



19 February 2021

## CABINET – 1 MARCH 2021

A meeting of Cabinet will be held at 5.30pm on Monday 1 March 2021 via Microsoft Teams.

*Members of the public may view the meeting via the livestream available on the Council's website.*

Mannie Ketley  
Executive Director

### A G E N D A PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 1 February 2021.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

***Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 23 February 2021).

**Growth and Investment Portfolio**

Nothing to report to this meeting.

**Corporate Resources Portfolio**

Nothing to report to this meeting.

**Communities and Homes Portfolio**

Nothing to report to this meeting.

**Environment and Public Realm Portfolio**

Nothing to report to this meeting.

**The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report**

5. Adoption of Tree Policy.

6. Adoption of Pollinator Friendly Policy.

7. Approval of Non-Domestic Rates Return NNDR1 2020/21.

8. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.”

**PART 2 – EXEMPT INFORMATION**

**Growth and Investment Portfolio**

1. GLL Contract Provision (report to follow).

2. World Rugby Hall of Fame (report to follow).

**Corporate Resources Portfolio**

3. Establishment of a Framework Management Agreement.

**Communities and Homes Portfolio**

4. Proposed sale of land at Rosewood Avenue, Rugby.

## **Environment and Public Realm Portfolio**

5. Future Recycling Options: Procurement Update.

**The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report**

6. Write Offs.

***Any additional papers for this meeting can be accessed via the website.***

The Reports of Officers are attached.

### **Membership of Cabinet:**

Councillors Lowe (Chairman), Mrs Crane, Poole, Roberts, Ms Robbins and Mrs Simpson-Vince.

### **CALL- IN PROCEDURES**

*Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.*

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail [claire.waleczek@rugby.gov.uk](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

## Agenda No 5

### AGENDA MANAGEMENT SHEET

**Report Title:** Adoption of Tree Policy

**Name of Committee:** Cabinet

**Date of Meeting:** 1 March 2021

**Report Director:** Deputy Executive Director

**Portfolio:** Environment and Public Realm

**Ward Relevance:** All

**Prior Consultation:** Climate Change Working Group, all elected members, Legal services, Finance, Risk Management, Regulatory services, Planning, external partners.

**Contact Officer:** Chris Worman

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** Yes

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

**(CR) Corporate Resources**  To provide excellent, value for money services and sustainable growth

**(CH) Communities and Homes**  Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public Realm**  Enable our residents to live healthy, independent lives

**(GI) Growth and Investment**  Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

**Statutory/Policy Background:**

A draft Tree Policy was approved by Cabinet in September 2019 and following that decision went to all our partners and the Climate Change working party for further consultation. The policy will help to protect Rugby's trees and green infrastructure for future generations.

Elements of the Tree Policy support the Council in delivering its role in relation to the National Planning Policy Framework.

**Summary:**

Cabinet approved the development of a Tree Policy and proposed consultation. The final Tree Policy is for approval.

**Financial Implications:**

Existing resources are to be utilised to deliver this policy and there are no financial impact in the medium term of adopting the tree policy

**Risk Management Implications:**

A Tree Policy would support the Council to effectively manage the risks associated with its tree stock.

**Environmental Implications:**

A Tree Policy would support the Council's Corporate Strategy priorities of:

- Look after our green spaces and create new ones in quality new developments
- Manage and use green spaces creatively to benefit biodiversity, health and wellbeing
- Involve our residents in caring for their green spaces

A Tree Policy will support the Council's broader work relating to the declaration of a Climate Emergency

**Legal Implications:**

Rugby Borough Council is responsible for the management and maintenance of trees on

Council owned land. It has a responsibility to ensure those trees do not pose a risk to public safety, do not give rise to other health & safety matters and are well managed and maintained. The Tree Policy sets out the Council's approach to managing and maintain its tree stock in furtherance of this responsibility

**Equality and Diversity:**

There are no Equality and Diversity implications

**Options:**

- a) That Cabinet approves the tree policy.
- b) That Cabinet does not approve the tree policy

**Recommendation:**

IT BE RECOMMENDED TO COUNCIL THAT the Tree Policy, as at Appendix 1 to the report, be adopted.

**Reasons for Recommendation:**

Approving the recommendations will support the Council toward ensuring a consistent approach to managing its tree stock and supports our work with the Climate Emergency.

**Cabinet - 1 March 2021**

**Adoption of Tree Policy**

**Public Report of the Deputy Executive Director**

**Recommendation**

IT BE RECOMMENDED TO COUNCIL THAT the Tree Policy, as at Appendix 1 to the report, be adopted.

**1. Introduction**

- 1.1 Currently, there is no policy which sets out the Council's approach to managing its tree stock, responding to customer enquiries regarding trees and the contribution which trees make to broader community wellbeing.
- 1.2 On 7<sup>th</sup> February 2019, the Brooke Overview and Scrutiny Committee considered a light touch review of Trees and Hedges. The committee concluded that the development of a Tree Policy was essential to protect Rugby's trees and green infrastructure for future generations and resolved to recommend to Cabinet that a Tree Policy be developed and adopted by Council
- 1.3 Cabinet received the draft Tree Policy at cabinet on 2nd September 2019 and agreed for the policy to go out to our partners for consultation.
- 1.4 Whilst the pandemic has delayed this work further consultation has been undertaken via the Climate Change working group along with all members. The final policy was presented to the Climate Change working group on 10th December 2020 with a subsequent recommendation to take the policy to cabinet for approval.
- 1.5 The policy at Appendix 1 is the final agreed version.

**2. Consultation**

- 2.1 The draft Tree Policy was circulated to the following partners for consultation.

Warwickshire County Council  
Rugby Borough Council Planning Services team  
Rugby Borough Council Legal Services team  
The Woodland Trust  
The Warwickshire Wildlife Trust  
All elected members  
RBC Climate Change Working Group.

2.2 The policy seeks to provide a consistent approach to trees in a number of key areas, including:

- Management and inspection of trees on Council owned land, including tree planting
- Advice and guidance in relation to requested remedial tree works.
- Wildlife and conservation
- Vandalism and antisocial behaviour
- The Council's management of trees in relation to planning applications
- Tree preservation orders (TPOs)
- Hedgerow regulations and management

### **3. Consultation Comments**

Comments were received and added into the policy from the following groups and organisations.

- Warwickshire County Council
- Rugby Borough Council Planning Services
- Rugby Borough Council Legal Services
- Rugby Borough Council elected members
- Climate Change Working Group. ( RBC)
- The Woodland Trust
- The Warwickshire Wildlife Trust

**Name of Meeting:** Cabinet

**Date of Meeting:** 1 March 2021

**Subject Matter:** Tree Policy

**Originating Department:** Environment and Public Realm

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>



# Draft Rugby Borough Council Tree Policy

September 2019

**David Gower - Arboricultural Officer BSc, HND, Arb MArborA LANTRA accredited Professional Tree Inspector (Rugby Borough Council)**

## Contents

### Policy Framework

1. Introduction
2. Purpose
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4. Management and inspection of trees on land owned by Rugby Borough Council
5. Tree Planting and felling
6. Communication and publicity
7. Public enquiries
8. Wildlife and Conservation
9. Subsidence
10. Trees in the planning system
11. Tree Preservation Orders (TPO)
12. Trees in Conservation areas
13. Hedgerow regulations (1997)
14. High Hedges legislation (2005)
15. Useful work by residents
16. Partnerships
17. Action Plan
18. Useful information

## 1.0 Policy Framework

### 1.1 National Policy

The National Planning Policy Framework (produced by the Ministry of Housing, Communities and Local Government in 2011) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system to perform a number of roles focused on the protection and enhancement of the natural environment.

### 1.2 Local policy and Rugsbys vision for the future of trees

The Council is committed to sustainable development and improving the environmental wellbeing of the borough, through the services that we provide and by reducing the adverse effects of our own actions.

Our Corporate Strategy commits us to enhancing our open spaces and making them places where people want to be. This commits the Borough Council to;

- Look after our green spaces and create new ones in quality developments
- Manage and use green spaces creatively to benefit biodiversity, health and wellbeing
- Involve residents in caring for their green spaces.

The declaration of the recent Climate Emergency and the emerging action plan will have a significant impact on this Strategy. ( see section 4)

### 1.3 Policy Statement

The Council aims to raise the profile, value and appreciation of trees in the borough, to improve understanding of tree issues and manage expectations. We will: manage and enhance the urban tree stock in accordance with good arboricultural practice; improve the protection given to trees to ensure the character of localities is preserved; raise the level of tree cover to realise the many benefits of trees and to mitigate against the effects of climate change; minimise the incidence of tree-related subsidence; and improve the handling of insurance claims; reducing the inconvenience caused to residents and the financial implications for the Council. The council recognises that it must seek to achieve these aims in the context of financial constraints. Wherever possible, we will take up opportunities to seek external funding to support the planting of new and replacement trees. We aim to be open about this reality in our relations with the residents we serve.

## 2. Introduction

Rugby's trees are of considerable cultural, aesthetical, and biological asset within the borough with numerous public benefits including:

Improved visual amenity

Increased biodiversity

Air quality, including Carbon dioxide (CO<sub>2</sub>) and Nitrogen dioxide (NO<sub>2</sub>) absorption

Rainfall interception and decreased surface run-off

Heritage associations

Social and economic factors

Mitigating the effects of climate change

Providing shade during hot weather

Providing a local source of fruit

Providing an attractive landscape / public realm

Rugby borough benefits from a diverse arboricultural resource, both in its urban and rural areas, for the enjoyment of all.

The council intends to manage its trees so that they make a positive contribution to the locality, are reasonably safe and do not cause excessive nuisance. Equally we wish to see more people benefit from the presence of trees by ensuring a more equal distribution of tree cover across the town and wider borough.

Trees are dynamic organisms where health and condition may fluctuate, especially in densely populated areas. It is therefore important that a management program is in place to ensure that Rugby Borough Council meets its duty to take reasonable care of its tree stock through regular tree inspections and implementation of tree works where identified.

Rugby Borough Council is responsible for tens of thousands of trees across 162 Parks and open spaces and housing sites along with 4 cemeteries and a Crematorium. Rugby Borough Council are not responsible for trees located within Warwickshire County Council street verges.

Trees in private ownership are the responsibility of the private landowner.

### **3. Purpose**

The overall aim of the tree policy is to ensure that the Council's tree stock is retained, enhanced and increased in the most proactive manner whilst ensuring the health, safety and well being of the public and property.

This policy is intended to provide direction and ensure a consistent approach to trees in a number of key areas, including:

- The management and inspection of trees on Council owned land, including tree planting
- Advice and guidance in relation to requested remedial tree works.
- Vandalism and antisocial behaviour
- The Council's management of trees in relation to planning applications

- Tree preservation orders (TPOs)
- Hedgerow regulations and management

#### 4. Climate Emergency

Rugby Borough Council declared a climate emergency at a meeting of the Council held on Thursday 18 July 2020 and follows the United Nations Intergovernmental Panel on Climate Change 'Special Report on Global Warming' (2018) and The Committee on Climate Change's report 'Net Zero – the UK's contribution to stopping global warming' (May 2019).

This recognises the importance of this issue and the role which the Borough Council has in responding to climate change. To demonstrate this the Council has committed to be carbon neutral by 2030, along with, calling on Central Government to provide the powers and resources to enable Rugby Borough Council to help deliver the UK's carbon reduction target.

Trees, hedges and woodland clearly have a major part to play in this commitment.

#### 5. Management and inspection of trees on land owned by Rugby Borough Council

The Council is responsible for the management of trees on upwards of 162 sites containing tens of thousands of trees on public open spaces, cemeteries, or housing land. Trees which the Council is responsible for are routinely inspected every 3 to 5 years.

Tree inspections are carried about by a qualified Arboricultural Officer and Tree inspector. The aim of tree inspections is to assess the condition of the trees in relation to its site context and frequency of use. Tree inspections are carried out using a web-based computer management program where data is recorded, and any subsequent tree works recommendations which are highlighted are programmed to be carried out and sent to the tree works contractor to be undertaken according to the level of priority and urgency.

##### 4.1 Examples of where tree works will take place will include the following;

- Annual removal of basal growth from 700 limes located around the urban area.
- Pruning of lower branches (crown lifting) to facilitate access of pedestrians and vehicles.
- Crown reduction to lessen the sail area of a defective tree to lessen the chance of stem/branch failure.
- Removal of dead or dangerous trees.
- Removal of major dead wood (where it poses a health and safety threat\*).
- The removal or pruning of trees where its relationship to a property causes excessive problems, for example tree canopy is growing in to the side of the property and causing direct damage.

- Stump removal to facilitate new planting. Stumps maybe left en-situ and poisoned in areas where they are not deemed a trip hazard.
- \* It is important to acknowledge the retention of dead wood is important in that it is as valuable as live wood for wildlife as long as there is no safety threat.

## 6. Tree Planting & Felling

The council is committed to maintaining and increasing the tree cover across the district. The Council will, subject to resources, encourage additional new tree planting throughout the borough. Planting will normally have priority in areas lacking trees and/or deficient in open green space, but the Council encourages new trees on all its sites and welcomes all requests and suggestions from the public.

Any increase in the borough's tree population will assist the authority in dealing with the effects of climate change and provide a greater resource for residents and visitors.

Through new tree planting the Council will seek to diversify the species mix within sites, to ensure a balance of amenity and wildlife value and mitigate the risks that monoculture and climate change present for tree management. The role of trees is more important than ever in mitigating the effects of climate change, which itself presents a threat to tree health. In recent years we have seen the rapid spread of pests and diseases internationally and the threat to trees is becoming greater. Examples include horse chestnut leaf miner, and ash dieback.

The spread of new species-specific diseases to the UK emphasises the importance of species distribution.

To ensure the continuity of the borough's urban tree stock the Council will seek to increase the variety of species within each site. Without this diversity some areas of the borough could be at risk of losing their tree cover altogether.

New trees are planted where appropriate (including the introduction of urban woodland planting) and planted 2-4 metres tall which make an immediate impact and are more resilient to vandalism.

Tree felling is seen as a 'last resort' operation and will only be carried out when deemed necessary by the Arboricultural Officer, for example for those trees deemed to present an

unacceptable health and safety risk. We therefore have a presumption in favour of retention of trees except where there are overriding arboricultural or health and safety considerations

Where trees are removed we advocate the planting three or more trees for every tree removed, preferably as close to the site of the original tree as possible

As part of good arboricultural management the removal of trees will be carried out when the removal will benefit the long-term development of adjacent better quality trees i.e. woodland and copse management. Furthermore, formative pruning may be carried out following the Arboricultural Officer's inspections.

Tree planting is essential to ensure sustainability and to maintain or increase the tree population

### **7. Communication and Publicity**

The Council strives to increase the level of public awareness of our tree resource, by encouraging proactive communications on tree related matters.

Where it is proposed that major defective trees (i.e. those which are likely to cause public interest) are removed these will always be publicised and ward councillors will be given an opportunity to comment.

### **8. Public enquiries**

Trees can be very emotive and can cause conflict with the general public whom may raise issues in relation to perceived light loss, the nuisance of overhanging branches or issues with nesting birds and associated excrement for example.

Rugby Borough Council do receive a considerable volume of public enquires which can result in a strain in resource considering the volume of sites under its management. In 2018 625 public enquires were received in relation to trees on Rugby Borough Council owned land. Enquiries can rise sharply in response to adverse weather events which periodically occur for example wind and snow.

A robust tree inspection regime and tree works maintenance program goes some way to lowering the amount of tree enquiries. Also, consideration to planting the right tree in the right place is vitally important so trees can co-exist successfully with properties in close proximity.

Following an enquiry, a response will be provided within 20 working days of receipt with details of any proposed action.

### 8.1 Felling or pruning will not be carried out for the following reasons;

- Blocking light
- Television or satellite signals
- Leaf, fruit or nut drop
- Blossom
- Unfounded allegations of subsidence or direct damage
- Perceived threat that the tree is “too big”
- Bird droppings
- Aphids/sap
- Individuals medical conditions
- Residents do not like the tree
- Overhanging branches in resident’s gardens unless proven to be causing direct damage to property (residents have a common law right to prune overhanging branches back to the boundary line only).
- Construction of dropped kerbs or new driveways
- To improve a view
- To remove or reduce incidence of bees, wasps or wild animal.
- Telephone wire in tree

The above list is not exhaustive, but represents a large number of the customer enquiries/complaints that Rugby Borough Council receive. To prune/remove trees for these reasons alone is not sustainable, practicable or beneficial for long term tree management goals.

## 9. Wildlife and Conservation

Rugby Borough Council must adhere to a number of wildlife and conservation laws for example, The Wildlife and Countryside Act 1981 as amended by the Countryside Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2010 which places legal obligations on the protection of wildlife species and habitats. Trees and woodlands are important wildlife habitats.

A defective tree with decay cavities can provide a good habitat for birds and bats as well as many other microorganisms. Therefore, it is important trees are checked prior to removal especially if there is potential for bat activity etc. Bats and their ‘roost’ sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and

Species Regulations 2010, the latter of which deems them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used.

The authority recognises the different levels of risk represented by a defective tree. For a defective tree with higher level of probability of failure its retention may be deemed appropriate in the interests of biodiversity in areas where there is a low frequency of usage e.g. within a woodland setting away from a defined public footpath.

## 10. Subsidence

Subsidence is a complex interaction between the soil, building, climate and vegetation that occurs on highly shrinkable clay soils when the soil supporting all or part of a building dries out and consequently shrinks, resulting in part of a building moving downwards. Trees lose water from the leaves through transpiration that is replenished by water taken from the soil by the roots. If the tree takes more water from the soil than is replaced by rainfall the soil will gradually dry out. Trees have a large root system and they can dry the soil to a greater depth, critically below the level of foundations. The amount of water trees can remove from the soil can vary between different species.

If it is believed that a property is suffering (or could potentially suffer from) subsidence damage due to the action of trees in council ownership/managed by the council, property owners are advised to contact their property insurer in the first instance to discuss these concerns and agree an appropriate course of action.

Should property owners, wish to make a claim for damages against the council, alleging that a council owned/managed tree is causing subsidence damage, then they should contact the Rugby Borough Council Legal Service Department

## 11. Trees in the planning system

Rugby has seen significant urban growth in recent years. This can put pressure on existing tree stock. Indeed, many potential development sites contain trees, many of which have the potential to enhance a proposed development. Some may be at risk of removal to facilitate a planning proposal.

Trees are a material consideration in relation to a development proposal and must be assessed in accordance to [BS 5837:2012](#) Trees in relation to design, demolition and construction – Recommendations.

If there are trees established within a site proposed for development the developer is required to consider this within an [BS5837:2012](#) Tree report to include an arboricultural Implications Assessment. Trees established outside the proposed development site and

within 10m of the boundary may also be required to be considered within an Arboriculture Implications Assessment in line with [BS 5837:2012](#).

An Arboriculture Implications Assessment must be undertaken by an individual qualified and experienced in arboriculture and development.

Where trees are agreed to be removed so as to accommodate an approved development the applicant will be required to submit for approval a new landscape scheme. Applications are based on a case by case basis, looking at site context and potential landscaping issues in terms of proposed tree losses, screening, visual amenity and biodiversity. Carefully selected provision of new tree planting can greatly enhance a new development.

All new landscape schemes must also include an appropriate maintenance programme to include: weed control, watering regime, checking, adjustment and removal of support systems, mulching and replacement of any trees/plants that fail to establish during the initial 5 or 10-year period post planting.

It may be deemed appropriate to protect trees by a virtue of a Tree Preservation Order (TPO) and a considerable volume of TPO's have been served over recent years.

If specific trees are being retained within a development scheme it is important to ensure they are successfully incorporated to ensure tree(s) and the new built form can co-exist with minimal or no direct impact upon each other and as per the recommendations of [BS5837:2012](#).

Some planning applications may be accompanied by a Landscape and Visual Assessment which identify the effects of new developments (i.e. where there will be a change resulting from development) on views and on the landscape itself, looking at the existing landscape character, its sensitivity, condition and its ability to except change. We will assess these as per the Guidelines for Landscape and Visual Impact Assessment (GLVIA) and respond as appropriate, possibly suggesting mitigation planting to lessen the visual impact of a design proposal.

## **12. Tree Preservation Orders (TPO)**

A tree preservation order is used to protect those trees where it is deemed expedient in the interests of visual amenity to do so especially where it is considered that a specific high value tree or trees maybe at risk from removal. For example, a mature tree in good condition which is highly visible from a public place and makes a considerable positive contribution to the character of local area may be considered for a TPO especially if it is at risk from removal as a result of a planning application.

Rugby Borough Council currently administers 410 Tree Preservation orders across the borough. The earliest was made in 1951. Over half of these TPO's have been made in the last 14 years. A TPO may contain one tree or thousands within a woodland.

TPO's are usually made on trees on private land. If a land owner wishes to prune or remove a protected tree they must make an application to the council to do so and await formal written permission.

On average Rugby Borough Council receive 127 tree works applications per annum, including notifications of tree works in conservation areas.

For tree works applications where there are concerns regarding the condition of the tree or there is alleged damage to property, applicants must submit written arboricultural advice or other diagnostic information from an appropriate expert. Similarly, if a tree is implicated in a subsidence claim or other structural damage a report by an engineer or surveyor (to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals) and a report from an arboriculturist must be submitted to support the tree work proposal.

It is an offense to remove or prune a protected tree without written permission. There have been recent cases where Rugby Borough Council have prosecuted because of unlawful removal of trees and will continue to do so if Tree Preservation Orders are violated.

### **13. Trees in Conservation areas**

Conservation areas protect areas of special architectural or historical interest and the Council has extra powers to control development. Rugby currently has 19 conservation areas across the borough which also enjoy diverse tree cover and contribute to the overall character and quality of those areas.

It is an offence to cut down, uproot, top, lop deliberately destroy or damage a tree in a conservation area. Tree owners must give the council 6 weeks written notice of their intentions. This is called a "section 211" notice. The Council then have 6 weeks to decide whether to allow works to proceed or stop the works by placing a TPO on the subject tree(s). A TPO would be made if the impact of proposed tree works/removal are likely to have an adverse impact on visual amenity in the local area.

We will respond to trees in Section 211 notices for works in a conservation area and hedgerow notifications within 6 weeks.

### **14. Hedgerow regulations (1997)**

These regulations intend to protect important countryside hedges from destruction or damage. Land owners whom wish to remove countryside hedge must give the Council 6

weeks written notice by submitting a Hedgerow removal notice. The Council must then decide if that hedgerow is “important” by virtue of its ecological and historical significance.

We will respond to hedgerow removal notifications within 6 weeks.

### **15. High Hedges legislation (2005)**

The high hedges legislation gives the Council powers under the Anti-Social behaviour Act to serve notice on the owners of nuisance hedges where the hedge has been judged to be affecting the reasonable enjoyment of a complainant’s property by assessing the effect of light loss to gardens and windows.

### **16. Useful work by residents**

Some residents have in the past asked how they can enhance the utility of trees, for example by removing low hanging leaves from trees. It is important to remember that there are significant health and safety and legal implications when working on trees and this needs to be carefully considered on a case by case basis. Any unlawful and unauthorised work to any Council owned tree is liable to lead to legal action.

However we are grateful to any resident who can assist with any of the following:

- Apply water to any tree, particularly young saplings.
- Loosen any tree ties that have become too tight.
- Report any pests and diseases
- Sponsor a new or replacement tree

### **17. Partnerships**

We will continue to work in partnership with a number of bodies including;

- Warwickshire Wildlife Trust on a number of sites including the Great Central Way, Swift Valley Country Park, Windmill Spinney, Newbold Quarry and Cock Robin Wood.
- The Woodland Trust and Forestry Commission for the recent planting of new woodland planting across the borough.
- DEFRA
- Groundwork West Midlands
- Conservation Volunteer Trust
- Warwickshire County Council forestry and ecology department
- Birmingham City Council arboricultural services
- Various “friends of” parks groups and volunteers

Partnership work can involve a variety of tasks from trees planting and coppicing to the installation of bat/bird/swift boxes.

## 18. Action Plan.

Following consultation the following action plan has been developed in line with The Woodland Trusts Tree Emergency Plan.

Action	Timescale	Potential partners
<p><b>1a. Assess current tree canopy cover.</b> This survey should take account of tree size, age, species diversity, sustainability and resilience.</p> <p><b>1b. Set a target for increasing tree canopy cover informed by the work above.</b></p>	2024	WCC, RBC  WCC, Woodland Trust, Trees for cities
<p><b>2. Identify, map and protect ancient woods, veteran trees and others of valued wildlife habitat.</b> Ensure they are on national and local inventories.</p>	2024	WCC RBC Natural England
<p><b>3. Identify what land we have available for native woodland creation and tree planting.</b> (other public sector organisations schools, housing associations, NHS etc...) to bring forward a comprehensive assessment for the area that includes constraints (such as other priority habitats).</p>	2022	RBC, Woodland Trust. Warwickshire Wildlife trust
<p><b>4. Understand what contribution existing woodland and trees, and their expansion, will have in meeting our climate change and biodiversity commitments.</b></p>	2022	RBC, WCC
<p><b>5. Understand any sources of funding.</b></p>	Ongoing annually	RBC
<p><b>6. Ensure we have enough qualified staff, contract or partner resources available to implement our targets</b></p>	Bi annual	RBC, WCC
<p><b>7. Commit to planting with United Kingdom sourced and grown trees.</b> (Consider how we can support local production of trees for instance via a local tree nursery. )</p>	2021	RBC, WCC, Woodland Trust, Natural England
<p><b>8. Commit to procuring UK sourced timber</b> from FSC (sustainable) sources and encourage use of hardwood timber sourced from existing and new woodland in the area.</p>	2021	RBC
<p><b>9. Actively involve community groups, schools and volunteers in creating and delivering the targets.</b></p>	2021	RBC, Schools, community groups, Youth Council
<p><b>10. Implement planning policies to</b> secure delivery of 30% tree canopy cover on all new developments. (Further guidance is available from the WT)</p>	2022	RBC, WCC, Woodland Trust
<p><b>11. Protect ancient woods and trees,</b> ensure our authority's planners know they must be retained and protected. (Further guidance is available from the WT)</p>	2021	RBC, WCC, Woodland Trust

## 19. Useful Information source

England's Trees, Woods and Forests' (2007)

<http://www.greeninfrastructurenw.co.uk/climatechange/doc.php?docID=107>

National Planning Policy Framework (NPPF) 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

Tree Preservation Order

[https://www.planningni.gov.uk/8pp\\_tree\\_preservation\\_order\\_lores.pdf](https://www.planningni.gov.uk/8pp_tree_preservation_order_lores.pdf)

Town and Country Planning Act 1990

[http://www.legislation.gov.uk/ukpga/1990/8/pdfs/ukpga\\_19900008\\_en.pdf](http://www.legislation.gov.uk/ukpga/1990/8/pdfs/ukpga_19900008_en.pdf)

Town and Country Planning (Tree Preservation) Regulations 2012

[http://www.legislation.gov.uk/uksi/2012/605/pdfs/uksi\\_20120605\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/605/pdfs/uksi_20120605_en.pdf)

The Woodland Trust

<https://www.woodlandtrust.org.uk>

**AGENDA MANAGEMENT SHEET**

**Report Title:** Adoption of Pollinator Friendly Policy.

**Name of Committee:** Cabinet

**Date of Meeting:** 1 March 2021

**Report Director:** Report of the Deputy Executive Director

**Portfolio:** Environment and Public Realm

**Ward Relevance:** All

**Prior Consultation:** Climate Change Working Group, all elected members, Legal services, Finance, Risk Management, Regulatory services, external partners.

**Contact Officer:** Chris Worman

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** Yes

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

**(CR) Corporate Resources**  To provide excellent, value for money services and sustainable growth

**(CH) Communities and Homes**  Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public Realm**  Enable our residents to live healthy, independent lives

**(GI) Growth and Investment**  Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

**Statutory/Policy Background:**

The Climate Emergency Working group has identified a number of work strands in support of the Borough Councils response to declaring a climate emergency. The Pollinator Friendly Policy is therefore a key document to help to start to address the mass decline in pollinating insects.

**Summary:**

The Pollinator Friendly policy (attached at Appendix 1) sets out the Borough Council's commitment to change the management of some areas on our green spaces to promote pollinators. This document will form the basis for future funding opportunities to assist in the transformation of spaces into pollinator rich environments.

**Financial Implications:**

Existing resources are to be utilised to deliver this policy and there are no financial impact in the medium term of adopting the Pollinator Friendly Policy.

**Risk Management Implications:**

A Pollinator Friendly Policy would support the Council to reduce the impacts associated with the loss of pollinating insects.

**Environmental Implications:**

A Pollinator Friendly Policy would support the Council's Corporate Strategy priorities of:

- Look after our green spaces and create new ones in quality new developments
- Manage and use green spaces creatively to benefit biodiversity, health and wellbeing
- Involve our residents in caring for their green spaces

A Pollinator Friendly Policy will support the Council's broader work relating to the declaration of a Climate Emergency

**Legal Implications:**

The adoption of a Pollinator Friendly Policy assists Rugby Borough Council in complying with its duties under s.40 of The Natural Environment and Rural Communities Act 2006 as detailed in the main body of the report"

**Equality and Diversity:**

There are no Equality and Diversity implications

**Options:**

- a) That Cabinet approves the pollinator friendly policy.
- b) That Cabinet does not approve the pollinator friendly policy

**Recommendation:**

IT BE RECOMMENDED TO COUNCIL THAT the Pollinator Friendly Policy, as at Appendix 1 to the report, be adopted.

**Reasons for Recommendation:**

Approving the recommendations will support the Council Climate Emergency work.

**Cabinet - 1 March 2021**

**Adoption of Pollinator Friendly Policy**

**Public Report of the Deputy Executive Director**

**Recommendation**

IT BE RECOMMENDED TO COUNCIL THAT the Pollinator Friendly Policy, as at Appendix 1 to the report, be adopted.

**1. Introduction**

Currently, there is no policy which sets out the Council's approach to managing its parks and green spaces in a pollinator friendly manner.

The Government published its 25 year Environmental Plan in January 2018 in which it sets out how it aims to improve the environment over a generation by creating richer habitats for wildlife, improving air and water quality and curbing the scourge of plastic in the world's oceans.

In June 2019, this Council declared a local climate emergency and established the Climate Emergency Working Group to identify areas of work to address the impacts and effects of climate change.

A final draft Pollinator Friendly policy was considered by the Climate Emergency Working Group on 10<sup>th</sup> December 2020 with a subsequent recommendation for Council to adopt the policy.

Our environment underpins our wellbeing and prosperity and so it is vital to ensure that pollinators can thrive, so they can carry out their essential service to people of pollinating flowers and crops, while providing other benefits for our native plants, the wider environment and food production.

**2. Policy**

The purpose of the pollinator friendly policy is to highlight the importance of ensuring that all of the Council's activities meet the requirements placed upon all local authorities under The Natural Environment and Rural Communities Act 2006 often referred to as NERC. Section 40 of the Act requires local authorities and government departments to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision-making. 'Conserving biodiversity' may include enhancing, restoring or protecting a population or a habitat.

This policy forms part of our commitment to increasing biodiversity on our green spaces as identified in the Borough Council's Green Space Strategy.

In line with the above, the following key priorities contained within the report are;

- Ensure our operations do not have a negative impact on pollinators and the wider environmental eco system.
- To manage Public Green Spaces to ensure a mosaic of habitats and environments are provided, adopting a landscape level approach to conservation.
- Ensure that all planning and development decisions take account of environmental and sustainability considerations and ensure Rugby is a Bee-Friendly Town with suitable habitats in every ward.
- Encourage Parish Councils to develop pollinator friendly parishes.
- Ensure relevant educational material is provided to support Pollinator Friendly RugBEE

The Policy contains an operational plan providing an outline programme of work to help deliver a step change in the way we consider, protect and enhance Rugby's Biodiversity.

**Name of Meeting:** Cabinet  
**Date of Meeting:** 1 March 2021  
**Subject Matter:** Adoption of Pollinator Friendly Report  
**Originating Department:** Environment and Public Realm

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

## Rugby Borough Council

### Pollinator Friendly RugBEE 2020-2025

The purpose of this policy is to highlight the importance of ensuring all our activities meet the requirements placed upon all local authorities under The Natural Environment and Rural Communities Act 2006 often referred to as NERC. Section 40 of the Act requires local authorities and government departments to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision-making. 'Conserving biodiversity' may include enhancing, restoring or protecting a population or a habitat.

In June 2019 The Borough Council also declared a local climate emergency further committing ourselves to addressing the state of our environment.

Rugby Borough Councils Corporate Priorities for the Environment and Public Realm;

#### **Enhance our local, open spaces to make them places where people want to be.**

Many of our residents and communities derive significant health, wellbeing and recreational benefits from the varied green spaces we have. The local communities that surround or use them are interested in being actively involved in caring for their green spaces and we have seen the number of volunteers helping to care for those open spaces increase each year. It is important that we continue to promote creative ways of using and managing our green spaces.

#### **To do this we will:**

- Look after our green spaces and create new ones in quality new developments
- Manage and use green spaces creatively to benefit biodiversity, health and wellbeing
- Involve our residents in caring for their green spaces

This policy forms part of our commitment to increasing biodiversity on our green spaces as identified in the Borough Council's Green Space Strategy.

In line with the above, arrangements are now being made to deliver the following key priorities:-

- ☼ Ensure our operations do not have a negative impact on pollinators and the wider environmental eco system.
- ☼ To manage Public Green Spaces to ensure a mosaic of habitats and environments are provided, adopting a landscape level approach to conservation.
- ☼ Ensure that all planning and development decisions take account of environmental and sustainability considerations and ensure Rugby is a Bee-Friendly Town with suitable habitats in every ward.
- ☼ Encourage Parish Councils to develop pollinator friendly parishes.
- ☼ Ensure relevant educational material is provided to support Pollinator Friendly RugBEE

To deliver these priorities the Parks and Grounds Service will consult with our partners, volunteers and ward Cllrs. The objective being to support the best operational methods that will deliver all the above priorities without any compromise or contradictory operational practices.

The following operational plan provides details regarding the service operational deployment and our outline programme of work.

To help deliver a step change in the way we consider, protect and enhance Rugby's Biodiversity the Council has already taken steps to align its policy framework as follows:-

**Policy:-**

- ☼ The Council has declared a Climate Change and Ecological Emergency.
- ☼ The Council has established a Climate Change working party to identify, prioritise and scrutinise areas of change.
- ☼ Signatories to the West Midlands Biodiversity Action Pledge
- ☼ Corporate membership of the Warwickshire Wildlife Trust.

**Operational Plan Aims and Objectives:-**

The Pollinator Programme 2020/25 has very clear aims and objectives.

- To ensure Rugby is a Bee-Friendly Town
- To have suitable habitats in every ward and improve connectivity between habitats
- Improve Biodiversity value across the Town
- Reduce Carbon Footprint

**The Operational Plan**

To deliver the aim and objectives the Parks and Grounds Service has identified locations where traditional amenity cut grass areas could be transformed into naturalised grassland, seeded wildflower meadows, or tree planting.

The benefits for Rugby's communities are:-

- The meadows provide and support a far greater range of habitats and valuable source of nectar for pollinating insects
- The meadows are more flora biodiverse helping to reduce declines/extinction of plant species, and support more fauna by providing food sources necessary for reducing declines/extinctions of animals (ie specific plants for a caterpillar species, or by a range of food sources covering a longer period)
- The meadows help sequesterate CO2 and capture dust particles
- The reduction in regular mowing reduces fuel consumption – helping reduce the Council's carbon footprint
- The meadows help slow storm water run-off and retain moisture helping to reduce local flooding
- They provide a green corridor through Rugby improving habitat for birds, small mammals, reptiles and amphibians
- Awareness raising about the importance of 'weeds' such as dandelions and the benefits they bring to pollinating insects

- Longer vegetation provides natural nesting habitats for pollinating insects
- Increase resident's access, exposure and engagement to natural spaces with well documented physical and mental health benefits (not provided by less natural spaces), and increased likelihood of them taking other environmental actions such as recycling

It should be noted that the Grass Mowing Reduction element is not driven by a need to save budget.

If the meadows are managed properly, litter-picked and have a regular cut front edge followed by a cut and lift of the grass at the end of the season the cost saving are minimal. However there is some staff capacity release that can be reutilised in helping maintain other areas of Rugby.

#### Headline projects ( some of which already exist) will include:-



Wildflower Meadows – These are identified areas that are sown with specific wildflower seed mixes or plug plants to encourage flower rich meadows.



Amenity grassland urban meadows – identified areas will be left to grow long to allow naturally occurring wildflowers to flourish from the existing seedbank in the soil, without the need for spraying or seeding. These will be monitored during summer



tree, hedge and shrub planting – as part of the Town wide campaign to plant more trees, species will be chosen which provide nectar for pollinators. In places, shrubs and wildflower bulbs will be planted to provide flowering plants throughout the year



Support volunteer bee-keeping at the Rainsbrook Crematorium



increased pollinator rich planting



Rugby Bee-Friendly Schools

#### Urban Ward-based Projects

##### ADMIRALS AND CAWSTON

Addison Road recreation Ground (part)  

Apple Grove Open Space 

Cawston Open Space 

Cave Close 

Cornwallis Open Space 

Freemantle Recreation Ground (part)  

##### BENN

Caldecott Park   

Chestnut Fields  

Millennium Green  

New Cattle market development  

Sun Street 

**BILTON**

Assheton Recreation Ground 

Bilton Greens  

Cock Robin Wood 

Collingwood Ave Spinney 

**COTON AND BOUGHTON**

Avon Park  

Brooklime Drive 

Coton Park 

Criss Cross Park  

Sorrel Drive 

Stone Circles 

**DUNSMORE**

The Heath Dunchurch   

**EASTLANDS**

Clifton Road Cemetery 

East Union St 

Great Central walk –  

Linnell (Part)  

Rokeby Rec (part) 

St Andrews Gardens / Trinity Churchyard  

The Pleasance Herb Garden 

Whitehall Recreation Ground (including rear of Haswell Close and rear of Athletic track)  

Whinfield Woods  

**HILLMORTON**

Brindley Road 

Coton Road  

Hillmorton Green   

Hillmorton Recreation Ground   

Watts Lane Cemetery natural burial area  

**NEW BILTON**

Addison Road recreation Ground (part)  

Freemantle Recreation Ground (part)   

Gladstone Green  

Jubilee Street Recreation Ground 

New Bilton Recreation Ground  

Pavilions POS's (north) 

**NEWBOLD AND BROWNSOVER**

Avon Mill Recreation Ground  

Boughton Road Recreation Ground 

Centenary Park   

Crowthorns 

Hollowell Way Open Space  

Lea Crescent open space 

Newbold Quarry Park 

Pantolf Place 

River Avon 

Swift valley (part) 

Yates Ave spinney  

Viaduct cycleway 

### **PADDOX**

Diamond Jubilee Wood  

Great Central Walk  

Linnell Road Open Space / Bluebell Woods  

Rainsbrook Crematorium  

### **ROKEBY AND OVERSLADE**

Burnside Open Space 

Buchanan Road 

Rokeby Play area (part) 

Shakespeare Gardens?  

### **Operational Maintenance**

- ☼ The identified areas of grass will only be cut at the end of the growing season
- ☼ Where appropriate grass footpaths will be cut through meadows to increase contact with nature and balance the needs of the community with nature.
- ☼ In late August - October the grass areas will be cut and have all the arisings removed from site and recycled.
- ☼ On some of the larger sites grass abutting road side or footpaths will have a small mowing edge cut along the front edge of the grass border.
- ☼ All the grass areas will receive regular litter picks to ensure they have a clean appearance

### **Communication plan**

- ☼ Regular twitter / Facebook / Instagram posts
- ☼ Benefits of 'weed' species
- ☼ Photos of different wildflowers with information
- ☼ Photos of bees / butterflies taken from sites

- ☼ Set up a #RugBEE
- ☼ On-site metal bees signs will be erected
- ☼ Posters explaining what's happening on-site
- ☼ Leaflets will be distributed to local residents
- ☼ Update the Councils website to include Bee Friendly information

**AGENDA MANAGEMENT SHEET**

**Report Title:** National Non-Domestic Rates Return – NNDR1 2021/22

**Name of Committee:** Cabinet

**Date of Meeting:** 1 March 2021

**Report Director:** Interim Chief Financial Officer

**Portfolio:** Corporate Resources

**Ward Relevance:** All Wards

**Prior Consultation:** No

**Contact Officer:** Jon Illingworth – Interim Section 151 and Chief Finance Officer  
[jon.illingworth@rugby.gov.uk](mailto:jon.illingworth@rugby.gov.uk) 01788 533410

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** Yes

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):

- To provide excellent, value for money services and sustainable growth
- Achieve financial self-sufficiency
- Enable our residents to live healthy, independent lives
- Optimise income and identify new revenue opportunities (CR)
- Prioritise use of resources to meet changing customer needs and demands (CR)
- Ensure that the council works efficiently and effectively (CR)
- Ensure residents have a home that works for them and is affordable (CH)
- Deliver digitally-enabled services that residents can access (CH)
- Understand our communities and enable people to take an active part in them (CH)
- Enhance our local, open spaces to make them places where people want to be (EPR)

**(CR) Corporate Resources**  
**(CH) Communities and Homes**  
**(EPR) Environment and Public Realm**  
**(GI) Growth and Investment**

- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities

<b>Statutory/Policy Background:</b>	Non-Domestic Rating (Rates Retention) Regulations 2013 (SI 2013/452) (as amended)
<b>Summary:</b>	The NNDR1 form calculates the NNDR income for 2021/22 and estimates the surplus or deficit on the collection fund for 2020/21 to be included in the 2021/22 budget.
<b>Financial Implications:</b>	As detailed in the main report.
<b>Risk Management Implications:</b>	The Council has a statutory duty to submit the NNDR1 to the Secretary of State and the major precepting authorities by 31 January 2021.
<b>Environmental Implications:</b>	There are no Environmental implications arising from this report.
<b>Legal Implications:</b>	This report seeks to discharge the Council's statutory obligations in accordance with the Non-Domestic Rating (Rates Retention) Regulations 2013 (SI 2013/452) (as amended).
<b>Equality and Diversity:</b>	The Council has had due regard to its Public Sector Equality Duty, as set out in the Equality Act 2010.
<b>Options:</b>	The NNDR1 Return contents are to be noted and there are no options available.
<b>Recommendation:</b>	The National Non-Domestic Rates Return – NNDR1 2021/22, as at Appendix 1 of the report. be noted.
<b>Reasons for Recommendation:</b>	The Council has a statutory duty to submit the NNDR1 to the Secretary of State and the major precepting authorities by 31 <sup>st</sup> January 2021.

**Cabinet - 1 March 2021**

**National Non-Domestic Rates Return – NNDR1 2021/22**

**Public Report of the Interim Chief Financial Officer**

**Recommendation**

The National Non-Domestic Rates Return – NNDR1 2021/22, as at Appendix 1 of the report, be noted.

**1. Introduction**

Under the business rates retention scheme a proportion of the Non-Domestic Rates collected by Rugby Borough Council in its capacity as the billing authority are retained locally and shared with Warwickshire County Council (WCC), as the major precepting authority, and central government.

The Non-Domestic Rating (Rates Retention) Regulations 2013 requires a billing authority, before the beginning of a financial year, to forecast the amount of business rates that it will collect during the year.

The NNDR1 form provides a tool to enable authorities to do this and it must be submitted to the Secretary of State and major precepting authorities by 31 January each year.

**2. Background**

In a similar manner to the setting of the Council Tax, the NNDR1 form facilitates the calculation of the local business tax base and the net business rates collectable for the forthcoming year with any variation between the forecast and actual being dealt with through the surplus or deficit on the Collection Fund in the following year.

Therefore, under the rates retention scheme the importance of the NNDR1 form is significantly increased, as this form effectively sets the Council's business rates base and corresponding income budget for 2021/22.

The secondary role of the form is to estimate the actual business rates collectable for the current financial year and compare this to the original forecast, as submitted in the 2020/21 NNDR1. The difference between original forecast and estimated 2020/21 business rates collectable is dealt with through the Collection Fund and any surplus or deficit is shared between central government and WCC and accounted for in the 2021/22 budget.

The 2021/22 NNDR1 form was completed by finance officers in line with the form's requirements and approved by the s151 officer on 29 January 2021. The NNDR1 form was submitted to both the Secretary of State and Warwickshire County Council in line with legislation.

The legislative constraints of the NNDR1 and the Council's committee timetable means that there is no scope for Cabinet to make a decision on the form before the 31 January deadline.

### 3. NNDR1 2021/22 (Appendix 1)

The NNDR1 estimates that the Council will retain **£20.803m** of business rates in 2021/22. The table below shows that after taking account of all the elements of the Business Rates Retention Scheme the net retained business rates income is **£6.114m**.

The **£6.586m** estimated collection fund deficit will be offset against a transfer from the Business Rates Equalisation Reserve, as approved in the Council Tax Determination 2021/22 report to Council on 23 February 2021.

Business Rates Retention	2021/22 £m
Retained share of NNDR1 Income	(20.803)
s31 grant income	(1.491)
Tariff Payment	13.272
Levy Payment	3.108
Coventry & Warwickshire Business Rates Pool dividend	(0.200)
<b>Net Retained Rates Income</b>	<b>(6.114)</b>
Estimated Collection Fund Deficit at end of 2020/21	6.586
Contribution from Business Rates Equalisation Reserve	(6.586)
<b>Net Income</b>	<b>(6.114)</b>

### 4. Assumptions

The majority of content of the NNDR1 is comprised of objective data that is captured at a particular point in time, for 2021/22 the data is captured as at 10 January 2021.

However there are some areas, such as appeals and business rates growth that are subject to a significant degree of assumption and estimation. It has been particularly challenging to forecast the impact of COVID-19 on these areas as explained in further detail in the sections below.

## **Business Rates Growth**

The authority's estimated growth for 2021/22 has been calculated in co-ordination with Revenues and the Planning Department in respect of business growth at key sites in the Borough.

The forecast is based on assumptions in respect of planning permission, completion, and occupation of development in Rugby, Ryton and Ansty Park.

The uncertainty of Brexit and the impact of COVID-19 in 2020/21 has meant that some developments at key sites have been delayed. The budgetary implications are incorporated within the 2021-2025 Medium Term Financial Plan presented to Council on 23 February 2021.

## **Business Rates Appeals**

The NNDR1 requires an estimate of how much of the 2021/22 liability would have to be repaid to ratepayers as a result of reductions in Rateable Values following successful appeals or alterations to lists.

As in previous years, a factor of 4.7% on gross rates has been used to estimate the level of future appeals in respect of 2021/22. This is in line with MHLG assumptions when they set a revised multiplier in 2017/18 which took into account an estimate of national appeals losses (4.7%) in respect of the new 2017 rating list.

The Council has already included a provision in the 2019/20 accounts in respect of such repayments and this provision will need to be adjusted in the 2020/21 accounts to reflect repayments made during the year and any view on new and outstanding liabilities.

An estimate of the change to the provision is required for the estimated collection fund balance, in NNDR1 Part 4. At this stage this is extremely challenging as there is a lot of uncertainty surrounding 2020/21 appeal losses. The Valuation Office Agency (VOA) are receiving challenges on rateable values which cite COVID-19 impacts as a Material Change of Circumstances (MCC).

The VOA have written to billing authorities to say that "understanding the impact of the ongoing pandemic on rateable values is a complex legal and valuation issue" and are "continuing to consider what this might mean in non-domestic rating terms".

Rugby has used its network of local authority Collection Fund advisors to produce an outlook on 2020/21 appeals, but this will be subject to change based on what the VO decide and the position at year end.

## **6. Conclusion**

The NNDR1 return, as presented at Appendix 1, effectively sets the Council's Retained Business Rates income budget for 2021/22. This is largely based on objective data, but a number of areas are subject to degree of subjectivity as set out at section 4. The budgetary implications of the NNDR1 were incorporated within the 2021-2025 Medium Term Financial Plan presented to Council on 23 February 2021.

**Name of Meeting:** Cabinet

**Date of Meeting:** 1 March 2021

**Subject Matter:** National Non-Domestic Rates Return – NNDR1 2021/22

**Originating Department:** Corporate Resources

**DO ANY BACKGROUND PAPERS APPLY**       YES       NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1****2021-22**

Please e-mail to: ndr.statistics@communities.gov.uk by no later than 31 January 2021.  
In addition, a certified copy of the form should be returned by no later than 31 January 2021 to the same email address

**All figures must be entered in whole £**

If you are content with your answers please return this form to MHCLG as soon as possible

Select your local authority's name from this list:

Rotherham
Rugby
Runnymede
Rushcliffe
Rushmoor
Rutland UA

Authority Name  
E-code  
Local authority contact name  
Local authority contact number  
Local authority e-mail address

Rugby
E3733
Chryssa Burdett
01788 533495
chryssa.burdett@rugby.gov.uk

Ver 1.1

**PART 1A: NON-DOMESTIC RATING INCOME****COLLECTIBLE RATES**

1. Net amount receivable from rate payers after taking account of transitional adjustments, empty property rate, mandatory and discretionary reliefs and accounting adjustments

£

52,273,403

**TRANSITIONAL PROTECTION PAYMENTS**

2. Sums due to the authority

0

3. Sums due from the authority

133,932

**COST OF COLLECTION (See Note A)**

4. Cost of collection formula

131,528

5. Legal costs

0

6. Allowance for cost of collection

131,528

**SPECIAL AUTHORITY DEDUCTIONS**

7. City of London Offset : Not applicable for your authority

0

**DISREGARDED AMOUNTS**

8. Amounts retained in respect of Designated Areas

0

9. Amounts retained in respect of Renewable Energy Schemes

0

(see Note B)

of which:

9a. sums retained by billing authority

0

9b. sums retained by major precepting authority

0

10. Amounts retained in respect of Shale Oil and Gas Sites Schemes

0

(see Note C)

**NON-DOMESTIC RATING INCOME**

11. Line 1 plus line 2, minus lines 3, 6 - 9 and 10

52,007,943

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1**

**2021-22**

Please e-mail to: ndr.statistics@communities.gov.uk by no later than 31 January 2021.  
In addition, a certified copy of the form should be returned by no later than 31 January 2021 to the same email address

**All figures must be entered in whole £**

If you are content with your answers please return this form to MHCLG as soon as possible

Local Authority : Rugby

Ver 1.1

**PART 1B: PAYMENTS**

**This page is for information only; please do not amend any of the figures**

The payments to be made, during the course of 2021-22 to:

- i) the Secretary of State in accordance with Regulation 4 of the Non-Domestic Rating (Rates Retention) Regulations 2013;
- ii) major precepting authorities in accordance with Regulations 5, 6 and 7; and to be
- iii) transferred by the billing authority from its Collection Fund to its General Fund,

are set out below

	Column 1 Central Government	Column 2 Rugby	Column 3 Warwickshire County Council	Column 4	Column 5 Total
<b>Retained NDR shares</b>	£	£	£	£	£
12. % of non-domestic rating income to be allocated to each authority in 2021-22	50%	40%	10%	0%	100%
<b>Non-Domestic Rating Income for 2021-22</b>					
13. Non-domestic rating income from rates retention scheme	26,003,972	20,803,177	5,200,794	0	52,007,943
14.(less) deductions from central share	0				0
15 <b>TOTAL:</b>	26,003,972	20,803,177	5,200,794	0	52,007,943
<b>Other Income for 2021-22</b>					
16. add: cost of collection allowance		131,528			131,528
17. add: amounts retained in respect of Designated Areas		0			0
18. add: amounts retained in respect of renewable energy schemes		0	0		0
19. add: amounts retained in respect of Shale oil and gas sites schemes		0	0	0	0
20. add: qualifying relief in Designated Areas		0	0	0	0
21. add: City of London Offset		0			0
22. add: in respect of Port of Bristol hereditament		0			0
<b>Estimated Surplus/Deficit on Collection Fund</b>	£	£	£	£	£
23. Surplus/Deficit at end of 2020-21 (including adjustment for three year spread)	-8,232,165	-6,585,732	-1,646,433	0	-16,464,330
<b>TOTAL FOR THE YEAR</b>	£	£	£	£	£
24. Total amount due to authorities	17,771,807	14,348,973	3,554,361	0	35,675,141

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1**

**2021-22**

Please e-mail to: ndr.statistics@communities.gov.uk by no later than 31 January 2021.  
In addition, a certified copy of the form should be returned by no later than 31 January 2021 to the same email address

**All figures must be entered in whole £**

If you are content with your answers please return this form to MHCLG as soon as possible

Local Authority : Rugby

Ver 1.1

**PART 1C: SECTION 31 GRANT (See Note D)**

**This page is for information only; please do not amend any of the figures**

*Estimated sums due from Government via Section 31 grant, to compensate authorities for the cost of changes to the business rates system announced in the 2013 to 2016 Autumn Statements, 2020 spending review, and 2017 (March and November), 2018 (October) Budgets*

	Column 2 Rugby	Column 3 Warwickshire County Council	Column 4	Column 5 Total
	£	£	£	£
<b>Multiplier Cap</b>				
25. Cost of cap on 2014-15, 2015-16 and post-2018-19 and freezing of 2021-22 small business rates multipliers	1,083,933	270,983	0	1,354,916
<b>Small Business Rate Relief</b>				
26. Cost of doubling SBRR & threshold changes for 2021-22	1,008,599	252,150	0	1,260,749
26a. Additional compensation for loss of supplementary multiplier income	78,237	19,559	0	97,796
27. Cost to authorities of maintaining relief on "first" property	0	0	0	0
<b>Rural Rate Relief</b>				
28. Cost to authorities of providing 100% rural rate relief	0	0	0	0
<b>Supporting Small Businesses Relief</b>				
29. Cost to authorities of providing relief	11,970	2,993	0	14,963
<b>Designated Areas qualifying relief in 100% pilot areas</b>				
30. Cost to authorities of providing relief	0	0	0	0
<b>Telecoms Relief</b>				
31. Cost to authorities of providing relief	0	0	0	0
<b>Local newspaper relief</b>				
32. Cost to authorities of providing relief	0	0	0	0
<b>TOTAL FOR THE YEAR</b>				
33. Amount of Section 31 grant due to authorities to compensate for reliefs	2,182,739	545,685	0	2,728,424

**NB** To determine the amount of S31 grant due to it, the authority will have to add / deduct from the amount shown in line 33, a sum to reflect the adjustment to tariffs / top-ups in respect of the multiplier cap (See notes for Line 33)

This completed Excel form should be e-mailed to ndr.statistics@communities.gov.uk and any relevant precepting authorities by the Chief Financial / Section 151 Officer. The email should include the officer's electronic signature and the following statement:

I confirm that the entries in this form are the best I can make on the information available to me and amounts are calculated in accordance with regulations made under Schedule 7B to the Local Government Act 1988. I also confirm that the authority has acted diligently in relation to the collection of non-domestic rates.

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1**  
**2021-22**

All figures must be entered in whole £

Note that any reliefs for the year 2021/22 announced after this form has gone out will be covered by future supplementary data collections

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 2: NET RATES PAYABLE**

**You should complete column 1 only**

**GROSS RATES PAYABLE**

(All data should be entered as +ve unless specified otherwise) - see Note E

	Column 1 BA Area (exc. Designated areas) <b>Complete this column</b>	Column 2 Designated areas <b>Do not complete this column</b>	Column 3 <b>TOTAL</b> (All BA Area) <b>Do not complete this column</b>
	£		£
1. Rateable Value at <input type="text" value="10/01/2021"/>	<input type="text" value="124,663,175"/>		<input type="text" value="124,663,175"/>
2. Small business rating multiplier <input type="text" value="49.9"/> for 2021-22 (pence)			
3. Gross rates 2021-22 (RV x multiplier)	<input type="text" value="62,206,924"/>		
4. Estimated growth/decline in gross rates (+ = increase, - = decrease)	<input type="text" value="2,219,933"/>		
5. Forecast gross rates payable in 2021-22	<input type="text" value="64,426,857"/>		<input type="text" value="64,426,857"/>
<b>TRANSITIONAL ARRANGEMENTS (See Note F)</b>			
6. Revenue foregone because increases in rates have been deferred (Show as -ve)	<input type="text" value="-59,158"/>		<input type="text" value="-59,158"/>
7. Additional income received because reductions in rates have been deferred (Show as +ve)	<input type="text" value="193,090"/>		<input type="text" value="193,090"/>
8. Net cost of transitional arrangements	<input type="text" value="133,932"/>		
9. Changes as a result of estimated growth / decline in cost of transitional arrangements (+ = decline, - = increase)	<input type="text" value="0"/>		
10. Forecast net cost of transitional arrangements	<input type="text" value="133,932"/>		<input type="text" value="133,932"/>
<b>TRANSITIONAL PROTECTION PAYMENTS (See Note F(a))</b>			
11. Sum due to/(from) authority	<input type="text" value="-133,932"/>		<input type="text" value="-133,932"/>

**NATIONAL NON-DOMESTIC RATES RETURN - NNDR1**  
**2021-22**

All figures must be entered in whole £

Note that any reliefs for the year 2021/22 announced after this form has gone out will be covered by future supplementary data collections

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 2: NET RATES PAYABLE**

**You should complete column 1 only**

	Column 1 BA Area (exc. Designated areas)	Column 2 Designated areas	Column 3 TOTAL (All BA Area)
<b>MANDATORY RELIEFS (See Note G) (All data should be entered as -ve unless specified otherwise)</b>			
<b>Small Business Rate Relief</b>			
12. Forecast of relief to be provided in 2021-22	-3,423,748		-3,423,748
13. of which: relief on existing properties where a 2nd property is occupied	0		0
14. Additional yield from the small business supplement (Show as +ve)	1,292,174		1,292,174
15. Net cost of small business rate relief (line 12 + line 14)	-2,131,574		-2,131,574
<b>Charitable occupation</b>			
16. Forecast of relief to be provided in 2021-22	-3,600,942		-3,600,942
<b>Community Amateur Sports Clubs (CASCs)</b>			
17. Forecast of relief to be provided in 2021-22	-75,817		-75,817
<b>Rural rate relief</b>			
18. Forecast of relief to be provided in 2021-22	-7,667		-7,667
<b>Telecoms relief (see Note H)</b>			
19. Forecast of relief to be provided in 2021-22	0		0
20. Forecast of mandatory reliefs to be provided in 2021-22 (Sum of lines 15 to 19)	-5,816,000		-5,816,000
21. Changes as a result of estimated growth/decline in mandatory relief (+ = decline, - = increase)	0		
<b>22. Total forecast mandatory reliefs to be provided in 2021-22</b>	<b>-5,816,000</b>		<b>-5,816,000</b>
<b>UNOCCUPIED PROPERTY (See Note J) (All data should be entered as -ve unless specified otherwise)</b>			
<b>Partially occupied hereditaments</b>			
23. Forecast of 'relief' to be provided in 2021-22	-200,000		-200,000
<b>Empty premises</b>			
24. Forecast of 'relief' to be provided in 2021-22	-1,631,601		-1,631,601
25. Forecast of unoccupied property 'relief' to be provided in 2021-22 (Line 23 + line 24)	-1,831,601		-1,831,601
26. Changes as a result of estimated growth/decline in unoccupied property 'relief' (+ = decline, - = increase)	0		
<b>27. Total forecast unoccupied property 'relief'</b>	<b>-1,831,601</b>		<b>-1,831,601</b>

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1**  
**2021-22**

All figures must be entered in whole £

Note that any reliefs for the year 2021/22 announced after this form has gone out will be covered by future supplementary data collections

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 2: NET RATES PAYABLE**

**You should complete column 1 only**

	Column 1 BA Area (exc. Designated areas)	Column 2 Designated areas	Column 3 TOTAL (All BA Area)
<b>DISCRETIONARY RELIEFS (See Note K) (All data should be entered as -ve unless specified otherwise)</b>			
<b>Charitable occupation</b>			
28. Forecast of relief to be provided in 2021-22	-113,120		-113,120
<b>Non-profit making bodies</b>			
29. Forecast of relief to be provided in 2021-22	-7,667		-7,667
<b>Community Amateur Sports Clubs (CASCs)</b>			
30. Forecast of relief to be provided in 2021-22	0		0
<b>Rural shops etc</b>			
31. Forecast of relief to be provided in 2021-22	0		0
<b>Small rural businesses</b>			
32. Forecast of relief to be provided in 2021-22	0		0
<b>Other ratepayers (refer to guidance for further details)</b>			
33. Forecast of relief to be provided in 2021-22	0		0
	<i>of which:</i>		
34. Relief given to Case A hereditaments			
35. Relief given to Case B hereditaments	0		
36. Forecast of discretionary relief to be provided in 2021-22 (Sum of lines 28 to 33)	-120,787		-120,787
37. Changes as a result of estimated growth/decline in discretionary relief (+ = decline, - = increase)	0		
<b>38. Total forecast discretionary relief to be provided in 2021-22</b>	<b>-120,787</b>		<b>-120,787</b>

**NATIONAL NON-DOMESTIC RATES RETURN - NDR1**  
**2021-22**

All figures must be entered in whole £

Note that any reliefs for the year 2021/22 announced after this form has gone out will be covered by future supplementary data collections

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 2: NET RATES PAYABLE**

**You should complete column 1 only**

	Column 1 BA Area (exc. Designated areas)	Column 2 Designated areas	Column 3 TOTAL (All BA Area)
<b>DISCRETIONARY RELIEFS FUNDED THROUGH SECTION 31 GRANT</b> (See Note L) (All data should be entered as -ve unless specified otherwise)			
<b>Rural Rate Relief</b>			
39. Forecast of relief to be provided in 2021-22	0		0
<b>Supporting Small Businesses Relief</b>			
40. Forecast of relief to be provided in 2021-22	-28,444		-28,444
<b>Local newspaper relief</b>			
41. Forecast of relief to be provided in 2021-22	0		0
42. Forecast of discretionary reliefs funded through S31 grant to be provided in 2021-22 (Sum of lines 39 to 41)	-28,444		-28,444
43. Changes as a result of estimated growth/decline in Section 31 discretionary relief (+ = decline, - = increase)	0		
<b>44. Total forecast of discretionary reliefs funded through S31 grant to be provided in 2021-22</b>	-28,444		-28,444
<b>NET RATES PAYABLE</b>			
45. Forecast of net rates payable by rate payers after taking account of transitional adjustments, unoccupied property relief, mandatory and discretionary reliefs	£ 56,763,957		£ 56,763,957

**NATIONAL NON-DOMESTIC RATES RETURN - NNDR1**  
**2021-22**

All figures must be entered in whole £

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 3: COLLECTABLE RATES AND DISREGARDED AMOUNTS**

**You should complete column 1 only**

	Column 1 BA Area (exc. Designated areas)  Complete this column	Column 2 Designated Areas  Do not complete this column	Column 3 TOTAL (All BA Area)  Do not complete this column
	£	£	£
<b>NET RATES PAYABLE</b>			
1. Sum payable by rate payers after taking account of transitional adjustments, empty property rate, mandatory and discretionary reliefs	56,763,957	0	56,763,957
<b>(LESS) LOSSES</b>			
2. Estimated bad debts in respect of 2021-22 rates payable	-233,000	0	-233,000
3. Estimated repayments in respect of 2021-22 rates payable	-4,257,554	0	-4,257,554
<b>COLLECTABLE RATES</b>			
4. Net Rates payable less losses	52,273,403	0	52,273,403
<b>DISREGARDED AMOUNTS</b>			
5. Renewable Energy	0	0	0
6. Shale oil and gas sites scheme (see Note C)	0	0	0
7. Transitional Protection Payment		0	
8. Baseline		0	
<b>DISREGARDED AMOUNTS</b>			
9. Total Disregarded Amounts		0	0
<b>DESIGNATED AREAS IN 100% BRR AUTHORITIES</b>			
10. Designated Areas Qualifying Relief: Not applicable	0	0	0
<b>DEDUCTIONS FROM CENTRAL SHARE</b>			
11. Designated Areas Qualifying Relief	0	0	0
<b>Port of Bristol</b>			
12. In respect of Port of Bristol: Not applicable	0		0
<b>DEDUCTIONS FROM CENTRAL SHARE</b>			
13. Total Deductions	0	0	0

**NATIONAL NON-DOMESTIC RATES RETURN - NNDR1**  
**2021-22**

All figures must be entered in whole £

If you are content with your answers please return this form to MHCLG as soon as possible

Ver 1.1

**Local Authority : Rugby**

**PART 4: ESTIMATED COLLECTION FUND BALANCE**

(Please refer to guidance notes for details about these cells.)

**OPENING BALANCE**

1. Opening Balance (From Collection Fund Statement)

£

£

-1,785,296

**BUSINESS RATES CREDITS AND CHARGES**

2. Business rates credited and charged to the Collection Fund in 2020-21

38,266,029

3. Sums written off in excess of the allowance for non-collection

0

4. Changes to the allowance for non-collection

-342,815

5. Amounts charged against the provision for alteration of lists and appeals following RV list changes

1,476,415

6. Changes to the provision for alteration of lists and appeals

-5,367,834

**7. Total business rates credits and charges (Total lines 2 to 6)**

34,031,795

**OTHER RATES RETENTION SCHEME CREDITS (enter as +ve)**

8. Transitional protection payments received, or to be received in 2020-21

0

9. Transfers/payments to the Collection Fund for end-year reconciliations

0

10. Transfers/payments into the Collection Fund in 2020-21 in respect of a previous year's deficit

1,834,894

**11. Total Other Credits (Total lines 8 to 10)**

1,834,894

**OTHER RATES RETENTION SCHEME CHARGES (enter as -ve)**

12. Transitional protection payments made, or to be made, in 2020-21

-350,007

13. Payments made, or to be made, to the Secretary of State in respect of the central share in 2020-21

-25,888,747

14. Payments made, or to be made to, major precepting authorities in respect of business rates income in 2020-21

-20,710,997

15. Transfers made, or to be made, to the billing authority's General Fund in respect of business rates income in 2020-21

-5,177,749

16. Transfers made, or to be made, to the billing authority's General Fund; and payments made, or to be made, to a precepting authority in respect of disregarded amounts in 2020-21

-134,284

17. Transfers/payments from the Collection Fund for end-year reconciliations

0

18. Transfers/payments made from the Collection Fund in 2020-21 in respect of a previous year's surplus

0

**19. Total Other Charges (Total lines 12 to 18)**

-52,261,784

**20. Adjustment for 3 year spread (See Note M)**

1,716,061

**ESTIMATED SURPLUS/(DEFICIT) ON COLLECTION FUND IN RESPECT OF FINANCIAL YEAR 2020-21 - Surplus (positive), Deficit (Negative)**

21. Opening balance plus total credits, less total charges, plus adjustment for three year spread (Total lines 1, 7, 11, 19 & 20)

£  
-16,464,330

**NATIONAL NON-DOMESTIC RATES RETURN - NNDR1**  
**2021-22**

All figures must be entered in whole £

If you are content with your answers please return this form to MHCLG as soon as possible  
Ver 1.1

**Local Authority : Rugby**

**PART 4a: ESTIMATED COLLECTION FUND BALANCE**

**Adjustment for three year spend**

(Please refer to guidance notes for details about these cells.)

**CALCULATION OF EXCEPTIONAL BALANCE**

1. Estimated surplus/deficit for 2020-21 excluding adjustment for 3 year spend (total Part 4 lines 1, 7, 11 & 19)		-18,180,391
2. Prior year surplus/deficit (total Part 4 lines 1, 10 & 18)		49,598
3. Current total estimate of retail, nursery & local newspaper relief in 2020-21	16,384,124	
4. NNDR1 2020-21 estimate of retail discount relief	728,227	
5. Compensation due to retail, nursery & local newspaper relief (line 3 minus line 4)		15,655,897
6. Exceptional balance (line 1 minus line 2 plus line 5)		-2,574,092
7. Amount to be added to surplus/deficit calculation as "adjustment for 3 year spread"		1,716,061

**APPORTIONMENT OF ESTIMATED SURPLUS DEFICIT**

8. Surplus/deficit to be apportioned (Part 4 line 21)		-16,464,330
---	--	-------------

	Column 1 Central Government	Column 2 Rugby	Column 3 Warwickshire County Council	Column 4	Column 5 Total
	£	£	£	£	£
9. % for distribution of prior year surplus/deficit (ie 2019-20)	50%	40%	10%	0%	100%
9a. Prior year surplus (+)/deficit (-)	24,799	19,839	4,960	0	49,598
10. % for distribution of in-year surplus/deficit (ie 2020-21)	50%	40%	10%	0%	100%
10a. In-year surplus (+)/deficit (-)	-7,827,949	-6,262,359	-1,565,590	0	-15,655,897
11. % for distribution of spread amount (2020-21)	50%	40%	10%	0%	100%
11a. Spread amount	-429,015	-343,212	-85,803	0	-858,031
12. Total (total lines 9a, 10a, 11a)	-8,232,165	-6,585,732	-1,646,433	0	-16,464,330

**SUPPLEMENTARY INFORMATION ON HEREDITAMENTS BEING GRANTED RELIEF FROM NATIONAL NON-DOMESTIC RATES AND THE AMOUNT OF RELIEF GRANTED**

Please complete the following questions on hereditaments that were being granted relief from national non-domestic rates and the amount of relief granted

If you have any queries on completing the form please contact us with the subject heading 'NDR1 query' by email to [nndr.statistics@communities.gov.uk](mailto:nndr.statistics@communities.gov.uk)

The completed form must be returned to [nndr.statistics@communities.gov.uk](mailto:nndr.statistics@communities.gov.uk) no later than 31 JANUARY 2021

Authority Name	Rugby
E-code	E3733
Contact name	Chryssa Burdett
Contact number	01788 533495
Contact e-mail	chryssa.burdett@rugby.gov.uk

Ver 1.1

**PART 1 : NUMBERS OF HEREDITAMENTS THAT WERE BEING GRANTED RELIEF AS AT 31 DECEMBER 2020 \***

**Number of hereditaments that were being granted relief as at 31 December 2020\***

**MANDATORY RELIEF**

a. Number of hereditaments that were being granted charitable relief as at 31 December 2020*	182
b. Number of hereditaments that were being granted Community Amateur Sports Clubs relief as at 31 December 2020*	11
c. Number of hereditaments that were being granted rural general stores, post offices, public houses, petrol filling stations and food shops relief as at 31 December 2020*	4
d. Number of hereditaments that were being granted telecoms relief as at 31 December 2020	0
e. Number of hereditaments that were being granted partly occupied premises relief as at 31 December 2020*	0
f. Number of hereditaments that were being granted empty property relief as at 31 December 2020* of which:	198
i. those that are classed as "industrial property" above the exemption threshold	14
ii. those that have "listed building status"	9
iii. those that are "Community Amateur Sports Clubs"	0
iv. those that are "charities"	2
v. those where the hereditament is empty and not included in categories i to iv	150
vi. those that are classed as "non-industrial" above the exemption threshold	23

**DISCRETIONARY RELIEF**

g. Number of hereditaments that were being granted charitable relief as at 31 December 2020*	57
h. Number of hereditaments that were being granted non-profit making bodies' relief as at 31 December 2020*	0
i. Number of hereditaments that were being granted Community Amateur Sports Clubs relief as at 31 December 2020*	0
j. Number of hereditaments that were being granted rural shops, post offices, public houses, petrol filling stations and food shops relief as at 31 December 2020*	0
k. Number of hereditaments that were being granted other small rural businesses relief as at 31 December 2020*	0
l. Number of hereditaments within Enterprise Zones being granted discounts as at 31 December 2020*	0
m. Number of hereditaments subject to a S47 local discount as at 31 December 2020*	0

**RELIEF FUNDED THROUGH SECTION 31 GRANT**

n. Number of hereditaments receiving Rural Rate Relief as at 31 December 2020*	4
o. Number of hereditaments receiving Local Newspaper Relief as at 31 December 2020*	0
p. Number of hereditaments receiving Supporting Small Business Relief as at 31 December 2020*	11
q. Number of hereditaments receiving Discretionary Scheme relief as at 31 December 2020*	369
r. Number of hereditaments that were being granted expanded retail discount as at 31 December 2020*	621
s. Number of hereditaments that were being granted nursery relief as at 31 December 2020*	22

**SMALL BUSINESS RATE RELIEF**

t. Number of hereditaments contributing to the small business rate relief scheme by paying the additional supplement as at 31 December 2020*	764
u. Number of hereditaments that receive a discount from the small business rate relief scheme as at 31 December 2020*	1,170
of which:	
i. Hereditaments with a rateable value between £0 and £12,000 receiving the maximum discount	1,090
ii. Hereditaments with a rateable value between £12,001 and £15,000 receiving the discount on a sliding scale	80
v. Number of hereditaments that pay only the small business rate multiplier and are not granted a discount as at 31 December 2020*	1,089

\* The data should be as at 31 December 2020 or as soon as possible after that date.

**NATIONAL NON-DOMESTIC RATES (SUPPLEMENTARY) RETURN 2021-22**

**Rugby**

Ver 1

**PART 2 : ESTIMATED VALUE OF RELIEF TO BE GRANTED IN 2021-22**  
(enter values as -ve)

**Amount of relief to be granted in 2021-22 (£)**

**EMPTY PROPERTY RELIEF**

a. Estimated value of empty property relief to be granted in 2021-22

**-1,631,601**

of which:

i. Relief to be given - industrial property above the exemption threshold

-551,301

ii. Relief to be given - listed building status

-162,100

iii. Relief to be given - Community Amateur Sports Clubs

0

iv. Relief to be given - charities

-25,300

v. Relief to be given where the hereditament is empty and is not included in categories i to iv

-696,560

vi. Relief to be given - "non-industrial" above the exemption threshold

-196,340

**SMALL BUSINESS RATE RELIEF**

b. The cost of small business rate relief for properties within the billing authority area

**-3,423,748**

of which:

i. Hereditaments with a rateable value between £0 and £12,000 that will receive the full discount

-3,153,960

ii. Hereditaments with a rateable value between £12,001 and £15,000 that will receive the discount on a sliding scale

-269,788

**DATE OF LATEST INFORMATION**

Date of latest information taken into account when calculating the figures on the supplementary form

12/01/2021

Notes :

## NATIONAL NON-DOMESTIC RATES RETURN - NNDR1

### 2021-22 Validation Checks

Ver 1.1

Local authority : Rugby E3733  
 Local authority contact name : Chryssa Burdett  
 Local authority contact number : 01788 533495  
 Local authority contact email address : chryssa.burdett@rugby.gov.uk

This sheet automatically highlights any validation queries and provides space for your explanations  
 The note 'NNDR1 Validation Checks 2021-22' provides further details on the validations we carry out. Please consult this when completing this validation sheet

Test	Data		Change		Parameters		Please comment below where required
	VOA data	2021-22	Actual	%	Actual	%	
1 Check total RV	125,034,312	124,663,175	-371,137	0%	0	2%	OK
<b>Mandatory Reliefs</b>							
	<b>2020-21</b>	<b>2021-22</b>	<b>Actual</b>	<b>%</b>	<b>Actual</b>	<b>%</b>	
2 Cost SBR relief	-3,514,212	-3,423,748	90,464	3%	500,000	10%	OK
3 Additional yield to finance SBRR	1,314,451	1,292,174	22,277	2%	50,000	2%	OK
4 Net cost of SBRR	-2,199,761	-2,131,574	68,187	3%	250,000	20%	OK
5 Cost of Charity relief	-3,371,113	-3,600,942	229,829	7%	0	15%	OK
6 Cost of CASC relief	-75,817	-75,817	0	0%	20,000	20%	OK
7 Cost of Rural relief	-7,955	-7,667	288	4%	5,000	15%	OK
8 Cost of Telecoms relief	0	0	0	0%	5,000	10%	OK
9 Cost of Partly Occupied relief	-200,000	-200,000	0	0%	100,000	20%	OK
10 Cost of Empty property relief	-1,244,266	-1,631,601	387,335	31%	500,000	25%	OK
<b>Discretionary Reliefs</b>							
	<b>2020-21</b>	<b>2021-22</b>	<b>Actual</b>	<b>%</b>	<b>Actual</b>	<b>%</b>	
11 Cost of Charity relief	-110,227	-113,120	2,893	3%	20,000	25%	OK
12 Cost of non-profit bodies' relief	-7,485	-7,667	182	2%	50,000	25%	OK
13 Cost of CASC Relief	0	0	0	0%	5,000	25%	OK
14 Cost of rural shop relief	0	0	0	0%	5,000	25%	OK
15 Cost of other rural relief	0	0	0	0%	5,000	25%	OK
16 Cost of other discretionary relief	0	0	0	0%	100,000	25%	OK
17 Class A hereditaments	0	0	0	0%	25,000	25%	OK
18 Class B hereditaments	0	0	0	0%	0	25%	OK
19 Net rates payable	56,283,557	56,763,957	480,400	1%	0	5%	OK
<b>Other checks</b>							
	<b>2020-21</b>	<b>2021-22</b>	<b>Actual</b>	<b>%</b>	<b>Actual</b>	<b>%</b>	
20 Estimated repayments (Appeals provision (Part 3 Line 3))	-4,013,695	-4,257,554	243,859	6%	1,500,000	25%	OK
21 Zero in surplus / deficit (Part 4, Line 21)		-16,464,330	n/a	n/a	0	n/a	OK
<b>Pre-populated 2021-22 form</b>							
	<b>Actual</b>	<b>Actual</b>					
22 Collection fund opening balance (Part 4, Line 1)	-1,785,296	-1,785,296	0		0		OK

Number where comments are outstanding 0

Please provide any further comments below

## NATIONAL NON-DOMESTIC RATES RETURN - NNDR1

2021-22

### Supplementary data - validation checks

1.1

Local authority : Rugby E3733  
 Local authority contact name : Chryssa Burdett  
 Local authority contact number : 01788 533495  
 Local authority contact email address : chryssa.burdett@rugby.gov.uk

This sheet automatically highlights any validation queries and provides space for your explanations  
 The note 'NNDR1 Validation Checks 2021-22' provides further details on the validations we carry out. Please consult this when completing this validation sheet

Test	Data		Change		Parameters				Please comment below where required										
	2020-21	2021-22	Actual	%	Actual	%													
<b>Mandatory Reliefs</b>																			
1	Charity relief	181	182	1	1%	20	10%	OK											
2	CASC relief	11	11	0	0%	5	0%	OK											
3	Rural shop relief	5	4	-1	-20%	10	0%	OK											
4	Telecoms relief	0	0	0	0%	5	0%	OK											
5	Partly Occupied relief	1	0	-1	-100%	10	0%	OK											
6	Empty relief	204	198	-6	-3%	100	30%	OK											
<b>Discretionary Reliefs</b>																			
7	Charity relief	57	57	0	0%	20	10%	OK											
8	Non-profit bodies' relief	1	0	-1	-100%	20	0%	OK											
9	CASC Relief	0	0	0	0%	5	0%	OK											
10	Rural shop relief	0	0	0	0%	10	0%	OK											
11	Other rural relief	0	0	0	0%	5	0%	OK											
12	Enterprise granted relief	0	0	0	0%	10	0%	OK											
13	Local discount relief	0	0	0	0%	20	0%	OK											
<b>SBRR</b>																			
14	SBRR - contributing	725	764	39	5%	100	10%	OK											
15	SBRR - getting a discount	1,233	1,170	-63	-5%	100	10%	OK											
16	SBRR - RV between £0 & £12k	1,145	1,090	-55	-5%	100	10%	OK											
17	SBRR - RV between £12k & £15k	88	80	-8	-9%	50	10%	OK											
18	SBRR - just lower multiplier	1,087	1,089	2	0%	100	10%	OK											
<b>April 2020      December 2020</b>																			
19	Expanded retail discount relief	518	621	103	20%	100	20%	OK											
<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%; text-align: center;"><b>Total Hereds</b></td> <td style="width: 15%; text-align: center;"><b>Hereds included in lines 15, 16 &amp; 19 above</b></td> <td colspan="7"></td> </tr> </table>											<b>Total Hereds</b>	<b>Hereds included in lines 15, 16 &amp; 19 above</b>							
	<b>Total Hereds</b>	<b>Hereds included in lines 15, 16 &amp; 19 above</b>																	
20	Number hereditaments in tests 15, 16 & 19 above compared to total number of hereditaments	3,012	3,023	11	0%	25	10%	OK											

Number where comments are outstanding **0**

Please provide any further comments below