

Meeting	<b>CABINET</b>
Time/Day/Date	5.00 pm on Tuesday, 14 March 2017
Location	Board Room, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

## AGENDA

Item	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATION OF INTERESTS</b>	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
<b>3. PUBLIC QUESTION AND ANSWER SESSION</b>	
<b>4. MINUTES</b>	
Minutes of the meeting held on 7 February 2017	<b>3 - 8</b>
<b>5. PROPOSED COUNCIL DELIVERY PLAN 2017/20</b>	
Report of the Chief Executive Presented by the Leader	<b>9 - 28</b>
<b>6. TENANT SCRUTINY PANEL REPORT ON ANTI-SOCIAL BEHAVIOUR</b>	
Report of the Director of Housing Presented by the Housing Portfolio Holder	<b>29 - 50</b>



<b>7.</b>	<b>ASHBY NEIGHBOURHOOD PLAN - PROPOSED RESPONSE TO PRE-SUBMISSION (PART 2) CONSULTATION</b>	<b>51 - 72</b>
	Report of the Director of Services Presented by the Regeneration and Planning Portfolio Holder	
<b>8.</b>	<b>AUTHORITY TO AWARD THE COMMUNAL CLEANING CONTRACT</b>	<b>73 - 76</b>
	Report of the Director of Housing Presented by the Housing Portfolio Holder	
<b>9.</b>	<b>AUTHORITY TO AWARD DATA CENTRE AND WIDE AREA NETWORK CONTRACT - PRICING UPDATE</b>	<b>77 - 80</b>
	Report of the Interim Director of Resources Presented by the Corporate Portfolio Holder	
<b>10.</b>	<b>2016/17 QUARTER 3 PERFORMANCE MANAGEMENT REPORT</b>	<b>81 - 106</b>
	Report of the Chief Executive Presented by the Leader	
<b>11.</b>	<b>FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE OFFS</b>	<b>107 - 112</b>
	Report of the Interim Director of Resources Presented by the Corporate Portfolio Holder	
<b>12.</b>	<b>EXCLUSION OF PRESS AND PUBLIC</b>	
	The officers consider that the press and public should be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information.	
<b>13.</b>	<b>LEICESTERSHIRE COUNTY COUNCIL - PROCUREMENT OF TREATMENT FACILITIES FOR DRY RECYCLATE MATERIAL</b>	<b>113 - 118</b>
	Report of the Director of Services Presented by the Community Services Portfolio Holder	
<b>14.</b>	<b>EXEMPTION TO THE COUNCIL'S CONTRACT PROCEDURE RULES - CONSULTANCY SUPPORT FOR JOINT STRATEGIC PLANNING MANAGER</b>	<b>119 - 122</b>
	Report of the Chief Executive Presented by the Regeneration and Planning Portfolio Holder	

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 7 FEBRUARY 2017

Present: Councillor R Blunt (Chairman)

Councillors R D Bayliss, T Gillard, T J Pendleton, N J Rushton and A V Smith MBE

In Attendance: Councillors R Adams, J Bridges, J Clarke, J G Coxon, D Everitt, T Eynon, J Geary, G Houlst, J Legrys, V Richichi, S Sheahan and M Specht

Officers: Mr S Bambrick, Ms C E Fisher, Mrs C Hammond, Mr A Hunkin, Mr G Jones, Mr P Padaniya and Miss E Warhurst

#### **88. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **89. DECLARATION OF INTERESTS**

During the presentation of the report for item 9 – Measham Conservation Area: Adoption of Character Appraisal and Boundary Review, Councillor N J Rushton declared a pecuniary interest as he owned a property that was within the conservation area. He left the meeting during the discussion and voting thereon.

#### **90. PUBLIC QUESTION AND ANSWER SESSION**

No questions were received.

#### **91. MINUTES**

Consideration was given to the minutes of the meeting held on 17 January 2017.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The minutes of the meeting held on 17 January 2017 be approved and signed by the Chairman as a correct record.

**Reason for decision:** To comply with the Constitution.

#### **92. GENERAL FUND AND SPECIAL EXPENSES REVENUE BUDGETS 2017/18**

The Corporate Portfolio Holder presented the report to Members. He reminded Cabinet that they had approved draft budget proposals on the 13 December 2016 for consultation and informed Members that additional work on the base budget had been completed and the Government had also announced the provisional grant funding for 2017/18.

He highlighted to Members that the New Homes Bonus Payments were set at £2.84m as part of the settlement. It was £340k higher than assumed in the MTFs and whilst this was more than expected for 2017/18, the Council would receive some £445K less over the next 3 years, mainly due to the introduction of the deadweight factor, where payments would only be made on growth above 0.4% (approximately 140 homes) and Appendix 1 on page 17 of the report summarised the Council' General Fund position and shows a surplus budget position of £902k.

He stated that for 2017/18 he was pleased to announce that the authority was able to give Town and Parish Councils the same amount of Local Council Tax grant as last year. But as the report sets out, the level of support in future years would be reducing adding that Central Government initially gave the grant to District Councils, separate from the Revenue Support Grant (RSG) which it then incorporated within the RSG; and RSG is being phased out. The Council have discussed the issues with Town and Parish Councils and will be reducing grant at a slower level than the RSG decline.

He advised members that the report explained the volatility around locally retained business rates and the reduction of New Homes Bonus in future years which made it prudent to continue to hold a high level of reserves and for the eighth year running it was proposed that there would be a freeze of the District's Council Tax.

He drew Members attention to Section 3 of the report which detailed of the Projected Outturn for 2016/17 and explained why there was a forecast under spend of £1.3m compared to a budget of £1.1m and that some of this underspend had already been committed through reports to Cabinet and the recommendation was to transfer the surplus to reserves, and that both the end of year position and projected budget for 2017/18 relied heavily on the business rates income therefore recommending to wait until the business rates were finalised in May prior to making any commitments to how the under spends would be allocated. Adding that Cabinet would receive further reports in due course.

Councillor R Blunt stated that Government advised Local Authorities to make a balanced budget and that the Cabinet had ensured that it was the case for the past ten years. He commended Councillor N J Rushton and the officers for their hard work and was pleased that it was proposed to freeze the Council Tax again as there were some authorities that were proposing a 15% increase. He stated that it was excellent to see that the Council was not putting Council Tax up and continued to provide a good service.

Councillor T J Pendleton stated that times were bumpy and that the budget was prudent and this was the right approach.

Councillor A V Smith stated that she was pleased to see that provision was being made to continue with the opening of the Coalville Market Hall toilets on Sundays.

It was moved by Councillor N J Rushton, seconded by Councillor R Blunt and

RESOLVED THAT:

Cabinet recommends to Council:

- A. That it notes the level of reserves and assurance statement by the Deputy Section 151 Officer in section 7 of the report.
- B. The budgeted surplus income over expenditure in 2017/18 is transferred to an earmarked reserve for further consideration after the completion of the 2016/17 accounts.
- C. The forecasted surplus income over expenditure in 2016/17 is transferred to the special projects reserve.
- D. Approval of the General Fund Revenue budget for 2017/18 summarised in appendix 1.
- E. Approval of the Special Expenses Budget for 2017/18 set out in appendix 2.
- F. That it freezes the District's Council Tax in 2017/18.



**Reason for decision:** To enable the Council to set a balanced budget for 2017/18 as required by statute.

**93. CAPITAL PROGRAMMES - GENERAL FUND, COALVILLE SPECIAL EXPENSES AND HOUSING REVENUE ACCOUNT (H.R.A). PROJECTED OUTTURN 2016/17 AND PROGRAMMES 2017/18 TO 2021/22**

The Corporate Portfolio Holder presented the report to Members. He advised Members that the report set out and sought approval for the General Fund and Coalville Special Expenses Capital Programmes as set out at appendix A; and the H.R.A. Programme attached at Appendix B and that it also asked Cabinet to delegate authority to award the contracts and agreements as set out in section 7.

He informed Members that the report also showed the projected outturn for the current financial year and drew their attention to the following points:-

- The elements within the General Fund Capital Programme were set out in section 3 along with their funding arrangements, and a total of £3.07m for 2017/18 is budgeted and the 2018/19 Fleet Replacement programme at paragraph 3.2, for which approval was sought.
- The HRA capital programme set out at section 5 and Appendix B which totalled £10.15m, including over £2m for maintaining Decent Homes standards and £1.47m for other improvements to Council homes.
- Major projects included investing £4.25m in the building of up to 44 new council homes on 3 different sites.

Councillor R D Bayliss highlighted the Housing Capital Programme which not only included building new council homes, which was the jewel in the crown but also provision for continuing the Decency Programme, aids and adaptations, and replacing solid fuel heating systems.

Councillor R Blunt stated that authorities listened and took their steer from Government which was currently looking to build more new homes across all sectors and felt that the Council was lucky that Councillor R D Bayliss and the Director of Housing had put the authority in such a position that new houses could be built.

It was moved by Councillor N J Rushton, seconded by Councillor R D Bayliss and

**RESOLVED THAT:**

- A. The estimated General Fund, Coalville Special Expenses and H.R.A. Capital Outturn for 2016/17 and Planned Financing be noted.
- B. Council be recommended to approve expenditure in 2017/18 as per:
  - Appendix "A" General Fund and Special Expenses Capital Schemes
  - Appendix "B" for HRA Capital Schemes

And in 2018/19 these schemes only:

- £935,000 for the vehicle replacement programme, as detailed in paragraphs 3.2 to 3.2.3

- C. The proposed procurement routes be noted and authority be delegated to award the contracts, and any associated agreements in furtherance of the projects, as detailed in section 7 (procurement routes) of the report.

**Reason for decision:** To enable projects to be included in the Programmes and proceed.

#### **94. HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS FOR 2017/18**

The Housing Portfolio Holder presented the report to Members. He advised Members that the budget was prepared in the context of the continued 1% annual reduction in rent in its second year, and that only 55% of properties were at their target rent, adding that there was possibly some scope for revising rents following a revaluation process. If the latter were to proceed, he advised the matter would be brought back to Cabinet. He informed Members that the average re-let times were improving which resulted in increasing income for the authority, and also meant that the housing service could fulfil its social responsibility by re-housing applicants in housing need from the Housing Register more quickly.

Councillor N J Rushton stated that the Housing department was exceedingly well run, - not only being able to maintain the stock that it had but being able to build new houses.

It was moved by Councillor R D Bayliss, seconded by Councillor N J Rushton and

RESOLVED THAT:

- A. The Assurance Statement by the Deputy S151 officer be noted,
- B. The Council be recommended to:
  1. Approve the decrease in council house rents for 2017/18 by 1% (average of 83 pence per week).
  2. Approve the increase of 2% (13 pence per week) in garage rents for 2017/18.
  3. Approve the reduction in central heating charges for 2017/18 by 10%
  4. Approve the average increase of 1.03% (7 pence per week) in service charge for 2017/18.
  5. Approve the ground rent increase at Appleby Magna caravan site of 2% (62 pence per week) on the anniversary of each individual rent agreement in 2017/18.
  6. Approve the lifeline charges increase of 8% (79 pence per week) for private customers and 2% for registered provider customers from April 2017.
  7. Approve the Housing Revenue Account budget for 2017/18 attached as appendix A.

**Reason for decision:** To enable the Council to set a balanced Housing Revenue Account Budget for 2017/18.

#### **95. THE TREASURY MANAGEMENT STRATEGY STATEMENT 2017/18 AND PRUDENTIAL INDICATORS 2017/18 TO 2019/20**

The Corporate Portfolio Holder presented the report to Members. He advised Members that it was an annual report which Cabinet considers before making recommendations to

Council. And that Statement as proposed complied with statutory, regulatory and professional requirements. He highlighted that specific roles and responsibilities are identified, that the Council utilises the services of an independent treasury adviser and that the Council regularly reports treasury management activity in year to the Audit and Governance Committee.

It was moved by Councillor N J Rushton, seconded by Councillor T Gillard and

RESOLVED THAT

The Treasury Management Strategy Statement 2017/18, Prudential Indicators -revised 2016/17 and 2017/18 to 2019/20, and the Annual Minimum Revenue Provision Statement, be recommended for approval by Full Council.

**Reason for decision:** These are statutory requirements.

**96. MEASHAM CONSERVATION AREA: ADOPTION OF CHARACTER APPRAISAL AND BOUNDARY REVIEW**

During the presentation of the report Councillor N J Rushton declared a pecuniary interest in the item as he owned a property in the conservation area. He left the meeting during the discussion and voting thereon.

The Regeneration and Planning Portfolio Holder presented the report to Members. He advised Members that the work outlined in the report worked in conjunction with the submitted Local Plan and outlined proposal to review the boundaries in the north of the town. He drew Members attention to the consultation responses at appendix 3 that had been taken into consideration.

Councillor R Blunt stated that review of the area reminded people of the Character of the town especially the industrial roots. He informed Members that the formation of the conservation area for Coalville arose from the success of the Measham area and in having a conservation area helped owners of the properties acknowledge the respect that the properties should be treated with. He highlighted that the Authority was lucky to have a Conservation officer who was able to carry out such work.

Councillor A V Smith stated that it was an excellent report that made very interesting reading.

It was moved by Councillor T J Pendleton, seconded by Councillor R Blunt and

RESOLVED THAT:

The character appraisal and boundary review for the Measham conservation area be adopted.

**Reason for decision:** Adoption of the character appraisal and boundary review would:

- (a) Support the aims of the Council Delivery Plan relating to sustainable development and growth and people feeling proud of their homes and communities; and
- (b) Support the Council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the designation and review of conservation areas.

Councillor N J Rushton returned to the meeting.

## 97. AUTHORITY TO AWARD FRAMEWORK CONTRACT FOR REPAIRS AND MAINTENANCE OF PUBLIC BUILDINGS

The Corporate Portfolio Holder presented the report to Members. He advised Members that the current framework contract came to an end on 31 March 2017 and in conjunction with Charnwood the authority was looking to put another framework contract in place.

It was moved by Councillor N J Rushton, seconded by Councillor R Blunt and

RESOLVED THAT:

Authority to award the framework contract for repairs and maintenance of public buildings be delegated to the Director of Resources in consultation with the Corporate Portfolio Holder.

**Reason for decision:** The level of expenditure on this contract exceeds the authority threshold in the Scheme of Delegation and after 31/3/17, the Council will not have any effective and efficient provision in place for the repair and maintenance of its public buildings.

## 98. MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY

The Community Services Portfolio Holder presented the report to Members. She congratulated the Members of the Working Party and Officers for delivering another successful Christmas in Coalville event and remarked on how well organised, attended and received by residents it was. She advised that the Christmas lights were now aging and work had begun to look at options on how to move forward. She was pleased to hear that planning had begun on the Proms and Picnic in the Park events for the year and was happy to report that she had recently visited the new green gym at Melrose Road along with Councillors J Geary and D Everitt.

Councillor A V Smith informed Members that following a public consultation it had been proposed to rename the Urban Forest Park as Coalville Forest Adventure Park and following consultation with the British Legion it had been considered that the Forest park was not an ideal location for a Centenary memorial and options were now being considered for a mosaic to be incorporated into the Memorial Square improvements.

Councillor R Blunt commended the important work that the Working Party carried out and working together with the Coalville project hoped that the Council could make Coalville a success.

It was moved by Councillor A V Smith, seconded by Councillor R Blunt and

RESOLVED THAT:

The recommendations made by the Coalville Special Expenses Working Party as detailed within the minutes be noted and the recommendations as summarised at 3.0 be approved.

**Reason for decision:** To progress Coalville Special Expenses projects and programmes.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.25 pm

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 14 MARCH 2017**

Title of report	<b>PROPOSED COUNCIL DELIVERY PLAN 2017/20</b>
Key Decision	a) Financial Yes b) Community Yes
Contacts	<p>Councillor Richard Blunt 01530 454510 <a href="mailto:richard.blunt@nwleicestershire.gov.uk">richard.blunt@nwleicestershire.gov.uk</a></p> <p>Chief Executive 01530 454500 <a href="mailto:christine.fisher@nwleicestershire.gov.uk">christine.fisher@nwleicestershire.gov.uk</a></p> <p>Interim Director of Resources 01530 454833 <a href="mailto:andrew.hunkin@nwleicestershire.gov.uk">andrew.hunkin@nwleicestershire.gov.uk</a></p> <p>Director of Services 01530 454555 <a href="mailto:steve.bambrick@nwleicestershire.gov.uk">steve.bambrick@nwleicestershire.gov.uk</a></p> <p>Director of Housing 01530 454819 <a href="mailto:glyn.jones@nwleicestershire.gov.uk">glyn.jones@nwleicestershire.gov.uk</a></p>
Purpose of report	To provide the proposed Council Delivery Plan 2017/20 for consideration by Cabinet and to seek any comments concerning its content.
Reason for decision	To endorse the Council's Delivery Plan for 2017/20 prior to Council's consideration
Council priorities	This report delivers an update and actions on all of the Council's priorities for 2017/20.
Implications:  Financial/Staff	  The implementation of the Council Delivery Plan has been resourced through the Council's Medium Term Financial Strategy.

Link to relevant CAT	The report links to the work of all Corporate Action Teams.
Risk Management	Risk management is applicable to all areas of the Council's statutory duties and service provision. Any relevant risks relating to actions set out in the Council Delivery Plan are managed through the Corporate Risk Register.
Human Rights	No direct implications.
Transformational Government	No direct implications.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.
Consultees	Corporate Leadership Team Strategy Group on 31 January 2017
Background papers	<a href="#">Medium Term Financial Strategy 2016/17 to 2019/20 (Cabinet 11 October 2016)</a> <a href="#">General Fund and Special Expenses Revenue Budgets – Draft Proposals 2017/18 (Cabinet 7 February 2017)</a>
Recommendations	<b>IT IS RECOMMENDED THAT CABINET:</b>  <b>1. CONSIDERS THE PROPOSED COUNCIL DELIVERY PLAN FOR 2017/20.</b> <b>2. SUBSEQUENTLY ENDORSES THE PLAN'S CONTENT AND RECOMMENDS IT TO COUNCIL FOR APPROVAL ON 21 MARCH 2017.</b> <b>3. AUTHORISES THE CHIEF EXECUTIVE, IN CONSULTATION WITH THE LEADER OF THE COUNCIL, TO MAKE ANY FINAL AMENDMENTS TO THE PLAN PRIOR TO COUNCIL ON 21 MARCH 2017.</b>

## 1 BACKGROUND

- 1.1 The council adopted its first Council Delivery Plan (CDP) in April 2005. Since then, the CDP has evolved annually to reflect the changing environment in which the council is operating.

- 1.2 Since 2011/12, the CDP format has been designed to suit our customers rather than our auditors. These plans provided an accessible overview of the council's plans for the new financial year, including priority outcomes and high level actions. Performance against the plan is reported quarterly to Cabinet. The most recent CDPs have a strong customer focus, and several sections of the reports were included largely for the benefit of readers outside the council.
- 1.3 A number of key frontline services, which matter most to customers, were agreed at Cabinet in the *General Fund Revenue Budget – Draft Proposals 2014-15 and 2015-16* report of 24 September 2013. These are:
- Waste Services
  - Housing Services
  - Leisure Centres
  - Revenues & Benefits
  - Planning Services
  - Environmental Health

## **2 COUNCIL DELIVERY PLAN 2017/20**

- 2.1 This year the council is proposing a three year plan to link the CDP with the Medium Term Financial Strategy (MTFS). The plan will be refreshed annually to show what has been achieved and to incorporate any new actions that need be accommodated as a result of external influences or policy changes.
- 2.2 The proposed draft of the CDP for 2017/20 is attached at Appendix 1. In keeping with the new end of year report style created last year, the design has been updated to make the document more engaging for readers.

## **3 STRENGTHENING OUR STRONG PERFORMANCE CULTURE**

- 3.1 The CDP will continue as an outward-facing document for our customers and partners, and more detailed performance management will continue to be cascaded through the authority using Team Business Plans and the performance management system. The performance management system will continue to be developed to improve reporting methodologies and to ensure that the most important information is coming through at the right levels of management and to councillors.
- 3.2 The outcomes and actions listed in the CDP have a detailed set of quarterly milestones and indicators listed within Team Business Plans. Quarterly performance monitoring against these plans will continue as it does at present. In addition, it is proposed that performance against key corporate projects will be reported quarterly to Cabinet as part of the Quarterly Performance Report.
- 3.3 The portfolio holders are briefed monthly on the performance of their services and are engaged in the quarterly performance reports.

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# Council Delivery Plan 2017 - 2020





# Introduction

## Welcome to the North West Leicestershire Council Delivery Plan for 2017-2020.

In this plan we set out how we are going to improve North West Leicestershire over the next three years.

Our vision is **'North West Leicestershire is a place where people and businesses feel they belong and are proud to call home.'**

We have a great track record in developing partnerships across all sectors to build on local strengths.

This year, for the first time in 26 years, the council will be building new council homes. We will be continuing our work to regenerate Coalville town centre and the surrounding areas. We are also looking at the future possibilities

for our leisure centre provision to ensure that residents have access to the facilities they want and need.

As your council we continue to work hard to provide value for money services with our residents at the heart of everything we do. The financial challenges we face have not diminished and we will continue to successfully manage our budget as we have done in the past.

We would like to thank our staff, customers and partners that have worked with us to shape and deliver our services throughout 2016/17. We look forward to building on our successes over the next three years and beyond.



**Cllr Richard Blunt**  
Leader  
North West Leicestershire  
District Council



**Christine E Fisher**  
Chief Executive  
North West Leicestershire  
District Council

Front page photo caption: Coalville Colour Run 2016  
Photo caption: Christmas in Coalville 2016







# Our Priorities

The Council's Delivery Plan for 2017-2020 is founded on five priorities with key outcomes:

## Value for Money

- Customer satisfaction is high
- Our services are more cost effective

## Homes and Communities

- More affordable homes are built
- Communities are proud and safe
- Families in need are supported

## Building confidence in Coalville

- People want to live, work in and visit Coalville
- Coalville attracts small and medium enterprises to set up businesses

## Business and Jobs

- Businesses choose to locate in our district
- People find suitable employment within the district

## Green Footprints

- Everyone is motivated to be greener
- Community leadership in being green

*Photo caption: Enterprising NWL recipients celebrate their success*

## Our aims

- ✓ Customer satisfaction is high
- ✓ Our services are even more cost effective

## What we want to achieve over the next three years:



**Protect frontline services**



**0%**  
council tax  
increase



## The key things that we will do:

- Decide whether to build a new leisure centre or invest in Hermitage Leisure Centre to meet demand
- Manage our assets better to increase income
- Give customers 24/7 access to our services online
- Improve how we manage complaints and Freedom of Information (FOI) requests.
- Make sure our staff are customer-focussed and are able to react quickly to challenges and opportunities
- Make sure our staff and councillors work in a productive and efficient environment
- Bring more of our housing repairs and maintenance work in house
- Dispose of surplus land and buildings that we own to generate income and create opportunities

# VALUE FOR MONEY

## What we have achieved so far...

### 2015 - 2016

- ▶ We received Golden Footprints award for high levels of **customer satisfaction** with our **stray dogs** service for the **fifth year running!**
- ▶ **Recycling** separation technology **increased our income** by £95,000 a year
- ▶ We increased the number of online services and piloted digital forms to handle customer requests



### 2016 - 2017

- ▶ We improved the way we manage public information
- ▶ We designed and launched new tools to help keep our staff updated on corporate activities
- ▶ We improved the security of our systems and data are secure
- ▶ We invested in ICT equipment to improve the effectiveness and efficiency of our staff
- ▶ We reduced the time it takes relet empty council homes reduced from 77 days to 37 days

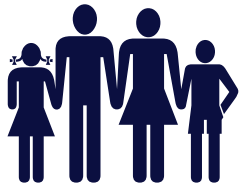


## Our aims

- ✓ More affordable homes are built
- ✓ Communities are proud and safe
- ✓ Families in need are supported.

## What we want to achieve over the next three years:

18



Support at least  
**50 families in need**



**125**  
more **affordable homes**  
in the district



**Four**  
**crime reduction**  
schemes each year

## The key things that we will do:

- Support residents with welfare reform and new fixed term tenancies
- Increase how satisfied our housing tenants are with the repairs service
- Use planning agreements to acquire properties from developers to increase the number of council homes
- Represent the interests of the district with HS2 and maximise benefits to the district and our communities
- Manage the implementation of our Local Plan, including finding new gypsy and traveller sites
- Plan for ambitious growth in the district to 2050, harnessing our excellent transport links to drive jobs, housing and infrastructure in the right places (through a Local Plan review)
- Ensure approved planning applications go ahead
- Speed up developer contributions so they make a real difference to local communities
- Do all we can to support infrastructure improvements that will aid growth, including proactive partnership working
- Develop the plans to create the Ashby de la Zouch cultural and leisure quarter
- Embark on a new build programme for council houses
- Support the resettlement of two Syrian refugee families each year
- Review our planning enforcement policy to deal with the more serious cases quicker
- Develop a new Community Safety Partnership strategy for 2017-2020

# HOMES AND COMMUNITIES

## What we have achieved so far...

### 2015 - 2016

- ▶ 126 affordable homes provided
- ▶ 33% reduction in empty homes
- ▶ Improvement works carried out to 580 tenants' homes maintaining satisfaction at 98%
- ▶ £210,000 made available for new and innovative community initiatives through the £20,000-for-Seven scheme
- ▶ We thanked more than 100 volunteers with a celebration event
- ▶ 35% reduction in crime at Download Festival



### 2016 - 2017

- ▶ 98 affordable homes provided (to 1 Oct 2016)
- ▶ Two Syrian refugee families successfully resettled in the district
- ▶ Purchased our first ever 'buy back' (former Right to Buy) home to increase the council's housing stock
- ▶ Started to build new council homes (for the first time in over 26 years)
- ▶ Satisfaction with the planning service is consistently above 90%

## Our aims

- ✓ People want to live, work in and visit Coalville
- ✓ Coalville attracts small and medium enterprises (SMEs) to set up businesses.

## What we want to achieve over the next three years:



- Coalville is more attractive to residents and developers
- More people live in, work in and visit Coalville
- We support business start ups and SMEs in the town

## The key things that we will do:

- Act on improvement plans for Marlborough Square and Memorial Square, working with partners
- Improve Coalville Market to attract new traders and customers
- Support businesses and property owners on Hotel Street, High Street, Belvoir Road and Marlborough Square with frontage improvement grants
- Create heritage and cultural projects in Coalville, working with trusted partners
- Organise events in Coalville and support trusted partners to arrange complementary events and activities
- Welcome new investors who want to develop key sites that will make Coalville more attractive to residents, visitors and businesses
- Prioritise key town centre sites for redevelopment, to drive prosperity and regeneration of Coalville
- Improve Coalville's green spaces and highway verges, working with land owners
- Build up to 20 new council owned homes in Coalville
- Make major improvements to Marlborough Flats on Jackson Street



# BUILDING CONFIDENCE IN COALVILLE

## What we have achieved so far...

### 2015 - 2016

- ▶ We allocated £225,000 to shops on High Street and Hotel Street in Coalville to improve their shop fronts. The first shop front was completed in March 2016 and work to others is ongoing.
- ▶ The Royal Oak Court development of affordable housing on the site of the former Pick and Shovel pub completed in March 2016, bringing people to live in the centre of town, getting rid of an eyesore and improving the look of this important part of town.

### 2016 - 2017

- ▶ We supported the Heroes Project to work with young people, develop food growing, cooking and sharing projects for local people and celebrating Coalville's past, present and future heroes
- ▶ 75% of eligible addresses on Hotel Street and High Street are engaged with the frontage grant scheme
- ▶ More than 500 people took part in the first Coalville Colour Run event, which we supported with funding and expertise
- ▶ We extended the frontage grant scheme to Belvoir Road and Marlborough Square – 23% of eligible business showed interest in the grants before the launch of the scheme
- ▶ Working with other organisations to promote all events happening in Coalville in one place
- ▶ We supported local housing associations to build 56 affordable homes at Highfield Street and Waterworks Road



## Our aims

- ✓ Businesses choose to locate in our district
- ✓ People find suitable employment within the district

## What we want to achieve over the next three years:

22



**Support local people to develop the skills** they need for vacant and future jobs

**Support a robust, diverse and sustainable economy**

## The key things that we will do:

- Provide advice and support to businesses
- Celebrate local business success stories through publicity
- Drive our town centres business grant programme to create maximum impact for the local communities and the businesses
- Support businesses affected by HS2 to find new premises in the district
- Help local businesses to recruit and develop the skills of local people, including apprenticeships, working with trusted partners
- Help businesses to find the information they need to grow, relocate or move their business in North West Leicestershire
- Make sure the Local Plan provides for sufficient new homes, infrastructure and employment land that will sustain economic growth
- Encourage visitors to the key town centres

# BUSINESS AND JOBS

## What we have achieved so far...

### 2015 - 2016

- ▶ 96.6% of food businesses have a food hygiene rating of 3, 4 or 5
- ▶ £195,000 provided to 11 small and medium sized businesses through the Enterprising NWL grant scheme
- ▶ £5.80 of private sector funding for every £1 of council grants means £1.1 million in private sector funding has been raised and contributed to creating 36 new jobs.



### 2016 - 2017

- ▶ Enterprising North West Leicestershire grants totalling £402,000 created 66 new jobs and involved almost £3m of private sector investment
- ▶ We agreed funding for Enterprising Town Centre grants
- ▶ Forty businesses attended our jobs fair, which supported recruitment into roles at M&S, Amazon, DHL and Tesco. 220 job applicants were made following this event.
- ▶ We worked with trusted partners to develop a plan for recruitment into new jobs at the Strategic Rail Freight Interchange when it is completed
- ▶ We continued to work on Access to Work plans for roles at East Midlands Enterprise Gateway
- ▶ The North West Leicestershire Business and People group focussed on specific policy areas, such as transport
- ▶ We provided support to businesses affected by the proposed HS2 route

## Our aims

- ✓ Everyone is motivated to be greener
- ✓ Community leadership in being green

## What we want to achieve over the next three years:

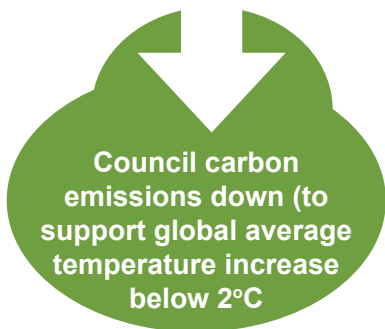
Local people develop skills for sustainable food growing, cooking and sharing in their community



Recruit more volunteer litter pickers (we currently have 100)



Superior design, high quality new residential developments



Cut in half – the number of council homes with solid fuel heating systems

## The key things that we will do:

- Run the Food Heroes project to generate sustainable food production
- Create a sustainable community litter picking programme on the main routes into Coalville to complement our existing council programme
- Review our Waste Collection Service in response to Leicestershire County Council's withdrawal of recycling credit payments from 1 April 2018
- Support our residents to recycle more
- Organise at least four community litter picks every year
- Give away 15,000+ free trees to residents and communities every year
- Replace solid fuel heating systems with air source heat pumps in our council homes
- Work with developers to make sure the design and layout of new developments is of the highest quality and has no negative impact on the environment

# GREEN FOOTPRINTS

## What we have achieved so far...

### 2015 - 2016

- ▶ We gave 18,000 free trees to members of the public, making our district an even greener place
- ▶ We held recycling roadshows throughout the district, which meant we could meet more than 600 residents
- ▶ The Green Shoots scheme delivered 30,000 spring flowering bulbs to nine parish councils, schools and community groups

### 2016 - 2017

- ▶ 46% of our household waste was recycled
- ▶ All major residential schemes granted planning permission achieved 12 green 'building for life' indicators
- ▶ The council received a national award for its Dog Watch project which is aimed at reducing dog fouling across the district.







# Managing the council's finances 2017 – 2020

**The council's money is public money, so it's important that we spend our money wisely.**

We always make sure we get the best value for money for our council tax payers. Since 2007 we have successfully saved money, frozen council tax (since 2009) and reduced our budgets, whilst protecting the services we know our residents value most.

To make sure we provide value for money, we:

- Make ongoing efficiency savings
- Work effectively and support local companies where possible when we buy goods and services
- Assess all spending for value for money
- Seek out income opportunities
- Keep a funding 'buffer' in case we need to make savings quickly
- Make sure our resources work for our priorities and services
- Work well with partners across the

district and the wider area

- Develop our staff through our Best Employee Experience (BEE) programme
- Using digital technology to transform the way customers access our services

We plan our finances through our Medium Term Financial Strategy (MTFS), which helps us:

- Focus on the vision and priorities of the council
- Improve how we plan and manage the council's resources
- Look for future opportunities and investments
- Provide value for money
- Protect the council against unforeseen events
- Be more commercial and take opportunities to generate income

The MTFS is constantly monitored and assessed to make sure we are always in a sound financial position.

*Photo caption: BEE a Coach programme*

# Our people, our performance

## North West Leicestershire District Council staff are our biggest asset.

Each member of staff works according to five values as part of our Best Employee Experience (BEE) programme:

- **Spend our money wisely** – our staff deliver value for money in everything they do
- **Support what is possible** – our staff identify, agree and provide the best possible outcomes for all customers
- **Be fair and proud** – our staff show pride in their work and take individual responsibility for delivering what is agreed
- **Listen carefully** – our staff listen and respond to the needs of customers and colleagues – both internally and externally
- **Deliver agreed quality** – our staff deliver within agreed timescales and to the expected quality.

## Staff development

The BEE development programme was created by our Chief Executive in May 2011.

The programme starts at the beginning: we recruit the right staff in terms of skills and behaviour. We only employ people who can live the council's values and bring the right knowledge, experience and qualifications to their roles.

The programme continues right through everyone's employment with the council.

## A coaching culture

Our coaching culture looks at how all staff are managed and supports them to develop in their roles, make the best contribution they can and provide excellent service to customers. This means:

- Staff and customers feel more listened to
- Teams across the council take more ownership of issues and work towards outcomes that will benefit our customers
- Staff are more proactive in coming up with solutions to overcome challenges.

## Performance

We will continue to raise performance levels through regular appraisals, and training and development.

We use feedback from our customers to identify staff that provide exceptional customer experiences on a consistent basis, and celebrate these achievements. Embedding a coaching culture will, in return, translate to a more engaged, productive and efficient group of employees.

The council has a robust performance management framework. Check our progress at [www.nwleics.gov.uk/performance](http://www.nwleics.gov.uk/performance).



# Useful information

If you would like more information about the Council Delivery Plan or any council service, please use the contact details below:

Website:  
[www.nwleics.gov.uk](http://www.nwleics.gov.uk)

Email:  
[customer.services@nwleicestershire.gov.uk](mailto:customer.services@nwleicestershire.gov.uk)

Twitter:  
[@nwleics](https://twitter.com/nwleics)

Post:  
North West Leicestershire District Council,  
Council Offices,  
Coalville,  
Leicestershire,  
LE67 3FJ

Telephone:  
**01530 454545** (Main switchboard)  
If you have an emergency outside of normal hours,  
please call 01530 454789

Fax:  
**01530 454506** (Reception)





## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

## CABINET – 14 MARCH 2017

Title of report	<b>TENANT SCRUTINY PANEL REPORT ON ANTI-SOCIAL BEHAVIOUR</b>
Key Decision	a) Community Yes b) Financial No
Contacts	Councillor Roger Bayliss 01530 411055 <a href="mailto:roger.bayliss@nwleicestershire.gov.uk">roger.bayliss@nwleicestershire.gov.uk</a>  Director of Housing 01530 454819 <a href="mailto:glyn.jones@nwleicestershire.gov.uk">glyn.jones@nwleicestershire.gov.uk</a>  Head of Housing 01530 454780 <a href="mailto:chris.lambert@nwleicestershire.gov.uk">chris.lambert@nwleicestershire.gov.uk</a>
Purpose of report	To seek approval to implement the action plan developed by the Housing Service in response to the recommendations put forward by the Tenant Scrutiny Panel in respect of anti-social behaviour.
Reason for Decision	The Tenant Scrutiny Panel has concluded their inspection of anti-social behaviour.
Council Priorities	Value for Money Homes and Communities.
Implications:	
Financial/Staff	The recommendations put forward by the Tenant Scrutiny Panel can be met by existing resources within the Housing Revenue Account budget.
Link to relevant CAT	None
Risk Management	The recommendations and any associated risks will be monitored by the Housing Service and Tenant Scrutiny Panel.
Equalities Impact Screening	No implications apparent.
Human Rights	No implications apparent
Transformational Government	This report reflects the second outcome from the introduction of the new Social Housing Regulatory regime established by the Localism Act 2011.

Comments of Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	Tenants & Leaseholders Consultation Forum Housing Senior Management Team Corporate Management Team
Background papers	None
Recommendations	<b>THAT CABINET APPROVES THE ACTION PLAN PREPARED IN RESPONSE TO THE RECOMMENDATIONS FROM THE TENANT SCRUTINY PANEL'S INSPECTION OF ANTI-SOCIAL BEHAVIOUR.</b>

## 1.0 CONTEXT

- 1.1 Cabinet approved the establishment of a Tenant Scrutiny Panel (TSP) in 2012 in response to introduction of the Localism Act 2011. The Act heralded the focus for Housing regulation moving towards a culture of local co-regulation, with greater emphasis on locally determining standards and priorities.
- 1.2 The reforms have also provided social housing tenants with stronger tools to hold their landlords to account through tenant panels, or similar bodies, in order to give tenants the opportunity to carefully examine the services being offered and form judgements about the cost and quality of the services they receive.
- 1.3 The TSP embarked on their first review of customer satisfaction with the Decent Homes Improvement Programme and issued their findings and recommendations in a report in May 2014 to the Housing Portfolio Holder. Each of the five recommendations were accepted and adopted by the Housing Service.
- 1.4 To date the panel have undertaken a further three inspections with all recommendations accepted and actions to implement undertaken.
- 1.5 The latest report issued by the Panel in respect of anti-social behaviour is a product of the Panel's work which concluded in late 2016.
- 1.6 The Panel will next be inspecting complaints management, with a report detailing their findings and proposed recommendations due to be considered by Cabinet later in the 2017/18 financial year.

## 2.0 INSPECTION OF ANTI-SOCIAL BEHAVIOUR

- 2.1 The Panel's full report, including twelve recommendations can be found in Appendix A. All recommendations have been accepted by the Housing Senior Management Team.
- 2.2 It is important to note that the report attached has been produced by the Scrutiny Panel themselves, in their own words.

2.3 Recommendations will be implemented through an action plan which includes the Housing Service's response and outlines the agreed actions to address the issues raised. The actions can be implemented within existing resources. The action plan can be found in Appendix B.



**Tenant Scrutiny Panel  
Report on:  
Anti-Social Behaviour**

**October 2016**

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<ol style="list-style-type: none"><li>1. Acknowledgements</li><li>2. Executive Summary</li><li>3. Strengths</li><li>4. Vision and Strategy</li><li>5. Report:</li><li>6. Choice of Topic</li><li>7. Aims of the Exercise</li><li>8. Findings</li><li>9. Recommendations</li></ol>	
<p><b>Appendices:</b></p> <p>Appendix 1 – ASB Incidents recorded since 2012</p> <p>Appendix 2 – ASB Crime and Policing Act 2014</p> <p>Appendix 3A – Tenant Survey ASB</p> <p>Appendix 3B – Tenant Survey Results ASB</p> <p>Appendix 3C – Housing Officer Interviews</p>	

## **1. ACKNOWLEDGEMENTS**

The Tenant Scrutiny Panel (TSP) gratefully acknowledges the support, guidance and assistance provided by the members of the Housing Team (including Glyn Jones, Amanda Harper, Andy Wallace, Pam Shah, Emily Taylor), the Resident Involvement team (Justin O'Brien, Sue Ross, Diane Caffrey, Laura Smythe), Charlotte Keedwell (Community Safety), and Cllr Roger Bayliss. Many thanks also to Rob Webb for sharing his in-depth knowledge of local authority procedures via PEP training.

## **2. EXECUTIVE SUMMARY**

The TSP made the decision to inspect the Anti Social Behaviour (ASB) Service as the quality of life of many residents can be affected by ASB, and also because customer satisfaction with how the Housing service deal with ASB has scope for improvement (as reported in the 2015 STAR Survey).

From the investigations of the TSP it became apparent from the information gathered that the current NWLDC policy leads to high expectations of tenants with regard to resolving ASB. Since 2012 to end of 2015 there were 521 complaints of ASB. To give a general idea of the types of complaints reported, noise-related incidents formed the majority of complaints (52.5%). During the same period more serious types of ASB - such as threats/violence, drug-related offences etc accounted for only 16 complaints or 0.3% of the total (See Appendix 1). This highlights the fact that the majority of cases can in fact be classed as low level (low risk) reports.

What was clear was that no matter the nature of the complaint, ASB is something that can adversely affect the lives of those who are subjected to it – making it a very important and emotive experience for residents.

## **3. OUR PANEL**

- 3.1. The TSP consists of a group of volunteers who are also tenants of NWLDC, each of whom has different skill sets and seeks to improve their skills and value to the group by identifying development needs and attending relevant training.
- 3.2. Each TSP member knows the importance of adopting a flexible attitude and displays a high level of commitment to their voluntary involvement in working with NWLDC to improve Housing services to tenants and streamline processes.
- 3.3. The TSP mission is to be a “critical friend” to the Council, facilitating service improvements for Council tenants.
- 3.4. The TSP uses differing methodologies to analyse data, collect evidence, report on outcomes and make recommendations to NWLDC to enable changes and improvements to be implemented.

## **4. OVERVIEW**

- 4.1 The topic of anti social behaviour (ASB) is a complicated and subjective one as it is difficult to deal effectively with something that is never the same on any two occasions; ASB therefore elicits different responses each time it is reported. It is also worth mentioning that it is an emotive topic that can invoke fear, anger, anxiety and

- other intense responses (which can result in health issues) in those who are subjected to incidents of ASB, or feel they are being affected by what they perceive as ASB.
- 4.2 The TSP discovered that there is generally a misconception as to what constitutes serious ASB. Most tenants (TSP members included) would think that neighbours who are continuously noisy (dogs barking, loud music, shouting, fighting etc) would be one of the things that fell into the 'serious' category. In truth serious incidents are such things as violence, threatening behaviour, hate crimes, discriminatory behaviour / conduct motivated on grounds of race, creed, religion, colour, sexuality or age. This type of ASB would normally result in the involvement of the Police and/or other partner agencies.
- 4.3 In the view of the TSP the current policy is not robust enough in establishing and clarifying expectations, and allows tenants to believe that every report of ASB will be fully investigated and an acceptable outcome for the tenant is almost guaranteed. Therefore NWLDC needs to change the perception of council tenants as to what constitutes serious ASB and to manage expectations going forward.

## **5. REPORT**

The TSP has reported on its findings as factually as possible and without any bias. Our inspection has, on occasion, increased awareness of the complexity of the work conducted by NWLDC and other agencies. However our findings and subsequent recommendations have led us to be critical of certain parts of the process of reporting / investigating ASB, and the policies and procedures in place.

## **6. CHOICE OF TOPIC**

This particular topic was initially chosen as the TSP identified that customer satisfaction levels in respect of ASB recorded in the STAR Survey were lower than expected. This prompted discussions with relevant managers and analysis of NWLDC policy, procedures and other documentary evidence.

## **7. METHODOLOGY**

- 7.1 Training course with Rob Webb to look at ASB legislation etc.
- 7.2 Reviewed all relevant NWLDC Housing policy documents provided in respect of Anti Social Behaviour reports with particular emphasis on the ASB Policy.
- 7.3 Interviewed Housing officers to ascertain whether they had any concerns with regard to reporting ASB.
- 7.4 Met with NWLDC Anti Social Behaviour Officer (Community Safety) to discuss the issues.
- 7.5 Attended a TSP workshop to identify and agree priorities for the inspection.
- 7.6 Compiled and issued questionnaire to send to tenants who had reported ASB incidents within the past two years.
- 7.7 Reviewed the ASB policies and procedures of other housing providers for comparison purposes
- 7.8 Scheduled several TSP working meetings as required to review new information and status of report.

## **8. AIM OF THE EXERCISE**

To investigate why customers were reporting lower satisfaction levels in respect of how ASB was addressed, and identify recommendations to improve how NWLDC deliver ASB services to tenants.

## 9. FINDINGS

1. The Housing Service's Anti Social Behaviour policy is currently not up to date with current legislation i.e. The Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014. The Act aims to put victims first and streamlined the previous 19 powers, replacing them with 6 new powers which enable agencies to provide a quick response. The Act also empowers victims and communities to have a say in the outcome of their reports via The Community Trigger. (See Appendix 2)
2. There is a partnership of agencies (Joint Action Group - JAG) that meets on a monthly basis to agree a joint agency approach to high risk cases.
3. The highest number of complaints were noise-related incidents (52.5%). Most of these cases could be classified as low level / risk.
4. The Housing Service uses Sentinel, which is a system shared by the police and councils across Leicestershire for recording reports of ASB. However the system is not a case management system in that it simply records data. The use of an appropriate case management system to keep track of actions and developments could potentially impact positively on tenant views of how well NWLDC deals with complaints.
5. Based on interviews and surveys with NWLDC tenants and staff it is clear that communication with complainants is inconsistent. (Appendices 3A, 3B and 3C)
6. The current relationship between the Housing Service and its internal and external partners – e.g. Environmental Health, Social Services and The Police - is not as strong and effective as it could be.
7. Expectations of tenant and non-tenant complainants are very high. This results in a high level of dissatisfaction when the Housing Service fails to reach the desired and possibly unrealistic outcomes desired by the complainant.

## 10. RECOMMENDATIONS

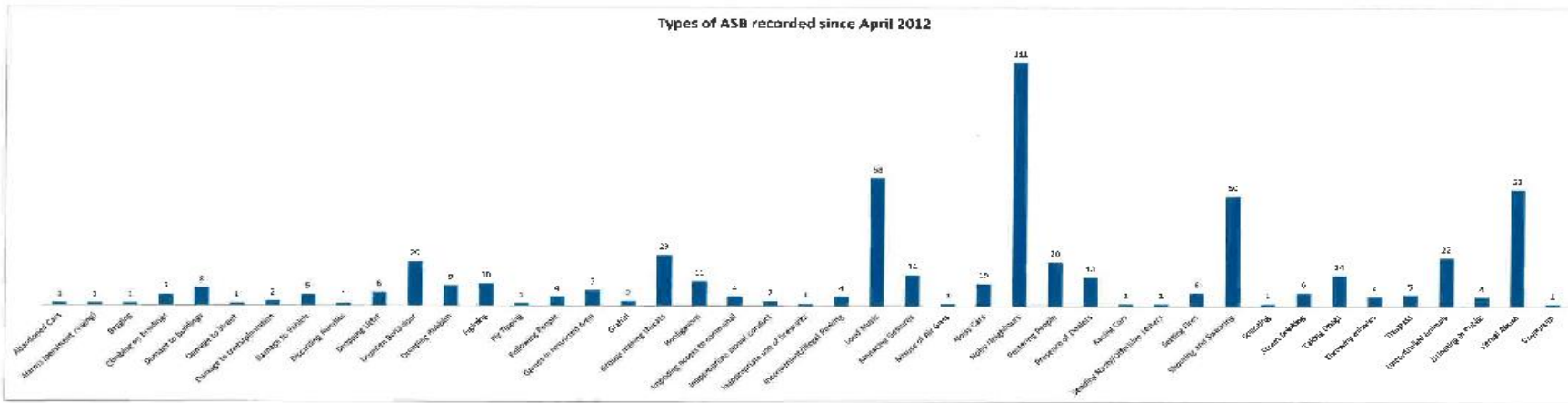
1. NWLDC undertake a full and in-depth review of the current housing policy on Anti Social Behaviour to bring it up to date with current legislation e.g. the Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014. The review needs to be conducted in partnership with the Community Safety Team, the Police and any other partnership agencies.
2. Ensure that the policy is realistic, specific and objective and manages the expectations of all customers.
3. Build into the policy what may be seen as **not being** anti social behaviour – e.g. one-off complaints of low level noise against neighbours of many years.
4. Signpost which complaints should be addressed by whom, e.g. in cases of violence then the Police should be the first point of contact and for lower level cases encourage complainants, where appropriate, to try and resolve the issue themselves
5. Guidance for officers in respect of noise which may or may not be classified as ASB between the hours of **11.00 pm and 7.00 am**, taking into account what is being reported and that any response needs to be reasonable and proportionate. For example:
  - a. Dogs barking, music playing etc.
  - b. Complaints that are attributable to human health issues



- c. Noises attributable to neighbour working times, shifts etc.
6. Review and tighten policy which currently says 'all incidences of ASB will be investigated'. Officers should be given the option to use their discretion to simply record an incident on the ASB system without taking any further action, dependent upon circumstances.
  7. Ensure that, once agreed, the Council adopts a communications strategy to promote the new NWLDC ASB policy/procedures via all available media with the aim of changing tenant perception as to what constitutes ASB
  8. Issue a guide to all NWLDC tenants classifying types of ASB / what is not ASB and who the first point of contact should be in each case.
  9. Develop an ASB toolkit that can be used by all council staff when dealing with ASB cases.
  10. Encourage and achieve closer and improved partnership working between the local Police, Environmental Health and other agencies/ the Housing Service when dealing with cases of ASB.
  11. Submit draft of new policy to Tenant Scrutiny Panel and The Landlord Services Working Group.
  12. NWLDC should identify and purchase a suitable and effective case management system for ASB cases.

Janet Higgins, Chair, On behalf of the Tenant Scrutiny Panel

NWLDC/TSP/2016 Reports/ASB – Anti Social Behaviour Report



Anti-social Behaviour, Crime and Policing Act 2014 is available to download from the following link

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

**TENANT SCRUTINY PANEL**

**QUESTIONNAIRE – ANTI SOCIAL BEHAVIOUR (ASB):**

This questionnaire has been compiled by the Tenant Scrutiny Panel (TSP) – a group of council tenants who give their time voluntarily to examine service areas through a variety of ways. Currently we are inspecting the Anti Social Behaviour service in order to report back to the council and recommend any changes we consider would be beneficial to both the council and tenants to improve satisfaction and give recommendations on procedural changes.

You are receiving this questionnaire because you have reported an incident of Anti-Social Behaviour to the Council within the past 12 months.

The responses from this survey and any information gained from them or from subsequent telephone contact will be treated as strictly confidential and we can confirm that each member of the TSP has undertaken Data Protection training.

**QUESTION 1: How did you make your initial ASB report? (Please circle)**

Telephone                      In person                      email                      website

**QUESTION 2: What was the nature of your report (tick all that apply)**

<input type="checkbox"/> Abandoned Cars	<input type="checkbox"/> Fighting	<input type="checkbox"/> Illegal parking	<input type="checkbox"/> Shouting and swearing
<input type="checkbox"/> Alarms going off	<input type="checkbox"/> Fly tipping	<input type="checkbox"/> Loud music	<input type="checkbox"/> Soliciting
<input type="checkbox"/> Damage to buildings	<input type="checkbox"/> Following people	<input type="checkbox"/> Menacing gestures	<input type="checkbox"/> Street drinking
<input type="checkbox"/> Damage to street	<input type="checkbox"/> Unauthorised games	<input type="checkbox"/> Misuse of air guns	<input type="checkbox"/> Taking drugs
<input type="checkbox"/> Damage to trees	<input type="checkbox"/> Graffiti	<input type="checkbox"/> Noisy cars	<input type="checkbox"/> Throwing missiles
<input type="checkbox"/> Damage to vehicle	<input type="checkbox"/> Groups making threats	<input type="checkbox"/> Noisy neighbours	<input type="checkbox"/> Trespass
<input type="checkbox"/> Discarding needles	<input type="checkbox"/> Hooliganism	<input type="checkbox"/> Pestering people	<input type="checkbox"/> Uncontrolled animals
<input type="checkbox"/> Dropping litter	<input type="checkbox"/> Preventing access	<input type="checkbox"/> Dealing drugs	<input type="checkbox"/> Urinating in public
<input type="checkbox"/> Drunken behaviour	<input type="checkbox"/> Inappropriate sexual conduct	<input type="checkbox"/> Racing cars	<input type="checkbox"/> Verbal abuse
<input type="checkbox"/> Dumping rubbish	<input type="checkbox"/> Inappropriate fireworks	<input type="checkbox"/> Setting fires	<input type="checkbox"/> Voyeurism

**QUESTION 4: Were you informed of who would be investigating the complaint?**

Y / N

**QUESTION 5: How long did it take for someone to make contact with you following your initial report? (Please circle)**

Within 24 hours                      2 – 4 days                      4 – 7 days                      7+ days

**QUESTION 6: Overall how satisfied were you with how your initial report was handled:**

**Very Satisfied                      Satisfied                      Dissatisfied                      Very  
Dissatisfied**

**If Dissatisfied please tell us why?**

**QUESTION 7: Did the officer you spoke to explain the process and possible options to you, i.e. Log book, Mediation, “Be a Good Neighbour” Agreement, referral to another agency?**

**QUESTION 9: Ideally what would you like to have happened?**

**QUESTION 10: Overall how satisfied were you with the service provided during the process?**

**Very Satisfied                      Satisfied                      Dissatisfied                      Very  
Dissatisfied**

**If Dissatisfied please tell us why?**

**Please tell us:**

**a. What did you expect / want to happen?**

**b. What do you think could be improved?**

**Please provide any further information and/or comments you wish to make.**

\*\*\*\*\*

**Would you agree to speak to a Tenant Scrutiny Panel member on the phone about your report and your experience of how it was handled by the council?**

Please circle

**YES / NO**

**If you answered yes, could you please provide your name and telephone number so we can call you?**

**Name:**.....

**Telephone Number:** .....

If you agree to speak with us we will introduce ourselves to you when we ring. We will limit any call to 15 minutes and you may be sure that anything you tell us if/when we call will be treated in strictest confidence and any information used will be totally anonymous.

***Thank you!***

APPENDIX 3B

NWLDC ASB Questionnaire 22/8/16																												
Number	10	6	5	6	4	2	3	3	3	3	2	2	2	1	2	1	2	2	4	2	1	3	5	1	4	1		
Reply 1	■				■																							
Reply 2	■	■	■	■		■			■	■																		
Reply 3											■																	
Reply 4		■			■																							
Reply 5	■	■										■																
Reply 6	■			■																								
Reply 7			■				■																					
Reply 8				■																								
Reply 9			■				■						■															
Reply 10	■																											
Reply 11	■																											
Reply 12	■	■	■	■	■	■		■																				
Reply 13		■												■	■	■	■	■	■	■	■							
Reply 14	■			■				■	■													■	■	■	■	■		
Reply 15	■																											
Reply 16	■	■	■	■	■		■	■	■	■	■	■	■		■		■	■	■	■	■		■	■	■	■	■	
Reply 17																				■				■	■	■	■	■
Reply 18																				■				■	■	■	■	
Reply 19																						■						
Reply 20										■																■		
Types of complaints on Questionnaire	Noisy Neighbours	Dumping Rubbish	Shouting / Swearing	Taking Drugs	Uncontrolled Animals	Dealing Drugs	Verbal Abuse	Street Drinking	Fighting	Noisy Cars	Fly Tipping	Throwing Missiles	Menacing Gestures	Damage to trees	Dropping litter	unauthorised games	Menacing gestures	Pesterin people	Shouting and swearing	Throwing missiles	Abandoned cars	Damage to vehicles	Drunken behavior	Inappropriate sexual conduct	Loud music	Urinating in public		

31 May 2016 Housing Officer Interviews  
 Meeting with Housing Management staff and The Tenant Scrutiny Panel  
 The following is a transcript synopsis of the discussions

Levels of ASB

- Speed of action

Lengthy and complicated process.

- Intro

Scenario "A"

Is he a tenant?

If not matter for community safety

Get more details

Is there more, how often?

Does he live there or visiting?

Assume he is a tenant

- Log on to Sentinel.

Search address and Surname

See if other complaints

Link it too previous linked on Sentinel

- Send letter to complainant

If joint visit needed with Police can set meeting.

If Mum is tenant she will be responsible

Initially give advice and make some recommendations, maybe parent not aware so just informing her may be enough.

Encourage people to try tackle low level cases

(Tenant needs to be careful)

Reporting an incident in its self can escalate due to neighbour they were reporting and can produce counter complaint

Housing Officer1 – Always send a letter when receiving a complaint.

Housing Officer2 – Don't always send a letter, sometimes sending a letter can make it worse

Different responses from different HO's, lack of consistent approach...

Expectations – How are these managed?

- If complaint is made should we take it seriously?



## APPENDIX 3B

What is not ASB?

We are not forthcoming with this

→ Might send a letter to everyone in street if group of youth hanging about.

Listen but response is dependent on investigation.

Sometimes when people call in they don't initially tell you everything.

- Knowing your tenant is important.
- Often what is not said is important to Investigation

### Scenario B

→ if serious needs to go to police. Discuss different powers – injunctions available.

→ door knocking to get info about the mini-moto motorbike but for the drugs we would need to do an investigation

→ It's a Judge that evicts not us (NWLDC) so without evidence our hands are tied.

Advising to report to 101 (none emergency)

Confidential information – Can't disclose certain information due to potential breach of confidentiality. This can impact satisfaction level as we can't always update a complainant on the progress of an investigation

HOFF1 – Feel disconnected from process as HOs don't send out satisfaction survey.

Satisfaction survey for people who have made ASB complaint.

→ The questions we ask.

→ Did we treat you right?

→ Did we solve the problem?

Better than "Are you satisfied"

At point of contact:

Question to ask – What do you want us to do?

Inform – This is what we can do!

-Send info letter out with initial letter

Festivity issue is initial consideration

→ Neighbourhood agreement mentioned / ABC.

Would like us to be proactive not reactive.

Q2 – make an agreement about plans and take control of the incident.

→ Need to identify are there triggers

## APPENDIX 3B

- Need to be straight up with tenant
- Are there any other agencies offering support?
- Need to think about what is being reported
- Look at evidence and tailor response

### Legislation.

- Work on tiered approach in line with legislation
  - following a procedure
  - preventative
- Enforcement tool
  - Training available to HOs

### Community Triggers.

Some will suffer in silence while others complain about everything.

- Judgment is important
  - A lot of responsibility and sometimes I think have I done enough.
- Noise monitoring equipment.

High level vs low level

Trust is important – and

Risk Matrix on Sentinel

- Low, Med and High level of risk

### Q6 What would we like?

- Case management system for managing cases needed
- Environmental Health department will not deal with council tenants
  - So tenure of individuals will have impact on service received.
  - Improved internal partnership working needs to be improved.
  - Links with victim support.
  - Variable preventable approach needed
  - Can we develop a tool kit for use by all HOs
  - Training – Formal / Bite size / Informal / E-Learning
  - Multi agency open day / Networking event
  - Like to feel more confident with my approach to dealing with ASB
  - Need a consistent approach with P+P followed consistently by all staff at all levels
  - Promote the community triggers to empower tenants.

### Action Plan in response to the Tenant Scrutiny Panel report on Anti-Social Behaviour

<b>Recommendation 1:</b> NWLDC undertake a full and in-depth review of the current housing policy on Anti Social Behaviour to bring it up to date with current legislation e.g. the Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014. The review needs to be conducted in partnership with the Community Safety Team, the Police and any other partnership agencies.				
Ref	Task	Lead	Target Date	Status
TSPASB1	To rewrite the ASB Policy to take into effect the changes necessary to bring it in line with the ASB CPA 2014	Andrew Wallace	January 2017	G
TSPASB1.1	To have the new ASB Policy ratified throughout the consultation and political process and bring it into effect by April 2017		April 2017	A
<b>Recommendation 2:</b> Ensure that the policy is realistic, specific and objective and manages the expectations of all customers.				
Ref	Task	Lead	Target Date	Status
TSPASB2	Ensure there is clear guidance within the new Policy as to what constitutes ASB	Andrew Wallace	January 2017	G
<b>Recommendation 3:</b> Build into the policy what may be seen as <b>not being</b> anti social behaviour – e.g. one-off complaints of low level noise against neighbours of many years				
Ref	Task	Lead	Target Date	Status
TSPASB2	Ensure there is clear guidance within the new Policy as to what constitutes ASB	Andrew Wallace	January 2017	G
<b>Recommendation 4:</b> Signpost which complaints should be addressed by whom, e.g. in cases of violence then the Police should be the first point of contact and for lower level cases encourage complainants, where appropriate, to try and resolve the issue themselves				
Ref	Task	Lead	Target Date	Status
TSPASB3	Have indicators within the Policy and the working documents to ensure that the correct agency is signposted	Andrew Wallace	January 2017	G

TSPASB3.1	Update staff with latest information regarding whom complaints should be addressed to and encourage resolution	Andrew Wallace	April 2017	A
<b>Recommendation 5:</b> Guidance for officers in respect of noise which may or may not be classified as ASB between the hours of <b>11.00 pm and 7.00 am</b> , taking into account what is being reported and that any response needs to be reasonable and proportionate. For example: <ul style="list-style-type: none"> <li>a. Dogs barking, music playing etc.</li> <li>b. Complaints that are attributable to human health issues</li> <li>c. Noises attributable to neighbour working times, shifts etc.</li> </ul>				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB4	Officer Guidance to be drafted following ASB policy has started political approval process	Andrew Wallace	April 2017	A
<b>Recommendation 6:</b> Review and tighten policy which currently says 'all incidences of ASB will be investigated'. Officers should be given the option to use their discretion to simply record an incident on the ASB system without taking any further action, dependent upon circumstances.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB2 48	Ensure there is clear guidance within the new Policy as to what constitutes ASB	Andrew Wallace	January 2017	G
<b>Recommendation 7:</b> Ensure that, once agreed, the Council adopts a communications strategy to promote the new NWLDC ASB policy/procedures via all available media with the aim of changing tenant perception as to what constitutes ASB				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB5	Working with Community Safety Partnership, the Council will have a new procedure which runs alongside the Policy and will update all literature, communication and social media outlets	Andrew Wallace	April 2017	A
<b>Recommendation 8:</b> Issue an 'idiot's guide' to all NWLDC tenants classifying types of ASB / what is not ASB and who the first point of contact should be in each case.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB6	Guide to be produced as part of the literature review in TSPASB5	Andrew Wallace	April 2017	A
<b>Recommendation 9:</b> Develop an ASB toolkit that can be used by all council staff when dealing with ASB cases.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>

## APPENDIX 3B

TSPASB7	In line with the Procedure, a toolkit of available options is to be developed which will enhance the already available Chronology form	Andrew Wallace/Emily Taylor	June 2017	A
<b>Recommendation 10:</b> Encourage and achieve closer and improved partnership working between the local Police, Environmental Health and other agencies/ the Housing Service when dealing with cases of ASB.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB8	Coordinate quarterly meetings with corporate colleagues to review, discuss and improve ASB working practices	Andrew Wallace	February 2017	A
<b>Recommendation 11:</b> Submit draft of new policy to Tenant Scrutiny Panel and The Landlord Services Working Group.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB9	Policy to be ratified by LSWG, TSP and TLCF	Andrew Wallace	January 2017	A
<b>Recommendation 12:</b> NWLDC should identify and purchase a suitable and effective case management system for ASB cases.				
<b>Ref</b>	<b>Task</b>	<b>Lead</b>	<b>Target Date</b>	<b>Status</b>
TSPASB10	Identification of what other organisations currently use for ASB Management	Andrew Wallace	April 2017	A
TSPASB11	Understand contract situation with Sentinel (existing system) – Are we tied in?	Andrew Wallace	April 2017	A
TSPASB12	Explore opportunities with eform development	Andrew Wallace	May 2017	A
TSPASB13	Present report to TSP regarding recommendation of ASB case management for discussion and potential SMT report for funding	Andrew Wallace	June 2017	A

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 14 MARCH 2017**

Title of report	<b>ASHBY NEIGHBOURHOOD PLAN - PROPOSED RESPONSE TO PRE-SUBMISSION (PART 2) CONSULTATION</b>
Key Decision	a) Financial No b) Community Yes
Contacts	<p>Councillor Trevor Pendleton  01509 569746  <a href="mailto:trevor.pendleton@nwleicestershire.gov.uk">trevor.pendleton@nwleicestershire.gov.uk</a></p> <p>Director of Services  01530 454555  <a href="mailto:steve.bambrick@nwleicestershire.gov.uk">steve.bambrick@nwleicestershire.gov.uk</a></p> <p>Head of Planning &amp; Regeneration  01530 454782  <a href="mailto:jim.newton@nwleicestershire.gov.uk">jim.newton@nwleicestershire.gov.uk</a></p>
Purpose of report	To determine the District Council's response to a consultation on the pre-submission draft (part 2) neighbourhood plan for Ashby de la Zouch
Reason for decision	The District Council is a statutory consultee and so it is appropriate to provide comments to assist with the formulation of the neighbourhood plan.
Council priorities	Business and Jobs Homes and Communities Green Footprint Challenge
Implications:  Financial/Staff	<p>Supporting the Ashby Neighbourhood Plan will incur direct costs to the District Council such as the cost of undertaking an independent examination of the plan and, should the examination be successful, the costs associated with a local referendum. Grant funding from central government (£30,000 per neighbourhood plan) is payable to the District Council to support this agenda, but is unlikely to meet the costs in full.</p> <p>Once the Ashby Neighbourhood Plan is adopted it will form part of the Development Plan for North West Leicestershire. Should the document be subject to legal challenge, the District Council will be responsible for meeting such costs.</p>

Link to relevant CAT	None
Risk Management	The ultimate decision on how to proceed in respect of the Neighbourhood Plan rests with Ashby Town Council. As currently set out there are differences between the Ashby Neighbourhood Plan, national policies and the adopted Local Plan, as well as the District Council's draft Local Plan which is currently at Examination. These differences represent a risk to the success of the Ashby Neighbourhood Plan. It is appropriate for the District Council to work with Ashby Town Council to seek to minimise risks to the Ashby Neighbourhood Plan.
Equalities Impact Screening	Not applicable
Human Rights	No discernible impact
Transformational Government	Not applicable
Comments of Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	None
Background papers	<a href="#">National Planning Policy Framework</a> <a href="#">The Neighbourhood Planning (General) (Amendment) Regulations 2015</a> <a href="#">Planning Practice Guidance</a> <a href="#">Ashby Neighbourhood Plan Report to Cabinet – 8 December 2015</a> <a href="#">Ashby Neighbourhood Plan Report to Cabinet – 14 June 2016</a>
Recommendations	<p><b>IT IS RECOMMENDED THAT</b></p> <ol style="list-style-type: none"> <li><b>1. THE SUGGESTED RESPONSE TO ASHBY DE LA ZOUCH TOWN COUNCIL AT APPENDIX 1 BE ENDORSED;</b></li> <li><b>2. FOLLOWING SUBMISSION OF THE NEIGHBOURHOOD PLAN TO THE DISTRICT COUNCIL THE DIRECTOR OF</b></li> </ol>



	<p><b>SERVICES, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR REGENERATION &amp; PLANNING</b></p> <p><b>A) CONSIDER THE PLAN’S LEGAL COMPLIANCE;</b></p> <p><b>B) PUBLISH THE PLAN FOR A SIX WEEK PERIOD AND INVITE REPRESENTATIONS;</b></p> <p><b>C) NOTIFY CONSULTATION BODIES; AND</b></p> <p><b>D) APPOINT AN INDEPENDENT EXAMINER TO CONDUCT THE EXAMINATION OF THE NEIGHBOURHOOD PLAN; AND</b></p> <p><b>3. FOLLOWING RECEIPT OF THE INDEPENDENT EXAMINER’S REPORT, THE DIRECTOR OF SERVICES IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR REGENERATION &amp; PLANNING DETERMINE WHETHER THE CONDITIONS HAVE BEEN MET FOR THE NEIGHBOURHOOD PLAN TO PROCEED TO REFERENDUM</b></p> <p><b>4. IF THE MAJORITY OF THOSE WHO VOTED IN THE REFERENDUM ARE IN FAVOUR OF THE ASHBY NEIGHBOURHOOD PLAN AND THE DISTRICT COUNCIL DOES NOT CONSIDER THE MAKNG OF THE NEIGHBOURHOOD PLAN TO BE INCOMPATIBLE WITH ANY EU OR HUMAN RIGHTS OBLIGATIONS, THE ASHBY NEIGHBOURHOOD PLAN MUST BE MADE BY THE DISTRICT COUNCIL WITHIN EIGHT WEEKS OF THE REFERENDUM. THIS WILL TAKE PLACE BY WAY OF DELEGATED AUTHORITY</b></p>
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**1.0 INTRODUCTION**

1.1 Ashby de la Zouch Town Council (“the Town Council”) has published a Pre-Submission (Regulation 14) consultation Part 2 Draft of its Neighbourhood Plan for consultation. The District Council commented on the earlier version of the Neighbourhood Plan on 14 June 2016. The purpose of this report is to formulate the Council’s response to the current consultation.

**2.0 BACKGROUND**

2.1 The Ashby Neighbourhood Plan area covers the wards of Ashby Holywell, Ashby Money Hill, Ashby Ivanhoe, Ashby Castle and Ashby Willesley, and includes the town of Ashby de la Zouch but excludes Blackfordby.

2.2 The Town Council area (excluding Blackfordby) was designated by the District Council as a Neighbourhood Area on 27 February 2014.

2.3 Since its designation the Town Council has published both a Draft (October 2015) and a Pre-Submission (May 2016) Neighbourhood Plan for consultation. The District Council responded to the consultations relating to each of these draft plans.

### **3.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) & HABITATS REGULATION ASSESSMENT (HRA)**

- 3.1 Following a request by the Town Council for a screening opinion as to whether there was a requirement for a Strategic Environmental Assessment (SEA) or a Habitats Regulation Assessment (HRA) to be undertaken for the Ashby Neighbourhood Plan, the District Council has confirmed to the Town Council that these reports were required.
- 3.2 The Pre-Submission Consultation Part 2 Neighbourhood Plan takes into account the results of the SEA and HRA, and as a result a further period of public consultation (now being undertaken) is required before the Ashby Neighbourhood Plan can be submitted.

### **4.0 PRE-SUBMISSION CONSULTATION PART 2 CONSULTATION**

- 4.1 The current Pre-Submission consultation runs from 30 January to 13 March 2017. Although the Cabinet Meeting is after this deadline, it has been agreed with the Town Council that the comments could be submitted ahead of the Cabinet meeting but that they needed to be endorsed by Cabinet on 14 March 2017.
- 4.2 The vast majority of issues concerning the Ashby Neighbourhood Plan, those that have previously been raised by the District Council during earlier consultations, have now been addressed. Key remaining concerns with the published document can be summarised as follows:
- Policy S1 (presumption in favour of sustainable development) seeks to take primacy over the NPPF and both the adopted and draft Local Plan, which is not in accordance with the Localism Act 2011 which states that a neighbourhood plan is part of the development plan (alongside, not superior to, the local plan). It is important that this is clarified to provide a clear understanding of the relationship between various policies, and facilitate consistency of decision making and;
  - Policy H1 (Sustainable housing growth) does not make not clear how many homes are envisaged to come forward on the wider Money Hill site. This represents a risk to the proposed development, the Ashby Neighbourhood Plan and the draft Local Plan because inconsistency between documents makes it more difficult for the District Council to demonstrate a five year housing supply against the draft Local Plan and the Ashby Neighbourhood Plan; and
  - Policy H5 (affordable housing) seeks to assume the role of the housing authority which is held by the District Council. The housing authority has a statutory duty to ensure that all of the district's residents are adequately housed. It is the case that most people live in towns and it follows that due to economies of scale, housing need that is generated in the countryside will not always be met in the countryside. By restricting new homes in the town of Ashby to people with a strong connection to the town itself, rural people's options for accessing suitable housing would be disproportionately limited. There is also a risk that by applying a restriction within Ashby, it would provide a disincentive against people deciding to move out of the town. Affordable housing is an asset of and for the district.
- 4.3 The key concerns were discussed with representatives of the Town Council, during a constructive meeting, and it was agreed that they would be addressed. This will be subject to formal consideration by the Town Council, so it remains appropriate for the District Council to raise the issues in its response to the current consultation. A fuller list of

suggestions to improve the clarity of the plan, ahead of submission, are proposed to be provided to the Town Council, this appears at appendix 1 to this report.

## **5.0 NEXT STEPS**

- 5.1 Once the current consultation concludes, the Town Council intends to review all of the responses and prepare a Submission version of the Ashby Neighbourhood Plan. The SEA will also be updated.
- 5.2 The Submission version of the Ashby Neighbourhood Plan will be presented to the Town Council Planning and Transportation Committee for approval after which the document will be submitted to the District Council.
- 5.3 The remaining timetable for the preparation of the Ashby Neighbourhood Plan is governed by when the Town Council submits it to the District Council. However once the plan has been submitted to the District Council, the District Council is required to check that the submitted proposal complies with all relevant legislation including EU Regs (such as the River Mease SAC). If the District Council finds that the Ashby Neighbourhood Plan meets the legal requirements it must:
  - publicise the proposal for a minimum of 6 weeks and invite representations;
  - notify consultation bodies referred to in the consultation statement; and
  - appoint an independent examiner (with the agreement of the Town Council) to test whether or not the Ashby Neighbourhood Plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). The independent examiner will not test the soundness of the neighbourhood plan or examine other material considerations. The examination of the Ashby Neighbourhood Plan is likely to take place by way of written representations unless the independent examiner considers it necessary to ensure adequate examination of an issue by way of an oral hearing, or is minded to give somebody a fair chance to put their case forward by way of oral representations at a hearing. A report will subsequently follow.

Given the technical/procedural nature of these tasks, it is recommended that the above tasks be delegated to the Director of Services, in consultation with the Portfolio Holder for Regeneration & Planning.

- 5.4 Following receipt of the independent examiner's report, the District Council must formally decide whether to send the plan to referendum (with or without modifications). Reg 17A(5)(b) of the Neighbourhood Planning (General) and Development Management Procedure (Amendment Regulations 2016 ("the 2016 Regs") gives the District Council 5 weeks from receipt of the Examiners report to decide whether to proceed with the referendum or not. Given the short timescale allowed for this, which is required by Government regulation and is not negotiable, it is recommended that this decision be delegated to the Director of Services, in consultation with the Portfolio Holder for Regeneration & Planning.
- 5.5 Should the Ashby Neighbourhood Plan be sent to referendum, and the referendum declares in favour of the Ashby Neighbourhood Plan, then the District Council is required to adopt the Ashby Neighbourhood Plan within 8 weeks of the referendum (Reg 18A(1) of the 2016 Regs). It is anticipated that the decision to adopt the Ashby Neighbourhood Plan would be the subject of a specific Cabinet report at the appropriate time.

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## APPENDIX 1 – NWLDC COMMENTS ON CONSULTATION PART 2 DRAFT NEIGHBOURHOOD PLAN

We have three fundamental concerns with the Neighbourhood Plan, as published. We discussed these in some depth with representatives of the Town Council, and understand that, while agreement was reached with those representatives, the Town Council will still need to formally consider its position with respect to these issues. It is for that reason that we reproduce those issues and their implications now, to inform that formal consideration.

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### ***Policy S1: Presumption in favour of sustainable development***

*When considering development proposals, the Plan will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and North West Leicestershire Local Plan. The Town Council will work proactively with developers to find solutions which mean that sustainable proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the Plan area.*

*Planning applications or other land-use related decisions that accord with the policies in this Plan should be approved, unless material considerations indicate otherwise.*

*Where there are no policies in the Neighbourhood Plan or North West Leicestershire Local Plan relevant to a planning application or other land use related decision, the policies contained in the NPPF [~~and North West Leicestershire Local Plan~~] apply.*

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The law is clear that planning decisions should be made in accordance with the development plan, unless material considerations indicate otherwise. It is important therefore that the entire development plan of relevance (in this case the Neighbourhood Plan and Local Plan) are expressly accorded appropriate weight in decision making.

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### ***POLICY H1: SUSTAINABLE HOUSING GROWTH***

*The Neighbourhood Plan recognises the need to provide new housing to meet the identified needs of the Plan area and contribute to the District wide housing target. Having regard to homes already constructed and existing commitments, the remaining housing provision for the Plan area will be a target of 547 houses over the period to 2031 and 675 houses delivered after 2031. Which will be met by development on the land north of Ashby de la Zouch at Money Hill (including the former Arla dairy site and Woodcock Way) and windfall sites that come forward as the Neighbourhood Plan progresses.*

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Our concern with this is that it is not clear exactly how many homes, in total, are expected to come forward, on what land, over what time period. The risk here is that it be used to generate confusion at an appeal, as an appellant suggests that we are unable to demonstrate a five year supply because the development plan when taken together (the

Neighbourhood Plan and Local Plan) is internally inconsistent and does not know what its five year supply figure should be. It would be preferable to simplify the Neighbourhood Plan policy wording, to address that risk.

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#### **POLICY H5: AFFORDABLE HOUSING**

*To support the provision of mixed, sustainable communities and meet an identified need within the community:*

*a) At least 30% of homes on developments comprising 11 or more dwellings shall be high quality affordable homes. Only in highly exceptional circumstances will commuted sums be acceptable and any such commuted sums shall be used to provide suitable affordable housing in Ashby de la Zouch;*

*b) At least 40% of the affordable homes provided shall be 1 or 2 bedroom properties; and*

*c) Development housing proposals will be expected to contribute to the provision of affordable homes that are suited to the needs of older people and those with disabilities.*

*Where possible, affordable housing within the Plan area shall be allocated to eligible households with an Ashby connection defined as follows:*

*a) Was born in Ashby de la Zouch or;*

*b) b) Presently reside in the plan area and has, immediately prior to occupation, been lawfully and ordinarily resident within the plan area for a continuous period of not less than twelve months; or*

*c) c) Was ordinarily resident within Ashby de la Zouch for a continuous period of not less than three years but has been forced to move away because of the lack of affordable housing; or*

*d) d) Is presently employed or self-employed on a full time basis in Ashby de la Zouch and whose main occupation has been in Ashby de la Zouch for a continuous period of not less than twelve months immediately prior to occupation; or*

*e) f) Has a need to move to Ashby de la Zouch to be close to a relative or other person in order to provide or receive significant amounts of care and support.*

*f)e) Has a close family member who is lawfully and ordinarily resident within Ashby de la Zouch and who has been lawfully and ordinarily resident within the Plan area for a continuous period of not less than three years immediately prior to occupation and for the purposes of this clause a “close family member” shall mean a mother, father, brother or sister.*

*Only where no households can be found that meet any of the above criteria shall affordable housing within the Plan area be allocated to otherwise eligible households from the wider District.*

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This is a case of unintended consequences: if this restrictive policy were to apply to new affordable housing developments in Ashby, two key unintended consequences would be of particular concern:

The first of these is that other Neighbourhood Plans may wish to follow suit, and we would end up with people who need affordable housing effectively stuck in the town they currently live in, as they would be precluded from moving to a different town by the same policy.

The second is that the reduced pool of potential occupiers of the new homes would increase the borrowing costs for Registered Providers, to the point that viability would be threatened.

Under that scenario, fewer affordable homes, possibly with a different sub-optimal tenure mix, would be provided.

The remainder of the issues, set out in the table, may improve the plan, but would not necessarily run to its heart. They are provided in the spirit of helpfulness.

Policy included in Part 2 Consultation Draft Neighbourhood Plan	NWLDC Comments
<p><b>POLICY S2: LIMITS TO DEVELOPMENT</b>            Within the Limits to Development as identified in Figure 4, development proposals will be viewed positively where it is in accordance with the other policies of this Neighbourhood Plan and relevant District and national planning policies and subject to accessibility, design and amenity considerations.</p>	<p>Have added in word 'other' as suggested.</p>
<p><b>POLICY S3: DEVELOPMENT PROPOSALS OUTSIDE OF THE LIMITS TO DEVELOPMENT</b>            Development proposals in countryside locations outside the Limits to Development will only be supported in exceptional circumstances where in accordance with national and District wide planning policies and other policies in this Plan.            In all cases, where development is considered acceptable, it will be required to respect the form, scale, character and amenity of the landscape and the surrounding area through careful siting, design and use of materials.</p>	<p>No changes proposed</p>
<p><b>POLICY S4: DESIGN - Design Principles</b>            All new development will need to satisfy the following design principles:            1. New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area and take in to account the design principles set out in the National Forest Design Charter. Proposals should clearly show how the general character, scale, mass, density and layout of the site, of the building or extension fits in with the aspect of the surrounding area. Care should be taken to ensure that the development does not disrupt the visual amenities of the street scene and impact negatively on any significant wider landscape views;            2. New buildings should follow a similar design approach to ensure consistency in the use of materials, fenestration and the roofline to the building. Materials should be chosen to complement the design of the development and add to the quality or character of the surrounding environment and of the Conservation Area;            3. Adequate off road parking should be provided to ensure highway safety and to enhance the street scene and in the case of residential dwellings a minimum of two car parking spaces for dwellings of three bedrooms or less and a minimum of three spaces for dwellings of four bedrooms or more, in accordance with Leicestershire County Council standards;            4. All new development should reflect the character and historic context of existing developments within the Plan area. Contemporary and innovative materials and design will be supported where they are in keeping with the character of the area;            5. High quality superfast (of at least 30Mbps) broadband connectivity should be available;            6. Redevelopment, alteration or extension of historic farmsteads</p>	<p>Have accepted recommendations regarding title of policy and how policy starts and reference to national forest. Part 2) wording has changed to reflect previous concerns regarding word consistency. Part 3) have added in purpose of policy but still conflicts with LCC requirements as it is specific for all developments Part 4) reworded to delete reference to 'continue' and reworded to reflect previous concerns Part 5) and part 6) essentially unchanged Part 9) now only refers to 'wooden fencing' Part 11) substantial revisions. Is high flood risk consistent with NPPF? What arrangements are envisaged re management of SUDs? Part 12) is a new separate point having previously been part of old 10). Part 13) rewritten to reflect previous concerns. Part 14) recognises that smaller developments may not achieve BFL. Perhaps suggest reword to make clear that conformity</p>



<p>and agricultural buildings within the Plan area should be sensitive to their distinctive character, materials and form;</p> <p>7. Proposals should minimise the impact on general amenity and give careful consideration to noise, odour and light. Light pollution should be minimised wherever possible and security lighting should be appropriate, unobtrusive and energy efficient;</p> <p>8. Development should be enhanced by biodiversity and landscaping with existing trees and hedges preserved whenever possible;</p> <p>9. Where possible, enclosure of plots should be of native hedging, wooden fencing, or brick wall of rural design;</p> <p>10. Development should incorporate sustainable design and construction techniques to meet high standards for energy and water efficiency, including the use of renewable and low carbon energy technology, as appropriate;</p> <p>11. Development should be avoided in areas of high flood risk (flood zones 2 and 3) and where this is being considered, the sequential test should apply. Where it is necessary to manage surface water drainage, development should incorporate sustainable drainage systems (SuDS) with maintenance regimes to minimise vulnerability to flooding and climate change. Arrangements to manage and maintain SuDS over the whole period they are needed will need to be put in place;</p> <p>12. Development should incorporate appropriate provision for the storage of waste and recyclable materials;</p> <p>13. Development should be of a similar density to the immediate surrounding area;</p> <p>14. Housing proposals should demonstrate how the criteria identified within Building for Life 12 have been taken into account. It is recognised that greater conformity will be achievable in large developments; and</p> <p>15. New development should take into account risk from land instability and where necessary incorporate appropriate mitigation and/or treatment measures.</p>	<p>refers to BFL. Part 15) is new.</p>
<p><b>POLICY S5: PRIORITY TO BE GIVEN TO BROWNFIELD SITES</b>  Within the Limit to Development, development proposals for the redevelopment or change of use of redundant land or buildings should be prioritised above non-brownfield sites, provided they have limited environmental, amenity or ecological value</p>	<p>Previous concerns regarding the meanings of “prioritised” and “limited” not addressed. In addition, conflicts with NPPF as there is no sequential approach.</p>
<p><b>POLICY S6: AREAS OF LOCAL SEPARATION</b>  To retain the physical and visual separation between Ashby de la Zouch and nearby villages, the open land between the built-up areas of Ashby de la Zouch and the villages of Shellbrook, Smisby, Blackfordby, Norris Hill, Boundary and Packington will be designated as Areas of Local Separation, Figure 5.  Development will not be permitted which, either individually or cumulatively, would demonstrably adversely affect or diminish the present open and undeveloped character of the area.  Where development in these locations is considered to be otherwise appropriate, development proposals should be</p>	<p>Map now included showing proposed Areas of Separation – however it is not clear how these have been defined.</p>

<p>located and designed to preserve the physical and functional separation of the villages from the built-up part of Ashby de la Zouch.</p>	
<p><b>POLICY H2: REQUIREMENT FOR MASTERPLAN</b></p> <p>The allocation at Policy H1 will be supported if the requirements listed in the Publication version of the Local Plan Policy H3 and relevant Neighbourhood Plan policies including Policy S4 ‘Building Design Principles’ are provided, and, in conjunction with the Town Council:</p> <p>a) A Spatial Masterplan is agreed incorporating urban design objectives and demonstrating connectivity with the surrounding area, including traffic movements;</p> <p>b) A Landscape Masterplan is agreed covering the use of green spaces;</p> <p>c) Demonstration of compliance with Policy H4 on Housing Mix;</p> <p>d) Measures to be incorporated into the development to ensure all properties have convenient locations for individual waste and recycling bins;</p> <p>Ashby de la Zouch Neighbourhood Plan Version 11 –23 January 2017</p> <p>32</p> <p>e) An ecological survey is to be undertaken and its findings and recommendations adequately incorporated into the design;</p> <p>f) The stream corridor through the site is retained as natural open space with a 10m buffer either side. This should be managed as open space to ensure habitat continuity and to retain connectivity;</p> <p>g) A Design Code is agreed to ensure the delivery of the urban design objectives and demonstrating consistency in design between all the developers on the site and across the different phases of development. Issues to be addressed within the Design Code include:</p> <p>The character, mix of uses and density of each phase, sub – phase or parcel identified on the Master Plan to incorporate:</p> <p>a) The phasing of the development, taking in to account, where appropriate, the need to provide water quality improvements through developer contributions to ensure that there will be no adverse impact, directly or indirectly, on the integrity of the River Mease Special Area of Conservation;</p> <p>b) The layout of blocks and the structure of public spaces;</p> <p>c) The character and treatment of the perimeter planting to the</p>	<p>Some re-ordering but essentially the same.</p> <p>Part L) re connectivity – it is not clear if it is intended that these connections should go all the way to Calke Abbey etc. What does it mean?</p>

<p>development areas;</p> <p>d) The building height, scale, form, design features and means of enclosure that will form the basis of the character of each phase, sub-phase or parcel;</p> <p>e) The street form and hierarchy and the features that will be used to restrict traffic speeds and create legibility and requirements for street furniture;</p> <p>f) The approach to car parking and cycle parking within the phases, sub-phases and parcels and the level of car and cycle parking to be provided to serve the proposed uses in line with Policy S4;</p> <p>g) The materials to be used within each phase and area of the development;</p> <p>h) The treatment of the hedge corridors and retained trees and local areas of play within each phase, sub phase or parcel and the planting of new trees and woodlands as part of the National Forest;</p> <p>i) Measures to ensure the retention of rural footpaths through the built development and its enhancement for walkers;</p> <p>j) The measures to be incorporated to protect the amenities of the occupiers of existing properties adjacent to the site;</p> <p>k) A satisfactory scheme to prevent flooding;</p> <p>l) A satisfactory scheme to provide walking and cycling connectivity to the town and to open countryside across the A511 to the outstanding countryside area of the Pistern Hills, Staunton Harold and Calke Abbey.</p>	
<p><b>POLICY H3: WINDFALL SITES</b></p> <p>Development proposals for small infill and redevelopment sites for new housing (upto 5 dwellings) within the defined Limits to Development as shown in Figure 3 will be supported where they are in accordance with relevant policies in the Plan, especially S4 and relevant national and District wide policies, and:</p> <ul style="list-style-type: none"> <li>• are within the Limits to Development;</li> <li>• help to meet the identified housing mix for the Plan area</li> <li>• respect the shape and form of the Plan area in order to maintain its distinctive character and enhance it where possible;</li> <li>• retain existing important natural boundaries such as trees, hedges and streams;</li> <li>• provide for a safe vehicular and pedestrian access to the site and any traffic generation and parking impact created does not result in an unacceptable direct or indirect impact on its own or in combination with other known development proposals, on congestion or road and pedestrian safety;</li> <li>• do not result in an unacceptable loss of amenity for</li> </ul>	<p>Essentially as before but:</p> <ul style="list-style-type: none"> <li>• Now include reference to windfall sites being up to 5 dwellings (possible conflict with white paper?)</li> <li>• Refer to housing mix rather than requirement</li> <li>• Incorporated suggested wording relating to road and pedestrian safety</li> <li>• Reference to figure 3 should be to figure 4.</li> </ul>

<p>neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise; and</p> <ul style="list-style-type: none"> <li>do not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the occupiers of the existing dwelling.</li> </ul>	
<p><b>POLICY H4: HOUSING MIX</b>  In order to meet the future needs of the residents of the Plan area, new housing development proposals should:</p> <p>a) Provide a range of housing suited to local need and appropriate to their location;</p> <p>b) Ensure that at least 60% of new market housing in developments of 5 or more shall comprise 2 and/or 3 bedroom properties to redress the shortfall of smaller houses available locally; and</p> <p>c) Provide a balance of accommodation, including bungalows, which meets the needs of people of all ages, including older people, subject to monitoring and review.</p>	<p>Have deleted former b) which was considered inappropriate.</p> <p>Still no reference to viability.</p> <p>It is still not clear how the figure of 60% was arrived at.</p>
<p><b>POLICY H6: PROMOTING SELF-BUILD</b>  Development proposals for self-build or custom build schemes will be viewed positively.  Individuals who wish to purchase a self-build plot should demonstrate:</p> <p>a) that they have a local connection (definition as per Policy H5); and b) that they intend to live in the property once it is complete.  Plots may be sold to individuals without a local connection if a lack of local need has been demonstrated.</p>	<p>This goes a long way beyond the eligibility requirements that are set out in the regulations. Issues regarding conflict with self-build initiative not addressed.</p> <p>Have now removed reference to 6 months period and reference to fair price.</p>
<p><b>POLICY E1: EMPLOYMENT LAND AND BUILDINGS</b>  The Plan supports the retention of sites or buildings that provide employment (B1, B2 and B8) or future potential employment opportunities, as set out in Policy Ec3 in the Publication version of the Local Plan.</p>	<p>Policy significantly re-written and includes direct reference to publication local plan.</p> <p>Deleted reference to other small scale uses.</p> <p>Previous Policy E2 now deleted.</p>
<p><b>POLICY E2: SMALL AND START UP BUSINESSES</b>  Development proposals for new or the expansion of existing small businesses will be encouraged. The Plan encourages developments and initiatives, which support small and start-up businesses such as the provision of start-up units.</p>	<p>Is ambiguous - does this support any site in any location for small businesses, regardless of impacts?</p> <p>Point re LTD not addressed.</p>
<p><b>POLICY E3: CONNECTING PEOPLE IN THE PARISH OF ASHBY DE LA ZOUCHE TO THE NEW JOB OPPORTUNITIES</b>  Employment generating development proposals are encouraged to consider how they can help create employment and business opportunities within the Plan area to meet local needs, for example by: a) The provision of education and training initiatives; b) Providing a range of employment units of varying sizes, where appropriate; c) Promoting employment, training and purchasing opportunities and initiatives that develop the skills, employment</p>	<p>Title is slightly misleading as it suggests it applies across whole parish even though this is not the plan area. Policy wording itself is OK in this respect.</p> <p>a) and b) are both new</p>

<p>and trading opportunities for local people and businesses; d) Providing safe and attractive transport links, especially by foot, cycle and public transport such as through Travel Plans and enhanced bus provision with the main employment areas in and near to the Plan area; and e) Developing links between the business community and education providers.</p>	
<p><b>POLICY TC1: TOWN CENTRE USES</b>  Ashby de la Zouch is and will remain a retail, leisure and service Town Centre.  Development proposals for uses such as retail, leisure, commercial, office, tourism, cultural, and community development appropriate to outside the Primary Shopping Area in the Town Centre (as defined in figure 4 on the Town Centre and Primary Shopping Area map) , will be supported where they:</p> <ul style="list-style-type: none"> <li>a) Are of a scale appropriate to the character of Ashby de la Zouch and the role and function of its Town Centre;</li> <li>b) Conserve, and where possible, enhance the character and distinctiveness of Ashby de la Zouch in terms of design;</li> <li>c) Protect, and where possible, enhance its built and historic assets, and its wider setting; and</li> <li>d) Do not lead to an overconcentration of hot food takeaways. No more than 10% of the total commercial units are to be occupied by hot food take away uses and no more than two of these uses should be located adjacent to each other; and</li> </ul> <p>Any proposals for retail development outside the defined Town Centre will be subject to the sequential test and impact assessment in accordance with paragraphs 24-27 of the NPPF. Development proposals for other uses within the Town Centre will be resisted.</p>	<p>Part e now removed whilst d) has been re-worded so only applies to hot food takeaways</p> <p>Proposed wording in respect of where policy applies is confusing and implies that it only applies outside the primary shopping area?</p> <p>d) is poorly drafted, does this mean 10% of total number of units? Frontage? Floorspace? Would benefit from tightening up. There is also still no justification for figure of 10%.</p> <p>Still not clear what ‘other uses’ is referring to – this runs counter to established national policy that housing is a main town centre use.</p>
<p><b>POLICY TC2: PRIMARY SHOPPING AREA</b>  The Neighbourhood Plan supports the Primary Shopping Area designated by NWLDC, as shown on Figure 6, and in those areas it will:</p> <ul style="list-style-type: none"> <li>a) Support proposals for new retail (A1) development in new or existing frontages, particularly within ‘Mews’ style courtyards; and</li> <li>b) Where Planning approval is necessary resist proposals for the change of use of an existing retail (A1) premises in the Primary Shopping Area to any other use where that change of use results in either a cluster of non-retail uses or retail (A1) use no longer being predominant.</li> </ul>	<p>Policy re-written to address previous concerns regarding part ii) (as was). However, part b) needs a comma after necessary.</p> <p>Change of use away from A1 is not clear. Does this mean only if, across the entire primary shopping area, non-A1 uses are 51% (of the number of units? Floorspace? Frontage?) then you would seek to resist? Does that include or exclude vacant units? What is a cluster?</p>
<p><b>POLICY TC3: SHOP FRONTAGES</b>  Development proposals to alter or replace existing shopfronts, create new shopfronts or to alter the frontages within the defined Town Centre will be supported where they:</p> <ul style="list-style-type: none"> <li>a) Conserve or enhance the special qualities and significance of the building and area; and</li> <li>b) Relate well to their context in terms of design, scale, material and colour.</li> </ul>	<p>a) now amended to refer to “or” whilst reference to indifferent design removed.</p>

<p>Development proposals that remove, replace or substantially harm shop fronts or the frontages of buildings by poor design will not be supported.</p>	
<p><b>POLICY TC4: RESIDENTIAL DEVELOPMENT</b>  Proposals to develop upper floor of premises within the Town Centre for residential use, outside flood zones 3 or 3a will be supported subject to ease of access to the accommodation, parking, design and amenity considerations and within the Primary Shopping Area, where it would not result in the loss of, or adversely, affect an existing retail use.</p>	<p>Still not totally clear re issue of access.</p> <p>Additional words “where it “ now included.</p> <p>Is it correct that the reference to an existing retail use means an A1 shop? What is the purpose of this, if that is the case?</p>
<p><b>POLICY TC5: TOURISM</b>  Development proposals for tourism and leisure facilities will be supported within the Limits of Development. Tourism and leisure developments outside the Limits of Development will be supported if in accordance with relevant District and national planning policies.  The loss of tourism and leisure facilities will not be supported unless they are no longer viable or alternative provision is made available.</p>	<p>Policy now includes leisure as well.</p> <p>Issue re loss of tourist or leisure facility to another tourist or leisure facility not addressed.</p> <p>There is a risk that the caveats undermine the objective.</p>
<p><b>POLICY TC6: LEGIBLE SIGNAGE</b>  The ‘de-cluttering’ and provision of signage in keeping with the character of the area will be supported.  ‘Swan neck’ external lighting or the use of internal illumination (either of the whole sign or of the lettering) will not be permitted.</p>	<p>Reference to ‘corporate, clear and attractive signage’ now removed.</p> <p>There is an opportunity here to describe what is sought, and what is to be avoided</p>
<p><b>POLICY T1: TRAFFIC MANAGEMENT</b>  Development proposals must be able to demonstrate to the satisfaction of the District Council and/or the Highway Authority in dialogue with the Town Council that any traffic generation and parking impact created by the proposal does not result in an unacceptable severe direct or cumulative adverse impact on congestion or road and pedestrian safety.</p>	<p>Policy retitled. New title better</p> <p>Other rewording refers to whom applicants need to demonstrate that proposals are OK.</p> <p>Wording ‘unacceptable severe’ is confusing – can something severe be acceptable?</p> <p>Duplicates other existing policies.</p>
<p><b>POLICY T2: TRAVEL PLANS</b>  The Plan will promote and encourage a comprehensive programme of Travel Plans, including School Travel Plans, employer Travel Plans and new housing development Travel Plans. Development proposals, which the Highway Authority considers would generate a significant amount of travel, should be supported by a Travel Plan that is tailored to the specific needs of that development and the wider needs of the Plan area including where appropriate a reduction in Town Centre traffic.</p>	<p>Deleted reference to “ be expected to be” with “should be”.</p> <p>The consideration of wider needs and reducing town centre traffic, while laudable, go beyond the scope of what we can reasonably require of</p>

	<p>developers. The policy would benefit from robust justification to set out what is unusual about Ashby's roads to require such expansive travel plans.</p>
<p><b>POLICY T3: SAFER ROUTES TO SCHOOLS SCHEMES</b>  The Plan will encourage 'Safe Routes to Schools' schemes and similar initiatives wherever possible and appropriate. Development proposals for a new school or a significant expansion in an existing school's capacity should be accompanied by a Safer Routes to Schools Scheme or similar.</p>	<p>No change</p>
<p><b>POLICY T4: WALKING AND CYCLING</b>  The network of footpaths and cycleways should be safeguarded. The provision of new and/or the enhancement of existing footpaths and cycleways will be actively encouraged. Priority should be given to (i) the creation or improved links between the main residential areas and the Town Centre, surrounding countryside and essential services such as schools (ii) creation or improved links between the main residential areas and the main employment areas; (iii) the joining up footpaths and cycleways into a comprehensive network, including a joint footpath and cycleway that circumnavigates the Parish.</p>	<p>Policy significantly expanded.   Generally seems OK.</p>
<p><b>POLICY T5: LEICESTER TO BURTON RAILWAY LINE</b>  The Plan supports the provision of public transport services on the former Leicester to Burton rail line. Proposals that threaten the integrity of the Leicester to Burton railway line and its infrastructure for potential re-use for public transport services will not be supported. However, should the line completely cease being used for rail purposes the Plan supports its re-use as a footpath, cycleway or for some other form of public transport.</p>	<p>Renamed and some minor changes but OK.</p>
<p><b>COMMUNITY ACTION T2: PUBLIC TRANSPORT</b>  The Town Council will support and encourage liaison with Leicestershire Highway Authority, Highways England, East Midlands Airport, Network Rail, the bus operators and other relevant bodies to try to achieve better planning, and improved provision, of public transport.</p>	<p>Reference to Highways England now included, other issues not addressed</p>
<p><b>POLICY T6: CAR PARKING</b>  Development proposals should include adequate provision for off road vehicle parking. Development proposals that result in the loss of car parking provision will be resisted except where (i) the loss of parking will not have a severe adverse impact on an existing shortfall of spaces in the immediate area or (ii) adequate and convenient replacement car parking provision will be provided on or adjacent to the site. Where it is not possible to provide car parking on or adjacent to the site a funding requirement may be sought towards providing public facilities where such provision is possible.</p>	<p>Policy reworded.   As worded i) would only enable proposals exacerbating existing shortfall to be resisted. Is this what they want? Surely should be concerned with where result in a shortfall as result of development irrespective in any event not just where there is already a shortage?   Not clear who would provide parking using funding referred to.</p>

<p><b>COMMUNITY ACTION T3</b></p> <p>The Plan supports a major review of car parking provision and policies in the Plan area, especially in the Town Centre, and the Town Council will work with the Leicestershire Highway Authority, Leicestershire County Council, North West Leicestershire District Council, the local business community and other relevant bodies to ensure this.</p>	<p>No reference to additional parking proposed by district Council.</p> <p>No change to T3</p>
<p><b>POLICY NE1: LOCAL GREEN SPACES</b></p> <p>The following open spaces have been identified of special significance to the community and the Plan designates them as Local Green Spaces:</p> <p>Allotments, Wilfred Gardens;  Ashby Cemetery, Kilwardby Street;  Memorial Field, Prior Park Road;  Bullen’s Field, Prior Park Road;  Bath Grounds Playing Field, Station Road;  Hood Park;  The former Grammar School playing field on land adjacent to Prior Park Road;  Western Park;  Westfield Recreation Ground; and  Willesley Recreation Ground.</p> <p>Development proposals that would result in the loss of, or have a significant adverse effect on, an identified Local Green Space, shown in figure 7, will only be permitted in special circumstances, where the Plan area would gain equivalent benefit from the provision of suitable replacement local green space or gain significant social, economic or environmental benefits from an alternative facility.</p>	<p>It is not clear how the identified spaces were chosen, and could therefore be subject to challenge. This would benefit from robust evidence to withstand such a challenge</p> <p>Points raised previously seem to have been addressed.</p>
<p><b>POLICY NE 2: OPEN SPACE, SPORT AND RECREATION PROVISION IN NEW HOUSING DEVELOPMENT</b></p> <p>The Plan supports that the provision of open space, sport and recreational facilities will be sought as part of new housing development of 50 or more dwellings. It is important that this includes a mix of provision specifically to meet identified local needs in the Plan area. Priority should be given to meeting the needs of all age groups, including cross age provision such as outdoor fitness facilities.</p>	<p>Reference to 50 dwellings reflects local plan policy IF3.</p>
<p><b>POLICY NE 3: OPEN SPACE, SPORT AND RECREATION PROVISION IN NEW HOUSING DEVELOPMENT: ALLOTMENT PROVISION</b></p> <p>The Plan especially supports the identification of suitable site (s) dedicated to the provision of allotments. Appropriate and suitable allotment provision will be sought in new housing developments of fifty or more homes either through direct provision or a commuted sum towards allotment provision.</p>	<p>This policy would benefit from robust evidence, in particular of demand / need for allotments within the town, as well as an appropriate site size threshold that is demonstrably viable.</p> <p>Would this be in addition to the open space requirements</p>



	included within the overall total?
<p><b>POLICY NE4: BIODIVERSITY</b></p> <p>Development proposals should not harm the network of important local biodiversity features and habitats, including the River Mease. New development proposals should maintain and, wherever possible enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines). Development proposals should seek to create new habitats where possible.</p> <p>The Plan supports Policy En2 River Mease Special Area of Conservation in the submission Local Plan which commits the District Council to work with Natural England, the Environment Agency, Severn Trent Water, other local authorities and the development industry to improve the water quality of the river Mease and sets out measures to achieve this.</p>	<p>Reference to River Mease presumably reflects advice from Habs Regs Assessment?</p> <p>Now says 'should' as per previous comments.</p>
<p><b>POLICY NE 5: TREES AND HEDGEROWS</b></p> <p>Opportunities to enhance the coverage of trees and hedgerows, including in partnership with the National Forest Company, will be encouraged.</p> <p>Trees and hedgerows of good arboricultural, ecological or amenity value should be protected from loss or damage as a result of development. Where possible, they should be integrated into the design of development proposals</p>	<p>Second part of policy now reduced, but would still benefit from tightening.</p> <p>Still not clear how aboricultural value is measured and what makes it good.</p>
No specific policy on listed buildings	Lack of policy takes on board previous advice.
<p><b>POLICY HE1: NON DESIGNATED HERITAGE ASSETS BUILDINGS OF LOCAL INTEREST</b></p> <p>The Town Council and the Ashby de la Zouch Civic Society in consultation with the District Council and other bodies will maintain an agreed schedule of non-designated heritage assets of local significance. Development proposals that affect a building, structure or its setting identified on this list will be required to take into account the character, context and setting of the identified heritage assets including important views towards and from the assets. Development will be required to be designed appropriately, taking account of local styles, materials and detail. The loss of, or substantial harm to, a locally important asset will be resisted, unless exceptional circumstance can be demonstrated.</p>	<p>Part of a new section on heritage rather than being part of a broader section as previously.</p> <p>Issues raised previously not really addressed.</p> <p>The policy suggests that the Town Council and Civic Society will compile the list, but the Community Action points to the District Council updating the Conservation Area Character Appraisal. This inconsistency could be exploited at appeal. The issue would benefit from dialogue to ensure we each understand the position</p>
<p><b>POLICY HE2: HERITAGE ASSETS</b></p> <p>Development proposals that support the longevity, conservation and appreciation of designated and non-designated heritage assets, especially the Midlands Railway Station and the Royal Hotel, will be encouraged.</p>	New policy

<p><b>POLICY HE3: ASHBY DE LA ZOUCH AND HEATH END CONSERVATION AREAS</b></p> <p>The Plan supports the continued designation of the historic core of Ashby De La Zouch and the hamlet of Heath End as Conservation Areas. Development proposals that conserve or enhance the character, integrity and setting of these Conservation Areas, including views in and out of them, will be supported.</p>	<p>New policy</p>
<p><b>POLICY HE3: AREAS OF ARCHAEOLOGICAL INTEREST</b></p> <p>Development proposals are required to consider their impact upon archaeology. Where a development proposal may adversely affect a recorded archaeological site, developers or their agents should seek guidance at the pre-application stage and where necessary to engage in discussions about what material should be submitted with a planning application in any 'Heritage Statement'.</p>	<p>Should be Policy HE4.</p>
<p><b>POLICY CF1: IMPORTANT COMMUNITY FACILITIES</b></p> <p>Development proposals that result in the loss of, or have a significant adverse effect on, an important community facility will not be permitted unless the building or facility is replaced by an equivalent or by better provision in terms of quantity and quality in an equally suitable location, or it can be clearly demonstrated to the District Council in consultation with the Town Council, that it is no longer required by residents in the Plan area or its continued community use is no longer viable and the site has been actively marketed for over a year as a community facility. The following facilities have been identified as being especially important to the community.</p> <p>Post Office;  Library;  Town Council offices;  Churches including St Helens and Our Lady of Lourdes;  Ashby de la Zouch Neighbourhood Plan Version 11 –23 January 2017  74  All secondary and primary schools;  Hood Park Skate Park;  Hood Park Leisure Centre;  Open air swimming pool/lido;  Lyric Rooms;  Ashby Museum;  Ashby Cemetery;  The Allotment Site;  Ashby medical centre;  Venture Theatre;  Ashby Tourist Information Centre;  Town Hall Market;  War Memorial and Gardens;  Hood Court Centre and the  Fire Station.</p>	<p>Drafting would benefit from clarification, to set out criteria for 'loss' of community facilities, and a definition of what types of facilities fall within the ambit of the policy.</p> <p>Including list addresses previous concerns.</p> <p>Issue of marketing addressed.</p> <p>Where is 'the allotment site'?</p>

<p><b>POLICY CF2: NEW COMMUNITY FACILITIES</b> Development proposals that will enhance and increase the provision of community facilities to meet a local need, including medical facilities, will be encouraged.</p>	<p>Policy simplified</p>
<p><b>POLICY CF3: ASSETS OF COMMUNITY VALUE</b> Development proposals that will enhance the viability and community value of registered Assets of Community Value will be supported. Development proposals that would result in either the loss of the asset or in significant harm to the community value and use of an asset will be resisted.</p>	<p>Use of word 'resisted' is more appropriate for a neighbourhood plan.</p> <p>Should it be 'and' in respect of 'viability and community value'? How will enhancement of community value be measured – how significant does any enhancement have to be?</p> <p>Need to satisfy CIL requirements in terms of issue of enhancing viability.</p>
<p><b>COMMUNITY OBJECTIVE CF1: NEW ARTS/COMMUNITY CENTRE</b> The development of an appropriately located new Arts/Community Centre will be actively encouraged.</p>	<p>Making this a community objective addresses previous concerns. However, this might work better as a component to DC1 (Community Infrastructure)</p>
<p><b>COMMUNITY ACTION CF1</b> The Town Council will work with the County Council, local schools and other interested bodies and individuals, to promote good quality education provision that meets the existing and future needs and population profile of the Plan area.</p>	<p>No changes</p>
<p><b>POLICY CF4: EDUCATION</b> Where it is considered that a development proposal will have a demonstrable and significant impact on education provision in the Plan area this will be required to provide adequate financial contributions to provide sufficient good educational provision for the additional demand it generates.</p>	<p>No changes</p>
<p><b>POLICY DC1: Community Infrastructure</b> New development will be supported by the provision of new or improved infrastructure as set out in policies S4, H2, H5, E5, TC5, T1, T2, T6, NE2, NE3, NE4, NE5 and CF2.</p>	<p>Policy now simplified but issue re viability not addressed.</p> <p>This would benefit from clarification of whether the requirements listed are in priority order</p>
<p>Other changes requested to supporting text have generally been made, with exception of page 77, where a reference to CIL has been included (penultimate paragraph), but not in terms of needing to ensure that have to meet CIL tests.</p>	

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 14 MARCH 2017**

Title of report	<b>AUTHORITY TO AWARD THE COMMUNAL CLEANING CONTRACT</b>
Key Decision	a) Financial      Yes b) Community    No
Contacts	Councillor Roger Bayliss 01530 411055 <a href="mailto:roger.bayliss@nwleicestershire.gov.uk">roger.bayliss@nwleicestershire.gov.uk</a>  Director of Housing 01530 454782 <a href="mailto:glyn.jones@nwleicestershire.gov.uk">glyn.jones@nwleicestershire.gov.uk</a>  Head of Housing 01530 454780 <a href="mailto:chris.lambert@nwleicestershire.gov.uk">chris.lambert@nwleicestershire.gov.uk</a>
Purpose of report	This report is to seek approval to award a contract for provision of the communal cleaning at various Housing sites for a period of 5 years.
Reason for Decision:	The current contract led by Leicestershire County Council and let collaboratively on behalf of the County and districts in Leicestershire is due to expire on 31 March 2017. The new contract procured in the same way provides cashable savings, which will be invested to improve service delivery directly to the tenants.
Council Priorities	Value for Money
Implications:	
Financial/Staff	Financial implications can be met from approved HRA budgets. There are no NWLDC staff implications.
Link to relevant CAT	Not applicable
Risk Management	Not applicable
Equalities Impact Screening	Not applicable
Human Rights	Not applicable
Transformational Government	This is a collaborative framework contract let on behalf of Leicestershire and the Districts by the County.
Comments of Head of Paid Service	Report is satisfactory

Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	Procurement Legal Services
Background papers	None
Recommendations	<p><b>IT IS RECOMMENDED THAT CABINET:</b></p> <p><b>(A) APPROVE THE AWARD OF THE COMMUNAL CLEANING CONTRACT FOR HOUSING SITES THROUGH THE COUNTY CONTRACT</b></p> <p><b>(B) DELEGATES AUTHORITY FOR THE AMENDMENT OF SITES INCLUDED IN THE CONTRACT, FOLLOWING TENANT CONSULTATION, TO THE DIRECTOR OF HOUSING IN CONSULTATION WITH THE HOUSING PORTFOLIO HOLDER</b></p>

## 1. BACKGROUND

- 1.1 On 29 June 2010, Cabinet approved the award of the Communal Cleaning Contract through a collaborative arrangement with Leicestershire County Council (LCC). That contract with Servest will end on 31 March 2017.
- 1.2 The arrangement with the County Council included the contract management service and overall, the quality of the service received since 2010 has been good and the level of costs very reasonable given the economies of scale this large contract provided.

## 2. PROCUREMENT ROUTE

- 2.1 As this contract was coming to an end, the County Council has undertaken a tendering exercise for a Facilities Management Contract for the County's portfolio of buildings, as well as for local authority partners and external client organisations. The contract was tendered in various Lots covering the range of facilities management services.
- 2.2 They have awarded the Building Cleaning Lot to Solo Service Group, for a period of five years, commencing April 2017.
- 2.3 It is proposed that the council awards a contract directly to the County Council which taps into the services delivered by Solo Service Group following a competitive tender. Following appropriate due diligence of the County Council's procurement documents, Legal Services are satisfied that awarding a contract in this manner is compliant with the public procurement regime (under Regulation 37 of the Public Contracts Regulations 2015) and compliant with the council's own contract procedure rules.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 The full cost of the cleaning at residential sites is recovered through service charges to tenants who receive the service. In net terms the arrangement is therefore self financing from income received. The cleaning of the non residential site at Greenhill Community Office is covered by the Housing Revenue Account.
- 3.2 The cost of the communal cleaning being undertaken via the collaborative arrangement with Leicestershire County Council, based on our inclusion in the contract for the full term, is £59,283.44 per annum or a total of £296,417.20 over the five year contract period. There has been a reduction of the number of sites included in the contract due to the disposal/decommissioning of four sheltered housing schemes, meaning costs are not directly comparable with the previous arrangement. However a cost comparison of the sites included in both contracts show a price reduction of £5,666.56 per annum or a total of £28,332.80 over the five year contract period.
- 3.3 The terms of the agreement provides flexibility to amend the number of sites included in the contact which supports our desire to enhance the quality of communal areas at 76 blocks of flats across the district. The additional cost is £42,640 per annum, (£31,980 for year one due to proposed commencement in Q2), and £202,540 over the five year contract period. Following the due diligence referred to in paragraph 2.3 above, Legal Services are satisfied that awarding this additional work through the contract to LCC is also compliant with the public procurement regime (under Regulation 37 of the Public Contracts Regulations 2015) and compliant with the council's own contract procurement rules.
- 3.4 The council is required to consult the tenants affected regarding the potential introduction of services for the new sites as the cost will be recovered through a new service charge. The consultation will be undertaken by 31 May 2017 with a view to commencing the cleaning and charging in July 2017.
- 3.5 The overall cost of the communal cleaning contract assuming all of the additional sites are included will be £101,923.44 per annum, (£91,263.44 for year one due to the proposed commencement of the additional sites in Q2) and £498,957.20 over the five year contract period.
- 3.6 The current budgetary provision for 2017/18 of £130,000 for communal cleaning was established assuming an inflationary increase in the existing contract costs and a £50,000 provision for the additional sites. Also included was equivalent income from service charges excluding the £735.28 cost of cleaning Greenhill Community Office as this is met from other HRA budgets and not through a service charge.

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 14 MARCH 2017**

Title of report	<b>AUTHORITY TO AWARD DATA CENTRE AND WIDE AREA NETWORK CONTRACT - PRICING UPDATE</b>
Key Decision	a) Financial Yes b) Community No
Contacts	Councillor Nick Rushton 01530 412059 <a href="mailto:nicholas.rushton@nwleicestershire.gov.uk">nicholas.rushton@nwleicestershire.gov.uk</a>  Interim Director of Resources 01530 454833 <a href="mailto:andrew.hunkin@nwleicestershire.gov.uk">andrew.hunkin@nwleicestershire.gov.uk</a>
Purpose of Report	The report requests that Cabinet delegates authority to award the Data Centre and Wide Area Network services contract to the Interim Director of Resources in consultation with the Corporate Portfolio Holder, based on the revised pricing, post the competitive procurement exercise
Reason for Decision	The level of expenditure on this contract exceeds the authority threshold in the Scheme of Delegation.  To implement modern ICT network and infrastructure, replacing legacy infrastructure and consolidating suppliers. Also the provision of disaster recovery, business continuity and backup services which reduce the overall ICT infrastructure costs to the Council. This is contained within the ICT Road Map 2016 – 2018
Council Priorities	Value for Money- Council is spending money wisely.
Implications:	
Financial/Staff	Financial implications contained within ICT Road map funding which has already been approved by Cabinet on the 26 July 2016 (ICT Infrastructure scheme), no staffing implications
Link to relevant CAT	Not applicable
Risk Management	Not applicable
Equalities Impact Screening	Not applicable

Human Rights	Not applicable
Transformational Government	Not applicable
Comments of Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	Report is satisfactory
Consultees	None
Background papers	None
Recommendations	<p><b>THAT CABINET:</b></p> <p><b>1) DELEGATES AUTHORITY TO AWARD THE CONTRACT FOR THE DATA CENTRE AND WIDE AREA NETWORK SERVICES FOR THE PERIOD 1 APRIL 2017 TO 30 SEPTEMBER 2020, TO THE INTERIM DIRECTOR OF RESOURCES IN CONSULTATION WITH THE CORPORATE PORTFOLIO HOLDER; AND</b></p> <p><b>2) AGREES A CONTRACT EXTENSION OF TWO MONTHS WITH THE EXISTING SERVICE PROVIDER AND GRANTS A WAIVER TO THE COUNCIL'S CONTRACT PROCEDURE RULES PURSUANT TO RULE 3.2 OF THOSE RULES DUE TO THE CIRCUMSTANCES SET OUT IN PARAGRAPH 3.2 BELOW TO ALLOW THE EXTENSION TO BE AWARDED</b></p>

## 1. BACKGROUND

- 1.1 As detailed in the earlier background paper to Cabinet on the 17 January 2017. The Council's ICT infrastructure, telecommunications and server room is currently located within the Council building which has been a single point of failure. The infrastructure is 6 years old and needs replacing. The current Wide Area Network is provided on expensive lease lines, with smaller sites on public ADSL connectivity, with multiple suppliers. As part of the ICT Road Map and ICT strategy, Cabinet has approved the funding to modernise the Council's ICT infrastructure with provision for disaster recovery and business continuity by migrating the server room to a private secure data centre, with modern highly available, and resilient ICT infrastructure with fast secure network connections with a single supplier, reducing overall cost .

- 1.2 Cabinet delegated authority to the Interim Director of Resources in consultation with the Corporate Portfolio Holder on the 17 January 2017 to award a contract up to a value £350,000 over 3 years, based on financial projections.

## **2. PROCUREMENT PROCESS AND OUTCOMES**

- 2.1 Following a competitive procurement process under the CCS framework RM1045 LOT1 Data Access Services, a preferred supplier has been identified that provides the best technical solution and the best value for money .
- 2.2 However, the best price for what the Council requires has come to £518,000 over 3 years (plus an implementation period), an increase of £168,000 over the projected figure of £350,000, which equates to an additional cost of £56,000 a year, for the contract. The increased cost, though competitive, is due to the disaster recovery element being more than originally predicted, which is a reflection of the well publicised increase in cyber security risks both nationally and globally.

## **3. OPERATIONAL IMPLICATIONS**

- 3.1 The migration to a modern, robust Data Centre and Wide Area Network, is intrinsic to the ICT Road Map and underpins the Council's long term vision of effectiveness, efficiency, security and sustainability. Disaster recovery, business continuity, resilience, high availability of ICT systems and resistance against cyber attacks are all the elements addressed by this contract.
- 3.2 The extended procurement process, including the need to report the above increases in anticipated costs to Cabinet to ensure proper authorisation for this contract, will result in a postponement of the target implementation date by two months. As a result, an extension of the Council's current provision will be required to ensure the essential continuity of service prior to the new systems becoming available. This extension is in effect a new two month contract to the Council's existing supplier at a cost of £30,000 which will come from the ICT budget. Since there is no other entity able to provide this two month cover for technical reasons, Cabinet is asked to grant a waiver of the Contract Procedure Rules to allow this two month extension.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 The additional cost of £56,000 per year for the Data Centre and Wide Area Network is to be funded from directorate efficiency savings and from re-prioritising the ICT Roadmap activities.

## **5. CONTRACT AWARD**

- 5.1 In order to award the contract for the Data Centre and Wide Area Network services for the period 1 April 2017 to 30 September 2020, Cabinet is requested to delegate authority to the Interim Director of Resources in consultation with the Corporate Portfolio Holder. Cabinet is also asked to note that the additional costs are to be met from existing funds as detailed in paragraph 4.1.

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

## CABINET – 14 MARCH 2017

Report Title	<b>2016/17 QUARTER 3 PERFORMANCE MANAGEMENT REPORT</b>
Key Decision	a) Financial - No b) Community - No
Contacts	<p>Councillor Richard Blunt 01530 454510 <a href="mailto:richard.blunt@nwleicestershire.gov.uk">richard.blunt@nwleicestershire.gov.uk</a></p> <p>Chief Executive 01530 454500 <a href="mailto:christine.fisher@nwleicestershire.gov.uk">christine.fisher@nwleicestershire.gov.uk</a></p> <p>Director of Services 01530 454555 <a href="mailto:steve.bambrick@nwleicestershire.gov.uk">steve.bambrick@nwleicestershire.gov.uk</a></p> <p>Interim Director of Resources 01530 454833 <a href="mailto:andrew.hunkin@nwleicestershire.gov.uk">andrew.hunkin@nwleicestershire.gov.uk</a></p> <p>Director of Housing 01530 454819 <a href="mailto:glyn.jones@nwleicestershire.gov.uk">glyn.jones@nwleicestershire.gov.uk</a></p>
Purpose of report	The report provides members of the Cabinet with information on the performance and progress made against the Council Delivery Plan actions and performance indicators for quarter 3 (Q3) (October - December).
Reason for Decision	The report is provided for members to effectively monitor the organisation's performance.
Council Priorities	The report addresses performance against each of the Council's five priorities for 2016/17
Implications	
Financial/Staff	The report contains summary performance data on staff management & financial information.
Link to relevant CAT	The report links to the work of all Corporate Action Teams.
Risk Management	Risk management is applicable to all areas of the Council's statutory duties and service provision. Any relevant risks relating to actions set out in the Council Delivery Plan are managed through the Corporate Risk Register.

Human Rights	No direct implications.
Transformational Government	No direct implications
Comments of Head of Paid Service	The report is satisfactory
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory
Consultees	Corporate Leadership Team
Background papers	<a href="#">Council Delivery Plan 2016/17</a>
Recommendations	<b>THAT CABINET RECEIVES AND COMMENTS ON THE QUARTER 3 PERFORMANCE REPORT (OCT – DEC 2016).</b>

## PERFORMANCE SUMMARY FOR QUARTER 3

### 1 Introduction

This report sets out the performance of the Council's key frontline services, progress against Council Delivery Plan priority actions, performance indicators, and finance and sickness absence management.

### 2 Performance summary of key frontline services

The Council's key frontline services are linked to the Council's five priorities

Front line Service	Building Confidence in Coalville	Value for Money	Business & Jobs	Homes & Communities	Green Footprints
Leisure	✓	✓		✓	✓
Housing	✓	✓	✓	✓	✓
Revenues and Benefits		✓			
Refuse and Recycling	✓	✓	✓	✓	✓
Development Control	✓	✓	✓	✓	✓
Environmental Health		✓	✓	✓	

The detailed evidence and statistics of the Council's performance for Q3 is included in Appendix 1

## **2.1 Leisure Services**

The Council has developed proposals for a green gym (5 activity stations) at Melrose Road play area in Thringstone and an order was placed. The equipment was installed in January 2017 and will now provide new, local and free outdoor physical activity opportunities. Officers are also working with consultants to develop a Playing Pitch Strategy for the district which should be completed in April 2017 and will highlight areas and pitches for future investment linked to housing growth.

The annual Leisure Centre customer survey was undertaken between 7 and 29 November. Customers provided feedback on their customer experience including staff performance, levels of cleanliness, maintenance, provision and standard of information and catering. The results show that service standards have improved since the last survey in 2015. Hermitage Leisure Centre improved in 13 of the 16 areas surveyed, and Hood Park Leisure Centre in 12. Areas of strength were staff professionalism and performance, information provision both at sites (Including the centre's website and social media offer) and the standard of catering and its value for money. The areas that did not improve included at Hermitage the cleanliness and decoration of the building, speed at repairing broken items and being informed about equipment repairs, at Hood Park the speed of answering the telephone, catering opening times and twitter tweets. All of these will be focused upon during 2017/18 as part of leisure centre operational improvement plans.

602 people attended the 2016 North West Leicestershire Local Sports Alliance Sports Awards which was held at Hermitage Leisure Centre on Thursday 3 November. This included 21 schools and 235 school children. There were 42 nominations across the categories, and £2,550 of external sponsorship funding was attracted for the event and the awards through 16 organisations. Social Media tweets on the evening reached a potential 13,044 people, and social media posts were liked, retweeted and/or shared a total of 2,213 times giving wide exposure to the event and the sports nominees. The aim of the event is to recognise sporting success, motivate others to achieve and thank our volunteers in the sports community, the wide media profile contributes to this public recognition.

## **2.2 Housing Services**

A total of 434 tenant's homes had been upgraded by the end of Q3 as part of the annual improvement programme. This equates to 83% of the 520 properties in the 2016/17 decent homes programme. Negotiations will start in Q4 to agree the price for the 2017/18 programme which is the last year of our contract with Kier and Lovell.

Tenants previously told us through the biannual STAR tenant satisfaction survey that additional off street parking is a priority for them, and in response we have commenced off street parking improvements in Greenhill and Worthington which will be completed in Q4.

The new community centre for the Linford and Verdon estate was completed on time in December 2017 and used for the tenants' Christmas party. The completion of this work will allow us to progress the demolition of the former Greenacres sheltered scheme building for redevelopment with new Council housing.

The Council's new build programme continues to progress with 24 new homes, all affordable rented, being built at Linford & Verdon Crescent (17) and Willesley estate

(7). Construction contractor Robert Woodhead Ltd has been appointed and initial contract mobilisation is underway with start on site expected in Q4.

The Service Improvement Plan for the Repairs and Improvement service (now known as the Asset Management Team) is now being implemented to improve the productivity of the existing workforce, and allow us to complete a greater proportion of our work to tenants' homes using the in-house team instead of external contractors. The tenant led Landlord Services Working Group is monitoring progress against this Plan.

The transfer of call handling from the customer contact centre into the asset management team has seen 5080 calls received since the change on 31 October 2017. Of these calls only 26 were not answered, representing a positive performance level of 99.5%.

The in house repairs Minor Works Team was formed in Q3 and is now completing a rolling programme of non urgent repairs in 90 day cycles across the district. Tenants are advised of appointment dates and times as part of the reporting process, and a majority of all repairs are now being completed by the in house team, with only limited use now being made of the support contractor.

Empty homes performance continues to show a significant improvement on last year's figures, with the average empty property period down to 37 days at the end of Q3. Further improvements are planned for Q4 following the introduction of minor voids and major voids works teams to manage the empty homes process even more efficiently.

Rent arrears levels were 1.69% of the gross debit outstanding at the end of Q3, against a target of 2.85%. This performance level was in part attributable to the successful pre Christmas rent arrears reduction campaign, as well as encouraging tenants to use the "free weeks" at Christmas to make payments to reduce their arrears, with over £110,000 collected in this two week period.

An assistive technology marketing plan was developed in Q3 and will be implemented in Q4. This will provide additional income to replace the funding removed when we made changes to the Older Persons Support Service in response to the end of Supporting People funding. Under the branding of "Safe and Well Services" the plan will introduce chargeable Support Officer visits for private lifeline customers (this was previously only available to Council tenants), as well as a range "telecare" sensors, which can be provided and then remotely monitored for a small weekly charge.

The continuing promotion of social activities in sheltered housing schemes provides positive results, with 570 events held at 10 locations during Q3. These include keep fit sessions, lunch clubs and a range of other activities as requested by tenants.

Two Syrian Refugee families were successfully rehoused into the District in Q3. Ongoing support is being provided to them by housing and community focus staff as well as specialist support officers procured through the joint approach being taken by Leicestershire Districts to the Governments Syrian Vulnerable Persons Relocation Scheme.

The Government has announced that it will not be proceeding with the proposed "pay to stay" scheme, through which higher earning Council tenants would have been required to pay a higher rents. The proposed end to lifetime tenancies for new Council tenants and their replacement with fixed term tenancies is still going ahead, with detailed guidance is expected to be issued in the summer, for implementation by



the autumn of 2017. As reported in the HRA 2017/18 budget report, the requirement to make a payment to Government under the high value void sales proposals has been further delayed, with no payments now required during 2017/18.

A £250 incentive together with a paint pack for redecoration has been introduced for tenants who move via a mutual exchange. This approach is designed to encourage more tenants to exchange homes, and therefore reduce the repair costs and rent loss we incur when tenants transfer into a new home.

The Tenant Scrutiny Panel completed their review of Anti Social Behaviour (ASB) and their report is being considered by Cabinet on this agenda. Many of the recommendations have already been incorporated into a revised ASB policy which will be approved in Q4.

Under a Section 106 planning agreement, 10 new properties on the Woodlands Reach development in Coalville were delivered to Waterloo Housing. These included bungalows and apartments and have been let to new tenants through the Choice Based Lettings system.

### **2.3 Revenues & Benefits**

Since October 2016 the partnership has been using Risk Based Verification software (RBV). The software allows for a more intense verification activity to be focussed on claims more prone to fraud and error. Each new claim is ranked into one of 3 risk categories Low; Medium or High. The risk categories determines the level of evidence that must be provided in support of the claim if it is a low risk claim the level of evidence required to support the claim is minimal, thereby improving processing times, and conversely for high risk claims the level of scrutiny is significantly higher.

At the end of Q3 we are within target for processing new claims but marginally outside of target for processing change events. To improve this position we are monitoring the assessor trays daily to ensure the assessor commences work on the claim within three days. Comparing the current position with the same period last year the team is confident that the target will be met by year end.

The gross arrears Council Tax opening position at 1 April 2016 was £3.331m and the amount outstanding at the end of December 2016 is £2.421m. Reduction in arrears is £910K which equates in percentage terms to 27.3%. The reduction in arrears is due to a robust recovery strategy which incorporates the use of external Enforcement Agents to collect the debts on the council's behalf, attaching a customer's earnings, deducting from their benefits, making and monitoring payment arrangements or placing a charging order on the property. Where debts are deemed irrecoverable they are submitted for write off in line with the write off policy and good accounting practice.

The Non Domestic Rates (Business Rates) Arrears opening position at 1 April 2016 was £562K and the current amount outstanding is £386K. Reduction in arrears is £176K which equates in percentage terms to 31.3%. The arrears position for business rates is very positive. The business rates team was restructured in April 2015 and the new team has made substantial progress in reducing arrears. This is very important as business rates is one of the main sources of income to the council and its importance will increase as changes are made to the rates retention system from 2020.

A single person discount review is undertaken every two years. Where there is no response to review letters, the discounts are cancelled back to the date of the last review. The 2016/17 review raised additional debt due to the cancellation of discounts going back to 1 April 2015. The Council Tax collection rate is only

marginally down despite the increase in the collectible debit and the additional debt being spread over the remaining months to March 2017.

The Discretionary Housing Payments scheme is designed to support claimants requiring help with their rent who may be affected by welfare reform changes and the introduction of universal credit. The scheme is funded by the Department for Work and Pensions and our grant for this year was £114,965, and the spend to date is £67,818. Our spend is closely monitored and within budget, which was an overriding consideration when the forecasted spend was considered back in August 2016 and the decision subsequently made to not supplement the budget with additional contributions and to continue support at the current level.

We have a legal duty to safeguard public funds and to make sure that support is paid to those deserving of it. If council tax support fraud is not effectively tackled and prevented we will be left open to reputational and financial risks.

In respect of fraud investigations we have administered 11 sanctions, raised £5,945 in administrative penalties and required the paying back of £35,827 in Council Tax Support fraudulently obtained (£19,937.56 in respect of previous years and £15,889.84 in respect of the current year).

## **2.4 Refuse & Recycling**

The sale of recyclables tender process was suspended due to Leicestershire County Councils decision to withdraw recycling credit payments from 1 April 2018 and to direct North West Leicestershire District Council on where to take its recyclable material. A decision on whether to re-run the tender process will be taken following the outcome of Leicestershire County Council's tender process for treatment of recyclate which is expected in June 2017. The District Council will be considering whether or not to submit a bid as part of the tender process in March 2017 in order to reduce the financial losses to the Council of the withdrawal of recycling credits. In the interim NWLDC recyclates will continue to be sold on a month by month spot sale basis.

Due to the increased and on-going growth in new housing we have increased our resources on recycling and refuse collections operating a fifth round on peak days and times. However, as an efficiency measure we have reduced crews from 4 to 3 on garden waste during the low growth and low presentation winter months. There will be no impact on residents from either measure as collections will still be maintained on the normal days.

The Waste Management software (Whitespace) has been successfully rolled out for use in-cab via iPads for trade waste covering our 725 contracts. iPads are also now being used for large bulky waste collections and for holiday requests, safety checklists and staff BEE valued reflection sessions. Each process used via the software leads to back office administration and efficiency savings which will allow staff more time to deliver further service enhancements including the roll out of iPads to Street Cleansing improving management data for work allocations, targeting resources to areas of highest need.

## **2.5 Development Control**

The Local List of non-designated heritage assets call for nominations ran between 4 July and 30 September. The Conservation Officer has reviewed the nominations received and we now aim to consult occupiers of nominated buildings in Q1 2017-18. The Local List of non-designated heritage assets will offer those properties which are

included on the list an enhanced protection from inappropriate works, without preventing suitable developments.

Consultation ended on 12th December for the design guide for residential development, with a relatively small number of responses received. The document is on target to be adopted by the end of Q4 to assist the council to continue to secure better quality new housing developments going forward.

The high number of planning applications demonstrates that we continue to experience strong demand for new development within the District, and the planning service continues to deal with applications in a highly professional and timely manner. It is encouraging that the major developments that have been granted planning permission, such as DHL extension at the Airport, Amazon Fulfillment Centre at Bardon, and numerous high quality new housing developments, are getting underway quickly to deliver the new jobs and homes that drive the prosperity of the area.

Cabinet have approved the revised Local Development Order on the Coalville Conservation Area Shop Fronts Improvement scheme by removing the requirement for property owners to gain planning permission for the works that the grant supports. This means that, regardless of whether a grant is awarded, provided the works are covered by the Order and the property is within the area that is covered by the Order, then no planning permission is required. There is no application fee payable, so in effect the Local Development Order has done all of the work of gaining planning permission for those properties which are covered by it. It is a good example of different parts of the Council working together to achieve shared objectives, to bring about wider benefits.

## **2.6 Environmental Health**

In September 2016 the RSPCA, for a fifth time, awarded the Council a 'gold footprint' award, the highest achievable award for the provision and care of stray dogs. The council is one of only fifteen Councils in the country that has maintained a service at a level to qualify for a Gold Stray Dog Footprint for five years. This success has continued with the Environmental Health team obtaining a conviction at Leicester Magistrates Court against a dog owner that failed to ensure that the registered keeper details were kept up to date. The owner was fined £220 for failing to update the registered keeper details and required to pay costs of £959. This conviction is one of the first nationally since it became the law in April 2016 for every dog owner in England to ensure that their dog has been micro chipped and that the registered keeper details are kept up to date.

A programme of checks was carried out during the run up to Christmas to assess compliance levels with alcohol and taxi licensing law. Door staff checks were carried out in early December with all 19 door staff checked found to be compliant. 32 licensed premises were visited by a licensing officer again with the majority found to be compliant. 12 taxi vehicles were checked during the run up to Christmas. The checks involved stopping and requiring the vehicles to attend the council garage for mechanical examination. 9 of the 12 vehicles were found with defects. 2 of the defective vehicles were considered to be unsafe. To ensure that these vehicles did not pose a risk to the public the licence plates were removed, preventing them from operating.

A 3 month consultation process focusing on proposed changes to taxi driver policy closed on 6 January. The proposed changes, scheduled for introduction in March 2017 are expected to further improve the knowledge and conduct of drivers. The

proposals include changes to the driver medical assessment, driver code of conduct, convictions policy and the introduction of safeguarding and child sexual exploitation training. A draft policy document will be presented to Licensing Committee in February for their consideration and approval.

### **3 Council Delivery Plan**

Appendix 1 sets out a high level exception report for the remainder of the Council Delivery Plan and further information on key front line services. This provides commentary against actions and performance indicators that were not on target during Q3.

#### **3.1 Building Confidence in Coalville**

Cabinet reviewed a report on the progress of the Coalville Project on 17 January 2017. That reported highlighted the following:

The Coalville frontage scheme has gathered significant momentum. At the end of Quarter 3, 75% of businesses eligible to participate in the first phase of the scheme (Hotel Street and High Street) have received grants, had a grant approved, or were in discussion about obtaining a grant. Officers developed a proposal to allocate additional financial resources (£125,000 of Local Growth Plan fund) in order to support this level of interest. Also, 23% of businesses eligible to participate in phase 2 of the scheme (Belvoir Road and Marlborough Square) have made enquiries about participating in the scheme.

Work on the frontage of the Emporium has begun. The Leader and officers met with the owner of the bus depot in December, following which he confirmed the refurbishment would be going ahead. Renovation of the bus depot site will improve one of the key gateways into Coalville town centre, bring a vacant building back into use and bring new jobs into Coalville, including apprenticeships. This will further contribute to the transformation of the town centre supported by the frontages grant programme.

Meetings have been held with businesses and other stakeholders in Memorial Square and Marlborough Square resulting in provisional design concepts. Officers are now in discussion with LCC and will be meeting with local stakeholders again during Quarter 4 to seek their support to the proposal.

Cabinet approved the Parking Strategy for the District at its meeting in December which included the Free after Three initiative in all Coalville car parks, the scheme commenced on Monday 23 January 2017.

The Coalville Heroes community engagement contract has continued development and delivery of the programme of engagement with Coalville's young people and food growing, cooking and sharing opportunities. A notable success was the Christmas in Coalville song created through collaboration between King Edward VII, Belvoirdale and Warren Hills schools and Mount Saint Bernard Abbey lead by local band "Jack's Jokers". The song was performed at the Christmas in Coalville event on 3 December, and was promoted on social media and local radio.

The Christmas in Coalville event was delivered in collaboration with Coalville Town Team, culminating in the lights switch on and fireworks. The event was well attended and achieved significant positive media coverage.

A range of heritage and culture projects are underway. Officers are working with Coalville Heritage Society on a timeline of Coalville's history, for installation on the hoardings on Hotel Street. A series of activities are in progress or are being planned related to commemorating Coalville's contribution to the First World War, including a weekly serial in the Coalville Times telling the story of each of the Famous Fifty. The council is supporting an application to Heritage Lottery Fund to enable a celebration of Palitoy's 80<sup>th</sup> birthday. Engagement plans were developed to support distribution of 50 tickets to the Cinderella ballet performance on 19 May 2017 at Century Theatre.

### **3.2 Business & Jobs Priority**

On 27 October, the Council hosted a celebration event for all recipients of Enterprising North West Leicestershire grants, attended by 48 delegates. Promotional films have been made of some of the case studies (available to see on the council's website [here](#)). The grant scheme has allocated £402,000 of grants to 24 SME businesses, delivering 66 new jobs and almost £3 million of new private sector investment. A schedule of monitoring visits was prepared, with the first nine undertaken early in Quarter 4, looking at evidence that the business has completed the whole of the project funded by the grant and taken on new staff as indicated in their application.

During Quarter 3, preparations were made for launch of the second phase of the business grant scheme. Called Enterprising Town Centres, the £250,000 allocated by Cabinet in October 2016 will provide business advice and grants to town centre businesses in Ashby, Castle Donington, Coalville, Ibstock, Kegworth and Measham. The scheme is targeting occupancy of vacant units, increased visitor numbers and spend in our town centres and new jobs. The scheme will be launched during Quarter 4.

On 28 October, a Coalville Jobs Fair was attended by 25+ businesses and more than 200 job seekers, delivered in partnership with Stephenson College and Jobcentre Plus. Anecdotal evidence from businesses indicated their satisfaction with the quality and number of job seekers, with many informing us of interviews and actual recruitment offers. A follow up jobs fair is planned for the start for Quarter 1, 2017/18.

Surinder Sharma, the High Sherriff of Leicestershire, visited North West Leicestershire on 21 November. He visited Belvoirdale Primary School, the Marlene Reid Centre, had a presentation about the Coalville Project, was provided with lunch by Coalville Heroes whilst meeting community groups involved with community safety. He also visited East Midlands Airport.

The Business Focus team facilitated a meeting between the Department for International Trade (DIT), the LLEP and the Winbro Group, Coalville to discuss the company's growth plans. Business Focus also began further work with DIT to prepare a comprehensive portfolio of employment sites to showcase the district's development and investment opportunities to potential foreign investors and to promote at MIPIM.

Business Focus, working with Environmental Health, have secured funding from the Leicestershire LEP to deliver a one off specialist business advice workshop for district retail businesses during Quarter 4 to help them grow their sales and town centre footfall, led by a retail expert.

As a result of our participation in the county-wide Market Towns Study, £20,000 funding has been secured from LCC's Enabling Growth Board to part-fund the provision of free wifi in Coalville town centre. Ashby will be considered during phase

2. Officers developed a plan to provide the remaining funding, using existing resources.

Business Focus developed a series of Christmas-themed activities for Coalville's town centre businesses including a 'Toy Trail' and 'Christmas Window Competition'. Both were designed to encourage shoppers to explore the town centre and visit shops, and other businesses, generating more than 200 entries to the shop window competition and more than fifty entries to the toy trail.

Increasing footfall into Coalville Market continues to be a focus and the Christmas events programme attracted new customers inside especially during the Christmas in Coalville event (3 December) which also signified the start of free Saturday December parking in Coalville and Ashby. A number of fixed trade stalls have been successfully removed which now opens up an area to use for internal events, exhibitions and fayres which it is hoped will attract further new customers to the market. Increased footfall gives increased confidence to traders and increased sales opportunities, a regular programme of internal events is being produced as one method of achieving this.

DHL– Canon on Bardon Industrial Estate was supported to deliver a project driven by their corporate social responsibility strategy. Business Focus and the Housing Options Team coordinated the project that saw the company's staff purchase and wrap Christmas presents for children of local families engaged with the Home Start North West Leicestershire charity.

The Business Focus Team have begun working with Roxhill, the developers of the Strategic Rail Freight Interchange to develop an Employment Strategy to ensure that local job seekers, local support agencies, local schools and colleges are engaged with the opportunities arising through the construction phase and the occupation phase of the development. Construction started in January 2017.

In November, the Government announced the revised preferred route for the second phase of HS2. The Business Focus Team proactively contacted all of the businesses potentially impacted by the revised route, sharing details of the route and guidance on how to engage with HS2. The team also offered support to business that may need to find alternative premises as a result of the route.

During Quarter 3 the Business Focus team responded to 32 new enquiries from local businesses seeking advice and issued 16 business briefings through the North West Leicestershire Business Champions networks, providing information on sources of funding, training opportunities and other types of business support or advice.

#### **4 Financial management update**

At the end of the third quarter of the financial year the General Fund and Special Expenses budgets are being managed effectively and there are projections of additional income - mainly from Planning and Recycling which are forecast to be £225k and £260k respectively above budget. There is also growth in the Business Rates Retained Income, current indications are an additional £280k can be expected by the year end.

The forecast under spend is just over £1.6m compared to the original budget of £1.08m. Cabinet has already allocated just over £1m of this under spend on projects such as the ICT road map, accommodation strategy and car parking strategy. Cabinet will consider how the remaining underspend should be managed.

The Housing Revenue Account is forecast to have a favourable variance of £467k. This is mainly due to increased Rental income of £197k and Forecast under spend on painting,

mechanical air extraction and defective double glazing of £183k. The increased forecast in rental income is a combination of reduced void levels, rental income from long term empty properties that have been let and income from the rent increase on supported properties.

HRA capital expenditure is currently expected to be in line with Budget, while the General Fund capital programme is forecasted to be some £400k under spent. Mainly due to slippages in the Fleet replacement due to being some uncertainty earlier in the year around future waste and recycling collections.

## **5 Sickness absence management update**

The corporate sickness target for 2016/17 is an average of 7.4 days lost per full-time equivalent (fte) member of staff. Using the figures available as at the end of Q3, the current projected annual total is 8.92 days per fte.

In Quarter 3 there were 22 instances of long term sickness (down from 30 instances in Q2), accounting for 60% of all sickness. A number of employees who were absent as a result of long-term sickness have left the employment of the Council through ill health retirement or contract termination, which has resulted in a substantial decrease in long term sickness percentage for the year as a whole (previously 72% of all sickness). We are continuing to manage the long term cases to provide whatever support is possible to assist these employees to return to work.

Perhaps not unexpectedly, the instances of flu, colds and viral infections were high during the lead up to Christmas and New Year in Q3, accounting for over a quarter of all sicknesses (27%) while Musculoskeletal and Operation/Post-operation related absences have also increased to nearly 38%. These absence reasons continue to be more prevalent within the manual workforce, particularly in Waste Services and Housing Repairs and Investment.

## **6 Supporting evidence and statistics - Appendix 1**

Appendix 1 sets out the following items:

- Progress against Council key front line services
- Progress against Business & Jobs priority
- Progress against remaining priorities
- Finance
- Management of Absence

Status definitions used in Appendix 1



Performance on track (milestones) or performance on or above target (PI's)



Performance under control (milestones)



Performance failing (milestones) or performance below target (PIs)





## 2 PERFORMANCE DASHBOARD – LEISURE CENTRES

Progress against CDP milestones			Progress against CDP Performance Indicators		
3  Green	0  Amber	0  Red	3  Green	0  Red	

Budgeted Cost to provide service	£405,244	Total FTE's (average)	80.95	Complaints received	2
Forecasted cost to provide service	£412,507	Total days lost to sickness	169.01 (409.01)*	Compliments received	1

\*cumulative number of FTE days lost

- Membership income is down on target due to a reduction in membership levels potentially caused in part, by the opening of a new gym in Ashby. A number of actions are being taken to claw this back in Q4. These include the introduction of new fitness classes such as Yoga for Relaxation, P90X and Clubbercise, the introduction of new equipment such as Powerplates and Boditrax, the introduction of Wellness Memberships, refresher training with staff on sales systems, policies and procedures, an additional promotional offer for cancelled members, the addition of Instagram to our social media advertising portfolio, and a review of membership promotions. We will also be increasing staffing at peak times to convert new users to members through offers and promotions.
- Usage levels continue to exceed targets at what is historically always the quietest time of the year within the leisure centres. This included the active sourcing and securing of a number of new events to the programme including boxing at Hood Park and live music shows at Hermitage.

Performance Indicators	Q3 Target	Q3 Actual	Status
Leisure Centre Membership income	£741,88	£727,959	
Leisure Facility Usage Levels (cumulative)	640,000	727,929	

## 2 PERFORMANCE DASHBOARD – HOUSING

Progress against CDP milestones			Progress against CDP Performance Indicators		
14  Green	4  Amber	0  Red	16  Green	0  Red	

Budgeted Cost to provide service	£561,350	Total FTE's	86.90	Complaints received	12
Forecasted cost to provide service	£559,330	Total days lost to sickness	225.72 (950.48)	Compliments received	24

\*cumulative number of FTE days lost

- The performance exceeds the quarter target of 2.42% due to the successful contact with tenants to make payments during the two weeks over Christmas when no rent is due. During this period, £110,000 was received, reducing the arrears to £303,000. The performance profile shows we are on track to meet the 2.13% yearend target.
- The stand alone performance for rent loss in December was our lowest this year at 1% resulting in the cumulative performance of 1.16%. Performance is anticipated to remain ahead of target for the remainder of the financial year as the overall number of empty homes has reduced since the beginning of the year and the average re-let time has improved.
- For satisfaction with new lettings, 30% of tenants responded of which, 96% of tenants were satisfied with the overall process. 100% of respondents also stated they would recommend NWLDC as a Council.
- The time taken to let properties has continued to improve and some low demand properties which had been empty for long periods have also been let in Q3. Performance has been maintained during Q3 with both the stand alone performance for December and the year to date performance being 37 days.

Service Performance Indicators	Q3 Target	Q3 Actual	Status
% rent arrears of current tenants	2.42%	1.69%	😊
% rent loss	1.80%	1%	😊
% tenants satisfied with the allocation and lettings process	95%	96%	😊
Average re-let times (days)	40	37	😊
% of properties empty and unavailable	2%	1.82%	😊
Percentage of customers satisfied with responsive repairs	85%	97%	😊
Percentage of repairs completed Right First time	80%	98%	😊
Appointments Made and Kept (%)	87%	99%	😊
Number of affordable homes delivered (Quarterly – Cumulative target 110)	N/A	N/A	






## 2 PERFORMANCE DASHBOARD – REVENUES & BENEFITS

Progress against CDP milestones			Progress against CDP Performance Indicators		
2  Green	0  Amber	0  Red	0  Green	0  Red	0  Red

Budgeted Cost to provide service	£582,440	Total FTE's (average)	22.40	Complaints received	2
Forecasted cost to provide service	£551,700	Total days lost to sickness	20.2 (124.12)*	Compliments received	2

\*cumulative number of FTE days lost

- Non-domestic rates in year collection rate figures are higher than expected against the profiled target, however, the amount collected is on a par with last year's performance at this stage of the year.

Service Performance Indicators	Q3 Target	Q3 Actual	Status
Combined benefits performance	11 days	10.9 days	
Benefits New Claims	19 days	18.4 days	
Council Tax in year collection rate	84.3%	84.1%	
Non-domestic rates in year collection rate	82.4%	84.8%	
HB overpayments collection rate	26%	27%	

## 2 PERFORMANCE DASHBOARD – REFUSE & RECYCLING



Progress against CDP milestones			Progress against CDP Performance Indicators		
2  Green	0  Amber	0  Red	0  Green	0  Red	

Budgeted Cost to provide service	£2,153,100	Total FTE's (average)	74.79	Complaints received	2
Forecasted cost to provide service	£2,010,747	Total days lost to sickness	373.5 (833.98)*	Compliments received	34

\*cumulative number of FTE days lost

- Recycling rate remains on track. This has been influenced by the Council issuing smaller refuse bins to all new houses and also as replacement bins. It is also influenced by the promotion of recycling messages at District Council events, road shows and on social media.
- The amount of black bin waste per household being sent to landfill also remains on track due to the replacement smaller bins, and through promoting recycling messages at District Council events, road shows and on social media.

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Service Performance Indicators	Q3 Target	Q3 Actual	Status
Income from sale of recyclables cumulative	N/A	Annual target	N/A
% of waste recycled	46%	46.3%	
Kgs of waste sent to landfill	519	517	

## 2 PERFORMANCE DASHBOARD - DEVELOPMENT CONTROL





Progress against CDP milestones			Progress against CDP Performance Indicators		
0  Green	2  Amber	0  Red	0  Green	0  Red	

Budgeted Cost to provide service	-£358,030	Total FTE's (average)	13.85	Complaints received	0
Forecasted cost to provide service	-£674,240	Total days lost to sickness	5 (16.77)*	Compliments received	4

\*cumulative number of FTE days lost

- Performance on major applications in Q3 therefore was 88.88% with 17 majors out of 19 determined within 13 weeks or with an extension of time. Cumulatively to the end of Quarter 3 performance is 90.38%. This is well above the national target of 60%.
- Performance on minor applications in Q3 was at 83.12% which is above the local target of 80%. Cumulatively to the end of Quarter 3 performance is at 80.93% well above the national target of 65% and an improvement on the Q2 figure of 79.41%.
- Performance on other applications in Q3 was 86.79% which is above the national target of 80%. Cumulatively, performance to the end of Quarter 3 was at 88.94%.

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Service Performance Indicators	Q3 Target	Q3 Actual	Status
Percentage of customers very satisfied or satisfied with the Planning Service	90%	91.4%	
Percentage of major planning applications processed within period agreed with applicant	85%	89.47%	
Percentage of planning applications determined within 8 weeks for minor applications	80%	83%	
Percentage of planning applications determined within 8 weeks for other applications	80%	87%	

## 2 PERFORMANCE DASHBOARD - ENVIRONMENTAL HEALTH


Progress against CDP milestones			Progress against CDP Performance Indicators		
8  Green	0  Amber	0  Red	0  Green	0  Red	

Budgeted Cost to provide service	£390,750	Total FTE's (average)	14.14	Complaints received	0
Forecasted cost to provide service	£325,350	Total days lost to sickness	18.8 (39.67)*	Compliments received	2

\*cumulative number of FTE days lost

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- The targeted food establishments continue to receive compliance visits. 4 of the 10 food establishments receiving support are now compliant with the law. 2 businesses have ceased trading and 4 remain non compliant.

Service Performance Indicators	Q3 Target	Q3 Actual	Status
Proportion of businesses that described their relationship with Environmental Health as being 'good'	N/A	Annual target	N/A
Proportion of businesses that said the regulatory officer had an understanding of the challenges faced by running a business	N/A	Annual target	N/A
Proportion of businesses that said they felt confident that they could rely on the advice received from the regulatory officer	N/A	Annual target	N/A
Number of the 10 targeted food establishments remaining non compliant with food hygiene law	6	4	



### 3 COUNCIL DELIVERY PLAN - BUSINESS & JOBS PRIORITY

Progress against CDP milestones			Progress against CDP Performance Indicators		
9  Green	0  Amber	0  Red	0  Green	0  Red	0  Red

No applicable performance indicators for Q3 (reported annually)

### 4 PROGRESS AGAINST REMAINING CDP PRIORITIES

Progress against CDP milestones			Progress against CDP Performance Indicators		
20  Green	4  Amber	0  Red	4  Green	0  Red	0  Red

No Performance Indicators Applicable for this priority.

## 5 FINANCE UPDATE

This section sets out the projected financial position of the Council for the year ending 31 March 2017. The Council set its Revenue Budget at £12,002,000 on 23 February 2016.

General Fund – Summary of Net Expenditure	ORIGINAL BUDGET NET £ 000	FORECAST OUTTURN NET £ 000	FORECAST VARIANCE NET £ 000
AMOUNT TO BE MET FROM GOVERNMENT GRANT AND COUNCIL TAX (Budget Requirement).	12,002	10,354	1,648

Special Expenses – Summary of Net Expenditure	ORIGINAL BUDGET NET £ 000	FORECAST OUTTURN NET £ 000	FORECAST VARIANCE NET £ 000
AMOUNT TO BE MET FROM GOVERNMENT GRANT AND COUNCIL TAX (Budget Requirement).	488	509	21

HRA SUMMARY	ORIGINAL BUDGET NET £ 000	FORECAST OUTTURN NET £ 000	FORECAST VARIANCE NET £ 000
Net cost of service (Total rent income less total expenditure)	(2,395)	(2,862)	(467)

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Capital Expenditure	General Fund £ 000	Special Expenses £	HRA £ 000	Total
Approved Budget for the Year	2,799	0	8,165	10,963
C/F from 2015/16	515	79	187	781
Approved projects in year	1,145	12	0	1,157
Slippage Identified in Year	(1,333)	0	0	(1,333)
<b>Revised budget for 2016/17</b>	<b>3,126</b>	<b>91</b>	<b>8,352</b>	<b>11,569</b>
<b>Likely outturn for 2016/17 (provisional)</b>	<b>2,722</b>	<b>91</b>	<b>8,352</b>	<b>11,165</b>

## **Comments on General Fund Variances**

- Recycling income is forecast to be £225k more than budget.
- Investment income is forecast to be £27k more than budget.
- Planning Income is forecast to be £260k more than budget.
- Licensing income is forecast to be £29k more than budget.
- Human Resources Interim Support forecast spend of £28k against a budget of zero, plus £8k due to new HR/Payroll system.
- Head of Legal & Support salaries £35k under spend after offset of redundancy costs (vacant post and deleted post).
- Head of Transformation £32k more than budget and to be offset against Head of Finance vacancy.
- ICT £62k over spend (£21k equipment maintenance, £21k Licences, £6k salaries/agency and £8k CAPS recharges). Savings projected for 2017/18 that will offset this.
- There are areas of rent allowance expenditure where a local authority is unable to claim full subsidy and that needs to be funded by the local authority. Currently rent allowances net of subsidy is forecast as a £45k over spend.
- Our contribution to Revenues & Benefits partnership £41k under spend due to Fraud posts transferred to DWP.
- Refuse & recycling salaries/agency £62k over spend.
- Recharges to HRA for Customer Services are forecast to be £160k less, due to a change in methodology on recharges and repairs posts transferring to HRA.

## **Comments on Special Expenses Variances**

- £12k reduced burial fees.
- £5k Coalville Events

## **Comments on HRA Variances**

- Increased rent income of £197k and interest income on balances £24k.
- Increased Staff cost (Asset Management) - £128k –mainly due to agency staff and reduction in capitalisation of salaries.
- Reduction in recharges from General Fund approximately £150k.
- Forecast under spend on painting, mechanical air extraction and defective double glazing of £183k.

## **Comments on Capital Budget**

N/A

## **General Fund**

There is a forecast under spend of £126k on Transport Account Vehicles.  
There is slippage this year of £258k on Ashby Health Car Park.

## **Housing Revenue Account**

Forecast outturn is in line with the revised budget.

## 6

## MANAGEMENT OF ABSENCE

Quarter 1	Chief Exec & HR	Community Services	Finance	Housing Services	Legal & Sup Services	Reg & Planning	All Directorates
Sickness days lost	41 days long 1 day short	215.90 days long 140.19 days short	0 days long 28.54 days short	158.00 days long 78.28 days short	32.52 days long 45.75 days short	20.40 days long 9.77 days short	467.81 long 303.52 short
Total days lost in qtr	42 days	356.09 days	28.54 days	236.28 days	78.27 days	30.17 days	771.35 days
Number of FTE's	21.01	193.28	53.01	92.72	58.82	27.56	446.40
Average Cumulative no of days lost per FTE	2 days	1.84 days	0.54 days	2.55 days	1.33 days	1.09 days	1.73 days

Quarter 2	Chief Exec & HR	Community Services	Finance	Housing Services	Legal & Sup Services	Reg & Planning	All Directorates
Sickness days lost	0 days long 1.7days short	276.29 days long 163.97 days short	143.69 days long 19.47 days short	375.39 days long 94.59 days short	54.87 days long 53.06 days short	24 days long 9.35 days short	874.23 days long 342.14 days short
Total days lost in qtr	1.70 days	440.26 days	163.16 days	469.98 days	107.93 days	33.35 days	1216.37 days
Number of FTE's	20.67	194.09	51.16	90.29	58.92	27.74	442.88
Average Cumulative no of days lost per FTE	0.08 days	2.27 days	3.19 days	5.21 days	1.83 days	1.20 days	2.75 days

Quarter 3	Chief Exec & HR	Community Services	Finance	Housing Services	Legal & Sup Services	Reg & Planning	All Directorates
Sickness days lost	0 days long 7.5 days short	324.71 days long 222.21 days short	42 days long 12.36 days short	145 days long 86 days short	81.39 days long 43.72 days short	0 days long 22.22 days short	593.10 days long 394.01 days short
Total days lost in qtr	7.5 days	546.92 days	54.36 days	231 days	125.11 days	22.22 days	987.11 days
Number of FTE's	20.85	194.63	53.12	89.53	58.99	28.9	446.02
Average Cumulative no of days lost per FTE	0.36 days	2.81 days	1.02 days	2.58 days	2.12 days	0.77 days	2.21 days

## Appendix 2

Corporate Risk Register							
Risk Area	Inherent Risk			Control Measures	Residual Risk		
	Impact	Likelihood	Rating		Impact	Likelihood	Rating
Safeguarding Adults at risk and Children	4	4	16	<p>The organisation has the following structures in place;</p> <ul style="list-style-type: none"> <li>- An identified Corporate Lead (Head of Service) with a Portfolio Holder lead</li> <li>- An identified Team responsible for Safeguarding (Safer &amp; Stronger) with responsibility embedded into Team Leader role and an officer (Child &amp; Adults at risk Officer)</li> <li>- An agreed Safeguarding Policy refreshed as required with delegation to Director of Services for updates</li> <li>- An identified group of Designated Safeguarding Officers (DSO's) in most service areas</li> <li>- A programme of regular DSO meetings which consider training, best practice and case issues</li> <li>- An annual training programme to ensure new DSO's are well informed and trained</li> <li>- A quarterly senior management review of all cases to check progress/close cases</li> <li>- A quarterly briefing with the Chief Executive, a 6 monthly report to CLT and an annual report to Cabinet</li> <li>- Annual report is to review previous year and endorse an action plan for the year ahead</li> </ul>	4	3	12
Finance & Budget	4	4	16	<p>Monthly management reviews are performed of actual against budgets and forecast to the end of the year. Monthly reporting and challenging at CLT, and reported to Cabinet quarterly Sound policies and procedures are in place. Financial planning processes have been documented and are reviewed regularly. Internal and External audit of systems and accounts. This risk may also need to be reviewed further once the outcome of the Governments spending review is known particularly in the light of the impact it could have on major projects being developed by the Council such as the Coalville project.</p>	4	1	4
Resource Capacity & Capability	4	4	16	<p>Advance planning will mitigate this risk; however should it occur diverting resources from other services, bringing in additional resources from other sources (e.g. Agencies, Consultants, Voluntary/Community sector etc.) would be activated. Market conditions are tested through recruitment processes. The Council offers a package of additional</p>	3	2	6

				benefits to enhance the recruitment offer. Linked to the above, the Council has developed innovative partnering relationships with other sectors including the private sector to make posts uniquely attractive. Best Employee Experience is a programme to attract and develop the right skills. It is a programme developing the talent within the staff resource through secondments and tailored development programmes.			
Contract Management & Procurement	4	4	16	Corporate procurement staff and legal team to support where necessary on contract management. Policies and procedures are in place. A Senior Procurement Officer oversees a procurement planning process. Training programme in place for staff. Given the progress that has been made to date the likelihood of this risk materialising could potentially be reduced although this needs to be balanced against future key staffing changes.	3	2	6
Information Governance & Data Protection	4	4	16	Policies and procedures are in place although not yet rolled out and fully embedded. Corporate Governance training is undertaken annually and includes information governance as appropriate to reflect changes in legislation. The Council has a dedicated SIRO. Corporate Governance Groups are in place to scrutinise impacts/issues arising.	4	3	12
Emergency Planning & Business Continuity arrangements	4	4	16	Business continuity plans have been documented, policies and procedures are in place. Currently however the Council does not have access to alternative arrangements in the event of an incident affecting the Council offices. CLT will consider a report into this matter A Business Continuity exercise showed the Council had a good understanding of business continuity.	4	1	4
Effective IT Systems & Procedures	4	4	16	Fully resilient environment in place with no single points of failure for core systems, other critical systems use cold standby equipment. New business services are being run in remote fully resilient data centres and existing systems are being progressively migrated to these cloud computing centres. Data is backed up to a second disk unit offsite at Hermitage Leisure Centre. Improved business recovery arrangements have been implemented to minimise recovery time.	3	2	6
Project & Programme Management	4	4	16	Progress is shared regularly with CLT, experienced PRINCE 2 staff are used on projects. Use of external resources is also being used to support the Coalville project, the Leisure project and New Build Housing project.	4	3	12
Governance, Policies & Procedures	4	4	16	Policies & procedures in place, governance processes are documented and in operation, ongoing assessments and reviews are performed.	4	1	4

Assessing the likelihood of a risk:

<b>1 Low</b>	Likely to occur once in every ten years or more
<b>2 Medium</b>	Likely to occur once in every two to three years
<b>3 High</b>	Likely to occur once a year
<b>4 Very high</b>	Likely to occur at least twice in a year

Assessing the impact of a risk:

<b>1 Low</b>	Loss of a service for up to one day, Objectives of individuals are not met No injuries Financial loss below £10,000 No media attention No breaches in council working practices No complaints/litigation
<b>2 Medium</b>	Loss of a service for up to one week Service objectives of a service unit are not met Injury to an employee or member of the public requiring medical treatment Financial loss over £10,000 Adverse regional or local media attention – televised or news paper report High potential for a complaint litigation possible Breaches of regulations/standards
<b>3 High</b>	Loss of a service for one week or more Service objectives of the directorate are not met Non- statutory duties are not achieved Permanent injury to an employee or member of the public Financial loss over £100,000 Adverse national or regional media attention – national news paper report Litigation to be expected Breaches of law punishable by fine
<b>4 Very high</b>	An incident so severe in its effects that a service or project will be unavailable permanently Strategic priorities are not met Statutory duties are not achieved



	Death of an employee or member of the public Financial loss over £1m. Adverse national media attention – national televised news report Litigation almost certain and difficult to defend Breaches of law punishable by imprisonment
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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – 14 MARCH 2017**

Title of report	<b>FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE-OFFS</b>
Key Decision	a) Financial No b) Community No
Contacts	Councillor Nick Rushton 01530 412059 <a href="mailto:nicholas.rushton@nwleicestershire.gov.uk">nicholas.rushton@nwleicestershire.gov.uk</a>  Interim Director of Resources 01530 454833 <a href="mailto:andrew.hunkin@nwleicestershire.gov.uk">andrew.hunkin@nwleicestershire.gov.uk</a>  Financial Planning Manager and Deputy Section 151 Officer 01530 454707 <a href="mailto:priresh.padaniya@nwleicestershire.gov.uk">priresh.padaniya@nwleicestershire.gov.uk</a>
Purpose of report	To agree write-offs over £10,000 and receive details of debts written off under delegated powers.
Reason for Decision	To comply with proper accounting practices.
Council Priorities	Value for Money
Implications:	
Financial/Staff	There is no additional financial effect as all the debts are met from the Authority's bad debt provision for previous years arrears or from in year income if the debts relate to the current financial year.
Link to relevant CAT	None
Risk Management	Regular reviews of debts for write off mitigates the risk that the Council's accounts do not reflect the true level of recoverable income. It is also part of an effective arrears management strategy.
Equalities Impact Screening	Not applicable.
Human Rights	None discernible.
Transformational Government	Not applicable.
Comments of Head of Paid Service	Report is satisfactory

Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	None.
Background papers	All papers used in compiling the report contain exempt information under paragraph 3 of Part 1 to Schedule 12A Local Government Act 1972
Recommendations	<p><b>1. THAT CABINET APPROVES THE WRITE OFFS OVER £10,000 DETAILED IN THIS REPORT.</b></p> <p><b>2. THAT CABINET NOTES THE AMOUNTS WRITTEN OFF UNDER DELEGATED POWERS.</b></p>

## 1.0 WRITE OFFS

1.1 Write offs relating to prior year against Bad debt Provision:

	<b>Provision as at 1 April 2016</b>	<b>Write offs to date (under delegated powers)</b>	<b>Amounts written off over £10,000 approved by Members</b>	<b>Balance Available</b>
Council Tax	<b>£1,932,901.22</b>	<b>-£143,390.50</b>	<b>£0.00</b>	<b>£1,789,510.72</b>
Non Domestic Rates	<b>£317,369.40</b>	<b>-£64,610.14</b>	<b>-£213,491.52</b>	<b>£39,267.74</b>
Housing Rents	<b>£125,000.00</b>	<b>-£15,503.11</b>	<b>£0.00</b>	<b>£109,496.89</b>
Sundry Debtors/Housing Benefit Overpayments	<b>£1,163,090.44</b>	<b>-£13,720.81</b>	<b>£0.00</b>	<b>£1,149,369.63</b>

1.2 Write offs relating to Current Year

	Write offs to date (under delegated powers)	Amounts written off over £10,000 approved by Members
Council Tax	-£16,493.89	£0.00
Non Domestic Rates	-£15,152.19	£0.00
Housing Rents	£0.00	£0.00
Sundry Debtors/Housing Benefit Overpayments	-£8,420.57	£0.00

**2.0 FORMER TENANT RENT ARREARS**

- 2.1 There are no Former Tenant Arrears for which we seek approval.
- 2.2 There were no Former Tenant Arrears written off under delegated authority since the last write off report was submitted.

**3.0 CURRENT TENANT RENT ARREARS**

- 3.1 There are currently no current tenant rent arrears for which we seek approval for write-off. There were no current rent arrears written off under delegated powers.

**4.0 COUNCIL TAX**

- 4.1 There are currently no council tax debts over £10,000 for which Cabinet's approval for write off is sought.
- 4.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy, are as follows: Nine cases under £100 which amount to £431.49. Of these, four cases have absconded (£158.33), in one case the debtor is deceased with no assets (£93.22), one case is insolvent (£49.07) and there are three cases that are uneconomical to collect (£130.87). There are 62 cases between £100 and £1,000, which amount to £28,697.99. Of these, 25 have absconded (£11,084.12), 15 are insolvent (£8,241.12), six are deceased with no assets (£2,380.33), one case has a debt relief order (£184.38), three are hardship cases (£1,856.72) and 12 cases are uneconomical to collect (£4,951.32). There are 26 cases between £1,000 and £10,000 which amount to £53,451.16. Of these, 14 cases have absconded (£31,607.73), there are two hardship cases (£4,781.88), three cases are debt relief orders (£4,337.80) and seven are insolvent (£12,723.75).

- 4.3 The full list of reasons for writing off debt includes:

- Bankruptcy or a Debt Relief Order is in place
- Deceased – No assets in the estate.
- Debtor Absconded / No Trace
- Company in liquidation/dissolved or ceased trading with no assets
- Severe Hardship and/or Serious health Issues
- Statute barred i.e. we cannot legally pursue the debt as there has been six years since the debt fell due and no action has been taken to collect the debt.

- Uneconomical to collect i.e. it is not financially viable to take further action for e.g. due to the low level of the debt, they have gone abroad etc.
- 4.4 Writing off debts is only considered where all appropriate recovery and enforcement measures have been taken, or, where the council are legally prohibited from pursuing the debt.
- 4.5 Each year the council produces a recovery timetable which details the dates on which the statutory Reminders, Final Notices and Summonses are to be despatched. The letters issued are designed to maximise collection by prompting tax payers to pay their missed instalments in a timely manner, thereby avoiding further enforcement action taking place. Information is provided on the website to explain what happens next should payment not be made.
- 4.6 For all outstanding debt, the council takes the recovery action outlined in the bullet points below:
- If payment is not received by the instalment due date shown on the bill, a reminder notice is issued.
  - If payment is received within seven days the tax payer may continue with their original instalment plan. If they default again within the year, then one further reminder notice is issued. If they do not pay, the following steps are taken.
  - If payment is not received by the date on the reminder notice, a court Summons is issued. The Summons advises them of the date and time that the Council will attend a Magistrates Court hearing to apply for the award of a Liability Order against them.
  - Once a Liability Order is obtained, the Council has a number of enforcement options open to them in order to secure payment of the debt.
- 4.7 Liability Order Action

Once a Liability Order has been obtained each debt is looked at and a decision is made as to the most appropriate course of action to take from the list of available options below. It is only after all of these have been considered and/or pursued that the debt is put forward for write off.

1. Apply to the debtor's employer for an Attachment of Earnings.
2. Apply to the DWP for a deduction from the debtor's benefits
3. Instruct an external enforcement company (bailiffs) to collect the debt on the council's behalf.
4. If the enforcement company are unsuccessful, the Council could commence committal proceedings against the debtor.
5. If the debtor owns their own home a Charging Order could be made against the property.
6. If the debt is over £5,000, bankruptcy proceedings could be commenced against the debtor.

When considering the final three options on the above list, the Council must always be mindful of the individual circumstances of the debtor and the financial impact on the Council of pursuing each option. Additional costs will be incurred when utilising any of these options.

## **5.0 NON DOMESTIC RATES (NNDR)**

- 5.1 There are currently no Non Domestic Rate debts over £10,000 for which Cabinet approval for write off is sought.
- 5.2 The amounts written off under delegated powers in accordance with the policy thresholds are as follows: There are no cases under £100. There are two cases between £100 and £1,000 amounting to £894.10 which are insolvent. There are 12 cases between £1,000 and £10,000 which amount to £28,519.39. Of these, three cases have absconded (£5,477.38), there is one hardship case (£1,244.45) and eight cases are insolvent (£21,797.56).
- 5.3 As with the recovery of Council Tax, for Business Rates, writing off debt is only ever considered as a last resort. Often companies, sole traders or partnerships become insolvent and the Council is prohibited from taking any further action as all of their outstanding debts are included within the Administration, Liquidation or personal bankruptcy.
- 5.4 The Council follows the same recovery process for Business Rates as for Council Tax. However, once the Council has obtained a Liability Order there are only a limited number of enforcement actions that can legally be pursued. In most cases, where a payment arrangement or contact cannot be made, the Council refers the case to external Enforcement Agents. If they are unsuccessful, the Council then has three further options to consider before putting the debt for write off. These options are:
- Committal (For sole traders and partnerships only)
  - Security for Unpaid Rate (this is the equivalent of a Charging Order on a property but this can only be done with the ratepayers agreement)
  - Insolvency Proceedings

## **6.0 SUNDRY DEBTORS (INCLUDES NON CURRENT HOUSING BENEFIT OVERPAYMENTS PRE 2011)**

- 6.1 There are currently no sundry debtor cases over £10,000 for which Cabinet's approval for write off is sought
- 6.2 There were no cases that have been written off under the Deputy S151 Officer delegated powers.
- 6.3 The recovery process varies dependant on the type of debt. Generally the debtor will receive a minimum of two reminder letters the final stating that recovery through the county court will take place in the event of non payment. Once judgement is obtained the normal recovery methods are available such as attachment of earnings/ benefit etc.

## **7.0 CURRENT HOUSING BENEFIT OVERPAYMENTS**

- 7.1 There are currently no sundry debtor cases over £10,000 for which Cabinet's approval for write off is sought.
- 7.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy, are as follows: There are five cases where the debtor is deceased with no assets under £100 which amount to £368.21. There are 17 cases between £100 and £1000 amounting to £4,359.19. Of these one case is insolvent (£118.90), one case is a debt relief order (£240.41), there are two cases where the

debtor absconded (£548.38), there are 11 cases where the debtor is deceased with no assets (£3,159.65) and two cases are uneconomical to collect (£291.85). There are two cases of insolvency between £1,000 and £10,000 amounting to £5,838.48.

7.3 For all outstanding benefit overpayment debt, the council takes the recovery action outlined in the bullet points below:

- An invoice is issued giving 14 days to make payment, or to contact the council.
- If payment is not received a first Reminder is issued, followed by a second reminder two to three weeks later.
- If payment is not received a 'CIS' (DWP database) check is carried out to assess if a deduction from benefit or an attachment of earnings is appropriate. If neither of these options is suitable the account is sent to an external collection team with no cost to the Council. However, they have no powers to enforce the debt at this stage only to collect it.
- If the cases are returned, each case is checked and a decision is made as to whether it is appropriate to start legal proceedings in the County Court.
- If judgement is obtained in the County Court, the following enforcement options are available to consider:-
  1. Warrants Control (the use of County Court Bailiff, or High Court Sheriff)
  2. Third Party Debt Orders (Utilises the customer's bank account to extract payment)
  3. Charging Order (the debt is secured on the customer's house)
  4. Insolvency (petition for bankruptcy)

Likely to contain exempt information under paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 14.

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