

Agenda Item No 8

Community & Environment Board

5 February 2025

**Report of the
Interim Corporate Director - Streetscape**

**Street Cleansing – Request for
Additional Funding Revenue**

1 Summary

- 1.1 As requested at the last meeting this report is to provide Members on how we will spend the growth bid to the street cleansing budget for the period 25/26.

Recommendation to the Board

- a) **Members note the enhanced street cleaning work undertaken across the borough in 24/25; and**
- b) **The Board agrees the additional services proposed for 25/26 in line with the Board's decision to ask Full Council for £125,000 growth bid for the street cleaning service in 2025/26.**

2 Consultation

- 2.1 Members have been updated during the year on the additional street cleansing activities that have been funded from the enhanced street cleansing budget.

3 Introduction

- 3.1 In April 2024 Members approved a one off additional £125,000 funding for improved Street Cleansing across the Borough.
- 3.2 The funding was allocated for the following improvements:
- The creation of a two operative deep clean team
 - Purchase of a mobile steam cleaner to enable the cleaning of footpaths, play equipment, removal of graffiti and washing down of bins, planters etc.
 - Replacement of 40 worn-out litter bins
 - Procurement of a selection of new battery powered strimmer's, blowers and hedge cutters to replace old petrol equipment.
 - Implementation of a 10-week programme of additional road sweeping for the areas with high kerbside detritus.

3.3 Since April 2024 Members have received updates on the progress and improvements made to the local environment by the street cleansing team, this is predominately from the introduction of the deep clean team and the work they have carried out.

3.4 Over the year we have received numerous complements from the public and Members. The cleaning of the footpaths and the removal of the chewing gum in the town centres has been extremely well received by shop owners and the public.

3.5 One member of the public recently stopped the deep clean team in Atherstone to tell them that they have never seen Atherstone look so clean and tidy and to keep up the good work.

... 3.6 The latest update on some of the work carried out by the deep clean team can be seen in **Appendix A**.

4 Report Implications

4.1 The new levels of cleanliness that can be seen throughout the borough can only be maintained by securing the additional revenue funding. Without this funding the deep clean team will not exist and the levels of cleanliness across the borough will drop.

4.2 In addition there is no formal budget for replacing aged bins and street furniture. This year the additional budget was spent quickly despite there being a much greater need to replace receptacles. A sum of £20,00 has been suggested as part of the growth bid.

5 Finance and Value for Money Implications

5.1 The additional funding is broken down in the following table:

Resources required	Cost	Total
2 x Operatives	£68,956	£68,956
1 x 3.5t van	£3,300	£3,300
Additional sweeping	£10,000	£10,000
Equipment	£5,000	£5,0000
Street Furniture	£20,000	£20,000
Quadbike weed sprayer	£17,744	£17,744
Total additional funding required		£125,000

5.2 This additional funding will secure the future of the deep clean team and provide additional sweeping for some of the heavier routes, plus the opportunity to keep on top of the weed growth in areas of high footfall.

The Contact Officers for this report are Cath James and Rob Bellamy (719352).

Street Cleansing Improvements

North Warwickshire Borough Council
2024 - 2025

Aims and objectives

Our aims were to complete the following work throughout the financial year of 2024/25.

- Deep clean of all high foot fall areas
- Replacement of worn-out litter bins.
- Target heavy areas of detritus in the borough.
- Introduce additional, large mechanical sweeping (for a fixed 10week period). This will help clear the build-up of detritus in the channels that currently exists on the main routes through the borough.
- Removal of graffiti and flyposting
- Cleaning of road signs, street furniture and planters etc.



Achievements to date

Since the introduction of the additional funding, we have been able to deliver on all the aims we set out in April 2024.

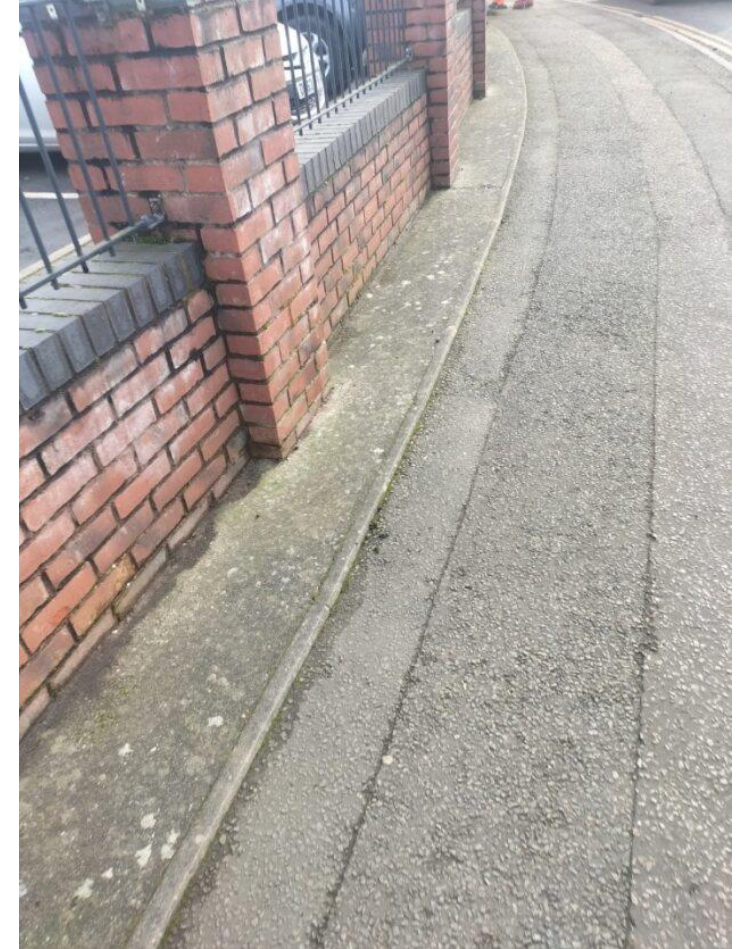
As the financial year comes to an end we continue to implement improvements in Street Cleansing.

The following presentation is a snapshot of what the additional funding has managed to achieve.

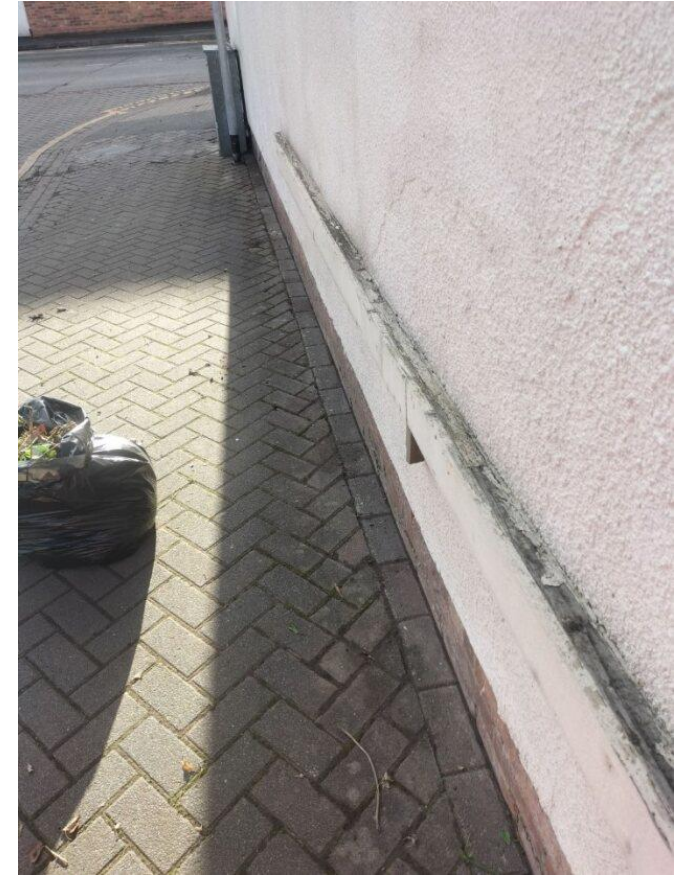
The following slides provides examples of the work that has been carried out.



Atherstone Town by Aldi



Atherstone



Work carried out at Nuneaton Road, Mancetter



Alleyway on Fishers Walk Atherstone



The Alleyway, Bromage Avenue to Ralph Crescent Kingsbury



Polesworth



Kingsbury



Litter Bins

Since January we have introduced daily cleaning of the litter bins in the town centres and areas of high footfall.

The photos opposite clearly show the visual improvements and impact on cleaning the bins.



Deep Clean Team

We introduced a new team to work continually on deep cleaning projects throughout the borough for a fixed 12 months. 01 April 2024 to 31 March 2025

The following slide show the great work carried out by the team



Deep Clean Team

The team are equipped to deal with reported graffiti and fly posting that falls within the council's responsibility.



Graffiti removed from
a play area





Mobile Steam Cleaner

- Having a mobile steam cleaner has enable us to perform a systematic deep clean to all areas of high foot fall.
- This equipment removes heavy stains and chewing gum from the pavement and block paving.
- It also clean road signs, wash down planters and access hard to reach areas.
- In addition to the above it can also clean play equipment and street furniture.



The photo opposite clearly demonstrates the visual impact from cleaning the foot path as you can see a clearly defined line where the team have cleaned the path.



Chewing gum removal

During November and December 2024, the deep clean team have been focusing on the removal of chewing gum for the high footfall areas.



Chewing gum removal



Chewing gum removal



Litter Bins - £15,000 spend

- A number of bins in the borough are in very poor condition and do not encourage the public to use them.
- A full audit was carried out during 2024 with a replacement programme implemented in the Autumn of 2024.
- We have been able to fund the replacement of 39 bins across the borough.
- This is a start to improving the litter bin stock across the borough, further additional funding will be required for this project to continue.
- A full list of the bins that have been replaced are as follows:



Litter bin replacement

Hartshill

Plastic Bin Castle Road – Opposite house 22

Metal Bin Trentham Road – Near House no.1

Ridge Lane

Plastic Bin Ridge Lane – Outside Arden Forest shop

Plastic Bin Ridge Lane – Opposite 58 near bus stop



Litter bin replacement

Birchley Heath

Plastic Bin Birchley Heath Road by bus stop outside recreational area

New Arley

Plastic Bin Ransome Road roundabout

Old Arley

Plastic Bin Rectory Road Junction of Rectory Road and Church Lane



Litter bin replacement

Atherstone area:

Metal Bin Lister Road – Outside Premier Shop

Metal Bin Station Street – Original existing bin location not practical due to flooding. See attachment for new location.

Metal Bin Station Street – Near Winnies old café

Metal Bin Station Street – Outside Taxi Rank

Metal Bin North Street – By School entrance



Litter bin replacement

Chapel End

Metal Bin Coleshill Road – Outside chip shop (Fry Day)

Metal Bin Coleshill Road – By new Food Hall Superstore

Metal Bin Coleshill Road – By bus stop outside Church/Chaple

Metal Bin Coleshill Road – Outside Munch Box Café

Metal Bin Coleshill Road – Opposite house 35



Litter bin replacement

Polesworth

Metal Bin Tamworth Road - By bus stop by fire station

Plastic Bin - Junction of Whitehouse Road and Birchwood Avenue outside school.

Plastic bin - Bardon View Road – Outside swimwear shop

Birchmoor

Plastic bin – Green Lane Alleyway next to 56

Dordon

Plastic bin- Junction of Long Street with Church Road



Litter bin replacement

Grendon

Plastic bin - A5 by bus shelter near chip shop

Wood End

Plastic bin - Tamworth Road opposite car sales garage

Plastic bin - Tamworth Road – Walkway opposite CO-OP

Newton Regis

Plastic bin - Main Road By bus stop opposite Hames Lane



Litter bin replacement

Fillongley

Plastic Bin – Coventry Road Outside former newsagent (opposite grass embankment).

Water Orton

Metal bin Birmingham Road – Outside travel agent.

Curdwoth

Plastic Bin – Farthing Lane opposite the Beehive Pub



Litter bin replacement

Coleshill

Metal Bin Doris Road at junction with Lichfield Road at Cole End Stores

Metal Bin High Street outside fuel station

Metal Bin Station Road – Outside HT Brightam

Metal Bin Station Road opposite Harvester

Metal Bin Station Road Bus stop outside Dillions newsagent

Metal Bin Temple Way walkway of Augustus Close (speak with Mark Kennell if you need further location info on this one).

Plastic bin Coventry Road – Bus Stop opposite 222

Plastic bin Junction of Coventry Road and Packington Lane

Plastic bin Coventry Road Bus stop by 99

Plastic bin Coventry Road Bus Stop opposite School entrance



Additional Road Sweeping

In addition to the deep clean team, we are spending £10,000 on additional channel sweeping. This is helping us address the heavy detritus issue that exists on some of our B and rural roads.



Dog Fouling

- In addition to the proposed bin changes
- Environmental Enforcement will commence monitoring and enforcement of dog fouling incidents.
- Environmental Enforcement have also contacted the Parish Councils to see if they would like some anti dog fouling signs.



- The deep clean team have been in operation since 01 April 2024
- In July they began work on a deep clean of the town centers, retail areas and areas of high foot fall.
- Following the completion of the above programme of works, the team have now moved onto the removal of chewing gum from high footfall areas.



How to place a request for our deep clean service

- Any requests for pressure washing/graffiti removal etc that requires the use of the new equipment will be logged and put onto the deep cleanse request list.
- We have a new email address for deep clean requests. Please make all requests through this service.
- deepclean@northwarks.gov.uk
- **We will not accept any verbal or phone call requests.**
- **All requests must be made via the above emails address.**



Agenda Item No 9

Community and Environment Board

5 February 2025

Report of the
Director - Streetscape

Replacement Vehicles – Capital
Programme 2024/25

1 Summary

- 1.1 This report provides an update to Members on the proposed changes to the capital programme to reflect the revised vehicle replacement costs.

Recommendation to the Board

- a The Board supports the revised Vehicle Replacement Capital programme;
- b The Board recommends to Executive Board that a capital funding provision of an additional £871,380 goes into the general fund capital budget and £286,000 goes into the HRA capital budget to fund the replacement of new vehicles from 2025/26 to 2027/28;
- c The Board approves the recommended switch to electric vehicles for all of the fleet under 7.5 tonnes;
- d The Board approves a one off capital growth bid for £57,000 for the installation of EV charging points at Sheepy Road Depot and the Council House; and
- e The Board approves a one-off capital bid of £45,000 for the purchase of a new fleet transport system as set out in the Audit report to Resources Board in September 2024.

2 Background

- 2.1 The vehicle market has faced significant challenges over the past 5 years. Brexit, Covid19 and the shortage of computer chips has seen the price of vehicles increase by over 30%. The current vehicle replacement programme was set in previous years with an annual inflation rise of between 1 to 3%, this has resulted in a significant shortfall in the current capital budget. Over the next 8 years there is a projected shortfall of £4,749,580, which in £667,000 Housing Revenue Account and £4,082,580 General Fund.

- 2.2 An adjustment to the capital funding for the vehicle replacement programme is now required to enable the council to continue to manage and operate its fleet within a revised financial profile. All fleet requirements have been reviewed to ensure that the life expectancy of the current vehicle fleet is maximised.
- 2.3 The report has also explored the financial viability of moving the lighter fleet vehicles to electric to save cost. A full business case is set out in this report. This will also help to deliver the net zero targets that the council has approved by 2030.

3 Report Implications

3.1 Finance and Value for Money Implications

- 3.1.1 The table below details the budgets and revised costs of the proposed vehicle replacements. The figures in this table include the additional funding required to purchase electric vehicles up to 7.5t.

GENERAL FUND

Year of Replacement	Current Capital Budget £	Revised Costs £	Additional Capital Required £
2024/25	1,209,050	1,182,100	(26,950)
2025/26	8,370	502,880	494,510
2026/27	104,480	142,620	38,140
2027/28	847,720	1,186,450	338,730
2028/29	266,840	436,400	169,560
2029/30	1,794,730	3,349,820	1,555,090
2030/31	637,770	1,329,900	692,130
2031/32	507,920	1,311,380	803,460
2032/33	35,810	53,720	17,910
Total	5,412,690	9,495,270	4,082,580

HOUSING REVENUE ACCOUNT

Year of Replacement	Current Capital Budget £	Revised Costs £	Additional Capital Required £
2024/25	0	0	0
2025/26	0	286,000	286,000
2026/27	0	0	0
2027/28	477,000	477,000	0
2028/29	0	0	0
2029/30	0	0	0
2030/31	635,000	1,016,000	381,000

2031/32	0	0	0
2032/33	0	0	0
Total	1,112,000	1,779,000	667,000

3.1.2 The additional capital repayments required in order to purchase electric vehicles can be offset by extending the capital repayments from 7 years to 10 years. Electric vehicles are designed with a longer life expectancy than petrol or diesel equivalents. A 10-year life expectancy should be easily achievable.

3.1.3 The tables below set out a detailed cost comparison of purchasing electric vehicles including the likely savings. This is based on current diesel/electric prices, including a £5,000 government grant per vehicle.

EV Savings

3.5 T Tipper

	Annual costs per vehicle	Number of vehicles	Total Annual Costs	Annual Savings per vehicle	Total Annual Savings per vehicle
Vehicle Life Expectancy	7,214	4	28,856	657	2,628
Fuel savings	342	4	1,369	2497	9,988
Maintenance savings	400	4	1,600	400	1,600
Total revenue savings from running 4 electric vehicles			31,825		14,216

Large Van

	Annual costs per vehicle	Number of vehicles	Total Annual Costs	Annual Savings per vehicle	Total Annual Savings per vehicle
Vehicle Life Expectancy	5,460	15	81,900	-716	-10740
Fuel savings	342	15	5132	1361	20,420
Maintenance savings	400	15	6,000	400	6,000

Total revenue savings from running 15 electric vehicles			93,032		15,680
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Small Van

	Annual costs per vehicle	Number of vehicles	Total Annual Costs	Annual Savings per vehicle	Total Annual Savings per vehicle
Vehicle Life Expectancy	2,928	15	43,920	854	12,810
Fuel savings	182	15	2,730	962	14,430
Maintenance savings	300	15	4,500	300	4,500
Total revenue savings from running 15 electric vehicles			51,150		31,740

Total Savings Based on a full year

3.5 T Tipper	£14,216
Large van	£15,680
Small Van	£31,740
	£61,637

Charging points

3.1.4 To enable us to commence the transition to electric vehicles there would be a need to install vehicle charging points at Sheepy Road Depot and the Council House.

3.1.5 The following chart provides a breakdown of costs for the installation of electric charging points at Sheepy Road Depot and the Council House.

	Sheepy Road Depot	Council House Car Park
Ground works	£8,000	£7,000
Installation	£17,300 – £21,000	£17,300 – £21,000
Total costs	£25,300 – £29,000	£26,300 - £28,000

- 3.1.6 To install EV charging points at both Sheepy Road and the Council House we require approximately £57,000 of capital funding.
- 3.1.7 The savings from switching to electric vehicles set out in Section 3.1 above equate to £61,637 per annum.
- 3.1.8 The return on investment will see the infrastructure investment paid back in Year 3 of the programme.
- 3.1.9 Whilst the capital cost of the overall fleet programme will rise, the switch to electric vehicles for the lighter fleet will minimise increased costs and deliver ongoing annual revenue savings of £61,637 per annum, £184,911 over 3 years, £308,185 over 5 years or £616,370 over 10 years.
- 3.1.10 It is anticipated that approximately £7,890 of electric vehicle savings will be generated in Year 1, with £33,650 of savings in year 2 and building to a full saving of £61,637 from year 3 onwards. The revenue savings are for GF and HRA.

3.2 Risk Management Implications

- 3.2.1 An increase in capital funding is required to enable the renewal of the council's fleet of vehicles. If this capital adjustment is not made it will not be possible to replace vehicles as per the current replacement programme, this will have an impact on service delivery and will jeopardise the reliability of frontline services.
- 3.2.2 The proposed replacement programme still includes for the provision for 10 diesel vehicles for the housing service. This is due to the housing department allowing their staff to take their vehicles home with them at night.
- 3.2.3 It should be noted that most vehicle manufacturers are offering an 8-year EV battery guarantee as standard, this significantly reduces the whole life risk. However, the procurement of electric vehicles may present an increased financial risk to the council due to the unknown element of the battery life and the long-term reliability of this emerging technology.
- 3.2.4 The introduction of electric vehicles for our smaller fleet is currently the only way we can achieve net zero by 2030.
- 3.2.5 A sustainable and reliable alternative to fossil fuels has yet to emerge for the larger vehicles over 7.5 tonnes within the fleet. We will keep a watching brief on how we can transition to electric HGV's for the future.
- 3.2.6 The above calculations are based on current fuel and electric prices; savings may vary depending on market fluctuations.

Health and Safety Waste and Transport Audit Recommendations

3.2.7 Audit undertook a full review of health and safety management in the Waste and transport team and delivered a series of recommendations which were presented back to Resources board last September.

... 3.2.8 Appendix A is an extract from the report where a new fleet management system is recommended for implementation subject to the funding being made available.

3.2.9 Whilst the service is currently operated using a manual based system, the need for a digital solution is imperative. The board is being asked to agree to a one-off growth bid of £45,000 to implement the new system as soon as practicable to ensure the on-going effective management of health and safety across the council's fleet.

3.3 **Environment and Sustainability Implications**

3.3.1 The current Euro 7 engines vehicles over 7.5T currently comply with the European regulations for reduced emissions.

3.3.2 The previous assessment of the council's carbon footprint put fleet emissions as the greatest source of emissions, contributing around 39% of the entire carbon footprint. If the council is to achieve our Net-Zero target we will need to reduce emissions across the board, including the fleet, please refer to the slides in Appendix B.
...

3.3.3 This council has pledged to achieve net zero carbon emissions by 2030. To assist with this is by the transition to cleaner vehicles. Electric vehicles are currently the only available alternative on the market for 7.5t vehicles and below. The purchase of electric vehicles will start the council's transition to cleaner fuels and achieving net zero.

3.4 **Legal Implications**

3.4.1 As members will be aware, the Council has a legal obligation to make standing orders in relation to contracts and to comply with the procurement rules in the Public Contract Regulations 2015. There are also rules in the Local Government Act 1988 which set out what factors may and may not be considered in making decisions regarding the award of contracts. In summary these require the Council to operate fair, transparent processes and obtain value for money when purchasing goods and services.

3.4.2 The Public Services (Social Value) Act 2012 imposes certain duties on local authorities when procuring goods and services to consider how the proposed procurement might improve the economic, social and environmental wellbeing of their area. Accordingly, whilst it must be considered together with and balanced against all other relevant factors in deciding whether to approve the additional estimate for purchase of the vehicles concerned, the Council may take account of the environmental benefits of procuring vehicles which assist in meeting its net zero target.

4 Conclusion

- 4.1 The vehicle replacement programme has been reprofiled and costed due to the significant price changes in the market over the last three years. Replacement vehicles are essential for frontline service delivery and to comply with transport regulations.
- 4.2 The paper sets out the business case for the transition to electric vehicles for the light fleet under 7.5 tonnes in weight. The transition to cleaner fuels for the larger fleet will be kept under review.
- 4.3 The board is asked to agree a one-off capital growth bid of £57,000 To enable the infrastructure works at Sheepy Road and the Council offices.
- 4.4 The board is asked to agree a one-off capital growth bid of £45,000 to purchase a fleet management system as set out in the Waste and Transport Fleet Audit in 2023

The Contact Officer for this report is Rob Bellamy

Local Government Act 1972 Section 100D

Background Paper No	Author	Nature of Background Paper	Date

North Warwickshire Net-zero Developments 2024

Rob Snape

Climate Action Plan

Following a public consultation that closed on 24th July 2022 the Council produced a Climate Action Plan.

In the plan we've set targets to work with our communities, partners, local businesses, and other key stakeholders to work together to stop the release of greenhouse gas emissions in North Warwickshire.

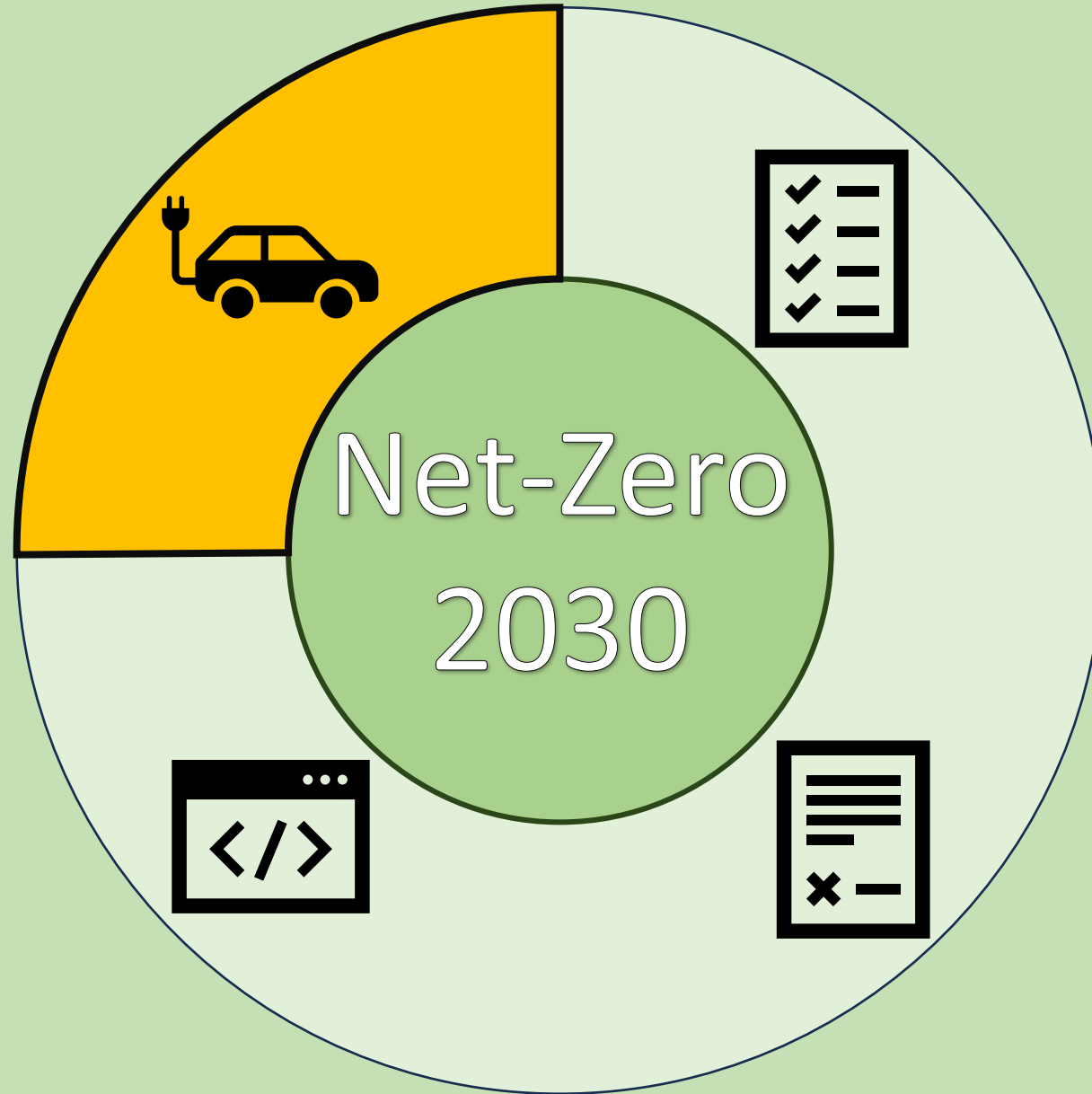
By achieving these targets, we will ensure all our processes, buildings and services are Net-Zero carbon by 2030. The Climate Action Plan considers the main services provided by the Council and separates these into 7 focus areas. Each focus area has its own challenges and opportunities and the Council is committed to working across each area to reduce emissions, achieve net-zero emissions and minimise the risks of climate change on the community and the Council.

- 1 [Travel and transport](#) (Focus Area 1)
- 2 [Waste](#) (Focus Area 2)
- 3 [Our Buildings](#) (Focus Area 3)
- 4 [Housing](#) (Focus Area 4)
- 5 [Forward Planning and development management](#) (Focus Area 5)
- 6 [Supporting Communities](#) (Focus Area 6)
- 7 [Biodiversity and open space management](#) (Focus Area 7)

The Climate Action Plan serves as a guide for the Council's climate response. The plan is expected to continue developing as we move closer towards net-zero, adding new actions and removing completed actions. These updated action plans will be published onto the Council website as they are developed.

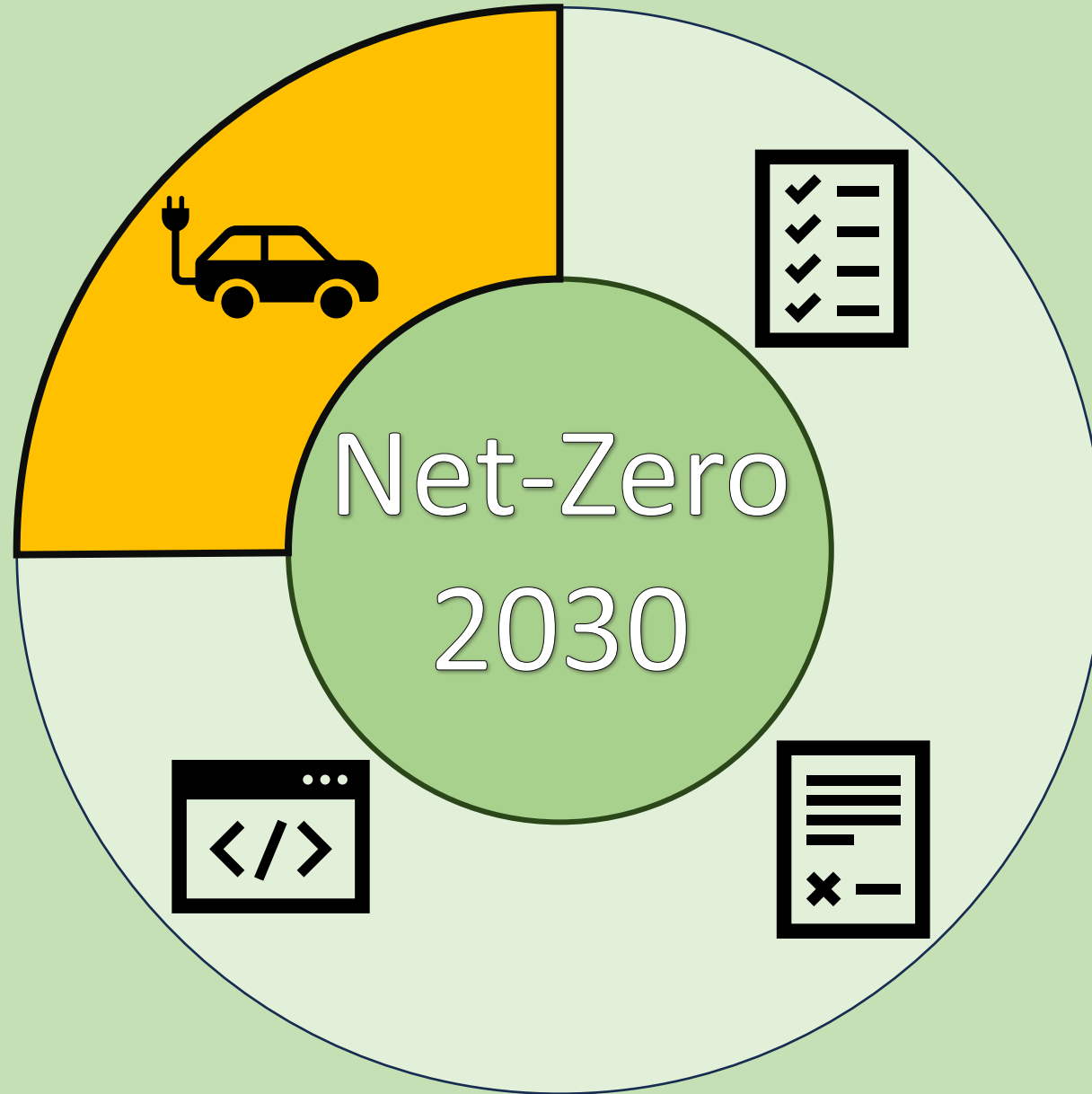
The current Climate Action Plan can be downloaded here [Download the Climate Change Action Plan here](#)

To provide feedback on the Action Plan, or be involved in local climate action, email climatechange@northwarks.gov.uk



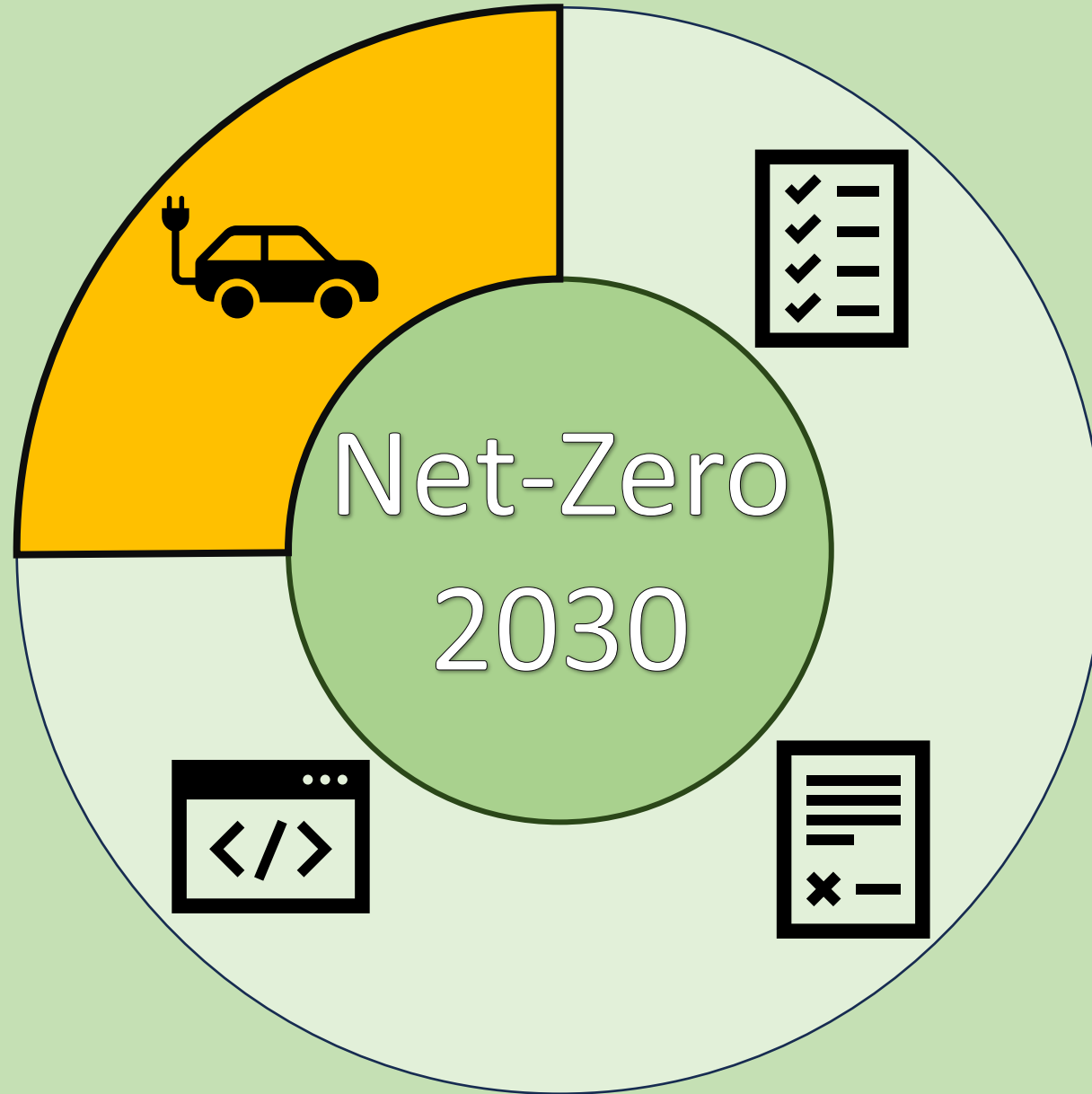
Electric fleet

- To meet the Council's net-zero target transport emissions must be reduced rapidly
- Currently the Council fleet releases 680 tonnes of CO₂e per year
- It will not be possible to achieve net-zero if these emissions continue unchecked



Electric fleet

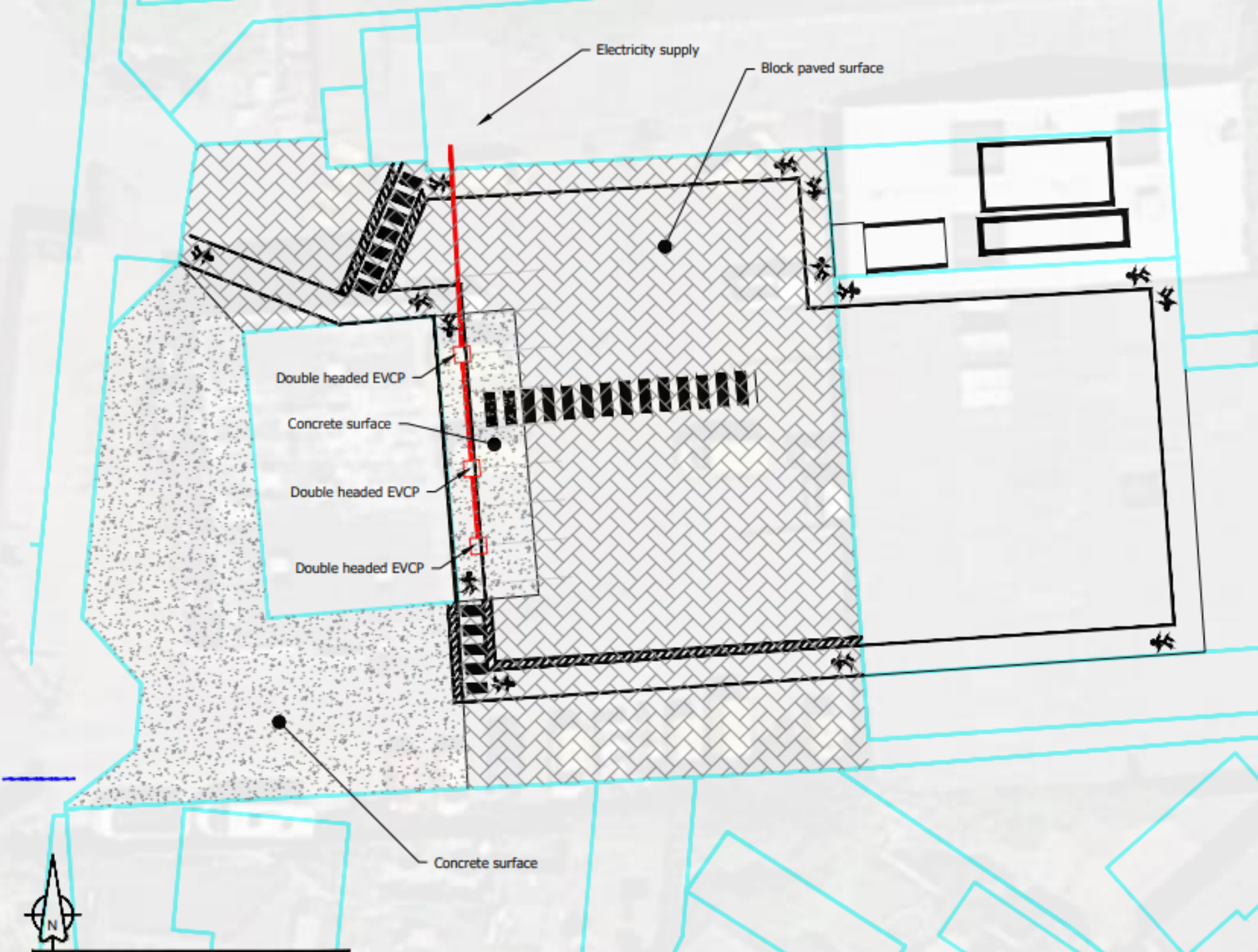
- Currently the most efficient technology available to operate a net-zero fleet is to utilise electric vehicles, powered by renewable energy
- Currently electric vehicles cost more upfront than petrol or diesel vehicle. However, significantly lower fuel and maintenance costs means EVs are a long-term cost saving intervention



Electric fleet

- One of the major barriers to an electric fleet is the current lack of charging infrastructure.
- To facilitate this transition EV chargers are required to be installed
- Already quotes have been gathered for EV charger installations at Sheepy Road and the Council House car park





No. Revision By Date



North Warwickshire
Borough Council

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Project
**North Warwickshire Borough
Council
EVCPs**

Drawing Title
**Council Depot
Sheepy Road
Atherstone**

50 of 165

Drawing Number

Drawn By: KWE

Date: June 24



Agenda Item No 11

Resources Board

27 January 2025

**Report of the
Interim Corporate Director Resources
(Section 151 Officer)**

**General Fund Revenue Resources
Board Remaining -2024/25
Forecast and 2025/26 Estimates
and Fees & Charges.**

1 Summary

- 1.1 This report covers the outturn forecast for 2024/25 and an estimate of expenditure for 2025/26, together with forward commitments for 2026/27, 2027/28 and 2028/29. It also includes a review of the fees and charges for Services recharged across all boards with recommendations for increases.

Recommendation to the Board

- a To approve the forecast outturn for 2024/25;**
- b To approve the 2025/26 estimates, as presented in this report for inclusion in the overall Tax Set 2025/26 report for the Executive Board on 10 February 2025;**
- c To approve the Fees & Charges as detailed in Appendix C of this report; and**
- d To approve for consideration at Council a one year resource bid of £35,820 To fund 50% of CCTV costs if the UKSPF does not continue to fund in 2025/26.**

2 Introduction

- 2.1 In consultation with the budget officers and Directors this report presents the estimates for 2025/26 along with the outturn estimates for 2024/25 for the Resources Board remaining services. Supporting figures are in **Appendix A and B**.

- 2.2 At its meeting in November 2024, the Executive Board agreed the Medium-Term Financial Strategy (MTFS) for 2025-2029, which required ongoing savings of £1.5 million to balance the medium-term budget. This required budget savings of £500,000 in 2026/27 with additional savings of £500,000 in 2027/28 and £500,000 in 2028/29. Only limited growth was built into the strategy therefore any additional expenditure will impact on the funding position.

- 2.3 The figures for the outturn 2024/25 and the estimates for 2025/26 are presented in Table 1. The summary figures are presented at CIPFA classification level in Appendix

A and B which provides a more detailed breakdown of the figures. (The detailed cost centre pages are available but are not included as part of this report).

2.4 A subjective analysis of the Board's requirement is shown below:

	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £
Employee Costs	533,120	624,820	564,030
Premises Related	189,760	171,930	190,280
Supplies and Services	9,678,560	9,767,980	9,778,730
Transport	12,240	12,250	12,550
Earmarked Reserves	(230,190)	14,800	59,590
Gross Expenditure	10,183,490	10,591,780	10,605,180
Income	(9,573,980)	(10,216,190)	(10,199,060)
Net Controllable Expenditure	609,510	375,590	406,120
Central Support	3,281,660	3,281,660	3,568,170
Capital Charges	51,290	51,290	51,290
Net Expenditure	3,942,460	3,708,540	4,025,580

3 Comments on the 2024/25 Outturn Forecast

3.1 The outturn forecast for 2024/25 is estimated to be £3,708,540; a reduction of £233,920 on the approved position. The main variations are given below.

3.2 Council Tax & Benefits

3.2.1 The supplies and services budget is showing a reduction of £61,000 mainly due to the software maintenance budget being re-distributed to central support.

3.3 Commercial Properties

3.3.1 A reduction in premises related expenditure of £14,000 mainly due to repairs and maintenance. Along with an increase in rental income of £12,000 due to actual increases not aligning to the budget.

3.4 Car Parks

3.4.1 Premises related expenditure has reduced by £7,000 due to NDR re-valuation. Supplies and services increase mainly due to £2,000 on consultancy fees for Coleshill parking review.

4 **Comments on the 2025/26 Estimates**

4.1 The 2025/26 estimates have been prepared, considering the following assumptions:

- A 3% pay award from 1 April 2025.
- Inflationary increases of 0% in supplies and services excluding software maintenance; and
- An increase in income to reflect the increases included based on the fees and charges increases in Appendix C.

4.2 The estimated budget for 2025/26 is £4,025,580 an increase of £83,120 on the 2024/25 approved budget, and an increase of £317,040 on the 2024/25 outturn forecast. The main reasons for variations from the revised budget are set out below.

4.3 **Members Allowances**

4.3.1 Supplies & Services have increased by £11,000 mainly due to the annual increase in line with the staff pay award.

4.4 **Commercial Properties**

4.4.1 An increase in premises related to reinstatement of the £14,000 expenditure budget for repairs and maintenance. Along with a further increase in rental income of £12,000.

4.5 **CCTV**

4.5.1 The employee costs have reduced by £35,000 due to the removal of one post on the basis that UKSPF funding finishes 31 March 2025 and Atherstone Town Council funding will only cover one post. If Members wish to support this continuing, they could approve the recommendation for a one year resource bid to fund the second CCTV post if UKSPF is awarded for 2025/26.

5 **Income**

5.1 Changes in the levels of fees and charges for services under the responsibility of this Board are in **Appendix C**. Income from increased fees and charges is expected to contribute to the achievement of income targets.

6 **Risks to Services**

6.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- Deteriorating condition of assets, and further economic and market pressure affecting the generation of income. The estimate for 2025/26 is largely based on current rental levels and occupancy, increases in vacancies at industrial estates that will impact on the level of rental income the Council receives and the amount of business rates that the Council is liable for.
- Increases in homelessness, which adds to the cost of the service.
- A higher level of maintenance on property assets and car parks, over and above that which is budgeted for. Some of this may be driven by changes in legislation.

- An increase in the level of Local Authority error made in processing benefit payments could lead to a loss of subsidy.
- The effect of planned Government changes in how benefits services are delivered and the structure of benefit payments.
- A fall in the level of recovery of Housing Benefit overpayments would impact on the level of expenditure borne by the Council.
- Above inflation increases to contracts and continued volatility in utility markets.

7 Future Year Forecasts

- 7.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2025/26. The table below provides a subjective summary for those services reporting to this Board:

	Forecast Budget 2026/2027 £	Forecast Budget 2027/2028 £	Forecast Budget 2028/2029 £
Employee Costs	580,950	598,390	616,330
Premises Related	196,600	201,870	207,930
Supplies and Services	10,072,110	10,374,270	10,685,530
Transport	12,930	13,330	13,870
Earmarked Reserves	62,290	65,070	67,950
Gross Expenditure	10,924,280	11,252,930	11,591,610
Income	(10,500,860)	(10,811,700)	(11,131,850)
Net Controllable Expenditure	423,420	441,230	459,760
Central Support	3,675,220	3,785,470	3,899,010
Capital Charges	51,290	51,290	51,290
Net Expenditure	4,149,930	4,277,990	4,410,060

- 7.2 The forecasts given above have used several assumptions, which include pay awards of 3% in 2026/27, 2027/28 and 2028/29; increases in premises costs and supplies and services of 2.5%.
- 7.3 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

8 Report Implications

8.1 Finance and Value for Money Implications

- 8.1.1 As detailed in the body of the report.

8.2 Environment and Sustainability Implications

- 8.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

8.3 Risk Management Implications

- 8.3.1 There are several risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using experience and knowledge of the past, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Alison Turner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Resources (Remaining) Board : Total

Appendix A

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	533,120	624,820	91,700	564,030	(60,790)
Premises-Related Expenditure	189,760	171,930	(17,830)	190,280	18,350
Supplies & Services	9,678,560	9,767,980	89,420	9,778,730	10,750
Transport-Related Expenditure	12,240	12,250	10	12,550	300
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(230,190)	14,800	244,990	59,590	44,790
Gross Expenditure	10,183,490	10,591,780	408,290	10,605,180	13,400
Income	(9,573,980)	(10,216,190)	(642,210)	(10,199,060)	17,130
Net Controllable Expenditure	609,510	375,590	(233,920)	406,120	30,530
Central Support Charges	3,281,660	3,281,660	-	3,568,170	286,510
Depreciation and Capital Charges	51,290	51,290	-	51,290	-
Net Expenditure	3,942,460	3,708,540	(233,920)	4,025,580	317,040

Resources (Remaining) Board : BH Totals

Appendix B

Alison Turner

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	531,550	529,290	(2,260)	538,060	8,770
Premises-Related Expenditure	1,690	670	(1,020)	710	40
Supplies & Services	709,820	682,520	(27,300)	694,010	11,490
Transport-Related Expenditure	12,240	12,210	(30)	12,510	300
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(15,000)	(15,000)	-	(15,000)	-
Gross Expenditure	1,240,300	1,209,690	(30,610)	1,230,290	20,600
Income	(332,540)	(306,540)	26,000	(305,010)	1,530
Net Controllable Expenditure	907,760	903,150	(4,610)	925,280	22,130
Central Support Charges	1,170,260	1,170,260	-	1,275,580	105,320
Depreciation and Capital Charges	-	-	-	-	-
Net Expenditure	2,078,020	2,073,410	(4,610)	2,200,860	127,450

Steve Maxey

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	1,570	1,570	-	1,570	-
Premises-Related Expenditure	-	-	-	-	-
Supplies & Services	144,920	144,920	-	145,400	480
Transport-Related Expenditure	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(13,000)	(13,000)	-	(13,000)	-
Gross Expenditure	133,490	133,490	-	133,970	480
Income	(1,640)	(1,640)	-	(1,690)	(50)
Net Controllable Expenditure	131,850	131,850	-	132,280	430
Central Support Charges	92,650	92,650	-	100,990	8,340
Depreciation and Capital Charges	3,300	3,300	-	3,300	-
Net Expenditure	227,800	227,800	-	236,570	8,770

Resources (Remaining) Board : BH Totals

Appendix B

Katie Hines

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	-	-	-	-	-
Supplies & Services	8,546,820	8,607,350	60,530	8,607,350	-
Transport-Related Expenditure	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(2,640)	(2,640)	-	(2,640)	-
Gross Expenditure	8,544,180	8,604,710	60,530	8,604,710	-
Income	(8,732,840)	(9,004,930)	(272,090)	(9,000,970)	3,960
Net Controllable Expenditure	(188,660)	(400,220)	(211,560)	(396,260)	3,960
Central Support Charges	1,513,860	1,513,860	-	1,650,100	136,240
Depreciation and Capital Charges	27,320	27,320	-	27,320	-
Net Expenditure	1,352,520	1,140,960	(211,560)	1,281,160	140,200

Cath James

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	150,850	131,650	(19,200)	148,940	17,290
Supplies & Services	93,840	97,360	3,520	96,060	(1,300)
Transport-Related Expenditure	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	-	-	-	-	-
Gross Expenditure	244,690	229,010	(15,680)	245,000	15,990
Income	(478,910)	(488,150)	(9,240)	(500,170)	(12,020)
Net Controllable Expenditure	(234,220)	(259,140)	(24,920)	(255,170)	3,970
Central Support Charges	150,940	150,940	-	164,530	13,590
Depreciation and Capital Charges	1,330	1,330	-	1,330	-
Net Expenditure	(81,950)	(106,870)	(24,920)	(89,310)	17,560

Resources (Remaining) Board : BH Totals

Appendix B

Angela Coates

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	-	93,960	93,960	24,400	(69,560)
Premises-Related Expenditure	37,220	39,610	2,390	40,630	1,020
Supplies & Services	172,940	225,610	52,670	225,690	80
Transport-Related Expenditure	-	40	40	40	-
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(199,550)	45,440	244,990	90,230	44,790
Gross Expenditure	10,610	404,660	394,050	380,990	(23,670)
Income	(11,330)	(398,210)	(386,880)	(374,080)	24,130
Net Controllable Expenditure	(720)	6,450	7,170	6,910	460
Central Support Charges	350,740	350,740	-	373,470	22,730
Depreciation and Capital Charges	19,340	19,340	-	19,340	-
Net Expenditure	369,360	376,530	7,170	399,720	23,190

Trudi Barnsley

	Approved Budget 2024/2025 £	Forecast Budget 2024/2025 £	Variance Approved to Forecast Budget £	Original Budget 2025/2026 £	Variance Forecast to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	-	-	-	-	-
Supplies & Services	10,220	10,220	-	10,220	-
Transport-Related Expenditure	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Balance Sheet and Earmarked Reserves	-	-	-	-	-
Gross Expenditure	10,220	10,220	-	10,220	-
Income	(16,720)	(16,720)	-	(17,140)	(420)
Net Controllable Expenditure	(6,500)	(6,500)	-	(6,920)	(420)
Central Support Charges	3,210	3,210	-	3,500	290
Depreciation and Capital Charges	-	-	-	-	-
Net Expenditure	(3,290)	(3,290)	-	(3,420)	(130)

RESOURCES BOARD**FEES AND CHARGES FROM 1 APRIL 2025**

	2024/25 CHARGE	2025/26 CHARGE
	TOTAL CHARGE	TOTAL CHARGE
	£	£
REGISTER OF ELECTORS (statutory)		
a) Paper form	10.00+ 5.00 per 1,000 names or part thereof plus postage	10.00+ 5.00 per 1,000 names or part thereof plus postage
b) Charge per full register in paper form	260.00 plus postage	260.00 plus postage
c) Data form	20.00+ 1.50 per 1,000 names	20.00+ 1.50 per 1,000 names
d) Charge per full register in data form	95.00	95.00
e) Overseas electors-paper form	10.00+ 5.00 per 1,000 names or part thereof plus postage	10.00+ 5.00 per 1,000 names or part thereof plus postage
COURT COSTS		
Summons Costs (Council Tax and NDR)	100.00	100.00
FAILURE TO NOTIFY A CHANGE TO A COUNCIL TAX SINGLE PERSON DISCOUNT (Statutory)	70.00	70.00
PAY AND DISPLAY PARKING CHARGES		
Monday to Saturday (between 08.00 to 18.00)		
Up to 2 hours	Free	Free
Up to 3 hours	2.20	2.25
Up to 4 hours	2.70	2.75
Over 4 hours	3.20	3.25
Monday to Saturday (between 08.00 to 18.00) - Atherstone Memorial Hall car park only		
Up to 2 hours	Free	Free
Up to 3 hours	1.60	1.65
Up to 4 hours	2.20	2.25
Over 4 hours	2.70	2.75
Monday to Saturday (between 18.00 and 8.00)	Free	Free
Sunday (All day)	Free	Free
Monday to Saturday (between 08.00 to 18.00)		
Blus badge holders (upto 3 hours)	Free	Free
Blus badge holders (upto 4 hours)	2.70	2.75
Blus badge holders (Over 4 hours)	3.20	3.25
Blue badge holders - Monday to Saturday (between 18.00 and 8.00)	Free	Free
Blue badge holders - Sunday (All day)	Free	Free
Season Tickets - for a period of 3 months (valid in all Long Stay car parks)	160.00	160.00
PARKING PENALTIES (Lower Level)		
If paid within 14 days	25.00	25.00
If paid after 14 days	50.00	50.00
If paid following service of a charge certificate	75.00	75.00
PARKING PENALTIES (Higher Level)		
If paid within 14 days	35.00	35.00
If paid after 14 days	70.00	70.00
If paid following service of a charge certificate	105.00	105.00
STATEMENTS OF ACCOUNT (per copy)	14.00	14.40
INSPECTION AND COPYING OF BACKGROUND PAPERS UNDER SECTION 100H OF THE LOCAL GOVERNMENT ACT 1972		
a) Inspection of background papers to a part 1 report per item of business	3.30	3.40
b) Photocopying of background papers to a part 1 report per copy	0.10	0.10
minimum charge	0.50	0.50
PROVISION OF CCTV IMAGES TO THIRD PARTIES		
Requests taking up to 1 hour of officer time	73.00	74.00
Requests taking over 1 hour of officer time	144.00	148.00

Agenda Item No 7

Alcohol & Gambling Committee

28 January 2025

Report of the Chief Executive

Gambling Act 2005 – Review of Gambling Policy Statement of Principles

1 Summary

- 1.1 The report asks the Committee to consider the adoption of the Draft Gambling Policy Statement of Principles 2025-2028 or if period of consultation is required prior to adoption.

Recommendation to the Committee

That the final draft Gambling Policy Statement of Principles 2025-2028 (Appendix A) is adopted with no consultation or sent out for consultation prior to adoption.

2 Report

- 2.1 Section 349 of the Gambling Act 2005 (the Act) requires all licensing authorities to prepare and publish a statement of principles, commonly known as the Statement of Policy, that they propose to apply in exercising their functions under the Act.
- 2.2 The Council must also keep the Policy under review during those three years, and, if necessary revise the statement and publish the revisions. In practice, the Statement of Policy prepared for each three-year period will itself be a revision of the Policy already in force incorporating any necessary updates including any matters highlighted during the consultation.
- 2.3 This authority published its first policy statement in January 2007. This was reviewed and further policies published in January 2010, 2013, 2016, 2019 and January 2022. It is proposed, subject to Members' approval, to publish this policy following the full Council meeting, however if members elect for a period of consultation, then publication would take place on conclusion of that and following the next meeting of full council.
- 2.4 This policy has been reviewed in conjunction with the other Warwickshire District and Borough Councils and Coventry City Council who will all be adopting similar policies at approximately the same time. The new policy does not differ from the previous one to any material extent, only minor updating having been carried out, such as references to Data Sharing, Data Security and Equality.

3 Report Implications

3.1 Finance and Value for Money Implications

3.1.1 There are no finance or value for money implications contained in the report.

3.2 Safer Communities Implications

3.2.1 Having an effective gambling policy will assist the Council in meeting the licensing objectives of the Gambling Act 2005, namely: -

- a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- b) Ensuring that gambling is conducted in a fair and open way.
- c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.3 Legal, Data Protection and Human Rights Implications

3.3.1 As indicated in the body of the report, the Council has a duty under the Gambling Act to prepare a Statement of Licencing Policy every three years and keep the policy under revision. The Council must therefore now adopt a further policy under the Act. The Act states that the Council may not delegate the function of preparing the Policy and, therefore, the final decision must be made by Full Council.

3.3.2 When exercising its functions under the Act in relation to licensing of premises used for gambling, the Council must do so in accordance with its Statement of Policy, along with the other principles set down in the Act.

3.3.3 The Council will act in accordance with the Gambling Act 2005 in its exchange of information which includes that the UK General Data Protection Regulations and the Data Protection Act 2018 will not be contravened. The Council will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. The Gambling Act also allows the exchange of information with persons or bodies for them to exercise their functions under the Act which are listed in Schedule 6 (1).

3.4 Environment, Sustainability and Health Implications

3.4.1 There are no adverse environmental implications in the report. The policy will help maintain the quality of the environments by setting out the Council's expectations or licence holders in terms of promoting the licensing objectives.

3.5 Health, Wellbeing and Leisure Implications

3.5.1 Proper regulation of gambling advances leisure opportunities, whilst protecting health and wellbeing.

3.6 Human Resources Implications

3.6.1 There are no human resource implications contained with the report.

3.7 Risk Management Implications

3.7.1 There is a risk that if the Council does not adopt this policy it is more likely that it could face legal challenges over its decisions.

3.8 Equalities Implications

3.8.1 There are no negative impacts or opportunity for any known group.

3.9 Links to Council's Priorities

3.9.1 Enhancing community involvement and access to services.
Protecting and improving our environment.
Working with our partners to tackle crime, the fear of crime and anti-social behaviour.

The Contact Officer for this report is Sharon Gallagher (719292).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act,
2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date



North Warwickshire
Borough Council

Gambling Act 2005

Gambling Policy Statement of Principles 2025 - 2028

IMPORTANT NOTE

In producing this statement, the Licensing Authority is aware that the Government may amend the gambling Act 2005, subordinate legislation and statutory guidance. Any such amendments made in the future will only be incorporated into subsequent policy statements and not this document. Readers are advised to check on the Gambling Commission website to ensure they have the latest information.

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GAMBLING ACT 2005
GAMBLING POLICY
STATEMENT OF PRINCIPLES

1. Introduction

1.1 North Warwickshire Borough Council, as the Licensing Authority (referred to in this Statement as the Authority), makes this Statement of Principles in pursuance of its powers and duties under Section 349 of the Gambling Act 2005 (referred to in this Statement as “the Act”) and sets out the Authority’s approach in dealing with its responsibilities under the Act.

1.2 North Warwickshire Borough is a largely rural area surrounded by large urban areas such as Birmingham, Coventry and Nuneaton, with a population of around 65,000 people. There are four main centres of population – the towns of Atherstone and Coleshill and the large villages of Polesworth and Kingsbury and smaller settlements in nineteen parishes.

1.3 List of Consultees

The Authority has consulted the following on the content of this Statement of Principles:
-

- Responsible Authorities;
- Holders of existing licences, permits and registrations;
- Councillors and Parish Councils;
- Representatives of businesses;
- Representatives of persons carrying on gambling businesses in North Warwickshire;
- Local bodies representing consumers and tourism;
- Local bodies representing vulnerable persons;
- Departments within the Council with an interest in the licensing of gambling;

1.4 In preparing this statement, the Authority has had regard to the provisions of the Act, the Guidance issued by the Gambling Commission, Regulations made by the Secretary of State and responses to its consultations.

2. Gambling Act 2005

2.1 The Act specifies licensing objectives which are central to the regulatory regime, these are: -

- **preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime;**
- **ensuring that gambling is conducted in a fair and open way; and;**
- **protecting children and other vulnerable persons from being harmed or exploited by gambling;**

2.2 In carrying out the licensing function under the Act the Authority will aim to permit the use of premises for gambling as long as it is considered to be: -

- **in accordance with any relevant Codes of Practice issued by the Gambling Commission;**

- in accordance with any relevant Guidance issued by the Gambling Commission;
- in accordance with this Statement of Principles; and
- reasonably consistent with the licensing objectives;

2.3 The Act provides for 3 categories of licence: -

- operating licences;
- personal licences; and
- premises licences;

2.4 The Authority will be responsible for issuing premises licences. The Gambling Commission will be responsible for issuing operating and personal licences.

2.5 This statement will come into force on 31st January 2022 and will have effect until 30th January 2025 being kept under review and revised or amended as required following consultation.

3. Authorised Activities

3.1 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery: -

- gaming means playing a game of chance for a prize;
- betting means making or accepting a bet on the outcome of a race, competition, or any other event, the likelihood of anything occurring or not occurring; or whether anything is true or not;
- a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance;

3.2 The main functions of the Authority are to: -

- licence premises for gambling activities;
- grant permits for gambling and gaming machines in clubs;
- regulate gaming and gaming machines in alcohol licensed premises;
- grant permits to family entertainment centres for the use of certain lower stake gaming machines;
- grant permits for prize gaming;
- consider notices given for the temporary use of premises for gaming;
- receive occasional use notices for betting at tracks; and
- register small societies lotteries;

3.3 Spread Betting is a form of betting in which the bettor wins or loses money according to the margin by which the value of a particular outcome varies from the spread of expected values quoted by the bookmaker and is regulated by the Financial Services Authority.

Remote Gambling is dealt with by the Gambling Commission and is defined by the Gambling Act 2005 as gambling in which persons participate by the use of remote communication: -

- the internet;
- telephone;
- television;
- radio;

- any other kind of electronic or other technology for facilitating communication;

The National Lottery is regulated by Gambling Commission.

4. General Statement of Principles

- 4.1 The Authority recognises the wide variety of premises which will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs, amusement arcades and racing tracks.
- 4.2 In carrying out its licensing functions the Authority will have regard to guidance issued by the Gambling Commission.
- 4.3 The Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation. This statement of principles will avoid duplication with other regulatory regimes wherever possible. In considering applications, and taking enforcement action, under the Gambling Act the Authority will have regard to the provisions of the Human Rights Act.
- 4.4 To ensure the licensing objectives are met the Authority will establish a close working relationship with the police, the Gambling Commission and other responsible authorities.
- 4.5 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Authority has considered the Gambling Commission's Guidance to local authorities. However, the overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits. The Authority cannot take into account any moral objections to gambling.
- 4.6 In its Guidance to Local Authorities the Gambling Commission suggest that Authorities should adopt a "Local Area Profile". A Local Area Profile is created by gathering information about a locality and any particular areas of concern within that locality. Where evidence is submitted to the Authority which identifies any areas of concern it is intended to produce a Local Area Profile separate to this Statement. Once adopted, the Local Area Profile would assist the Authority and Operators in identifying specific local risks within the District.

5. Preventing gambling from being a source of crime and disorder; being associated with crime and disorder or being used to support crime

- 5.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling or being associated with providing such facilities.
- 5.2 When applying to the Authority for a premises licence the applicant will have to hold an operating licence from the Commission before a licence can be issued so the Authority will not be concerned with the suitability of the applicant. Where concerns about a person's suitability arise, the Authority will bring those concerns to the attention of the Commission. The Authority will have to be satisfied that the premises will not adversely affect the licensing objective and is compliant with the Commissions Guidance, codes of practice and this gambling policy.

- 5.3 The Authority will expect the applicant to have a good understanding of the local area in which they either operate or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in the policy and demonstrate that in operating the premises they will be reasonably consistent with the objective. Operators need to be aware of how the operation of their premises may impact on this objective. The Authority will expect the applicants to provide details as to their crime prevention measures and any risk assessments that they have carried out.
- 5.4 To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

Criteria

Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.

Considerations:

- Where an area is known for high levels of crime the Authority will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors;
- Whether there is a history of crime or disorder associated with the premises or its use by those involved in crime to associate or dispose of the proceeds of crime;
- Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder;
- Whether sufficient management measures are proposed or are in place to prevent the premises being a source of, or associated with crime or disorder, or used to support crime either as a place of association or to avoid being apprehended;
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application is received in relation to premises that are in an area noted for particular problems with organised crime or a premises that have previously been a focus for antisocial behaviour, the Authority will expect applicants to demonstrate that they have sufficient measures in place to prevent or deter people involved from using their premises and will also consider conditions being put on the licence to promote this licensing objective;
- Whilst issues of nuisance are not included specifically in the gambling objectives and cannot be addressed via the Gambling Act, the Authority may consider, when making decisions on the applications for premises licences, that extreme instances of public nuisance and/or persistent public nuisance may constitute disorder and/or crime for the purposes of this objective;

6. Ensure Gambling is conducted in a fair and open way

- 6.1 Generally the Commission would not expect Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence.
- 6.2 In relation to the licensing of tracks the Authority's role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

Criteria

Whether the premises will operate measures that will ensure that the gambling activity is conducted in a fair and open way.

Considerations: -

- Whether the layout, lighting and fitting out of the premises have been designed so as to ensure gambling is conducted in a fair and open way;
- Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way;
- Whether the management and operation of the premises is open and transparent;
- Whether the operators of the premises have been or will be fully cooperative with enforcement agencies;
- Whether the Commission's Codes of Practice have been complied with;

7. Protecting children and other vulnerable persons from being harmed or exploited by gambling

- 7.1 The Gambling Commission's Guidance states that one of the aims of this objective means preventing children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at or are, particularly attractive to children).
- 7.2 The Act and Gambling Commission Guidance does not define the term "vulnerable". For regulatory purposes and the Commission states that it assumes "vulnerable" persons" includes:
- people who gamble more than they want to;
 - people who are gambling beyond their means; and
 - people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs;

This is the definition the Authority will use in its consideration of applications.

- 7.3 This Authority will pay particular attention to any codes of practice, which the Gambling Commission issues in relation to specific premises. It will consider this licensing objective on a case-by-case basis, and where necessary add conditions to promote this objective.

- 7.4 To protect children and other vulnerable persons from being harmed or exploited by gambling, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

Criteria

Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

Considerations:

- Whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to promote this objective to exclude them from the premises or parts of the premises;
- If the premises is an adult only environment, whether the operator has taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas;
- Whether there is provision for self-barring schemes and provision of information leaflets/helpline numbers for organisations such as GamCare;
- Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling;
- Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling;
- Whether any promotional material associated with the premises could encourage the use of the premises by children or young people;
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application for a gambling premises is received for a location within a sensitive area or in close proximity to what are considered to be sensitive areas the Authority will expect applicants to demonstrate that they have sufficient and suitable control measures in place to promote this licensing objective;

8. Premises Licences

- 8.1 Section 150 of the Act permits the issue of premises licences authorising the provision of facilities at the following: -

- casino premises;
- bingo premises;
- betting premises, including tracks and premises used by betting intermediaries;
- adult gaming centres;
- family entertainment centres;

- 8.2 Premises can be 'any place' but the Act prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts

can be genuinely regarded as being different 'premises'.

- 8.3 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised, and that people are not allowed to 'drift' accidentally into a gambling area.
- 8.4 Where the Authority has concerns about the use of premises for gambling it will seek to address this through licence conditions wherever possible.
- 8.5 Other than an application for a betting premises licence in respect of a track, the Authority is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 8.6 When considering applications for premises licences the Authority will not take into consideration either the expected 'demand' for facilities or the likelihood of planning permission being granted.
- 8.7 The Authority will maintain a register of premises licences issued and will ensure that the register is open for public inspection at all reasonable times.

9. Location

- 9.1 This Authority is aware that demand issues cannot be considered with regard to the location of premises. However, it considers that the location of gambling premises can be a major factor on the promotion of the licensing objectives. The authority will pay particular attention to the suitability of a location for gambling activity in terms of the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 9.2 Applicants will have to clearly show that they have considered the potential impact of their proposed business on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them. The supporting information may contain the following information:
- how the premises will restrict access to children, young people or other vulnerable persons;
 - whether a proof of age scheme is being used;
 - will the appropriate number of security staff be employed at appropriate times;
 - will opening times be set so that the premises are not open during school start and finish times;
 - what procedures and staff training are in place to identify vulnerable persons such as problem gamblers, those who are inebriated through drink or drugs, etc;

This list is not mandatory, nor exhaustive, and is merely indicative of example measures;

- 9.3 The Authority will consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people,

including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, as very likely to adversely affect the gambling objectives.

- 9.4 It should be noted that each application will be decided on its own merits, but the onus will be upon the applicant to show how the potential concerns can be overcome. This may be achieved by local Risk Assessments.

10. Primary Activity

- 10.1 The primary activity of each premises licence type is specified on the premises licence when it is issued. The Authority will take decisions in accordance with the Commission's guidance and codes of practice on primary gambling activity and will have regard to the advice which it issues from time to time. Applicants are expected to operate premises in line with the Commission's Guidance and conditions on their operators licence. The Authority will monitor the operation of premises and report any potential breach of operating licence conditions to the Commission. Applications for new premises licences, or to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed.
- 10.2 It should be noted that the Act does not permit a premises to be licensed for more than one gambling activity.

11. Responsible Authorities

- 11.1 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Authority if they are relevant to the licensing objectives.
- 11.2 Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. In relation to the Authority's area, these are:
- The Authority itself
 - The Gambling Commission
 - The chief officer of police/chief constable for the area in which the premises is wholly or partially situated;
 - The fire and rescue authority for the same area;
 - The local planning authority;
 - An authority with functions in relation to pollution of the environment or harm to human health;
 - A body designated in writing by the Authority as competent to advise about the protection of children from harm (see paragraphs 11.3 and 11.4 set out below);
 - HM Revenue & Customs; and
 - Any other person prescribed in regulations by the Secretary of State;

Section 211(4) provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is to be used for licensable activities.

- 11.3 The Authority is required to set out the principles to be applied in exercising its powers to designate, in writing, a body which is competent to advise about the protection of children from harm. The principles applied in designating such a body are:

- the body must be responsible for covering the whole of the Authority's area: and
- the body should be answerable to democratically elected persons rather than any particular vested interest groups etc;

11.4 Details of the body designated for North Warwickshire Borough Council, Strategic Commissioning People Group. Details of this and all other responsible authorities are available on www.northwarks.gov.uk or in printed form available from the Authority.

12. Interested Parties

12.1 Interested parties can make representations about licence applications or apply for a review of an existing licence based on the principles detailed in section 2 of this policy statement.

An interested party is someone who: -

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons in either of the two groups above;

12.2 The principles the Authority will apply to determine whether a person is an interested party are: -

- Interested parties could include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 e.g., lives sufficiently close to the premises or has business interests likely to be affected by the activities being applied for;
- Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient;
- Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities;

12.3 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application or in any other way have a personal interest that would preclude them from participating in a hearing. If there are any doubts, then please contact the licensing team for advice;

12.4 It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance;

13. Representations

- 13.1 The Authority is obliged to consider representations from ‘responsible authorities’ and ‘interested parties’ and must determine whether or not representations are admissible. A representation is inadmissible if not made by a responsible authority or an interested party.
- 13.2 The only representations likely to be relevant are those that relate to the licensing objectives, or that raise issues under this statement or the Commissions guidance or codes of practice. The Authority must determine the relevance of the representation.
- 13.3 Any concerns that responsible authorities have in relation to their own functions cannot be taken into account if they are not relevant to the application for a premises licence and the licensing objectives.
- 13.4 The Authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. This will generally be a matter of fact given the circumstances of each individual case but before coming to a decision the Authority may consider the following:
- who is making the representation and whether there is a history of making representations that are not relevant;
 - whether it raises a ‘relevant’ issue or not; or
 - whether it raises issues specifically to do with the premises which are the subject of the application;

14. Conditions of Licence

- 14.1 Premises licenses are subject to mandatory and default conditions and that these conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives.
- 14.2 Conditions imposed by the Authority may be general in nature by applying to all licences, or those of a particular type, or they may be specific to a particular licence.
- 14.3 The Authority will not generally impose conditions that limit the use of premises for gambling unless it is deemed to be necessary as a result of the requirement to act in accordance with the Gambling Commission’s Guidance, any codes of practice issued by the Commission, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.
- 14.4 Any conditions imposed by the Authority will be proportionate to the circumstances they are intended to address. In particular, the Authority will ensure that any conditions are:
- relevant to the need to make the premises suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and;
 - reasonable in all other respects;
 - decided on a case-by-case basis;
- 14.5 The Authority will not consider imposing conditions: -

- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission;
- relating to gaming machine categories, numbers or method of operation;
- which specify that membership of a club or other body is required; and
- in relation to stakes, fees, winnings or prizes;

15. Casinos

- 15.1 The Authority has already considered its position under Section 166 of the Gambling Act 2005 regarding the application for a casino and has passed a 'no casino' resolution.

16. Gaming Machines in Gaming Premises

- 16.1 The Authority is aware of its power to restrict the number of gaming machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.
- 16.2 In the event that the Authority considers whether to impose such a condition on any particular licence it may, among other things, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

17. Bingo

- 17.1 Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licence, for that or those excluded areas.
- 17.2 Section 172(7) of the Act provides that the holder of bingo premises licences may make available for use a number of category B gaming machines for use on the premises.
- 17.3 This Authority also notes the Commissions Guidance in the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted. It is not permissible for all of the gaming machines to which each of the licenses brings an entitlement to be grouped together within one of the licensed premises.
- 17.4 The playing of bingo specifically in alcohol-licensed premises, clubs and miners welfare institutes is permissible under the exempt gaming allowances. Where the level of bingo played in these premises, under the exempt gaming allowances, reaches a certain threshold, it will no longer be authorised by these allowances, and a bingo operating licence will be required by the commission.
- 17.5 The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.
- 17.6 Commercial bingo halls will require a bingo premises licence from the Council
- 17.7 Children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people

are allowed, local authorities will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18;

18.0 Tracks

- 18.1 Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 18.2 Track operators are not required to hold an 'operators licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Authority are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 18.3 Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 18.4 When considering whether to exercise its power to restrict the number of betting machines at a track the Authority will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

19. Temporary Use Notices

- 19.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 19.2 The Authority can only accept a Temporary Use Notice from a person or company holding a relevant operating licence.
- 19.3 Regulations prescribed by the Secretary of State provide that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming where the gaming is intended to produce a single winner, for example games such as backgammon, cribbage, bingo and poker.

- 19.4 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 14 of the Gambling Commission Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.
- 19.5 The Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission Guidance.

20. Occasional Use Notices

- 20.1 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

21. Gaming Machines

- 21.1 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would cause it to be a gaming machine.
- 21.2 The Authority is aware of its power to restrict the number of gaming machines in certain circumstances. In the event that the Authority considers whether to impose such a restriction on any particular permit it may, among other things, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.
- 21.3 The Authority will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access and would include take-away premises, taxi offices, supermarkets etc.

22. Unlicensed Family Entertainment Centre (FEC) Gaming Machine Permits

- 22.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 22.2 Guidance also states that an application for a permit may be granted only if the Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application, Licensing Authorities may wish to consider asking applications to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - That the applicant has no relevant convictions (those that are set out in the Act); and;
 - That staff are trained to have a full understanding of the maximum stakes and prizes;

- 22.4 It should be noted that a Authority cannot attach conditions to this type of permit.
- 22.5 With regard to renewals of these permits, a Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

23. (Alcohol) Licensed Premises Gaming Machine Permits

- 23.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the Authority. The Authority can remove the automatic authorisation in respect of any particular premises if: -

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e., that written notice has been provided to the Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises;

- 23.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Authority considers that “such matters” will be decided on a case-by-case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

- 23.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for the use of gaming machines in their non-alcohol licensed areas. Any such application would need to be applied for and dealt with as an Adult Gaming Centre premises licence.
- 23.4 It should be noted that the Authority can decide to grant the permit application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 23.5 It should also be noted that the holder of a permit must comply with Gaming Machines in Alcohol Licensed Premises Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

24. Prize Gaming Permits

- 24.1 In making its decision on an application for this permit the Authority does not need to but may have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 24.2 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but the Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling;

25. Club Gaming and Club Machine Permits

- 25.1 Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 25.2 Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 25.3 Licensing authorities may only refuse an application on the grounds that: -
- the applicant does not fulfil the requirements for a members' or Commercial Club or Miners' Welfare Institute and therefore is not entitled to receive the type of permit for which it has applied;
 - the applicant's premises are used wholly or mainly by children and/or young persons;
 - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - a permit held by the applicant has been cancelled in the previous ten years; or
 - an objection has been lodged by the Commission or the police;
- 25.4 It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. The Gambling Commission Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are: -
- that the club is established primarily for gaming, other than gaming prescribed under

schedule 12

- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled.”

25.5 There are statutory conditions on Club Gaming Permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

26. Lotteries

26.1 In carrying out its functions in relation to Lotteries, the Authority will have regard to the Act, any guidance issued by the Commission from time to time and any Regulations issued by the Secretary of State.

26.2 The Act makes it illegal to promote lotteries unless they are licensed or within an exempt category. One such exemption relates to registered small society lotteries and the Authority is responsible for registering small society lotteries, which are promoted by non-commercial organisations that are established for: -

- Charitable purposes;
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- For any other non-commercial purpose other than that of private gain;

27. Exchange of Information

27.1 The principle that the Authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the General Data Protection Regulation will not be contravened. The Authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

28. Enforcement

28.1 The Authority will liaise with the Gambling Commission and other enforcing authorities on enforcement issues and will look to carry out joint inspections. The targeting of resources towards high-risk premises and activities that require greater attention will provide a more efficient deployment of the Council's officers and other officers that are commonly engaged in enforcing gambling law and inspection of licensed premises. A lighter touch will apply in respect of low-risk premises, which are well run.

28.2 The Council's approach to enforcement will be based on identified risk and will take into account: -

- Relevant codes of practice;
- Guidance issued by the Gambling Commission;
- The licensing objectives;
- The principles set out in this statement of gambling policy;

- 28.3 In general, action will only be taken in accordance with the principles of the Regulatory Compliance Code, Authority Enforcement Policy and the relevant provisions of the Regulatory Enforcement and Sanctions Act 2008. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 28.4 The Council will also be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects;
- 28.5 In accordance with the Gambling Commission Guidance to Authorities the Council will endeavour to avoid duplication with other regulatory regimes as far as possible.
- 28.6 The main enforcement and compliance role for this Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission.

29. The Licensing Process

- 29.1 The powers of the Council as an Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority. The Council has adopted the following scheme of delegation: -

Matters to be dealt with	Full Council	Full Committee	Sub Committee	Officers
Three-year Gambling Policy	X			
Policy not to permit casinos	X			
Fee Setting – when appropriate		X		
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to review premises licence/club premises certificate			X	

Application for club gaming/club machine permits	Where objections have been made and not withdrawn.	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits	X	
Applications for other permits/registration of small society lotteries		X
Cancellation of licensed premises gaming machine permits		X
Consideration of temporary use notice		X
Decision to give a counter notice to a temporary use notice	X	
Decision on whether a complaint is irrelevant frivolous vexatious etc		X
Decision as Responsible Authority to call for a Review of a Premises Licence		X

29.2 Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. From 6th April 2016 applicants should carry out a risk assessment before they apply for a premises licence or to vary a premises licence.

29.3 The Authority will expect the local risk assessment to consider as a minimum: -

- The location of services for children such as schools, playgrounds. Leisure/community centres and other areas where children will gather;
- The demographics of the area in relation to vulnerable groups;
- Whether the premises is in an area subject to high levels of crime and/or disorder;

Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected. Local risk assessment or copies of local risk assessments must be kept on the premises for inspection by any Proper Officer. In undertaking their risk assessments, they must take into account relevant matter identified in this Statement of Principles.

29.4 Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms and guidance leaflets will be available from the Authority, including contact names for each of the

responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.

- 29.5 The Act requires authorities to maintain a register of premises licences issued. The register must be available at any reasonable time to the public, who can request copies of the entries. The register will be located at: -

Licensing Team
North Warwickshire Borough Council
South Street
Atherstone
Warwickshire
CV9 1DE
Tel: 01827 715341
email: licensing@northwarks.gov.uk
Website: <https://www.northwarks.gov.uk>

30 Data Sharing and Data Security

The Council will act in accordance with the Gambling Act 2005 in its exchange of information which includes that the UK General Data Protection Regulations and the Data Protection Act 2018 will not be contravened. The Council will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. The Gambling Act also allows the exchange of information with persons or bodies for them to exercise their functions under the Act which are listed in Schedule 6 (1).

The Council details its approach to the protection of and access for information on the Council's website.

31 Equality

The Council aims to act positively to reduce inequality, to work against discrimination and to promote and create access to services by everyone, irrespective of their age, disability, race, gender, sexuality, cultural or social background, religion or belief. More information can be found on the Council's website".

Effective:	31 st January 2007
Effective date of reviewed policy:	31 st January 2013 Valid until 30 th January 2016
Effective date of reviewed policy:	31 st January 2016 Valid until 30 th January 2019
Effective date of reviewed policy:	31 st January 2019 Valid until 30 th January 2022
Effective date of reviewed policy:	31 st January 2022 Valid until 30 th January 2025

Document author	Sharon Gallagher
Document owner	North Warwickshire Borough Council
Legal advice	Yes
Consultation	
Approved by	
Review Date	2.1.2025
Equality Assessment	
Key changes made	

Agenda Item No 8

**Taxi and General Licensing
Committee**

28 January 2025

**Report of the
Chief Executive**

**Adoption of Pavement Licensing
Policy**

1 Summary

- 1.1 The report asks the Committee to adopt the Pavement Licensing Policy, following consultation.

Recommendation to the Committee

That the Committee agrees to adopt The Pavement Licensing Policy.

2 Public Consultation and Engagement

The Consultation for the Pavement Licensing Policy ran from the 3 October 2024 to 9 January 2025. During the consultation period we received four responses (see Appendix A)

- 2.1 Councillors Jenns (Chair) and Clews (Vice-Chair) have been sent an advanced copy of this report for comment.

The Draft Pavement Licensing Policy is attached at Appendix B.

3 Report

3 Pavement Licensing Consultation

- 3.1 The Business and Planning Act 2020 successfully introduced a mechanism for premises serving food and drink such as bars, restaurants and pubs, to place furniture on the pavement to help the hospitality industry recover from the coronavirus lockdown and social distancing restrictions.
- 3.2 The Pavement Licensing regime was temporarily extended until March 2024 when the Levelling Up and Regeneration Act 2023 made permanent the provisions set out in the Business and Planning Act 2020 that streamlined the process to allow businesses to secure these licences quickly.

3.3 However the Levelling Up and Regeneration Act introduces a number of changes. Previously the Business and Planning Act allowed a maximum application fee of £100, a streamlined consultation determination period for applications and for licences to be valid for up to 12 months. Now, the fee for applying for a licence under the Business and Planning Act process is capped at £500 for first time applications and £350 for renewals and the public consultation period and licence duration has been extended.

3.4 The new Act also confirms that applications for Pavement Licences should where possible be made under these provisions as opposed to Pavement licences granted by Warwickshire County Council, the Highways Authority, under Part 7A of the Highways Act 1980.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 There are no direct finance or value for money implications in the report since any work undertaken would be funded from existing budgets.

4.2 Safer Communities Implications

4.2.1 Several pavement licences in an area may result in larger distributed or dense crowds of people, which may result in anti-social behaviour.

4.3 Legal and Human Rights Implications

4.3.1 This report gives an overview of the statutory procedure which applies to making a scheme. There are no material legal, data protection or human rights implications arising from the adoption of the new policies provided the relevant statutory procedures are followed.

4.4 Environment and Sustainability Implications

4.4.1 The proposed use may result in excessive noise and litter.

4.5 Health, Wellbeing and Leisure Implications

4.5.1 This will allow hospitality businesses to increase the numbers of customers which will ultimately increase their revenue. Customers can take advantage of consuming food and drink outdoors, a local café culture can have a positive effect on urban environments, promote town centres and contribute to the general well-being of communities.

4.6 Human Resources Implications

4.6.1 There are no human resource implications contained in the report.

4.7 Risk Management Implications

4.7.1 There are no risk management implications contained in the report.

5.8 Equalities Implications

5.8.1 There are no specific equalities implications in relation to this report, however if the recommendation is adopted then the informal consultation process may identify ways in which any scheme could benefit particular groups having protected characteristics.

5.9 Links to Council's Priorities

5.9.1 Supporting employment and business, promoting sustainable and vibrant communities and Improving leisure and wellbeing opportunities.

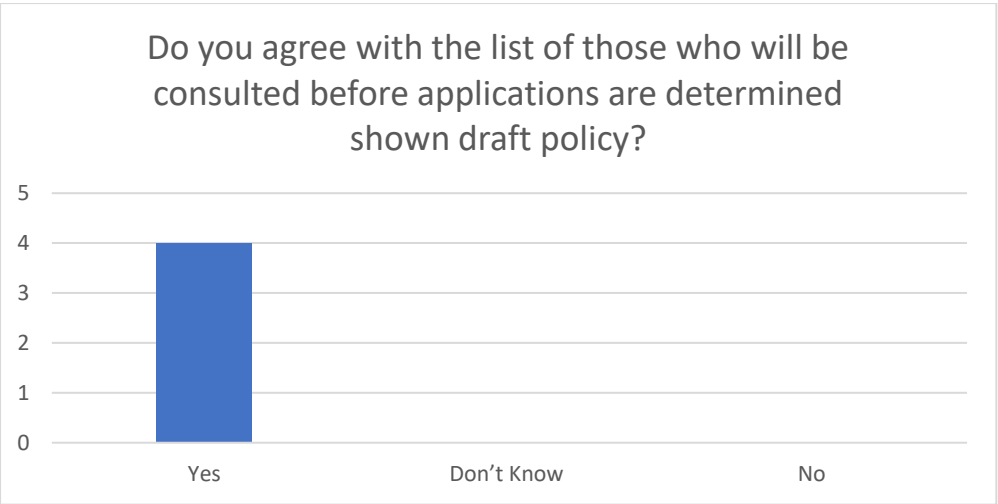
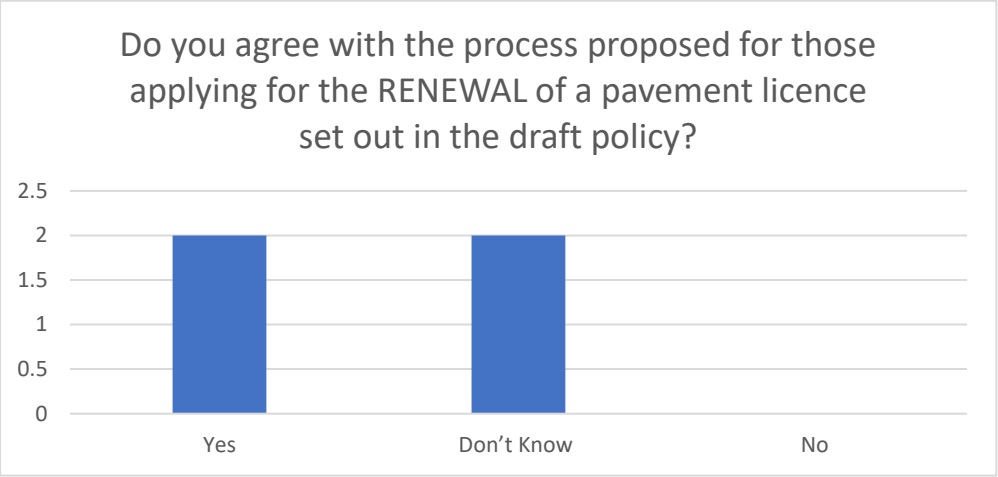
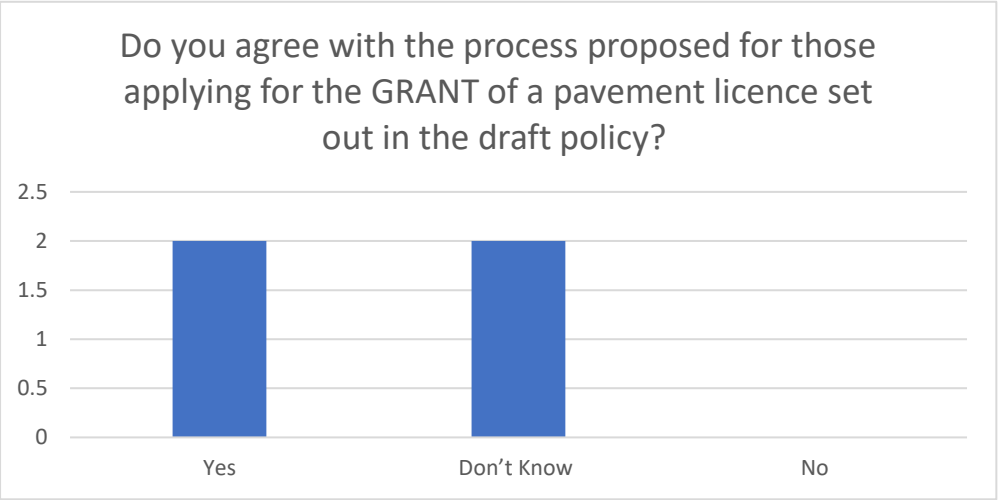
The Contact Officer for this report is Sharon Gallagher (719292).

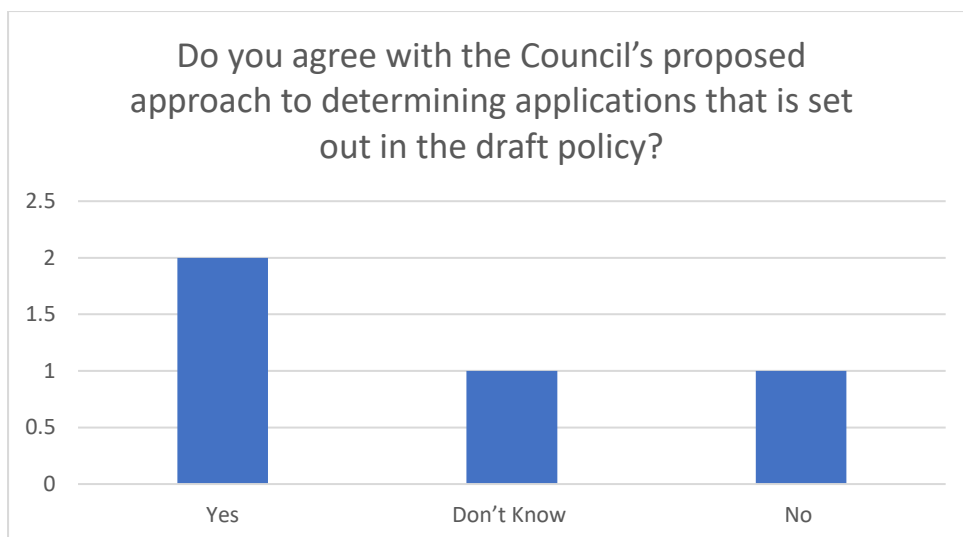
Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

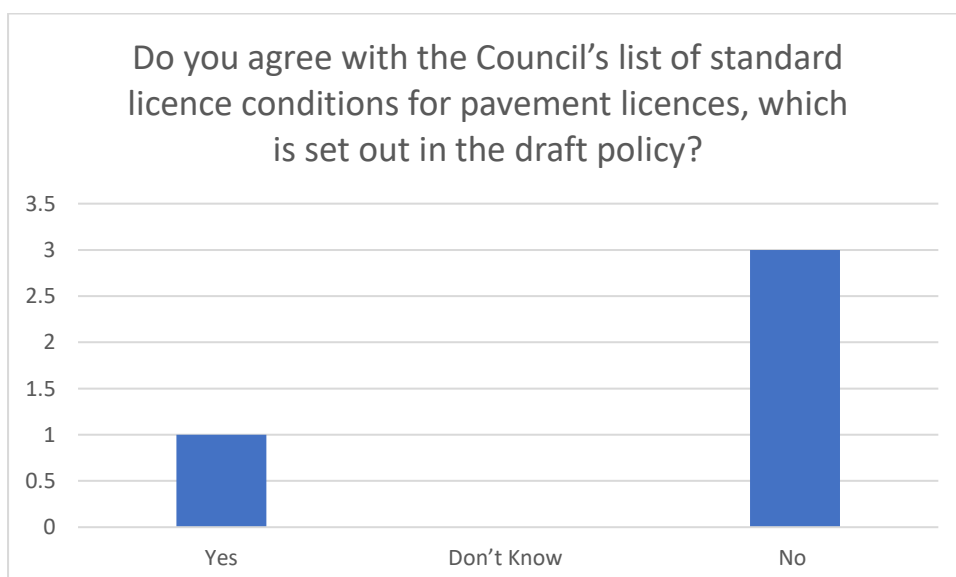
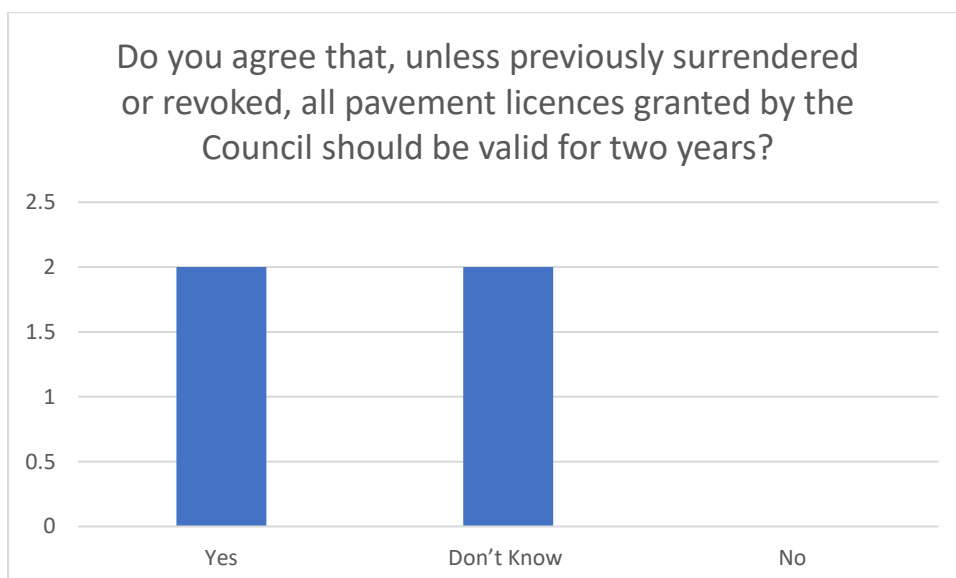
Background Paper No	Author	Nature of Background Paper	Date

Response for Pavement Licence consultation





When asked Because you have answered NO, what changes do you believe should be made to this part of the draft policy? **I believe 14 days consultation is insufficient in some cases.**



When asked Because you have answered NO, what changes to the list of standard licence conditions do you believe should be made?

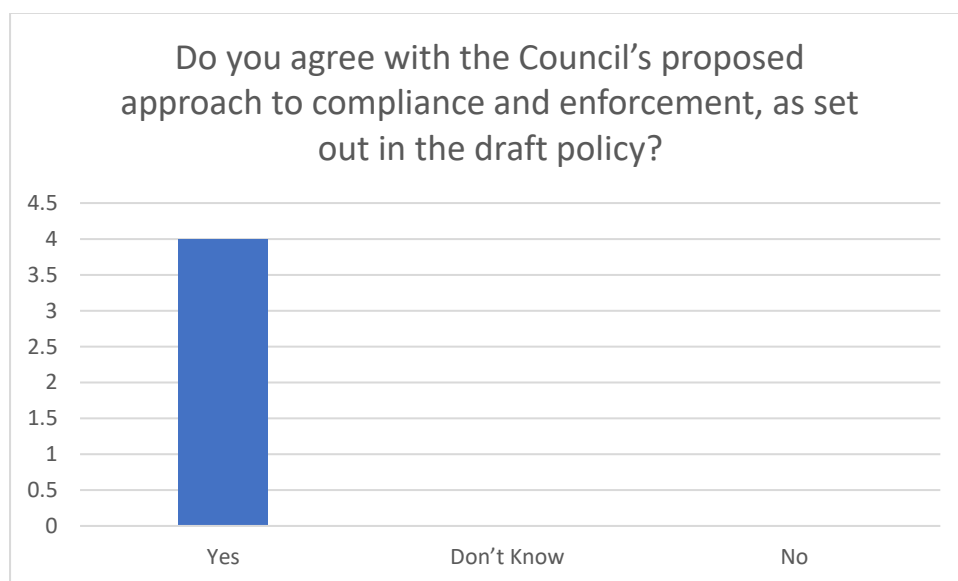
Response 1 There is no consideration of the impacts of furniture on the Conservation Area or setting of Listed Buildings - pedestrian accessibility is obviously very important but in my view not the only consideration. Quality of materials may also be of importance when looking at how the furniture impacts the character of the area.

Response 2 In addition to condition 17 - perhaps wording along the lines of "any barriers used to contain the licensed area shall not display any advertisement unless express consent has previously been granted by the Local Planning Authority". To do so without consent is an offence under the Town and Country Planning Act 1990 as amended.

Then an addition condition with regard to Listed Buildings:

There must be no physical attachment or alterations made to any Listed Building as part of the any pavement licence, unless consent has previously been granted by the Local Planning Authority. To do so without consent is an offence under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Response 3 I don't agree with allowing certain defined smoking areas. Pedestrians walking by would be walking through smoke. This is the same for public houses along the high street, customers stand outside and smoke, not right in my opinion.



If you have any other comments or observations in relation to the draft policy on pavement licensing, please provide these here:

Response 1 - I think reasons for refusal should accommodate impacts on the character of the area and during the period of the license if the furniture deteriorates from a reasonable condition to a poor condition which detracts from the character of the area, then a license should be revoked.

Response 2 - I believe that, the draft is confusing. However I understand that food and drink outlets need to have the licence and adhere to the rules that are set out. There are some shops on long street that put goods on the pavement outside there shop. And surely if those regulations are

imposed for advertising boards then goods outside the premises is more of a hazard to pedestrians, and should be addressed.

Response 3 - Only the smoking issue mentioned above,



North Warwickshire
Borough Council

Pavement Licensing Policy 2024-29

Effective:

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1. Introduction

The Business and Planning Act 2020 successfully introduced a mechanism for premises serving food and drink such as bars, restaurants and pubs, to place furniture on the pavement to help the hospitality industry recover from the coronavirus lockdown and social distancing restrictions.

The Pavement Licensing regime was temporarily extended until March 2024 when the Levelling Up and Regeneration Act 2023 made permanent the provisions set out in the Business and Planning Act 2020 that streamlined the process to allow businesses to secure these licences quickly.

However the Levelling Up and Regeneration Act introduces a number of changes. Previously the Business and Planning Act allowed a maximum application fee of £100, a streamlined consultation determination period for applications and for licences to be valid for up to 12 months. Now, the fee for applying for a licence under the Business and Planning Act process is capped at £500 for first time applications and £350 for renewals and the public consultation period and licence duration has been extended.

The new Act also confirms that applications for Pavement Licences should where possible be made under these provisions as opposed to Pavement licences granted by Warwickshire County Council, the Highways Authority, under Part 7A of the Highways Act 1980.

2. Scope

2.1 Definition of pavement café

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.

2.2 Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

Businesses that do not use their premises for the sale of food or drink, for example salons, are ineligible. Though they can apply for permission to place furniture on the pavement under the Highways Act 1980.

2.3 Eligible Locations

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980. Generally, these are footways restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or over the Crown land are exempt (so a licence cannot be granted).

A pavement licence does not grant the right to permanently close a road. To do so, a pedestrian planning order made under section 249(2) or 249(2A) of the Town and Country Planning Act 1990, extinguishing the right to use vehicles on the highway, is required. Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980.

Where a pavement licence is granted, clear access routes on the highway will need to be maintained, taking into account the needs of all users, including disabled people.

2.4 Type of furniture permitted

The furniture which may be placed on the pavement include:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

This furniture is required to be removable, which in principle means it is not a permanent fixed structure, and is able to be moved easily, and stored away of an evening.

The Council would also expect the type of furniture to be 'in keeping' with the local area.

Furniture that is not removable and used in connection with the outdoor selling or consumption of food or drink are not permitted by a pavement licence.

Advertising boards are not included in the definition of furniture within the pavement licensing regime. As well as needing consent under the Highways Act 1980, advertising boards also require express advertising consent under the Town and Country Planning Regulations 2007.

Applicants that wish to place non-removable furniture onto the highway must apply for permission under the Highways Act 1980.

2.5 Planning Permission

Once a licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.

2.6 Interaction with Part 7A of the Highways Act 1980

Part 7A of the Highways Act 1980 already provides a mechanism for local authorities to grant businesses permission to place objects or structures on the highway for any of the following:

- (i) for a purpose which will result in the production of income;

- (ii) for the purpose of providing a centre for advice or information; or
- (iii) for the purpose of advertising.

However the Levelling Up and Regeneration Act 2023 Schedule 22, Paragraph 11 now sets out that if a Business applies for a Pavement Licence from North Warwickshire Borough Council, then they cannot apply for a permission under the Highways Act 1980.

3. Application and Determination of Pavement Licences

3.1 Submission of the Application

An application for a Pavement Licence must be made to the Council, and the following will be required to be submitted with the application:

- a completed Application Form
- the required fee, paid by credit or debit-card
- proof of the applicant's identity and right to work
- a plan showing the location of the premises shown by a red line, so the application site can be clearly identified
- a plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items that the applicant wishes to place on the highway. The plan shall include clear measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.
- the proposed days of the week on which, and the times of day between which, it is proposed to put furniture on the highway,
- the proposed duration of the licence;
- photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied for;
- (if applicable) reference of existing pavement licence currently under consideration by the local authority;
- (if applicable) evidence of consent from neighbouring frontage(s) to use footway space outside their property
- evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- a copy of a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million, and
- any other evidence needed to demonstrate how the Council's local conditions, and any national conditions will be satisfied.

3.2 Fees

The fee for applying for a licence under the Business and Planning Act process is capped at £500 for first time applications and £350 for renewals.

The Council will use an established methodology to review these fees annually, however fees have been set at £150 for new applications and £120 for renewals for 2024/25.

Application fees must accompany the application in order for the application to be considered valid and for the consultation period to commence.

The fee is an 'application' fee for the processing of the application. The fee will not be

refunded if the application is withdrawn, refused or if a licence is surrendered or revoked before expiration.

3.3 Consultation

Applications are consulted upon for 14 days, starting with the day after the day on which a valid application was made to the Council.

The Council will publish details of the application on its website at www.northwarks.gov.uk.

The Council is required by law to consult with the Highways Authority. In addition, to ensure that there are no detrimental effects from the application the Council will consult with:

- North Warwickshire Borough Council Environmental Health Team.
- North Warwickshire Borough Council Planning
- Warwickshire Fire & Rescue Service
- Warwickshire Police (including Police Licensing Officer and Designing Out Crime Officer)
- The appropriate Local Ward Councillor(s)
- The appropriate Parish or Town Council

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

3.4 Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period. Evidence of compliance with the site notice requirement must be supplied to the Council. The Council would also expect the applicant serves a copy of the site notice on immediate neighbours to make them aware of the application.

The Site Notice must:

- state that the application has been made and the date on which it was made;
- state the statutory provisions under which the application is made;
- state the address of the premises and name of the business;
- describe the proposed use of the furniture;
- indicate that representations relating to the application may be made to the Council during the public consultation period and when that period comes to an end;
- state the Council's website where the application and any accompanying material can be viewed during the consultation period;
- state the address to which representations should be sent during the consultation period; and
- state the end date of the consultation (14 days starting the day after the application is submitted to the authority).

A template Site Notice is shown as Appendix 1.

3.5 Site Assessment

The following matters will be taken into account by the Council in considering the suitability of the proposed application:

- public health and safety – including a balanced consideration for security implications, particularly the risk to groups of people from interaction with hostile vehicles, and the creation of large crowds in public spaces. Additionally, the impact of several pavement licences in an area may result in larger, distributed, or dense crowds of people.
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour, excessive noise and litter; and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings, and its users, taking account of:
 - considerations under the no-obstruction condition including the cumulative impact of multiple pavement licences in close proximity, in particular considering the needs of disabled people, see section 3.6 below,
 - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles,
 - whether there are other permanent street furniture or structures in place on the footway that already reduce access,
 - the impact of access and egress to the premises
 - the impact on any neighbouring premises
 - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.2 of [Inclusive Mobility](#), and
 - other users of the space, for example if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and take any issues around noise, and nuisance into consideration as part of the proposal.

3.6 Ensuring the needs of disabled persons

When determining whether furniture constitutes an unacceptable obstruction the Council must consider the needs of disabled people.

In order to do this, the Council will consider the following matters when setting conditions, determining applications and when considering whether enforcement action is required:

- Section 3.2 of Inclusive Mobility - gives advice on the needs of particular pavement users sets out a range of recommended widths which would be required, depending on the needs of particular pavement users. Section 4.2 of Inclusive Mobility sets out that footways and footpaths should be as wide as practicable, but under normal circumstances a width of 2000mm is the minimum that should be provided, as this allows enough space for two wheelchair users to pass, even if they are using larger electric mobility scooters. The Council is aware of the restricted nature of some of the streets in the borough and therefore will take a proportionate approach if this is not feasible due to physical constraints. A minimum width of 1500mm could be regarded as the minimum acceptable distance between two obstacles under most circumstances, as this should enable a wheelchair user and a walker to pass each other.
- any need for a barrier to separate furniture from the rest of the footway so that the visually impaired can navigate around the furniture, such as colour contrast and a tap rail for long cane users. In some cases, it may be appropriate to use one or more rigid, removable objects to demarcate the area to which the licence applies, for example wooden tubs of flowers. However, as these are not necessary for the consumption of food, this will need to be balanced to ensure any barriers do not inhibit other street users, such as the mobility impaired, as such barriers may create a further obstacle in the highway. Advertising boards are not included in the definition of furniture within the pavement licensing regime, therefore, should not be used as a barrier;
- any conflict of street furniture with the principal lines of pedestrian movement particularly for disabled people, older people and those with mobility needs. The positioning of furniture should not discourage pedestrians from using the footway or force pedestrians into the highway. The available route must be entirely clear for pedestrians to use and not be impeded with tables and chairs;
- the cumulative impact of multiple pavement licences in close proximity to each other and if there is specific evidence that this may create a build-up furniture in a particular area and potentially cause obstruction on the footway for certain pavement users, such as disabled people;
- so that where possible furniture is non-reflective and of reasonable substance such that it cannot easily be pushed or blown over by the wind, and thereby cause obstruction – for example, the local authority could refuse the use of plastic patio furniture, unless measures have been taken to ensure it is kept in place.

Section 149 of the Equality Act 2010 places a duty on the Council to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not and foster or encourage good relations between people who share a protected characteristic and those who don't.

3.7 Determination

Once the application is submitted the Council has 28 days from the day after a valid application is made (excluding public holidays) to consult on and determine the application. This consists of 14 days for public consultation, and then 14 days to consider and determine the application after the consultation period has ended.

If the local authority determines the application before the end of the determination period, the local authority can:

- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application,
- impose conditions on any licence granted, or
- refuse the application.

If the local authority does not determine the application within the 28 day period, the application will be deemed to have been granted subject to any published local or national conditions.

Applications will normally be determined by an Officer with the appropriate delegation due to the determination period as set out in the Act resulting in timing difficulties in convening a Regulatory Sub-Committee.

3.8 Approval of Applications

North Warwickshire Borough Council supports the aims of the Business and Planning Act and wishes to help promote economic growth and a 'café culture' in its area and will therefore seek to grant applications for licences where possible.

However this aim has to be balanced with the need to ensure the issuing of pavement licences does not put public health or safety at risk, does not lead to antisocial behaviour or public nuisance and ensures that the public, particularly those with disabilities such as sight impairment are unhampered when walking along streets.

The Council will consider the criteria contained within these guidelines in determining applications and will treat each case on its merits.

On approving the application, the Council will issue a Pavement Café Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours when tables and chairs are permitted and appearance and location of the furniture corresponding to the application.

A copy of the Council's standard conditions, which will be attached to all Pavement Café Licences are shown at Appendix 2. Additional conditions may be attached if the Council considers it appropriate in the circumstances of any particular case.

The Council generally will only permit Pavement licences between 09:00 and 23:00.

Applications outside these hours will be assessed in terms of the criteria detailed above. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

3.9 Licences Deemed to be Granted

The Council aims to determine all applications within the determination period provided by the Act. That means that applications will be granted or refused within the period of 14 days beginning with the first day after the public consultation period.

If the Council does not make a determination by the end of the determination period, the Act provides that the licence is deemed to have been granted for two years and the business can place the proposed furniture such as tables and chairs within the area set out in the application for the purpose or purposes proposed.

3.10 Licence Duration

If the Council determines an application before the end of the determination period (which is 14 days, beginning with the first day after the end of the public consultation period, excluding public holidays) the duration of the licence will be specified.

The expectation from the Guidance is that local authorities will grant licences for two years unless there are good reasons for granting a licence for a shorter period, such as plans for future changes in use of road space.

If a licence is 'deemed' granted because the authority does not make a decision on an application before the end of the determination period, then the licence will be valid for two years.

3.11 Refusal of Applications

If the site is deemed unsuitable for a Pavement licence, or if relevant representations are made which cannot be mitigated by imposing conditions, then the application may be refused.

The Council may refuse an application on other grounds including (but not limited to) where the granting of the licence would put at risk public health or safety, lead to antisocial behaviour or public nuisance or unreasonably hamper pedestrian's ability to move freely.

The Council will notify applicants of the reasons for refusal following determination.

There is no statutory appeal process against a decision to refuse an application.

4. Conditions

4.1 Local Conditions

The Council's standard conditions are set out at Appendix 2. In some cases, extra measures may be required. This will be determined when assessing any application and representations received on a case by case basis.

Where a local authority sets a local condition that covers the same matter as set out in national published conditions, then the locally set condition takes precedence over the national condition to the extent that it is inconsistent with it.

4.2 National Conditions

The national conditions relating 'no obstruction' and provision of 'no smoking' areas applies to all Licences. The National conditions are shown in Appendix 3.

4.3 National No Obstruction Condition

Section 3.6 above provides guidance on ensuring the needs of disabled persons and consequently the no-obstruction condition.

4.4 National No Smoking Condition

The national smoke-free seating condition seeks to ensure customers have greater choice, so that both smokers and non-smokers are able to sit outside.

It is important that businesses can cater to their customers' preferences. The National Conditions impose a smoke-free seating condition in relation to licences where seating used for the purpose of consuming food or drink has been placed on the highway. The condition requires a licence-holder to make reasonable provision for seating where smoking is not permitted. This means that where businesses provide for smokers, customers will also have the option of sitting in a non-smoking area.

The Council will not prescribe how businesses will wish to cater for their customers, however ways of meeting this condition could include:

- Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (Signs) Regulations 2012.
- No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
- Licence holders should provide a minimum 2m distance between non-smoking and smoking areas, wherever possible.

Further, business must continue to have regard to smoke-free legislation under The Health Act 2006, and the subsequent Smoke-free (Premises and Enforcement) Regulations 2006.

5. Enforcement

5.1 General Principles of Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. The case remains that an obstruction of the Highway is an offence under The Highways Act 1980 and will be dealt with by the Highways Authority or the Police. The Council will normally seek to rectify any issues arising as a consequence of the activities authorised by a pavement licence by engaging in informal discussions with the licence holder in the first instance.

Obtaining a Pavement Licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, applicants must ensure all such permissions, etc. are in place prior to operating.

All enforcement activity will be undertaken in line with the principles set out in the Regulator's Code and the Council's Enforcement Policy.

5.2 Breaches of Pavement Licence Conditions

If the Council considers that a licence-holder has breached any condition of the licence, the authority may:

- revoke the licence, or
- serve a notice on the licence-holder requiring the taking of such steps to remedy the breach as are specified in the notice within such time as is so specified.

If a licence-holder on whom an enforcement notice is served fails to comply with the notice, the Council may:

- revoke the notice, or
- take the steps itself and recover the costs of doing so from the licence holder.

The Council may revoke a licence in the following circumstances:

1. For breach of condition, (whether or not a remediation notice has been issued) or
2. Where:
 - There are risks to public safety.
 - the highway is being obstructed (other than by anything permitted by the licence);
 - there is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated late at night or litter is not being cleaned up;
 - it comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or
 - the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
3. The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted. For example, the licensed area (or road adjacent) is no longer to be pedestrianised. The Council will give reasons where these powers are used.

5.3 Removal of Unlicensed Furniture

The Levelling Up and Regeneration Act introduces a new provision allowing the Council to deal with unlicensed Pavement Café facilities.

In cases where furniture which would normally be permitted by a pavement or other licence has been placed on a relevant highway without the required licence, The Council can give notice requiring the business to remove the furniture before a date specified and to refrain from putting furniture on the highway unless they gain a licence.

If furniture continues to be placed on the highway, in violation of the notice, the Council may remove and store the furniture, recover the costs from the business for the removal and storage of the furniture and refuse to return the furniture until those costs have been paid. If within 3 months of the notice, the costs are not paid, the Council can dispose of the furniture by sale or other means and retain the proceeds.

6. Review Procedures

Now there is a permanent Pavement Licensing regime, the Council's Policy has been updated to reflect the new procedures in place and revised Guidance published by the Department for Levelling Up, Housing and Communities in April 2024.

This Policy will be reviewed from time to time should changes occur in relevant legislation or guidance, or the nature of Pavement licences generally, or as a result of local considerations within the North Warwickshire Borough. In any case the Policy will be reviewed after a period of 5 years following adoption.

Site Notice Template for display by an applicant for a Pavement Licence.

Section 2 of the Business and Planning Act 2020.

I/We *(name of applicant)*,

do hereby give notice that on *(date of application)* [I/we] have applied to North Warwickshire Borough Council for a 'Pavement Licence' at:

(postal address of premises)

known as

(name premises known by)

The application is for:

(brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink))

Any person wishing to make representations to this application may do so by writing, preferably by email, to:

Licensing
North Warwickshire Borough Council
The Council House
South Street
Atherstone
CV9 1DE
Licensing@northwarks.gov.uk

by: *(last date for representations being the date 14 days after the date the application is submitted to the local authority (excluding public holidays))*

The application and information submitted with it can be viewed on the Council's website at:

Signed

Dated *(date the notice was placed which must be the same date as the date of application)*

Pavement Licence Standard Conditions

1. The Holder(s) of this Licence is not permitted to carry out the activities authorised by this Licence otherwise than strictly in accordance with the Licence and these Conditions.
2. The Holder(s) shall produce a copy of this Licence on demand when so required by a Police Officer or an Officer of the Council authorised in writing under the Act.
3. The Holder(s) shall return this Licence to the Council at Council House, South Street, Atherstone, Warwickshire, CV9 1DE immediately on revocation of this Licence.
4. The Holder(s) shall not cause any unnecessary obstruction of the highway or danger to persons using it and shall not permit persons to gather in the Licensed Area so as to cause a nuisance or annoyance or danger to any person lawfully using the highway. A clear width of 1.5m of footway (or any other distance specified in your Licence) is to be left for the safe passage of pedestrians.
5. The Holder(s) shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio or television receiving sets whilst carrying out the activities authorised by this Licence unless otherwise permitted by the Council in writing.
6. The Holder(s) shall not make any excavation or indentations of any description whatsoever in the surface of the Licensed Area or surrounding highway or place or fix any equipment or furniture of any description other than as referred to in this permission on the surface of the Licensed Area or surrounding highway.
7. The Licensed Area must be used solely for the purpose of selling or serving food or drink supplied from the premises or consuming food or drink supplied in connection with that purpose and not for any other purpose whatsoever.
8. The Holder(s) shall have full responsibility for the Licensed Area, which must be adjacent to their premises. The total number of customers using the Licensed Area must be monitored in order to prevent overspill on to the highway outside the Licensed Area.
9. Licences will not usually be granted to allow activities to take place outside the hours of 0900 to 2300. Specific times will be stated on each Licence.
10. If the Licensed Area is licensed for the consumption of alcohol the Licence Holder shall display in a prominent position, as specified by the Council, a notice setting out the hours for which the premises are licensed to sell alcohol.

(Licence holders should also note that:

You may only sell alcohol if you have a Licence granted by your local Council. If you have not already got one you should contact your local Council to find out how you can apply for one.

Other Conditions on their Licence to sell alcohol under the Licensing Act 2003 must also be complied with in relation to the sale of alcohol in the Licensed Area)

11. The Holder(s) shall not place on the highway any furniture or equipment or advertisement other than as expressly permitted by the Licence and must maintain the furniture and equipment in a clean and tidy condition and not place it so as to obstruct the entrance to or exit from any premises. All furniture and equipment must comply with the terms of the Licence.
12. The Holder(s) shall not make any claim or charge against the Council in event of the furniture or equipment or other objects being lost, stolen or damaged in any way from whatever cause whilst in use under the Licence.
13. The Holder(s) shall not do or suffer anything to be done in or on the Licensed Area or adjoining highway which in the opinion of the Council may be or become a danger, nuisance or annoyance to or

cause damage or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.

14. The Holder(s) shall not assign, underlet or part with this Licence or any interest or possession given by it but the Holder(s) may surrender it to the Council at any time by written electronic notice in a form approved by the Council.

15. The Holder(s) shall observe and comply with any directions in relation to the use of the highway given by Officers of the Council authorised in writing. In particular, access shall be provided at all times for highway works by statutory undertakers or telecommunications operators.

16. The Holder(s) shall maintain the Licensed Area shown edged in red on the plan attached to this Licence, and the immediately adjacent highway, in a clean and tidy condition during the hours permitted by this Licence. The Holder shall leave those areas in a clean, tidy and unobstructed condition at the end of each period of daily use permitted by this Licence which shall include (1) sweeping and/or washing down the area as necessary, and (2) removing any refuse and litter deposited on the highway in the vicinity of the furniture and equipment.

17. The Licensed Area shall be surrounded by planters or ropes or other suitable barriers to contain the furniture and equipment within the boundary. Any such barriers must comply with good practice in the Secretary of States' Guidance in relation to Pavement Licences to assist people with visual impairment to recognise the boundary.

18. The Holder(s) shall provide litterbins or similar receptacles for the deposit of cartons, wrappers, containers and similar discarded items and ensure that these are emptied daily. Waste from the Holder(s) use of the Licensed Area must not be disposed of in the permanent litterbins provided by the Council within the highway.

19. The Holder(s) shall remove all furniture and equipment or other articles placed on the highway in accordance with this Licence at the end of each period of daily use permitted by this Licence. The Holder must provide suitable storage for all furniture and equipment when not in use in accordance with this Licence and may not store furniture and equipment on the highway.

20. The Holder(s) shall indemnify the Council against all actions, proceedings, claims, demands and liability which may at any time be taken, made or incurred in consequence of the use of the furniture and equipment and for this purpose must take out and maintain throughout the duration of this licence at the Holder(s) expense a policy of insurance approved by the Council in the sum of at least, £5,000.000 in respect of any one event. The Holder must produce current receipts for premium payments, policy documents and confirmation of annual renewal of the policy on request to an Officer of the Council authorised in writing under Act.

21. The Council may revoke this licence at any time as permitted by the Act and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the Holder(s) in respect of such revocation. The Council may also serve notice on the holder requiring them to remedy any breach of this Licence and, should they fail to do so take the action required under that notice and recover the costs of doing so from the Licence holder.

22. Nothing in the Licence or these Conditions shall be construed as the granting or purported granting by the Council of any tenancy under the Landlord and Tenant Act 1954 or any permission under the Town and Country Planning Act 1990 or any statutory modification or re-enactment thereof for the time being in force.

23. The Holder(s) shall be responsible for any rates, taxes and outgoings, which may be charged in relation to the Licensed Area under any enactment or agreement.

24. The Holder(s) must be aware of any potential conflict with and must not interfere with any special cyclic events on the highway including but not limited to Markets, Fairs, Seasonal Events, Sporting Events, Local Events.

25. Any failure to comply with any Conditions of this Licence may be considered by the Council in determining whether to grant any subsequent Licence under the Act or similar legislation relating to use of the highway.

26. If the Holder ceases to trade during the duration of this Licence, no refund of the application fee will be issued under any circumstances.

27. The Licence Holder shall use plastic and/or polycarbonate glasses for serving alcoholic drinks in the Licensed Area.

28. The Licence Holder must comply with any relevant health protection legislation which is in force at any time when this Licence is in effect and ensure that the Licensed Area is operated in accordance with that legislation and/or guidance.

‘Holder’ means the person or persons who apply for a Licence and are granted a Licence.

‘Licensed Area’ means the area shown on the plan attached to the Licence granted by the Council.

‘Premises’ means the shop, pub, restaurant or other business premises from which you are trading or intend to trade from and in connection with which food and/or drink is to be served.

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National Conditions

The Secretary of State publishes this condition in exercise of their powers under Section 5 of the Business and Planning Act 2020:

1. Condition relating to clear routes of access:

It is a condition that clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.2 of [Inclusive Mobility](#).

Guidance on the effect of this condition:

- Section 3.2 of Inclusive Mobility - gives advice on the needs of particular pavement users sets out a range of recommended widths which would be required, depending on the needs of particular pavement users. Section 4.2 of Inclusive Mobility sets out that footways and footpaths should be as wide as practicable, but under normal circumstances a width of 2000mm is the minimum that should be provided, as this allows enough space for two wheelchair users to pass, even if they are using larger electric mobility scooters. Local authorities should take a proportionate approach if this is not feasible due to physical constraints. A minimum width of 1500mm could be regarded as the minimum acceptable distance between two obstacles under most circumstances, as this should enable a wheelchair user and a walker to pass each other.
- any need for a barrier to separate furniture from the rest of the footway so that the visually impaired can navigate around the furniture, such as colour contrast and a tap rail for long cane users. In some cases, it may be appropriate to use one or more rigid, removable objects to demarcate the area to which the licence applies, for example wooden tubs of flowers. However, as these are not necessary for the consumption of food, this will need to be balanced to ensure any barriers do not inhibit other street users, such as the mobility impaired, as such barriers may create a further obstacle in the highway. Advertising boards are not included in the definition of furniture within the pavement licensing regime, therefore, should not be used as a barrier;
- any conflict of street furniture with the principal lines of pedestrian movement particularly for disabled people, older people and those with mobility needs. The positioning of furniture should not discourage pedestrians from using the footway or force pedestrians into the highway. The available route must be entirely clear for pedestrians to use and not be impeded with tables and chairs;
- the cumulative impact of multiple pavement licences in close proximity to each other and if there is specific evidence that this may create a build-up furniture in a particular area and potentially cause obstruction on the footway for certain pavement users, such as disabled people;
- so that where possible furniture is non-reflective and of reasonable substance such that it cannot easily be pushed or blown over by the wind, and thereby cause obstruction – for example, the local authority could refuse the use of plastic patio furniture, unless measures have been taken to ensure it is kept in place.

2. Condition relating to smoke-free seating

The national smoke-free seating condition seeks to ensure customers have greater choice, so that both smokers and non-smokers are able to sit outside.

It is important that businesses can cater to their customers' preferences. The Business and Planning Act 2020 imposes a smoke-free seating condition in relation to licences where seating used for the purpose of consuming food or drink has been, (or is to be) placed on the relevant highway. The condition requires a licence-holder to make reasonable provision for seating where smoking is not permitted. This means that where businesses provide for smokers, customers will also have the option of sitting in a non-smoking area. Ways of meeting this condition could include:

Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (Signs) Regulations 2012. No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.

Licence holders should provide a minimum 2m distance between non-smoking and smoking areas, wherever possible.

Further, business must continue to have regard to smoke-free legislation under The Health Act 2006, and the subsequent Smoke-free (Premises and Enforcement) Regulations 2006.

Agenda Item No 6

Executive Board

10 February 2025

**Report of the
Interim Corporate Director Resources
(Section 151 Officer)**

**Annual Governance Statement
2023/24**

1 Summary

- 1.1 The Annual Governance Statement for 2023/24 sets out the arrangements the Council has put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. These ensure that its business is conducted in accordance with the law and proper standards and that public money is safeguarded and accounted for and is used economically, efficiently and effectively.
- 1.2 This Statement relates to 2023/24 and was prepared by the Section 151 officer but was not presented for approval by members which is a requirement.

Recommendation to the Council

That the Annual Governance Statement for 2023/24, attached as Appendix A, is approved.

2 Background

- 2.1 The Council has an approved Code of Corporate Governance, consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*.
- 2.2 The Annual Governance statement explains how the Council has complied with the Code and also meets the requirements of the Accounts and Audit Regulations.
- 2.3 The Council has also reviewed the Chartered Institute of Public Finance Association (CIPFA) Financial Management Code, to ensure its financial management arrangements conform to the governance requirements of the CIPFA Standard.

3 Review of the Effectiveness of Internal Audit

- 3.1 The Council has a system of Internal Control, to which the internal audit system contributes significantly. The internal audit section is responsible for the provision of much of the system, although some responsibilities are carried out by others. Fraud work is carried out within the Internal Audit section. However, a specialist contractor is used for IT audits where necessary. All of these also contribute to internal audit within the authority.
- 3.2 Public Sector Internal Audit Standards require an external assessment of the internal audit service at least every five years. An external assessment was undertaken in November 2017, so a further assessment would be due, however in November 2023 this Council approved a pilot with The Central Midlands Audit Partnership(CMAP) who are delivering the Council Internal Audit function and therefore the assessment would be part of CMAPs requirements.
- 3.3 The internal audit capacity had been highlighted in 2022/23 as a significant risk to the Council and following a review of various options for delivering the internal audit function members approved a pilot with CMAP delivering the audit function with the one full time auditor employed directly from November 2023. As a result the audit plan was adjusted accordingly with audits on Governance, Risk Management, Counter Fraud and Financial Controls completed. In November 2024 following a review of the pilot members approved the recommendation for North Warwickshire BC to join CMAP as a partner from 1 April 2025 with CMAP delivering the future internal audit provision.

4 2023/24 Annual Governance Statement

...

- 4.1 The Statement (Appendix A) presented to Members for approval provides some narrative around the governance arrangements in place during 2023/24.
- 4.2 Members are kept informed throughout the year about the various areas that make up the system of internal control. Much of this information comes through Board reports. All Boards receive progress reports on the service areas that come within their remit. Higher level reports include progress against the Corporate Plan and budgetary control reports. However, other more detailed reports are used to deal with specific areas, such as Leisure Services and Refuse and Recycling.
- 4.3 Responsibility of monitoring against corporate activity has also been assigned to individual Boards, for example, the Resources Board considers Risk Management and Treasury Management activity and the work of Internal Audit, whilst the Executive Board considers the outcomes of the work of the external auditors.
- 4.4 Where appropriate, all Members are involved in major reviews. Other means are also used to monitor the activity of the Council, such as the use of Task and Finish Groups. A Housing Task and Finish Group was set up during the year, so that housing activity could be reviewed in greater detail.

4.5 In reviewing the corporate governance arrangements, a number of areas have been highlighted for further action. These are included within the Annual Governance Statement attached at Appendix A.

4.6 Once approved by this Board, the Statement will need to be signed by the Leader of the Council and the Chief Executive.

5 Report Implications

5.1 Finance and Value for Money Implications

5.1.1 The governance arrangements put in place by the Council ensure that its financial position is safeguarded and that only approved expenditure is incurred on behalf of the Council and income is only generated for goods and services it actually provides.

5.2 Legal Data Protection and Human Rights Implications

5.2.1 The governance arrangements put in place by the Council ensure that its legal position is safeguarded, that it complies with relevant laws and regulations and expenditure is lawful. These arrangements allow specific legal advice to be given in relation to functions which are discharged by officers and members.

5.2.2 The Council has approved and adopted a Local Code of Corporate Governance (the Local Code), which is consistent with the principles and reflects the requirements of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government (2016).

5.2.3 This statement explains how the Council has complied with the Local Code and with meeting the requirements of regulation 6 of the Accounts and Audit Regulations 2015 to review and report on the effectiveness of its system of internal control and to prepare an Annual Governance Statement.

5.2.4 The Local Government (Accounts and Audit) Regulations 2015 state that “A local authority is responsible for ensuring that the financial management of the authority is adequate and effective, and that the authority has a sound system of internal control which facilitates the effective exercise of the authority’s functions; and includes arrangements for the management of risk.

5.2.5 Review of the activity of the audit team is in line with the Council’s statutory obligations in achieving best value under s 3 (1) of the Local Government Act 1999 and the Council’s internal reporting mechanisms as required under the Account and Audit Regulations 2015.

5.2.6 There are revised requirements in the UK General Data Protection Regulation and the Data Protection Act 2018 for the processing of personal information. One of these is to appoint a Data Protection Officer whose responsibilities include advising the Council, monitoring compliance with its data protection obligations, and co-operating with the Information Commissioner under the relevant legislation. This role is being carried out by the Head of Legal Services.

5.2.7 The continued implementation of the steps set out in the Annual Governance Statement will assist the Council in complying with these requirements.

5.3 Environment, Climate Change and Health Implications

5.3.1 As part of the Council's governance arrangements, there is a requirement for officers and Members to consider the environmental impacts and sustainability of decisions taken.

5.4 Human Resources Implications

5.4.1 There are systems in place which ensure that health and safety considerations are taken into account, along with legal requirements. The Council also has a number of policies which set out expected standards of behaviour for both officers and Members.

5.5 Risk Management Implications

5.5.1 The Council manages its risks by having good internal control mechanisms in place. The improvements identified in the statement for the future will strengthen these mechanisms.

5.6 Equalities Implications

5.6.1 As part of the Council's governance arrangements, there is a requirement for officers and Members to consider the equalities implications of decisions taken.

5.7 Links to Council's Priorities

5.7.1 The governance arrangements ensure that the achievement of the Council's priorities is monitored on a regular basis, and action taken where this is appropriate.

The Contact Officer for this report is Alison Turner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL

2023/24 Annual Governance Statement

Executive Summary

Responsibility for Governance

The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. To do this, it puts arrangements in place for the governance of its affairs, which include arrangements for the management of risk.

The Council also has a duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

This statement explains how the Council has complied with the code and also meets the requirements of the Accounts and Audit Regulations in relation to the publication of an Annual Governance Statement.

Commitment to Review Governance Arrangements

The Council has a responsibility for conducting, at least annually, a review of the effectiveness of its governance framework, including the system of internal control. The review of its effectiveness is informed by:

- the work of the Senior Management Team and other managers within the Authority who have responsibility for the development and maintenance of the governance environment;
- work carried out by Internal Audit;
- comments made by the external auditors, in their annual audit findings report and other reports. The external auditors also carry out a value for money review, as part of their opinion on the financial statements;
- feedback from other review agencies and inspectorates
- the results of user surveys and feedback from residents; and
- feedback from Service Boards and Member Groups.

To ensure that the governance framework remains effective, senior officers and Members have reviewed individual elements of the framework. Alongside this the Internal Audit plan for 2023/24 included Governance, Counter Fraud and Risk Management.

Service Boards use Task and Finish Groups or Working Groups to review and scrutinise individual areas, such as Housing, Climate change.

Overall Opinion on the Level of Assurance Provided by Governance Arrangements

The Annual Governance Statement has confirmed that the controls in place have largely continued to operate as intended.

Our overall assessment is that the Annual Governance Statement is a balanced reflection of the governance environment and that an adequate framework exists within the Council to ensure an effective internal control environment is maintained.

Significant Governance Issues Identified

To address the significant issue with Internal Audit capacity members approved a pilot with the Central Midlands Audit Partnership (CMAP) commencing November 2023 to deliver the audit service along with the internal auditor employed by NWBC. The audit plan was amended to include audits for Governance, Risk Management & Counter Fraud along with financial controls to ensure all key Governance controls were in place and robust. The audits highlighted actions to further enhance our governance arrangements, including Risk Management and these will be implemented against the timescales in the action plans during 2024-25. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

These include:

- A review of the Financial Regulations;
- Continuing to progress workforce planning;
- A review of Data Protection and Data Breach Reporting Policies
- Review of Contract Standing Orders
- A review of the risk Management policy and Strategy
- Increased reporting to Resources Board on risk management;
- Replacement of four key computer systems to improve functionality and also maintain security compliance;
- Application for PSI accreditation;
- Formal Governance training for all Members, in particular those sitting on Resources and Executive Boards.
- A complete Review of Constitution

Signed:.....
Leader of the Council

Signed:.....
Chief Executive

Introduction

The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is available on our website.

Purpose of the Governance Framework

The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risks at a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness.

The governance statement has been in place at North Warwickshire Borough Council for the year ended 31 March 2024 and up to the date of approval of the statement of accounts.

Council Structure and Corporate Governance

The Council operates using a Committee system. This involves a number of Service Boards/Committees, responsible for specific areas of activity, which report back to the full Council. This meeting cycle of Board and Council meetings normally runs five times throughout the year but extra meetings are added if required. The remit and responsibilities of the Boards and Committee are set out in the Constitution of the Council, and include:

- Executive Board
- Resources Board
- Community and Environment Board
- Planning and Development Board
- Licensing Committee.

We have a number of ways that concerns of any kind can be raised, by employees, Members of the Council or the public. These include Confidential Reporting arrangements and complaint procedures. Any concerns will be followed up by trained investigators and action will be taken in proven cases.

The Council has approved Anti-Fraud and Anti-Money Laundering Policies. We take fraud of any kind seriously, and our first aim is to prevent opportunities for fraud to occur, by building sufficient controls into systems and procedures. The Council also contributes to National and Regional Fraud Initiatives using data matching techniques.

Statutory Officers

All local authorities are required by law to have officers who fulfil three specific roles. At North Warwickshire Borough Council, these roles are carried out by the following post-holders within the Council:

- The Head of Paid Service – Chief Executive

- The Chief Financial Officer(Section 151) – Corporate Director Resources
- The Monitoring Officer – Head of Legal Services

The Head of Paid Service leads and takes responsibility for the running of the local authority on a day to day basis. The role requires the Chief Executive to work closely with elected Members to ensure strong and visible leadership and direction, ensure staff adhere to the strategic aims of the Authority and follow the direction set by elected Members. The Chief Executive acts as the principal policy advisor to elected Members, delivers the political objectives set by elected Members, leads and develops strong partnerships across the local community to achieve improved outcomes and better public services for local people, and oversees service development and all aspects of management within the Council.

The Chief Financial Officer (Section 151) must be a member of a specified accountancy body. The CFO is responsible for the proper administration of the Council's financial affairs and has specific legislative responsibilities, as he/she has a fiduciary responsibility to the local taxpayer. The CFO's duties include a requirement to report to all the local authority's members, in consultation with the monitoring officer and head of paid service, if there is or is likely to be unlawful expenditure or an unbalanced budget.

The Monitoring Officer effectively acts as the guardian of the Council's constitution and the decision making process. He/she is responsible for advising the Council on the legality of its decisions and providing guidance to elected Members on the Council constitution and its powers. He/she has the specific duty to ensure that the Council, its Officers and its elected Members maintain the highest standards of conduct in all that they do. This includes: reporting to the Council if a decision is unlawful or amounts to maladministration, maintaining Registers of Interests, and arranging for investigations into any matters or complaints referred to the Standards Committee.

Management Team

Two of the statutory officers, the Head of Paid Service and CFO, are members of the Senior Management Team of the Council and the third statutory officer has an open invitation and attends for specific agenda items. The Corporate Director Streetscape is also a member of the Senior Management Team which meets on a weekly basis.

The Council also had two Service Directors during the year covering: Housing Services and Leisure and Community Development. These Directors, together with the Senior Management Team and the Head of Development Control, make up the Extended Management Team, who meet on a monthly basis. The Monitoring Officer also attends meetings of the Extended Management Team.

Standards

The Council expects its Members and officers to maintain appropriate standards of conduct and behaviour. These are set down in codes of conduct, standing orders, financial regulations, policies and processes, which are regularly reviewed. Compliance is monitored on an ongoing basis, and is supplemented by information through the complaints and compliments procedure and confidential reporting policy.

Both Members and officers are required to declare gifts and hospitality received, for inclusion on the register of interests maintained by the Monitoring Officer throughout the year.

Performance Management

The Corporate Plan is approved before the start of each year and identifies the headline targets for the coming year, which are supported by greater detail within individual service plans. Services are monitored and discussed on a monthly basis at Extended Management Team meetings.

All members of the senior management team contribute actively to cross organisational issues and to corporate decision making to match resources to the authority's objectives. The CFO and Monitoring Officer provide financial and legal advice and support to elected representatives to inform their decision making.

Progress against Corporate Plan targets is reported to Executive Board during the year, along with performance indicator information. Service boards also received reports on areas under their control throughout the year. At officer level, the Extended Management team review performance. A final position against the Corporate Plan is collated at the end of the year, which is again reported to Members and is also published on the Council's website.

As well as monitoring achievement of identified outcomes, the Council wants to ensure that an excellent quality of service is provided. It ensures this in a number of ways: obtaining user feedback. A full residents survey was carried out in Dec 23/Jan 24 across the borough to get valuable information to inform the update to the Corporate Strategy and the budget process. The Council takes part in Peer Challenge reviews periodically this is due to take place in September 2024. Peer challenges are improvement-focussed and tailored to meet individual councils' needs, to complement and add value to a council's own performance and improvement focus.

Targeted feedback on Council activity was obtained in specific areas and general feedback on the Council is obtained on council services from on line sources such as Facebook. Feedback through the complaints and compliments process was reviewed as normal.

Information Management

Information management is a key concern for the Council, with all Members and officers having responsibilities for its governance. To ensure compliance with the General Data Protection Regulations, the Monitoring Officer takes the lead as the Council's Data Protection Officer and Senior Information Risk Owner.

The Council's Data Protection Officer provides policies, training and guidance to ensure compliance with legislation, and investigates any breaches or suspected breaches that may arise. It is mandatory for all employees to complete an e learning module on data protection issues. Employees are required and encouraged to report suspected breaches, so that processes can be improved.

The Senior Information Risk Owner is responsible for implementing a risk assessment programme and advising the Executive Board of the effectiveness of the Council's information risk management procedures. Requirements for information management are set out in the Council's Information Security Policy. The maintenance and updating of systems is key, and work to update some key systems commenced during the year, which will both improve functionality and also maintain security compliance. The system updates are underway along with the arrangements to carry out testing to confirm compliance. The Council also continues to actively work with the Warwickshire LRF Cyber Resilience Working Group.

Financial Management

The Chief Financial Officer is responsible for the proper administration of the Council's financial affairs. In England, the CFO has a statutory duty to report to the authority at the time the budget is considered and the council tax set, on the robustness of the budget and the adequacy of financial reserves. With regard to capital spending, there is a statutory requirement to set and arrange the Council's affairs to remain within limits for borrowing and capital investment.

The CFO must also be proactive in the management of change and risk, be focussed on outcomes and help to resource the authority's plans for change and development in the public services it provides.

The Council has comprehensive forecasting and budgeting procedures. A medium term business and financial planning process is used to deliver the authority's strategic objectives, including:

- A 30 year Business Plan for the Council's housing stock to ensure ongoing viability, which is reviewed annually;
- A Medium Term Financial Strategy to ensure sustainable finances for all other Council services, which is updated twice a year, in February and November;
- A Capital Strategy updated annually;
- A 3 year capital programme and a 10 year capital projection, which are updated annually;
- A Treasury Management and Investment strategy, which is updated annually; and
- A monitoring process that enables this to be delivered.

Financial information is provided to the Management Team, and three times during the year to each Service Board. Periodic and annual reviews of financial reports indicate financial performance against forecasts for all of the Council's spending. Summary information is also published. Financial updates continued to be discussed regularly with budget officers. Service Boards received financial monitoring reports, and the MTFS was updated in line with usual practice in November due to delays with information from Government.

Financial Regulations and Contract Standing Orders are in place, for use by all Members and Officers. These ensure there is effective use and control of resources, and robust and transparent decision making. It is an action from the Government and financial controls audits to review the Financial Regulations during 2024/25.

The CFO ensures that the Council's financial management arrangements conform to the governance requirements of the CIPFA Standard. This includes ensuring that all members of the Senior Management Team have the financial capabilities necessary to perform their respective roles. The CFO also accesses expert advice on specific areas such as Treasury Management and VAT, as required.

Risk Management

There are risks involved with the provision of any services, so the Council uses a system of risk management to minimise and manage the risks it faces. It does this by identifying both strategic and operational risks, looking at existing controls in place to reduce these, and amending these or bringing in new controls where this is beneficial.

The system involves an annual review of strategic risks by the Senior Management Team and an annual review by senior managers of operational risks in their service areas. This enables all Senior Managers to complete Annual Statements of Assurance, and to identify actions that are needed to manage risk in the coming year, including the identification of any new risks. This process was not completed during 2023/24 due to changes in senior staff and capacity.

CMAF completed a full audit on Risk Management and the actions from this audit are being implemented during 2024/25.

As part of our risk management, the Council has insurance in place to cover the risk of loss. The levels of cover and the excess amounts are kept under continual review.

Internal Audit

A key feature of regulations the Council needs to comply with is the requirement for internal audit. A local authority must maintain an adequate and effective system of internal audit of its accounting records and its system of internal control. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The Council's Internal Audit team has demonstrated compliance with the Public Sector Internal Audit standards. The team use a risk based approach to formulate audit plans and determine the scope of audit reviews. It was highlighted during 2022/23 that the audit capacity was at too low a level to deliver the audit plan. In November 2023 a pilot was approved for CMAF to deliver the internal audit function for the Council along with the internal auditor employed directly. The audit plan was revised and priority audits including Governance, Risk Management, Counter Fraud and Financial Controls were completed. In November 2024 members approved to join CMAF as a partner from 1 April 2025.

The Council has a zero tolerance to all forms of fraud and corruption and employs a counter fraud officer who works closely with the Revenues, Benefits and Housing teams to identify, deter and prevent all forms of fraud. We also have a joint working agreement with the Department for Works and Pensions.

Responsibilities of Officers and Members

The Council ensures that it is operating efficiently by specifying the different roles and responsibilities of both Councillors and Officers. The remit of each decision making Board is set down in the constitution, along with the roles of individual Councillors. The Council does not have an Audit Committee, but instead divides the core functions between the Executive Board and the Resources Board. The constitution also outlines the responsibilities of senior officers, and areas where they have been given delegated powers. Employee contracts include job descriptions, and these give the detail of individual roles, for all employees.

The Council uses workforce planning to identify future staffing requirements. This projects future service needs and the workforce that would be needed for their delivery. Recruitment difficulties in some service areas have highlighted the need to review and update workforce plans. Work was undertaken in a number of areas, but this was not progressed fully across the Council due to capacity issues. This will be progressed in the coming year.

The Council uses an appraisal system to set specific targets for individual staff on an annual basis. These targets reflect their service targets in the Corporate Plan and the Service Plan. The appraisal system is also used to assess the training and development needs of individual employees and ensure that they have the skills and abilities to carry out the tasks required. Appraisals have been reinstated following the pandemic but they were not fully delivered to all staff during 2023/24. However team and service meetings continued to be used to monitor performance. The annual staff survey is used to gain feedback from staff and where there are themes these issues are reviewed with action plans for improvement. The staff forum was set

up during 2023/24 with staff representatives across the Council looking at themes from the staff survey in order to input into any improvement plans.

Induction training is carried out whenever a new Member is elected. After that, Member training is generally identified by individuals, or in response to issues that arise. An exception to this is the area of planning, as increasing changes in planning laws and regulations have resulted in fairly regular sessions being arranged. The audits on Governance, Risk Management and Counter Fraud highlighted the need for member and officer training for these topic areas.

Evaluation of the Effectiveness of Governance Arrangements

Limited Progress has been made with a number of the actions this is due to changes in Senior Officers and capacity, the actions are listed below with progress:

- **A review of the Financial Regulations** – this has not been progressed and has been identified in the financial controls and Governance audits as requiring updating. It is in the action plan to be delivered during 2024/25.
- **Further work on compliance with the Financial Management Code** – work continuing.
- **Continuing to progress workforce planning** – limited progress, ongoing project.
- **The continued use of virtual meetings where appropriate and efficient** – Complete.
- **Increased reporting to Resources Board on risk management**; this has not been progressed and was identified as an issue in the Risk Management, it is in the action plan to be delivered during 2024/25.
- **A review of the revised corporate plan and performance indicators following the Borough elections in May 23** – Complete.
- **Replacement of four key computer systems to improve functionality and also maintain security compliance** – Financial system replaced 1st April 2024, work on other systems still in progress.
- **Application for PSI accreditation** – Ongoing.
- **Refresher training for all Members after the Borough elections, with a particular emphasis on induction training for new Members** – Training Delivered.

Internal audit capacity was addressed in November 2023 bringing CMAP in to deliver a revised audit plan to ensure sufficient work was undertaken on Governance and financial systems to provide a robust opinion on the Councils control environment. Due to the capacity issues and backlog on external audit a number of issues in the Corporate Governance action plan had not been delivered but remain on the action plan for delivery during 2024/25. The work undertaken by Internal Audit has enabled the Interim Corporate Director Resources to conclude that the Council has a range of appropriate strategies, policies, procedures and protocols to address the corporate governance agenda.

Agenda Item No 12

Executive Board

10 February 2025

**Report of the Interim Corporate Director
– Resources (Section 151 Officer)**

**The Proposed 3 Year Capital
Programme 2025/26 to 2027/28**

1 Summary

- 1.1 This report puts forward proposals for the Three Year Capital Programme and outlines the availability of capital resources to fund the programme. The report recommends the options available.

Recommendations to the Board

- a That the Board adopts the Revised Capital Programme for 2024/25 as set out in Appendix A;**

Recommendation to Council

- b That the Three Year Capital Programme for the period 2025/26 to 2027/28 as set out in Appendix B, subject to the transfer of funding from the Business Rate Fluctuation Reserve totalling £1,831,591 to fund vehicle purchases are approved.**
- c That the prudential indicators set out in Section 9 are approved, subject to any changes that may be required as a result of decisions taken during this meeting.**

2 Background

- 2.1 The Council is permitted to borrow to fund capital expenditure, but no longer receives government support for any new borrowing. The Council has the ability to undertake unsupported borrowing if the business case for the project is affordable. Currently the General fund has no external borrowing but does have internal borrowing of £4.7m.
- 2.2 The majority of housing capital spending is funded from the revenue generated through the Housing 30 Year Business Plan. In addition, borrowing is used as needed.
- 2.3 Other sources of finance are required to enable the Council to fund the Capital Programme and we will continue to be dependent on the use of capital receipts from the sale of Council Houses and land, together with external sources, such as specific grant funding.

- 2.4 The Council has benefited from additional business rates above its baseline funding level and is able to retain a proportion of these. Whilst some are held in case of successful future appeals by ratepayers, the level of business growth achieved has been above expectations and put into a business rate fluctuation specific reserve as this income stream is volatile and difficult to predict with certainty, plus the Government will be resetting the current system which will see the income for this Council reduce significantly as built into the Medium Term Financial Strategy (MTFS). The additional income for 2024/25 and 2025/26 has been built into the base budget figures but earlier years income was put into the specific reserve, and it is recommended that this is used where appropriate to support the General Fund capital programme, reducing the need to borrow.

3 **2024/25 Revised Capital Programme**

- ...
- 3.1 In relation to capital expenditure, Appendix A shows the originally approved programme for 2024/25 alongside the in-year movements. The revised position is £7,383,675 less than the approved programme.
- 3.2 The revised budget for the HRA housing programme has increased by £990,000 as additional budgets were needed to sufficiently upgrade the fire doors of the councils housing stock in order to meet the relevant legal requirements as well as some vacant property repairs and a property adaptation.
- 3.3 Within the General Fund programme, provisions for the Replacement leisure facility in Atherstone, Replacement leisure facility at Polesworth, and the Artificial grass pitch at Royal Meadow Drive have been pushed back into 2025/26. Provisions for both the Coleshill Car Park project has also been pushed back into 2025/26. The Vehicle Replacements have taken place with some still yet to be delivered.
- 3.4 Within Information Services, the additional work involved in implementing the environmental health, planning and finance systems have had an impact on other planned work. Allocations for the planning system has been carried forward into 2025/26.
- 3.5 The final actual expenditure out-turn for 2024/25 could still differ to the revised position shown. It is difficult to predict when some work will be completed, like the Multi Trade for Private Sector Housing are reliant on the timing of various works over which the Council has no control. In line with normal practice, the Executive Board may be asked to approve the carry-over of some of these budgets into 2025/26, once the final spend for 2024/25 is established.

4 Formulating the Capital Programme

- 4.1 The Council needs to control its capital programme carefully, firstly to ensure that available resources are targeted effectively towards meeting corporate targets and secondly, to take into account the effect that capital expenditure has on revenue budgets.
- 4.2 The capital programme, by its nature, is long term and therefore the initial programme drawn up is for a ten year period to 2034/35. However, as both expenditure and funding are difficult to predict so far in advance, a more detailed three-year programme has also been developed. The programme is kept under review and revised as new projects, service requirements are needed.

5 10-Year Capital Resource Forecast - 2025/26 to 2034/35

- 5.1 The resources for 2025/26 to 2034/35 have been estimated using the following assumptions:
- Capital receipts will be received from Right to Buy sales. The Council has entered into an agreement with the government which allows the retention of a greater proportion of these receipts. The additional receipts retained must be used for the construction/purchase of new affordable properties within 5 years of receipt;
 - Future year estimates of the Disabled Facility Grant have not been included on the basis that all government funding in relation to this grant will be transferred from the Council to the Heart project;
 - The use of revenue contributions to fund HRA expenditure, together with increases in borrowing where needed;
 - Transfer of funding from the Business Rate Fluctuation Reserve totalling £1,831,951 to fund future vehicle purchases between 2025/26 to 2027/28
 - Borrowing will also be used for the purchase of General Fund vehicles amounting to £6,481,215 from 2028/29 to 2034/35
- 5.2 The expected resources for the period 2025/26 to 2034/35 are shown in the table below:

	HRA £'000	Gen Fund £'000	Total £'000
Resources b/fwd	(6,480)	(5,348)	(11,828)
Revenue Contributions to capital schemes	(65,996)	(234)	(66,230)
Borrowing/Leasing	-	(14,456)	(14,456)
Capital receipts	(1,539)	-	(1,539)
Capital receipts – New Build	(4,029)	-	(4,029)
Total	(78,044)	(20,038)	(98,082)

5.3 This gives a total of £98.082 million available resources over the ten-year period to 2034/35. HRA resources include an expected £4,029 million that will be limited to use on new build schemes. In the event that these cannot be used in the required timeframe, they will have to be returned to the government with interest.

5.4 It must be emphasised that figures for 2025/26 onwards are indicative only, and firmer figures will only be available a few months ahead of the relevant year.

6 Ten Year Capital Expenditure Forecast – 2025/26 to 2034/35

6.1 An initial forecast of all potential capital projects has been collated covering the next 10 years, including both HRA and GF schemes. This followed an analysis of the general fund building maintenance requirements and a detailed breakdown of the key components needed to maintain the Decent Homes Standard within the Council's housing stock in the future.

6.2 Given the constraints on available funding, a draft 10-year capital programme commencing in 2025/26 has been compiled based on the approved schemes from 2024/25. The opportunity has been taken to assess any new schemes and review schemes previously classed as non-essential, to assess whether this classification is still valid. The review also gave the opportunity to reconsider the timing of existing schemes.

6.3 A number of General Fund schemes were moved back into 2025/26, relating to IT schemes and maintenance work at the car parks. Along with the replacement Leisure Facility schemes and the Artificial Grass Pitch.

6.4 The draft programme is summarised below, and the details are shown in Appendix B:

...

Initial Forecast 2025/26 to 2034/35	£000
HRA	(71,048)
General Fund	(23,085)
TOTAL	(94,133)

6.5 As shown in the previous section, the total estimated resources for the ten-year period are £98.082 million compared with the expenditure bids of £94.133 million. This expenditure reflects the total bids put forward for consideration that have been identified to ensure the continuity of current services.

6.6 This leaves a surplus of £3.949 million in overall terms, although each Fund needs to be considered separately. Whilst the HRA funds exceed the draft programme by £6.996 million, £4.029 million of this is subject to possible return to the Government. With regards to the General Fund, there is an expected deficit of £3.046 million in the General Fund programme over the ten-year period. The shortfall in resources is expected to start in 2025/26, as available funding will be used in 2024/25. The transfer of funding from the Business Rate Fluctuation Reserve is essential to enable the full capital programme for 2025/26 to proceed.

7 Unallocated Schemes

- 7.1 The level of schemes required for inclusion in the capital programme outweighs the General Fund resources available. As a consequence, some projects which have been assessed as non-essential or unaffordable have not been included in the proposed programme. Only limited funding has been included for the replacement of Atherstone Leisure complex. When the estimated costs are clear a business case will be developed to present the financial case and the funding required.
- 7.2 In addition, over the coming years there are also some IT systems that will need to be reviewed, to assess whether they still meet user needs, both corporate and service specific.

8 Three-Year Capital Spend and Resources to 2027/28

- 8.1 As well as the long term programme, it is prudent to ensure that the Council can afford the capital schemes required in the medium term. As such, schemes included in the next 3 years have been assessed in more detail.
- 8.2 The table below highlights that there is an overall surplus generated over the 3 year period. However, looking at each Fund separately highlights a particular issue for the General Fund.

Potential 3 year programme	HRA £'000	Gen Fund £'000	Total £'000
Resources b/fwd	(6,480)	(5,348)	(11,828)
Total 3 year resources	(20,457)	(8,045)	(28,502)
Total 3 year expenditure	20,765	14,938	35,703
Total	(6,172)	1,545	(4,627)

- 8.3 If resources come in as expected, there will not be enough resource to fund the General Fund 3 year capital programme. Resources for the short term and longer term programme will need to be found. If borrowing is required this will have a revenue impact.

9 Prudential Indicators for Capital Investment

- 9.1 The introduction of the Local Government Act 2003 resulted in a change in the capital finance system for Local Authorities and established a prudential framework for capital investment. Under this system, Councils are free to determine the affordability of their capital investment proposals and of any borrowing required to finance those proposals.
- 9.2 A prudential code was developed in 2011, which required the Council to consider the affordability of its proposals, their prudence and sustainability, value for money, asset management planning, practicality and service objectives. The prudential code was updated in September 2018, and then again in December 2021.

9.3 In addition to the information already provided within this report, the Council is required to set and review regularly a range of indicators that have been developed as part of the Code, which will be used to support capital investment decision-making. As risk and uncertainty form a key part of capital investment planning, the Code requires a minimum three year integrated capital and revenue spending plan to determine the indicators. These need to be set as part of the overall budget-setting process. The Code requires a number of indicators to be set and these are set out below.

9.4 **External Debt Indicators** – these include the Authorised Limit and the Operational Boundary. The Operational Boundary links to the Authority's plans for capital spending and borrowing requirement, with some provision allowed for cash flow requirements. The Authorised Limit is higher than the Operational Boundary as it provides additional headroom to allow for unusual cash movements.

	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000
Authorised Limit for External Debt	78,037	76,396	74,615	73,047
Operational Boundary	70,420	68,695	66,826	65,166

9.5 **Capital Expenditure Indicators** – the Council is required to make a reasonable estimate of the capital expenditure it plans to incur in each of the next three years, and report actual expenditure incurred at year-end. Using the proposals contained within this report, these are set out below, together with the actual position for 2023/24 and the revised position for 2024/25.

	Actual 2023/24 £'000	Revised 2024/25 £'000	Original 2025/26 £'000	Forecast 2026/27 £'000	Forecast 2027/28 £'000
HRA	8,286	5,695	6,066	4,981	5,561
HRA - New Build	171	2,679	1,358	1,385	1,413
General Fund	3,013	3,509	13,142	343	1,453
Total	11,470	11,883	20,566	6,709	8,427

9.6 **Capital Financing Requirement Indicators** – these indicators measure the Council's underlying need to borrow to fund capital expenditure, which is the normal level of borrowing expected. The actual capital financing requirement as at 31 March 2024, the revised estimate for 2024/25 and estimates for the next three years are set out below. The method of calculation is set out as Appendix C.

...

	Actual 2023/24 £'000	Revised 2024/25 £'000	Original 2025/26 £'000	Forecast 2026/27 £'000	Forecast 2027/28 £'000
HRA	50,390	49,228	47,766	46,154	44,743
General Fund	11,806	14,575	14,227	13,882	13,542
Total	62,196	63,803	61,993	60,036	58,285

- 9.7 **Capital Financing Cost Indicators** – an indicator of affordability is the estimated ratio of financing costs to net revenue stream in percentage terms. If the ratio is increasing rapidly over time, then a larger proportion of revenue resources are being taken up by financing costs, which could be used to fund direct service delivery. This indicator is calculated for both the General Fund and the Housing Revenue Account, and these are shown below. The calculation of both is shown in more detail in Appendix D.

	Actual 2023/24	Revised 2024/25	Original 2025/26	Forecast 2026/27	Forecast 2027/28
HRA	(21.89%)	9.68%	4.27%	10.75%	10.53%
General Fund	11.55%	11.29%	6.55%	5.19%	4.26%

- 9.7.1 HRA financing costs reflect both the scheduled repayment of the debt taken out by the Council as part of the move to self-financing and the new loans required to fund the capital programme. The movement in the General Fund amount reflects the expected changes in investment rates and the new leisure facility in Polesworth.

- 9.7.2 The indicators required by the Code may need to be amended, depending on the decisions on the capital programme taken by this Board.

- 9.8 **Net debt and the capital financing requirement** – an indicator of prudence. In order to ensure that over the medium-term debt will only be for a capital purpose, the Authority must ensure that external debt does not exceed the total capital financing requirement for the preceding year and the estimates for the next two financial years. Current external borrowing is £46.229 million, well below the Capital Financing Requirement projections shown in Appendix C.

10 **Conclusion**

- 10.1 Some sources of funding are specific to particular types of expenditure. The proposed programme takes this into account, so Members need to be mindful of this should they wish to vary the proposed programme.
- 10.2 Only those schemes that either meet a statutory duty or which score highly against the Council priorities and risk assessment are included in the Capital Programme.

- 10.3 The proposed 3 Year Programme has a level of unallocated balances for the HRA which is felt prudent as there are certain risks to some income streams and potentially unforeseen costs that may be unavoidable. However, all balances are allocated for the General Fund, leaving the 3 year programme at risk if estimated resources are not achieved.

11 Report Implications

11.1 Finance and Value for Money Implications

- 11.1.1 The financial implications of this 3 Year Capital programme, in terms of the cost of funding, are given below.

GENERAL FUND	2025/26 £	2026/27 £	2027/28 £
Financing costs	579,293	9,696	42,976

Not all of the financing costs are additional, as some relate to the replacement of existing vehicles. The maintenance costs of the vehicles are included with the existing revenue allocations.

HRA	2025/26 £	2026/27 £	2027/28 £
Financing costs	6,888,095	6,033,934	6,194,613

The majority of the financing costs for the HRA are funded through revenue contributions to capital expenditure, although borrowing has also been used.

11.2 Environment and Sustainability Implications

- 11.2.1 Continuing to follow the capital strategy when setting a capital programme will ensure that the Council continues to achieve its priorities within the available capital resources.

11.3 Equality Implications

- 11.3.1 The proposals for the capital programme will need to be equality assessed for impact and needs and some of the schemes highlighted in the report will have positive impacts including the housing developments and improvements to Leisure facilities.

11.4 Safer Communities

- 11.4.1 The identified schemes would have positive implications for the development of safer communities, in that the provision of good quality leisure opportunities reduces the likelihood of criminal and/or anti-social behaviour.

11.5 Risk Management Implications

11.5.1 There are a number of risks associated with setting a capital programme, as assumptions are made on the type and level of available resources, as well as the required level of expenditure. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. Risk will be managed through the production of regular budgetary control reports, assessing the impact of variances and reporting on the need to take any further action.

The Contact Officers for this report are Nigel Lane (719371) and Nicolas Harris (719320).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Revised 2024/25 Capital Programme**Appendix A**

Expenditure Proposals	Approved Budget	In Year Virements	Moved to future year	Other Changes	Revised 2024/25
HRA Assets					
Staffing	330,910	-	-	-	330,910
Electrics	309,000		-	-	309,000
Kitchens and Bathrooms	618,000	-	-	-	618,000
Heating	515,000	-	-	-	515,000
Windows and Doors	463,500	800,000	-	-	1,263,500
Energy Saving Measures	257,500	-	-	-	257,500
Insulation	-	750,000	(750,000)	-	-
Disabled Facilities Adaptations	206,000	140,000	-	-	346,000
Roofing	412,000	-	-	-	412,000
Improvement works to blocks of flats - external and common areas	1,232,773	-	-	-	1,232,773
Replacement of Housing vehicles	-	-	-	-	-
Multi Trade Contract	360,500	50,000	-	-	410,500
New Build	2,679,233	-	-	-	2,679,233
New Build					-
HRA TOTAL	7,384,416	1,740,000	(750,000)	-	8,374,416

General Fund Assets					
Decent Homes Grants & Works (Private Sector)	20,000	-	-	-	20,000
Replacement	37,698	-	-	-	37,698
Computer Hardware and Software	57,741	-	-	-	57,741
ICT Infrastructure Development	57,398	-	-	-	57,398
Backing Up	30,000	-	-	-	30,000
Network Infrastructure Replacement	74,300	-	-	-	74,300
Telephone System	20,000	-	-	-	20,000
Mobile Devices	5,000	-	-	-	5,000
Payment Management System Upgrade	30,000	-	-	-	30,000
Planning System Replacement	27,920	-	(27,920)	-	-
Replacement	34,934	-	-	-	34,934
External Works on Industrial Buildings	95,000	-	-	-	95,000
Refurbishment of Council Owned Buildings	95,000	50,000	-	-	145,000
Disabled Discrimination Adaptations	56,455	-	-	-	56,455
Car Parks - Structural Maintenance	345,000	-	-	-	345,000
Car Parking - Coleshill	1,000,000	-	(1,000,000)	-	-
Depot Works	30,600	-	-	-	30,600
Firedoors	331,100	500,000	-	-	831,100
Replacement of Vehicles	-	616,037	(26,944)	-	589,093
Replacement of Refuse Vehicles	375,000	-	-	-	375,000
Replacement of Street Cleaning Vehicles	171,670	-	-	-	171,670
Replacement of Grounds Maintenance Vehicles	46,340	-	-	-	46,340
Play Area Development	163,499	223,877	(113,499)	-	273,877
Playing Pitch Maintenance	3,070	-	-	-	3,070
Replacement Leisure Facility - Atherstone	3,750,000	-	(3,750,000)	-	-
Replacement Leisure Facility - Polesworth	4,500,000	-	(4,500,000)	-	-
Artificial Grass Pitch	372,170	-	(372,170)	-	-
Dordon Pump Track	100,000	-	-	-	100,000
Atherstone Leisure Complex - Gym Equipment	36,841	-	-	-	36,841

Leisure Equipment	24,227	-	-	-	24,227
Capital Salaries - Management	19,090	-	-	-	19,090
GENERAL FUND	11,910,053	1,389,914.00	(9,790,533)	-	3,509,434
OVERALL TOTAL	19,294,469	3,129,914	(10,540,533)	-	#####

HRA Capital Programme**Appendix B**

Name of the Scheme	Basic Details of the Scheme	Year 1	Year 2	Year 3	Year 4 - 10	Total
		2025/26	2026/27	2027/28	2028/29 to 2034/35	10 Year Programme
Adaptations	Undertake adaptations to properties to improve accessibility in accordance with recommendations from social care assessors.	346,000	352,920	359,980	2,729,690	3,788,590
Windows	Programmes of window and door replacements to address older installations that are not energy efficient and those that are defective.	300,000	306,000	312,120	2,366,760	3,284,880
Fire Doors	A programme of inspection and replacement to ensure fire doors are effective	600,000	612,000	624,240	4,733,520	6,569,760
Kitchens & Bathrooms	Replacement programme to ensure these facilities meet the Decent Homes Standard.	650,000	663,000	676,260	5,128,090	7,117,350
Insulation	External Wall Insulation and Loft Insulation programmes to ensure properties meet the necessary levels for energy usage.	750,000	-	-	-	750,000
Roofing	To replace roofs (flat or pitched) which do not meet the Decent Homes Standard and cannot be repaired to extend their use.	600,000	612,000	624,240	4,733,520	6,569,760
Heating	To replace heating systems which are at the end of their component life time, can't be repaired or to provide for controllable systems to meet the Decent Homes Standard.	515,000	525,300	535,810	4,063,050	5,639,160
Electrics	A scheduled programme to replace consumer units and to bring wiring in Council properties up to date.	500,000	510,000	520,200	3,944,600	5,474,800

Flats Remedial works	In 2019 we started a rolling priority programme of remedial works to blocks of flats. The works will deal with blocks of flats that require extensive structural repairs.	600,000	612,000	624,240	4,733,520	6,569,760
Garages	The Demolition of Council owned garages.	150,000	-	-		150,000
Multi Trade	To cover a range of capital works including remedial work following fire risk assessments and schemes for garages and sheltered scheme communal rooms as well as external works and structural works.	410,500	418,710	427,080	3,238,520	4,494,810
New Build		1,358,530	1,385,700	1,413,410	10,717,840	14,875,480
Staffing		358,570	368,890	379,510	2,877,810	3,984,780
Housing Vehicles	Replacement as per the vehicle replacement schedule.	286,000	-	477,000	1,016,000	1,779,000
TOTAL		7,424,600	6,366,520	6,974,090	50,282,920	71,048,130

Draft Capital Programme - General Fund

Name of the Scheme	Basic Details of the Scheme	Year 1	Year 2	Year 3	Year 4 - 10	Total
		2025/26	2026/27	2027/28	2028/29 to 2034/35	10 Year Programme
Decent Homes Grants and Works (Private Sector)	Assistance with repairs and replacements targeted at vulnerable households on a means tested basis to prevent deterioration and associated health effects.	20,000	20,000	20,000	140,000	200,000
General Purchasing, Replacement and updating of IT hardware and software	To Continue to provide hardware and software that meet the requirements of the increasingly complex software that is used to deliver Council services and back office functions.	80,000	85,000	80,000	570,000	815,000
Replacement of scanner/plotter	Replacement of the existing separate scanner and plotter with a single solution.	-	-	10,000	-	10,000
Telephone System	Replacement of the existing telephone system.	50,000	-	-	20,000	70,000
Server Virtualisation	Replacement of the existing virtual server.	50,000	-	-	-	50,000
Backing Up	Primarily used at two levels; the day to day use of the recovery of lost data or damaged systems that need to be rolled back to a previous state. The major use is in the event of fire or theft where the backups we hold would be used to restore systems.	-	-	-	15,000	15,000
Replacement Planning and Enforcement and Local Land Charges Systems	To review and assess system to ensure it still meets user needs and replace if required.	53,000	-	-	-	53,000
Web Development (Internet, Intranet and Extranets)	To review and assess systems to ensure they still meet user needs and replace if required.	-	-	-	100,000	100,000
Payment Management System Upgrade	Upgrade to Payment Management System to meet new encryption standards and introduce contact less payments.	7,500	7,500	7,500	30,000	52,500
Uninterruptable Power Supply	To review and assess UPS to ensure it still meets user needs and replace if required.	-	-	10,000	10,000	20,000
Refurbishment of Council Owned	To carry out improvements to all council owned	-	-	50,000	150,000	200,000
Replacement Of Firedoors In Council Premises	Replacement of Firedoors in council premises that are not up to the current legislation.	175,400	-	-	-	175,400
Car Parking in Coleshill		1,000,000	-	-	-	1,000,000
Replacement of Pool Vehicles	Replacement as per the vehicle replacement schedule.	-	-	-	54,000	54,000
Replacement of Refuse Vehicles	Replacement as per the vehicle replacement schedule.	-	-	1,096,200	4,237,000	5,333,200
Replacement of Cesspool Vehicles	Replacement as per the vehicle replacement schedule.	-	-	-	600,000	600,000
Replacement of Street Cleaning Vehicles	Replacement as per the vehicle replacement schedule.	256,000	90,000	47,000	720,614	1,113,614
Replacement of Horticulture Vehicles	Replacement as per the vehicle replacement schedule.	246,881	52,624	43,246	821,101	1,163,852
Replacement of Leisure Services	Replacement as per the vehicle replacement schedule.	-	-	-	48,500	48,500
Food Waste Vehicle	Match Defras Funding for a food waste vehicle	500,000	-	-	-	500,000
New Leisure Facility	Atherstone Leisure Complex	3,750,000	-	-	-	3,750,000

New Leisure Facility	Polesworth	4,500,000	-	-	-	4,500,000
Artificial Grass Pitch	Provision for a Leisure scheme at Royal Meadow Drive Road	372,170	-	-	-	372,170
Leisure Equipment	To replace the equipment used in the execution of various activity programmes in each of the leisure centres that conforms to industry and market standards relating to customer needs and safety requirements. The proposed investment protects significant levels of income. Whilst fitness equipment has been replaced over the last few years, there is other sports equipment that is in need of renewal.	30,000	20,000	20,000	140,000	210,000
Leisure Centre Fitness Suite Equipment Replacement	Planned full replacement of the fitness centre equipment at the three leisure centres in the Borough. This replacement will take place once the fund has built up sufficient funding for the work to take place.	250,000	-	-	250,000	500,000
Play Area Replacement Programme	Boot, Hill Grendon	-	-	50,000	-	50,000
Play Area Replacement Programme	Long Street, Dordon	50,000	-	-	-	50,000
Play Area Replacement Programme	Ridge Lane, Mancetter	50,000	-	-	-	50,000
Play Area Replacement Programme	Sycamore road, Kingsbury	-	50,000	-	-	50,000
Play Area Replacement Programme	Old Arley	50,000	-	-	-	50,000
Play Area Replacement Programme	Various	13,499	-	-	100,000	113,499
Pitch Improvements	The Queen Elizabeth Academy Pitch Improvements	75,000	-	-	-	75,000
Pavillion Changing Rooms	Provision of works to a number of our pavillions. Mancetter, Ansley Workshops, Ridge Lane, and Piccadilly. All subject to external funding	1,545,000	-	-	-	1,545,000
Capital Salaries - Management	General Fund staffing.	17,600	18,090	18,590	140,950	195,230
General Fund Total		13,142,050	343,214	1,452,536	8,147,165	23,084,965
Overall Total		20,566,650	6,709,734	8,426,626	58,430,085	94,133,095

Capital Financing Requirement
APPENDIX C

	HRA (£)	GF (£)	Grand Total
Actual CFR as at 31-3-24	50,389,473	11,806,350	62,195,823
Repayment of HRA borrowing	(2,585,000)	-	(2,585,000)
Repay Principal - Kingsbury Link	-	(2,682)	(2,682)
Repay Principal - Vehicles	-	(4,547)	(4,547)
Repay Principal - Lower House Farm	-	(9,117)	(9,117)
Repay Principal - Coleshill LC	-	(40,914)	(40,914)
Repay Principal - Recycling Container	-	-	-
Repay Principal - Office Accommodat	-	(80,735)	(80,735)
Repay Principal - Play Areas	(76,690)	(17,905)	(94,595)
New prudential borrowing	1,500,000	3,000,000	4,500,000
MRP	-	(75,116)	(75,116)
Estimated CFR as at 31-3-25	49,227,783	14,575,334	63,803,117
Repayment of HRA borrowing	(2,685,000)	-	(2,685,000)
Repay Principal - Kingsbury Link	-	(2,682)	(2,682)
Repay Principal - Vehicles	-	(4,547)	(4,547)
Repay Principal - Lower House Farm	-	(9,117)	(9,117)
Repay Principal - Coleshill LC	-	(160,914)	(160,914)
Repay Principal - Office Accommodat	-	(80,735)	(80,735)
Repay Principal - Play Areas	-	(17,905)	(17,905)
Repay Principal - Vehicles	(76,690)	-	(76,690)
New prudential borrowing	1,300,000	-	1,300,000
MRP	-	(72,111)	(72,111)
Estimated CFR as at 31-3-26	47,766,093	14,227,323	61,993,416
Repayment of HRA borrowing	(2,835,000)	-	(2,835,000)
Repay Principal - Kingsbury Link	-	(2,682)	(2,682)
Repay Principal - Vehicles	-	(4,547)	(4,547)
Repay Principal - Lower House Farm	-	(9,117)	(9,117)
Repay Principal - Coleshill LC	-	(40,914)	(40,914)
Repay Principal - Office Accommodat	-	(80,735)	(80,735)
Repay Principal - Play Areas	-	(17,905)	(17,905)
Repay Principal - Vehicles	(76,690)	-	(76,690)
Repay Principal - Polesworth LC	-	(120,000)	(120,000)
New prudential borrowing	1,300,000	-	1,300,000
MRP	-	(69,227)	(69,227)
Estimated CFR as at 31-3-27	46,154,403	13,882,196	60,036,599
Repayment of HRA borrowing	(3,335,000)	-	(3,335,000)
Repay Principal - Kingsbury Link	-	(1,800)	(1,800)
Repay Principal - Vehicles	-	(2,649)	(2,649)
Repay Principal - Lower House Farm	-	(9,117)	(9,117)
Repay Principal - Coleshill LC	-	(40,914)	(40,914)
Repay Principal - Office Accommodat	-	(80,735)	(80,735)
Repay Principal - Play Areas	-	(17,905)	(17,905)
Repay Principal - Polesworth Leisure	-	(120,000)	(120,000)
Repay Principal - Vehicles	(76,690)	-	(76,690)

New prudential borrowing	2,000,000	-	2,000,000
MRP	-	(66,457)	(66,457)
Estimated CFR as at 31-3-28	44,742,713	13,542,619	58,285,332

Capital Financing Costs Indicator - to net revenue stream
Appendix D

	Actual 2023/24 £000	Revised 2024/25 £000	Original 2025/26 £000	Forecast 2026/27 £000	Forecast 2027/28 £000
HRA					
Interest and Investment Income	(318)	(246)	(162)	(140)	(142)
External Interest Costs	1,625	1,777	1,796	1,884	1,948
Repayment of Borrowing	2,350	2,350	2,450	2,600	3,100
New Borrowing	(6,600)	(2,500)	(3,450)	(2,700)	(3,250)
Total	(2,943)	1,381	634	1,644	1,656
Net Revenue Stream	13,442	14,264	14,849	15,296	15,729
Ratio	-21.89%	9.68%	4.27%	10.75%	10.53%
General Fund					
External Interest Costs	18	20	20	20	20
Investment Income	(1,795)	(2,035)	(1,430)	(683)	(603)
Repayment of Borrowing	154	152	152	152	152
MRP	81	75	72	69	66
Total	(1,542)	(1,788)	(1,186)	(442)	(365)
Council Tax	(5,060)	(5,142)	(5,321)	(5,531)	(5,755)
New Homes Bonus	(519)	(192)	(10)	-	-
RSG / Service / Funding Guarant	(471)	(923)	(887)	(617)	(215)
NDR multiplier	(340)	(411)	(416)	-	-
NDR	(6,960)	(9,174)	(11,484)	(2,366)	(2,592)
Net Revenue Stream	(13,350)	(15,842)	(18,118)	(8,514)	(8,562)
Ratio	11.55%	11.29%	6.55%	5.19%	4.26%

Agenda Item No 14

Executive Board

10 February 2025

**Report of the Interim
Corporate Director – Resources (Section
151 Officer)**

**General Fund Revenue Estimates
Summary – 2024/25 Outturn and
Tax Set 2025/26**

1 Summary

- 1.1 This report presents the General Fund revenue estimates for outturn 2024/25 and original 2025/26 as presented to the individual boards and the overall Tax Set Summary for 2025/26 along with the recommendations to support the figures presented.

Recommendation to the Council

- a The outturn budget for 2024/25, as set out in Appendices A,B & C;**
- b The revenues estimates for 2025/26, in Appendices A,B & C;**
- c To note the Council Tax base for 2025/26, in Appendix D;**
- d To approve a Council Tax increase of 2.99% £7.05 per annum (14p per week) on a Band D property for 2025/26;**
- e To approve the transfer of £1,831,591 for the Business Rates Fluctuation Reserve to fund the vehicles replacement programme for 2025/26 to 2027/28, as detailed in a separate report on this agenda;**
- f To approve the transfer of £5m in 2025/26 to a specific capital reserve towards funding future capital commitments reducing borrowing;**
- g To approve minimum general fund balances of £1.2m as risk assessed by the Section 151 Officer, in Appendix F; and**
- h To approve preparation of the Council Tax resolution for consideration by the Council using the recommendations agreed by this board.**

2 The Council's Budget Requirement

- 2.1 This report summarises all Board budgets which have been presented to members of each individual board and looks at the overall expenditure requirements of the Council. Further minor variations could be made to these forecasts before the final version for approval at Executive Board and Council, to reflect any further changes that may be needed as circumstances continue to evolve.
- 2.2 The figures presented in the table and Appendix C include transferring £5m to the capital reserve in 2025/26 as a one off contribution towards capital commitments. Members have already agreed an aspiration to invest in leisure replacing the leisure centre and this funding would reduce the borrowing required which would increase ongoing revenue costs. Final figures presented to Council will include the final settlement figures and all the parish precepts.

3 The Council's Budget Requirement

- 3.1 The Council's net service expenditure requirements are summarised below. Details of individual Board requirements are shown in Appendix A & B.

	Approved Budget 2024/25	Outturn Budget 2024/25	Original Estimate 2025/26
Community & Environment	7,686,370	7,663,250	8,451,360
Planning & Development	293,250	465,510	722,110
Resources	3,845,750	3,970,990	4,056,800
Executive	568,620	568,820	605,330
Licensing	56,370	56,370	66,350
Net Service Expenditure	12,450,360	12,724,940	13,901,950
Invest to Save Initiatives	1,000,000	1,000,000	-
Capital Reserve	-	-	5,000,000
Contingencies	(51,300)	176,000	231,250
Financing Adjustment	(780,570)	(729,720)	(740,480)
Investment Interest Income	(1,000,000)	(2,035,000)	(1,430,490)
Investment Income – MRF	(94,030)	(50,000)	(230,000)
Net Expenditure Requirement	11,524,460	11,086,220	16,732,230

- 3.2 The figures in this table are also summarised in Appendix C along with the external funding figures.

4 The Council's 2024/25 Estimated out-turn

- 4.1.1 The major changes in Board budgets are set out below:

4.2 Community and Environment Board

- 4.2.1 A reduction of £23K on the approved budget, attributed mainly to the Sherbourne MRF, as reported in the C&E board report of 20th January and will be subject of a separate report in March.

4.3 Planning and Development Board

- 4.3.1 Increase of £172K on the approved. Fee income is currently performing over the budgeted position for Planning due to a high number of significant applications approx. £32k. The £240k increase in supplies and services includes the appeals budget increased by £225k. The income budget for local land charges has been increased to £64k from original budget at the planning board on 09th December 2024.

4.4 Executive Board

- 4.4.1 Reduction of only £1.8k on the approved budget.

4.5 Resources Board

- 4.5.1 Increase of £125K overall on the approved budget, mainly due to an increase in employee costs, the increase includes the additional pay award costs. These are not allocated and stay as a net expenditure. However, they will be recharged out to services as part of the closedown process as reported in the Resources board report on 27th January.

5 The Council's 2025/26 Expenditure Requirement

- 5.1 The main variations between the 2025/26 original budget and the 2024/25 outturn budget are set out below.

5.2 Community and Environment Board

- 5.2.1 The budget is an increase of £788K over the 24/25 approved budget. The majority is due to increases in employees costs due to pay award, employers NI and agency provision, along with increased costs of recycling, as detailed in the C&E board report on 20th January.

5.3 Planning and Development Board

- 5.3.1 The budget is an increase of £256K over the 24/25 approved budget. Mainly attributed to the increase in central support charges as detailed in the Planning board report on 03rd February.

- 5.4 All other boards the main reason for the increase is Central Support charges most of these costs are salary related, they have increased by the budgeted pay award, increments and increased National Insurance as reported in the Resources board report on 27th January.

6 Budget Projections

- 6.1 In addition to preparing the 2025/26 budget, the three following years have been forecast.

- 6.2 Specific areas of increase are considered separately, and individual rates of increase used to reflect prevailing market conditions, where they are significantly different to the general rate of inflation. These are assessed on an annual basis and depending on economic conditions, may include:
- Employee costs – pay awards and pension costs;
 - fuel and energy costs;
 - investment rates.
 - income
- 6.3 The pay award for the current financial year was approved in November 2024 at a flat rate of £1,290 which was backdated to 1st April 2024. The figures in the plan assume a pay award of 3% in 2025/26, continuing for the following 3 years. This is the largest element of expenditure and will have a significant impact on the Council's budgets.
- 6.4 The revenue implications of the proposed capital programme, covered in a separate report on the agenda, have been included for all years.
- 6.5 The forecast has been summarised and is shown below.

	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000
Net Expenditure Requirement	16,732,230	12,139,430	12,187,030	12,205,030

7 Summary of the 2025/26 Finance Settlement

- 7.1 The Government's calculation of an authority's Core Spending Power includes the Settlement Funding Assessment, together with an assumed level of council tax and some other grant income. The Settlement Funding Assessment is made up of two elements: Revenue Support Grant (RSG) and Business Rates (NDR).
- 7.2 An authority's settlement funding assessment is added to their Council Tax and then reduced by a given percentage to keep within the national control total. From this total the Council's Business Rates baseline and Council Tax income are deducted to arrive at the level of RSG. In years where an authority's entitlement to RSG is zero, increases to business rate tariffs were planned in order to reduce the amount of income retained by an authority.
- 7.3 The figures presented are still the provisional settlement, they will be updated for the final figures as part of the updated report to Council. Based on provisional settlement figures:

	2024/25 £'000	2025/26 £'000
NDR Baseline Funding	2,106	2,136
RSG	86	117
Sub-total – SFA	2,192	2,253
Assumed Council Tax	5,196	5,400
S31 Grant – Business rates multiplier	375	416
New Homes Bonus	192	10
Recovery Grant	-	128
Services Grant	13	-
Funding Guarantee Grant	824	624
Total Core Spending Power	8,792	8,831

- 7.4 The Government's calculation of core spending power assumes that all District Councils will increase their Band D Council Tax in line with the referendum limit for 2025/26, by whichever is the greater of £5 or 3% and the taxbase increases by 1%.
- 7.5 Notification of New Homes Bonus of £10,000 has been received for 2025/26. It has been assumed in the projections It had been assumed that here would be no funding in 2025/26 as the scheme is ending and growth has been low. The new funding reforms will commence from 1 April 2026 and it is predicted that New Homes Bonus will not be part of the new funding mechanism.
- 7.6 The minimum Funding Guarantee was new in the 2023/24 settlement and has continued for 2025/26. It has been assumed that the Funding Guarantee grant will continue but reducing significantly.
- 7.7 The figures do not include the grant in 2025/26 the Government have committed to giving Councils for the impact of the National Insurance increase, this is estimated at £93,000 for this Council. The final provisional settlement may confirm this figure and if appropriate this can be built into the final figures for Tax Set Council.
- 7.8 The provisional settlement announced in December 2024 was for 2025/26 only with a commitment that Local Government funding reform would be in place from 2026/27 and this would then provide multi-year settlements which assist with financial planning. With the lack of information on future funding it is difficult to plan over the medium term. The figures presented assume that business rates will be reset back to baseline which has a significant impact on this Councils funding as business rates is substantially over baseline. It is likely that a transitional period will be put in place but this has not been assumed in the figures presented.

8 Council Tax

- 8.1 As part of the budget setting process, the tax base for the Borough is updated each year to reflect new properties, demolitions and changes to the valuation bands of existing properties. Allowances are also made for properties which are exempt from Council Tax, or where the residents receive discounts. The tax base has been updated for 2025/26 and is 21,909.90, attached as Appendix D.

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- 8.2 A review of potential new build in the tax base has taken place, along with a review of exemptions and discounts. Balancing the growth in properties against an expected increase in exemptions and discounts, a low growth rate of 0.19% in the tax base has been used in projecting Council Tax income for 2025/26, which is based on the house building in the Borough. The economic climate with cost of living and high interest rates has really impacted on house building as this can be seen in the growth projections for next year, 1% has been assumed for 2026/27 onwards as it is hoped with inflation reducing and in turn interest rates potentially going down the house building will start again.
- 8.3 The Authority has estimated the Council Tax position that will be brought forward from 2024/25, and a small surplus is expected. All major precepting authorities have been notified of the amounts they will receive. North Warwickshire Borough Council will receive a sum of £2,070 for 2025/26.
- 8.4 In general terms, an inflationary increase in Council Tax is built into the budget on an annual basis. Given the significant pressure on the Council's budget, this budget forecast has used a permitted increase of 2.99% in 2025/26 and has assumed a further 2.99% increase each year in subsequent years.
- 8.5 A Council Tax increase of 2.99% per annum for ratepayers gives the Council an additional £164,091 in income in 2025/26. It increases the Band D council tax by £7.05 per annum (14p per week) The Council could choose to opt for a different Council Tax increase; however, a lower tax increase would not be sustainable. Previous decisions to freeze Council Tax have had an ongoing and cumulative effect on the Council's financial position, reducing council tax income by around £1 million per annum. The table below illustrates the loss of revenue if the tax does not increase for 2025/26 and in line with the assumptions in the MTFs. This decision would have a cumulative impact of £1.6m.

Year	Tax Base	2.99% Increase	Council Tax Income £	0% Increase	Council Tax Income £	Loss of Income £
2025/26	21,909.90	242.75	5,318,628	235.70	5,164,163	154,465
2026/27	22,129.00	250.01	5,532,471	235.70	5,215,805	316,666
2027/28	22,350.29	257.48	5,754,752	235.70	5,267,963	486,789
2028/29	22,573.79	265.18	5,986,118	235.70	5,320,643	665,475
TOTAL			22,591,969		20,968,574	1,623,395

- 8.6 The Government wants to ensure that Council Taxpayers are protected against authorities that impose excessive Council Tax rises. A referendum will be required for any District/Borough that proposes a Council Tax increase over 2.99%.

9 Expected Resources

- 9.1 Expected Resources from the sources covered above are set out in the table below:

Funding	2025/26	2026/27	2027/28	2028/29
Council Tax	(5,319)	(5,533)	(5,755)	(5,986)
National Non Domestic Rates (NDR) – Baseline	(2,136)	(2,366)	(2,592)	(2,813)
NDR – Gain estimated above baseline	(9,348)	-	-	-
Section 31 Grant – business rate multiplier	(416)	-	-	-
Revenue Support Grant (RSG)	(117)	(120)	(123)	(123)
New Homes Bonus	(10)	-	-	-
Recovery Grant	(128)	(128)	(128)	(128)
Funding Guarantee Grant	(642)	(369)	(87)	(87)
Collection Fund (Surplus)/Deficit	(2)	1	-	(1)
TOTAL	(18,118)	(8,515)	(8,685)	(9,138)

Note: The figures are based on Local Government Funding Reform changing the funding mechanism from 2026/27.

- 9.2 The figures are based on the Government finally implementing funding reform from 2026/27 which is expected to include business rates reset and the figures assume no transitional arrangements, which as illustrated by the table above has a significant impact on income for this Council. This is why its essential for this Council over the medium term to use balances to deliver sustainable reductions to reduce net expenditure in the long term.

10 Reductions and Increased Income

- 10.1 To deliver a medium term sustainable budget reductions are required from 2026/27 onwards as this Council can't sustain using £3-3.5m of balances per year. Therefore, it is essential that this Council uses balances to ensure the projects/initiatives to deliver reductions/increased income can be developed and implemented but the budget is still balanced, see Appendix E and the Balancing the Medium Term Budget table;

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	2024/25 Forecast £000	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Net Service Expenditure	10,087	11,733	12,640	13,187	13,705
Invest to Save Fund	1,000	0	0	0	0
Capital Reserve	0	5,000	0	0	0
Reductions/Increased Income Target	0		-500	-1,000	-1,500
Total Expenditure	11,087	16,733	12,140	12,187	12,205
Total Income	15,842	18,118	8,515	8,685	9,138
Net Expenditure	-4,755	-1,385	3,625	3,502	3,067
Use of/ (Contribution to)Balances	-4,755	-1,385	3,625	3,502	3,067
Balances at the Year End	-11,657	-13,042	-9,417	-5,915	-2,848

10.2 Members approved the strategy to delivering a balanced medium budget, a programme for Reductions/Increased Income over the medium term will need to be developed to deliver the target figures. Listed below is the of projects this needs to be developed further into an action plan with timelines, resources required and responsible officer.

10.3 Detailed below is the initial list of projects/initiatives:

- Transformation projects – These need individual business cases with target reductions for improved efficiency both cashable and non cashable, these will include new IT systems and processes.
- Invest to save – The fund of £1m can be used to deliver these initiatives such as rationalisation of assets.
- Service redesign – This links with transformation, an example is reviewing the current Waste & Recycling rounds to achieve optimisation.
- Income Generation – Continue with Fees and Charges review, are there areas we are not charging?
- Commercialism – Where appropriate we should be looking to operate services commercially delivering VFM for residents and a high level of service.
- Structure Fit for Purpose – sustainable structure with the capacity and skills to deliver corporate plan priorities and excellent service to customers.
- Treasury Management – Review Investments to ensure income is maximised, this may include assessing the risk appetite.

In order to keep the level of balances above the minimum level of £1.2m, and reduce the reliance on balances with the net expenditure of the Council at £3 - £3.5m per annum, reductions/ increased income is required. In the figures presented this has been set at £500,000 for 2026/27, with a further £500,000 for 2027/28 and 2028/29.

11 Risks to the Council's Financial Position

- 11.1 As with all types of forecasting, there are certain inherent risks that may affect the financial position of the Council over the forthcoming periods. These risks require that the Council maintains a sufficient level of general reserves. The individual estimate reports to each Board have included a range of potential risks that could impact upon the budgetary position of services. In addition to these specific service risks, there are a number of risks that could impact more generally on the Council's financial position. The major risks to the Councils budget are highlighted below.
- 11.2 **Business Rates** - the Council has risks it cannot currently quantify, around the retention of business rates in place of revenue support grant and the impact of appeals against valuations. We currently anticipate collecting more business rates than assumed in our baseline funding level. This means that we will retain a proportion of any additional rates collected.
- 11.3 Projections include significant income above baseline for 2024/25 and 2025/26. Plans to reset business rates have been delayed but are expected from 2026/27, and this will remove the growth mentioned above. In this event, the Volatility Reserve will be used to provide an additional funding to prevent an immediate revenue impact and the MTFS has been presented on this basis.
- 11.4 Any major changes to the Council's tax base through successful appeals, or removal of premises from the rating list over and above those allowed for, could impact on the additional rating income figures mentioned above. Given the increased valuations resulting from the 2022 valuation and the current economic uncertainty, this risk has increased.
- 11.5 **Local Authority Funding Reform** – a national review is planned, which may adversely change the assumed spending need of the council, and therefore the level of government support that is received.
- 11.6 **Growth in the Borough** – currently the growth has slowed down which has led to very low Tax Base increases, however if new homes and estates are delivered in line with expectations in future years, there will be a significant impact on some Council services, for example, refuse and recycling and grounds maintenance.
- 11.7 **Other Risks** – the current economic position could increase demand for services such as benefits and homelessness could increase, whilst reducing demand in income generating areas. Unexpected changes in the remuneration of the workforce could impact on the financial position, as could any significant loss of employees which required additional resources to complete statutory functions.
- 11.8 An overall risk assessment for 2025/26 has been completed to determine the minimum level of general reserves that the Section 151 Officer considers it is appropriate for the Authority to hold, and this is shown in Appendix F. This is based on the expected or 'most likely' position and the assumption that not all risks will occur within the next year.
- ...

- 11.9 As can be seen, the balance between future risks and the adequacy of general reserves held by the Council is a key part in establishing a medium-term financial strategy. Provided that expenditure is reduced in line with the targets identified, the level of balances is expected to remain above £1.2 million over the next four years, although careful monitoring of this will still be necessary.
- 11.10 As already mentioned, there is the potential for the Council to benefit from any additional rates collected, but there is also the risk that if rating income falls, there will be a direct impact on the Council's finances. There is a lot of uncertainty around the collection of business rates and the impact of appeals and refunds.
- 11.11 However, if a general reserve of £1.2 million is held, it is felt that this amount, together with other provisions, reserves and balances held by the Council, is adequate to protect the Council's financial position for both the forthcoming year and in the medium-term.
- 11.12 Although not all risks are likely to occur in 2025/26, there is a real possibility that the position could be worse than that anticipated. It could also be better. The Authority would need to adjust its financial strategy, and manage any changes required in 2025/26. Budgets are monitored throughout the year, with the budgetary position reported to Boards on a regular basis, so the Authority is in a good position to identify risks as they occur.

12 Availability of Reserves

- 12.1 The Local Government Act 2003 requires the Section 151 Officer to make an annual statement on the adequacy of financial reserves. General reserves or balances are held to provide a general contingency for unavoidable or unforeseen expenditure, and also give stability for longer term planning. The level of general reserves held is based on an assessment of the financial risks attached to the budget, and this is covered in section 11.
- 12.2 In addition to its general financial reserves, the Council holds a number of earmarked reserves, for both revenue and capital purposes. It also holds some reserves on behalf of other organisations.
- 12.3 General Council policy has been not to use earmarked reserves to fund ongoing service activity, so that the base budget position is not understated. An exception to this was made with regards to the pandemic and has also been needed in 2022/23 due to the significant pressures brought about by the current economic position. However, going forward, further use will not be assumed. So, for example, external grant received in advance for specific projects will be held in an earmarked reserve until the activity takes place and the grant is spent. Timing differences on particular activities will also be dealt with through earmarked reserves, to remove unnecessary fluctuations in the base budget, whilst ensuring sufficient budget provision is available.
- 12.4 The Council will use earmarked reserves to set aside funding for capital schemes and projects. The Business Rate Volatility Reserve has been used to fund the capital vehicle replacement programme over the next 3 years.

- 12.5 Where earmarked reserves are used for revenue activities, the expenditure is included within the appropriate service budget, together with the contribution from the reserve to offset this. These movements are highlighted in the budget reports considered by Members.
- 12.6 The expected position on earmarked reserves at the end of 2024/25 relating to the General Fund is outlined below.

Earmarked Reserves	Expected Balance 31 March 2025 £000
Capital	4.726
Revenue	8,646
Total	13,372

Some of the reserves set aside for capital are for specific equipment replacement and are not yet due to be spent.

- 12.7 For the majority of earmarked reserves, there is little or no risk to the financial standing of the Council. Reserves set up to manage timing differences or hold funding received in advance match expenditure to the income available. Reserves held to allow risks to the base budget to be managed are estimated using the best available information. A review of earmarked reserves is planned, so that previous priorities can be reassessed in light of the current financial position and if the fund is no longer required the balance will be transferred to the general fund balance.

13 **Budget Consultation**

- 13.1 No specific budget consultation has taken place but in 2024/25 a residents survey was completed and this had feedback on the budget which is being used as part of the corporate plan which links with the budget process.

14 **Council Tax Resolution**

- 14.1 A Council Tax resolution will be prepared for consideration at the Council Meeting, using the recommendations agreed by this Board and final figures for the settlement and parish precepts.

15 **Delivering Value for Money**

- 15.1 All Councils will be looking for reductions/increased income in net expenditure within their MTFS, to sustain their financial position. Efficiencies will be introduced wherever possible to minimise the impact on service provision.

16 **Conclusion**

- 16.1 It is clear that even with Council Tax increases of 2.99%, there is an imperative need to reduce the net expenditure of the Council as its operating at £3.5m net expenditure when business rate growth above baseline is removed. Reductions of around £1.5m over the period of the MTFS. However, if these expenditure

reductions can be achieved, current forecasts indicate that reserves will remain around just above the minimal acceptable level of £1.2 million by the end of 2028/29, although this is subject to the uncertainties inherent in budgetary forecasting, and subject to the level of Council Tax increase agreed.

16.2 There are a number of factors that could affect these forecasts. The major factors are set out in section 11. In addition:

- The Council may struggle to deliver the necessary reductions in the required timeframe.
- The General Fund has an underlying borrowing requirement, which may increase costs in the future particularly to fund the New Leisure Facility .

16.3 The options available to the Council to meet these future pressures are restricted: increases in Government funding, higher increases in Council Tax (subject to a referendum) and reductions in service costs. As service delivery pressures increase, the options for reducing expenditure whilst maintaining existing service levels decrease.

17 Report Implications

17.1 Financial Implications

17.1.1 As detailed in the body of the report.

17.2 Legal Implications

17.2.1 As referred to at section 12 above, the Section 151 Officer has a statutory duty to prepare a report to the council including information about the robustness of the estimates provided for calculating the budget and the adequacy of proposed financial reserves. In turn, the legislation concerned requires the Council to have regard to the content of the report when making the budget calculations concerned.

17.3 Safer Communities Implications

17.3.1 The Council provides services and takes part in initiatives that work to improve Crime and Disorder levels within the Borough, and provision is included within the budgets for this.

17.4 Environment and Sustainability Implications

17.4.1 The financial strategy is linked to the delivery of targets and actions identified in the Corporate Plan and service plans. Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of these targets and without disrupting essential services.

17.4.2 Parts of the corporate and service plans directly support the climate change agenda, for example, recycling and the green space strategy.

17.5 Equality Implications

17.5.1 Equality Assessments should be undertaken when making financial decisions to determine what the adverse impact on individuals or communities will be.

The Contact Officer for this report is Alison Turner (719234).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL
ALL BOARD SUMMARY
SUMMARY OF GENERAL FUND REVENUE ESTIMATES

Appendix A

Code	Description	Actual 2023/2024 £	Approved Budget 2024/2025 £	Forecast Outturn 2024/2025 £	Original Budget 2025/2026 £
NW5000	Domestic Refuse Collection	1,254,127	1,288,100	1,297,290	1,322,930
NW5001	Streetscene Grounds Maintenance	125,578	198,620	131,080	279,630
NW5002	Trade Refuse Collection	(10,286)	12,220	17,100	(5,820)
NW5003	Cesspool Emptying	52,787	81,420	82,990	92,500
NW5004	Recycling	1,756,060	1,071,610	1,158,360	1,293,950
NW5007	Green Waste Service	(314,508)	131,450	120,500	162,230
NW5010	Amenity Cleaning	824,068	837,430	849,520	953,240
NW5013	Unadopted Roads	25,898	22,840	21,030	23,980
NW5014	Drain Unblocking And Land Drainage	24,838	19,710	19,710	21,070
NW5015	Street Furniture	10,050	8,630	8,630	9,200
NW5016	Atherstone Market	3,237	3,480	3,440	3,590
NW4002	Commercial Pollution Control	398,916	521,200	529,210	570,630
NW4003	Domestic Pollution Control	16,907	41,070	43,320	46,320
NW5005	Animal Control	33,840	35,710	35,710	37,310
NW5006	Abandoned Vehicles	5,511	5,760	5,760	6,030
NW5021	Public Health Act 1984 Burials	9,489	5,700	5,700	6,000
NW5023	Consultation	18,641	11,160	11,160	11,650
NW5025	Corporate Policy	71,435	42,270	42,270	44,200
NW5034	Landscape	6,794	13,750	13,750	13,910
LL9000	Polesworth Sports Centre	(6,429)	(3,710)	(4,500)	360
LL9001	Polesworth Gym (Prv Workspace Units)	214,616	239,940	233,360	248,050
LL9002	Coleshill Leisure Centre	531,457	581,470	552,880	606,030
LL9003	Atherstone Leisure Complex	604,959	1,129,250	1,093,310	1,181,630
LL9004	Memorial Hall (Sport)	132,465	180,360	182,980	220,720
LL9007	Qe School Artificial Grass Pitch	249	(1,020)	(7,050)	(5,170)
NW5019	Green Space Budget	746,602	715,650	723,830	780,390
NW5030	Rural Regeneration	85,039	4,440	4,440	4,680
NW5040	Marketing And Market Research	14,207	15,880	15,880	16,490
NW5044	Support To Voluntary Organisations	48,951	54,740	54,740	57,260
NW5055	Health Improvement	93,464	17,860	17,470	18,520
NW5056	Safer Communities	105,498	399,380	399,380	429,850
	COMMUNITY AND ENVIRONMENT Total	6,884,460	7,686,370	7,663,250	8,451,360
NW4009	Planning Control	183,458	135,470	329,140	494,150
NW4010	Building Control	46,416	62,840	62,840	108,610
NW4014	Local Land Charges	14,088	29,930	5,230	45,590
NW4012	Conservation And Built Heritage	68,616	68,300	68,300	73,760
NW4018	Street Naming And Numbering	(2,037)	(3,290)		
	DEVELOPMENT CONTROL Total	310,541	293,250	465,510	722,110
NW2000	Housing Strategic Service Review	39,267	39,090	39,090	42,220
NW2003	Community Strategy	134,396	66,260	66,260	72,720
NW2007	Emergency Planning	63,437	27,730	27,730	29,220
NW2009	North Warwickshire Development Plan	270,506	366,450	366,450	386,500
NW5050	Support To Parishes	16,353	3,610	3,610	3,900
NW2002	Corporate Communications	57,283	65,480	63,680	68,770
	EXECUTIVE Total	581,242	568,620	566,820	603,330
NW4000	Licensing Authority	(32,732)	(15,400)	(15,400)	(13,600)
NW4019	Gambling Act Authority	(2,111)	(660)	(660)	(240)
	LICENSING (Alcohol and Gambling) Total	(34,843)	(16,060)	(16,060)	(13,840)
NW4001	Licences And Registration	22,639	28,750	28,750	31,920
NW4008	Hackney Carriages/Private Hire Vehicles	27,183	43,680	43,680	48,270
	LICENSING (Taxi and General) Total	49,822	72,430	72,430	80,190

NORTH WARWICKSHIRE BOROUGH COUNCIL
ALL BOARD SUMMARY
SUMMARY OF GENERAL FUND REVENUE ESTIMATES

Appendix A

Code	Description	Actual 2023/2024 £	Approved Budget 2024/2025 £	Forecast Outturn 2024/2025 £	Original Budget 2025/2026 £
NW3084	Homeless Persons	120,682	199,440	202,720	244,250
NW5008	Private Sector Housing Assistance	136,878	147,310	147,310	159,090
NW5035	Cctv	93,130	22,610	26,500	61,280
NW3000	Democratic Process	575,287	621,660	623,670	666,020
NW3003	Business Rates	85,358	112,040	91,370	108,030
NW3004	Council Tax Collection	269,952	466,520	426,110	469,210
NW3050	Finance Miscellaneous	-	1,420	1,420	1,530
NW3051	Compensation and Pension Increases	235,155	244,380	241,160	249,230
NW3052	Assisted Car Purchases	622	1,040	1,010	1,100
NW3059	Finance Unused Land and Assets	21,540	2,540	101,520	101,640
NW3060	Corporate and Democratic Core	948,612	818,690	789,750	837,190
NW3061	Unallocated CSS	88,893	288,290	314,880	332,440
NW3097	Rent Allowances	350,476	213,620	118,700	140,120
NW3098	Housing Rent Rebates	70,338	202,910	164,270	181,140
NW3101	Council Tax Support	350,782	357,430	340,510	367,530
NW3054	Electricity at Work	28,879	29,160	15,250	29,900
NW3066	Carlyon Road Industrial Estate	(118,309)	(122,820)	(135,260)	(137,840)
NW3067	The Pavilions Holly Lane	(79,879)	(77,300)	(75,550)	(76,480)
NW3069	Innage Park Industrial Estate	(58,391)	(68,740)	(71,160)	(71,500)
NW3079	Maya Bar & Restaurant	(2,394)	(13,330)	(13,170)	(13,180)
NW3089	Public Conveniences	503	770	790	830
NW3120	Car Parks	112,909	170,310	172,230	177,440
NW3001	Election Expenses	89,887	134,410	134,410	137,060
NW3002	Registration Of Electors	90,722	93,390	93,390	98,580
NW4018	Street Naming And Numbering	-	-	(3,290)	(3,450)
	RESOURCES (Remaining) Total	3,411,629	3,845,750	3,708,540	4,061,160
	RESOURCES (Recharged) Total	-	-	262,450	(4,360)
	Grand Total	11,202,852	12,450,360	12,722,940	13,899,950

All Boards Total	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	4,793,040	14,015,720	14,966,210	9,222,680	950,490
Premises-Related Expenditure	1,433,730	2,002,060	2,060,770	568,330	58,710
Supplies & Services	11,425,780	13,211,680	13,065,710	1,785,900	(145,970)
Transport-Related Expenditure	1,018,680	792,060	750,570	(226,620)	(41,490)
Balance Sheet and Earmarked Reserves	(637,210)	(417,220)	14,570	219,990	431,790
Gross Expenditure	18,034,020	29,604,300	30,857,830	11,570,280	1,253,530
Income	(14,389,990)	(28,286,540)	(29,082,700)	(13,896,550)	(796,160)
Net Controllable Expenditure	3,644,030	1,317,760	1,775,130	(2,326,270)	457,370
Central Support Charges	7,857,290	10,209,290	10,928,930	2,352,000	719,640
Depreciation and Capital Charges	949,040	1,195,890	1,195,890	246,850	-
Net Expenditure (Recharged to Services)	12,450,360	12,722,940	13,899,950	272,580	1,177,010

Community and Environment Board	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	4,359,920	4,271,990	4,731,840	(87,930)	459,850
Premises-Related Expenditure	1,243,520	1,239,120	1,264,570	(4,400)	25,450
Supplies & Services	1,446,780	1,625,510	1,323,020	178,730	(302,490)
Transport-Related Expenditure	1,003,040	768,880	727,200	(234,160)	(41,680)
Balance Sheet and Earmarked Reserves	(385,650)	(385,650)	1,350	-	387,000
Gross Expenditure	7,667,610	7,519,850	8,047,980	(147,760)	528,130
Income	(3,857,850)	(3,733,210)	(3,712,860)	124,640	20,350
Net Controllable Expenditure	3,809,760	3,786,640	4,335,120	(23,120)	548,480
Central Support Charges	2,995,250	2,995,250	3,234,880	-	239,630
Depreciation and Capital Charges	881,360	881,360	881,360	-	-
Net Expenditure (Recharged to Services)	7,686,370	7,663,250	8,451,360	(23,120)	788,110

Development Control Board	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	-	-	-	-	-
Supplies & Services	157,130	397,580	505,920	240,450	108,340
Transport-Related Expenditure	-	-	-	-	-
Balance Sheet and Earmarked Reserves	-	(25,000)	(25,000)	(25,000)	-
Gross Expenditure	157,130	372,580	480,920	215,450	108,340
Income	(859,500)	(899,480)	(829,300)	(39,980)	70,180
Net Controllable Expenditure	(702,370)	(526,900)	(348,380)	175,470	178,520
Central Support Charges	979,230	976,020	1,054,100	(3,210)	78,080
Depreciation and Capital Charges	16,390	16,390	16,390	-	-
Net Expenditure (Recharged to Services)	293,250	465,510	722,110	172,260	256,600

Executive Board	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	450	450	450	-	-
Supplies & Services	133,190	131,390	131,390	(1,800)	-
Transport-Related Expenditure	-	-	-	-	-
Balance Sheet and Earmarked Reserves	(21,370)	(21,370)	(21,370)	-	-
Gross Expenditure	112,270	110,470	110,470	(1,800)	-
Income	-	-	-	-	-
Net Controllable Expenditure	112,270	110,470	110,470	(1,800)	-
Central Support Charges	456,350	456,350	492,860	-	36,510
Depreciation and Capital Charges	-	-	-	-	-
Net Expenditure (Recharged to Services)	568,620	566,820	603,330	(1,800)	36,510

Licensing Board	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	-	-	-	-	-
Premises-Related Expenditure	-	-	-	-	-
Supplies & Services	6,830	6,830	6,880	-	50
Transport-Related Expenditure	3,400	3,400	3,400	-	-
Balance Sheet and Earmarked Reserves	-	-	-	-	-
Gross Expenditure	10,230	10,230	10,280	-	50
Income	(98,660)	(98,660)	(100,310)	-	(1,650)
Net Controllable Expenditure	(88,430)	(88,430)	(90,030)	-	(1,600)
Central Support Charges	144,800	144,800	156,380	-	11,580
Depreciation and Capital Charges	-	-	-	-	-
Net Expenditure (Recharged to Services)	56,370	56,370	66,350	-	9,980

Resources Board (Recharged)	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees		9,118,910	9,635,560	9,118,910	516,650
Premises-Related Expenditure		590,560	605,470	590,560	14,910
Supplies & Services		1,282,390	1,319,770	1,282,390	37,380
Transport-Related Expenditure		7,530	7,420	7,530	(110)
Balance Sheet and Earmarked Reserves		-	-	-	-
Gross Expenditure	-	10,999,390	11,568,220	10,999,390	568,830
Income		(13,339,000)	(14,265,960)	(13,339,000)	(926,960)
Net Controllable Expenditure	-	(2,339,610)	(2,697,740)	(2,339,610)	(358,130)
Central Support Charges		2,355,210	2,446,530	2,355,210	91,320
Depreciation and Capital Charges		246,850	246,850	246,850	-
Net Expenditure (Recharged to Services)	-	262,450	(4,360)	262,450	(266,810)

Resources Board (Remaining)	Approved Budget 2024/2025 £	Outturn Forecast 2024/2025 £	Original Budget 2025/2026 £	Variance Approved to Forecast Budget £	Variance Revised to Original Budget £
Employees	433,120	624,820	598,810	191,700	(26,010)
Premises-Related Expenditure	189,760	171,930	190,280	(17,830)	18,350
Supplies & Services	9,681,850	9,767,980	9,778,730	86,130	10,750
Transport-Related Expenditure	12,240	12,250	12,550	10	300
Balance Sheet and Earmarked Reserves	(230,190)	14,800	59,590	244,990	44,790
Gross Expenditure	10,086,780	10,591,780	10,639,960	505,000	48,180
Income	(9,573,980)	(10,216,190)	(10,174,270)	(642,210)	41,920
Net Controllable Expenditure	512,800	375,590	465,690	(137,210)	90,100
Central Support Charges	3,281,660	3,281,660	3,544,180	-	262,520
Depreciation and Capital Charges	51,290	51,290	51,290	-	-
Net Expenditure (Recharged to Services)	3,845,750	3,708,540	4,061,160	(137,210)	352,620

SUMMARY OF REVENUE REQUIREMENTS

Outturn Budget			Original Budget		
2024/2025 Gross Expenditure	2024/2025 Gross Income	2024/2025 Net Expenditure	2025/2026 Gross Expenditure	2025/2026 Gross Income	2025/2026 Net Expenditure
£	£	£	£	£	£
11,396,460	3,733,210	7,663,250	12,164,220	3,712,860	8,451,360
1,364,990	899,480	465,510	1,551,410	829,300	722,110
155,030	98,660	56,370	166,660	100,310	66,350
27,526,180	23,555,190	3,970,990	28,497,030	24,440,230	4,056,800
568,820	-	568,820	605,330	-	605,330
14,576,200	14,576,200	-	14,998,860	14,998,860	-
176,000	-	176,000	231,250	-	231,250
1,000,000	-	1,000,000	-	-	-
-	2,085,000	(2,085,000)	5,000,000	-	5,000,000
-	729,720	(729,720)	-	1,660,490	(1,660,490)
			-	740,480	(740,480)
56,763,680	45,677,460	11,086,220	63,214,760	46,482,530	16,732,230
	-	4,754,840	1,385,470	-	1,385,470
56,763,680	45,677,460	15,841,060	64,600,230	46,482,530	18,117,700
1,264,313	-	1,264,313		-	-
58,027,993.00	45,677,460	17,105,373.00	64,600,230	46,482,530	18,117,700
		(9,174,000)			(11,484,000)
		(411,000)			(416,000)
		(192,000)			(10,000)
		(13,000)			-
		-			(128,000)
		(824,000)			(642,000)
		(86,000)			(117,000)
		13,480			(2,070)
		6,418,853			5,318,630

North Warwickshire Borough Council Tax Base 2025/26

	Band A disabled	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
No. of dwellings		6,752.00	7,507.00	6,507.00	4,059.00	2,604.00	1,416.00	789.00	81.00	29,715.00
Plus additions		33.25	57.00	53.50	36.50	37.50	11.00			229.00
Less reductions										
Less exemptions	-	(160.00)	(160.00)	(111.00)	(65.00)	(36.00)	(26.00)	(10.00)	(2.00)	(570.00)
Less orig. band for disabled		(34.00)	(57.00)	(54.00)	(54.00)	(39.00)	(20.00)	(17.00)	(4.00)	(268.00)
Plus new band for disabled	34.00	57.00	54.00	54.00	39.00	20.00	17.00	4.00		268.00
(a) Chargeable dwellings	34.00	6,648.25	7,401.00	6,449.50	4,015.50	2,586.50	1,424.00	766.00	75.00	29,145.00
25% discounts	9.00	3,472.00	2,942.00	2,005.00	976.00	487.00	232.00	111.00	13.00	10,247.00
50% discounts - Adjusted due to annexe disc	1.00	12.00	11.00	5.00	6.00	5.00	8.00	7.00	7.00	62.00
Total discounts	10.00	3,516.00	2,980.00	2,038.00	999.00	500.00	251.00	127.00	20.00	10,441.00
(b) Discount deduction	(2.75)	(874.00)	(741.00)	(503.75)	(247.00)	(124.25)	(62.00)	(31.25)	(6.75)	(2,592.75)
Former A exemptions (25%)		5.00	2.00	3.00	2.00	2.00	-	-	-	14.00
Former C exemptions (2 weeks)		12.00	9.00	9.00	3.00	3.00	1.00	-	-	37.00
Total former exemptions (single equivalent)		1.71	0.85	1.10	0.62	0.62	0.04	-	-	4.92
Long Term Empty Premium		20.00	17.00	19.00	14.00	5.00	10.00	9.00	-	94.00
Council Tax Support	8.44	1,240.80	834.33	366.93	116.94	48.46	28.54	9.03	0.93	2,654.40
Band D equivalent	4.54	782.46	635.08	318.09	111.05	56.42	38.70	12.82	1.72	1,960.87
(c) Adjustments	-	-	-	-	-	-	-	-	-	-
(a)-(b)+(c) Net dwellings	23.95	4,521.75	5,826.50	5,575.00	3,647.74	2,415.00	1,307.00	730.00	69.00	26,835.00
Band D equivalents	13.31	3,014.50	4,531.72	4,955.56	3,647.74	2,951.67	1,887.89	1,216.67	138.00	22,357.05
Total Band D		22,357.05								
Collection rate		98.00%								
Taxbase		21,909.90								

UPDATED MEDIUM TERM FINANCIAL FORECAST

	2024/25 Forecast £000	2025/26 Estimate £000	2026/27 Estimate £000	2027/28 Estimate £000	2028/29 Estimate £000
Net Service Expenditure	13,902	14,133	14,312	14,843	15,141
Investment Income	(2,085)	(1,660)	(903)	(833)	(710)
Financing Adjustment	(730)	(740)	(769)	(823)	(726)
Requirement to reduce expenditure- 2026/27	-	-	(500)	(500)	(500)
Requirement to reduce expenditure- 2027/28	-	-	-	(500)	(500)
Capital Reserve	-	5,000	-	-	-
Requirement to reduce expenditure- 2028/29	-	-	-	-	(500)
Net Expenditure	11,087	16,733	12,140	12,187	12,205
Council Tax	(5,155)	(5,319)	(5,533)	(5,755)	(5,986)
NDR Baseline	(2,106)	(2,136)	(2,366)	(2,592)	(2,813)
NDR Multiplier Compensation	(411)	(416)	-	-	-
NDR Above Baseline	(7,068)	(9,348)	-	-	-
New Homes Bonus	(192)	(10)	-	-	-
Revenue Support Grant	(86)	(117)	(120)	(123)	(123)
Service Grant	(13)	-	-	-	-
Recovery Grant	-	(128)	(128)	(128)	(128)
Lower tier Services Grant	-	-	-	-	-
Funding Guarantee Grant	(824)	(642)	(369)	(87)	(87)
Collection Fund (Surplus) / Deficit	13	(2)	1	-	(1)
Use of / (Contribution to) Balances	(4,755)	(1,385)	3,625	3,502	3,067
Balances at the Year End	(11,657)	(13,042)	(9,417)	(5,915)	(2,848)

APPENDIX F**COUNCIL WIDE - RISK ANALYSIS**

	Likelihood	Provision
Income Generation - decrease in fees and charges 10%	High	350,000
Lower vacancies than expected increase in costs due to Interim appointments (provision for vacancies = £200k)	High	200,000
Investment Income - loss of cash flow 10%	Medium	150,000
Further Public Inquiries	High	100,000
Housing Benefit - reduction in subsidy reimbursement	Medium	50,000
Overspending on agreed budget	Medium	150,000
Housing Benefit - Local Authority Error & Overpayments	Medium	50,000
Increased cost of maintaining Corporate Buildings	Medium	50,000
General Contingency	Medium	140,000
Total		1,240,000

Likelihood of Risk

High	100%
Medium	50%
Low	0-10%