

A meeting of the **OVERVIEW AND SCRUTINY (ENVIRONMENT, COMMUNITIES AND PARTNERSHIPS)** will be held in **CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 2 FEBRUARY 2023** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

APOLOGIES

1. MINUTES (Pages 5 - 10)

To approve as a correct record the Minutes of the Overview and Scrutiny Panel (Environment, Communities and Partnerships) meeting held on 5th January 2023.

Contact Officer: B Buddle
01480 388008

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item.

Contact Officer: B Buddle
01480 388008

3. NOTICE OF KEY EXECUTIVE DECISIONS (Pages 11 - 18)

A copy of the current Notice of Key Executive Decisions is attached. Members are invited to note the Plan and to comment as appropriate on any items contained therein.

Contact Officer: H Peacey
01480 388169

4. BUSINESS RATES DISCRETIONARY RATE RELIEF POLICY (Pages 19 - 34)

The Business Rates Discretionary Rate Relief Policy is to be presented to the Panel.

Contact Officer: Z Warren
01480 388461

5. ONE LEISURE AND BURGESS HALL PROGRESS REVIEW (Pages 35 - 36)

To receive a presentation on the progress of One Leisure and Burgess Hall.

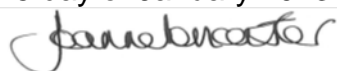
Contact Officer: G Holland
01480 388157

6. OVERVIEW AND SCRUTINY WORK PROGRAMME (Pages 37 - 40)

- a) The Panel are to receive the Overview and Scrutiny Work Programme
- b) Members to discuss future planning of items for the Work Programme

Contact Officer: B Buddle
01480 388008

25 day of January 2023



Head of Paid Service

Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests.

Further information on [Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests is available in the Council's Constitution](#)

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Please contact Mrs Beccy Buddle, Democratic Services Officer (Scrutiny), Tel No: 01480 388008/e-mail Beccy.Buddle@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the [District Council's website](#).

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY (ENVIRONMENT, COMMUNITIES AND PARTNERSHIPS) held in Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Thursday, 5 January 2023.

PRESENT: Councillor J E Kerr – Chair.

Councillors T Alban, M J Burke,
S Bywater, S J Criswell, J E Harvey,
N J Hunt, M Kadewere, C Lowe,
S R McAdam, D J Shaw and G J Welton.

APOLOGIES None.

IN ATTENDANCE: Councillors A M Blackwell, S Cawley,
L Davenport-Ray, I D Gardener, C M
Gleadow and N Wells .

1. MINUTES

The Minutes of the Overview and Scrutiny Panel (Customers and Partnerships) meeting held on 1st December 2022 were approved as a correct record and signed by the Chair.

2. MEMBERS' INTERESTS

Councillor T Alban declared a non-registerable interest in Minute 22/4 owing to his son working for a company which sells electric scooters.

3. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel received and noted the current Notice of Key Executive Decisions (a copy of which has been appended in the Minute Book) which has been prepared by the Executive Leader for the period 1st January 2023 to 30th April 2023.

4. CLIMATE STRATEGY

Members of the Overview and Scrutiny (Performance and Growth) Panel were also invited to attend the meeting and to address the meeting on this Strategy given its anticipated impact across the Council. By means of a report by the Assistant Director Strategic Insight and Delivery (a copy of which is appended in the Minute Book) the Climate Strategy was presented to the Panel.

Councillor Shaw enquired how the Climate Co-ordinator role would be funded and the Panel heard that this was a planned expense for a fixed term role with bidding for a permanent role anticipated and would therefore not draw on the reserves mentioned within the report. Following a further question by Councillor Gleadow, the Panel heard that the role would include monitoring and reporting responsibilities but that any financial decisions would still be made in line with usual Council procedures. The role is seen as a vital part of the Council's journey to net zero carbon, co-ordinating work across service areas as required.

The Panel heard, following a question from Councillor Shaw, that the Climate Strategy had a dual role in both allowing the Council to implement specific changes and also influence others. The Panel also heard that, once approved, the priorities of the Climate Strategy would be incorporated into all Council activities to ensure that any impact on the climate is considered, the development of a new Local Plan for Huntingdonshire was given as an example of where the Council's voice could be used to influence decisions and the impact of others.

In response to a question from Councillor Wells, the Panel heard that the Council had joined a fixed term energy tariff in Autumn 2022 which used 50% renewable energy, it was felt that this was the right decision at the time. The Panel further heard that the creation of an Energy Strategy would enable the Council to continue to make appropriate decisions about energy use and procurement in line with its priorities.

Councillor Cawley enquired whether there was any plan to offset carbon emissions prior to 2040 and the Panel were directed to the Hierarchy of Action diagram on page 9 of Appendix 1. It was advised that as 2040 approaches the Council may need to consider offset options once all other options had been exhausted.

It was queried by Councillor Alban why carbon offset was being seen as a last resort rather than looked at immediately for a quick win. The Panel were advised that the Council's most important role was to set an example to the wider community and that only by wisely using funds to address the source of the issue can a long term sustainable outcome could be achieved.

Councillor Cawley further observed that the planned £100,000 reserve was not a large sum of money considering the aspirations of the Strategy and enquired if there were plans to review the amount. The Panel were advised that in line with the Council's usual financial processes, reserves were able to be carried forward and the Medium Term Financial Strategy would also provide an annual opportunity for review. It was further

stressed that the reserve funds were to enable opportunities rather than implement them.

Following praise for the joint responsibility and ownership being taken by Officers and Executive Councillors, Councillor Cawley enquired whether or not there was a Plan B. The Panel were advised that a pathway of change was being established. The opportunities for how money is spent would inevitably change alongside the solutions available, but business cases would continue to be reviewed annually in order to help maximise opportunities. The Panel were further appraised that regular progress monitoring would ensure that the right technology be employed at the right price.

Both Councillors Hunt and Alban enquired where the quoted residential statistics in Appendix 1 came from. The Panel were advised that the figures were taken from the responses received to a survey of residents and businesses conducted in February 2021 and that the Strategy would be updated to reflect this. It was noted that whilst the response in 2021 had been reasonable, further support from Councillors for future surveys would be appreciated to drive engagement.

In response to an enquiry from Councillor McAdam, the Panel were advised that whilst there had already been an encouraging amount of engagement from Town and Parish Councils, this would continue to be developed to ensure best practice be shared as well as including stakeholders within the annual Climate Conversation. The Panel were further advised that the Council had worked alongside CAPALC to engage with local Town and Parish Councils to ensure involvement from the outset.

Following a question from Councillor Alban on fleet management and replacement, the Panel were advised that the Operations team had strong skills in maintaining the current fleet through good maintenance and recycling parts from decommissioned vehicles into the current fleet.

In response to a further question from Councillor Kerr on the potential move to electrical vehicles in the future, the Panel heard that research is underway to monitor electrical fleet within neighbouring districts and thereby establish best practice for the Council. In addition, it was observed that reducing the amount of waste to be collected across the district would reduce the fuel and potentially fleet required to collect waste. It was clarified, following a question from Councillor Criswell, that no reduction of fleet or collections is planned or would be implemented until there was sufficient reduction in the volume of waste to be collected.

The Panel heard, following a question from Councillor Criswell, that circular recycling is already in use by the Council and that

residents benefit from sustainable solutions. The Council developed that relationship as part of the Cambridgeshire and Peterborough Waste Partnership of collection and disposal authorities (RECAP). The Panel were further advised that the Council would be asking the disposal authorities in RECAP to plan for future waste generated by new technologies such as lithium batteries from electrical vehicles.

Councillor Gleadow highlighted the three Council Key Priorities outlined in Appendix 1 and asked what Priority 3 Procure Wisely would look like. The Panel were advised that an action in the climate action plan is to update the Council's Procurement Rules so that consideration could be given to environmental impact alongside other priorities during the procurement process. The Panel were assured that this adjustment to the Procurement Process was already being developed to allow for implementation as swiftly as possible.

Councillor Alban further queried whether ethical considerations were also considered as part of the procurement process and the Panel were advised that the procurement process allowed Officers to make an informed decision. Where technical questions were unanswered, technical advice could be sought to ensure that the right advice was given at the right time.

Following a question from Councillor Lowe on the inclusion of solar panels in new developments, the Panel heard that the development of a new Local Plan was imminent, and that best practice from other authorities would be considered for inclusion within the new Local Plan.

Councillor Criswell requested that regular monitoring of progress and reporting be brought to the Panel. It was noted that carbon calculations could only be done annually. The Panel were assured that the team would continue to engage with the Climate Working Group and that all further Strategies would be brought through the Democratic Process once ready. It was further noted that regular feedback would also be given on the Action Plan following its implementation.

Following an enquiry from Councillor Gardener, the Panel were advised that climate and environmental goals would be considered in all Council reports going forward. The way this is presented will continue to evolve to enable Councillors to make informed decisions.

Councillor Bywater highlighted the importance of education and enquired regarding planned engagement with the younger generation, as well as engagement with local businesses. The Panel were advised that a Communications Plan was being developed to ensure engagement with communities. In particular, it was noted that the Economic Development Team

were working with local businesses on how to be greener and providing details of available grants and funding.

Councillor Hunt echoed the need to engage with the younger generation and the Panel were advised that although links were already established with Anglia Ruskin University, the Climate Co-ordinator role would also assist in maximising communication with this demographic, with Youth Councils specifically being targeted for engagement.

It was observed by Councillor Alban that tree planting which had been implemented along the A14 had failed in places, the Panel were assured that the Executive Councillor would pass this along to the relevant agencies to action replanting to assist in carbon absorption.

Councillor Alban observed that following comments from the Panel, it would be good to establish yardsticks against which progress and timescales could be measured and requested that the Panel have sight of this to aid future scrutiny and structure. Whilst the Panel were advised that some yardsticks were already included within the report, Councillor Alban observed that this would not be an exhaustive list, he therefore proposed that an additional recommendation be added to encompass this.

In response to a question from Councillor Gardener about information and funding for Parish Councils looking to install Electric Vehicle charging points, the Panel were advised that the team were happy to share any knowledge on the subject and it was further advised that an Electric Vehicle Charging Strategy was in development which would further educate and support on the subject. It was also observed that the annual Climate Conversation needed to include updated funding opportunities as it was recognised that these opportunities could be sporadic.

The report was highly praised by the Panel who thanked Officers and Local Partnerships for their diligence and hard work in the production of the Strategy.

The Panel requested that the Cabinet consider adding the following recommendation to their report;

d) to establish a set of measures against which progress and timescales can be monitored through regular reporting to Overview and Scrutiny.

With the addition of this recommendation, the Panel

RESOLVED

to encourage Cabinet to endorse the remaining recommendations within the report.

5. OVERVIEW AND SCRUTINY WORK PROGRAMME

With the aid of a report by the Democratic Services Officer (Scrutiny) (a copy of which is appended in the Minute Book) the Overview and Scrutiny Work Programme was presented to the Panel.

Whilst discussing items for future agendas, Councillor Criswell enquired if a report could be brought to the Panel encompassing healthcare issues experienced by local residents. The Panel were assured that this was in progress and would be covered in presentations due to be brought to the Panel over the coming months.

Chair

NOTICE OF EXECUTIVE KEY DECISIONS INCLUDING THOSE TO BE CONSIDERED IN PRIVATE

Prepared by: Councillor Sarah Conboy, Executive Leader of the Council
Date of Publication: 9 January 2023
For Period: 1 February 2023 to 31 May 2023

Membership of the Cabinet is as follows:-

Councillor Details		Councillor Contact Details
Councillor S J Conboy	Executive Leader of the Council and Executive Councillor for Place	Cloudberry Cottage 9 Earning Street Godmanchester Huntingdon PE29 2JD Tel: 01480 414900 / 07831 807208 E-mail: Sarah.Conboy@huntingdonshire.gov.uk
Councillor L Davenport-Ray	Executive Councillor for Climate & Environment	73 Hogsden Leys St Neots Cambridgeshire PE19 6AD E-mail: Lara.Davenport-Ray@huntingdonshire.gov.uk
Councillor S Ferguson	Executive Councillor for Customer Services	9 Anderson Close St Neots Cambridgeshire PE19 6DN Tel: 07525 987460 E-mail: Stephen.Ferguson@huntingdonshire.gov.uk

Councillor M Hassall	Executive Councillor for Corporate & Shared Services	Care of Huntingdonshire District Council St Mary's Street Huntingdon Cambridgeshire PE29 3TN Tel: 07825 193572 E-mail: Martin.Hassall@huntingdonshire.gov.uk
Councillor B Mickelburgh	Executive Councillor for Finance & Resources	2 Grainger Avenue Godmanchester Huntingdon Cambridgeshire PE29 2JT Tel: 07441 392492 E-mail: Brett.Mickelburgh@huntingdonshire.gov.uk
Councillor B Pitt	Executive Councillor for Community & Health	17 Day Close St Neots Cambridgeshire PE19 6DF Tel: 07703 169273 E-mail: Ben.Pitt@huntingdonshire.gov.uk
Councillor T Sanderson	Deputy Executive Leader and Executive Councillor for Planning	29 Burmoor Close Huntingdon Cambridgeshire PE29 6GE Tel: 01480 436822 E-mail: Tom.Sanderson@huntingdonshire.gov.uk

Councillor S Taylor	Executive Councillor for Leisure, Waste & Street Scene	66 Wren Walk Eynesbury St Neots Cambridgeshire PE19 2GE Tel: 07858 032076 E-mail: Simone.Taylor@huntingdonshire.gov.uk
Councillor S Wakeford	Executive Councillor for Jobs, Economy and Housing	4 Croft Close Brampton Huntingdon Cambridgeshire PE28 4TJ Tel: 07762 109210 E-mail: Sam.Wakeford@huntingdonshire.gov.uk

Page 13 of 40

Notice is hereby given of:

- Key decisions that will be taken by the Cabinet (or other decision maker)
- Confidential or exempt executive decisions that will be taken in a meeting from which the public will be excluded (for whole or part).

Notice/agenda together with reports and supporting documents for each meeting will be published at least five working days before the date of the meeting. In order to enquire about the availability of documents and subject to any restrictions on their disclosure, copies may be requested by contacting the Democratic Services Team on 01480 388169 or E-mail Democratic.Services@huntingdonshire.gov.uk.

Agendas may be accessed electronically at the [District Council's website](#).

Formal notice is hereby given under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that, where indicated part of the meetings listed in this notice will be held in private because the agenda and reports for the meeting will contain confidential or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. See the relevant paragraphs below.

Any person who wishes to make representations to the decision maker about a decision which is to be made or wishes to object to an item being considered in private may do so by emailing Democratic.Services@huntingdonshire.gov.uk or by contacting the Democratic Services Team. If representations are received at least eight working days before the date of the meeting, they will be published with the agenda together with a statement of the District Council's response. Any representations received after this time will be verbally reported and considered at the meeting.

Paragraphs of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) (Reason for the report to be considered in private)

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the Financial and Business Affairs of any particular person (including the Authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations that are arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the Authority proposes:-
 - (a) To give under any announcement a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an Order or Direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN.

Page 14 of 40

- Notes:-
- (i) Additions changes from the previous Forward Plan are annotated ***
 - (ii) Part II confidential items which will be considered in private are annotated ## and shown in italic.

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Community Chest Grant Aid Awards 2022/23	Grants Panel	1 &15 Feb 2023 1, 15 & 29 Mar 2023		Claudia Deeth, Community Resilience Manager Tel No: 01480 388233 or email: Claudia.Deeth@huntingdonshire.gov.uk		B Pitt & M Hassall	Environment, Communities & Partnerships
Final 2023/24 Budget and Medium-Term Financial Strategy (2024/25 to 2027/28) including Capital Programme	Cabinet	7 Feb 2023		Karen Sutton, Director Finance and Corporate Services Tel No: 01480 387072 or email: Karen.Sutton@huntingdonshire.gov.uk		B Mickelburgh	Performance & Growth

Page 15 of 140

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
2023/24 Treasury Management, Capital and Investment Strategies	Cabinet	7 Feb 2023		Karen Sutton, Director Finance and Corporate Services Tel No: 01480 387072 or email: Karen.Sutton@huntingdonshire.gov.uk		B Mickelburgh	Performance & Growth
Non-Domestic Rates Discretionary Relief Policy	Cabinet	7 Feb 2023		John Taylor, Chief Operating Officer Tel No: 01480 388119 or email: John.Taylor@huntingdonshire.gov.uk		S Ferguson	Environment, Communities & Partnerships
Market Towns Programme - Spring Update	Cabinet	21 Mar 2023		Pamela Scott, Housing Strategy and Delivery Manager Tel No: 01480 388486 or email: Pamela.Scott@huntingdonshire.gov.uk		S Wakeford	Performance & Growth

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Place Strategy	Cabinet	21 Mar 2023		Kate McFarlane, Corporate Director (Place) Tel No: 01480 388719 or email: Kate.McFarlane@huntingdonshire.gov.uk		S Conboy	Performance & Growth
Corporate Plan	Cabinet	21 Mar 2023		Dan Buckridge, Business Intelligence and Performance Manager Tel No: 01480 388065 or email: Dn.Buckridge@huntingdonshire.gov.uk		S Conboy	Performance & Growth
Huntingdonshire UK Shared Prosperity Funding - Update	Cabinet	21 Mar 2023		Kate McFarlane, Corporate Director (Place) Tel No: 01480 388719 or email: Kate.McFarlane@huntingdonshire.gov.uk		S Wakeford	Performance & Growth

Page 17 of 40

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Tenancy Strategy	Cabinet	18 Apr 2023		Pamela Scott, Housing Strategy and Delivery Manager Tel No: 07874 887465 or email: Pamela.Scott@huntingdonshire.gov.uk		S Ferguson	Performance & Growth

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Business Rates Discretionary Rate Relief Policy

Meeting/Date: Overview & Scrutiny (Environment, Communities and Partnerships) – 2 February 2023

Executive Portfolio: Cllr S Ferguson – Executive Councillor for Customer Services

Report by: Council Tax and Business Rates Manager

Ward(s) affected: All

RECOMMENDATION

The Overview and Scrutiny Panel is invited to comment on the Business Rates Discretionary Rate Relief Policy from the Cabinet report attached.

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Business Rates Discretionary Rate Relief Policy

Meeting/Date: Overview & Scrutiny – Environment,
Communities & Partnerships Committee – 2
February 2023
Cabinet – 7 February 2023

Executive Portfolio: Executive Councillor for Customer Services

Report by: Council Tax and Business Rates Manager

Ward(s) affected: All

Executive Summary:

As a Billing Authority, Huntingdonshire District Council (HDC) has the power to set its own Business Rates Discretionary Rate Relief Policy in accordance with Section 47 of the Local Government Finance Act 1988.

Provisions within the legislation allow Billing Authorities to award various types of discretionary relief to qualifying local businesses in order to reduce or remove Business Rates liability.

HDC recognises the importance of businesses to the local economy and the contribution that is made to the community by voluntary, charitable and non-profit making organisations. This policy sets out the qualifying criteria for each of the different types of discretionary relief to ensure support is given appropriately and proportionately.

It will come into effect on 1 April 2023.

Recommendation(s):

The Cabinet is

RECOMMENDED

to approve the Business Rates Discretionary Rate Relief Policy effective from 1 April 2023.

1. PURPOSE OF THE REPORT

- 1.1 The Local Government Finance Act 1988 sets out provision for Billing Authorities to determine a Business Rates Discretionary Rate Relief Policy to provide support to local businesses by reducing or removing Business Rates liability for certain periods of time. In order to do this, a policy has been produced that sets out the different types of relief that can be awarded and the specific qualifying criteria for each relief.
- 1.2 The Council must set out its Discretionary Rate relief policy for the term of the new Local Rating List which is currently expected to be for 3 years from 01 April 2023 – 31 March 2026.

2. BACKGROUND

- 2.1 The current policy came into force on 1 April 2017 with the aim of setting out the types of relief available to businesses for the duration of the Rating List which comes to an end on 31 March 2023. The Valuation office agency has revalued all non-domestic rated hereditaments and assigned a new rateable value to them with effect from 01 April 2023.
- 2.2 This new Rating List comes into effect from that date therefore the policy has been reviewed and amended to ensure that relief is awarded to appropriate businesses. It also reflects the priorities and objectives of the current administration and considers the economic climate.
- 2.3 A minor change to the policy took place earlier in 2022 to include the provision of a time limited relief aimed at supporting businesses affected by the pandemic. That scheme has now ended and has been removed from the proposed policy.

3. KEY IMPACTS

- 3.1 Without careful analysis of the impact of the new rateable values, combined with the “knock on” effects of mandatory reliefs some ratepayers could be unfairly penalised by the resultant changes. The review of the discretionary rate relief policy seeks to address those changes, and smooth any immediate change in rating liabilities which will assist local/rural businesses.
- 3.2 An analysis and forecast of the new rateable values has also been carried out to ensure that when setting our rateable value caps on discretionary relief Huntingdonshire District Council are supporting businesses appropriately and proportionately
- 3.3 As there is a 100% cost to the Council in funding “Localism Reliefs” (section 49, Section 69) it is specifically recommended that these awards are granted in exceptional circumstances. This will be based on the individual merits of an applicant where no other relief is possible and the ratepayer contributes to the amenities of the community and/or the Councils corporate objectives, and it is in the interests of the local Council Taxpayers to do so.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 Annual bills for National Non-Domestic Rates will be processed and issued on 17 March 2023 and the intention is that wherever possible, the bills will reflect the discretionary rate relief applicable.
- 5.2 Government have yet to release the Legislation which contains the details of the Retail Hospitality and Leisure, Supporting Small Businesses and the Rural Rate Relief thresholds for 2023/24. This is anticipated in the New Year, however, because of this delay and the need for ratepayers to make applications (which will then need to be assessed) will mean that annual bills may be processed without relief on the accounts.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND CORPORATE OBJECTIVES

- 6.1 Through use of discretionary rate relief the Council will contribute to its stated aims of developing stronger and more resilient communities, and its work programme of supporting economic growth in rural communities.
- 6.2 Within the boundaries of the legislation these policies will ensure support will be provided to:
- 6.2.1 Charities, Community Amateur Sports Clubs and Non-profit making companies
 - 6.2.2 Local Newspapers, the only Businesses in a Rural Settlement (Public Houses, Village Shops, Petrol Stations, Post Offices)
 - 6.2.3 Viable Local Businesses who are experiencing Hardship, that are local employers
 - 6.2.4 Viable local businesses that are looking to grow, attract investment or employment to the area

7. LEGAL IMPLICATIONS

- 7.1 There is no legal implication other than for the policy to be formally determined in accordance with the legislation, to enable delegated officers to access and grant discretionary rate relief as appropriate to assist in qualifying local ratepayers.
- 7.2 Providing discretionary relief to ratepayers is likely to amount to a subsidy. Any relief provided by local authorities will need to comply with the UK's domestic and international subsidy control obligations. Ratepayers of

organisations and businesses making an application for any relief under this policy must ensure they are compliant with subsidy allowance amounts.

8. REASONS FOR THE RECOMMENDED DECISIONS

- 8.1 The recommendations are based on ensuring continuing support and fairness to qualifying local ratepayers following the revaluation of the rating list, and taking into account other proposed legislative changes from 01 April 2023, whilst smoothing the financial effects of any changes for both the ratepayer and the Council.

9. LIST OF APPENDICES INCLUDED

Appendix 1 - Discretionary Rate Relief Policy – Charites, Community Amateur Sports Clubs and Non Profit Making Organisations.

Appendix 2 - Discretionary Rate Relief – Section 44a, Section 49, Public Conveniences, Local Newspaper Relief, Rural Rate Relief

Appendix 3 – Localism Relief

Appendix 4 – Supporting small businesses and Retail Hospitality and Leisure Relief

Appendix 5 - Decisions, Payment of Accounts, Appeals and Period of award

CONTACT OFFICER

Name/Job Title: Zoe Warren - Council Tax and Business Rates Manager
Tel No: 01480 388461
Email: zoe.warren@huntingdonshire.gov.uk

Huntingdonshire District Council Discretionary Rate Relief Policy Appendices

Appendix 1: Discretionary Rate Relief Policy – Charities, Community Amateur Sports Clubs and Non Profit Making Organisations.

1. This policy is to be used to calculate Discretionary Rate relief for charities and Kindred organisations as prescribed in Section 47 of the Local Government Finance Act 1988 (as amended). The rateable values mentioned relate to values in the 2023 Local Rating List for Huntingdonshire
2. Charities, and registered Community Amateur Sports Clubs are entitled to 80% Mandatory rate relief under Section 43 of the Local Government Act 1988. The council has discretion to award an additional 20% in discretionary rate relief. Approval of up to 20% discretionary rate relief shall take into consideration:
 - The extent their activities must meet the Council's corporate objectives and a demonstratable impact to the local community.
 - The extent to which the organisation is local to Huntingdonshire and the benefits of the Authorities residents.
 - The financial position of the applicant.

The following organisations or premises will not be considered for Discretionary Rate Relief regardless of their status:

- Profit making organisations
 - Administration offices for national charities
 - Overseas aid organisations
 - Charity shops and cafes operated by national charities or associated organisations
 - Housing Associations
 - Private schools, colleges, nurseries or schools
 - promotion of religious belief
 - Organisations operating a restrictive membership policy for which a fee is payable
 - Empty properties
 - Car parking spaces
3. Section 47 - Not-for-profit organisations relief
 - A not-for-profit organisation or kindred organisation is one that is not established or conducted for profit, whose objectives are charitable, but is not registered as a charity with HMRC.
 - Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (excepted premises).

- In awarding discretionary relief, priority will be given to those organisations that provide greatest value to the community as well as considering overall affordability in terms of loss of income to the council.
- The organisation must bring a net social, environmental or economic benefit to the community, and in this way contribute to the sustainable development of the District.
- In addition, it should demonstrate that its activities directly meet a local need, either by contributing to or implementation of the District Councils Corporate objectives.
- Membership should generally be open to all members of the community. Organisations which provide and seek to encourage the use of such facilities to all sections of the community will receive more sympathetic consideration than those, which make no effort.
- Clubs or organisations will not be considered if they have membership rates set at such a high level as to exclude the general community.
- Preference will be given to organisations that provide facilities, which indirectly relieve the Council of the need to do so or enhance and supplement those which it does provide.
- All applications will be considered on the merits of the individual case. Any application will need to be supported with copies of their latest articles of association/memorandum clearly stating the objectives of the organisation along with their latest certified accounts.
- Once granted, relief will be awarded for a fixed period providing there is no change in the organisation's activities.
- Unoccupied properties will not qualify for relief
- The Rateable value limit for this relief is £51,000.

Appendix 2: Discretionary Rate Relief – Section 44a, Section 49, Public Conveniences, Local Newspaper Relief, Rural Rate Relief

Section 44a (part-occupation) Relief

1. Occupation of part of a property is considered occupation of the whole. Where a property is only partly occupied for a short period of time the Council has discretion under Section 44A of the Local Government Finance Act 1988 to award a part empty relief. This is achieved by the council requesting that the Valuation Office Agency (VOA) provide a certificate to certify the rateable value of the occupied and empty areas.
2. Applications will only be considered where the occupied and unoccupied parts can be easily defined and segregated.
3. No award shall be made where it appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purposes of applying for Section 44A relief.
4. S44A relief will not normally be awarded in respect of different operative periods that contain the same area of unoccupied property that existed in preceding operative periods.
5. Rate relief under this section will not usually be awarded where the partial occupation may be considered to arise due to the ordinary day to day nature of the business(E.G the operation of a warehouse).
6. For the purposes of these guidelines a period of up to 12 calendar months shall be considered to be temporary and longer periods shall not be considered temporary.
7. In the absence of a statutory definition of “short time” relief will only be awarded in line with normal empty property limits. I.e., Up to 6 months for all commercially assessed properties and 3 months for all others. *
8. A ratepayer making an application shall provide a plan clearly showing the dimensions of the occupied and unoccupied areas of suitable quality for the VOA to apportion the rateable value(s).
9. All applications will be subject to an inspection to verify the vacant areas, therefore retrospective application will not be considered.
10. Awards of Section 44A relief shall end at the earliest occurrence of one of the following:
 - The end of the statutory period for which empty relief maybe allowed* (See Above)
 - The end of the financial year i.e., 31 March in any year.
 - All or part of the unoccupied area becoming occupied.
 - The whole of the property becoming occupied
 - The ratepayer ceasing to be liable for the property.
 - The Council is unable to verify, following reasonable notice, that the area remains unoccupied.

Section 49 – Hardship Relief

1. The Council has discretion under Section 49 of the Local Government Finance Act 1988 to grant full relief, or part, on the grounds of “Hardship” but must first be satisfied that:
 - The ratepayer would sustain hardship if the Authority did not do so, *and;*

- It is reasonable for the Authority to do so, having regards to the interests of persons liable to pay Council Tax set by it.
2. The ratepayer must submit a comprehensive application, together with all last 2 years audited accounts. (Bank statements) and any other information reasonably required
 3. The application would have to show what action it has already taken to lessen their hardship. This should include, but not limited to:
 - seeking independent professional advice
 - re-negotiating with creditors,
 - re-structuring their business and pricing structure
 - demonstrating a clear business plan is in place to address the hardship.
 4. It would also need to demonstrate what significant detrimental effect on the local community, it would have should it cease to trade. This would include, but not limited to, local employment and the importance of the company to the local area.
 5. Every case will be considered on its own merits, and we will have particular regard to evidence of exceptional or unforeseen circumstances to justify reduction.
 6. Hardship Relief would not be considered in the following circumstances:
 - Where the business is profitable, or where the business has experienced a minor loss in trade in comparison to the annual turnover of the business
 - Where the drawings/remuneration of the Director(s) or proprietor are above a “reasonable” amount.
 - Where the business is new and hardship relief is being requested to fund the initial progression of the business
 - Where the property is empty
 - Where a similar facility is already being provided within the same locality or within a reasonable distance

Public Conveniences

1. In 2021 the Non-Domestic Rating (Public Lavatories) Bill came into force which gives public lavatories 100% relief from business rates, it would apply retrospectively from 1 April 2020.
2. The relief will not apply to toilets of a larger unit of rateable property (a “hereditament”), for example, toilets in public libraries. It amends Part 3 of the Local Government Finance Act 1988 to ensure that, in relation to an eligible hereditament which consists wholly or mainly of a public lavatory, the chargeable amount will be zero.
3. This provides, in effect, a 100% mandatory relief for eligible public lavatories in England and Wales.
4. The relief will be applied automatically to the business rates account.

Local Newspapers Relief

1. This relief is available for office space occupied by local newspapers up to a maximum of one discount per hereditament, per title.
2. The premises must be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters. The relief is not available for magazines.
3. Each application will be considered on its own merits following receipt of a written application
4. Where any other types of relief are applicable to the property, these will be applied first. The relief will be applied against the net bill.
5. The sum of £1,500 relief is limited to a maximum of one discount:
 - Per newspaper title; and
 - Per hereditamentAwards will be made annually, up until 2024/25.

Rural Rate Relief

1. Mandatory Rural Rate Relief is available for post offices, village shops, petrol filling stations and public houses subject to rateable value restriction, where they are the only business of that type in the rural settlement.
2. Properties that will benefit from the relief will be hereditaments that:
 - The sole general store, food shop or post office with a rateable value of up to £8,500 or
 - The sole public house or petrol filling station with a rateable value of up to £12,500
3. The Rural Settlement List is reviewed annually and designates settlements within a rural area which have a population of 3,000 or less. The rural settlement list is published on our website under the business rate relief pages.
4. Where possible ratepayers entitled to relief under this local scheme will be identified by Huntingdonshire District Council. Ratepayers who believe they might be entitled to this relief should contact the Business Rates team.
5. The Government announced in the Autumn Statement on 23 November 2016 that the relief will double from 50% to 100% from 1 April 2017.
6. As a measure the government is not changing legislation, instead local authorities are required to adopt a local scheme and decide each individual case using their discretionary relief powers introduced by the Localism Act (under Section 47 of the Local Government Finance Act 1988).
7. Anyone who is entitled to mandatory Rural Rate Relief will be eligible for the increased level of discount to 100% off their business rates bill.
8. Where a property meets the above qualifying criteria, but the rateable value is above the defined limits but below £16,500 the Council has discretion to award relief.
9. Discretionary relief maybe considered where the rateable value of the property is below £16,500 and
10. The property is used for the benefit of the local community and the award is in the interests of Council Taxpayers.

Appendix 3 Section 69 relief – Localism Act

1. Section 69 of the Localism Act 2011 amends the 1988 Act to allow local authorities the discretion to award rate relief to all types of businesses, The cost of any relief awarded is fully funded by the Local Authority.
2. As the costs of such relief is borne solely by council taxpayers of the borough, it is essential that relief is only given to those ratepayers who will bring significant benefit to the area.
3. Applications for rate relief under this section of the Policy will normally only be considered favourably where the Council is satisfied that an award will result in tangible benefits to local residents and in particular where the award will directly result in attracting businesses, investment or jobs to the local area
4. Every case would be considered on its own merit and any award would be an exception rather than the rule and would be time limited.
5. Written applications will be accepted and reviewed in consultation with the Councils economic development team.
6. Applications will need to be supported by a minimum of:
 - Details of the business and its importance to the local community. Examples could include (but not limited to) the benefits of employment, uniqueness of business, growth
 - Copies of last 2 years accounts
 - Copy of Business Plan
 - Clear reasoning for the request
 - Details of the number of people that are, or who will be, employed by the business that reside in Huntingdonshire. Details of future employment opportunities and business growth
 - Any other evidence that the ratepayer feels supports their application
 - Details of other support received from other sources, or support requested from other sources
7. Any relief granted is at a Maximum of £20,000 and for one financial year only

Appendix 4 Retail Hospitality and Leisure and Supporting Small Businesses

Retail, Hospitality & Leisure

At the Autumn Statement on 17 November 2022 the Chancellor announced the introduction of a new business rates relief scheme for retail, hospitality and leisure properties in 2023/24. This will support the businesses that make our high streets and town centres a success and help them to evolve and adapt to changing consumer demands. The 2023/24 Retail, Hospitality and Leisure Business Rates Relief scheme will provide eligible, occupied, retail, hospitality and leisure properties with a 75% relief, up to a cash cap limit of £110,000 per business.

Hereditaments that meet the eligibility for Retail, Hospitality and Leisure scheme will be occupied hereditaments which meet all of the following conditions for the chargeable day:

they are wholly or mainly being used:

i. as shops, restaurants, cafes, drinking establishments, cinemas or live music venue

ii. for assembly and leisure; or

iii. as hotels, guest & boarding premises or self-catering accommodation

Relief will not be awarded to -

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

- Financial services (e.g. banks, building societies, cash points, bureaux de change, short-term loan providers, betting shops)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, employment agencies, estate agents, letting agents)
- Post office sorting offices

All possible qualifying properties will be identified based on the property description given to an assessment by the Valuation Office Agency, and the relief will automatically be awarded and should show on your annual bill for 2023/24.

To claim the Retail, Hospitality and Leisure relief the business must not have exceeded either the £110,000 cash cap for 2023/24 or the Small Amounts of Financial Assistance limit of £315,000 over 3 years (including 2023/24).

Supporting Small Business Rate Relief

At the 2022 Autumn Statement the Chancellor announced that the 2023 Supporting Small Business (SSB) scheme will cap bill increases at £600 per year for any business losing eligibility for some or all Small Business Rate Relief or Rural Rate Relief at the 2023 revaluation.

Appendix 5 Decisions, Payment of Accounts, Appeals and Period of award

Decisions

Decisions regarding rate relief will be communicated to the ratepayer in writing. If the decision is a refusal of the relief, full reasons for the refusal will be provided in the letter.

Payment of Instalments

Ratepayers must continue to pay any rates that fall due whilst their application is pending. If payments are not received in line with the bill, the Council will continue with its normal recovery procedures to secure payment.

Appeal rights

1. There is no statutory right of appeal against a decision regarding discretionary rate relief unless the decision is so unreasonable that no reasonable person could have reached it ('Wednesbury principles').
2. However, Huntingdonshire District Council recognises that ratepayers should be entitled to have a discretionary decision reviewed if dissatisfied with the outcome.
3. Only the ratepayer or authorised agent may appeal against the decision not to award relief, or the level of relief awarded. Appeals must be made within 14 days of the notification of decision.
4. Appeals must be in writing specifying reasons why a decision should be amended and supported by relevant new or additional evidence. An appeal will be deemed to be discontinued if further evidence requested from the ratepayer has not been received within 14 days of the request.

Period of award

All awards will be for the awarded for the duration of the rating list, from the date awarded on the decision notice, unless there is a change in circumstance. The Council will look to contact recipients for confirmation of entitlement and potential renewal of relief, with the exception of Section 49, Section 69 and Section 44a Relief.

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: One Leisure & Burgess Hall Progress Review

Meeting/Date: O&S (Environment, Communities & Partnerships)
– 02/02/23

Executive Portfolio: Leisure – Simone Taylor (ST)

Report by: Interim Head of Leisure – Gregg Holland (GH)

Ward(s) affected: All

RECOMMENDATION

The One Leisure team will attend Overview and Scrutiny Committee on 02/02/23 to complete a presentation on the progress of One Leisure and Burgess Hall.

The purpose of the presentation is:

- To provide the background of One Leisure to Overview & Scrutiny Committee (OS&C)
- To update OS&C on the One Leisure independent review (2019) and provide a general progress update
- To highlight the key successes that One Leisure have achieved
- Identify key challenges that One Leisure and the overall leisure industry have experienced prior to and during 2022
- To communicate the main elements of the One Leisure forward plan to OS&C highlighting its themes for the next financial year
- To provide a brief on the Head of Leisure role and opportunities for long term planning within One Leisure

The presentation will follow the agenda outlined below:

- Purpose of Presentation
- Background of One Leisure
- Independent Review – 2019 (Recovery Plan)
- One Leisure Progress Review
 - Successes
 - Challenges
 - Progress Review
 - Finances
- Medium Term (Forward Plan)
 - One Leisure Business Strategy 2023 – 2024
 - Facilities Strategy (Built & Playing Pitch)
- Original Head of Leisure Brief
- Long Term Plan

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Overview and Scrutiny Work Programme 2022/23

Performance and Growth

In Progress

Topic	Membership & Scope	Lead Officer	Progress
Review of External Appointments to Outside Organisations	Cllrs S Cawley, S J Corney, I D Gardener and S A Howell	TBC	<p>Summer 2022: Terms of Reference have been established. Questionnaire has been sent to all relevant boards and organisations. Regular meetings are established from September.</p> <p>September 2022: Evidence and information gathering underway.</p> <p>November 2022: Information gathering completed.</p> <p>February 2023: Report presented to O&S Panel and Cabinet</p> <p>Next steps: Plan regular review to monitor implementation of recommendations.</p>

Environments, Communities and Partnerships

In Progress

Topic	Membership & Scope	Lead Officer	Progress
Climate	Councillor T D Alban Councillor J Kerr Councillor C Lowe Councillor D Shaw	Neil Sloper	November 2022: Initial Meetings held to establish Terms of Reference for the group. Next Steps: Regular meetings established. Evidence and information gathering to be progressed.
One Leisure and Burgess Hall	n/a	Gregg Holland	Autumn 2022: The Panel requested an update on future plans for One Leisure and Burgess Hall. February 2023: Business Plan updates for the services will be presented to the Panel
Flooding	n/a	Oliver Morley	Autumn 2022: The Panel requested an update on how effective the measures which were put in place in July 2021 following a Flooding Task and Finish Report have been. Summer 2023: An update will be presented to the Panel.

Warm Spaces	n/a	Liz Smith	<p>Autumn 2022: The Panel requested an update on the Warm Spaces Project.</p> <p>November 2022: The Warm Spaces Project was presented to the Panel.</p> <p>Spring 2023: An update on the Warm Spaces Project will be presented to the Panel following the winter season.</p>
Roman's Edge Lettings Plan	n/a		<p>TBC: An update will be presented to the Panel.</p>

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