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| Meeting            | <b>CABINET</b>                         |
| Time/Day/Date      | 5.00 pm on Tuesday, 1 May 2018         |
| 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 6 March 2018  | <b>3 - 8</b>   |
| <b>5. LEICESTER AND LEICESTERSHIRE AUTHORITIES' JOINT STRATEGIC GROWTH PLAN: RESPONSE TO CONSULTATION</b>  |                |
| Report of the Strategic Director of Place<br>Presented by the Regeneration and Planning Portfolio Holder   | <b>9 - 18</b>  |
| <b>6. CHANGES TO LOCAL GOVERNMENT ASSOCIATION MEMBERSHIP</b>   |                |
| Report of the Chief Executive<br>Presented by the Leader   | <b>19 - 22</b> |

|   |                |
|---|----------------|
| <b>7. NATIONAL PLANNING POLICY FRAMEWORK</b>  |                |
| Report of the Strategic Director of Place<br>Presented by the Regeneration and Planning Portfolio Holder  | <b>23 - 36</b> |
| <b>8. RISK MANAGEMENT POLICY</b>  |                |
| Report of the Strategic Director of Housing and Customer Services<br>Presented by the Leader  | <b>37 - 64</b> |
| <b>9. 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>10. EXEMPTION FROM THE COUNCIL'S CONTRACT PROCEDURE RULES - FINANCE SYSTEM</b>   |                |
| Report of the Strategic Director of Housing and Customer Services<br>Presented by the Corporate Portfolio Holder  | <b>65 - 70</b> |

Circulation:

Councillor R D Bayliss  
Councillor R Blunt (Chairman)  
Councillor T Gillard  
Councillor T J Pendleton  
Councillor N J Rushton  
Councillor A V Smith MBE

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 6 MARCH 2018

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 G Coxon, D Everitt, T Eynon, J Legrys and S Sheahan

Officers: Mr J Arnold, Ms T Ashe, Mrs C Hammond, Mr G Jones, Mrs B Smith and Miss E Warhurst

### **113. APOLOGIES FOR ABSENCE**

The Chairman advised that Councillor N J Rushton would be late as he was attending a LLEP meeting in Leicester.

### **114. DECLARATION OF INTERESTS**

There were no interests declared.

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

There were no questions received.

### **116. MINUTES**

Consideration was given to the minutes of the meeting of the meeting held on 6 February 2018.

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

RESOLVED THAT:

The minutes of the meeting held on 6 February 2018 be approved by the Chairman as a correct record.

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

### **117. TENANT SCRUTINY PANEL REPORT ON COMPLAINTS**

The Housing Portfolio Holder presented the report to members. He highlighted that the report was very detailed and that, as with all the reports of the Tenants Scrutiny Panel, it was all of their own work. He stated that he was pleased with the whole report and drew attention to the first recommendation in relation to reviewing the Corporate Complaints Policy and Compensation Policy to make the assessment of cases clearer.

Councillor T J Pendleton stated that the report before them showed that the Council had listened and taken on board what had been said and that he was pleased to see target dates within the Action Plan that would be met. He commended the work.

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

RESOLVED THAT:

The action plan prepared in response to the recommendations from the Tenant Scrutiny Panel's inspection of complaints be approved.

**Reason for decision:** The Tenant Scrutiny Panel has concluded their inspection of complaints.

## 118. NORTH WEST LEICESTERSHIRE HEALTH AND WELLBEING STRATEGY

The Community Services Portfolio Holder presented the report to members. She highlighted that one of the key actions within the 2018/19 Council Delivery Plan was to work with health partners to develop a health and wellbeing strategy for North West Leicestershire and that the strategy would determine priorities for the delivery of health and wellbeing locally, identifying where and how the various agencies and partners involved could contribute to support it. She stated that it would consider, amongst other things, areas such as physical activity, mental health, substance misuse, smoking, teenage pregnancy, air pollution, breastfeeding initiation, diet and nutrition, road safety, and winter deaths, setting out a long term vision until 2023 which would be supported by a shorter term action plan.

She informed Members that as it was a district wide strategy not just a council one, it was imperative that engagement took place with a wide range of partners to help deliver against the priorities. Internally, it would include engagement with members and service areas including Planning, Environmental Health, Safer and Stronger Communities, Housing, Environmental Protection and Cultural Services. External partners who would be engaged would include:-

- Public Health
- Clinical Commissioning Group
- Leicestershire County Council
- County Sports Partnership
- Sport England
- Local Strategic Partnership
- Parish and Town councils
- NWL Staying Healthy Partnership
- NWL Local Sports Alliance
- Schools
- Voluntary groups

She felt that Cabinet would agree that the health of the residents was of primary importance to give everyone the best opportunity for an improved quality of life and that it was important to remember as well that improving the health of people could also have significant impact upon other socioeconomic benefits such as increasing confidence, reducing social isolation, improving educational attainment and increasing employment prospects, to name a few.

She highlighted that the report set out the methodology by which the strategy would be developed and that it also sought approval for the Council to formally adopt a number of supporting documents which would help to underpin the strategy, something which she urged Members to fully support. These were:-

- North West Leicestershire Playing Pitch Strategy
- North West Leicestershire Sports Facilities Framework Audit
- Leicester-Shire and Rutland Sport and Physical Activity and Sport Strategy
- Sport England Active Design Guidance

The Chairman invited Councillor T Eynon to speak on the item. She put the following question to Councillor A V Smith:

"I welcome this Council's intention to develop a strategy that will "determine the clear vision and associated priorities for the future for facilitation and delivery of health and wellbeing locally".

The principles of this Council's constitution require that Cabinet decisions are clear in their aims and desired outcomes, taking account of professional advice from officers.

This Health and Wellbeing Strategy will be a guiding policy as this Council develops its facilities for the future. The interim outline strategy stage 5 asks the authority to consider its "Priorities; what should they be...and why". It also suggests that partnership-based delivery should be on the agenda for discussion.

It is a matter of some concern that this Council has agreed to go out to tender for an £18M facilities project prior to determining its health and wellbeing priorities. It is disappointing that this Council is only now considering the opportunities for partnership working.

1. How will the Cabinet ensure future plans for the Council's Leisure Centres are made in accordance with the principles of good decision making?
2. If this Health and Wellbeing strategy led officers to consider different delivery models for facilities, what options remain open to this Council?"

Councillor A V Smith gave the following response:

1. "There is a robust procurement process and programme of work in place reflecting best practice particularly from Sport England and a strong project team working hard to ensure that the project is well managed but importantly delivers the council's required outcomes. This includes a thorough assessment of all potential operators, and an extensive dialogue with them to understand how they will deliver against council priorities including the emerging NWL Health and Wellbeing Strategy. The Services Specification specifically states that the strategy is currently being developed, but it is clear that this will be a key document to drive forward the council's priority to help improve community wellbeing and reduce health inequalities. We have a member workshop on 3 April where members will be able to help shape the community, social and health outcomes of the new leisure centre management arrangements.
2. The emerging Health and Wellbeing Strategy isn't a tool to review the delivery models that the council has in place to deliver its services. It will consider the delivery models already in place with a view to identifying the most effective way to work with internal and external partners to ensure that priorities are clearly identified and that there are mechanisms in place to be able to deliver against these not only by the council but a range of partners across the district."

Councillor T Eynon thanked Councillor A V Smith for the response and stated that she fully supported the strategy. She acknowledged that the leisure centre was a small part of it but a notable one. She stated that the landscape had changed since the model had been considered and therefore felt that an £18m decision was going to be made before the strategy, that would inform it, was allowed to bed in. She felt that there should be a pause on the procurement so that the strategy was in place.

Councillor A V Smith stated that building a new centre was a huge commitment. She advised that the Council was currently out for procurement and once the main terms had been discussed talks could take place about what facilities the authority wanted to include, by which time the strategy would be well in hand and then run parallel to the leisure centre project. She reiterated that the strategy was not just about the leisure centre but the

district as a whole and highlighted that there would be a meeting on the 3 April for all members to allow their input as to what they would like to see included in the new centre.

Councillor R Blunt stated that Councillor T Eynon was right to raise the timing issue however highlighted that the two would run together and that there would be a very high risk to the leisure centre project if it was delayed. He informed Members that the operators that had shown an interest were experienced and of high quality.

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

RESOLVED THAT:

1. The process and timelines to develop a NWL Health and Wellbeing Strategy be noted.
2. The formal adoption of the following documents in order to support the development of the Health and Wellbeing Strategy be approved
  - NWL Playing Pitch Strategy 2017-31
  - NWL Facilities Framework Audit 2017-21
  - LRS Physical Activity & Sport Strategy 2017-21
  - Sport England Active Design Guidance 2015

**Reason for decision:** To approve corporate adoption of the NWL Playing Pitch Strategy, the NWL Facilities Framework Audit, the Leicester-Shire and Rutland Sport 'Physical Activity and Sport Strategy 2017-21', and the Sport England Active Design guidance as key documents that will underpin the development of a Health and Wellbeing Strategy

## 119. COALVILLE FRONTAGES - LOCAL DEVELOPMENT ORDER

The Business Portfolio Holder presented the report to members. He reminded Members that the local development order was first adopted in July 2015 and extended in July 2016, and to date £350,000 of funded had been granted to 16 properties. He ask Cabinet to endorse the renewal for a further 18 months.

Councillor R Blunt was happy to support the recommendations as it ensured the continued regeneration of Coalville.

It was moved by Councillor T Gillard, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The Coalville Conservation Area Local Development Order, at appendix 1, for a 28 day period of public consultation be endorsed.
2. The Portfolio Holder (Regeneration and Planning) be delegated to consider any responses to consultation.
3. The Portfolio Holder (Regeneration and Planning) be delegated to adopt the Coalville Conservation Area Local Development Order for a period of 18 months from 1 June 2018.

**Reason for decision:** Policy approval needed for renewal of the Coalville Conservation Area Local Development Order and The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides for the local planning authority to formally adopt the Coalville Conservation Area Local Development Order.

## 120. 2017/18 QUARTER 3 PERFORMANCE MANAGEMENT REPORT

The Leader presented the report to members and highlighted the following:-

- The in-house repairs team were on track to carry out £1m more work this year compared to last year. Over the next 5 years it was planned to undertake the majority of the Decent Homes works in-house - up to almost £20m worth of work over the next 5 years.
- The Coalville Job Centre Plus went "full service" from 7 February 2018 for the implementation of universal credit. This represented a significant change for residents and that the Council had worked collaboratively with agencies to support those affected.
- In Coalville; the principles of the Marlborough Square development were agreed in January; the Christmas in Coalville event was a success, with 16 shops decorating their windows and the Enterprising Town Centres Grant Scheme continued to be popular - 25 expressions of interest, 12 applications and 2 approved in Quarter 3.
- The practical support to businesses continued where the Business Focus team had supported the Coalville jobs fair, retail workshops, a disability confident workshop and business funding workshop.
- Both the general fund and HRA were being well managed.
- The forecast surplus outturn was £1.863m compared to £934k.
- Additional income was forecast from recycling (£122k), building control (£35k) and Council Tax / NNDR summons income (£34k). This would offset some additional costs on ICT equipment (£124k), the leisure centre deficit (£159k) and less income from planning fees of £300k.
- 2.42 days per Full Time Equivalent (employee) were lost in Quarter 3 due to sickness, which was comparable with the same quarter the previous year which was 2.21 days. It was unlikely that the Council target of 8.5 days / FTE would be met as there had been an increase in cold / flu absences since Christmas.
- Managers and the HR team continued to work closely to manage sickness absences.

The Chairman invited colleagues to highlight the performance in their portfolios.

Councillor T Gillard stated that he was pleased to advise that the Council had secured £9,000 in funding to provide digital training workshops to local businesses.

Councillor N J Rushton advised that the General Fund Forecast outturn of £1.863m compared to budget of £934k was as a result of a £1.2m increase in business rate income due to the reduction of appeals provision and release of funds back into retention system, £122k additional recycling income, £32k additional council tax/NNDR summons income which would be offset by a forecast decrease of £300k in planning fee income; additional expenditure on ICT of £124k and an increase in net deficit on leisure centres of £159k. He stated that the outturn surplus would be paid into the Self-Sufficiency reserve, forecast to take reserve to £2.76m and that the Special Expenses was on target. He highlighted that the HRA forecast surplus was £338k compared to budget of £142k which was largely as a result of increase in rental income due to improved empty homes performance and that the Capital Forecast outturn was an £18k underspend against the original budget of £9.926m.

Councillor A V Smith advised that the leisure centre deficit was due to a fall in membership as Hermitage classes were at capacity and Hood Park experienced competition from other health facilities in the town. She stated that until the new leisure centre was up and running she could not see any improvement being made.

Councillor T J Pendleton highlighted that planning had achieved a 100% on determining major planning applications within 13 weeks.

Councillor R D Bayliss stated that the repairs satisfaction level was slightly below target but compared to the outcome of the STAR survey report that had previously been considered at PDG. He advised that the satisfaction levels in the Cabinet report was based on current service feedback not historical. He highlighted that the average re-let times were on target.

Councillor T Gillard congratulated the housing repairs team as he had received positive feedback from residents in relation to work that had been carried out.

Councillor R Blunt thanked Cabinet members for their updates and stated that the report was very positive.

It was moved by Councillor R Blunt, seconded by Councillor T Gillard and

RESOLVED THAT:

The Quarter 3 Performance Report (Oct –Dec 2017) be received and noted.

**Reason for decision:** The report is provided for members to effectively monitor the organisation's performance.

**121. FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE OFFS**

The Corporate Portfolio Holder presented the report to members. He advised that the report asked Cabinet to note the delegated write offs and approve three debts over £10,000. He informed Members that two NNDR debts amounting to £38k, which both cases were where the company/individual had become insolvent and one sundry debtor case for £18k where the company was in liquidation with no assets. He stated that writing off debts was only considered where all appropriate recovery and enforcement measures had been taken, or where the council were legally prohibited from pursuing the debt.

It was moved by Councillor N J Rushton, seconded by Councillor A V Smith and

RESOLVED THAT:

The Non Domestic Rates and Sundry Debt Write Offs that are over £10,000 be approved and the amounts written off under delegated powers be noted.

**Reason for decision:** To comply with proper accounting practices.

Councillor N J Rushton entered the meeting at 5.10pm.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.28 pm



**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL****CABINET – TUESDAY, 1 MAY 2018**

|                      |  |
|----------------------|--|
| Title of report      | <b>LEICESTER AND LEICESTERSHIRE AUTHORITIES' JOINT STRATEGIC GROWTH PLAN: RESPONSE TO CONSULTATION</b>   |
| Key Decision         | a) Financial No<br>b) Community Yes  |
| Contacts             | Councillor Trevor Pendleton<br>Tel: 01509 569746<br><a href="mailto:trevor.pendleton@nwleicestershire.gov.uk">trevor.pendleton@nwleicestershire.gov.uk</a><br><br>Strategic Director of Place<br>Tel: 01530 454555<br><a href="mailto:james.arnold@nwleicestershire.gov.uk">james.arnold@nwleicestershire.gov.uk</a><br><br>Head of Planning and Infrastructure<br>Tel: 01530 454782<br><a href="mailto:jim.newton@nwleicestershire.gov.uk">jim.newton@nwleicestershire.gov.uk</a> |
| Purpose of report    | To respond to the Leicester & Leicestershire Draft Joint Strategic Growth Plan Consultation  |
| Reason for decision  | To respond to the Leicester & Leicestershire Draft Joint Strategic Growth Plan Consultation  |
| Council priorities   | Participation in the development of the Strategic Growth Plan will support the following priorities: <ul style="list-style-type: none"> <li>- Building Confidence in Coalville</li> <li>- Homes and Communities</li> <li>- Businesses and Jobs</li> </ul>  |
| Implications:        |  |
| Financial/Staff      | Already budgeted for, with an earmarked reserve to cover the cover the cost of evidence base, administration associated with the consultations and a contribution to the Joint Strategic Planning Manager role.<br>Staffing implications are considered as part of normal workloads and establishment.   |
| Link to relevant CAT | None   |
| Risk Management      | Risks have been managed by the Joint Startegic Planning Manager  |

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| Equalities Impact Screening      | Was considered, and a report is included in the evidence base  |
| Human Rights                     | Was considered, and a report is included in the evidence base  |
| Transformational Government      | The draft Joint Strategic Growth Plan has been prepared in collaboration between the City and County Councils of Leicester & Leicestershire, as well as each of the District and Borough Councils, and the LLEP. |
| Comments of Head of Paid Service | Report is satisfactory   |
| Comments of Section 151 Officer  | Report is satisfactory   |
| Comments of Monitoring Officer   | Report is satisfactory   |
| Consultees                       | Attached at appendix 1   |
| Background papers                | <a href="#">Leicester &amp; Leicestershire Draft Joint Strategic Growth Plan</a>   |
| Recommendations                  | <b>THAT CABINET ENDORSES THE SUGGESTED RESPONSE TO THE CONSULTATION, WHICH APPEARS AT SECTION 3 OF THIS REPORT</b>   |

## 1.0 CONTEXT

- 1.1 The draft Leicester & Leicestershire Joint Strategic Growth Plan was published for public comments in January 2018, having previously been prepared by a group made up of officers of each of the councils (Leicester City Council, Leicestershire County Council and the seven borough and district councils) (“Councils”) . The draft strategy was then considered by the Strategic Planning Group (SPG) (which is principally Directors/Chief Executives), and then the Members’ Advisory Group (MAG). The MAG is Portfolio Holders/Leaders, and is chaired by Cllr Trevor Pendleton.
- 1.2 The decision to publish for consultation was made by each of the constituent Councils, through their own governance procedures. None of the Councils endorsed the document, it was simply agreed to publish it for consultation.
- 1.3 Each of the Councils has held events/exhibitions to consider the draft Strategic Growth Plan. The number, nature and locations of these were left entirely at the discretion of the individual Councils themselves. NWLDC chose to hold one event in Ashby, and one in Kegworth.
- 1.4 We have also held seminars, open to all Members. These were not as well attended as we might have hoped, however all Members have had the opportunity to engage with the process.

- 1.5 Members have received a number of informal briefings. Feedback so far has been limited, and the view was that the re-opening of transit on the Leicester to Burton Line should be supported in principle, a wider role for the Coalville area should be explored, in particular whether a new settlement should be considered, and that the northern gateway should be supported subject to infrastructure to support it. There was also a suggestion that the plan was flawed because it did not expressly consider what is planned beyond the boundary of Leicestershire.
- 1.6 Some of the evidence base, which supports the draft strategy, has not been made available until relatively late in the process. This has resulted in pressure from the anti-development lobby in particular for the consultation to be extended. The transport modelling was only published mid-way through the consultation. Cllr Pendleton, as chair of MAG, has agreed to extend the consultation until 10<sup>th</sup> May.

## **2.0 CONSULTATION EVENTS HELD IN THE DISTRICT**

- 2.1 There have been two consultation events held in the District, the first was at Tesco in Ashby, on 1 February, and the second was at Kegworth Parish Council offices on 22 February. Both events attracted a total of approximately 250 people. Notes of these events are at **Appendix 1**.
- 2.2 Key messages can be summarised as follows:

### Ashby

Support for A511 and M42 / A42 improvements  
Support for new M1 Junction 20a and new Expressway  
Concerns about congestion, including around Northern Gateway  
Housing types and tenures, and quality  
Local issues such as town centres of Coalville and Ashby

### Kegworth

Support growth around city  
Not sure where Northern Gateway would be  
Housing tenure (affordable homes, rented homes)  
Support for M1 – M69 link  
Local issues such as HS2 impact, current highway improvements

## **3.0 THE PROPOSED RESPONSE TO THE CONSULTATION**

- 3.1 The adopted Local Plan makes reference to in-principle support for re-opening of transit along the Leicester to Burton Line, but does not make any statement about committing resource or growth to support a business case. It is a possibility that significant additional housing growth would be needed to support passenger services along the line, however that possibility does not preclude a reference to support for re-opening the route to be included within the Growth Plan.
- 3.2 The adopted Local Plan makes provision for housing to at least 2036 (which is the plan period for the current review). The specific focus of the Local Plan review is on jobs. The wider priority for the District Council is on the regeneration of Coalville, and therefore it is

appropriate that the Growth Plan should consider a greater role for the wider Coalville area.

- 3.3 The Draft Strategic Growth Plan indicated that, between 2031 and 2050, approximately 10,000 new homes should be provided within a Northern Gateway. The document clarifies that North West Leicestershire District would accept 4,000 of those. The overall numbers were projected forward using the Housing and Economic Development Needs Assessment (HEDNA) figures, and it is a reasonable assumption that those homes will need to be accommodated somewhere. It is considered to be preferable for those homes to be located close to where a significant number of jobs are. This will bring about pressure on infrastructure, which is already experiencing stress. The Council's support for the Northern Gateway is therefore dependent on the provision of strategic infrastructure to support it.

## Appendix 1 – Notes of consultation events

### Strategic Growth Plan Consultation: Recorded Notes

#### 1. MEETING DETAILS

|   |  |                 |
|---|--|-----------------|
| <b>Name of meeting /event</b>             | Draft Strategic Growth Plan Consultation   |                 |
| <b>Type of meeting / event</b>            | Roadshow                                   |                 |
| <b>Venue Information:</b>                 | Tesco, Ashby de la Zouch                   |                 |
| <b>Date and time of session /meeting:</b> | 1.2.2018, 10am - 4pm                       |                 |
| <b>This form completed by:</b>            | Caroline Ormond                            | <b>2.2.2018</b> |
| <b>Staff present:</b>                     |  |                 |
| Lead facilitator/presenter:               | Caroline Ormond                            |                 |
| Note-taker:                               | Ian Jordan                                 |                 |
| Other staff representatives:              | Ian Nelson, Emma Trahearn, Daphne Robinson |                 |
| Others (ie partner staff) :               |  |                 |
| <b>Number of participants:</b>            | 200 (approx.)                              |                 |
| <b>Organisations represented:</b>         | North West Leicestershire District Council |                 |

#### 2. KEY POINTS FROM DISCUSSION

|  |   |
|--|---|
| <b>Views expressed about Strategic Growth Plan in general &amp; rationale behind developing the Plan</b> | Support idea of planning far in to the future<br>Like idea of all the districts working together                      |
| <b>Views expressed about key matters, building blocks or priorities of the Plan</b>                      | Support for improvements to the A511, particularly around Bardon. A number of views that this should be fast tracked. |
| <b>Views expressed about the evidence base underpinning the Plan (ie HEDNA)</b>                          |   |
| <b>Views expressed about general (approach to) distribution of growth across L&amp;L</b>                 |   |
| <b>Views expressed about specific elements of the proposals</b>  |   |

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| - <b>A46 Corridor as primary growth area</b>                            |  |
| - <b>Leicester as 'Central City'</b>                                    |  |
| - <b>Northern Gateway</b>   | <p>Concerns about more development in northern gateway – it is congested enough</p> <p>Need to know exactly where the houses are going to go in the Northern gateway</p> <p>Like the idea of large areas of housing following existing settlement pattern – don't want to unnecessarily destroy areas of countryside.</p> <p>Housing in Castle Donington needs to be aimed at lower salaried workers if you are going to reduce congestion – no one wants to work 12 hour shifts in a warehouse if they have any other choice.</p> |
| - <b>Southern Gateway</b>   |  |
| - <b>Lutterworth / Melton as Key Centres</b>                            |  |
| - <b>Coalville / Hinckley / L'boro / Mkt H'boro as 'managed growth'</b> | <p>Coalville is being abandoned – no plan for it. Town centre is empty – no shops or cinema. Support development of housing at SE Coalville but where are they going to shop?</p> <p>Why is there no bypass for Coalville? Gets clogged up with traffic every day</p>  |
| <b>Views expressed about essential infrastructure in general</b>        |  |
| <b>View expressed about specific elements of the proposals</b>          |  |
| - <b>A 46 Expressway</b>  | <p>Support the development of a new j20a link road</p> <p>Numerous people interested in receiving more details about improvements to M42/A42</p> <p>Some concern about widening the A42 as it will</p>   |

|                                       |   |
|---------------------------------------|---|
|                                       | result in more traffic using it   |
| - <b>A5 Expressway</b>                |   |
| - <b>M42/A42 Expressway</b>           | Support improvements to M42/A42 – much overdue.   |
| - <b>Rail improvements / HS2</b>      |   |
| - <b>Other schemes / improvements</b> | <p>Need to sort out traffic on Market Street, Ashby</p> <p>No more development on Tamworth Rd, Ashby – it's the only open space left on a gateway in to Ashby</p> <p>A lot of concern about where S106 contributions go. Concerns expressed about amenities and facilities being provided where housing is.</p> <p>Like living in Ashby because of the good connections to surrounding towns and cities but lack of public transport (particularly off peak) is an increasing problem</p> <p>National Forest needs protecting – has improved greatly in last 22 years</p> <p>Concern over building on greenfield sites - need to develop brownfield sites first</p> <p>Social housing is very important</p> <p>The quality of housing (including social housing) needs to be high</p> |

**Strategic Growth Plan Consultation: Recorded Notes**

**1. MEETING DETAILS**

**Name of meeting /event** Draft Strategic Growth Plan Consultation

**Type of meeting / event** Roadshow

**Venue Information:** Kegworth Parish Council, Kegworth

**Date and time of session /meeting:** 22.2.2018, 10am - 4pm

**This form completed by:** Caroline Ormond **26.2.2018**

**Staff present:**

Lead facilitator/presenter: Caroline Ormond (NWLDC Communications)

Note-taker: Ian Jordan (NWLDC Planning Policy)

Other staff representatives: Ian Nelson (NWLDC Planning Policy)

Others (ie partner staff) : Gillian Squires (NWLDC Community Focus)  
Andy Yeomanson (LCC Highways)

**Number of participants:** 51 (approx.)

**Organisations represented:** North West Leicestershire District Council,  
Leicestershire County Council

**2. KEY POINTS FROM DISCUSSION**

|  |   |
|--|---|
| <b>Views expressed about Strategic Growth Plan in general &amp; rationale behind developing the Plan</b> | Understand the need to plan far in to the future  |
| <b>Views expressed about key matters, building blocks or priorities of the Plan</b>                      | <p>Support for bulk of housing / jobs to be developed near the city.</p> <p>Unsure about where development of a 'northern gateway' would go. Perception that there is no land left to develop around Kegworth / Castle Donington.</p> <p>Wish to ensure that a good proportion of the homes to be built are affordable.</p> |



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| <b>Views expressed about the evidence base underpinning the Plan (ie HEDNA)</b>          |  |
| <b>Views expressed about general (approach to) distribution of growth across L&amp;L</b> |  |
| <b>Views expressed about specific elements of the proposals</b>                          |  |
| - <b>A46 Corridor as primary growth area</b>   |  |
| - <b>Leicester as 'Central City'</b>   |  |
| - <b>Northern Gateway</b>  | Need to know exactly where the houses are going to go in the Northern gateway<br><br>Perception that there is no land left to develop around Kegworth / Castle Donington |
| - <b>Southern Gateway</b>  |  |
| - <b>Lutterworth / Melton as Key Centres</b>   |  |
| - <b>Coalville / Hinckley / L'boro / Mkt H'boro as 'managed growth'</b>                  |  |
| <b>Views expressed about essential infrastructure in general</b>                         |  |
| <b>View expressed about specific elements of the proposals</b>                           |  |
| - <b>A 46 Expressway</b>   | Support for proposed new link from M1 to M69 to help relieve congestion on existing M69 / M1 junction  |
| - <b>A5 Expressway</b>   |  |
| - <b>M42/A42 Expressway</b>  |  |

|  |   |
|--|---|
| <p>- <b>Rail improvements / HS2</b></p>      |   |
| <p>- <b>Other schemes / improvements</b></p> | <p>Kegworth bypass is long overdue</p> <p>Local people are tired of disruption caused by M1 junction improvements, development of Roxhill and bypass. They are looking forward to these being completed so that planned improvements within the village can start.</p> <p>Anticipating compensation for HS2 route, as it has affected two significant developments that were providing S106 contributions for the village</p> |

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL****CABINET – TUESDAY, 1 MAY 2018**

|                                  |   |
|----------------------------------|---|
| Title of report                  | <b>CHANGES TO LOCAL GOVERNMENT ASSOCIATION MEMBERSHIP</b>   |
| Key Decision                     | a) Financial No<br>b) Community No  |
| Contacts                         | Councillor Richard Blunt<br>Tel: 01530 454510<br><a href="mailto:richard.blunt@nwleicestershire.gov.uk">richard.blunt@nwleicestershire.gov.uk</a><br><br>Chief Executive<br>Tel: 01530 454500<br><a href="mailto:bev.smith@nwleicestershire.gov.uk">bev.smith@nwleicestershire.gov.uk</a><br><br>Head of Legal and Commercial Services<br>Tel: 01530 454762<br><a href="mailto:elizabeth.warhurst@nwleicestershire.gov.uk">elizabeth.warhurst@nwleicestershire.gov.uk</a> |
| Purpose of report                | To update Cabinet on changes in status of the LGA and seek Cabinet approval to continue with membership of the organisation.  |
| Reason for decision              | The Constitution requires Cabinet to make decisions about the Council joining an unlimited company.   |
| Council priorities               | Value for Money.  |
| Implications:                    |   |
| Financial/Staff                  | None. The Council currently subscribes to the LGA at an annual cost of £9,099 plus VAT for 2018/19.   |
| Risk Management                  | Legal advice has been provided on any implications of the changes in the corporate structure of the LGA.  |
| Equalities Impact Screening      | N/A.  |
| Human Rights                     | N/A.  |
| Transformational Government      | N/A.  |
| Comments of Head of Paid Service | Report is satisfactory  |

|                                 |  |
|---------------------------------|--|
| Comments of Section 151 Officer | Report is satisfactory   |
| Comments of Monitoring Officer  | As author of the report, the report is satisfactory.                           |
| Consultees                      | None   |
| Background papers               | <a href="#">LGA Articles of Association</a>                                    |
| Recommendations                 | <b>THAT CABINET AGREE TO THE COUNCIL JOINING THE NEW LGA UNLIMITED COMPANY</b> |

## 1. BACKGROUND

- 1.1 The Council is a member of the Local Government Association (LGA). The LGA is a subscription based membership organisation, comprising 349 English councils, the 22 Welsh councils via the Welsh LGA, 30 fire authorities, 7 national parks and some town / parish councils.
- 1.2 The LGA is a politically led, cross party organisation which works on behalf of councils to provide a range of services from training, leadership programmes, peer challenge, support to councillors and ensuring that local government has a voice within central government.
- 1.3 The LGA was originally established as a unincorporated association. On 4 July 2017, the LGA, General Assembly, passed a resolution to create a new incorporated LGA, set up as an unlimited company.
- 1.4 All members of the LGA are being asked to sign up to the new corporate entity.

## 2. IMPLICATIONS

- 2.1 The reason for the change in status is financial, it will enable the LGA's property holding companies to benefit from the LGA's preferential tax status by first forming a group of companies and second transferring properties into the new unlimited company. This will allow the LGA to underwrite a pensions deficit that it has, using the values of the properties held by the companies.
- 2.2 The current situation is that, as a member of an unincorporated association, each council is liable for a share of the Association's liabilities if dissolved. This is stated in Section 21 of the LGA's Constitution. Being part of the new unlimited company puts the Council in the same position according to the proposed Articles of Association. The new Articles replicate the current Constitution with amendments to reflect the new underlying corporate structure.

### **3. GOVERNANCE**

- 3.1 Signing up to this changed status amounts to the Council participating in an external corporate entity. The decision to do this is an executive function and therefore Cabinet approval is sought.

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – TUESDAY, 1 MAY 2018**

|                             |  |
|-----------------------------|--|
| Title of report             | <b>NATIONAL PLANNING POLICY FRAMEWORK</b>  |
| Key Decision                | a) Financial No<br>b) Community Yes  |
| Contacts                    | Councillor Trevor Pendleton<br>Tel: 01509 569746<br><a href="mailto:trevor.pendleton@nwleicestershire.gov.uk">trevor.pendleton@nwleicestershire.gov.uk</a><br><br>Strategic Director of Place<br>Tel: 01530 454555<br><a href="mailto:james.arnold@nwleicestershire.gov.uk">james.arnold@nwleicestershire.gov.uk</a><br><br>Head of Planning and Infrastructure<br>Tel: 01530 454782<br><a href="mailto:jim.newton@nwleicestershire.gov.uk">jim.newton@nwleicestershire.gov.uk</a> |
| Purpose of report           | To apprise Cabinet of the key issues arising from the draft revised NPPF, and to respond to the consultation which closes on 10 May 2018   |
| Reason for decision         | To respond to the consultation   |
| Council priorities          | Homes and Communities<br>Building Confidence in Coalville<br>Business and Jobs   |
| Implications:               |  |
| Financial/Staff             | Changes to the planning system will be addressed within normal working patterns  |
| Link to relevant CAT        | None   |
| Risk Management             | Risks are managed by Ministry of Housing Communities & Local Government (“MHCLG”)  |
| Equalities Impact Screening | Not required   |
| Human Rights                | Ministry of Housing Communities and Local Government is the responsible body for Human Rights implications   |

|                                  |   |
|----------------------------------|---|
| Transformational Government      | Not applicable  |
| Comments of Head of Paid Service | Report is satisfactory  |
| Comments of Section 151 Officer  | Report is satisfactory  |
| Comments of Monitoring Officer   | Report is satisfactory  |
| Consultees                       | None  |
| Background papers                | <a href="#">Draft National Planning Policy Framework</a>  |
| Recommendations                  | <b>1. THAT THE PROPOSED RESPONSE TO THE CONSULTATION, WHICH APPEARS AT APPENDIX 1, BE ENDORSED BY CABINET; AND<br/>2. THAT THE STRATEGIC DIRECTOR OF PLACE BE DELEGATED TO SEND THE RESPONSE TO THE MHCLG</b> |

## 1.0 BACKGROUND

- 1.1 The NPPF consolidated the various pieces of government guidance, Ministerial Statements and such into a single document. It was subsequently supplemented by the National Planning Practice Guidance (NPPG).
- 1.2 As time has gone by, various elements of the NPPF have been clarified by the appeals and ultimately the Court.
- 1.3 The Housing White Paper included a number of proposals to change how the planning and development system operates. The overall aim is to increase the rate of new housing delivery.
- 1.4 The NPPF is not restricted to housing, but it is inevitably the focus of interest, especially as the Prime Minister has taken personal responsibility to boost the supply of new housing.

## 2.0 KEY FEATURES IN THE DRAFT

- 2.1 The key features of the Draft NPPF are that it:
- Maintains, in-principle, protection of Green Belts
  - Offers Neighbourhood Plans (NPs) a firmer footing – if an NP has been adopted, then planning permission may be refused for housing if the local planning authority (the District) can demonstrate a **three year supply of deliverable housing sites** (compared to its five



year housing supply requirement), and deliver at least 45% of that required over the preceding three years

- Tweaks for local plans to be a reasonable strategy instead of the best strategy
- Introduces that 10% of all homes on major sites (of 10 or more) to be 'affordable home ownership' (formerly known as 'starter homes')
- Provides that at least 20% of sites in local plans to be small sites (half a hectare or less)
- Makes changes to five year supply calculations so that a local plan has a 12 month period of immunity from losing a five year supply appeal; the **buffer may be 10% if a local plan is recently adopted or where supply is demonstrated through an annual position statement**, or if a local authority wishes to 'fix' its supply position on an annual basis; 20% buffer only if there has been significant under-delivery against targets for each of the last three years
- Standardises the approach to assessing housing need. Must account for under-provision elsewhere (so **Duty to Cooperate becomes Duty to Agree**)
- **Viability assessments to be made public**, and conditions to be set for them to be used

2.2 **The consultation runs until 10<sup>th</sup> May** and asks a series of specific questions. The proposed response to the consultation appears at **Appendix 1**

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**Q1** Do you have any comments on the text of Chapter 1?

No comment

**Q2** Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

Footnote 7 would benefit from greater clarity about what areas at flood risk means. We would suggest specific reference to flood zone/s  
Paragraph 11(b) would benefit from greater certainty about the treatment of unmet needs. We suggest “any” be replaced with “formally agreed and subject to a current Statement of Common Ground”

The cross-referencing between paragraph 11 and paragraph 75 is sub-optimal, and would benefit from being tidied up to aid clarity.

**Q3** Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Our preference is that the core principles are retained, as they provide a very useful reference point.

**Q4** Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

Paragraph 14 effectively gives neighbourhood plans no ‘weight’ at all until they have passed at Referendum, when they would have full ‘weight’ in decision making. It is not clear why this would be the case, other than to encourage neighbourhood plans to progress quickly, but also the law of unintended consequences means that the leap from no weight to full weight would act as an incentive for local planning authorities to delay the determination of controversial planning applications which are outside an emerging neighbourhood plan, until such time as the emerging NP has passed Referendum. This is likely to lead to an increase in appeals, on the ground of non-determination.

**Q5** Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

Regular review of development plans makes sense, and five years is a reasonable period to enable plans to take effect, while still moving with the times.

We have concerns that, as drafted, the Duty to Cooperate may in effect become a Duty to Agree. This was one of the earlier tests of the Localism Act, and the outcome was that because it is not always possible, for instance because of constraints, to reach agreement there should be some recognition of this. It is a risk that those authorities which do have significant constraints to their ability to deliver required growth could find themselves without agreement and open to unsustainable developments through no fault of their own.

We also have concerns about a potential vacuum between 'larger than local' strategic plans and neighbourhood plans, since one possible interpretation could be that local plans are optional. This section would benefit from additional clarity, as we do not believe that to be the Government's intention.

We agree with the proposal to allow plans to be a reasonable strategy, rather than the more onerous optimal strategy (in all respects). We welcome this recognition of the importance that a strategy is locally supported.

**Q6** Do you have any other comments on the text of Chapter 3?

Paragraph 16(b) says that plans should be 'aspirational'. There may be an argument that restricting development to below AON is an aspiration. This would benefit from additional clarity.

The use of the term 'strategic plans' would benefit from greater clarity, as there is an argument that local plans may contain strategic and local policies. It is understood that the use of 'strategic' plans indicates a difference between local and neighbourhood plans on the one hand, and HMA wide or other larger scale plans on the other. Setting out these differences would be to everyone's benefit.

**Q7** The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

We support this, and welcome the assumption that all viability assessments should be published.

**Q8** Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Viability assessments are one of the most controversial aspects of the planning system, and specific guidance of when they might be appropriate could assist the public's understanding of them. Our concern would be if the range of circumstances set out as acceptable use of viability assessments were to be too broad, the law of unintended consequences could lead to a significant opportunity cost in the form of loss of developer contributions which would not otherwise have arisen. It will therefore be very important that an appropriate balance is struck.

**Q9** What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

A standard review mechanism would assist in this regard, to ensure consistency in its application. A risk to mandating this approach could be delays in negotiating agreements, as they would be more complicated as a matter of course, and it could provide an incentive for applicants to 'low ball' their initial obligations package in the knowledge that there will be compulsory subsequent reviews. This needs to be carefully thought through, to ensure that loopholes are not exploited, and that the process is not made unnecessarily complicated.

**Q10** Do you have any comments on the text of Chapter 4?

Paragraph 50(b) would benefit from clarity about what is meant by an advanced stage, to avoid this matter being debated at numerous appeals and ultimately ending with the court being asked to decide.

**Q11** What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

A potential unintended consequence of paragraph 69 could be for local plans to allocate a disproportionate amount of its housing requirement on a relatively small number of very large strategic sites. These very large sites are known to be slower to come forward than smaller greenfield sites on the edges of settlements, and there is a risk that efforts to manage the supply of new homes coming forward for development could lead to unsustainable developments won at appeal, because the delivery on larger sites is behind the trajectory.

Another risk with paragraph 69 is that applicants sub-dividing sites, and disposing of each parcel to a different developer, could lose economies of scale, and reduce the contributions, either to infrastructure or affordable housing, or both. This would not assist developments to achieve community support in subsequent phases.

Paragraph 69 would benefit from small sites being defined. This could be added to the Glossary.

**Q12** Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

We support paragraph 74, which provides a reward for local authorities to get plans in place and keep them up to date.

**Q13** Do you agree with the new policy on exception sites for entry-level homes?

This relates to a concern within North West Leicestershire. North West Leicestershire has a strong demand for individual homes, in the countryside, to enable local people to remain in the area. These homes, to meet local needs, are currently precluded in principle, and applicants are reluctant to sign S106 agreements to secure the home for a local need. This tension between planning policies and local needs should be addressed in the NPPF.

**Q14** Do you have any other comments on the text of Chapter 5?

We note that, as per footnote 21, Travellers who do not fall under the definition of 'traveller' in accordance with the PPTS, are to be included within the general housing requirement as an identified specific group. This is an important change, which effectively reverses that aspect to the PPTS.

We have concerns about paragraph 81, which may be too restrictive. This relates to paragraph 72, and we consider that paragraph 81 would benefit from a reference to paragraph 72.

We also have a concern about shared houses (HIMOs), and we consider that the Framework would benefit from some guidelines to manage the proliferation of HIMOs. North West Leicestershire, for instance, is currently experiencing pressure in a rural village, related to a University campus in a neighbouring district. These HIMOs are coming forward in tranquil residential areas, as well as trunk roads with no off

street parking and with waiting restrictions. These applications create a disproportionate amount of tension in the local community, and it would be better if the Framework were to address the issues rather than each individual local authority preparing Article 4 Directions and other mechanisms to regain an element of control.

**Q15** Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

North West Leicestershire is located in the logistics 'golden triangle', and benefits from strong demand for large scale employment space. We support the prospect of allocating strategic inward investment sites, akin to those which were at the heart of Regional Strategies. We also believe an 'in principle' support for new employment sites and developments would be to the benefit of all. Site specific considerations will always need to be carefully considered, and it is likely to be a faster process if the principle of employment development is established early.

**Q16** Do you have any other comments on the text of chapter 6?

No comment

**Q17** Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Yes

**Q18** Do you have any other comments on the text of Chapter 7?

No comment

**Q19** Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

No comment

**Q20** Do you have any other comments the text of Chapter 8?

No comment

**Q21** Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes

**Q22** Do you agree with the policy change that recognises the importance of general aviation facilities?

Yes

**Q23** Do you have any other comments on the text of Chapter 9?

No comment

**Q24** Do you have any comments on the text of Chapter 10?

The provision of high quality broadband and other telecommunications infrastructure is an important aspect of economic competitiveness and quality of life. It is felt that the appearance of modern equipment can ‘jar’ with existing environments, especially the historic environment. It would be helpful if the Framework were to be firmer that there is a presumption that masts are to be shared.

**Q25** Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

Areas of high housing demand, which are referenced in paragraph 121(a), would benefit from a definition, to avoid debate at appeals. This could be included within the Glossary.

There is a concern that paragraph 121b may have unintended consequences that existing sites, which are in highly sustainable and accessible locations, could become unviable and/or unable to expand, if part of the estate were to be released for other forms of development. This may especially be the case if the existing community services sites are needed to be expanded to accommodate large scale new housing development in the wider area.

**Q26** Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

The definition of areas where there is a shortage of land for meeting housing needs must be very carefully considered, to ensure that appropriate densities are achieved relative to the existing built form to ensure context is not lost. Good design should not be compromised to achieve higher densities.

**Q27** Do you have any other comments on the text of Chapter 11?



We support paragraph 122e, which makes it clear that new developments should be appropriately designed. There will always be trade-offs between design quality and density, however this must be skewed in favour of design quality if we are to avoid repeating mistakes of the past when the numbers took precedence over the quality of places.

**Q28** Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

We support the emphasis on the quality of design. We especially support the use of Building for Life, as set out in paragraph 128.

**Q29** Do you have any other comments on the text of Chapter 12?

No comment

**Q30** Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

No comment

**Q31** Do you have any other comments on the text of Chapter 13?

No comment

**Q32** Do you have any comments on the text of Chapter 14?

Our concern about flood risk management is the resources that are available to upper tier authorities to carry out the functions as LLFA. We do not have specific comments to make on this section of the draft Framework, other than in response to question 33.

**Q33** Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from buildings?

It is disappointing that the opportunity has not been taken to strengthen the environmental performance requirements of new developments. Experience from local authorities around the country who have attempted to go beyond the minimum has not been as good as we might collectively have hoped for.

**Q34** Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context

of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

We believe that mature trees make places better, and add value to new and existing developments.

**Q35** Do you have any other comments on the text of Chapter 15?

No comment

**Q36** Do you have any comments on the text of Chapter 16?

We support the approach to managing heritage assets, which is proportionate

**Q37** Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?

No comment

**Q38** Do you think that planning policy on minerals would be better contained in a separate document?

No comment

**Q39** Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

No comment

**Q40** Do you agree with the proposed transitional arrangements?

Yes, they appear to be a reasonable and proportionate approach.

**Q41** Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

It would be helpful if the PPTS were to encompass the requirement to meet the needs of Travellers, regardless of whether individual applicants would meet the revised definition. There is a risk that, as currently proposed, unnecessary and complex appeals and/or the court will need to clarify the position.

**Q42** Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

No comment

**Q43** Do you have any comments on the glossary?

A definition of small sites should be included, for the purposes of paragraph 69.

A definition of areas of high housing demand should be included, for the purposes of paragraph 121.

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – TUESDAY, 1 MAY 2018**

|                             |   |
|-----------------------------|---|
| Title of report             | <b>RISK MANAGEMENT POLICY</b>   |
| Key Decision                | a) Financial Yes<br>b) Community Yes  |
|                             | <p>Councillor Richard Blunt<br/>01530 454510<br/><a href="mailto:richard.blunt@nwleicestershire.gov.uk">richard.blunt@nwleicestershire.gov.uk</a></p> <p>Strategic Director of Housing and Customer Services<br/>01530 454819<br/><a href="mailto:glyn.jones@nwleicestershire.gov.uk">glyn.jones@nwleicestershire.gov.uk</a></p> <p>Head of Finance and Section 151 Officer<br/>01530 454707<br/><a href="mailto:tracy.ashe@nwleicestershire.gov.uk">tracy.ashe@nwleicestershire.gov.uk</a></p> |
| Purpose of report           | To receive the updated Risk Management Policy and associated risk management framework for approval.  |
| Reason for decision         | <ol style="list-style-type: none"> <li>1. The Risk Management Policy is required to be reviewed and updated on a periodic basis.</li> <li>2. To obtain support from Members for the updated risk management framework.</li> </ol>   |
| Council priorities          | Value for Money   |
| Implications:               |   |
| Financial/Staff             | The Council manages its risks within existing budgets. Effective risk management protects the Council from insurance and/or compensation claims, fraud, and a range of other financial liabilities.   |
| Link to relevant CAT        | No direct link.   |
| Risk Management             | As detailed within the report.  |
| Equalities Impact Screening | Not applicable.   |
| Human Rights                | Not applicable.   |
| Transformational Government | Not applicable.   |

|                                  |  |
|----------------------------------|--|
| Comments of Head of Paid Service | Report is satisfactory   |
| Comments of Section 151 Officer  | Report is satisfactory   |
| Comments of Monitoring Officer   | Report is satisfactory   |
| Consultees                       | Audit and Governance Committee 21 March 2018   |
| Background papers                | <a href="#">Report to Audit and Governance Committee 21 March 2018</a>   |
| Recommendations                  | <p><b>1. THAT CABINET FORMALLY ADOPT THE UPDATED RISK MANAGEMENT POLICY.</b></p> <p><b>2. THAT CABINET APPROVE THE UPDATED RISK MANAGEMENT FRAMWORK.</b></p> |

## 1.0 BACKGROUND

- 1.1 Cabinet previously approved the Risk Management Strategy at its meeting on 29 July 2014. As part of the council's annual review of governance and issue of its Annual Governance Statement for 2016/17, a commitment was made to review the council's Risk Management Strategy.
- 1.2 The attached Risk Management Policy (see Appendix 1) and associated documents, if approved, will now supersede the strategy referred to in 1.1 .
- 1.3 One of the requirements of the Strategy is for members of the Audit and Governance Committee and Cabinet to receive details of the high level risks monitored through the Corporate Risk Register. The new and updated Risk Register can be found at Appendix 2 and a quarterly review of this will be a standing agenda item for the Audit and Governance Committee going forward. The updated Risk Register will also be included as an appendix to the Quarterly Performance Reports presented to Cabinet, with any exceptional items being highlighted.

## 2.0 PROPOSALS

- 2.1 Oversight of risk management is the responsibility of the Strategic Director of Housing and Customer Services, who currently chairs the Council's Risk Scrutiny Group and this long term arrangement was confirmed in the senior management proposals which were approved by Council on 23 January 2018. Progress and updates on corporate risk management will be reported to Members through performance reports to the Audit and Governance Committee. The Leader of the Council, as the Corporate Portfolio Holder, is the Cabinet Member with overall responsibility for risk management.
- 2.2 Reports presented to the Audit and Governance Committee on 6 December 2017 and 21 March 2018 described how the previous Risk Register presented information around

rather generic risk 'areas', and the intention to produce an updated register which clearly stated the specific risks. It was also proposed that the causes and impacts of corporate risks be more fully described, as well as the accountable owners and the timescales for completing the mitigating actions.

- 2.3 A newly formatted Risk Register has now been produced to reflect these priorities and is attached at appendix 2 for approval by Cabinet. As well as the inclusion of additional information, a new risk has been added around the potential reduction in income to NWLDC ( Ref No. 11).
- 2.4 An individual Risk Mitigation Plan has also been developed for each corporate risk and a sample skeleton plan is attached at Appendix 3 for Cabinet's information. Completion of each Mitigation Plan will help ensure that the Control Measures described in the Corporate Risk Register are tracked and implemented. The Risk Scrutiny Group will monitor progress against the delivery of each Mitigation Plan.
- 2.5 The Risk Scrutiny Group will review the corporate risks quarterly and recommend any changes through the Corporate Leadership Team prior to the information being presented to the Audit and Governance Committee.
- 2.6 Within the Risk Management Policy there is a requirement to complete an annual review of the risk management process across NWLDC, which will be overseen by the Risk Scrutiny Group. As well as assessing progress against the Mitigation Plans, this review will require all service areas to complete a Corporate Risk Self Evaluation Matrix, and a copy is attached at Appendix 4 for your information.
- 2.7 The Risk Management Policy has been updated to reflect the new governance arrangements, links to the Internal Audit function, updated assessments of risk impacts and the operation of the annual review. The Audit and Governance Committee agreed the Policy at its meeting on 21 March 2018 so formal adoption by Cabinet is now being requested.

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## **APPENDIX 1 - NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL RISK MANAGEMENT POLICY**

### **1. INTRODUCTION**

1.1 The Council has adopted the principles of risk management in order to meet the following objectives:

- To protect the health, safety and welfare of its employees and the people it serves;
- To protect its property, assets and other resources;
- To protect the services it provides; to maintain its reputation and good standing in the wider community; and
- To deliver its overall objectives and priorities.

### **2. RISK MANAGEMENT STRUCTURE**

2.1 Risk Management is co-ordinated corporately by the Health and Safety Officer and through the Corporate Risk Scrutiny Group (RSG) chaired by the Strategic Director of Housing and Customer Services. Each of the Council's Services has a representative on the RSG. Progress on Corporate Risk Management will be reported to Elected Members through performance reports to the Audit and Governance Committee. The Corporate Portfolio Holder is the Cabinet Member with overall responsibility for risk management, the Leader of the Council.

2.2 Risk management will be embedded in the culture of the authority through:

- The continued adoption of the Council's risk management policy statement;
- A nominated officer lead, currently the Head of H.R. and Organisation Development ;
- The Corporate Risk Scrutiny Group with representation from each Service Area;
- An established uniform procedure for the identification, analysis, management and monitoring of risk;
- Training and briefings in conjunction with our insurer, Zurich Municipal and
- Regular monitoring and reporting through the corporate performance management system (including Internal Audit).

2.3 The Council is responsible for establishing and maintaining appropriate risk management processes, control systems, accounting records and governance arrangements. Internal Audit play a vital role in advising the Council that these arrangements are in place and operating effectively. Each year the Audit Manager produces a risk-based annual Audit Plan. This is informed by a risk assessment which includes a review of corporate and service risk registers, and consultation with key stakeholders and senior management. The Plan is developed to deliver a programme of internal audits to provide independent assurance to Senior Management and Members. Internal audit undertake a risk based approach for individual assignments and gives a rating of the level of assurance that be awarded within each system / business area. This demonstrates the extent to which controls are operating effectively to ensure that significant risks to the achievement of the Council's priorities are being addressed.

### **3. AIMS OF THE POLICY**

- 3.1 The Council will strive to maintain its diverse range of services to the community and visitors to the North West Leicestershire area. It will protect and preserve its ability to continue to provide these services by ensuring that its assets, both tangible and intangible, are protected against loss and damage. The Council is committed to a programme of risk management to ensure its ambitions for the community can be fulfilled through:

*“The identification, analysis, management and financial control of those risks which can most impact on the Council’s ability to pursue its approved delivery plan”.*

- 3.2 The Council is committed to using risk management to maintain and improve the quality of its own services as well as any contribution by partnerships through its community leadership role. The Risk Management Policy has the following aims and objectives:

- To continue to embed risk management into the culture of the Council;
- To promote the recognition of risk within the Council’s defined corporate aims and objectives;
- Continue to raise risk awareness within the Council and its partners;
- To manage risk in accordance with best practice;
- To comply with legislation and guidance;
- To improving safety and increase safety awareness;
- To protect Council property, services and public image;
- To reduce disruption to services by having effective contingency or recovery plans in place to deal with incidents when they occur;
- To minimise injury, damage, loss and inconvenience to residents, staff, service users, assets etc. arising from or connected with the delivery of Council services;
- To review robust frameworks and procedures for the identification, analysis, assessment and management of risk, and the reporting and recording of events, based on best practice;
- To maximise value for money.

- 3.3 Each year, through the Risk Scrutiny Group, the Council’s Corporate Leadership Team (CLT) will review the Risk Management Policy and its risk management processes to ensure their continued relevance to the Council. The annual review will also assess performance against the aims and objectives set out above. Completion of the self-evaluation matrix will be a key monitoring tool and a central part of this review. CLT will be accountable to Members for the effective management of risk within the Council. This will be achieved through the quarterly reporting of corporate risks to Audit and Governance Committee.

### **4. RISK MANAGEMENT POLICY**

- 4.1 The overall objective of the Council’s risk management Policy is to ensure that risks to the Council’s objectives, services, employees, partnerships and contractors are identified, recorded, amended, prioritised and then addressed by being treated, tolerated, transferred or terminated. The Policy incorporates:

**a. Identification / consideration of risks**

- Identifies corporate and operational risks, assesses the risks for likelihood and impact, identifies mitigating controls and allocates responsibility for the mitigating controls.
- Requires the consideration of risk within all service plans and reviews and the regular review of existing risks as identified in the risk register.
- Requires, reports supporting strategic policy decisions and project initiation documents, to include a risk assessment.
- Externally horizon scan for impending risks that may impact the council, communicate the risk to the appropriate risk owner so they can assess for likelihood and impact, identify mitigating controls and allocate responsibility for the mitigating controls.

**b. Development / Delivery**

- Allocates responsibility for embedding risk management to a senior officer and Member, to jointly champion.
- Embeds risk management into; strategic planning, financial planning, policy making and review, and performance management.
- Requires that an update report arising from the work of the Risk Scrutiny Group is presented to Corporate Leadership Team for discussion and information on a quarterly basis.
- Develops arrangements to monitor and measure performance of risk management activities against the Council's strategic aims and priorities.
- Considers risks in relation to significant partnerships, which requires assurances to be obtained about the management of those risks.

**c. Member Involvement / Responsibility**

- Quarterly reports to be produced for Audit and Governance Committee on the management of risks together with recommendation of appropriate actions.

**d. Training / Awareness**

- Requires relevant training and tool kits to be given to appropriate staff to enable them to take responsibility for managing risks within their environment.
- Requires the maintenance of documented procedures for the control of risk and the provision of suitable information, training and supervision.
- Develops appropriate procedures and guidelines.
- Considers positive risks (opportunities) and negative risks (threats).
- Facilitates risk management awareness training for all Members.

**e. Review**

- Maintains and reviews a register of corporate business risks linking them to strategic business objectives and assigning ownership for each risk.
- Requires an annual review of the risk management process, including a report to CLT, completion of the Self Evaluation Matrix by all service areas, and quarterly reporting to the Audit and Governance Committee.
- In the case of new or changing strategic risks, report to Audit and Governance Committee and/or Cabinet through the quarterly performance reporting process.
- Requires each team / department to review their individual Risk Registers as and when required (but no less than quarterly).

- Requires the Risk Management Policy to be formally reviewed at least once every 3 years.

**f. Business Continuity**

- Develops contingency plans in areas where there is a potential for an occurrence having a catastrophic effect on the delivery of the Council's services.

**g. Insurance**

- Ensures the Council's Technical Officer, Finance is notified of any new risks.
- Ensures adequate records are maintained and retained to support the Council's defence against disputed insurance claims.

**h. Controlling the Risks**

Traditionally in risk management there are four ways to mitigate the risks to the organisation, these being typically referred to as **Treat, Tolerate, Transfer and Terminate** and are known collectively as the "4 Ts".

- **Tolerate** means the risk is known and accepted by the organisation. In such instances the senior management team should formally sign off that this course of action has been taken.
- **Transfer** means the risk mitigation is transferred i.e. it is passed to a third party such as an insurer or an outsourced provider, although it should be noted that responsibility for the risk cannot be transferred or eliminated.
- **Terminate** means we stop the process, activity etc. or stop using the premises, IT system etc. which is at risk and hence the risk is no longer relevant.
- **Treat** means we aim to reduce the likelihood of the threat materialising or else reduce the resultant impact through introducing relevant controls and continuity strategies.

**5. CORPORATE RISK SCRUTINY GROUP**

5.1 The Corporate Risk Scrutiny Group is made up of technical experts and corporate leads from the Council's Service Areas. Members of the Group act as "champions" for risk within their services and the Group provides a link into the CLT.

5.2 The role of the Group is to maintain a formal framework that will assist with the management of risk and business continuity, by developing the corporate lead and advising CLT on the expected outcome. The objectives of the Group are:

- To assess and advise on the reduction of prevailing risks within the Council's services, to the benefit of staff and the public;
- To discuss, agree and recommend as appropriate, on matters relating to corporate risk policy.
- To make reports and recommendations to CLT;
- To discuss operational risks insofar as they relate to matters of cross-directorate interest;
- To oversee the implementation of the Council's risk management Policy, and to promote a holistic approach to its ongoing management;
- To promote good risk management practices with the aim of reducing potential liabilities;

- To consider and identify new risks, and ideas / schemes for risk reduction;
- To provide a forum to discussion on risk management issues.

These will be achieved through the following:

- The use of the Council's Risk Management reporting system;
- Monitoring the risk management Policy;
- Reviewing the Council's risk register and associated action plans, acting as a forum for examining and rating risks and making recommendations to CLT.
- Developing a comprehensive performance framework for risk management, and developing and using key indicators capable of showing improvements in risk management and providing early warning of risk;
- Supporting the development and review of internal standards and procedures regarding significant risk areas;
- Supporting the development and implementation of relevant training, awareness and education programmes;
- Supporting the development and implementation of adequate, relevant and effective reporting, communication and information dissemination systems with managers and staff;
- Supporting the effective monitoring and review of near misses, untoward incidents and accidents, legal and insurance claims and verifying that appropriate management action has been taken promptly to minimise the risk of future occurrence;
- Supporting the review of the risk register and action plans to ensure that appropriate management action is taken appropriately to tolerate, treat, transfer or terminate the risk;
- Monitoring compliance with legal and statutory duties;
- Providing progress reports to CLT and Members, drawing to their attention significant business risks.
- The Corporate Self Evaluation matrix will be produced annually by Service Head's and presented to the Corporate Risk Scrutiny Group by the Health and Safety Officer.

## **6. PROCEDURES**

- 6.1 The Council will adopt uniform procedures for the identification, analysis, management and monitoring of risk. These will be embodied in a formal risk management framework, which will be subject to annual review by the Audit and Governance Committee, following consideration by CLT.

The approved framework is set out in Appendix A to this Policy document.

## **7. FUNDING FOR RISK MANAGEMENT**

- 7.1 The annual Service and Financial Planning process will include a review of operational risks and consider the allocation of funds for risk management initiatives as part of the annual budget process. If additional funds are required approval will be sought initially from CLT.

## **8. BENEFITS OF EFFECTIVE RISK MANAGEMENT**

- 8.1 Effective risk management will deliver a number of tangible and intangible benefits to Individual services and to the Council as a whole e.g.

### **Improved Strategic Management**

- Greater ability to deliver against objectives and targets
- Increased likelihood of change initiatives being delivered effectively
- Improved reputation, hence support for regeneration
- Increased confidence to take controlled risks.

### **Improved Operational Managements**

- Reduction in interruptions to service delivery: fewer surprises!
- Reduction in managerial time spent dealing with the consequences of a risk event occurring
- Improved health and safety of employees and others affected by the Council's activities
- Compliance with legislation and regulations.

### **Improved Financial Management**

- Better informed financial decision-making
- Enhanced financial control
- Reduction in the financial costs associated with losses due to service interruption, litigation, contractual disputes etc.
- Improved containment of insurance premiums.

### **Improved Customer Service**

- Minimal service disruption to customers and a positive external image.

**North West Leicestershire District Council  
March 2018**

## APPENDIX A

### North West Leicestershire District Council Risk Management Framework

#### (A) What is this framework?

This framework is intended to promote a set of uniform risk management procedures through which directorates will identify, analyse, monitor and manage the risks faced by the Council.

For the purposes of the framework, risk management is defined as *“the identification, analysis, management and financial control of those risks that can impact on the Council’s ability to deliver its services and priorities.”*

Risk management is therefore concerned with better decision making, through a clear understanding of all associated risks before final decisions are made by either Members or officers. When risks are properly identified, analysed and prioritised it is possible to formulate action plans that propose management actions to reduce risk or deal adequately with the consequences of the risks should they occur. The underlying aim is to treat, terminate or transfer risk to bring them to an acceptable manageable level within the Council, monitor tolerated risk, ensuring services to the public can be maintained, and that the Council’s priorities can be fulfilled.

Risk management therefore supports the Council’s service planning process by positively identifying the key issues that could affect the delivery of the service objectives.

#### (B) Why does the council need to consider risk management as part of its service planning?

All organisations have to deal with risks, whatever their nature. As a general principle the Council will seek to reduce or control all risks that have the potential to:

- Harm individuals;
- Affect the quality of service delivery or delivery of the council’s priorities;
- Have a high potential of occurrence;
- Would affect public confidence;
- Would have an adverse effect on the council’s public image;
- Would have significant financial consequences.
- Have a potential for litigation in line with exposure detailed below

Risk Management cannot therefore be considered in isolation, but needs to be an integral part of decision-making and service planning processes of the Council. Risk management must be fully embedded in:

- Service planning,
- Performance management,
- Best value,
- Committee reports.

For this reason risk management is located within the HR and Organisation Development team of the Council, with high level commitment by the Chief Executive to integrate risk management in everything the Council does.

### **(C) Assessing risk**

Once risks have been identified, an assessment of their significance is required. This requires a robust and transparent scoring mechanism to be used uniformly across Council directorates.

Scoring should be a group exercise including managers and frontline employees. This is because people's perceptions vary and this can have an effect on scoring the risk. Employees who experience a risk every day can become complacent and fail to see how serious it may actually be, whilst a group will usually see the wider impact.

A decision on risk ownership is also required. The owner should be at management level and be responsible for ensuring that controls identified to manage the risk are in place and that they are effective. Delegation of responsibility for particular actions to other employees is acceptable, but overall control of risk must remain with management.

Tables 1 and 2 below set out a scoring mechanism for assessing the likelihood and the impact of exposure to risk.

**Table 1 – assessing the likelihood of exposure**

|                    |  |
|--------------------|--|
| <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         |

**Table 2 – assessing the impact of exposure**

|                   |  |
|-------------------|--|
| <b>1. Minimal</b> | Loss of a service for up to one day<br>Objectives of individuals are not met<br>No injuries<br>Financial loss over £1,000 and up to £10,000<br>No media attention<br>No breaches in Council working practices<br>No complaints / litigation. |
|-------------------|--|



|                          |  |
|--------------------------|--|
| <p><b>2. Medium</b></p>  | <p>Loss of a service for up to one week with limited impact on the general public.<br/> Service objectives of a service unit are not met.<br/> Injury to an employee or member of the public requiring medical treatment.<br/> Financial loss over £10,000 and up to £100,000.<br/> Adverse regional or local media attention – televised or news paper report.<br/> Potential for a complaint litigation possible<br/> Breaches of regulations / standards.</p>   |
| <p><b>3. Serious</b></p> | <p>Loss of a critical service for one week or more with significant impact on the general public and partner organisations.<br/> Service objectives of the directorate of a critical nature are not met.<br/> Non- statutory duties are not achieved.<br/> Permanent injury to an employee or member of the public.<br/> Financial loss over £100,000<br/> Adverse national or regional media attention – national newspaper report.<br/> Litigation to be expected.<br/> Breaches of law punishable by fine.</p>                                |
| <p><b>4. Major</b></p>   | <p>An incident so severe in its effects that a service or project will be unavailable permanently with a major impact on the general public and partner organisations.<br/> Strategic priorities of a critical nature are not met.<br/> Statutory duties are not achieved.<br/> Death of an employee or member of the public.<br/> Financial loss over £1m.<br/> Adverse national media attention – national televised news report.<br/> Litigation almost certain and difficult to defend.<br/> Breaches of law punishable by imprisonment.</p> |

**(F) Prioritisation of risk**

Table 3 brings together in a matrix the likelihood and impact of risk.

**Table 3 – risk matrix**

**Likelihood**

|        |   | 1 | 2 | 3  | 4  |
|--------|---|---|---|----|----|
| Impact | 4 | 4 | 8 | 12 | 16 |
|        | 3 | 3 | 6 | 9  | 12 |
|        | 2 | 2 | 4 | 6  | 8  |
|        | 1 | 1 | 2 | 3  | 4  |

Based on this matrix, the Council must decide on the level of risk it is prepared to accept as part of its ongoing operations. Any risk above the agreed level should be considered unacceptable and will therefore need to be managed. The risks in the above matrix fall into three zones; red, amber and green. Table 4 sets out the Council's intended response to these risks.

**Table 4 – Intended responses to risk**

|              |   |
|--------------|---|
| <b>Red</b>   | Controls and/or mitigating actions are required to reduce the risk to an acceptable level. Effort should be focused on reducing the risk of any items appearing in this zone, hence moving them to the amber or green zone.   |
| <b>Amber</b> | Risks will require ongoing monitoring to ensure they do not move into the red zone. Depending on the resources required to address the red risks, it may be appropriate to develop controls/mitigating actions to control these risks.  |
| <b>Green</b> | Existing controls and/or mitigating actions are sufficient and may be excessive. More resource committed to reduce these risks is likely to be wasted. Consideration should be given to relaxing the level of control to release resources for mitigating higher level risks. |

**(G) Format of the risk register**

Annex 1 to this framework provides a standard format.

| Corporate Risk Register |                  |             |       |               |            |        |                   |                |                  |               |            |        |              |            |        |  |  |  |
|-------------------------|------------------|-------------|-------|---------------|------------|--------|-------------------|----------------|------------------|---------------|------------|--------|--------------|------------|--------|--|--|--|
| Ref No.                 | Risk Description | Consequence | Cause | Inherent Risk |            |        | Responsibility of | Responsible to | Control Measures | Residual Risk |            |        | Target Risks |            |        |  |  |  |
|                         |                  |             |       | Impact        | Likelihood | Rating |                   |                |                  | Impact        | Likelihood | Rating | Impact       | Likelihood | Rating |  |  |  |
|                         |                  |             |       |               |            |        |                   |                |                  |               |            |        |              |            |        |  |  |  |

# RISK MANAGEMENT POLICY

**I hereby declare that the contents contained within are correct and implemented at all establishments, managed by North West Leicestershire District Council.**

Signed: \_\_\_\_\_

CHIEF EXECUTIVE

Date: \_\_\_\_\_

|                          |   |
|--------------------------|---|
| <b>Authorised by</b>     | <b>Chief Executive Officer</b>                    |
| <b>Date Authorised:</b>  |   |
| <b>Prepared by:</b>      | <b>Ian Bennett</b>                                |
| <b>Plan Owner:</b>       | <b>North West Leicestershire District Council</b> |
| <b>Policy Reference:</b> | <b>2018(v2.1)</b>                                 |

| <b>DOCUMENT REVIEW</b> |   |   |                            |
|------------------------|---|---|----------------------------|
| <b>Date of Review</b>  | <b>Reason for Review<br/>After use (A)<br/>Scheduled Review (S)<br/>Legislation (L) Other (O)</b> | <b>Suitable/<br/>Unsuitable<br/>(S/U)</b> | <b>Brief details</b>       |
| <b>16/12/14</b>        | <b>Scheduled Review (S)</b>   | <b>Suitable</b>                           | <b>Change of personnel</b> |
| <b>25/05/16</b>        | <b>Scheduled Review (S)</b>   | <b>Suitable</b>                           |                            |

| <b>AUDIT OF AMENDMENTS</b> |                             |  |                    |
|----------------------------|-----------------------------|--|--------------------|
| <b>Date</b>                | <b>Paragraph Changed</b>    | <b>Details / Reason</b>  | <b>Approved by</b> |
| <b>16/12/14</b>            | <b>Paragraph 2.1(a)</b>     | <b>Change of name to Risk Scrutiny Group (RSG)</b>             |                    |
| <b>16/12/14</b>            | <b>Paragraph 2.1(b)</b>     | <b>Change in Co-ordinator to Health and Safety Officer</b>     |                    |
| <b>16/12/14</b>            | <b>Paragraph 2.1(c)</b>     | <b>Change in Chair to include the Director of Services</b>     |                    |
| <b>16/12/14</b>            | <b>Paragraph 2.1(d)</b>     | <b>Clarified portfolio holder as the Leader of the Council</b> |                    |
| <b>12/06/17</b>            | <b>Scheduled Review (S)</b> | <b>Suitable</b>  |                    |
| <b>25/01/18</b>            | <b>Scheduled Review</b>     | <b>Suitable following review</b>                               |                    |

|  |                            |   |  |
|--|----------------------------|---|--|
|  | <b>(S)Paragraph 2.1(c)</b> | <b>Change in Chair to include the Strategic Director of Housing and Customer Services</b> |  |
|--|----------------------------|---|--|

DRAFT

| Corporate Risk Register |  |   |  |               |            |        |                                  |   |  |               |            |        |                  |
|-------------------------|--|---|--|---------------|------------|--------|----------------------------------|---|--|---------------|------------|--------|------------------|
| Ref No.                 | Risk Description   | Consequence   | Cause  | Inherent Risk |            |        | Responsible of                   | Responsible to                                      | Control Measures   | Residual Risk |            |        | Movement of Risk |
|                         |  |   |  | Impact        | Likelihood | Rating |                                  |   |  | Impact        | Likelihood | Rating |                  |
| 1                       | <b>SOCIAL/<br/>POLITICAL/<br/>LEGAL<br/>Death / serious harm to a vulnerable person receiving a council service</b>      | A serious case review arising from death/serious harm to a vulnerable person. Reputational damage to council. Loss of confidence in ability of council to deliver services. | Lack of response to a safeguarding Service failure.  | 4             | 4          | 16     | Community Safety Manager         | Head of Communities                                 | The organisation has the following structures in place;<br><br>An identified Corporate Lead (Head of Service) with a<br>An identified Team responsible for Safeguarding (Safer & Stronger) with responsibility embedded into Team<br>An agreed Safeguarding Policy refreshed as required with delegation to Director of Housing and Customer<br>An identified group of Designated Safeguarding Officers<br>A programme of regular DSO meetings which consider<br>An annual training programme to ensure new DSO's are<br>A quarterly senior management review of all cases to<br>A quarterly briefing with the Chief Executive, a 6 monthly report to CLT and an annual report to Cabinet<br><br>Annual report reviews previous year and endorses an | 4             | 2          | 8      | Stable           |
| 2                       | <b>FINANCIAL/<br/>COMMERCIAL<br/>/ REPUTATIONAL<br/><br/>Mismanagement of council finances</b>                           | Central Government intervention/special measures. Adverse publicity. Possible litigation. Withdrawal of services.   | Mis-interpreting of or not responding appropriately to a<br><br>Poor budget planning /<br><br>Internal financial systems and regulations not | 4             | 4          | 16     | Head of Finance and S151 Officer | Strategic Director of Housing and Customer Services | Monthly management reviews monitor actual spend against budgets and forecast to the end of the year.<br><br>Monthly reporting and challenging at CLT, and reported to Cabinet quarterly Sound policies and procedures are<br><br>Financial planning processes have been documented and are reviewed regularly.<br><br>Internal and External audit of systems and accounts. Membership of CIPFA and engagement of Arling Close gives access to specialist advice, analysis and expertise.   | 4             | 1          | 4      | Stable           |
| 3                       | <b>REPUTATIONAL / LEGAL<br/>COMMERCIAL<br/>Insufficient resources due to unplanned / unforeseen absences / vacancies</b> | Council unable to perform its statutory duties. Use of external resources at significantly higher cost.   | Failure to horizon scan and interpret future needs in<br><br>Inability to recruit to vacancies / retain                                      | 4             | 2          | 8      | Head of HR and OD                | Chief Executive                                     | Advance planning will mitigate this risk;<br><br>Ability to divert resources from other services, bringing in additional resources from other sources (e.g. Agencies, Market conditions are tested through recruitment<br><br>The Council can offer a package of additional benefits to enhance the recruitment offer<br>The Council has developed innovative partnering relationships with other sectors including the private sector to make posts uniquely attractive<br>Best Employee Experience is a programme to attract and develop the right skills, and promoting existing staff talent through secondments and tailored development  | 3             | 2          | 6      | Stable           |
| 4                       | <b>LEGAL / FINANCIAL</b>   | Council liable to incur additional costs, contract overrun, litigation  | Failure to monitor contractors   | 3             | 4          | 12     | All Team Managers                | All Heads of  | Corporate procurement officer and legal team to support where necessary on contract management.  | 3             | 2          | 6      | Decreasing       |

|    |  |  |   |   |   |    |  |   |   |   |   |   |            |
|----|--|--|---|---|---|----|--|---|---|---|---|---|------------|
|    | Contracts are not properly procured and managed  | and potential health & safety issues.  | Legal and procurement teams not consulted when  |   |   |    | Service  | Policies and procedures are in place.<br><br>A Senior Procurement Officer oversees a procurement Training programme in place for staff. |   |   |   |   |            |
| 5  | LEGAL / TECHNOLOGICAL Loss or unlawful use of personal data constituting breach of data protection | Monetary penalties from ICO, adverse publicity, private litigation and personal criminal liability of officers.  | Systems not in place to protect sensitive Staff are not properly trained in managing information, and do                    | 3 | 3 | 9  | Business Improvement Team Manager                    | Head of Legal & Support Services  | Policies and procedures are in place although not yet rolled out and fully embedded.<br>Corporate Governance training is undertaken annually and includes information governance as appropriate to reflect changes in legislation.<br><br>The Council has a dedicated SIRO. Corporate Governance Groups are in place to scrutinise  | 3 | 2 | 6 | Stable     |
| 6  | LEGAL / REPUTATIONAL / COMMERCIAL Failure to respond to an emergency in an appropriate             | General public at risk of harm or unable to access relevant services (e.g. emergency accommodation or Adverse publicity.<br>"Business as usual" not possible without appropriate business Breakdown in relationship with other responders. | Lack of planning, training and exercising of Inadequate Corporate Business Continuity Lack of procedural understanding      | 4 | 3 | 12 | Head of Human Resources and Organisation Development | Chief Executive   | Business continuity plans have been documented, policies and procedures are in place.<br><br>The LRF partnership arrangement with all Leicestershire and Rutland authorities provide resilience during civil emergency situations.<br>Business Continuity exercises show the readiness of the Council to deal with emergencies. System of ICO /   | 4 | 1 | 4 | Stable     |
| 7  | LEGAL/ TECHNOLOGICAL/ COMMERCIAL Infiltration of ICT systems                                       | "Business as usual" would not be possible. Cost of repelling cyber threat and enhancing security features.   | Systems not in place or kept current to deflect any Limited staff awareness of  | 4 | 4 | 16 | ICT Manager  | Strategic Director of Housing and Customer Services   | Fully resilient environment in place with no single points of failure for core systems, other critical systems use cold standby equipment.<br>New business services are run in remote fully resilient data centres and existing systems are being<br>Data is backed up to a second disk unit offsite at<br>Improved business recovery arrangements have been implemented to minimise recovery time. | 3 | 2 | 6 | Increasing |
| 8  | COMMERCIAL / POLITICAL / FINANCIAL Projects are poorly managed                                     | Failure of proposed projects could result in failure to achieve overall objectives. Inefficient use / waste of resources.  | Failure to implement project management techniques. Poor Inadequate or poorly performing Project Management Office          | 3 | 4 | 12 | BIT Team Manager                                     | Head of Legal & Support Services  | Properly convened project teams with PID and project plan in place, including project risk registers. Progress on corporate projects scrutinised by CLT.<br><br>Use of external resources is also being used to support the Coalville and Leisure projects.   | 3 | 3 | 9 | Stable     |
| 9  | LEGAL / POLITICAL / REPUTATIONAL Council makes ultra vires (beyond the council's powers and        | Potential litigation against the Council, resulting in increased costs / compensation. Reputational damage.  | Staff / Members proceeding outwith established governance arrangements. Failure to consult with Legal / Monitoring Officer. | 4 | 3 | 12 | Legal Services Team Manager                          | Head of Legal & Support Services  | Policies & procedures in place, governance processes are documented and in operation, ongoing assessments and reviews are performed. Completion of the Annual Governance statement.   | 4 | 1 | 4 | Stable     |
| 10 | FINANCIAL / LEGAL / REPUTATIONAL Council is subject to fraud, corruption or                        | Financial, reputational and political damage to Council.   | Lack of checks and balances within financial Poor budget / contract management.   | 4 | 3 | 12 | All Team Managers &                                  | Directors   | A policy framework that includes Anti-Fraud and Corruption Policy, Confidential Reporting (Whistleblowing) Policy and Anti-Money Laundering<br>The Internal Audit annual planning process takes into account high risk areas, which considers fraud risks.<br>Fraud risks are considered as part of specific audits with  | 3 | 2 | 6 | Stable     |



|    |   |   |  |   |   |    |                       |                            |   |   |   |   |            |
|----|---|---|--|---|---|----|-----------------------|----------------------------|---|---|---|---|------------|
|    | Corruption or theft   |   | Poor monitoring of / adherence to financial systems  |   |   |    | All Heads of Service  |                            | Internal control and governance arrangements such as segregation of duties, schemes of delegation, bank reconciliations of fund movements, and verification Information on how to report fraud is on the website Participation in National Fraud Initiative (mandatory) and Leicestershire Fraud Intelligence Hub (voluntary). Leicestershire Revenues and Benefits Partnership have two trained officers working solely on Council Tax |   |   |   |            |
| 11 | <b>FINANCIAL / COMMERCIAL / ECONOMIC</b><br>The Council is subject to a reduction in income | Services are unable to be delivered. Potential staff redundancies. Funding of external groups is withdrawn. Potential breach of statutory duties. | Reduction in government grant. Changes to the local authority financial settlement. Economic downturn / recession. | 3 | 4 | 12 | All Heads of Service. | Directors. Chief Executive | Medium Term Financial Strategy in place, including Self Sufficiency initiative. Economic Development Team promotes business offer. Participation in Business Rates Pilots. Accessing external funding where appropriate. Income collection procedures in Revs & Bens Service and Housing.   | 3 | 3 | 9 | Increasing |

Assessing the likelihood of a risk:

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

Assessing the impact of a risk:

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

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## Appendix 3: Business Development – Risk Mitigation Plan

|   |   | Assigned to: Head of Communities |                   |   |   |               |
|---|---|----------------------------------|-------------------|---|---|---------------|
| Risk Reference  | 1   | Risk Event / Circumstances:      |                   | Death / serious harm to a vulnerable person receiving a council service |   |               |
| Status:   |   | Progress (%):                    |                   | Risk Target - Achieved Date:  |   |               |
| Actions required  | Evidence of completion / Method of Implementation | Implementing Officer             | Completion Target | Barriers to completion ('depends on' or other)                          | Cost of Mitigation and resources required / Cost of Impacts | Achieved date |
| An identified Corporate Lead (Head of Service) with a Portfolio Holder lead   |   | Community Safety Manager         |                   |   |   |               |
| An identified Team responsible for Safeguarding (Safer & Stronger) with responsibility embedded into Team Leader role and an officer (Child & Adults at Risk Officer) |   | Community Safety Manager         |                   |   |   |               |
| An agreed Safeguarding Policy refreshed as required with delegation to Strategic Director of Place for updates  |   | Community Safety Manager         |                   |   |   |               |
| An identified group of Designated Safeguarding Officers (DSOs) in most service areas  |   | Community Safety Manager         |                   |   |   |               |
| A programme of regular DSO meetings which consider training, best practice and case issues  |   | Community Safety Manager         |                   |   |   |               |
| An annual training programme to ensure new DSO's are well informed and trained  |   | Community Safety Manager         |                   |   |   |               |
| A quarterly senior management review of all cases to check progress/close cases   |   | Community Safety Manager         |                   |   |   |               |

## Appendix 3: Business Development – Risk Mitigation Plan

|  |  |  |                          |  |  |                      |
|--|--|--|--------------------------|--|--|----------------------|
|  |  |  |                          | <b>Assigned to: Head of Communities</b>                  |  |                      |
| <b>Risk Reference</b> 1  |  | <b>Risk Event / Circumstances:</b> Death / serious harm to a vulnerable person receiving a council service |                          |  |  |                      |
| <b>Status:</b>   |  | <b>Progress (%):</b>   |                          | <b>Risk Target - Achieved Date:</b>                      |  |                      |
| <b>Actions required</b>  | <b>Evidence of completion / Method of Implementation</b> | <b>Implementing Officer</b>  | <b>Completion Target</b> | <b>Barriers to completion</b><br>(‘depends on’ or other) | <b>Cost of Mitigation and resources required / Cost of Impacts</b> | <b>Achieved date</b> |
| A quarterly briefing with the Chief Executive, a 6 monthly report to CLT and an annual report to Cabinet |  | Community Safety Manager   |                          |  |  |                      |
| Annual report is to review previous year and endorse an action plan for the year ahead                   |  | Community Safety Manager   |                          |  |  |                      |
| <b>Baseline Risk Score:</b> 16   |  | <b>Current Risk Score:</b> 8   |                          | <b>Target Risk Score:</b>                                |  |                      |
| <b>Amendments</b><br>(Or reasons for action not being achieved).   |  |  |                          |  |  |                      |
| <b>Notes and History</b><br>(Comments & status update).  |  |  |                          |  |  |                      |

**Appendix 4: Corporate Risk - Self Evaluation Matrix 2018**

| Strategy / Goal   | Goal Interpretation  | Evidence Example   | Evaluation |   |   |   |
|---|--|--|------------|---|---|---|
|   |  |  | 1          | 2 | 3 | 4 |
| <p>1. To comply with legislation and guidance.</p> <p>Encourage strong leadership in championing the importance of a common-sense approach to risk in the workplace.</p>  | <p>Elected Members and Management are aware of their responsibilities for risk and the responsibilities are considered in strategic decision making.</p>                 | <ul style="list-style-type: none"> <li>• Risk is discussed at management 1:1's</li> <li>• Risk appears quarterly on the agenda for meetings at all levels.</li> <li>• Appraisals of senior managers include an assessment of their contribution to risk performance.</li> <li>• An annual report on risk and wellbeing performance is considered by Cabinet / CLT and within SMTs.</li> <li>• Corporate risks are included in all strategic decision making processes.</li> <li>• The Councils position on risk influences partner organisations and the community.</li> </ul> |            |   |   |   |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /24</b></p>  |            |   |   |   |
| <p>2. To continue to embed risk management into the culture of the Council, and manage risk in accordance with best practice, to encourage an increase in competence, and understanding enabling greater ownership and profiling of risk, thereby promoting sensible and proportionate risk management.</p> | <p>Management at all levels are trained and competent to manage their services risks.</p>  | <ul style="list-style-type: none"> <li>• The Elected Members, CEO and Directors and those with responsibilities for managing risk have attended appropriate training, provided by Zurich</li> <li>• Training by Zurich for Elected members and senior management includes details of their risk responsibilities and sensible risk management</li> <li>• Certified risk training to be a requirement for managers as part of recruitment or within one year of taking up the post.</li> </ul>  |            |   |   |   |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /12</b></p>  |            |   |   |   |
| <p>3. To focus on the core aims of risk management and by doing so, to help risk makers and managers distinguish between issues and trivial or ill-informed criticism, promoting the recognition of risk within the Council's defined corporate policy</p>  | <p>A sensible/proportionate approach risk management is encouraged and those that try use avoidance as a means for not managing a situation are actively challenged.</p> | <ul style="list-style-type: none"> <li>• Sign up to ALARM: National Forum for Risk Management in the Public Sector</li> <li>• Encourage a positive risk culture, which is not risk averse e.g. "can do", "freedom within boundaries"</li> <li>• A positive communications strategy that disseminates information from informed sources</li> <li>• Open communication about risk issues between all levels of employees.</li> </ul>   |            |   |   |   |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /16</b></p>  |            |   |   |   |
| <p>4. To improve safety and increase safety awareness, specifically target key risks and to identify and work with those best placed to bring about a</p>   | <p>Providing overall benefit by balancing benefits and risks, with a focus on reducing real risks.</p>   | <ul style="list-style-type: none"> <li>• Service and corporate Risk registers contain provisions to self-evaluate as well as horizon scan for risks that may affect</li> </ul>   |            |   |   |   |

|   |  |   |  |  |  |  |
|---|--|---|--|--|--|--|
| reduction in the incidence rate and number of cases of work-related injury and ill health.  | Enabling individuals to understand that as well as the right to protection, they also have to exercise responsibility.   | <ul style="list-style-type: none"> <li>their team, or service</li> <li>The Council's Health and Safety Policy and risk assessments are available to all staff</li> <li>Access to health support e.g. counselling, Employee Assistance Programme</li> <li>There is ongoing monitoring of health and safety by Management</li> <li>Provision of guidance from Health and Safety officer and external agencies when required</li> <li>Council work in partnership with external agencies.</li> </ul> |  |  |  |  |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /20</b></p>   |  |  |  |  |
| <p>5. To reduce disruption to services by having effective contingency or recovery plans in place to deal with incidents when they occur.</p> <p>To set priorities and, within those priorities, to identify which activities, their length and scale, deliver a controlled reduction in the risk rating.</p>                                 | Priorities are established and monitored so that it is ensured that resources are directed / targeted to maximise reductions in impact following a breach of a risk.         | <ul style="list-style-type: none"> <li>Chief Exec signs off Council 's risk policy biennially</li> <li>Annually reporting and continually monitoring risk and improvements in business plans</li> <li>Participation in peer review / benchmarking and exercises.</li> </ul>   |  |  |  |  |
| <p>8</p>  |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /12</b></p>   |  |  |  |  |
| <p>6. Protecting Council property, services and public image and minimise injury and damage that may cause loss and inconvenience to residents, staff, service users, and/or assets.</p> <p>To take into account of wider issues that impact on Corporate, service and team risks as part of the continuing drive to improve performance.</p> | Arrangements are in place to actively horizon scan for key risks that will reduce the likelihood of those risks manifesting uncontrollably.                                  | <ul style="list-style-type: none"> <li>Encourage management involvement in external forums</li> <li>Health and Safety Benchmarking of on all partners, suppliers and contractors carried out within procurement exercises</li> <li>Work with the voluntary, independent and private sectors to improve performance and assistance given to the Council</li> <li>SWOT analysis carried out as part of business planning process.</li> </ul>  |  |  |  |  |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /12</b></p>   |  |  |  |  |
| <p>7. Annually review robust frameworks and procedures for the identification, analysis, assessment and management of risk, and the reporting and recording of events, based on best practice.</p>  | The initial framework should be fit for purpose, and measured against best practice. Subsequent annual reviews should include both risks to the Council and to stakeholders. | <ul style="list-style-type: none"> <li>Annually assess the risk framework against best practice</li> <li>Ensure the quarterly reviews cover current risks and up and coming threats and opportunities</li> <li>Using the test of reasonability ensures scoring and controls reflect reality</li> </ul>  |  |  |  |  |
|   |  | <p>Comments:</p> <p><b>TOTAL section evaluation score /12</b></p>   |  |  |  |  |

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**TOTAL EVALUATION SCORE /116**

| <b>Score</b> | <b>Assessment</b> | <b>Findings / Conclusion</b>  | <b>Action Required</b>   |
|--------------|-------------------|---|--|
| <b>1</b>     | Disagree strongly | Significant gaps / weaknesses exist or controls non-effective (generally non compliant)   | Actions are identified to secure improvements, improved effectiveness and compliance / improved compliance.  |
| <b>2</b>     | Disagree slightly | Some gaps / weaknesses exist or controls only partly effective (partial compliance)   | Actions are identified to secure improvements, better effectiveness and full compliance and evidence is signposted in support of areas of compliance.              |
| <b>3</b>     | Agree slightly    | Some minor gaps / weaknesses exist but generally strengths outweigh weaknesses and controls are generally effective (generally compliant) | Evidence is signposted in support of areas of compliance and effectiveness and actions are identified to secure improvements in effectiveness and full compliance. |
| <b>4</b>     | Agree strongly    | Very few or no gaps / weaknesses exist and controls are effective (fully compliant)   | Evidence is signposted in support of areas of excellent effectiveness and full compliance.   |

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