

Public Document Pack



Dear Councillor

POLICY, PROJECTS AND RESOURCES COMMITTEE - MONDAY, 15TH JANUARY, 2018

I am now able to enclose, for consideration at next Monday, 15th January, 2018 meeting of the Policy, Projects and Resources Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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|----|--|
| 3. | <u>Asset Development Programme Update</u> (Pages 3 - 6) |
| 4. | <u>Brentwood Borough Renaissance Group Strategic Review and Re-naming</u>
(Pages 7 - 14) |
| 5. | <u>National Non-Domestic Rate Relief Policy</u> (Pages 15 - 70) |
| 6. | <u>Preparation for General Data Protection Regulation - GDPR</u> (Pages 71 - 80) |
| 7. | <u>Town Hall</u> (Pages 81 - 88) |

Yours sincerely

A handwritten signature in black ink, appearing to read "P. L. R. B." followed by a large, stylized flourish that loops under the text.

Chief Executive

Encs

15th January 2018

Policy, Projects and Resources

Asset Development Programme Update

Report of: *Philip Ruck – Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 As previously identified the aim of the Council's Asset Development Programme is to realise redevelopment opportunities from the Council's property portfolio to secure improved revenue streams, regeneration objectives, economic development and housing objectives of the Council. This report provides an update on the work of the Asset Development Programme Project Board to date.
- 1.2 Since the P, P&R Committee meeting in September, market soundings have been undertaken with a range of organisations (December 2017) to get feedback on the Council's ambitions. Interest was high and feedback complimentary of Brentwood, its favourable location, its asset portfolio and the structured and considered way in which the Council is developing the project.
- 1.3 The Memorial Wall project continues to develop and has taken an exciting turn as officers have established that modular built plinths can be purchased, some including storage of ashes, which are proving very popular in Colchester Cemetery and Crematorium. A new layout/design for setting these in the Woodman Road cemetery is being developed along with a re-working of the business case finances and options analysis.
- 1.4 A monthly Project Highlight Report for the Asset Development Programme is reported to Project Board setting out achievements for that month and also what is planned for the coming month.

2. Recommendation

2.1 To note the report of the Asset Development Programme Project Board.

2.2 A report be made to the Policy, Projects and Resources February 2018 Committee to confirm the investment vehicle, including governance, tax and legal Implications, required to deliver the Asset Development Programme objectives as set out in No.4 of this report.

3. Introduction and Background

3.1 The Asset Development Programme Project Board is a working group of the P, P&R Committee and oversees the project, its delivery and the associated interdependencies and risk on behalf of P, P&R.

3.2 At its inaugural meeting on 1st November 2017 an action point arising was that “Asset Development Programme Project Board Update was to be a standing item on the P, P&R Agenda for items that need a resolution”.

4. Primary Objectives of the Asset Development Programme

- Generate capital and revenue returns from the Council’s asset programme and managing opportunities as appropriate;
- Develop a portfolio approach that balances risk and reward across a portfolio of assets;
- In developing / making investment decisions / optimising assets be cognisant of the potential to reduce long term costs and risks to the Council Tax payers;
- In making development / investment decisions / optimising assets take into account the Council’s growth agenda;
- To develop and utilise a series of approaches that are in line with the Council’s corporate strategy whilst maximising income return;
- The Council will use its borrowing powers, and capital receipts, to invest in asset based transactions targeting financial return;
- Undertake activities with a view to establishing and maintaining pace; and
- The Council is open to appraising out of borough investments for better financial returns and will also consider co-investment opportunities with public not for profit and private sector partners.

5. Achievements during December 2017

- Completed Market Soundings – December dates were achieved, and a good level of response received. All meetings went well with many good ideas and examples discussed.
- Date for check and challenge in diaries

- Specification agreed, and Council signed up to CCS framework to call off Property Advisors and call off under way
- Procured Legal Advisors
- Produced service requirement specification for Financial Advisors and held discussions with 2 top-level firms. Awaiting return of fee and cost proposals.
- Produced draft Outline Business Case to potentially set up a company structure
- Whilst in-principle approval to build a wall has been obtained, an alternative structure to a Memorial Wall has been found which appears to produce better financial returns with lower risk. Figures currently being worked up and designs being looked into how best to incorporate into the cemetery layout. Also, potentially helps reduce amount of land taken up in cemetery required for burial of ashes.
- Mobilised sales process for assets identified in 29/11 Committee report.
- Met with Basildon BC to discuss various joint working arrangements eg a Wholly Owned Company, S.101 agreement work, Housing R&M and other commercial opportunities.

6. Planned Activities (January 2018)

- Work through Company Structure options with Lawyers
- Develop OBC financials for company/partnership structures
- Undertake “Check & Challenge” exercise with PDT and PB – following market soundings exercise
- Progress negotiations with BLT for Community Halls management.
- Prepare full report for February PPR Committee covering options for Memorial Wall and other structures.
- Prepare next progress report for the Asset Development Programme.

7. Reasons for Recommendation

7.1 PPR Members to note progress at this stage.

8. Consultation

8.1 None

9. References to Corporate Plan

9.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood’s taxpayers and enhance the Borough’s infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.

9.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high-quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

10. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager
Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

10.1 There are no direct financial implications included in this report.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer/Head of Legal Services
Tel & Email: 01277 312860 /daniel.toohey@brentwood.gov.uk

10.2 Legal Services are available to provide ongoing advice and assistance in relation to this programme, including advice on public procurement requirements and property issues as these emerge.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

10.3 None

11. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

11.1 None

12. Appendices to this report

12.1 None

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15 January 2018

Policy, Projects and Resources Committee

Brentwood Borough Renaissance Group Strategic Review and Re-naming

Report of: *Phil Drane - Planning Policy Team Leader & Interim Economic Development Manager*

Wards Affected: *All*

This report is: *Public document*

1. Executive Summary

- 1.1** This report is to inform the Policy, Projects and Resources Committee of the outcome of a Brentwood Borough Renaissance Group strategy review following the appointment of a new Chair.
- 1.2** The review has resulted in a re-naming of the Group to “Brentwood Business Partnership”, revised purpose, aims, objectives and membership to reflect a longer-term vision for the group.

2. Recommendations

- 2.1** That Members agree the content of this report and the strategic review and BBP Aims and Objectives as set out in Appendix A.
- 2.2** That Members agree to the change of name and updated strategy as reported in Appendix A.

3. Introduction and Background

- 3.1** On 18 June 2008, the Council’s Policy Board resolved to establish a Town Centre Steering Group (the Renaissance Group), its membership, remit and budget. The Group was to be independent of the Council, working with the community and local traders to enhance the quality of the Town Centre environment.

- 3.2** As an independent organisation, free of political influence, the group was set to achieve through social cohesion/capital and effective partnership arrangements. The aims of the group were to align with the direction of Council's Corporate Plans, both present and in the future.
- 3.3** Since its inception the Renaissance Group has continued to evolve, adapt and support the significant changes and challenges faced by the Town Centre and important retail areas such as Shenfield and promoting the strong independent trader offering. The group seeks to assist local traders and businesses with projects, events and initiatives to maximise footfall and sustain economic growth.
- 3.4** As new Chair in 2014, Clive Othen enhanced the Group's overall transparency and accountability with Brentwood Borough Council. The updated Terms of Reference took account of closer consultation with the Borough's retail areas and their initiation of bid funding for projects, the more efficient use of resources, communications, and budgetary control. The group membership was also re-structured to include Local Business Trade Clusters, which replaced the Traders Group.
- 3.5** Mike Hawkins took over as Chair in 2017 and the group implemented revised Business Trade Clusters for Brentwood East and West Ends. These followed the successful model of the Upper and Central Shenfield Trade Clusters and engaged with a greater number of traders and businesses in and around the High Street, including for the first time M&S and Sainsbury's. These acted as a springboard for high profile projects and events across Brentwood in addition to the successful and well-established Shenfield cluster led events, culminating in 2017 with the hugely popular Shenfield Christmas Fayre.
- 3.6** 'Blue Skies' thinking sessions were also held in 2017 to institute a root-and-branch review of the Group to provide clarity over its purpose and objectives, define the audience and core activity and look at a long-term vision. This helped to determine proposals for a new name and brand, which extensive feedback suggested was unrecognised and confusing.

4. Summary of Review Outcomes

- 4.1 Vision:** Brentwood will remain a thriving place and destination of choice for retailers, particularly independent retailers, but also other businesses and their respective customers, both residents and visitors.
- 4.2 Key Aim:** To increase footfall and encourage spend in the local area in order to enable business growth and help grow the local economy.

4.3 Key Audiences:

Internal -

- Brentwood Borough Council;
- Businesses in the Borough of Brentwood (many of which are Small and Medium Enterprises/independents and are in retail or with a visible business premise, but this is not exclusive);
- Large businesses/corporates, including for sponsorship opportunities; and
- Other business representative and partner organisations e.g. Chamber of Commerce, Federation of Small Business (FSB).

External/ End User -

- Local community/residents;
- Visitors; and
- Media.

4.4 Key Objectives: see Appendix A

4.5 Name change to Brentwood Business Partnership: The name more accurately reflects the aims, objectives and membership of the Group, will help marketing and communications, widening the membership and give clarity of purpose for the Business Trade Clusters. It reflects the group's support for local business, and provides a collective voice to lobby for those businesses and make a positive difference to the area. The new name reflects a successful and growing partnership between Council Cross Party Members, Officers, Local Business Trade Clusters, Essex County Council, the Chamber of Commerce, FSB, Baytree Centre and Brentwood Centre.

4.6 A number of new name options were debated by the group, with Brentwood Business Partnership being selected as the preference. This reflects a simplification of the name to better communicate the groups purpose and relates to the existing online presence, which has an opportunity to grow using the Discover Brentwood platform. It is hoped that the name can be formally launched in early 2018.

4.7 Membership: To widen Brentwood Business Trade Cluster membership and increase partnership organisations including the Brentwood Centre, Havering College, visitor and night time economy businesses and former Brentwood for Growth member/s. There is also an aspiration to try and reinstate an Ingatestone cluster.

4.8 Finances: The partnership has sufficient reserves to fund activities for the next few years without the need for a grant from Brentwood Borough Council. Self-funding for cluster bid applications will increase to a 25% contribution and continued sponsorship and donations will be sought for events. Sponsorship of the partnership itself will also be sought to ensure increased self-sufficiency.

4.9 Communications, Website and Branding: The current stand-alone group website will be closed and moved to the Discover Brentwood “Business” section to increase visibility. The partnership will have its own section covering objectives, the bid funding application form, Trade Cluster details, projects, case studies and meeting minutes and contacts. Events will continue to be advertised on the Discover Brentwood “What’s On” section for visitors. Options for a new and more contemporary logo have been produced to fit better with Discover Brentwood. The new logo design, website transfer and updates of the site will be supported financially by group funding, as will a continued social media presence and PR function.

5. Reasons for Recommendation

5.1 The new name and re-launch will help identification and clarity of purpose for the group and give it greater visibility in the borough.

6. Consultation

6.1 Renaissance Group members and partners attended the Blue Skies sessions and contributed to the strategic objectives summarised above and in Appendix A. Research of other Town Teams and groups with a similar remit were also reviewed. All voted in favour of the name change.

7. References to Corporate Priorities

7.1 Economic Development is a key theme in the Council’s Corporate Plan Vision for Brentwood 2016-19. The partnership is a vehicle for the Council to support local businesses and drive economic growth.

8. Implications

Financial Implications

**Name/Title: Jacqueline Van Mellaerts, Financial Services Manager
(Deputy Section 151 Officer)**

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- 8.1 The partnership has sufficient reserves, which the Council holds on its behalf, to fund activities for the next three years without the need for any additional grant allocation from the Council, however longer term funding arrangements do need to be considered. Staff resources that the Council fund to assist the group also should be taken into account. The Town Centres and Marketing Co-ordinator is the lead officer who supports the partnership which the Group benefits from.

Legal Implications

Name/Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

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- 8.2 In light of the revised objectives and name change, the Terms of Reference for the group will need to be reviewed and approved.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.3 None

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None

10. Appendices to this report

Appendix A: Strategic Review, Brentwood Borough Renaissance Group, December 2017

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Report to Brentwood Borough Council's Policy, Projects and Resources Committee meeting 15th January 2018

Renaissance Group's activities during 2017. I was elected as Chairman of the Renaissance Group (RG) on 30th January, following in the footsteps of Clive Othen, who had introduced a restructuring of the Group and had discovered medieval royal market characters for the Borough, which have since been displayed in the Town Hall.

We implemented the additional Cluster arrangements – Brentwood East and West ends. Those, taken together with the existing Shenfield Clusters, provided the springboard for a full programme of high-profile public events. For the first time, two of the major retailers in the town, M&S and Sainsbury's became enthusiastically involved, playing roles as Cluster Leaders. The events included Easter Egg Hunts in Brentwood and Shenfield, the Brentwood Arts Trail, Children's Literary Festival, Crown Street French Market. Shenfield's Summer Fayre, Halloween event and hugely popular Christmas Fayre were all great successes. We also hope to reinstate the Ingatestone Cluster in 2018.

Strategic Review and Re-naming of the Group. We instituted a root-and-branch review of the Group's purpose, aims and objectives, even its name which extensive feedback suggested was unrecognised and even confusing. A number of 'Blue Sky' Sessions were held and the strategic review process is now complete. We are renaming ourselves **Brentwood Business Partnership (BBP)**, and have proposed revised terms of reference (a copy of which is attached, and is subject to review by Brentwood Borough Council Legal Department). We are in the process of putting together a revised communications strategy, including a new logo. We are closing down the RG website, and BBP will be included on the **Discover Brentwood** website.

Summary of BBP Aims and Objectives

- Promote Brentwood to visitors as a place to visit (by working with the leisure and tourism sectors to increase length of time in Brentwood and therefore increase spend).
- Encourage local people to shop and do business locally in Brentwood by engaging the local community and encourage local spend.
- Offer marketing support to SME's/retail/independent businesses which do not have the required resources.
- Support local businesses through the provision of advice and skills training.
- Attract funding and sponsorship from a number of sources to enable events and additional public realm improvements.
- Create a vision and point of differentiation of the Brentwood offering as against other destinations.
- Raise the awareness of all that Brentwood has to offer (there is more than just TOWIE)
- Help make Brentwood a safe and appealing place to live, work and visit.
- Support and empower businesses to grow and sustain their businesses.
- Work with business partner organisations such as Chamber of Commerce, Federation of Small Businesses and Bay Tree Centre
- Help co-ordinate businesses to have a collective voice to lobby to make a positive difference to the area
- Complement the Council's overarching vision for Brentwood by helping provide a holistic vision for Brentwood by working with other sectors and bringing everything and everyone together in partnership

BBP Re-Launch. A re-launch event is to be held at the Brentwood Centre on Wednesday 7th February 2018 at 6 pm which we plan to use to raise the profile of BBP and emphasise Brentwood's commitment to making the Borough a destination of choice for visitors and residents alike. A major media campaign will accompany the launch to help achieve these objectives. We hope Councillors will be able to attend to support the re-launch.

Finances. We made no bid for a grant this year as we have reserves which can be called upon for funding our activities for the next 2/3 years. We have had two funding accounts – Revenue and Capital; but it has been agreed that they may be combined, with the total being available for all BBP projects. The public events mentioned and planned for the future are mainly the initiatives of the Clusters, who bid for funding from BBP, but they must make a 25% contribution to the overall cost of the event. In addition, sponsorship is often obtained (the Easter Eggs were all donated, and thousands of pounds have also been voluntarily donated by local businesses to the events this year). There are some centrally-funded projects such as website maintenance, public realm improvements etc.

We will also be seeking sponsorship of BBP itself. Our intention is to become increasingly self-sufficient, but of course our purpose as a Partnership complements that of the Council itself and we may well need to apply for grant funding in the future, if the financial position and activities warrant it.

Membership of BBP. Membership of BBP has largely been local retail businesses, as well as business organisations, such as Chamber of Commerce and FSB. However, we are widening membership. The Brentwood Centre is now a member, and we will be looking to include representatives from other sectors, such as the local college, the visitor/night-time economy and a major business - for example from *Brentwood for Growth*. I know the members of BBP would wish me to acknowledge the excellent support we have received from Council Executives and staff – as well as from Councillors

BBP Future Prospects. The Group has come through the review process full of enthusiasm for the future prospects for BBP and the work it can do to help Brentwood prosper. The positive support of the Council in helping BBP to achieving this is welcome

Mike Hawkins

Chair

Brentwood Business Partnership (formerly Renaissance Group)

December 2017

15 January 2018

Policy, Projects and Resources Committee

National Non-Domestic Rate Relief Policy

Report of: *Rob Manser - Shared Services Revenues and Benefits Manager*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 The Committee is asked to consider approving the Policy for granting Discretionary Non-Domestic Rate Relief as set out in Appendix A. The purpose of the policy is to ensure that a fair and consistent approach by the Council is taken when granting Discretionary Non-Domestic Rate Relief, reducing the risk of legal challenge.
- 1.2 The Council can grant discretionary relief in addition to mandatory relief, the current policy which covers these reliefs is set out in 3.2 below. The government has introduced three new Non-domestic discretionary rate reliefs, Public House Relief, Supporting Small Business Relief and Discretionary Business Rates Relief Scheme. The Council has been providing the first two of these reliefs with the Discretionary Business Rates Relief Scheme due to administrated by the end of January 2018.

2. Recommendation(s)

- 2.1 That the Policy for the granting of Discretionary Non-Domestic Rate Relief as set out in Appendix A be approved.**

3. Introduction and Background

- 3.1 Non-Domestic Rates (NNDR) is a statutory tax paid by businesses to the Council on behalf of Central Government. Non-domestic rates are typically charged on properties such as shops, cafes, warehouses and community centres but also telephone masts, advertising rights, storage and cash machines. There are approximately 2,375 Non-Domestic properties in Brentwood.

3.2 There are a number of reliefs available to help Non-domestic rate payers, some are fully funded by Central Government, and others are funded by both Central Government and Local Government. Certain organisations can apply for mandatory rate relief to reduce their rates bill and subject to meeting the qualifying criteria this will be granted to them. In addition to mandatory relief the Council can also grant discretionary relief. The Council's current policy covers the below reliefs:

- Charity Relief – mandatory and/or discretionary
- Rural Rate Relief – mandatory and/or discretionary
- Hardship Relief – discretionary
- Localism Relief – discretionary

3.3 In addition to the above, the Chancellor has since introduced the following three new Non-domestic discretionary rate reliefs, each have their own qualifying criteria:

- Public House Relief
- Supporting Small Business Relief
- Discretionary Business Rates Relief Scheme

3.4 With the introduction of these new reliefs, and in collaboration with all Essex authorities, we have worked with an external consultant to create a new policy. The purpose of this new policy is to incorporate all available reliefs, old and new, within one policy, whilst determining the level of rate relief to be granted to defined rate payers within the borough. This policy will replace the existing policy. Non-domestic rates legislation is complex and by seeking external advice and assistance in creating this policy the intention was to ensure a consistent approach across Essex and reduce the risk of legal challenge.

Changes reflected within the new policy

- The new policy incorporates the new three Non-Domestic discretionary rate reliefs.
- New Non-domestic discretionary rate reliefs – Public House relief
- The introduction of Public House relief, which is a temporary relief for one year only. The Council will be compensated for any relief granted.
- New Non-domestic discretionary rate reliefs – Supporting Small Business relief

- The introduction of Supporting Small Business relief, which is a relief for a period of five years or until the business pays their full rate charge or their transitional rate charge. The Council will be compensated for any relief granted.

New Discretionary Business Rates relief

- 3.5 In March 2017, Central Government announced that it would make available a discretionary fund of £300m over four years from 2017-18, to support those businesses that face the steepest increases in their Business Rates bills as a result of the revaluation. It was determined that Councils would be best placed to decide how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need. The decision to grant (or not to grant) Discretionary Business Rates relief is a matter purely for the Council.
- 3.6 Every authority within England has been provided with a share of the £300m to support their local businesses. For Brentwood we have been awarded £215k. The funding is provided over the four-year period and is to be allocated in the following proportions:

Year 1 (2017/18)	58%	£125k
Year 2 (2018/19)	28%	£61k
Year 3 (2019/20)	12%	£25k
Year 4 (2020/21)	2%	£4k

- 3.7 The Council will be compensated for any relief granted.
- 3.8 The Council has already identified ratepayers who may qualify for the Discretionary Business Rate Relief for Year 1 and year 2 and as such an application process will not be required. Approximately 230 Business Rate Accounts will benefit from the Relief and this will be administered by January 2018.
- 3.9 A fixed amount of relief be granted for the first two years, with a case by case award for years three and four. The amount to be awarded under this new Discretionary Business Rates relief will not exceed the maximum level set by Central Government.

- 3.10 The Council recognises the importance of supporting local businesses and organisations to promote the provision of local facilities, economic growth, employment and investment to improve prosperity across the borough and in particular support the most disadvantaged communities.
- 3.11 Public funds are not unlimited, as a proportion of the costs of relief granted are borne by the council tax payers of the borough. In making decisions the Council must be confident that money invested in this way will be repaid in economic and/or community benefit.

Legislation

- 3.12 Section 31 of the Local Government Act 2003 allows a Minister of the Crown to pay a grant to a local authority in England towards the expenditure incurred or to be incurred by it.
- 3.13 Section 43 of the Local Government Finance Act 1988 allows mandatory relief to be granted on premises if a ratepayer is a charity or trustee of a charity and the premises are wholly or mainly used for charitable purposes.
- 3.14 Section 47 of the Local Government Finance Act 1988 gives discretionary power to billing authorities to grant partial or full relief to certain categories of non-domestic rates.
- 3.15 The Non-Domestic Rating (Discretionary Relief) regulations 1989 allow for this relief to be restricted to a fixed period.
- 3.16 Section 69 of the Localism Act 2011 provides a new discretionary power to reduce business rates for any local ratepayer. It is this new power that the Government is directing billing authorities to use to award the new categories of relief.
- 3.17 It will be for the Council to ensure that any relief granted does not exceed 'State Aid' rules.

4. Issue, Options and Analysis of Options

- 4.1 Approve the recommendation – this will enable Officers to take a fair and consistent approach to the award of Discretionary Non-Domestic Rate Reliefs, this will reduce the risk of legal challenge to the council and will provide a clear statement as to when relief will be granted.
- 4.2 Do Nothing – this is not an option as the current policy is now out of date and does not include the more recently announced reliefs. There is the risk of

challenge to the Council where we make decisions that are not supported by a comprehensive policy.

5. Reasons for Recommendation

- 5.1 To reduce the risk of legal challenge to the council and will provide a clear statement as to when relief will be granted.

6. Consultation

- 6.1 Consultation with precepting authorities has been carried out.

7. References to Corporate Plan

- 7.1 Administration of Business Rates, effects the local community of Brentwood as a whole. The Reliefs for qualifying Businesses will help Economic Development and the Community by making Rates more affordable.

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager

Tel & Email: 01277 312 829/jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 Discretionary reliefs under Section 47 of the Local Government Finance Act 1988 are funded partly from the Council's general fund and partly compensated by Central Government, Brentwood Council would fund 40% of the below reliefs;

- Charity Relief
- Rural Rate Relief – for other premises within a rural settlement with a rateable value (RV) of less than £16,500
- Localism – discretionary rate relief granted to ratepayers generally
- Hardship Relief

- 8.2 For all discretionary reliefs granted under Section 47 of the Local Government Finance Act 1988, the Council will be compensated for any relief granted by Central Government under Section 31 of the Local Government Act 2003;

- Rural Rate Relief – granted to mandatory rural relief recipients
- Local Newspaper Relief – granted from 1 April 2017 to 31 March 2019 (new)
- Public House Relief – granted from 1 April 2017 to 31 March 2018 (new)
- Supporting Small Business Relief – 1 April 2017 for up to 5 years if conditions met (new)

- Discretionary Business Rates Relief Scheme – 1 April 2017 for a period of up to 4 years (new)

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services & Monitoring Officer

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- 8.1 Legal implications and requirements are set out in the body of this report and its attachments.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.2 An equalities impact assessment has been carried out.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None

10. **Appendices to this report**

Appendix A – Non-Domestic Discretionary Rate Relief Policy

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

Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	July 2017	LM	Policy
2	August 2017	DA	Sign Off
3	November 2017	LM	Amendments CS

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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met. In the case of the new reliefs, some guidance has been issued by Central Government outlining actions expected to be taken by local authorities. This policy includes Government guidance where appropriate but also looks to target discretionary relief in line with the Council's priorities.
- 1.5 This document outlines the following areas:
 - Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
 - The Council's policy for the granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs and awards;
 - European Union requirements including provisions for State Aid; and
 - The Council's Scheme of Delegation.
- 1.6 Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.

2.0 Mandatory Relief - Legislative Background

Charity Relief

- 2.1 The powers relating to the granting of mandatory¹ and discretionary relief are given to the Council under the Local Government Finance Act 1988². Charities and Trustees for Charities are only liable to pay one fifth of the Non-Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has been extended under the Local Government Act 2003 (effective from 1st April 2004) to registered Community Amateur Sports Clubs (CASCs). Full details of the mandatory provisions are given later within this policy.
- 2.2 In the case of charity shops, the premises must meet the criteria laid down by section 64 (10) of the Local Government Finance Act 1988 which states that the premises are to be treated as used for charitable purposes at any time it is wholly or mainly used for the sale of goods donated to the charity and the proceeds of goods (after any deductions for expenses) are applied for the purpose of the charity.
- 2.3 The Council has discretion to grant relief of up to a further 20% for these mandatory cases under its discretionary provisions.

Rural Rate Relief

- 2.4 From 1st April 1998, under powers originally granted to the Council by the Local Government and Rating Act 1997³, certain types of business in rural settlements, with a population below 3000 may qualify for mandatory rate relief of 50 per cent. Businesses that qualify for this relief are the sole general store and the sole post office in the settlement, provided it has a Rateable Value of up to £8500; any food shop with a Rateable Value of up to £8500; and the sole pub and the sole petrol station in the settlement provided it has a Rateable Value of up to £12500.
- 2.5 From 1st April 2017, Central Government has indicated that it wants all authorities to give 100% relief to premises that receive mandatory rural rate relief. The legislation enabling this will not be forthcoming until 2018 and therefore it has indicated that where the additional 50% is granted, a section 31 grant will be made available to the Council. This is dealt with further within this policy and the Council will automatically grant the additional 50% discretionary relief where appropriate
- 2.6 Where businesses in rural settlements have a Rateable Value of up to £16,500 **and** are not in receipt of mandatory relief, the Council may decide to give up to

¹ S43 & S45 Local Government Finance Act 1988

² S47 & S48 Local Government Finance Act 1988

³ LGFA 1997, s.47, as amended by Sch. 1 to the Local Government and Rating Act 1997

100 per cent discretionary relief if it is satisfied that the business is of benefit to the community and having regard to the interests of its Council Taxpayers.

3.0 Discretionary Relief – Legislative Background

Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to ‘top’ up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information and evidence as required in order to determine whether relief should be awarded.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority’s area. There is no statutory appeal process or Tribunal against any decision made by the Council although, as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 3.6 Granting of the relief falls broadly into the following categories:
 - a. Discretionary Relief – Charities who already receive mandatory relief.
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Rural Rate relief - premises that already receive mandatory relief;
 - d. Discretionary Relief – Rural Rate relief - premises not receiving mandatory relief but of benefit to the local community and less than £16,500 RV;
 - e. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - f. Local Newspaper Relief (from 1st April 2017 for a period of two years);
 - g. Local Public House Relief (from April 2017 for a one year period);
 - h. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016)); and

-
- i. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years)
- 3.7 The decision to grant or not to grant discretionary relief is a matter purely for the Council.

The Council's general approach to granting Discretionary Relief

- 3.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:
- a. The awarding of relief will be in line with the Council's vision and values;
 - b. Be equitable and balance the wider interests of the community with the resources made available by the Council Tax payer;
 - c. Support the delivery of the Council's objectives and priorities;
 - d. Be clear and transparent;
 - e. Set out, as far as possible, objective criteria rather than subjective judgements for the award of Discretionary Relief;
 - f. Be simple to administer;
 - g. Offer stability to those organisations receiving relief;
 - h. Any award should support business, charities, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
 - i. The award should help and encourage business, charities, organisations, groups and communities to become self-reliant;
 - j. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
 - k. Local organisations will be given priority over national organisations. Where requested, the organisation will need to supply the Council with clear evidence of **all** financial affairs (normally two full years) including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
 - l. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which without granting discretionary relief they would be unable to do;
 - m. To assist the Council in delivering services which could not be provided otherwise;
 - n. To enable the Council to determine the level of rate change in comparison with the organisation's financial situation; and
 - o. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it;
- 3.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.

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- 3.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

The Council's approach to granting Government led Discretionary Relief schemes

- 3.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.

4.0 Effect on the Council's Finances

- 4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 4.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. For any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government, 40% by the Council and 10% by Essex County Council. This also applies where mandatory relief is granted.
- 4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas
- 4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1 st April 2013
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	40% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	40% borne by the Council
	Rural Rate Relief	
C	50% Discretionary relief granted to Mandatory Rural Relief recipients	Section 31 Grant
D	Other premises within a rural settlement under £16500 RV	40% borne by the Council
	Localism	
E	Discretionary Relief granted to ratepayers generally and not covered by any other section	40% borne by the Council
	Local Newspaper Relief	
F	Discretionary Relief granted to local newspapers meeting the criteria (From 1 st April 2017 for a period of two years)	Section 31 Grant
	Public House Relief	
G	Discretionary Relief granted to public houses meeting the criteria (From 1 st April 2017 for a period of one year)	Section 31 Grant
	Supporting Small Business Relief	
H	Supporting Small Businesses Relief (from 1 st April 2017 for a period of up to five years if conditions are met)	Section 31 Grant

Appendix	Relief Type	Granted after 1 st April 2013
	Discretionary Business Rates Relief Scheme	
I	Discretionary Business Rates Relief Scheme (from 1 st April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 40% by the Council
	S49 Hardship Relief	
J	Partial or full relief for cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers	40% borne by the Council

5.0 Discretionary Relief – EU State Aid requirements

- 5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)⁴. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 5.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

6.0 Administration of Discretionary Relief

- 6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation⁵

Applications and Evidence

- 6.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and electronic format. The relevant application forms are available from the Council. The Council will specify how applications are to be received and this may vary from time to time.
- 6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts (normally the last two years), financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.
- 6.4 Applications should initially be made to the Revenues and Benefits Service and will be determined in accordance with Section 7 of this policy.
- 6.5 **The Council will provide this service and provide guidance free of charge. Ratepayers are encouraged to approach the Council direct and NOT pay for such services through third parties.**

Granting of relief

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

⁵ The Non-Domestic Rating (Discretionary Relief) Regulations 1989

-
- An explanation of the decision within the context of the Council's statutory duty; and
 - An explanation of the appeal rights (see below).
- 6.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made or when liability begins whichever is the later. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council *may* backdate its decision.
- 6.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate.
- 6.11 A fresh application for discretionary relief will be necessary for each financial year **or** at such time-period as the Council determines.

Variation of a decision

- 6.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge or a change in the Council's decision which increases the award – this will apply from a date determined by the Council as appropriate;
 - Where the amount is to increase for any other reason, it will take effect at the expiry of a financial year and so that at least one year's notice is given;
 - Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
 - Where the amount is to be reduced for any other reason, it will take effect from a date determined by the Council as appropriate;
- 6.13 A decision may be revoked at any time however; a one year period of notice will be given and the change will take effect at the expiry of a financial year.

7.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

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

Reviews

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

Appeals

- 7.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Revenues and Benefits Manager. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 7.6 Where the ratepayer wishes to appeal the decision of the Revenues and Benefits Manager, the case will be considered by the relevant Executive member whose decision on behalf of the Council will be final
- 7.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.

8.0 Reporting changes in circumstances

- 8.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief, to be reported as soon as possible or in any event within 21 days of the change. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.
- 8.2 Where a change of circumstances is reported, the relief will, if appropriate, be revised or cancelled as appropriate. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.

9.0 Fraud

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

Appendix A

Discretionary Relief – Mandatory Relief recipients

Discretionary Relief – Mandatory Relief recipients

General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered⁶ Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

- A.3 Charities are defined within the legislation as being an institution⁷ or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation⁸, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
 - trusts for the advancement of religion;
 - trusts for the advancement of education; and
 - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;
 - any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
 - units of the Boy Scouts Association or the Girl Guides Association; and
 - voluntary schools within the meaning of the Education Acts of 1944 to 1980.
- A.6 The Council will consider charitable organisations, registered or not, for mandatory relief.

⁶ Registered with HMRC as a CASC

⁷ S67(10) Local Government Finance Act 1988

⁸ Income Tax Special Commissioners v Pemsell (1891)

Use of Premises – wholly or mainly used

- A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection, but on occasions the Council has had to question the actual use to which the premises are to be put. In some cases, it will be necessary for the Council to inspect any premises fully.
- A.8 Guidance from the Department of Communities and Local Government (DCLG) has stated that in the case of ‘mainly’, at least 51% must be used for charitable purposes whether of that charity or of that and other charities
- A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which may be equally considered for discretionary rate relief.

Offices, administration and similar premises

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

Charity shops

- A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64 (10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.
- A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received

Granting of Mandatory Relief - the Council’s Policy

- A.13 Where the criteria for awarding mandatory relief are met, the rate charges shall be calculated in accordance with the legislation reducing the liability of ratepayers for each day that the criteria are met.

Charity Relief – Mandatory Relief recipients, the Council’s Policy for granting discretionary relief.

- A.14 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.
- A.15 In determining the application, the following matters will be taken in to consideration:
1. How the charity supports and links into the Council’s corporate vision and priorities;
 2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested; and
 3. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity. The Council is keen to ensure that the organisation provides significant benefit to local residents.
- A16 The Council is keen to support businesses that have a critical role to play in the local economy and to assist the Council in meeting the Corporate aims and values.
- A.17 In the case of registered Community Amateur Sports Clubs, the key criteria in determining the application will be:
1. The ratepayer occupies the whole hereditament;
 2. Relief cannot be granted in respect of premises that are occupied by the Council or precepting authority;
 3. How the CASC supports and links into the Council’s corporate vision and priorities;
 4. The membership and fee structure, and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
 5. Membership numbers and the number and percentage of these members that are local residents;
 6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
 7. Whether facilities are available to the wider community regardless of ability; and
 8. If the CASC runs a bar or food provision: the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC.
- A.18 The Council wishes to support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council’s aims and vision. In the main, this will be done through other means rather than granting discretionary relief. There may be occasions where applications are made for such relief or where a package of measures, including discretionary relief, are appropriate in supporting businesses. This would need to be in accordance with any limitations in respect of state aid.

Appendix B

Discretionary Relief – Non-Profit Making Organisations including Recreation

Discretionary Relief – Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

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

Recreation Clubs

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

⁹ S47 Local Government Finance Act 1988

Definition of Recreation

B.7 Recreation is clearly defined by the Sports Council as any of the following¹¹

Aikido	Croquet	Kabaddi	Real Tennis	Tang Soo Do
American Football	Crossbow	Karate	Roller Hockey	Tenpin
Angling	Curling	Kendo	Roller Skating	Bowling
Archery	Cycling	Korfball	Rounders	Trampolining
Arm Wrestling Association	Disability Sport	Lacrosse	Rowing	Triathlon
Football	Dragon Boat	Lawn Tennis	Rugby League	Tug of War
Athletics	Racing	Life Saving	Rugby Union	Unihoc
Australian Rules Football	Equestrian	Luge	Sailing	Volleyball
Badminton	Fencing	Modern Pentathlon	Sand/Land Yachting	Water Skiing
Ballooning	Fives	Motor Cycling	Shinty	Weightlifting
Baseball	Flying	Motor Sports	Shooting	Wrestling
Basketball	Gaelic Football	Mountaineering	Skateboarding	Yoga
Baton Twirling	Gliding	Movement, Dance, Exercise & Fitness	Skiing	
Biathlon	Golf	Netball	Skipping	
Bicycle Polo	Gymnastics	Orienteering	Snowboarding	
Billiards and Snooker	Handball	Parachuting	Softball	
Bobsleigh	Hang/Para Gliding	Petanque	Sombo	
Boccia	Highland Games	Polo	Wrestling	
Bowls	Hockey	Pony Trekking	Squash	
Boxing	Horse Racing	Pool	Skater/Street Hockey	
Camogie	Hovering	Quoits	Sub-Aqua	
Canoeing	Hurling	Racketball	Surf Life Saving	
Caving	Ice Hockey	Rackets	Surfing	
Chinese Martial Arts	Ice Skating	Raquetball	Swimming & Diving	
Cricket	Jet Skiing	Rambling	Table Tennis	
	Ju Jitsu		Taekwondo	
	Judo			

Access to clubs

B.8 Guidance issued by the DCLG also requires the Council to consider access to clubs within the community before granting discretionary relief.

B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.

B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to show that the criteria by

¹¹ Definition last reviewed by Sport England in 2002

which it considers applications for membership are consistent with the principle of open access.

- B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities' etc.?'

Provision of facilities

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

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

- B.15 The Council will consider applications for discretionary rate relief from non-profit making organisations on their own merits on a case-by-case basis. In determining the application, the following matters will be taken in to consideration (The list is not exhaustive):
- How the organisation supports and links into the Council's corporate vision and priorities;
 - Whether the facilities provided include education and/or training for members as a whole or for special groups;
 - The extent to which the facilities provided reduce the demand for Council services or produce savings;
 - Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
 - If covered by a membership scheme, membership numbers and the number and percentage of these members that are local residents; and
 - If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example black and minority ethnic residents, people over 50 and people with disabilities.
- B.16 The Council will also require additional financial information including:
- If the organisation runs a bar or food provision, the level of income from this activity and how this money is used.; and
 - Whether the organisation operates at a local or national level and where appropriate, the local and national funding streams and financial position of the organisation.

Appendix C

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

What are the qualifying criteria for Mandatory Relief?

- C.1 For a Post Office or General Store to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 (from 1 April 2010);
 - The property must be used as a Post Office or a General Store (see below for definition), or both;
 - The property must be the only Post Office or the only General Store within the Rural Settlement.
- C.2 For a Public House or Petrol Filling Station to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £12,500 from 1 April 2010);
 - The property must be used as a Public House (see below for definition) or a Petrol Filling Station (see below for definition); and
 - The property must be the only Public House or the only Petrol Filling Station within the Rural Settlement.
- C.3 For a village food shop to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 from 1 April 2010); and
 - The property must be used as a shop selling mainly food (see below for definition).

What rural settlements exist within the Brentwood Borough Council's area?

- C.4 The following are deemed to be rural settlements within the Council's area:
1. Navestock;
 2. Kelvedon Hatch;
 3. Stondon Massey;
 4. South Weald;
 5. Doddinghurst;
 6. Hook End & Wyatts Green;
 7. Blackmore;
 8. Mountnessing;
 9. Herongate;
 10. Ingrave; and
 11. West Horndon.

What is the definition of a General Store?

- C.5 For the purposes of Rural Rate Relief, 'General Store' means a business or trade, which wholly or mainly sells by retail both food (other than confectionery) for human consumption and general household goods. Where there are two or more General Stores within the same Rural Settlement, none can qualify for Mandatory Relief on that basis, although if one of them functions as a Post Office or a Food Shop relief may be claimed independently on that ground. However, both a General Store and a Post Office in the same Rural Settlement will qualify for Mandatory Relief, provided that, they both meet the criteria. Although a General Store or a Post Office may not meet the criteria for Mandatory Relief, they may still be eligible to apply for Discretionary Relief.

What is the definition of a Public House?

- C.6 For the purposes of Rural Rate Relief, 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises must be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.

What is the definition of a Petrol Filling Station?

- C.7 For the purposes of Rural Rate Relief, 'Petrol Filling Station' means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads

What is the definition of a Food Shop?

- C.8 For the purpose of Rural Rate Relief, 'Food Shop' means a trade or business consisting wholly or mainly of the sale by retail of food for human consumption (excluding confectionery and catering – in this context catering means any supply of food for consumption on the premises on which it is supplied and any supply of hot food for consumption off the premises). This definition may also include shops, which sell mainly household foods and which may partly also sell hot take away food or food consumed on the premises. But shops whose main business is a restaurant, tearoom, take-away, or confectionery sales are not food shops and so will not qualify for mandatory relief.

What are the qualifying criteria for Discretionary Relief?

- C.9 The Council may grant up to 50% Discretionary Relief in respect of any property which qualifies for 50% Mandatory Relief and the Council may also grant up to 100% Discretionary Relief to any rural business which does not meet the mandatory provisions. It should be noted that for 2017 onwards Central Government has requested that Council grant 50% discretionary relief to all ratepayers who receive 50% mandatory rural rate relief.

Rural Rate Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

- C.10 As Central Government has requested and fully funds any additional relief granted to ratepayers who receive mandatory rural rate relief, the Council will

automatically grant the additional 50% until such time as primary legislation is changed.

Appendix D

Discretionary Relief – Premises within Rural Settlements

Discretionary Relief – Premises within Rural Settlements

- D.1 In addition to having the ability to grant discretionary relief to those in receipt of mandatory relief, the Local Government and Rating Act 1997 allows discretionary relief of up to 100% to be granted where the rateable value is £16500 or less and:
- a. Property is used for purposes which are of benefit to the local community; and
 - b. It would be reasonable for the billing authority to award relief, having regards to the Council's Council Taxpayers.
- D.2 As with most discretionary relief, part of the cost, is met by Central Government and the balance from local sources.
- D.3 The main criteria for granting discretionary relief in respect of rural rate relief is that premises are used to benefit the local community.

Benefit to the local community

- D.4 Whilst each application for the relief will be considered on its own merits, there are certain factors which weigh heavily in the decision-making process. It is this Council's belief that the spirit of the legislation is to assist businesses and amenities, which contribute significantly to the quality of life of the people who have their main home in the Rural Settlement.
- D.5 To be successful for consideration, a business must show that its existence is a significant benefit to the local community with the majority of local residents directly benefiting from services or facilities provided by that business

Rural Rate Relief – the Council's Policy for granting discretionary relief.

- D.6 The Council will also consider applications for a discretionary rural rate relief from all ratepayers, not entitled to mandatory relief up to a maximum of 100%.
- D.7 In determining the application the following matters will be taken in to consideration:
- The granting of any discretionary relief will be essential in ensuring the viability of any business within the rural settlement;
 - The granting of any discretionary relief is proportionate given the level of any business rates charged compared with the overall turnover of the business;
 - The granting of any discretionary relief will assist the business in continuing to be viable and / or prevent the business from failing;
 - The business is considered by the Council to be essential to the community and that any reduction or withdrawal of the business will have a serious detrimental effect on the rural settlement;
 - The granting of any discretionary relief is reasonable having regard to the effect on taxpayers of the Council;

Appendix E

Discretionary Relief – Localism Act 2011

Discretionary Relief – Localism Act 2011

General explanation

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

Discretionary Relief – Localism – the Council’s Policy

- E.3 Applications will be considered from any ratepayer who wishes to apply. However, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council’s discretionary relief policy.
- E.4 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities, non-profit making organisations etc.) must meet **all** of the following criteria and the amount of relief granted will be dependant on the following key factors:
- a. The ratepayer **must not** be entitled to mandatory rate relief (Charity or Rural Rate Relief);
 - b. The ratepayer **must not** be entitled to Central Government funded reliefs;
 - c. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
 - d. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
 - e. The premises and organisation **must** be of *significant* benefit to residents of the Council’s area;
 - f. The premises and organisation **must** relieve the Council of providing similar facilities;
 - g. The ratepayer **must**;
 - i. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**
 - ii. Provide *significant* employment or employment opportunities to residents of the Council; **or**
 - iii. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;
 - h. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term; **and**

-
- i. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.
- E.5 Where a ratepayer can demonstrate that **all** of the above criteria are met, relief will be considered for initially a short period.
- E.6 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements as specified within section 6 of this policy.

Appendix F

Local Newspaper Relief

General Explanation

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

Eligibility criteria

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

Local Newspapers

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

Office Space

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

Amount of Relief

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

Local Newspaper Relief – the Council’s policy for granting discretionary relief.

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

Appendix G

Supporting Small Businesses Relief

General Explanation

- G.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. They have also allowed rural rate relief to be granted up to 100% using S47 of the Local Government Finance Act 1988 as a top up to the mandatory level of 50%, albeit that the rateable value limits have not been changes in respect of rural hereditaments (see section D of this policy). Unfortunately, despite these changes, some small businesses and businesses in rural areas may lose their entitlement to the relief due to increases in Rateable Value through the revaluation on 1st April 2017.
- G.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business or rural rate relief may face large percentage increases in bills from 1 April 2017.
- G.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business or rural rate relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.
- G.4 The relief is known as the ‘Supporting Small Businesses Scheme’

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

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

paying something.

- G.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief or rural rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.
- G.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- G.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016).
- G.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- G.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

Recalculation of relief

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

Other Reliefs

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

reliefs, will be considered **after** the application of Supporting Small Businesses relief.

Supporting Small Businesses Relief – the Council’s policy for granting discretionary relief.

G.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines

Appendix H

Public House Relief

General Explanation

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

Eligibility criteria

- H.3 The Council's policy, in line with Central Government requirements, will provide a relief of £1,000 relief for one year only (1st April 2017 to 31st March 2018) for all eligible public houses who have a rateable value of less than £100,000 on 1st April 2017.
- H.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.
- H.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

Other Reliefs

- H.4 Pubic House relief will be granted after applying any other mandatory reliefs and reductions

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

- H.5 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix I

Discretionary Business Rate Relief Scheme

General Explanation

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

Amount of discretionary fund awarded (£000s) – Brentwood Borough Council			
2017-18	2018-19	2019-20	2020-21
125	61	25	4

Consultation

- I.8 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- I.9 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major precepting authority; and
 - b. Any combined authority.
- I.10 In the case of Brentwood Borough Council the major precepting authorities have been consulted namely:
- a. Essex County Council
 - b. Essex Police and Crime Commissioner; and
 - c. Essex Fire and Rescue Service.

State Aid

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

Decisions by the Council

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

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

Applications for relief under this scheme

- I.14 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any

ratepayers to provide such information as is required by the Council to support their application.

- I.15 The Council has decided that relief under the scheme will be awarded using the following criteria:
- a. The scheme is designed to assist ratepayers who have suffered significant increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
 - b. Relief will not be awarded where mandatory relief is granted;
 - c. In assessing any potential entitlement to an award under this scheme, the Council will compare the following:
 - i. The rate liability of the ratepayer at 31st March 2017 after any reliefs and reductions; and
 - ii. The rate liability of the ratepayer at 1st April 2017 taking into account any transitional relief or discretionary relief within this policy;
 - d. Relief will be awarded where the calculation in c. above would result in an increase of more than 4% (determined by the Council as an acceptable increase);
 - e. Relief will only be given to premises which are liable for occupied rates. No relief within this scheme will be granted for unoccupied premises;
 - f. Relief will only be granted to ratepayers who were in occupation at 31st March 2017 and in occupation on 1st April 2017 and for each day subsequently.
 - g. Ratepayers taking up occupation after the 1st April 2017 will **not** be eligible for relief on the basis that new ratepayers would not have suffered from increases due to a revaluation;
 - h. Relief will be targeted to local businesses and not those business that are national or multi-national in nature. Local businesses are, for the purposes of this scheme, those which have premises wholly in the Councils area;
 - i. Relief may be awarded for more than one premises as long as **all** other criteria are met;
 - j. Relief will **not** be awarded where:
 - i. mandatory and / or discretionary relief (other than this relief) is awarded; or
 - ii. where the ratepayer has applied for a reduction under S44a of the Local Government Finance Act 1988; and
 - iii. the hereditament has an increase in Rateable Value after the 1st April 2017 which increases the rate charge above the 1st April 2017 value.
 - k. Relief will **not** be awarded for hereditaments who have a Rateable Value at 1st April 2017 of more than £100,000:

Amount of Relief

- I.16 The amount of relief is tapered and will be calculated as follows:

2017/18

Award = Increase in rate liability calculated in (I.15 c above) LESS 4% (acceptable increase)

2018/19

Award = 2017/18 award x 50% (for clarity this will be half of the relief awarded in 2017/18)

2019/20 & 2020/21

For the final year of the scheme, the Council will determine any award on an individual case by case basis

Variation and amendment of relief under the scheme

- I.17 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.
- I.18 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Appendix J

Section 49 – Hardship Relief

Section 49 – Hardship Relief

General explanation

J.1 The Council is able to exercise its discretion under Section 49 of the Local Government Finance Act 1988 to provide either partial or full relief for non-domestic rate payments in cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers in general.

Section 49 Hardship Relief – the Council’s Policy

J.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Revenues and Benefits Manager will consider applications. Application forms are available from the Council.

J.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):

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

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15 January 2018

Policy, Projects and Resources Committee

Preparation for General Data Protection Regulation - GDPR

Report of: Gary Cordes - Information Governance Lawyer

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 Members may be aware that on 25 May 2018, the General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998. To that end there is a Data Protection Bill 2017 currently before Parliament and this will effectively adopt GDPR when enacted in due course. The Council has therefore commenced work on its strategy for introducing GDPR compliant measures in time for the new law coming into effect in May 2018.

2. Recommendation(s)

- 2.1 **That the attached compliance action plan, along with the attached project plan, be approved to enable officers to roll out effective GDPR compliance across the Council by 25 May 2018.**

3. Introduction and Background

- 3.1 Until 25 May 2018, all staff and Members of local authorities must continue to comply with the Data Protection Act 1998 (the Act) which requires individuals' personal data we hold to be processed securely, with severe penalties for non-compliance. For this purpose, as part of the Council's general review of information governance, Members will recall having approved a new suite of Data Protection policies in 2017.
- 3.2 All staff have been engaged to complete an online data protection training module based on these policies, during November and December 2017. This training module will also be made available to all Members during January 2018.

- 3.3 However, Members may be aware that on 25 May 2018, the General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998. To that end there is a Data Protection Bill 2017 currently before Parliament and this will effectively adopt GDPR when enacted in due course. The Council has therefore commenced work on its strategy for introducing GDPR compliant measures in time for the new law coming into effect in May 2018.

4. Issues, Options and Analysis of Options

- 4.1 The main issue is achieving effective buy-in from all staff across the Council. To this end, the Chief Executive has recently published on the Council's intranet a message to all staff explaining GDPR is coming and that all staff need to cooperate with actions as directed by the GDPR senior officer steering group, established to oversee the project. GDPR is a statutory requirement so the only available option is to adopt the new legislation.

5. Reasons for Recommendation

- 5.1 Members approval of the appended compliance action plan, to be read alongside the Project Plan, is sought to enable officers to take all necessary measures to ensure BBC is compliant with GDPR when it becomes law on 25 May 2018, so enabling the Council to continue to keep related business risk to a minimum. Members will appreciate this is a complex, council wide project so that some dates for action/completion under the Project Plan are subject to change for operational reasons. This will NOT affect the overall projected completion date of 25 May 2018. Specific work flows will be developed following receipt of council-wide responses to a questionnaire to be sent out to all departments around end of January 2018, along with guidance notes and other documents designed to capture all information necessary to ensure compliance in all areas in due course. Specific GDPR training will be put in place for both officers and Members to complete over the coming months. Members of this committee will receive a further update from officers on GDPR at their meeting, now re-scheduled for 12 March 2018.

6. Consultation

- 6.1 No consultation is required in advance of submission of this report to Committee.

7. References to Corporate Plan 2016-2019

- 7.1 With regard to the priority: 'Community and Health' this report supports businesses, safeguards public safety and enhances standards locally through risk-based regulatory compliance with the Data Protection Act 1998 and the forthcoming GDPR.

8. Implications

- 8.1 Risk of up to £0.5m fine for non compliance with DPA will increase to a maximum of £18m under GDPR with associated financial consequences; reputational harm to Council.
- 8.2 Currently the additional resources required for the implementation of GDPR by May 2018, consists of an Information Governance Lawyer and is being funded from the Council's Reserves due to the transformational activity.

Legal Implications

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- 8.3 Legal issues and implications are set out in the body of this report and appendices.

9. Background Papers

- 9.1 None

10. Appendices to this report

Appendix A - GDPR Briefing Note & Compliance Action Plan

Appendix B - GDPR Project Plan

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THE GENERAL DATA PROTECTION REGULATION

BRIEFING NOTE & ACTION PLAN FOR COMPLIANCE BY BRENTWOOD BOROUGH COUNCIL

DECEMBER 2017

Author: Gary Cordes, Information Governance Lawyer, Brentwood Borough Council

INTRODUCTION

The General Data Protection Regulation (GDPR) becomes UK law from 25 May 2018. In due course a new Data Protection Act will effectively adopt the GDPR but with some relatively small amendments. Brexit will NOT affect the UK's obligation to comply with GDPR, so local authorities must act promptly to ensure they are GDPR compliant within seven months from now.

WHAT DOES IT MEAN FOR BBC?

The significance of the new law's effects on current data protection standards cannot be over-emphasised. With significantly increased fines for data breaches (maximum fines rise from £0.5m to £18m) and, for the first time, for other non-compliance issues, it means the GDPR represents a profound shift that will require local authorities to fully embrace the principles of data security and accessibility in a meaningful and demonstrable way. If we cannot demonstrate effective cultural as well as procedural compliance, we risk suffering a major data breach and potentially massive fines – as well as reputational harm that follows. The following represents the Council's outline action plan, sets out all the key actions required and gives some idea of the scope of the task ahead and the resource implications for the Council.

WHAT ARE WE DOING AND HOW?

The Information Governance lawyer was appointed in January 2017 to coordinate the successful operational implementation of all measures necessary to ensure compliance with GDPR by the Council. As part of the strategy, an initial appraisal was conducted of our existing DPA compliance, with a suite of new DPA policies being rolled out during Summer 2017. These, along with online DPA training for all BBC staff, were launched by the Chief Executive on our intranet system during November 2017, where all staff have been asked to read the policies and complete the DPA training by end of December 2017. Meanwhile a steering group (comprising Head of Legal, Chief Operating Officer/SIRO, IG lawyer, Head of IT, Victoria Banerji (online training provision)) and Lorne Spicer (Comms) has been established to agree our approach and, where necessary (through liaison with other senior management), to allocate work on the project.

The following represents the key elements of what we need to do to achieve effective GDPR compliance by 25 May 2018. Each element is a mini-project in its own right, highlighting the fact that proper resourcing will be at the heart of the success of the overall project and its delivery on time. These practical matters will need to be addressed early on by the steering group.

WHAT ARE THE KEY ACTIONS TO ACHIEVE COMPLIANCE UNDER GDPR?

- Appointment of a 'suitably qualified' data protection officer who may do other work for the council but that work must not compromise their ability to provide independent and objective advice/guidance to the council on all GDPR related issues
- The need to 'map' all personal data held in manual structured and electronic filing systems across the entire Council and by our partners (eg Contractors and others who may process or share the personal data we hold) including details and suitability/conformity of the systems used to process the data under GDPR
- The need to review and update our retention and disposal policies to ensure full compliance with GDPR (all departments will need to consider what personal data they hold, why they hold it, stating the lawful basis ('condition for processing') applicable, how long for and when it will be destroyed)
- The need to introduce 'data protection impact assessments' (currently known as Privacy Impact Assessments) at the early stages of any proposed new contract/project involving personal data. This is a mandatory requirement in certain circumstances and fines may be imposed for non-compliance
- The need to review all of our existing data processor and data sharing agreements to ensure these and our partners/stakeholders are themselves compliant with GDPR, including a review of EVERY contract involving use of council-held personal data by external contractors since May 2016, to ensure they guarantee compliance with the new regulation.
- The need to review every one of our 'Privacy Notices' to provide the additional information required under GDPR, including an explanation of the 'condition for processing' in every case which explains why the processing is legitimate
- The need to check whether ANY personal data is obtained via consent and, if so, ensuring that the consent is provided in accordance with new GDPR requirements
- The need to update all of our existing DPA policies to make these compliant under GDPR and so 'fit for future purpose'
- The need to identify then roll out adequate training to all staff and Members and, where necessary, more specialist training to managers/senior management (we are currently working on obtaining a bespoke online GDPR training course for all staff and Members)
- The need to put in place a formal data breach policy and procedure that enables us to report breaches "likely to result in a risk to the data subject(s) to the ICO

and, where likely to “harm” individuals, to inform them too, within 72 hours of becoming aware of the data breach

- The need to ensure ongoing effective communication of all matters GDPR related, perhaps via use of a dedicated intranet page which provides a ‘toolkit’ comprising details of policies, training, procedures and updates on the law/other related matters affecting us
- The need to consider how GDPR affects Members acting in their capacity as individual data controllers and provide suitable guidance/training as required
- The need to ensure all new starter including contractors undertake the Council’s DPA/GDPR training and read related policies as part of the Council’s mandatory Corporate Induction.

At a more practical level, the following administrative and technical changes will need to be put in place, where they do not already exist:

- As above – appoint the DPO
- Annual registration (both for the Council and for Members) no longer required under GDPR but a new fees regime WILL be introduced to replace registration
- Removal of the £10 fee for subject access requests, except in some exceptional circumstances
- Ensuring our IT systems are fit for purpose under GDPR, specifically in relation to:
 1. Our ability to map all personal data we hold, as mentioned above
 2. A review of our systems to ensure they provide adequate security under GDPR
 3. Ability to comply with the GDPR “right to be forgotten” via eg pseudonymisation or anonymization if necessary
 4. Ability to dispose of individuals personal data in accordance with data protection principles (not kept longer than ‘necessary’).
 5. Not mandatory, but would strongly recommend we adopt a 6 month email retention policy, after which all emails will be automatically destroyed unless their content is stored securely elsewhere and where this can be justified under GDPR. This will help not only with GDPR compliance, but also where we receive costly, time-consuming subject access requests for ‘everything you hold about me’ without any time limitation.
 6. Other I.T. requirements/checks including cybersecurity arrangements.

This paper sets out the main elements of what we need to do. It provides a blueprint for our plan of attack in ensuring BBC’s data risks are kept to an acceptable minimum as we move toward a new era of data compliance and what is now referred to as “Privacy by Design” – that is, meaningful cultural buy-in and thinking across the organisation to minimise the risk of data breach and maximise our compliance with both the letter and intention of the new GDPR.

Gary Cordes

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GDPR PROJECT PLAN SUMMARY – 3 JANUARY 2018

ACTIONS	OWNERS (to be agreed with officer Steering Group)	COMPLETION DATE
1. First meeting of steering group		COMPLETED Nov '17
2. Phil's launch note		COMPLETED Dec '17
3. DPA Training & Policies online		COMPLETED Dec '17
4. All staff complete training/read policies online		BY MID JAN '18 LATEST
5. Obtain ECC GDPR presentation		BY MID JAN '18
6. Members invited to complete online DPA training		BY END JAN '18
7. Prepare/send out questionnaire, guidance notes and data mapping exercise to all departments to complete and return to DPO (see further below for follow up action)		EARLY FEB '18
8. Roll out ECC GDPR presentation to senior staff/all managers		DURING FEB ' 18
9. Prepare updated progress report for PP&R Committee		BY 1/3/18 LATEST
10. Review IT compliance with GDPR requirements (SEE IT SPECIFIC ACTIONS/QUESTIONS BELOW)*		DURING MARCH/APRIL 2018
11. Check all responses to 7 above received then meet with steering group to allocate work streams/agree completion dates as necessary around requisite changes to contracts, data processor agreements, Privacy Notices, Privacy Impact Assessments, appointment of DPO, Data Breach Policy and any other areas identified from responses		BY MID MARCH '18 LATEST
12. Ensure all workstreams identified under 11 above		BY 25 MAY '18 LATEST

Appendix B

completed		
13. Amend annual registration payments as directed by ICO in due course		TBC
14. Appoint the Data Protection Officer		BY 25 MAY '18 LATEST
15. Ensure Data Breach Policy in place		BY 25 MAY '18 LATEST
16. Update DPA policies to reflect GDPR/new procedures being followed		BY 25 MAY '18 LATEST
17. Conduct GDPR compliance audit/make necessary changes to ensure reasonable compliance achieved		BY END MAY '18

* "IT SPECIFIC ACTIONS/QUESTIONS"

- Are our systems safe, secure and fit for purpose? For example, secure against cyber attack?
- Under GDPR's "right to be forgotten" do all our systems enable erasure of personal data on an individual basis?
- Do we/can we pseudonymise or anonymise personal data?
- Consider email deletion policy (auto-deletion) after say 1 year of all emails not saved outside of Outlook.
- Can we always produce a person's personal data electronically and in a 'commonly used format'?
- Encryption arrangements satisfactory?
- Cyber Security arrangements satisfactory?
- Other threats to IT security identified and actions to be taken?

15th January 2018

Policy, Projects and Resources Committee

Town Hall Update

Report of: *Greg Campbell*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 The Town Hall project is progressing in line with identified timescales. All services both front office and back office have relocated out of the Town Hall and continue to be run successfully from the new sites.
- 1.2 The second phase of construction will soon commence and to avoid too many change requests officers are seeking approval to work with the commercial sector to deliver the right and appropriate space for Start Up Hubs.

2. Recommendation(s)

- 2.1 Approval is sought from Members for Officers to engage with commercial organisations and business partners to identify specific requirements and needs for start-up businesses, as part of the Council's Community Hub.**

3. Introduction and Background

- 3.1 The Town Hall project is soon to enter the construction phase. This report provides an update on the progress of the Town Hall Remodelling project including how the temporary relocation of services went, the expected progress over the next few months and agreement to develop commercial discussions for the start-up hubs that are proposed.

3.2 Relocation out of the Town Hall was completed on schedule and all staff vacated the Town Hall by the 31st October 2017. A summary update of how this has gone is set out below:

3.3 Seven Arches Road. (SAR)

- This has become the Council's face to face point of contact. It has delivered a revised working model; moving towards digital platforms through IT hardware including i-pads and scanners. It has introduced floor walkers who aid customers by working through online forms. This shift will aid customers to feel more comfortable to self-serve and use their own PC's to transact and communicate with the Council in the future.
- Weddings have now started taking place at Seven Arches Road and when the wedding room is not in use it becomes the main meeting room for the site.
- Mind have also relocated to Seven Arches Road as well as Papworth Trust (both relocating from the Town Hall).
- SAR is also the main office for CCTV and Parking
- Three pilot schemes continue to offer drop in sessions in reception. These are Family Mosaic, Provide and CAB, who all seem to have settled into the new surroundings.

3.4 Regus Warley:

- 130 staff now work out of the Regus office from 76 desks shifting greatly towards hot desking and remote working. The office is functional, and officers have risen to the challenge of working in this new environment. Regular meetings with Regus are held to ensure any issues get resolved however in general the office is working well.

3.5 Depot Warley

- The Depot now makes better use of its space and has increased its desk capacity to 34 to cater for approximately 45 staff.

- Licensing is now run from this site which enables Taxi drivers to receive the full service they require from one location.
- The Print Room has consolidated large format printing into its services and relocated to a smaller area specifically designed for the service.

3.6 Merrymeade

- Electoral Services have relocated to two offices at Merrymeade which was the first service to relocate in June 2017 and has proved successful thus far.

3.7 Members Services

- Members' pigeon holes are now located in the meeting room at the rear of Seven Arches Road and can be accessed twenty-four seven. Committee meetings have started from Brentwood County High School and whilst there have been some teething problems these appear to have now been overcome.
- A recent tour of the building allowed Members to see the facilities at Seven Arches Road for themselves

3.8 Information Technology

3.9 The relocation out of the Town Hall has gone well and has galvanised and been supported by officers with a can-do attitude which has been greatly assisted by ICT who successfully transferred services to the Azure Cloud. This was no small undertaking especially when given the timescales involved. This enables officers to engage with their programmes and information, so they can carry out their duties and assist customers from any PC, Chromebook or laptop. It means officers are not tied to one desk or location. The advancement in ICT provision really has been a success for this organisation in its strive to work differently and change culture. This has been recognised by Microsoft who have published case studies on the work accomplished at BBC.

3.10 The Community Hub

3.11 The Council's Hub partners are continuing to be included in conversations and the Council is pleased that The Department for Works and Pensions 'Job Centre Plus' are now going to be relocating to the Hub in 2019 along with other partners including Council for Voluntary Services, Citizens Advice Bureau and Mind.

3.12 The Police Relocation

3.13 The Police completed their successful relocation to the Lower Ground of the Town Hall on 20th November 2017. The office is fully working and is now in 24-hour operation, with 54 uniformed officers based and operating from the Town Hall.

3.14 Construction Work

3.15 From the 1st November the "soft strip out" began, this has remained on schedule allowing the next phase to start towards the end of the soft strip out to ensure future target timelines are met.

3.16 The Council is now in the process of agreeing the final remodelling contract for the Town Hall. The provider will be agreed later this month -January 2018 – and is likely to start in late February 2018. This will initially see the scaffolding erected, work to the roof started followed by the insertion of steels.

3.17 The work outlined in 3.16 above sees the project move in to an important phase of the redevelopment of the Community Hub.

3.18 In addition, some space remains and we continue to look at further opportunities to lease this for commercial return to the Council. This includes detailing requirements for space for start-up businesses.

3.19 The space which still requires more in-depth investigation is the Start Up Hubs on first floor. Whilst the space has been allocated it would be prudent to engage further with the commercial and experienced groups and determine whether additional space could be used. To progress and firm up the requirements officers seek approval to discuss business needs and to engage with and seek advice from appropriate commercial groups, this would include, as an example, the Chamber of Commerce and like groups.

- 3.20 Finally, following a motion carried at Full Council that '*This Council resolves to investigate as part of an overall review of safety measures the installation of a sprinkler system to be installed in the Town Hall building during alterations to the offices and during the conversion of the upper floors to 19 apartments,*' Members are informed that a review has been undertaken by a professional company and we are now awaiting a report with their findings. Should these become available in a suitable timeframe ahead of the meeting, this will be shared with the committee.

4. Summary/Recommendation

- 4.1 The Town Hall remodelling project remains on track in terms of time and resources with the formal appointment of the contractors due to be carried out later this month. The relocation out of the Town Hall has been successful and all staff are now working from alternative sites and have embraced new ways of working although it has been easier for some than others.
- 4.2 Approval is sought from Members to engage with Commercial organisations and for example the Chamber of Commerce, on the requirements and needs of a Start Up Hub to make it a success.

5. Reasons for Recommendation

- 5.1 The approval to discuss and negotiate with the commercial sector will provide more detailed commercial knowledge and information in which the Council lacks expertise. The Council should always strive to be its best and if that requires outside knowledge then this should be encouraged.

Early engagement means that there are likely to be less changes or issues later when the project finally comes to fruition.

6. Consultation

- 6.1 Consultation was undertaken with the enablement company, our project management team for the project, and staff.

7. References to Corporate Plan

- 7.1 The Town Hall remodelling project fits with a number of corporate objectives set out in Vision for Brentwood 2016–19:

- Review the Town Hall project to deliver a community hub, shared by others
- Consider how Council assets can be utilised to promote sustainable development in the Borough
- Maximise Council assets to deliver corporate objectives and ensure community benefit
- Review our asset management governance strategy
- Develop new ways of working for the Council, improving service delivery and reducing costs and unnecessary bureaucracy
- Explore alternative methods of service delivery, including shared services and outsourcing

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager (Deputy Section 151)

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The engagement of commercial organisations and business partners will help underpin the financial assumptions made in the Town Hall Redevelopment Model for income from the Community Hub area. Further financial updates may arise when the project finally comes to fruition.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer

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- 8.1 The Council must comply with its Contract Standing Orders and procurement regulatory requirements, regarding the entry into contracts for goods, services or works. Legal Services are available to advise as the matter progresses.

9. **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 9.1 There appears to be no other implications at this point

10. Background Papers

- 10.1 None

11. Appendices to this report

11.1 None

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