow air, water and nutrients to pass into and through the soil profile increase drainage and improve the breakdown of organic matter (Thatch).

Introduce a programme of deep decompaction operations to be conducted at least twice annually (October & April) with a vertical action machine using 18-24mm tines at 100mm spacing's to achieve maximum heave and penetration without compromising surface integrity. If funds permit conduct further linear aeration and decompaction operations during the winter month's dependent on ground conditions. If funds are limited concentrate operations in identified areas suffering from greater levels of compaction.

An intermittent surface aeration programme would be beneficial for example slitting and/or dimple spiking every 2-4 weeks when conditions allow.



Over-seeding

To improve desirable grass coverage over-seeding is required using a Perennial Ryegrass mix of at least three cultivars. This should be applied using a disc seeder in at least 3 directions which discs the seed directly into the soil at a rate of 30-40gsm per square metre. No less than 12-14 20kg bags per full size pitch. Timing of application is key, as seed will struggle to germinate in dry hot weather without irrigation or cold temperatures when there is not adequate warmth for the seed to establish.

Over-seeding using a disc seeder whilst the pitches are in play is an option if weather conditions are more favorable but high wear areas such as goal mouths, penalty spots and center circles should be repaired and reseeded as early in the close season as possible and combined with a suitable sports sand raked to a tilth covered with germination sheeting and kept watered. Work with seed representative to identify the best seed mix for your requirements.



Fertilisers

To encourage recovery from winter wear and to promote strong and healthy grass cover through the summer season an application of a suitable controlled release fertilizer is recommended following a soil analysis.

A minimum of 2 applications per year would be recommended given the soil profile and level of use. Controlled release fertilizer is recommended to provide a continuous nutrient level over a greater period than compared with a conventional fertilizer. Typically whatever the preferred supplier a suitable fertilizer can be selected for spring/summer (Higher nitrogen content some phosphorus and medium potassium content) and autumn/winter (Low nitrogen content, no phosphorus and high potassium content + 2-4% Iron content) Approx. 10 x 20kg bags per full size pitch.

It should be noted that this is an essential part of improving the quality of the pitches at Ashbourne Rec, however this will lead to an increase in grass growth and a mowing regime of cutting a minimum of once per week may be necessary in the growing season.



Machinery Needs

Machinery Requirement	Size/Specification	Additional Comments
Compact tractor with turf tyres	35-45hp It is recommended machinery is replaced on a 5 year cycle where possible.	The following is based on appropriate machinery recommendations for DDDC. Were the club able or wanting to undertake additional maintenance the machinery recommendations can be reviewed.
Combination turf grooming attachment x 1	Tractor mounted	A combination turf grooming tool would enable the local authority to undertake key pitch maintenance tasks such as brushing, raking, slitting and light rolling with one machine.
Tractor mounted rear roller mower	Single unit	This would enable the local authority to have a dedicated mower for the winter pitches. The gang mowers could then be used at a lower height to maintain the cricket outfield during summer months.
Tractor mounted fertiliser spreader		A tractor mounted fertiliser spreader would be appropriate to accurately apply fertiliser to large areas.

Training

Successful sports surface management requires a committed, motivated and trained workforce to conduct operations in a timely, efficient and safe manner.

The Institute of Groundsmanship provide a full range of training and education packages, endorsed by the Football Association to suit all experience levels from volunteer to professional.

<https://www.iog.org/learning>

Training Need	Provider
IOG Level 1	Institute of Groundsmanship (IOG)
IOG Level 2	Institute of Groundsmanship (IOG)
IOG Safe Use of Equipment	Institute of Groundsmanship (IOG)

The recommendation would be that appropriate local authority staff attend some formal training to ensure that any pitch maintenance and machinery operation that is being carried out on the site is in line with latest best practice and safe use guidelines. The IOG Level 1 (Winter Pitches) 1 Day course would be a good starting point.

Please also look out for free to attend Pitch Improvement Programme Awareness Evenings that deliver machinery demonstrations, educational talks and seasonal maintenance advice.

Please speak to your regional pitch advisor or local FA representative for further information on the courses available.



GaNTIP Contact	RPA:	Julien Morris
	Email:	jmorris@iog.org
	Tel:	07519 103040
County Football Association Contact	CDM	Liam Rooney
	Email:	Liam.Rooney@derbyshirefa.com
	Tel:	07983 562478
Football Foundation Contact	TPM:	Tom Salisbury
	Email:	Tom.Salisbury@footballfoundation.org.uk
	Tel:	07715 426064

Please note that The FA has secured two Official Suppliers to support the roll-out and implementation of the Pitch Improvement Programme. Both Official Suppliers have agreed discounted schedule of rates that are available to all FA affiliated football clubs. Details of the full product ranges and associated contact details are appended to this report.

For all funding enquiries or to discuss this report further please contact the County Football Association (CFA).

Appendix 5

Please complete
 • The 6 project information questions below.
 • The size of up to 10 pitches requiring work at this site.
 • The recommended works for each pitch.
 • **Do not include pitches used by clubs within NLS 1 - 6.**

The FF Grant value will be capped according to the following limits per pitch (excluding VAT):	Pitch Size	Years 1 and 2	Years 3 and 4	Years 5 and 6
	11v11	£2,100	£1,400	£700
	9v9	£1,785	£1,190	£595
	7v7 or 5v5	£1,470	£980	£490

Are you ineligible for VAT or able to recover VAT? (please enter either Yes or No)	No
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Project Information

Date:	06.01.2019	RPA:	Julien Morris	Club:	Ashbourne Aztecs JFC and Ashbourne FC	Site:	Ashbourne Recreation Ground	Land owner:	Derbyshire Dales District Council	Pitch quality:	Basic
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Pitches		Contractor Works Recommended (per pitch)								Materials For Volunteer Works (per pitch)				Cost of Works Year 1 (excluding VAT)	Grant Value per pitch Year 1
Pitch	Pitch Size	Slitting	Application Of Fertiliser	Scarification	Vertical tine aeration	Application Of Selective Weedkiller	Top Dressing	Overseeding	Linear Decompaction	Seed (number of bags)	Fertiliser - Slow Release (number of bags)	Fertiliser - Conventional (number of bags)	Topdressing (number of tonnes)		
Pitch 1	11v11		1		1			1					4	£2,088	£2,506
Pitch 2	11v11		1		1			1					4	£2,088	£2,506
Pitch 3	9v9		1		1			1					4	£1,775	£2,130
Pitch 4														£0	£0
Pitch 5														£0	£0
Pitch 6														£0	£0
Pitch 7														£0	£0
Pitch 8														£0	£0
Pitch 9														£0	£0
Pitch 10														£0	£0

Cost							
Pitch Size	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Annual Cost	£7,141	£7,141	£7,141	£7,141	£7,141	£7,141	£42,846
FF Grant	£7,141	£7,141	£4,761	£4,761	£2,380	£2,380	£28,564
Partner Cont.	£0	£0	£2,380	£2,380	£4,761	£4,761	£14,282

Quantity notes (for RPA)					Top dressing to be used to address low lying and high wear areas.
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COUNCIL
27 August 2020

Report of the Director of Resources

PROVISIONAL REVENUE AND CAPITAL OUTTURN 2019/20, REVISED REVENUE BUDGET 2020/21, CAPITAL PROGRAMME AND MEDIUM TERM FINANCIAL PLAN

PURPOSE OF REPORT

This report provides details of the provisional financial outturn for the District Council's Revenue and Capital spending for the year ended 31st March 2020 and significant variations from the revised budget.

The report also seeks approval for the updated Capital Programme for 2019/20 to 2023/24, revised revenue budget for 2020/21 and an updated Medium Term Financial Plan (MTFP) for 2020/21 to 2024/25.

RECOMMENDATIONS

1. That the General Fund Revenue and Capital Outturn reports for 2019/20 be noted.
2. That the General Fund Revenue Account for the year 2019/20 be balanced by a transfer of £490,533.33 into the Funding Uncertainties Reserve;
3. Members note that, subject to the approval of recommendation 2, the revenue account for 2019/20 is balanced.
4. That the provisional Capital Out-turn, as detailed in Appendix 4, and financing arrangements for 2019/20, in the sum of £2,035,084.92 are approved;
5. That the revised Capital Programme as detailed in Appendix 4 and including new bids totalling £1,368,573, and financing arrangements for 2020/21, in the sum of £9,114,092 are approved;
6. That the Capital Programmes for 2021/22 to 2023/24, as detailed in Appendix 4, for the sum of £3,178,176, are approved;
7. That the potential future capital programme liabilities outlined in Appendix 5 are noted.
8. That the revised budget for 2020/21, as detailed in Appendix 3, and the proposed financing of £490,533.33 from the Funding Uncertainties Reserve followed by £253,466.66 from the General Reserve, are approved;
9. That the updated Medium Term Financial Plan 2020/21 to 2024/25, as shown in Appendix 3, and revised Corporate Savings Target of £500,000 are approved;
10. That the summary of revenue balances, provisions and earmarked reserves, set out in Appendix 2, is noted.

WARDS AFFECTED

All

STRATEGIC LINK

The Council's Revenue Budget and Capital Programme assist in delivering the priorities and targets within the Corporate Plan, by allocating budgets to specific projects. It should be noted, however, that not all projects shown in the new Corporate Plan have been costed and included in these financial plans.

The revenue budget, capital programme and Medium Term Financial Plan specifically address the following priority area: "People: Achieve a sustainable financial position by prudent management of resources and reviewing services". The Capital Programme is presented to link spending with the three priority areas of People, Place and Prosperity.

The provisional financial position as at 31st March 2020 has been reflected in an updated Medium-Term Financial Plan and will be reflected in the Medium Term Financial Strategy and Revenue Spending Proposals for 2021/22 that will be presented in 2021.

1 SUMMARY

- 1.1 The provisional outturn on the revenue account for 2019/20 was a balance of £490,533 against revised estimates. Key reasons for the variance are highlighted in the report below.
- 1.2 The provisional outturn for the 2019/20 capital programme was an under-spend of £498,000 against the revised capital programme that was approved in March 2019 and updated in May 2019, December 2019 and March 2020. Key schemes that contributed to this underspend are given in the report below. Most of the under-spend has been treated as "slippage" and moved into the revised capital programme for 2020/21.
- 1.3 If the recommendations of this report are approved, the provisional outturn is that Council will maintain its general fund balances at £2.0m at 31 March 2020 and increase earmarked reserves from £14.0m to £17.7m for the same period.
- 1.4 It is necessary to update the budget for 2020/21 to take account of the impact of the coronavirus lockdown on the Council's income and expenditure. Further clarity is awaited on the level of financial support that will be available from the government, but at the time of writing this report it is projected that it will be necessary to transfer £744,000 to balance the budget. It is proposed to initially utilise the £490,533 balance in the Funding Uncertainty Reserve, with the additional expected pressure of £253,467 to be financed by a contribution from the General Reserve.
- 1.5 An updated Medium Term Financial Plan has been prepared to reflect the 2019/20 outturn and events that have occurred since the budget and MTFP were approved in March 2020. The updated MTFP indicates that ongoing annual savings of approximately £500,000 will be required to balance the revenue budget from 2021/22.

2 REPORT

Introduction

- 2.1 The figures shown in this report reflect the provisional outturn for 2019/20. The Council's accounts are subject to external audit review and technical adjustments might be required that could affect the overall financial position. Any changes that are required during the audit will be reported when the Statement of Accounts is considered for approval in November.

Revenue Outturn Position

- 2.2 The General Fund contains all services that the Council is responsible for providing. During 2019/20 the Council faced a number of challenges in successfully managing its financial position whilst also planning for the future. The Council set a balanced budget contributing a net £858,398 to Reserves, including a £47,296 contribution to the General Fund. Despite continuing reductions in government funding, the Council delivered a range of services to residents and ended 2019/20 with a revenue account balance of £490,533 which is recommended to be transferred to the Funding Uncertainties Reserve.
- 2.3 The Summary Revenue Account, comparing the outturn with the revised budget is shown at Appendix 1. The table below identifies the most significant variances against the revised estimates:

Table 1: Revenue Account Outturn 2019/20

Budget Head	Variance: Revised Estimate to Outturn 2019/20 £000s
Income from Section 106 contributions	(2,463)
Revenue Grants and contributions	(262)
Recycling Credits	(89)
Consultancy Services	94
Planning Application Fees	(65)
Water charges	(64)
Others – various under and over spends	(23)
Net Cost of Services	(2,873)
Net Interest and Investment Income	(40)
Transfers to / (from) Reserves	2,442
Retained Business Rates	32
Other Government Grants (non ring-fenced)	(51)
Sub Total	(491)
<i>Proposed Transfer to Funding Uncertainties Reserve</i>	491
Total	0

Reductions in expenditure or increased income are shown in brackets in the table above.

The most significant variances relate to Section 106 contributions received in year, in excess of the £554,000 revised budget and to revenue grants and contributions which have been received but not applied in year. This income is offset in "Transfers to / (from) Reserves" by a transfer to the Revenue Grants Unapplied Reserve to be used in future financial years to fund suitable schemes and initiatives once they are developed.

Note that the variance on Consultancy relates to advice given relating to the Waste Management Contract, and this is offset in “Transfers to / (from) Reserves” as it was funded from the Committed Expenditure Reserve (having been budgeted in 2018/19).

- 2.4 The impact of Covid19 on the financial position of the Council was not significant during 2019/20 as the effects of the pandemic began to be felt during the final few weeks of the year and have not seriously impacted the outturn position. The impact is significant in 2020/21 and despite additional funding from Central Government there remains a serious risk to the Council’s current sound financial position (see Section 3 below). Accordingly the overall revenue account balance of £490,533 is proposed to be transferred into the Funding Uncertainties Reserve to ensure the Council has appropriate levels of funding to enable the budget to be balanced for the short term while it responds to potential ongoing changes in funding levels, thus preventing unnecessary service reductions

Reserves and Balances as at 31 March 2020

- 2.5 The table below shows a summary of General Fund Reserves and Provisions. The detailed position on reserves and balances, following the recommendations set out above, can be seen in Appendix 2. It is important to appreciate that many of the reserves and provisions are earmarked for specific purposes, and accordingly these funds should not be regarded as being available for general use.

Reserve	Opening Balance 1 st April 2019 £'000	Closing Balance 31 st March 2020 £'000
General Reserve & Working Balance	2,162	2,000
Earmarked Reserves	13,984	17,664
Provisions	417	1,148
Total Reserves and Provisions	16,563	20,812

Revenue balances carried forward at 31 March 2020 total £2,000,000 (31 March 2019 £2,162,000). This balance is significant as it reflects the revenue balances that are generally available for new expenditure. The Council has determined that it is prudent to maintain a working balance of £1m to meet emergencies and contingencies, and to assist with cash flow. This balance will also be required in the event that the Council does not achieve the savings required to balance the budget in any financial year.

The Council holds a number of earmarked reserves to finance future capital and revenue expenditure. The value of earmarked reserves held at 31 March 2020 is £17,664,000 (£13,984,000 at 31 March 2019).

Provisions are made when an event has taken place that gives the Council an obligation that most likely requires settlement, but where the timing or amount are uncertain. The Council has an Insurance provision and an NNDR provision for Business Rate Appeals, which has grown during 2019/20 based on the latest information received relating to likely appeals. The Business Rate Retention regime places a liability on the Council and other Precepting Authorities to refund ratepayers who successfully appeal against the rateable value of their property on the rating list. The provision represents the Council’s estimated share of such liabilities as at the 31st March 2020.

The section on the Capital Programme set out below explains that sources of funding for the capital programme and potential future capital liabilities are diminishing. The current Medium Term Financial Plan (MTFP), shown in Appendix 3, illustrates that in 2021/22 there is still a savings gap of around £500,000. The level of the General Reserve and the Funding Uncertainties Reserve provide mitigation in case savings of that magnitude do not materialise by March 2021 when the Council must set a balanced budget for 2021/22.

Council Tax and Business Rates Collection

- 2.6 Derbyshire Dales District Council collects council tax on behalf of Derbyshire County Council, Derbyshire Fire and Rescue Authority and Derbyshire Police Authority. Amounts collected, bad debts written off and any surplus or deficit on the collection fund are distributed according to precepts. In 2019/20 £54.5m (£51.7m in 2018/19) was collected from council tax payers; this represents 98.5% of council tax that was due by 31 March (target 98.4%). The final year-end position on the Council Tax Collection Fund is a surplus of £226,000 (2018/19 £146,000 deficit).

During 2019/20 the Council was part of a business rates pool with other Derbyshire Authorities, and business rates were collected on behalf of Derbyshire County Council and Derbyshire Fire and Rescue Authority. Amounts collected, bad debts written off and any surplus or deficit on the collection fund are distributed according to prescribed shares. In 2019/20 £18.3m (£18.5m in 2018/19) was collected from business rate payers; this represents 97.6% of business rates were due by 31 March (target 97.3%). The final year-end position on the National Non Domestic Rates (NNDR) Collection Fund is a deficit of £1.416m (2018/19 £0.367m surplus).

Derbyshire Dales District Council's share of these surplus and deficits is taken into account when setting the council tax for the following financial year.

3 CAPITAL SPENDING

- 3.1 Capital expenditure can be defined as that which generates an asset that has a useful life of more than one year or expenditure that enhances (not merely maintains) an asset. Capital expenditure may include:

- buying or building a new property
- work to improve or enhance the Council's properties
- awarding grants for the above types of activity, for example, grants for disabled facilities in residents' homes.

3.2 *Capital spending in 2019/20*

The budget (capital programme) for 2019/20 was set in March 2019 at £3,925,893. This was revised during the year to reflect progress on schemes and the addition of new schemes. In March 2020 the Council approved a revised capital programme for 2019/20 of £2,533,457. The provisional outturn for 2019/20 is £2,035,085. Details of spending against each scheme can be seen in Appendix 3 to this report.

The table below shows capital spending, analysed by the Council's priorities:

	2019/20 Budget £'000s	2019/20 Revised Budget £'000s	2019/20 Actual £'000s	2018/19 Actual £'000s
Council Priorities 2019/20				
Prosperity	2,488,118	1,303,970	1,326,218	1,382,226
People	92,310	124,065	112,461	10,230
Place	213,855	9,563	2,051	38,432
Other	1,131,610	1,095,859	594,355	1353,602
Total Capital Spending	3,925,893	2,533,457	2,035,085	2,784,490

At 31st March 2020, there is slippage of £498,000 compared with the revised estimate; the principal schemes contributing to this are:

Capital scheme	Comments	Variance: Revised Programme to Outturn 2019/20 £000s
Fishpond Meadow, Ashbourne	Scheme completed in April 2020	(23)
Darley Dale Down Station Improvements	To be completed in 2020/21	(23)
Commercial Vehicles	Vehicles now scheduled for replacement in 2020/21	(26)
Matlock Town Hall – Condition Surveys	To be completed in 2020/21	(38)
Capital Investment Transfer of Leisure	To be completed in 2020/21	(90)
Ashbourne Leisure Centre – Condition Surveys	To be completed in 2020/21	(145)
Air Handling Unit at Arc Leisure	To be completed in 2020/21	(40)
Customer Innovation Project: Whitespace scheme	To be spent in 2020/21	(17)

Reductions in expenditure are shown as negative figures in the table above.

Further details are given in Appendix 3 to this report.

This report seeks Members' approval to carry forward most of the underspending from 2019/20 as slippage into 2020/21.

3.3 Capital spending in 2020/21

The revised capital programme for 2020/21 has been updated to reflect slippage and is summarised below:

Priority	2020/21 Recommended Capital Programme
	£
Prosperity	3,719,266
People	28,200
Place	4,116,467
Other	1,250,159
	9,114,092

Further details are given in Appendix 3 to this report.

The spending proposals shown in the table above are the aggregate of the estimated scheme costs. All estimated grants and contributions have been dealt with as part of the financing arrangements (shown below). The major items in the spending proposals where expenditure in 2020/21 is estimated at £250,000 or more are:

	£000
Development at Blenheim Road, Ashbourne	250
Disabled Facilities Grants	491
Social Housing Grants: Tideswell	413
Social Housing Grants: Rural Villages – affordable housing for rent programme	410
Non Traditional Homes improvement scheme	1,000
Social Housing Grants: Darley Dale – Bakewell Road Site	570
Ashbourne Pavilion project	326
Commercial vehicles – Vans, lorries etc.	464
Purchase of waste vehicles	3,612

New Bids

The revised capital programme for 2020/21 includes £1,368,573 for the following new schemes detailed here, and coloured in red in Appendix 3

New Scheme	Reason for Inclusion	Amount
Ashbourne Memorial Gardens Band Stand & New park shelter	The current bandstand in Ashbourne is in poor condition due to deterioration of its structure	£40,000 Bandstand £30,000 New shelter
War Memorials at Cromford & Ashbourne	The stone steps at Cromford are crumbling and subsiding. The surface stonework at Scarthin is Delaminating.	£5,000 Cromford £10,000 Ashbourne £15,000 Survey and Stone work

	The Lighting at Ashbourne is no longer fit for purpose	
Hulland Ward Community Asset Transfer	Grant for capital works to Hulland Ward Parish Council for the improvement of community facilities	£22,000
Non Traditional Home Improvement Schemes	Improvements to homes	£1,000,000
Ashbourne Pavilion Project	Capital Grant towards the scheme	*£246,573
Total New Bids		£1,368,573

*The scheme for Ashbourne Pavilion Project has a total cost of £325,573 of which £79,000 was included in the existing capital programme. Additional costs total £246,573.

3.4 **Capital spending in 2021/22 to 2023/24**

The revised capital programmes for 2021/22 to 2023/24 have been updated to reflect slippage and new bids and is summarised below:

Priority	2021/22 to 2023/24 Recommended Capital Programme
	£
Prosperity	1,967,940
Other	1,210,236
	3,178,176

Further details are given in Appendix 3 to this report.

Capital Resources

3.5 The Council has substantial internal resources to finance its capital programme including its strategic reserves and the balance of its Capital Receipts Reserve. Also available is the use of external borrowing when required. The Council has sufficient resources to fund the proposed capital programme.

The table below shows how the capital spending in 2019/20 was financed and how it is proposed to finance the capital programme from 2020/21 to 2023/24:

Source of Funding	2019/20	2020/21	2021/22 to 2023/24	Total
	£	£	£	£
Capital Receipts	570,270	2,973,676	210,854	3,754,801
Grants & Contributions	515,013	1,243,470	982,940	1,991,423
Use of Reserves:				
Capital Programme Reserve	511,730	852,357	190,000	1,554,087
Section 106 Contributions	250,000	950,573	985,000	2,185,573
Grants Unapplied Reserve	48,705	51,295	0	100,000
Vehicle Renewals Reserve	0	464,350	716,000	1,180,350
ICT Reserve	110,579	20,000	80,000	210,579

Economic Development Reserve	0	10,000	0	10,000
Carsington Reserve	0	20,070	13,382	33,452
Customer Innovation Reserve	28,789	28,200	0	0
Waste Vehicles reserve		2,500,100		2,500,100
Total Capital Financing	2,035,085	9,114,092	3,178,176	14,327,352

3.6 The table below shows the impact on the Council's Reserves and Balances of the above proposals:

Reserve/Balance	B/fwd 01/04/2019 £	New Receipts £	Used £	C/fwd 31/03/2024 £	Comments
Capital Programme Reserve	2,318,850	0	1,554,087	764,763	Mostly earmarked for specific projects
Other Strategic Reserves* (earmarked for capital schemes) See below	3,578,848	850,000	4,091,469	337,379	Mostly earmarked for specific projects
Section 106 Income	3,521,833	3,018,011	2,185,573	4,354,271	Relies on new receipts being attained
Capital Receipts	2,944,441	938,305	3,754,801	127,946	Relies on new receipts being attained
Capital Grants	220,380	2,756,736	2,741,423	235,693	Mostly earmarked for specific projects
Total	12,584,352	7,563,052	14,327,353	5,820,051	

“Other Strategic Reserves” comprise the following:

Reserve	B/fwd 01/04/2019 £	New Receipts £	Used £	C/fwd 31/03/2024 £
Carsington Improvements	33,452	0	33,452	0
Vehicle Renewals	440,063	750,000	1,180,350	9,713
ICT Reserve	438,245	100,000	210,579	327,666
Economic Development Reserve (earmarked for capital)	10,000	0	10,000	0
Revenue Grants Unapplied	100,000	0	100,000	0
Waste Vehicles Reserve	2,500,100	0	2,500,100	0
Customer Innovation Reserve	56,988	0	56,988	0
Total	3,578,848	850,000	4,091,469	337,379

3.7 Officer comments:

The table above demonstrates that, if the recommendations of this report are accepted, sources of capital funding are forecast to reduce to £5,820,051 by 31 March 2024. However, Section 106 contributions, capital grants and the amounts in other strategic reserves are set aside for specific purposes; if these are excluded the amount available for new capital schemes reduces to £1,128,401.

The Corporate Leadership Team has identified a number of future capital liabilities and

potential new projects that will be required in the next 1-2 years that have not been included in this revised capital programme. These projects are set out in Appendix 4. They total £625,500 but do not include the estimated costs of a traveller site. If the £625,500 is deducted from the £1,128,401, it leaves the Council with available funds of only £502,901 to meet further liabilities, not yet identified or quantified.

For a small district council, in the current economic climate, a fully funded capital programme of £14.3m can be seen as fairly healthy. Members should note, however, that much of the capital programme is spent on enhancing and replacing existing assets and that existing funds are likely to be virtually depleted by 2023/24. There will always be a need for some asset replacements and hence the need for annual contributions from revenue to capital reserves, as identified in the Medium term Financial Strategy.

4 REVISED REVENUE BUDGET 2020/21

- 4.1 The full impact financial impact of Covid19 on the Council is uncertain, and it is not yet known how long it will take for a full recovery to occur. To date significant income has been lost and additional expenditure incurred. Current projections are that service income losses of £1.974m will occur during 2020/21 with the main losses being within car park income (£1.175m). Additional service expenditure of £745,000 is expected to be necessary, with the significant costs arising in providing additional management fees to support Freedom Leisure following income losses due to closure of leisure centres.
- 4.2 In addition to this income losses relating to NNDR and Council tax falling within the Collection fund will be incurred, significantly due to new reliefs awarded to businesses and due to financial difficulties some business owners and residents now face. This income loss will affect the Council and precepting authorities, but does not have to be taken into account until the Council sets its budget for 2021/22. It is hoped that this loss will be offset by funding from Central Government, possibly over the next three financial years. Therefore, income losses arising from council tax and business rates have not been reflected in the revised revenue budget for 2020/21.
- 4.3 It is expected that further government assistance will be provided to Local Authorities to cover some of the lost income. To date central government has awarded the Council £837,000 of grant funding in response to Covid19 pressures and £338,000 Council Tax Hardship Fund which will offset with a shortfall in Council Tax receipts. In addition a New Burdens Grant has been received for administering and delivering the Small Business Grants Fund and the Retail, Hospitality and Leisure Grants Fund, however some of this will be passed over to Arvato to recognise their contribution towards administering the grants. Further New Burdens Funding is anticipated to support to Council in delivering the Discretionary Grant Fund. The Council is waiting for clarity over the level of funding for lost income that has recently been announced; at the time of writing this report that funding has been estimated at £1.125m for 2020/21. It has been suggested that further government funding might be awarded to assist with the pressures of outsourced leisure contracts, but that has not been reflected in the revised estimates at this stage due to uncertainty.
- 4.4 The 2020/21 Original budget included £93,000 minimum revenue provision which is no longer required as it has now been possible to wholly fund the new waste contract vehicles from reserves rather than borrowing as initially planned. This saving is proposed to be used to offset additional one off costs claimed by Serco due to Covid19 (subject to Council approval). This will be an ongoing saving to the MTFP in future years. The 2020/21 Original Budget also included a new Corporate Director post, which has not yet

been filled, and slippage is included in the Revised Budget assuming this post will remain vacant until Jan 2021. The Original Budget included pay budgets with a 2% pay award anticipated, recent information indicates that a pay award of 2.75% is likely and the impact of this is a further cost of £59,000 that has been included in the updated MTFP.

- 4.5 An emerging pressure has been identified which is likely to cost £167,000 during 2020/21 for the management and maintenance of the Councils trees, with approximately 250 of them presenting hazards to residents and visitors. It is possible some of the remedial works may slip into the next financial year, and would most likely be managed through the Committed Expenditure Reserve if not completed by year end. Thereafter ongoing proactive management of the tree stocks is expected to cost approximately £60,000 per year and this will be built into the MTFP. A full report will be prepared for the relevant policy committee in due course, but the costs have been included in the revised estimates for 2020/21 and MTFP.
- 4.6 Taking all of the above factors into account, the revised estimates for 2020/21 are summarised in Appendix 5, with the overall impact being an additional £744,000 expenditure, which is recommended to be financed from the Funding Uncertainties Reserve as far as possible with excess costs currently proposed to be funded from the General Reserve.
- 4.7 The impact of Covid19 on the Public Sector could not have been expected, and there is no previous experience of this type of virus or of the economic impact that it would have. The current and future economic situation is uncertain and extremely serious. It is hoped that this is a one off event, but this cannot be guaranteed and further highlights the necessity to maintain an adequate level of Reserves, including the General Reserve to protect the Council against exceptional events. Due to robust Leadership and sound Financial Management the financial situation at Derbyshire Dales District Council is secure in the immediate aftermath of the first wave, whilst some other Councils are currently in very challenging financial positions. The need to plan long term and to hold sufficient levels of reserves is reinforced in order to be able to deliver our key services, support our residents and businesses now and in the future, and continue to provide value for money in all that we do.

5 MEDIUM TERM FINANCIAL PLAN

- 5.1 The Medium Term Financial Plan (MTFP), shown in Appendix 5, sets out in broad terms the Authority's anticipated future spending requirements and indicates the level of savings that could be required in future years if the Council is to meet its statutory duty to set a balanced budget. The MTFP takes account of current and known additional requirements. The quantified additional requirements are based on the planned intentions of the Council and any future impact of decisions already implemented, but cannot be conclusive, as other changes will undoubtedly occur over time.
- 5.2 The Council's Medium Term Financial Plan was last updated in March 2020 when the Council set its budget for 2020/21. At that time a Corporate Savings Target of £400,000 was approved.
- 5.3 The figures in the updated MTFP reflect the funding that has been indicated in the Government's Settlement Funding Assessment for 2020/21. Several funding streams (New Homes Bonus, Rural Services Delivery Grant and Revenue Support Grant) received from Government, have a significant, direct impact on the Council. The Ministry for Communities and Local Government (MHCLG) has previously indicated that all of these funding streams will reduce and that information has been used to model the Council's MTFP. During 2020/21 the MHCLG continues to carry out a comprehensive

spending review, as well as reviews on local authority needs and resources and the business rates system. These reviews could bring about significant changes in the Council's funding from 2021/22, which makes medium term financial planning very difficult at this point in time. As the provisional and final settlements are not normally received until December and January respectively prior to financial year start, the Council will have limited time to respond to changes.

- 5.4 The ongoing impact of Covid19 on the Medium Term Financial Plan is as yet not fully understood, and we await further government guidance to clarify the impacts on our central funding in future years. Clarity is also required to understand whether current impacts will be one off or recurring in nature and this may be dependent upon whether there are additional waves of the virus, and what the future economic outlook becomes.
- 5.5 The MTFP includes the impact of several key developments for the council over the MTFP period. These include the introduction of the chargeable garden waste service, the triennial review of the pension fund and impacts of savings arising through the previous Leisure Review.
- 5.6 The figures in the medium term financial plan indicate that significant savings must be achieved in the medium term if the Council is to be able to set a balanced budget each year. It is recommended that the Corporate Savings Target should be increased to £500,000 by 2023/24, based on the assumptions in the MTFP which may or may not turn out to be accurate.
- 5.7 **Officer comment**

If the assumptions in the medium term plan turn out to be accurate, and the proposed savings shown in the efficiency plan are realised, the Council will need to identify ongoing annual savings of around £500,000 to balance the budget in 2021/22, or use the General Reserve in that year to cover any shortfall. The use of the General Reserve is a one-off, not sustainable for future years, but it would provide time during 2021 (when it is hoped that there will be more clarity over the funding position) for the Corporate Leadership Team to develop a Savings Plan to address budgetary shortfalls arising in 2022/23 onwards.

The recommendations made in this report have been reflected in the draft Statement of Accounts, which will be published on the Council's website. The Statement of Accounts is subject to an independent audit, carried out by Mazars LLP. The audited Statement of Accounts will be presented for approval at the Council meeting to be held in November 2020.

6 RESERVES AND BALANCES FOR 2020/21 AND BEYOND

- 6.1 The impact on reserves and balances of the revised revenue budget for 2020/21 and the updated capital programme is set out in Appendix 2 and summarised below:

Reserve	Opening Balance 1 st April 2020 £'000	Forecast Closing Balance 31 st March 2021 £'000	Forecast Balance 31 st March 2025 £'000
General Reserve & Working Balance	2,000	1,746	1,746
Earmarked Reserves	17,664	11,690	10,318
Provisions	1,148	1,148	1,148

Total Reserves and Provisions	20,812	14,585	13,212

7 KEY EVENTS FOR 2020/21 AND BEYOND

- 7.1 Whilst the impact of Covid19 on the financial position for 2019/20 was minimal as the effects were only felt in the final 2 weeks of the year, the impact is much more significant in 2020/21 and there remains some uncertainty how long it will take for a full economic recovery and if there will be further waves of the virus. A number of Revenue income streams have been affected such as car parking, and the closure of Leisure Facilities has resulted in increased costs, partly due to income losses, incurred by the Council via its management arrangement with Freedom Leisure. The effects of Covid19 are wide reaching and as yet not yet fully known, and this causes significant financial risks to the Council.
- 7.2 Further uncertainties arise due to the further delay of the Fair Funding Review and the Retained Business Rate Review. Both of these reviews have the potential to significantly affect the amount of funding received by the Council in future years. The full impact of the McCloud/Sargeant tribunal judgement on public sector pensions is likely to have long term cost implications on the LGPS, the effect of this is also not yet known.
- 7.3 Looking ahead to 2021/22, the Council continues with its drive to generate further savings or to identify additional income in the face of financial pressures. The key issue facing Derbyshire Dales District Council in the medium term is the need to produce a sustainable, balanced budget in the face of declining government support, following previous government austerity measures, and significant uncertainty of how the future now looks.

There are ongoing major projects outlined below that are being undertaken that will significantly influence the Council's ability to balance its budget in the future. There is also a requirement for significant work and expertise to ensure that the best outcome for the Council and residents is achieved.

7.4 ***Garden Waste Service***

Plans are currently underway for the introduction of a chargeable garden waste collection scheme effective from April 2021. This is expected to deliver significant income to partly offset the increased cost of the new waste contract.

7.5 ***Council House Building Programme***

The Council has previously approved proposals to become a provider of social housing. The modest programme of development will see up to 52 homes delivered over the next few years. The programme will provide a new and ongoing revenue stream to the General Fund, helping to support the Council's wider strategic objectives. The business plan for the programme was revised in June 2020 and forecast an annual revenue income of approximately £200,000 when all 52 homes have been completed.

7.6 **Climate Change Action Plan**

The Council's Climate Change Strategy and Action Plan is expected to be received very shortly and will be reported to Council separately. Whilst the detail is not yet known, it is expected that the Action Plan will identify a number of items that will require significant investment, if the Council is to meet its commitment to reach net zero carbon emissions by 2030.

7.7 **Other Corporate Plan Priorities**

It is worth noting that priorities and plans in the new Corporate Plan are not fully costed and future financing decisions will need to take this into account.

8 **RISK ASSESSMENT**

8.1 Legal

The Council has a legal duty to set a balanced budget and has a general duty to act in the public interest in managing the custody of public funds. The accounts have been prepared by qualified personnel using accepted principles for to ensure proper accountability. The legal risk is therefore low.

8.2 Financial

The recommended transfer of the 2019/20 revenue account surplus to the Funding Uncertainties Reserve will help to provide funding for potential future liabilities that the Council may face in balancing its revenue budget.

For revenue spending, in 2020/21 the use of the Funding Uncertainties Reserve and then the General Reserve will ensure a balanced revised budget if there is insufficient government funding to cover all Covid19 additional spending and lost income. However, this will leave the General Reserve with a considerably lower balance, which is assessed as high risk.

The Medium Term Financial Plan illustrates that before the 2021/22 budget is set in March 2020 significant savings must be identified or the use of reserves approved in order to set a balanced budget. There are risks associated with this approach; these risks are explained in the Council's Medium Term Financial Strategy. If savings cannot be identified by March 2021, the use of the Funding Uncertainties Reserve will mitigate the risks in the short term but the financial risk in respect of the Council's long-term financial position remains high.

8.3 Corporate Risk

The Council's financial position is taken into account in determining all the priorities in the Corporate Plan. The Council is expected to deliver significant savings or approve the use of reserves to balance its revenue budget from 2020/21 onwards. "Financial Resilience" has been identified on the Council's Strategic Risk Register and has been assessed as high risk, pending the delivery of the required savings and the outcome of the Local

Government Finance Settlement for 2021/22. The consequences of failing to identify the required savings are shown as:

- Lack of resources available to deliver the core Council activities
- Controls not performed or overlooked due to time and resource pressures.
- Cash flows are not available to maintain standards and quality of service provision.
- Increase in claims made to the Council
- Initiatives, development programmes etc. around capital enhancements, car park maintenance etc. may not be performed resulting in members of the public hurt or public property damaged.

9 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

10 CONTACT INFORMATION

Karen Henriksen, Director of Resources
Telephone: 01629 761284;
Email: karen.henriksen@derbyshiredales.gov.uk

Paul Frith, Financial Services Manager
Telephone: 01629 761214;
Email: paul.frith@derbyshiredales.gov.uk

11 BACKGROUND PAPERS

None

12 ATTACHMENTS

Appendix 1: Summary Revenue Outturn 2019/20
Appendix 2: Summary of Revenue Balances, Provisions and Earmarked Reserves as at 31st March, 2020
Appendix 3: Capital Programme 2019/20 to 2023/24
Appendix 4: Potential capital schemes/liabilities not included in capital programme
Appendix 5: Medium Term Financial Plan

SUMMARY OF REVENUE OUTTURN 2019/20

	Amount	Original Budget	Revised Budget	Variance from Revised Budget
Chief Executive	394,685	485,010	424,602	(29,917)
Community and Environmental Services	2,226,638	2,226,724	2,281,860	(55,222)
Corporate Services	1,750,640	1,888,186	1,799,536	(48,896)
Housing	(2,644,217)	511,865	(40,826)	(2,603,391)
Regeneration & Policy	399,740	479,059	421,989	(22,249)
Regulatory Services	395,948	452,325	473,267	(77,319)
Resources	2,678,726	2,674,918	2,714,818	(36,092)
Net cost of Services	5,202,161	8,718,087	8,075,246	(2,873,085)
Non Service Items:				
Interest on Balances	(182,896)	(105,000)	(139,500)	(43,396)
Borrowing Interest Paid	227,456	227,502	225,000	2,456
Statutory Debt Repayment	247,612	247,612	247,612	0
Loan Premium Due	110,924	110,924	110,924	0
Income from Investment Properties	(101,055)	(104,905)	(101,956)	901
Net Revenue Expenditure	5,504,203	9,094,220	8,417,326	(2,913,123)
Transfers to / from Reserves	3,976,831	858,398	1,535,292	2,441,539
Funding Requirement	9,481,034	9,952,618	9,952,618	(471,584)
Funded by:				
External Funding				
Retained Business Rates including S31				
Grant Payments to and from Pool	(2,728,291)	(2,760,244)	(2,760,244)	31,953
Business Rate Collection Fund (Surplus)/ Deficit	(209,081)	(209,081)	(209,081)	0
CT Collection Fund (Surplus)/ Deficit	(11,299)	(11,299)	(11,299)	0
Rural Services Delivery Grant	(401,179)	(401,179)	(401,179)	0
New Homes Bonus	(519,955)	(519,955)	(519,955)	0
Other Government Grants	(50,902)	0	0	(50,902)
Total External Funding	(3,920,707)	(3,901,758)	(3,901,758)	(18,949)
Total Council Tax Requirement (inc Parishes)	(7,660,812)	(7,660,812)	(7,660,812)	0
Town and Parish Precepts	1,609,952	1,609,952	1,609,952	0
District Council Tax Requirement	(6,050,860)	(6,050,860)	(6,050,860)	0
Outturn	(490,533)	0	0	(490,533)
Proposed Transfer to Funding Uncertainties Reserve	490,533			
Total	0			

SUMMARY OF REVENUE BALANCES, PROVISIONS AND EARMARKED RESERVES

(Note this includes the proposed transfer of £490,000 into the Funding Uncertainties Reserve in 2019/20, and the expected £744,000 funding of the Revised Budget 2020/21 from the Funding Uncertainties Reserve followed by the General Reserve)

Revenue Funding	Balance at 31st. March 2019 £	Estimated Contribution in 2019/20 £	Transfer to Fund Waste Vehicles 19/20	Estimated Use in 2019/20 Revenue £	Estimated Use in 2019/20 Capital	Estimated Balance at 31st. March 2020 £	Estimated Contribution in 2020/21 £	Estimated Use use in 2020/21 Revenue £	Estimated Use in 2020/21 Capital	Estimated Balance at 31st. March 2021 £
Revenue Balances										
General Fund Working Balance	1,000,000	0		0	0	1,000,000	0	0	0	1,000,000
General Reserve	1,161,543	47,296	(209,000)	0	0	999,839	0	253,468	0	746,371
	2,161,543	47,296	(209,000)	0	0	1,999,839	0	253,468	0	1,746,371
Provisions										
Insurances	54,000	6,640		0	0	60,640	0	0	0	60,640
NNDR Appeals	362,596	839,555		114,527		1,087,624	0	0		1,087,624
	416,596	846,195	0	114,527	0	1,148,264	0	0	0	1,148,264
Reserves										
Business Rates Fluctuations Reserve	1,096,362	264,061	(600,000)	0	0	760,423	0	270,000	0	490,423
Capital Programme Reserve	2,988,892	0	(582,000)	88,042	511,730	1,807,120	0	0	852,357	954,763
Carsington Improvements	33,452	0	0	0	0	33,452	0	0	20,070	13,382
Committed Expenditure	270,217	77,889	0	176,981	0	171,125	0	0	0	171,125
Customer Innovation Project	371,000	0	0	62,816	28,788	279,397	0	120,592	28,200	130,605
Economic Development	273,384	63,301	0	38,840	0	297,845	0	42,944	10,000	244,901
Elections	157,814	30,000	0	89,758	0	98,056	30,000	0	0	128,056
Funding Uncertainties	0	911,533	(421,000)	0	0	490,533	0	490,533	0	0
ICT Renewals	438,245	100,000	0	5,787	110,579	421,879	0	37,250	20,000	364,629
Insurances	464,473	0	0	0	0	464,473	0	0	0	464,473
Investment Fund / Invest to Save Reserve	564,590	0	0	0	0	564,590	0	0	0	564,590
Job Evaluation	150,000	0	0	0	0	150,000	0	0	0	150,000
Local Plan	158,422	50,000	0	0	0	208,422	50,000	150,000	0	108,422
Member / Officer Indemnity	25,000	0	0	0	0	25,000	0	0	0	25,000
Vehicle Renewals	989,063	150,000	(549,000)	0	0	590,063	150,000	0	464,350	275,713
Waste Contract Fluctuations	412,000	300,000	0	0	0	712,000	0	0	0	712,000
Ward Member Budget Reserve	36,100	0	(36,100)	0	0	0	0	0	0	0
Revenue Grants Unapplied	5,555,801	3,656,661	0	824,154	298,705	8,089,604	117,072	503,974	1,001,869	6,700,833
Waste Vehicles Reserve	0	103,000	2,397,100	0	0	2,500,100	0	0	2,500,100	0
Corporate Plan Priority Reserve	0	0	0	0	0	0	201,471	10,000	0	191,471
	13,984,816	5,706,445	209,000	1,286,377	949,802	17,664,082	548,543	1,625,293	4,896,946	11,690,386
TOTAL	16,562,954	6,599,936	0	1,400,904	949,802	20,812,184	548,543	1,878,761	4,896,946	14,585,021

*The General Fund Working Balance is specified as a “controlled reserve” for the purposes of Section 26 of the Local Government Act 2003.

CAPITAL PROGRAMME – 2019/20 OUT-TURN & PROPOSED PROGRAMME FOR 2020/21 TO 2023/24

Key: **Includes Slippage** **Revenue – De-minimis** **New schemes**

Corporate Priority – Prosperity

Earmarked Schemes	Corporate Priority (new)	31st March 20 Out Turn Position	2019/20 Approved March	2020/21 including Slippage	2021/22	2022/23	2023/24	Total
Blenheim Road	Prosperity	-		250,000.00				250,000.00
Disabled facilities Grants	Prosperity	515,013.11	491,470.00	491,470.00	491,470.00	491,470.00		1,989,423.11
Social Housing Grants - Bakewell Lady Manners School	Prosperity	92,500.00	92,500.00	80,000.00				172,500.00
Social Housing Grant - Cromford / Matlock Bath	Prosperity	-		100,000.00				100,000.00
Social Housing Grant - Tideswell	Prosperity	-		412,500.00				412,500.00
Social Housing Grant - Rural village affordable Housing Grant	Prosperity	420,000.00	420,000.00	410,000.00				830,000.00
Social Housing Grant - Darley Dale	Prosperity	-		157,500.00				157,500.00
Social Housing Grant - Luke Lane / Mercaston Lane	Prosperity	-		0.00	135,000.00			135,000.00
Social Housing Grant - Matlock Asker Lane	Prosperity	250,000.00	250,000.00	0.00				250,000.00
Social Housing Grant - Doveridge - Bakers Lane	Prosperity	-		0.00				0.00
Hurst farm Estate Cladding Programme	Prosperity	48,704.50	50,000.00	51,295.50				100,000.00
Non Traditional Homes improvement schemes	Prosperity			1,000,000.00				1,000,000.00
Social Housing Grant - Ashbourne NCHA 12 bungalows	Prosperity		0.00	0.00				0.00
Social Housing Grant - Matlock YMCA with NCHA	Prosperity			0.00	500,000.00			500,000.00
Social Housing Grant - Wirksworth community land trust	Prosperity			0.00	350,000.00			350,000.00
Social Housing Grant - Bakewell Alms-house Trust	Prosperity			35,000.00				35,000.00
Social Housing Grant - Bakewell Road, Darley Dale	Prosperity			570,000.00				570,000.00
Social Housing Grant - Harrison Alms-house Charity	Prosperity			26,500.00				26,500.00
Social Housing Grant - Ashbourne Empty Property Buy Back	Prosperity			25,000.00				25,000.00
Hurst Farm Social Club	Prosperity			110,000.00				110,000.00
Total Programme	Total	1,326,217.61	1,303,970	3,719,266	1,476,470	491,470	0	7,013,423

Corporate Priority – People

Earmarked Schemes	Corporate Priority (new)	31st March 20 Out Turn Position	2019/20 Approved March	2020/21 including Slippage	2021/22	2022/23	2023/24	Total
SCP Payments Portal	People	8,558.00	6,138.00	0.00				8,558.00
CRM System	People	75,115.96	71,850.00	0.00	0.00	0.00		75,115.96
Customer Innovation Project - Paye.net	People	28,787.50	46,077.00	0.00				28,787.50
Customer Innovation Project - White Space	People			15,000.00				15,000.00
Customer Innovation Project - Direct Debit set up	People			13,200.00				13,200.00
Total Programme	Total	112,461.46	124,065	28,200	0	0	0	140,661

Corporate Priority - Place

Earmarked Schemes	Corporate Priority (new)	31st March 20 Out Turn Position	2019/20 Approved March	2020/21 including Slippage	2021/22	2022/23	2023/24	Total
Wirksworth St Mary's Churchyard Railings	Place	2,050.57	2,051.00	0.00				2,050.57
Condition Surveys - Parks & Pavilions	Place	-	6,355.00	67,355.00				67,355.00
Ashbourne Pavillion Project	Place			325,573.00				325,573.00
Bakewell Riverside Path	Place	-		10,000.00				10,000.00
Hall Leys Park Ranger Station	Place	-	1,157.00	1,157.00				1,157.00
Waste Vehicles	Place			3,612,382.00				3,612,382.00
Ashbourne Memorial Gardens and Bandstand	Place			70,000.00				70,000.00
Works to war Memorials	Place			30,000.00				30,000.00
Total Programme	Total	2,050.57	9,563	4,116,467	0	0	0	4,118,518

Corporate Priority – Other

Earmarked Schemes	Corporate Priority (new)	31st March 20 Out Turn Position	2019/20 Approved March	2020/21 including Slippage	2021/22	2022/23	2023/24	Total
Pay & Display Ticket Machines	Other	-	6,000.00	6,000.00				6,000.00
Fishpond Meadow, Ashbourne: Car Park improvements	Other	-	23,000.00	23,000.00				23,000.00
Bakewell ABC Car Park improvements	Other	-		129,500.00				129,500.00
Monsal Head car Park improvements	Other	-		10,500.00				10,500.00
Darley Dale Down Station Improvements	Other	8,410.00	31,000.00	22,590.00				31,000.00
Wirksworth Steeple Arch cemetery extension	Other	-		60,000.00				60,000.00
Paths at Bakewell Cemetery	Other	-		3,749.00				3,749.00
Burials Review	Other	-		44,000.00				44,000.00
Commercial Vehicles	Other	-	26,350.00	464,350.00	280,000.00	214,000.00	322,000.00	1,280,350.00
Miscellaneous Grants	Other	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00	150,000.00
Carsington fund grants	Other	-	13,380.00	20,070.00	6,690.00	6,692.00		33,452.00
Hulland Ward Recreation Ground	Other			22,000.00				22,000.00
Matlock Town Hall - works in condition surveys	Other	13,852.61	52,000.00	88,147.39	135,854.00			237,854.00
Ramp at Northwood depot	Other	-	10,000.00	0.00				0.00
Capital Investment Transfer of Leisure	Other	474,332.10	652,053.00	89,678.96				564,011.06
Wirksworth Leisure centre - Condition surveys	Other	-		0.00				0.00
Wirksworth Leisure centre - sports hall flooring	Other	-		0.00				0.00
Ashbourne Leisure Centre - Condition surveys	Other	4,589.19	149,110.00	144,520.81				149,110.00
Air handling unit at ARC	Other	-	40,000.00	40,000.00				40,000.00
Public Conveniences Condition survey works	Other	2,808.88	2,862.00	7,053.12				9,862.00
Microsoft Enterprise Agreement	Other			0.00	80,000.00			80,000.00
V11 Income Management system upgrade	Other	7,203.50	7,000.00	0.00				7,203.50
V13 Income Management system upgrade	Other	-	0.00	20,000.00				20,000.00
Backup storage replacement	Other	19,702.00	19,702.00	0.00				19,702.00
Microsoft Exchange Server	Other	-	8,402.00	0.00				0.00
Estates salaries	Other	33,457.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	133,457.00
Total Programme	Total	594,355.28	1,095,859	1,250,159	557,544	275,692	377,000	3,054,751

Earmarked Schemes	Corporate Priority (new)	31st March 20 Out Turn Position	2019/20 Approved March	2020/21 including Slippage	2021/22	2022/23	2023/24	Total
Total Programme	Total	2,035,084.92	2,533,457	9,114,092	2,034,014	767,162	377,000	14,327,353

Potential Future Liabilities – Not included in the Capital Programme

PROJECT	COMMENTS	COST	
ECONOMIC DEVELOPMENT			
Bakewell Road, Matlock Redevelopment	Report due to be presented to members later in 2020/21	TBD	
			0
CAR PARKS:			
Various Car Parks	Surface repairs & full re-lining	20,500	
			20,500
PARKS:			
Broadwalk Park	Paths	10,000	
			10,000
CEMETERIES & CHURCHYARDS:			
Bakewell Cemetery Chapels	Repairs identified in 2009 survey	15,000	
			15,000
OTHER PROPERTY:			
Bakewell ABC Various	Flat roof, gutters, ventilation	40,000	
Dimple Playing Fields, Matlock	Footpath improvements	30,000	
Traveller Site	New site(s) to meet housing need. Report due to be presented to members in September 2020.	TBD	
Lovers Walks	Detailed inspection of cliff faces, design of scheme & cost of remedial works	TBD	
Station House, Matlock	Currently vacant: Significant repairs required – Options appraisal to be completed.	TBD	
Matlock Town Hall	Replace metal windows (identified in 2014 condition survey)	210,000	
Harrison Way, Northwood	Resurface of Road with appropriate tarmac surface Harrison way	40,000	
Shrovetide Walk, Ashbourne	Resurfacing scheme & appropriate landscaping	40,000	
			360,000
OFFICE TECHNOLOGY:			
Replacement telephony	Subject to business plan & maintenance of current equipment	50,000	
Mid Call Solution for telephone payments	To improve security. Dependent on new telephony being in place	30,000	
Wi-Fi Replacement	May be required to address 'roaming issues'	20,000	
Uninterruptable power supply	Upgrade	20,000	
Production Server replacement	5 year replacement cycle	30,000	
Network switch replacement	5 year replacement cycle	20,000	
Disaster recovery storage	5 year replacement cycle (shared procurement)	20,000	
VDI Server Replacement	5 year replacement cycle	30,000	
			220,000
	Total		£625,500

MEDIUM TERM FINANCIAL PLAN (AUGUST 2020)

	Note	Original Budget 2020/21	Revised Budget 2020/21	Forecast 2021/22	Forecast 2022/23	Forecast 2023/24	Forecast 2024/25	Forecast 2025/26
		£000s	£000s	£000s	£000s	£000s	£000s	£000s
Base Service Funding Requirement - B/fwd		9,827	9,827	10,871	9,716	9,351	9,744	9,895
Adjustment for Service Costs Funded from EM Reserves		981	1,018	(839)	(142)	55	(92)	0
Base Net Revenue Expenditure		10,808	10,845	10,032	9,574	9,406	9,652	9,895
Inflation								
Pay		0	0	139	142	145	148	151
Other		0	0	89	91	93	95	97
Pressures / Savings - Recurring								
Increasing savings from Leisure review		0	0	(5)	(300)	(50)	0	0
Additional costs of new waste contract, net of income for charging for garden waste collections		0	0	(539)	(156)	0	0	0
Potential increase in pension contributions following revaluation		0	0	0	0	150	0	0
Anticipated increase in pay award from 2% to 2.75%		0	59	0	0	0	0	0
Tree Management - Recurring		0	60	0	0	0	0	0
MRP		0	(93)	0	0	0	0	0
Updated Base Service Funding Requirement for Next Year		10,808	10,871	9,716	9,351	9,744	9,895	10,143
Pressures / Savings - One off								
Corporate Director Post		0	(76)	0	0	0	0	0
Covid19 - Increases in Expenditure			745	0	0	0	0	0
Covid19 - Income shortfalls			2,312	0	0	0	0	0
Covid19 - LA Grants			(1,245)	0	0	0	0	0
Tree Management - One Off			107	0	0	0	0	0
Anticipated Government Contribution to offset income losses			(1,125)	0	0	0	0	0
Forecast spending		10,808	11,589	9,716	9,351	9,744	9,895	10,143
Transfers to/from reserves		(981)	(1,018)	(179)	(37)	(92)	0	0
Contributions to reserves for future years costs								
Vehicle renewal fund		150	150	150	150	150	150	150
Election reserve annual contribution		30	30	30	30	30	30	30
Local plan reserve		50	50	50	50	50	50	50
Corporate Plan Priorities Reserve		202	202	0	0	0	0	0
Total Net Spending Requirements		10,259	11,003	9,767	9,544	9,882	10,125	10,373
Funded By:								
Revenue Support Grant	1	0	0	380	390	400	410	420
Business Rates Baseline Funding	2	(1,742)	(1,742)	(1,766)	(1,801)	(1,837)	(1,873)	(1,910)
Settlement Funding Assessment		(1,742)	(1,742)	(1,386)	(1,411)	(1,437)	(1,463)	(1,490)
Other business rates income, net of payment to pool	3	(860)	(860)	(827)	(842)	(858)	(875)	(892)
NDR Collection Fund (surplus)/deficit		(131)	(131)	0	0	0	0	0
Rural Services Delivery Grant	4	(401)	(401)	(200)	(200)	(200)	(200)	(200)
Financing from Council Tax	5	(6,391)	(6,391)	(6,548)	(6,709)	(6,896)	(7,087)	(7,284)
Council Tax Collection Fund (surplus) / deficit		(103)	(103)	0	0	0	0	0
New Homes Bonus	6	(631)	(631)	(289)	(218)	0	0	0
Total Income		(10,259)	(10,259)	(9,250)	(9,380)	(9,391)	(9,625)	(9,866)
Corporate Saving Target		0	744	517	164	491	500	507

1. Negative RSG removed in 2019/20 and 2020/21 following settlement. Effect of future negative grant cannot be dismissed.
2. Assumed NNDR receipts as per current pool arrangement. Changes to future distribution not confirmed.
3. Effect of NNDR CF balance reflected in use of business rate fluctuations reserve to mitigate impact.
4. RSDG only confirmed for 2020/21.
5. Council tax base growth assumed at 250 band D properties per year plus 1.94% increase from 2021/22 onwards.
6. New Homes Bonus calculated on current year methodology, no new allocations assumed only legacy payments.

COUNCIL
27TH AUGUST 2020

Report of the Director of Resources

COVID-19 COUNCIL TAX HARDSHIP FUND 2020/21 & REVIEW OF POLICY ON DISCRETIONARY COUNCIL TAX DISCOUNTS

PURPOSE OF REPORT

This report seeks Members' approval on how additional funds payable by the MHCLG in the form of a Council Tax Hardship Fund are spent in the Derbyshire Dales to provide relief for local residents impacted adversely by COVID-19. It also seeks approval for an updated policy for discretionary council tax discounts to provide for these hardship payments and address other changes.

RECOMMENDATION

1. That approval be given to increase the award of Hardship Assistance to £200 (or the balance of the council tax bill if less than £200) where a household has been or is in receipt of Council Tax Support during 2020/21.
2. That the changes to the Council's policy for Council Tax Discretionary Reliefs under Section 13A (1) (C) of the Local Government Finance Act 1992 as set out in this report are approved;
3. That delegated authority be given under the Local Government Finance Act 1992 – Section 13A (1) (C), allowing the Director of Resources and the Benefits Manager to make ad hoc awards from the balance of the Council Tax Hardship Fund, supplementing the £200 initial award, for deserving households identified as having severe financial vulnerability.

WARDS AFFECTED

None

STRATEGIC LINK

These proposals seek to reduce the impact of hardship, poverty and deprivation on council tax payers. Increased financial resilience will enhance personal resilience and reduce demand for future services.

The Covid-19 Council Tax Hardship Fund payment will assist low income households to pay their remaining Council Tax liability for 2020/21. It will also ensure that collection rates are not impacted as adversely by COVID-19 changes to working people's employment patterns.

1 BACKGROUND

- 1.1 Nationally, the Ministry of Housing, Communities and Local Government has given £500m support to billing authorities to deliver relief to council tax payers impacted adversely by COVID.
- 1.2 The sum allocated to Derbyshire Dales is £338,264, which is separate from the £18,000 Discretionary Fund permitted by Members within the 2020/21 Local Council Tax Support Scheme. In effect, total funds available for the purpose of supporting low income households during 2020/21 is £356,264.
- 1.3 This report seeks Members' approval on how the funds are to be spent. Note, that the Government's strong expectation is that billing authorities will provide all recipients of working age local council tax support ('LCTS') during the financial year 2020-21 with a further reduction in their annual council tax bill of at least £150.
- 1.4 It should be noted that the recommendation to award up to £150 to low income households, already in receipt of Council Tax Support was approved on 9 April as an urgent decision taken during the current emergency situation, and reported retrospectively to Council on 12 May. The reason why the awards have yet to be made has been due to issues with the Council's software supplier (Capita) developing and then issuing the software upgrades to its customers.

2 REPORT

- 2.1 The Council's Benefits Team administers the approved 2020/21 Local Council Tax Support Scheme. Entitlement is income related with each household making an application using a prescribed form. The Local Council Tax Support award is credited to the claimant's council tax account, resulting in a revised bill being issued with reprofiled payments.
- 2.2. Working age claimant households can receive a maximum of 91.5% of their liability rebated under CTS. This means all Working Age households will be liable to make a payment of a minimum of 8.5% of their council tax bill.
- 2.3 The MHCLG hardship fund awards each LCTS household a further reduction in their annual council tax bill **of at least £150**. Where a taxpayer's liability for 2020/21 is, following the application of Council Tax Support, less than £150, their liability would be reduced to nil by a Hardship Fund payment. Where a taxpayer's liability for 2020/21 is nil, no reduction to the council tax bill will be available.
- 2.4 Where the payment of the Hardship Fund award results in the individual council tax account registering a credit balance, then the Billing Team will refund the credit balance to that liable person. This is likely to arise where the customer has made a payment prior to the award being made.
- 2.5 There should be no need for any recipient of LCTS to make a separate claim for a Hardship reduction under this scheme. The Benefits Section will automatically assess who is eligible for support from the Hardship Fund and automatically rebill those council taxpayers. Whether or not a taxpayer has been affected by COVID-19, directly or indirectly, should not be taken into account in assessing eligibility for this reduction.

- 2.6 Where there is more than one LCTS claim at a property at the same time, the amount of £150 per property will be awarded based on the % entitlement of the Council Tax Reduction award for each claim. When entitlement is re-assessed the amount of Council Tax hardship payment will also be re-assessed to ensure that it is at the level detailed in this scheme
- 2.7 The cost of awarding Hardship Payments, as MHCLG propose, has been calculated using Capita's updated specialist software, issued for this purpose. A projection of increasing numbers of claims has also been factored into this assessment. The following scenarios speculate on the likely cost of Hardship awards using five potential baseline award amounts.

Working Age CTS Caseload during lockdown:

Table 1: Case load count

Working Age Caseload		
01/03/20	1,704	
01/04/20	1,748	
01/05/20	1,811	
01/06/20	1,820	
01/07/20	1,830	
01/08/20	1,824	76 cases more since 1/4/20

Officer comments:

Working Age CTS caseload has increased by 76 cases since 1st April 2020 (a period of approximately 17 weeks). It is very difficult to estimate the increase in caseload over the remainder of 2020/21 but projecting the rate of growth experienced so far indicates that there are potentially a further 156 cases. This has been built into the modelling below.

Modelling different award levels:

Table 2: The 'likely cost' to the Hardship Fund using five different levels of award:

A Level of award	B Likely cost based on 1,858 cases*	C Likely cost based on 2,014 cases**	D Balance left from government grant of £338,264 for additional cases and section 13A reliefs
£150	£216,162	£239,562	£98,702
£180	£234,100	£262,180	£76,084
£200	£245,540	£276,740	£61,524
£230	£262,024	£297,904	£40,360
£250	£272,600	£311,600	£26,664

*Number of cases from 1st April 2020 to the time of writing this report

** Forecast caseload for 2020/21 (1858+156)

Retaining a balance to be used after the initial award

- 2.8 Caseload growth is difficult to predict; in order to avoid an over-spend (for example if caseload increases more than is reflected in the forecasts above), and to provide some funding to assist those council tax payers who have been adversely affected by Covid-19 but are not eligible for CTS, it is recommended that the baseline amount awarded to each CTS household does not fully utilise all the grant funding of £338,264, and that some funding is retained for ad hoc awards or for new cases above the forecast.

An analysis has been completed based on properties that might fall require an ad hoc award, assuming a 3 month period of Section 13A relief would be required. This suggests that around £60,000 may need to be retained from the Hardship Fund to finance these awards of Section 13A reliefs and cover a potential increase in caseload. The ad hoc reliefs will be allocated consistently with the Council's general Section 13A scheme, but in circumstances where Covid-19 is involved.

It is, therefore, recommended that Hardship awards be capped at £200 per household, leaving around £61,500 to fund these ad hoc section 13A reliefs.

- 2.9 The Council has already given approval (on 9 April) to pay Hardship awards from the MHCLG fund up to a maximum of £150 per household. Now that the software has been installed and the modelling has been undertaken, it is recommended that the baseline award of Hardship assistance should be increased to £200 per household in 2020/21 (or the balance of a household's bill if less). Caseload growth is difficult to predict and so there is a certain level of risk as the Council would not want to overspend then have to add funds locally to support this committed expenditure.

3 REVISIONS TO POLICY FOR COUNCIL TAX DISCRETIONARY RELIEFS (LOCAL DISCOUNTS)

- 3.1 The Council's policy has been reviewed and updated to reflect the following:

- The inclusion of a statement that "Normally the council will **not** grant local discounts unless there are very exceptional circumstances" – for clarity;
- Changes to reflect the award of discounts where the cost is reduced by a government grant or other external funding (e.g. national disasters and the Council Tax Hardship Fund set out in this report);
- Good practice learned from other local authorities;
- The introduction of a local discount equal to the empty homes premium that may be awarded where there is evidence that all reasonable steps have been taken to dispose of an **age-designated property** for at least two years, the relief not to commence before the two years have expired (in response to a review of the empty homes premium; on which a full report will be presented to Council in due course);
- Changes to improve the application process;
- Changes to bring the appeals process in line with that set out by the Valuation Tribunal.

- 3.2 A copy of the revised policy is shown as Appendix 1 to this report.

4 RISK ASSESSMENT

4.1 Legal

Section 13A of the Local Government Finance Act 1992 (as amended by Section 10 of the Local Government Act 2012) allows the Council (in its capacity as billing authority) to reduce the amount of Council Tax payable to such extent as it thinks fit. This includes the power to reduce the council tax to nil.

The Council has adopted a clear policy on when the discretion will be applied and therefore the legal risk is therefore low.

4.2 Financial

The awards of reliefs meeting the criteria for the Council Tax Hardship Fund in 2020/21 will be carefully managed so that they do not exceed the government of £338,264.

The other changes to the Section 13A policy reflect the need to have an effective policy in place to address requests for support from economically vulnerable or for classes of individuals.

There is a financial implication to awarding reliefs under Section 13A (1) (c) as the Council has to finance all such reliefs from its own funds (unless, to reduce the costs to the Council, there is a specific government grant in place, such as for national disasters). As these are defined as local council tax discounts, the cost is not shared with other preceptors and falls entirely to Derbyshire Dales District Council (as the billing authority). For this reason, the policy is that the Council will **not** normally grant local discounts except in very exceptional circumstances. It should be noted that, in several cases involving other councils, the Valuation Tribunal (who will hear the case if a council tax payer appeals against a council decision not to award a relief of this type) has said that the award of section 13A(1)(c) discretionary discounts not to be a cash limited exercise, but must look at the circumstances of the particular tax payer.

The financial risk arising from this report is medium.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Karen Henriksen, Head of Resources
Telephone: 01629 761284;
Email: karen.henriksen@derbyshiredales.gov.uk

Paul Radcliffe, Benefits Manager
Telephone: 01629 818214;
Email: paul.radcliffe@derbyshiredales.gov.uk

7 BACKGROUND PAPERS

Date	Description
March 2020	MHCLG Council Tax: COVID-19 Hardship Fund 2020/21 Local Authority Guidance https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874867/COVID-19_Council_Tax_Hardship_Fund_Guidance.pdf

8 ATTACHMENTS

Appendix 1 – Updated policy for discretionary council tax discounts (Section 13A 1C)

APPENDIX 1 TO FOLLOW

COUNCIL
27 AUGUST 2020

Report of Director of Regulatory Services, Director of Regeneration and Policy and Director of Corporate & Customer Services

DERBYSHIRE DALES SECTION 106 MONITORING FEES

PURPOSE OF REPORT

This report sets out changes to legislation that allows Local Authorities to recover their costs associated with monitoring the operation and implementation of Section 106 Obligations. The report recommends that with immediate effect the District Council introduce a charging regime for monitoring the implementation of relevant Section 106 Obligations.

RECOMMENDATION

It is recommended that:

1. That the charging regime for monitoring S106 Obligations as set out in Paragraphs 2.7 to 2.11 of this report be approved and that it be incorporated as a standard clause in relevant S106 Obligations with immediate effect.
2. The charging regime is published on the District Council's website as soon as is practically possible.

WARDS AFFECTED

All Wards outside the Peak District National Park

STRATEGIC LINK

The introduction of a charging regime for monitoring S106 Obligations will enable the District Council to recover its costs associated with monitoring S106 obligations. The collection of financial contributions through the S106 Obligation regime enables the provision of infrastructure for the benefit of the communities across Derbyshire Dales It also enables the Council to improve the quality of life for residents and, with partners, by ensuring the continued provision of excellent services.

1. BACKGROUND

- 1.1 Section 106 Obligations are legal agreements entered into to mitigate the impacts of a proposed development. Planning Obligations are normally secured through a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and are a mechanism through which development proposals can be made acceptable in planning terms. They are typically focused on site-specific mitigation measures and run with the land, meaning they are legally binding and enforceable. The preparation, monitoring and enforcement of Section 106 Planning Obligations can be resource intensive and for larger developments, lead to many years of monitoring

by the District Council to ensure that developer contributions are made in accordance with the clauses set out in the obligation.

- 1.2 In June 2019, the Government acknowledged the administrative burden monitoring Section 106 agreements can have on local planning authorities in a ‘technical consultation on draft regulations to reform developer contributions’ to “permit local authorities to seek a proportionate and reasonable contribution towards the monitoring and reporting of planning obligations through Section 106 agreements”. This was met with overwhelming support by the respondents and was reflected within the ‘The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019’ which became law on 1 September 2019.
- 1.3 The revised Regulation 122 of the Community Infrastructure Levy Regulations now allows fees to be paid to a local planning authority to cover the costs of monitoring planning obligations provided:
 - (a) the sum to be paid fairly and reasonably relates in scale and kind to the development; and
 - (b) the sum to be paid to the authority does not exceed the authority’s estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.”.
- 1.4 Despite the Government’s intention to “provide guidance on different methods that could be used to calculate monitoring costs” as stated in its response to the ‘Reforming Developer Contributions’ consultation in June 2019, no such guidance has yet been made available, nor has any definition been provided of what constitutes ‘fair and reasonable’ Given that this advice has not been made available, and the ability to collect monitoring fees was introduced some nine months ago it is now considered appropriate for the District Council to determine how best to bring forward a charging regime which reflects local circumstances.

2. REPORT

Section 106 Monitoring Arrangements at Derbyshire Dales District Council

- 2.1 There are three main costs associated with monitoring Section 106 Obligations by the District Council:
 1. Administrative monitoring of S106 obligations that are recorded and managed through a centralised database.
 2. Physical monitoring of developments on site for compliance with the requirements of the s106 Obligation agreement, e.g. to assess whether trigger points have been met thereby requiring the provision of developer contributions for affordable housing or education.
 3. Financial monitoring and management of the monies associated with the receipt of developer contributions towards local infrastructure and mitigation measures;

- 2.2 Monitoring the receipt of financial developer contributions secured through Section 106 Obligations is primarily undertaken by the Business Support and Development Management teams, with input from a number of other departments across the Council, including Finance and Legal.
- 2.3 Officers within Development Management team provide advice on the initial requirements in a S106 Obligation, and the details are then negotiated by the District Council's legal team.
- 2.4 The Business Support team carry out administrative tasks such as logging new obligations and keeping the central database up to date; but also dealing with more complex cases where financial compliance with agreements needs to be enforced. Site visits are carried out by members of the Development Management Team to monitor whether a trigger for the payment of an agreed financial contributions has been reached (e.g. commencement of development, prior to occupation).
- 2.5 Annual reports are presented to Council and quarterly reports are presented to the Corporate Leadership Team which provide details of developer contributions received and monies allocated to specified projects or capital reserves.
- 2.6 The Derbyshire Dales Local Plan (2017) allocates a number of sites for new residential development, some sites of which are identified as strategic developments with complex requirements for mitigation measures. The granting of planning permission for these sites inevitably involves the preparation and signing of a detailed S106 Obligation. Although required to make a development acceptable, the costs associated with monitoring the implementation of such obligations has historically fallen to the District Council to bear. Given that the District Council now has the opportunity to recoup any costs associated with monitoring of S106 Obligations it is considered wholly appropriate to assess the extent to which such measures can be introduced for Derbyshire Dales.

Introduction of a Charging Regime for Monitoring S106 Planning Obligations

- 2.7 Any charging regime for monitoring s106 Obligations has to ensure that it meets the statutory requirements set out in Regulation 122 of the Community Infrastructure as set out in Para 1.3 above. The recommended approach that complies with the statutory requirements, involves charging a monitoring fee per obligation based on the average number of hours the District Council's spends on monitoring, the number of covenants in the Section 106 Obligation, and the size of the development. This way, larger, more complex agreements that necessitate more concentrated monitoring over a longer period of time are reflected in the monitoring fee.
- 2.8 In order to determine how best to achieve these requirements a number of alternative models were considered by Officers. The recommended charging regime seeks to enable the District Council to recover its costs in monitoring future Section 106 Obligations, and is based upon the average historical number of

hours spent on monitoring developer contributions on previous developments with S106 Obligations since 2010, as set out in Appendix 1.

For each obligation the following allowances were made:

- 15 minutes 'desk based monitoring' per month;
- 1 hour site visit every 6 months; and
- 1 hour of administrative time (raising invoices, chasing payment, updating databases etc.)

- 2.9 As a result of these calculations it was found that the average cost of monitoring an obligation/covenant since 2010 has been £319.01 (15.08 hours at Salary Grade 9).
- 2.10 To account for the additional time required to monitor the larger more complex developments it is recommended that the fee is increased on a proportionate basis to the size of development. The proposed percentage increase bands are set out as follows:

	Band 1: 1-5 dwellings of up to 1ha of land	Band 2: 6-10 dwellings or up to 3ha of land	Band 3: 11-49 dwellings or up to 10ha of land	Band 4: 50+ dwellings or more than 10ha of land
Percentage uplift of baseline fee	0%	20%	40%	80%
Monitoring fee per obligation/covenant	£319.01	£382.81	£446.61	£574.21

- 2.11 In taking this approach it is considered that a 'fair and reasonable' fee will be set. The recommended fees, have been benchmarked against the fees that other local authorities are charging. The approach set out in this report is similar to other Local Authorities but sits towards the lower end of the cost recovery regimes currently published.
- 2.12 Based on this model and using the same data set out in Appendix 1 it is anticipated that the amount would be in the region of £1,000 to £2,000 per Agreement with an average of 2-5 covenants/obligations.
- 2.13 The revised CIL Regulations (September 2019) also requires local planning authorities publish an annual 'Infrastructure Funding Statements'. This obliges local planning authorities to set out all the Planning Obligations entered into, and the extent of financial contributions received and spent during the previous 12 months. This information has to be made publicly available online by all local authorities with the first Infrastructure Funding Statement due to be published by December 2020.

2.14 It is proposed that the charging regime for monitoring s106 Obligations is reviewed as part of the annual update of the Annual Infrastructure Funding Statement. By doing this it will ensure that the fees collected reflect the true monitoring costs.

3 RISK ASSESSMENT

3.1 Legal

This report presents a proposed charging schedule for the monitoring of S106 obligations and by seeking member approval for the fees, offers transparency and integrity to the development industry. The legal risk is therefore low. Publication of the report supports the District Council's transparency agenda.

3.2 Financial

The report sets out the approach for collecting monitoring fees as part of S106 obligations. The financial risk arising from this report is assessed as low.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

Ian Brailsford, Business Support Technical Officer
Tel: 01629 761201,
Email: ian.brailsford@derbyshiredales.gov.uk

Caroline Leatherday, Business Support Manager
Tel: 01629 761105,
Email: caroline.leatherday@derbyshiredales.gov.uk

Mike Hase, Planning Policy Manager
Tel: 01629 761251,
Email: mike.hase@derbyshiredales.gov.uk

Jonathan Bradbury, Development Management Manger,
Tel: 01629 761331,
Email: jonathan.bradbury@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

- The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, Regulation 122.
- Technical Consultation on draft regulations to reform developer contributions, June 2019

7 ATTACHMENTS

Appendix 1: S106 Monitoring Fee Modelling of Historic Agreements

Application	Site	Number of Dwellings	Status	Date of Agreement	End Date	Time Lapsed (Months)	Time Spent Desktop Monitoring (Hours)	Time Spent on Site Visits (Hours)	Admin Time Spent	Total Monitoring Time (Hours)	Total Cost (at Grade 9)
10/00262/OUT	Land at Former St Oswalds Hospital, Belle Vue Road	13	Lapsed	29/07/2010	18/10/2013	39	9.75	6.50	1.00	17.25	£364.84
09/00496/FUL	The Mount, 4 North Avenue	13	Lapsed	18/08/2010	11/10/2013	38	9.50	6.33	1.00	16.83	£356.03
11/00327/FUL	Cooper's Mill, King Edward Street	0	Lapsed	19/10/2012	31/10/2014	25	6.25	4.17	1.00	11.42	£241.46
15/00760/VCO	High Croft, Salters Lane	1	Lapsed	11/03/2016	11/01/2017	10	2.50	1.67	1.00	5.17	£109.28
12/00720/FUL	EDNASTON - Land adjacent to St Mary's Nursing Home	3	Lapsed	19/05/2014	19/05/2017	36	9.00	6.00	1.00	16.00	£338.40
15/00886/OUT	DOVERIDGE - Land to east of Derby Road	17	Lapsed	16/03/2016	17/08/2017	18	4.50	3.00	1.00	8.50	£179.78
16/00095/OUT	DOVERIDGE - Babbs Lane	165	Lapsed	19/06/2017	14/08/2017	2	0.50	0.33	1.00	1.83	£38.78
10/00039/OUT	Halldale Quarry	0	Lapsed	08/12/2010	04/01/2014	37	9.25	6.17	1.00	16.42	£347.21
12/00776/FUL	BRADLEY - Old Park Farm, Brunswood Lane	1	Lapsed	23/07/2014	19/08/2016	25	6.25	4.17	1.00	11.42	£241.46
12/00351/FUL	ROCESTER - Clownholme, Marston Bank	1	Lapsed	27/09/2012	17/08/2015	35	8.75	5.83	1.00	15.58	£329.59
16/00872/OUT	HULLAND WARD - Land to the east of Les Ardenes	17	Lapsed	30/01/2018	15/03/2018	2	0.50	0.33	1.00	1.83	£38.78
15/00371/FUL	NORBURY - Land at Jays Cottage, Green Lane	1	Lapsed	10/12/2015	15/12/2018	37	9.25	6.17	1.00	16.42	£347.21
15/00153/FUL	MERCASTON - Land at Netherfields	2	Lapsed	26/04/2016	30/11/2016	8	2.00	1.33	1.00	4.33	£91.65
13/00692/OUT	Land at Hillside Farm	125	Lapsed	12/04/2014	12/03/2017	35	8.75	5.83	1.00	15.58	£329.59
12/00606/FUL	Land at Former St Oswalds Hospital	30	Satisfied	18/10/2013	17/11/2017	49	12.25	8.17	1.00	21.42	£452.96
14/00722/FUL	Land at Hillside Farm	114	Satisfied	07/04/2015	14/08/2011	44	11.00	7.33	1.00	19.33	£408.90
17/00374/FUL	Land at King Edward Street	38	Satisfied	13/04/2018	13/11/2018	7	1.75	1.17	1.00	3.92	£82.84
12/00261/OUT	MIDDLETON-BY-WIRKSWORTH -Land at Porter Lane, Rise End	47	Satisfied	19/11/2012	01/06/2015	31	7.75	5.17	1.00	13.92	£294.34
15/00478/FUL	KIRK IRETON - Hasker Farm Cottage, Hasker Farm	2	Satisfied	07/11/2015	08/01/2016	3	0.75	0.50	1.00	2.25	£47.59
13/00246/FUL	DARLEY DALE - The Red House, Old Road	1	Satisfied	20/12/2013	31/12/2014	13	3.25	2.17	1.00	6.42	£135.71
08/00563/FUL	SNELSTON - Barn 1 , Sidesmill Farm	1	Satisfied	14/02/2011	14/10/2016	68	17.00	11.33	1.00	29.33	£620.40
08/00564/FUL	SNELSTON - Barn 2 , Sidesmill Farm	1	Satisfied	08/02/2011	02/06/2013	28	7.00	4.67	1.00	12.67	£267.90
07/00800/FUL	CALLOW - Hasker Farm Cottage, Sitch Lane	1	Satisfied	25/06/2012	13/03/2018	69	17.25	11.50	1.00	29.75	£629.21
14/00847/FUL	Land off Moorcroft	25	Satisfied	24/11/2015	13/03/2018	28	7.00	4.67	1.00	12.67	£267.90
08/00418/FUL	BRAILSFORD - Land adjacent to Moorside Cottage	3	Satisfied	06/09/2010	16/04/2018	92	23.00	15.33	1.00	39.33	£831.90
09/00511/OUT	HULLAND - Highfield House, Main Road	5	Satisfied	14/02/2011	01/04/2019	98	24.50	16.33	1.00	41.83	£884.78
11/00002/EXF	BRADLEY - Land at Knob Farm	3	Satisfied	27/07/2011	06/05/2014	34	8.50	5.67	1.00	15.17	£320.78
13/00826/FUL	BRAILSFORD - Land at Luke Lane	50	Satisfied	02/07/2014	15/10/2018	52	13.00	8.67	1.00	22.67	£479.40
16/00437/FUL	BRAILSFORD - Land north of Broomy Drive	35	Satisfied	15/12/2016	09/10/2018	22	5.50	3.67	1.00	10.17	£215.03
15/00664/FUL	Coneygreave House, Cromford Road	31	Satisfied	18/05/2016	15/10/2018	29	7.25	4.83	1.00	13.08	£276.71
	Total Dwellings	746								Average Cost	£319.01
										Average Monitoring Time per Obligation	15.08
										Average Monitoring Costs per Obligation @ Scale 9	£319.01

COUNCIL
27TH AUGUST 2020

Report of the Director of Community & Environmental Services

BIODIVERSITY OF ROAD VERGES AND PUBLIC OPEN SPACE

PURPOSE OF REPORT

This report outlines the potential to increase biodiversity of the road verges and public open spaces, managed by Derbyshire Dales District Council.

RECOMMENDATIONS

1. To set up a Working Group made up of: Members; Officers from the Community & Environmental Services team; Members of our Clean & Green Team. The Working Group would research and develop the project.
2. To continue discussions with Derbyshire County Council on changes in the management of the rural road verges to increase their biodiversity within the District.
3. To work with Parish and Town Councils in the identification and management of wildflower urban road verges.
4. To investigate and trial changing the management of urban road verges that already have some wildlife interest to increase both the number of species and the population of wildflowers, using options 2.
5. To carry out a trial of the creation of wildflower verges using options 3 and 4.
6. To raise awareness of these verges amongst residents of Derbyshire Dales and to ask for their help in identifying verges rich in wildflowers.
7. To investigate and trial increasing the biodiversity in our parks and open spaces by either creating wildflower areas or changing the management of grassland.

WARDS AFFECTED

All

STRATEGIC LINK

Increasing biodiversity across the district through the creation of wildflower road verges and wildflower areas within our parks and open spaces supports the delivery of the District Councils priority 'Place'.

1 BACKGROUND

- 1.1 The UK has lost 97% of its wildflower meadows since the 1930s (Natural England) and those remaining meadows are often isolated. Road verges provide important corridors for plants and animals by linking these wild spaces, they are also habitats for plants, invertebrates, small mammals and birds.
- 1.2 Over the last two decades road verges have declined in biodiversity due to changes in management (Plant life). They are either mowed too regularly, at the wrong time

of year or they have been neglected and developed tall, coarse vegetation and scrub.

- 1.3 The conservation charity Plantlife have been campaigning since 2013 to change the way road verges are managed, for the benefit of wildlife. In 2017 they produced guidelines to help local authorities achieve this. With over 300 local authorities having declared Climate Emergency an increasing number have taken up some or all of their recommendations.
- 1.4 Community and Environmental Services have received a number of requests from residents in the past few years to reduce the number of cuts we make to the road verges to allow plants to flower.
- 1.5 Although this project is primarily looking at native wildflowers from an ecological point of view, plants also have other environmental benefits. Recent studies (Chris Smith, Goldsmith University) have revealed that some plants can help in reducing pollution. A few have the ability to take up pollutants from the soil, particularly heavy metals or they can absorb gaseous pollutants into the leaves but many more are able to trap particulates on the fine hairs on the leaves. Some of these plants are natives or are of benefit to pollinating insects. These plants could be of interest where the planting is near housing or public open spaces particularly play areas.

2 REPORT

DDDC Road Verge Management

- 2.1 Derbyshire County Council (DCC) are responsible for all the road verges within the Derbyshire Dales and fund DDDC to manage the verges within the District to specified standards.
- 2.2 The verges are divided into rural and urban verges:-
 - 2.2.1 *Rural Verges:* DCC specify a 1m wide strip cut at the road edge, once twice a year and the rest is left uncut, then every three years the whole width is cut. The work is carried out by contractors between May and the end of October.
 - 2.2.2 *Urban Verges:* DCC specify these verges are cut at least five times per year but they currently pay for six cuts. However, the District Council aims to mow eight or nine times per year or approximately every three weeks between April and the end of September. DCC give the District Council more discretion on how we manage these urban verges.
 - 2.2.3 DCC have identified 16 road verge reserves with the Derbyshire Dales, the majority are in the northern area. The management of these verge reserves varies slightly depending on the species of plants but the majority are down to be cut once a year in September and cutting removed. There are a few where one cut in three years is sufficient but any encroaching scrub is removed. Any new verge reserves are to be assessed by Natural England or Derbyshire Wildlife Trust.

Managing Wildflower Road Verges

- 2.3 There are a number of options to increase the biodiversity of road verges which are outlined below. Improving the number of plant species and enabling them to flower and set seed will provide food for pollinating insects, seed eating small mammals and birds and then for other species further up the food chain.

Option 1

- 2.4 Continue to cut a 1m strip at the edges of the road verges once or twice a year for rural verges but cut the rest of the verge once a year in September. This will allow the plants to flower and set seed. The disadvantage is where there is tall vegetation there would be a build-up of this dead plant material, thatch which will inhibit the germination of the wildflower seed and increase soil fertility that encourages the growth of coarse rank vegetation. Although it is an improvement on the existing regime.
- 2.5 This option is suitable for the rural roads in general and in the urban verges where vegetation is short as leaving long cut vegetation lying on and around the verge will too untidy in urban areas and may lead to more complaints.

Option 2

- 2.6 The same cutting regime as above but the cut vegetation is removed to allow the germination of the seeds and to reduce the soil fertility over time.
- 2.7 This is the ideal management regime for road verges and is the one recommended by Plant life. The cuttings can be removed either by hand with help from Parish or Town councils or from local interest groups or by using a mower that collects as it cuts. DDC doesn't have such a machine so would need to either buy or hire it. This extra work and cost means that it is only suitable to those verges with the greatest biodiversity, where there is the greatest impact or there is community interest.
- 2.8 A local example is the orchid verge in Middleton by Wirksworth. It is a species rich verge that includes common spotted orchids. The verge is cut early April and then left uncut until mid-August once the orchids and other plants have set seed. The cuttings are raked up by the Parish Council Caretaker and bagged up for the Clean & Green Team to remove, see Appendix 1.

Option 3

- 2.9 Wildflowers grow and thrive in areas where they are able to compete with grass. We can encourage this by sowing seeds from the Yellow Rattle plant. Yellow Rattle is a semi parasite on grass and weakens it by taking nutrients, it is also a native wildflower so is beneficial to pollinators. Once the Yellow Rattle takes hold and the amount of grass is reduced then the existing wildflowers will be able to spread and new ones will colonise and spread throughout the verge.
- 2.10 This option could be used for verges that have some wildflowers but are dominated by grass. It has been used extensively in meadow management to reduce the growth of grass and Dorset County Council has sown it on verges on certain junctions to reduce the growth of grass and enable better visibility. There does need to be some preparation of the verge in order to create bare patches to sow the

seeds into. This is suitable for both rural and urban verges and parks and open spaces.

Option 4

- 2.11 Where there is very little in the way of wildflowers it is possible to create a wildflower verge or area within a green space. The key to success is to reduce soil fertility which allows the wildflowers to successfully compete with grass and other vegetation. This can be achieved by the removal of existing turf and much of the topsoil or by adding suitable subsoil, following which an appropriate seed mix is sown, preferably from a local source. An alternative to reducing soil fertility is to remove the turf but to sow a cornflower mix containing poppies, cornflowers, corn cockles and corn marigold. This will give an instant colour and impact but this method does tend to require additional seeds added each year, see appendix 2. The perennial wildflowers won't need further seeding if done correctly in the first year.
- 2.12 This is more suitable for urban verges or in the creation of new road verges and in parks and open spaces. As Derbyshire Dales has quite a distinct local flora it is recommended that we use plant seeds native to the area and preferably from a local seed source. Once established wildflower verge or area it will require cutting just once a year in September.
- 2.13 There are costs for each of these options but these can be reduced by developing partnerships with Parish and Town Councils and local interest groups. Also urban wildlife verges will only need to be cut once a year instead of the eight or nine times as at present. There are a number of Local Authorities with highway responsibility that manage their verges for wildflowers which either have made savings or where there is no cost extra.

Wildlife Areas with Parks and Open Spaces

- 2.14 Our parks and open spaces are already home to wildlife, trees, wildflowers, invertebrates, birds and small mammals. There is, however, scope to do so much more. We have large areas of short mown grass that are ecological deserts and, while these areas are important for recreation, there is enough space to give some over to provide habitats to our local wildlife. This may entail:-
- leaving areas of vegetation to grow long to allow the existing plants to flower;
 - creating wildflower meadows within short mown grass and planting native plant bulbs such as blue bells under trees;
 - planting trees.
- 2.15 We have already left areas uncut in some of our open spaces. The most successful is Northwood Recreation Ground in Darley Dale. However, it would be more successful in terms of the number of wildflowers if it was cut once a year or at least every three years and the cut vegetation removed.
- 2.16 In the parks and open spaces, non-native pollinators can be added to the mix of plants and seeds and even plants that reduce pollutants.

The Way Forward for Wildflower in Verges and Open Spaces: Year 1

Working Group

2.17 Set up a Working Group to research and develop this project. The Group would be made up of Members, Clean & Green Team and Community Development Officer. The group will need to consult with other organisations such as DCC and Derbyshire Wildlife Trust.

2.17.1 *Road Verges:* This summer three urban verges have been identified as having wildflower interest and are suitable to managing as such on a trial basis. We are not looking at rural verges at the moment because this would require agreement from DCC due to additional safety concerns of these faster roads. It was hoped to have a verge in each of the three regions in the District but, due to the short notice, the only verges identified so far are two in Matlock and one in Wirksworth. However, the Clean & Green cutting teams have been issued with an identification sheet of the most common roadside wildflowers and we hope they will be able to identify other wildflower road verges during their work this year.

2.17.2 The aim of the trial is to judge the public reaction in leaving the verges uncut until September and from our point of view that the verges don't cause an obstruction to vehicles or pedestrians and that we can maintain them successfully.

2.17.3 *Parks and Open Spaces:* Carry out a trial to increase the biodiversity in three of our parks and open spaces. The sites chosen for this year are:

- Ashbourne, Fish Pond Meadow
- Bakewell Recreation Ground
- Hall Leys Park, Broadwalk

2.17.4 Each area will be relatively small but have the potential to be extended if successful. The main factors in judging their success is the resulting wildflowers, public perception and the cost to create and maintain them.

The Way Forward for Wildflower in Verges and Open Spaces: Year 2

Road Verges

2.18 Work with Parish and Town Councils and local residents to identify suitable road verges that either already have wildflowers or the potential to create a wildflower verge and discuss with DCC any new additions to their road verge reserves and changes to management of rural and urban verges.

Parks and Open Spaces

2.19 If the trial areas are successful then look to extend the wildlife areas within the three parks and identify potential wildlife areas in other parks and open spaces.

2.20 Discuss with the diocese leaving wildlife areas within church grounds we manage.

2.21 Develop partnerships in maintaining the wildflower road verges and parks with Parish and Town Councils, local voluntary interest groups and schools.

- 2.22 Consider the financial impact of this project on savings and the costs of additional equipment and staff time.

The Way Forward for Wildflower in Verges and Open Spaces: Year 3

- 2.23 Evaluate the results of the project in increasing the biodiversity of road verges, parks and open spaces and gauge the public's reaction together with the costs involved which will be used to decide the future of this project

3 RISK ASSESSMENT

3.1 Legal

DCC must be consulted on any changes of management as they own and are ultimately responsible for the road verges. Road safety is paramount so any changes must ensure that there is still good visibility for vehicles and pedestrians. As long as Road Safety is the primary consideration then the legal risk is low.

3.2 Financial

Any changes to the management of road verges and parks & open spaces may involve a change in cost. Although there will be an initial cost when creating a wildflower verge or sowing yellow rattle seeds, these verges will require considerably less cuts thereafter so there may be a saving long term. The financial risk is, therefore, assessed as low.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

Ashley Watts, Director Community & Environmental Services
Tel: 01629 761367
Email: ashley.watts@derbyshiredales.gov.uk

Emma Mortimer, Community Development Officer
Tel: 01629 761392
Email: emma.mortimer@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

None

7 ATTACHMENTS

Appendix 1 – Examples of wildflower road verges
Appendix 2 – Examples found growing on road verges in Derbyshire Dales

Appendix 1

Examples of wildflower road verges



Middleton by Wirksworth orchid road verge



These Bee orchids were just one of 14 different species of Wildflowers found in this verge next to Matlock Town centre car park on the A6.



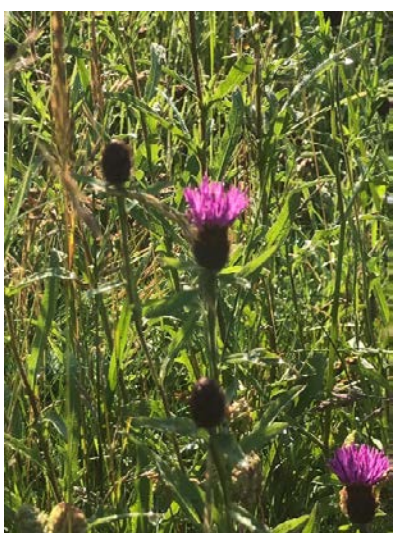
Road verge sown with a cornflower mix just Outside of Wirksworth

Appendix 2

Wildflowers commonly found growing in road verges in Derbyshire Dales



Ox eye daisy



Knapweed



Common spotted orchid



Red campion



Fox and Cubs



Meadow cranesbill



Yarrow



Self heal



Birdsfoot trefoil

COUNCIL
27 AUGUST 2020

Report of the Director of Community & Environmental Services

COMMUNITY PAYBACK SCHEME

PURPOSE OF THE REPORT

To launch a Derbyshire Dales District Council Community Payback Scheme and to seek approval for a supplementary revenue budget of £6,000.

RECOMMENDATION

1. The proposal for the District Council to launch a Community Payback Scheme be agreed.
2. To approve a supplementary revenue budget of £6,000 for 2020/21 to be used for the scheme to improve areas within the District
3. The proposal to trial a work placement with Community Rehabilitation Company to work within our Clean & Green Team be agreed for a 3 month period with the option to extend this period if the Clean and Green Manager is satisfied with the placement scheme

WARDS AFFECTED

All Wards

STRATEGIC LINK

The Community Payback Scheme as proposed in this report supports our Clean & Green Team to improve the District Councils land, parks and open spaces, delivering on the District Council's priority 'Place'. The scheme also allows for developing relations within the community.

1. BACKGROUND

- 1.1 Community Rehabilitation Company (CRC) runs Community Payback for Derbyshire, Leicestershire, Nottingham and Rutland. The scheme is for offenders to undertake unpaid and supervised reparation work that benefits local communities. Each offender is risk assessed and they work a specified number of hours usually between 40 to 300 hours.
- 1.2 The range of work includes groundwork clearance; gardening, weeding and planting; landscaping, creating paths and fences; minor building work, repairing walls; painting and decorating for community venues.
- 1.3 This scheme has been undertaken by Derbyshire County Council (DCC) and Parish Councils have been able to apply through DCC for CRC to undertake works in their

parishes on projects which they can't complete themselves or to improve the surroundings. See Appendix 1, local case study.

- 1.4 CRC charge £150 per day to cover the cost of the supervisor and the minibus to transport the offenders to the location. CRC provide the tools to complete the works but the District Council would provide any materials required.

2. REPORT

Community Payback Scheme

- 2.1 There are a number of areas within the district that the District Council are unable to maintain and complete works to a desired standard. This is due to the lack of capacity and resources to undertake these works and the agreed core standards that take priority. The District Council can occasionally receive criticism for not completing some of these works.
- 2.2 The District Council is seeking for Ward Members to prioritise projects or areas within their Wards to form part of our Community Payback Scheme for the first year. See Appendix 2, application form for Ward Members to complete.
- 2.3 Officers will prioritise the application forms to select 10 of these priority areas for the Community Payback Scheme to undertake the necessary works required over a 12 month period. This will allow Officers to monitor the success of the scheme over this period. If there is any underspend after work has been completed within the 10 priority areas officers will prioritise the remaining applications.
- 2.4 We plan to work closely with the CRC to maximise the most out of the prioritised projects. The offenders will be closely monitored by their supervisor and will be provided with the tools to complete the works allocated.

Work Placement

- 2.5 CRC also offer individual placements to offenders where they carry out their hours within a team in a Local Authority or other organisations. There is no charge to the organisation for these placements.
- 2.6 We would look to trial this option to build capacity within our day-to-day teams. The offender on placement would shadow other employees in the Clean & Green Team and assist on works such as street cleansing and grounds maintenance.
- 2.7 We will work with CRC to ensure all necessary checks and risks assessments are completed to ensure safety of the offender, staff and public.

Offenders

- 2.8 The offenders who are on the Community Payback Scheme will have committed minor offences such as drink driving or unpaid fines. The offenders have not been sentenced to prison and have been to Magistrates Court as opposed to Crown Court.
- 2.9 The offenders are supervised at all times by a probation officer, 1:8 ratio and the supervisor is there to assist, motivate and support the offenders.

3 CONSULTATION

- 3.1 The relevant Ward Members and Local Council will be consulted on the proposed scheme, after the committee decision.

4 RISK ASSESSMENT

Legal

- 4.1 The CRC carry out all risk assessment, provides the equipment and holds it insurance, therefore the likelihood of a legal claim for damages due to an accident against the Council, while working on a Council project is low.

Financial

- 4.2 The estimated cost of the scheme is £6,000. There is no current revenue budget so Members' approval is sought for a supplementary revenue budget of £6,000, to be financed from the General Reserve. The financial risk is assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Becky Bryan, Community Development Manager
Tel: 01629 761385
E-mail: becky.bryan@derbyshiredales.gov.uk

Ashley Watts, Director Community & Environmental Services

Tel: 01629 761367

Email: ashley.watts@derbyshiredales.gov.uk

7 BACKGROUND INFORMATION

<https://dlnrcrc.co.uk/community-payback/>

CRC website

8 ATTACHMENTS

- Appendix 1 - Ward Member application form
- Appendix 2 - Parwich Parish Council case study

Appendix 1

Parwich Parish Council:

'Community Payback Team have helped us laying paths to establish a community garden and tidying our churchyard. Frankly, everything about the experience was good. There are limits on the type of work they can undertake but they will explain that themselves. The supervisors were very professional in both pre planning and supervising work on the days.

The team themselves worked hard and I think benefited from the fact that the projects gave them something satisfying to complete. There were many good interactions with villagers talking with them, working alongside and providing refreshments. Obviously you don't necessarily have to do this but in our case it was very positive.'

Derbyshire Dales District Council - Community Payback Application Form

There is funding for approximately 40 days of work by the Community payback scheme so we can only allocate one task per ward. If the task will take less 7 hours then please include additional jobs to bring it up to a day's work.

Name:	Ward:
Telephone:	Email address:
Location of work and ownership of site:	
Description of tasks:	
Estimated length of time of task:	
Are there any materials or specialist equipment required and if so is there funding for them:	
Are there any dates or seasonal preferences or restrictions:	

The Community payback will provide up to 8 offenders for 7 hours a day. Projects should meet the following criteria:

- Benefit the local community
- Not take paid work away from others
- No one will profit from the work
- It is a one off project, not part of a regular maintenance
- The offenders will be seen to making a positive contribution to the community
- There needs to be toilet facilities near by

Please return application from to.....

BACK TO AGENDA