

Meeting	CABINET
Time/Day/Date	5.00 pm on Tuesday, 23 September 2014
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

PART A

Item	Pages
1. APOLOGIES FOR ABSENCE	
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10.	LEICESTERSHIRE PLANNING OBLIGATIONS POLICY - RESPONSE TO CONSULTATION	
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11.	FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE-OFFS	
	Report of the Head of Finance Presented by the Corporate Portfolio Holder	125 - 130
12.	MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY	
	Report of the Director of Services Presented by the Community Services Portfolio Holder	131 - 142
13.	EXCLUSION OF PRESS AND PUBLIC	
	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.	
14.	WASTE RECYCLING CREDITS UPDATE	
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MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 29 JULY 2014

Present: Councillor R Blunt (Chairman)

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

In Attendance: Councillors N Clarke, C Large, T Neilson, S Sheahan and M B Wyatt

Officers: Mr R Bowmer, Ms C E Fisher, Mrs C Hammond, Mr C Lambert and Miss E Warhurst

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor N J Rushton.

17. DECLARATION OF INTERESTS

Councillor R Blunt declared a Disclosable Non-Pecuniary Interest in the additional item, Waste Recycling Credits, as a Member of the Cabinet at Leicestershire County Council and would leave the meeting for the consideration of this item.

18. PUBLIC QUESTION AND ANSWER SESSION

There were no public questions received.

19. ADMISSION OF ADDITIONAL ITEM

RESOLVED THAT:

By reason of special circumstance in that an additional item of business needs to be considered before the next meeting of the Cabinet, the item entitled "Waste Recycling Credits" be considered at this meeting as a matter of urgency in accordance with Section 100B(4)(B) of the Local Government Act 1972.

Reason for decision: To enable the consideration of urgent business.

20. MINUTES

Consideration was given to the minutes of the meeting held on 24 June 2014.

By affirmation of the meeting it was

RESOLVED THAT:

The minutes of the meeting held on 24 June 2014 be approved and signed by the Chairman as a correct record.

Reason for decision: To comply with the Constitution.

The Chairman advised Members that, as item 5 - Investing in our Communities, required the approval of item 11- Provisional Financial Outturn 2013/14 report, it would be considered later in the meeting.

21. TENANT SCRUTINY PANEL - AMENDMENT TO TERMS OF REFERENCE

The Housing Portfolio Holder presented the report to Members.

He welcomed Ms Janet Higgins, Chairperson of the panel to the meeting. He highlighted the background of the panel and advised Members that during the first year the panel had identified a number of areas within the Terms of Reference that were inappropriate for the function of a scrutiny body. He informed Members that the panel had worked with the contractors to iron out any issues with the work that had been done to tenants properties, leaving out the middleman and would recommend the model to other councils. He congratulated the Chairperson and panel members on the work they had done so far.

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

RESOLVED THAT:

Cabinet approves the implementation of the proposed revised Tenant Scrutiny Panel terms of reference as detailed in appendix b.

Reason for decision: The Tenant Scrutiny Panel propose amendments to the Panel's Terms of Reference.

22. RISK MANAGEMENT STRATEGY

The Head of Finance presented the report to Members.

He advised Members that the Strategy had been to the Policy Development Group for consideration and that it had been requested that additional text be added to the first bullet point in paragraph 1.1 to read "to protect the health, safety and welfare of its employees, agency staff, external contractors and the people it serves" and went on to add that that the health, safety and welfare of all agency staff and external contracts had always been an objective of the Council. He asked Cabinet to approve the Strategy with the inclusion of the additional text.

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

RESOLVED THAT:

Cabinet approves the revised Risk Management Strategy attached at appendix 1, including the additional text as requested by the Policy Development Group.

Reason for decision: Having an up to date Risk Management Strategy will assist in the implementation of Council Delivery Plans and improve Value For Money.

23. ADDITIONAL COSTS OF THE DECENT HOMES PROGRAMME 2014/2015

The Chairman advised Members that it would be more appropriate to consider items 8 and 9 together and then agree the recommendations in each report.

The Housing Portfolio Holder presented the report to Members.

He reminded Members of the background to the report. He advised Members that there were three options to consider, these were to either ignore the 305 properties, the authority could borrow the money or use its own resources to fund the work. He stated that this was the preferred option. He advised Members that this resource would be detailed in the outturn report later on the agenda. He went on to draw Members' attention to the minutes of the Policy Development Group and stated that Members of the Group had requested a presentation to all Councillors on the impact of the Decent Homes Improvement Programme on the HRA Business Plan.

The Chairman invited Councillor M B Wyatt to speak to the item.

Councillor M B Wyatt stated that on the whole the feedback that he had received from tenants in his ward had been very positive in relation to the work that had been carried out through the programme, however there were a few tenants that were not receiving the level of work that should be expected. He added that tenants were being left with minor problems, that when reported to the contractors, the tenants were feeling extremely frustrated by the lack of communication from the contractors. Councillor M B Wyatt felt that communication and final inspections on the properties could be improved. He concluded by stating that once issues had been reported to officers they were rectified straight away and that his concerns were with the contractors.

The Head of Housing thanked Councillor M B Wyatt for the positive comments and advised Members that he was in ongoing conversations with Councillor M B Wyatt and any new issues raised by him would be investigated and rectified.

Councillor T J Pendleton stated that all the houses in his ward that had required work had been completed with only one snag, that had been dealt with and he was very pleased with how the work had been done.

Councillor R Blunt stated that he was pleased the work was on target and congratulated the Portfolio Holder, the Head of Housing and the team for their hard work.

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

RESOLVED THAT:

Cabinet

1. Notes the reduction in the number of grant eligible properties and the consequent reduction in backlog funding grant as detailed in section 4.0 of this report, and the projected additional cost of making all identified non decent homes meet the decent homes standard by March 2015.
2. Considers the outcome of the Policy Development Group's consideration of this matter at their meeting on 16 July 2014.
3. Recommends to Council the revised 2014/15 Housing Capital Programme and HRA budget as detailed in appendix a and b of this report to fund the completion of all the required work, and the amended prudential indicators detailed in appendix c as a departure from the current budget.

Reason for decision: To make recommendations to Council for funding to complete the Decent Homes Programme.

24. UPDATING THE HOUSING REVENUE ACCOUNT BUSINESS PLAN

The Housing Portfolio Holder presented the report to Members.

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

RESOLVED THAT:

Cabinet notes the contents of this report in the context of considering the request for additional funding for the 2014/15 Decent Homes Programme as detailed on this meeting agenda.

Reason for decision: The information provided in this report will influence the Cabinet's recommendations to Council for funding to complete the Decent Homes Programme.

25. COMMUNITY SAFETY STRATEGY 2014 -17

The Regeneration and Planning Portfolio Holder presented the report to Members.

He informed Members that the strategy was reviewed every three years and that he was pleased to report that crime in the district had reduced by 7% and that anti-social behaviour was down by 4%. He advised Members that the strategy was supported by an outcome focussed action plan which would be monitored by the partnership.

It was moved by Councillor T J Pendleton, seconded by Councillor A V Smith and

RESOLVED THAT:

Cabinet notes the North West Leicestershire Community Safety Strategy 2014-17.

Reason for decision: To comply with the Council's Constitution and statutory duty to produce a Community Safety Strategy every three years, refreshed annually.

26. PROVISIONAL FINANCIAL OUTTURN 2013/14

The Head of Finance presented the report to Members.

He advised Members that the figures had yet to be audited but he was pleased to inform Cabinet that there was a significant underspend for the year and as this was in excess of over and above the Council's minimum reserve there would be additional resources available for one-off investment, which Members would be asked to approve as part of the report. He explained to Members that the projected underspend was a result of increased income generated locally and increased efficiency across the directorates. He informed Members that the underspend had been achieved through officers managing allocated budgets effectively, taking any opportunities to capture in year savings, ensuring the best price was achieved through procurement challenges, significant increases in income through Planning applications and better prices for recyclable material, and significant savings on employee costs. He highlighted to Members the one-off expenditure items that they were asked to approve that included Supporting Affordable Housing, the Local Business Fund, Improving the Environment in Coalville and around the District and Investing in Our Communities and that following the allocation of these funds the General Fund balance would be a little over the minimum balance. He updated Members on the Value for Money Fund which would allow Cabinet to approve to allocate further funds for projects which could not be funded from existing budgets which included the next phase of the Customer Experience, Rural Broadband and Urban area Highway Verge Improvements.

Councillor R Blunt stated that the report was one of the best outturn reports that the Cabinet had considered during their term and that most of the community would benefit from the savings made.

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

RESOLVED THAT:

Cabinet

1. Notes the provisional financial outturn position for 2013/14.

2. Approves the allocations of one-off funding detailed in paragraph 2 to be funded from the 2013-14 general fund revenue budget underspending.
3. Approves the additional allocations from the value for money fund detailed in paragraph 3.

Reason for decision: Requirement of Financial Procedure Rules.

27. INVESTING IN OUR COMMUNITIES

The Community Services Portfolio Holder presented the report to Members.

She informed Members that it was recommended that £210,000 be made available to organisations such as Parish Councils and constituted community groups to help deliver some important community projects. She highlighted to Members how the fund would be divided and made available.

It was moved by Councillor A V Smith, seconded by Councillor T J Pendleton and

RESOLVED THAT:

Cabinet agrees to invest £210,000 in the 'Investing In Our Communities' project as part of the 2013/14 provisional outturn report.

Reason for decision: To comply with the Council's financial regulations.

28. TREASURY MANAGEMENT STEWARDSHIP REPORT 2013/14

The Head of Finance presented the report to Members.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and

RESOLVED THAT:

Cabinet approves the report.

Reason for decision: Requirement of Treasury Management Policy.

29. UPDATE REPORT ON LOCAL PLAN PROGRESS

The Regeneration and Planning Portfolio Holder presented the report to Members.

He reminded Members that although the Local Plan Advisory Committee (LPAC) was a sub-committee of Council, Cabinet was responsible for drafting the Local Plan and making recommendations to Council. He advised Members that since the last meeting of the LPAC, the Member Advisory Group for Leicester and Leicestershire had met and it was felt that an end date for the plan of 2031 was more appropriate and asked Members to support the recommendation to Council.

Councillor R Blunt thanked the Members that had agreed to sit on the Advisory Committee and acknowledged the big task ahead of them.

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

RESOLVED THAT:

Cabinet:

1. Notes the minutes of the Local Plan Advisory Committee of 18 March 2014 and 29 April 2014;
2. Notes the recommendations of the meeting of the Local Plan Advisory Committee of 3 June 2014; and
3. Recommends that the Local Plan Advisory Committee reconsiders the local plan, plan period on the basis of new evidence available in this report.

Reason for decision: For Cabinet to set out its views for consideration by Council.

30. 2014/15 QUARTER 1 PERFORMANCE MANAGEMENT REPORT

The Leader presented the report to Members.

He highlighted to Members that the new website had been fully launched and this had been promoted through postcards in public areas and at a number of community events. He also advised Members that external improvement works had begun to Coalville Market during the quarter and that the performance indicators for Improving our Customer Experience were all good with the exception of answering call in 30 seconds. He explained that this was below target for the quarter, but was due to the several bulk mail outs that had generated an increase in phone calls. He stated that it was expected that performance would improve in quarter 2 as the demand had reduced.

Councillor T Gillard echoed Councillor R Blunt's comments about the market and advised Members that it was planned to hold more breakfast meetings.

Councillor R D Bayliss highlighted the average re-let times and advised Members that resources had been appointed to reduce the number of days it took to re-let and an improvement should be seen in quarter 2.

Councillor T J Pendleton he advised Members that Planning continued to bring in revenue, however due to the River Mease SAC this was delaying the process of applications in the area.

Councillor A V Smith advised Members that the Leisure Centres continued to exceed their targets.

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

RESOLVED THAT:

The Quarter 1 Performance Report (April – June 2014) be received and noted.

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

31. SUPPORTING CYCLING IN ASHBY

The Community Services Portfolio Holder presented the report to Members.

She advised Members that the district had seen a lot of investments into the cycle networks around Coalville and that Leicestershire County Council had identified a high priority level 1 route within the draft strategy for Ashby that would link the town to Hicks

Lodge cycle centre. The County Council has requested that the authority makes a contribution towards the costs of introducing the route.

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

RESOLVED THAT:

Members approve £40,000 in cycling infrastructure in Ashby de la Zouch as part of the 2013/14 provisional outturn report.

Reason for decision: To enable residents in Ashby de la Zouch and North West Leicestershire to take advantage of improved access to Hicks Lodge Cycle Centre.

Having declared a Disclosable Non-Pecuniary interest in the item 16, Councillor R Blunt left the meeting and Councillor A V Smith took the chair for the remainder of the meeting.

32. EXCLUSION OF PRESS AND PUBLIC

By affirmation of the meeting it was

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

33. WASTE RECYCLING CREDITS

The Community Services Portfolio Holder presented the report to Members.

She drew Members' attention to the additional information that had been circulated to them prior to the meeting advising them that the District Leaders had informed the County Council that they wished to enter into dialogue with them to enable them to work together to find a solution. She informed Members that a further report would be brought back to Cabinet at a later date and requested that recommendation 2 be amended to include consultation with herself as Portfolio Holder.

It was moved by Councillor A V Smith, seconded by Councillor T J Pendleton and

RESOLVED THAT:

Cabinet:

1. Notes the legal advice concerning any changes to the payments of recycling credits; and
2. Authorises the Chief Executive and Director of Services, in consultation with the Portfolio Holder, to seek to negotiate a position with Leicestershire County Council which limits the long term financial impact of amendments to the recycling credits regime on the District Council within the parameters set out in this report.

Reason for decision: For Cabinet to authorise officers to seek a negotiated outcome which limits the long term financial impact on the Council.

Councillor R Blunt left the meeting at 6.05pm before consideration of item 16.

Councillor S Sheahan left the meeting at 6.05pm before the consideration of item 16.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 6.10 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of Report	NORTH WEST LEICESTERSHIRE ECONOMIC GROWTH PLAN – ACTION PLAN
Key Decision	a) Financial No b) Community No
Contacts	Councillor Tony Gillard 01530 452930 tony.gillard@nwleicestershire.gov.uk Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk
Purpose of report	To provide Cabinet with the draft NWL Growth Plan action plan and seek authority to undertake consultation
Reason for Decision	To authorise consultation on the Growth Plan action plan
Council Priorities	Business and Jobs Homes and Communities
Implications	
Financial/Staff	There are no direct staffing implications at this stage
Link to relevant CAT	Business CAT.
Risk Management	A local growth plan action plan will contribute to projects in NWL being considered by the Leicester and Leicestershire Enterprise Partnership's (LLEP) Strategic Economic Plan which in turn may benefit the district from capital investment.
Human Rights	No direct implications.
Transformational Government	Partnership working with the LLEP, Leicestershire District Councils, Leicestershire County and Leicester City Councils, National Forest, developers, landowners, public sector estate bodies (including the HCA) local businesses and their representative bodies.

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Informally the Business and People Group and various business'/stakeholders
Background papers	Report To Cabinet dated 4 March 2014
Recommendations	<p>CABINET ENDORSES THE NORTH WEST LEICESTERSHIRE GROWTH PLAN ACTION PLAN;</p> <p>(I) AGREES TO SUBJECT THE ACTION PLAN TO A PERIOD OF CONSULTATION;</p> <p>(II) DELEGATES AUTHORITY TO THE CHIEF EXECUTIVE IN CONSULTATION WITH THE BUSINESS PORTFOLIO HOLDER TO MAKE AMENDMENTS TO THE ACTION PLAN AS APPROPRIATE IN RESPONSE TO THE CONSULTATION; AND</p> <p>(III) DELEGATES AUTHORITY TO THE CHIEF EXECUTIVE IN CONSULTATION WITH THE BUSINESS PORTFOLIO HOLDER TO SPEND THE LOCAL GROWTH FUND (£500K) ON DELIVERING THE FINAL GROWTH PLAN ACTION PLAN</p>

1. INTRODUCTION

- 1.1 Cabinet will recall considering a report on 4 March 2014 and endorsing the Leicester and Leicestershire Enterprise Partnership's (LLEP) Strategic Economic Plan (SEP) as well as endorsing the North West Leicestershire Local Growth Plan. A copy of 4 March Cabinet report is available as a background paper to this report.
- 1.2 At that time it was indicated that once the North West Leicestershire Local Growth Plan was approved by Cabinet, it would be necessary to develop a more detailed action plan related to the priority projects. A draft action plan has now been developed and is the subject of this further report to Cabinet.

2. CONTEXT

- 2.1 The LLEP was required by Government to submit a SEP by 31 March 2014. The SEP sought to negotiate a Growth Deal with Government of £252m over the period 2015 to 2020. After a period of negotiation, the Government announced the first

years funding on 7 July and that the LLEP would receive nearly £24million in 2015/6 as part of its Growth Deal.

2.2 Ten projects in the LLEP's Growth Deal will benefit from a share of the £24million in 2015/16. These are:

- **A50 / A6 Leicester North West Major Transport Investment Corridor** (Leicester City Council & Leicestershire County Council) - **£3.5million**
- **MIRA Enterprise Zone Skills Training Centre** (MIRA/North Warwickshire & Hinckley College) - **£5 million**
- **Leicester Waterside Regeneration Area Programme** (Leicester City Council) - **£5.5million**
- **Skills & Innovation Village** (Leicester College) - **£0.64million**
- **Great Central Railway 'Bridging the Gap'** (Great Central Railway Trust)- **£0.5million**
- **Local Sustainable Transport Fund - Hinckley** (Leicestershire County Council and Hinckley & Bosworth Borough Council) - **£1.54million**
- **Leicester & Leicestershire Accelerated Broadband** (Leicestershire County Council and Leicester City Council) - **£1.05million**
- **Leicester Strategic Flood Risk Management Strategy and River Soar/Grand Union Canal Access Programme** (Environment Agency and Canals and Rivers Trust) - **£1.5million**
- **North City Centre Access Investment Programme** (Leicester City Council) - **£1.96million**
- **M1-Junction 22 / A42-Junction 13** (Leicestershire County Council) **£2.54million**

2.3 Future Growth Deal funding settlements will be driven by those projects contained within the SEP and it is therefore important that the SEP continues to be informed by Local Growth Plans and their action plans.

3. NWL GROWTH PLAN AND ACTION PLAN

3.1 The agreed NWL Growth Plan sets out the growth priorities for North West Leicestershire to 2018. The Growth Plan identifies a range of ambitious headline targets including:

- The potential to create over 15,000 new jobs within the District;
- halve youth unemployment by 2019; and
- Increase female participation and wage rates to the regional average.

3.2 The Growth Plan sets out how the District Council and partners, will stimulate growth in the local economy. It sets out the Council's ambitions but it is also realistic as to where the public sector can make a difference and where limited resources will be best applied. The Action Plan outlines which organisations are taking the lead on actions and also the role of the District Council.

3.3 The NWL Growth Plan is attached as Appendix 1 to this report. The Growth Plan contains a draft Action Plan. The Action plan sets out the actions necessary for delivering the Growth Plan by theme and identifies key partners, potential funding streams, indicative timescales and the overall outcome. The Action Plan provides a basis for the Council to engage with partners and funders and agree priorities. It also creates a framework for the Council to determine its own future work

programme so that the greatest impact can be achieved with the resources available.

3.4 Some of the key actions within the plan include:

- Completion and adoption of the District Local Plan to help identify future employment sites;
- Working with East Midlands Airport to deliver the relevant aspirations of the EMA Sustainable Development Plan;
- Lobbying to protect the districts interests in relation to HS2;
- Supporting the development of the Roxhill SRFI to help create upto 7,000 new jobs whilst taking into account the local community impacts;
- Deliver a series of planned highway improvements along the A511 Coalville Growth Corridor; and
- Develop the tourism and cultural offer by working with Donington Park to take advantage of the Formula E offer.

3.5 The Growth Plan Action Plan has been subject to limited informal consultation with Business interests and the local Business Growth Forum. Any comments received so far have, where possible, been incorporated into the draft Action Plan. Subject to Cabinet approval it is now proposed to commence a more formal consultation on the Action Plan, in order to help identify the priority actions for the Council and its partners. Following the consultation, the Growth Plan and Action plan will be used to guide the Council's strategic plans, investment decisions and future bids for external funding. The consultees will include a wider group of business interests and stakeholders aswell as community groups and town and parish councils. The Growth Plan will also be available on the Council website for general comment.

4. IMPLEMENTATION

4.1 At its meeting on 29th July 2014, as part of the consideration of a report on the provisional financial outturn for 2013/14, Cabinet approved the allocation of £500,000 one-off funding from both the 2014/14 general fund underspending and the Whitwick Business Park reserve to support the delivery of the Growth Plan.

4.2 The funding will be used to support the delivery of the Growth Plan Action Plan and expenditure will authorised by the Chief Executive in consultation with the Business Portfolio Holder.

4.3 The Chief Executive chairs the NWL Business and People Group which includes Business representatives from North West Leicestershire, East Midlands Airport, Stephenson's College, Leicestershire County Council and the LLEP. The Action Plan will be taken to this group for implementation and ongoing reviews.

North West Leicestershire Local Growth Plan

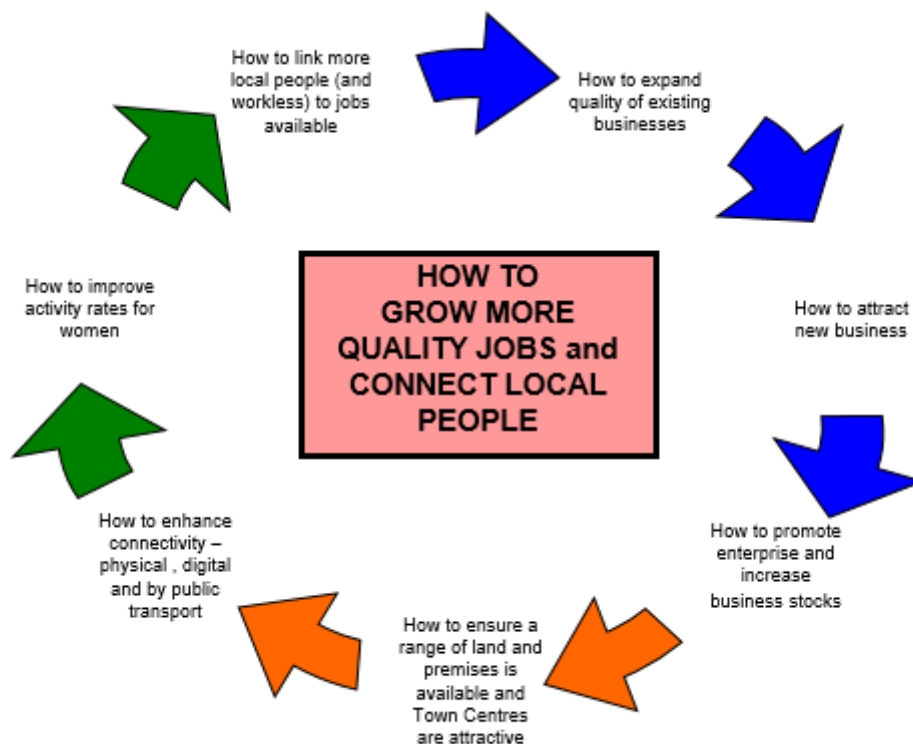
2014 - 2018

September 2014

1 North West Leicestershire

1.1 North West Leicestershire sits at the axis of the Midlands, strategically located 25 miles from Birmingham, Derby, Leicester and Nottingham. The District is at the fulcrum of the national transport network, hosting East Midlands’s airport and straddling the A42/M42 and M1 corridors and the A50 providing an important East/West connection and main line rail services provided by East Midlands Parkway. It is an area primed for rapid economic growth, particularly having development prospects that are of national and international significance. Our location has proved to be a major attraction to inward investors and developers and our indigenous businesses are growing strongly after the economic slowdown. We have an experienced workforce, excellent natural environment (including being at the heart of the National Forest) and have areas of attractive and accessible countryside.

1.2 Delivering economic growth is critical to the wellbeing and prosperity of the District’s population. As a result of recent public sector financial settlements – stimulating growth is also a stronger component of how vital local public services are funded. North West Leicestershire District Council is keen to ensure that opportunities are realised, so that our growth potential can be fully grasped. At the same time, we also recognise that a number of challenges need to be addressed, in particular access to areas of new opportunity, making sure that local residents have the skills that businesses need to be successful and maximising the economic impact of visitor spending on the area.



1.3 This Local Growth Plan sets out how North West Leicestershire District Council, working with partners, will work to stimulate growth within our local economy. We already have a strong track record of partnerships, internally within the District, across the wider County and region and nationally. It sets out our ambitions, but is also realistic as to where the public

sector can make a difference and where our limited resources will be best applied. The plan runs from 2014-2018, the likely point of major review within key strategic documents and funding streams that will be the main external source of investment into economic growth.

2 Background to the Local Growth Plan

- 2.1 This Local Economic Growth Plan sets out the growth priorities for North West Leicestershire to 2018. The Growth Plan has been facilitated by North West Leicestershire District Council, working with a range of partners active in supporting economic growth and inclusion. The development of our Growth Plan has run concurrently with the consultation process for economic strategies for Leicester and Leicestershire.
- 2.2 Our Local Economic Growth Plan is built upon consultation with:
- Leicester and Leicestershire Enterprise Partnership
 - Leicestershire County Council
 - North West Leicestershire Business Forum and the wider private sector
 - Other public sector bodies and partnerships
- 2.3 An initial Growth Plan was prepared in November 2013, alongside other Districts, to contribute to the preparation of the draft Strategic Economic Plan for Leicester and Leicestershire, the EU Structural and Investment Funds Strategy and the finalisation of the Leicester City Deal. After the shaping of these documents, a further draft of the Growth Plan has now been prepared in order to establish the priorities for future investments. In doing so, it assesses the likely drivers of future growth and sets out the issues that need to be addressed. The aim is that this will be a “live” document rather than simply a promotional one and our plan will be refreshed and updated on a regular basis.
- 2.4 The structure adopted within the Leicester and Leicestershire Strategic Economic Plan is based around making the most of the area’s strongest assets in terms of **place** (environment, infrastructure, quality of life) **people** (skills, employment, entrepreneurial spirit) and **businesses** and ensuring that these three key gears of the economy function effectively together and have positive inter-relationships. The overall aim is to deliver a drive for growth and prosperity through creating a better connected, more talented economic base, able to thrive in the global market place.
- 2.5 Through this Local Growth Plan we have identified a range of ambitious targets, including:
- the potential to create over 15,000 new jobs within the District,
 - halve youth unemployment by 2019; and
 - Increase female participation and wage rates to the regional average.

3 Strategic Context

- 3.1 Partners across Leicester and Leicestershire have been working with LLEP over the last year to develop a strategic framework that will identify collective priorities and provide a vehicle for directing a range of additional resources, including a Growth Deal with Government.
- 3.2 The overall **Leicester and Leicestershire Strategic Economic Plan** underpins Growth Deal negotiations with Government and was submitted at the end of March 2014. Negotiations on allocations from the Single Growth Fund are underway and new resources will be available from April 2015. The SEP seeks to deliver projects and investment that will:
- generate an additional 45,000 private sector jobs over and above what is forecast within the Office for Budget Responsibility (OBR) employment estimates and increase our share of knowledge intensive activity
 - Reduce levels of unemployment by 50%
 - Support 15,000 businesses to accelerated growth and stimulate over 1,000 start ups
- 3.3 The plan identifies and describes a small number of Growth Areas along with Transport Growth Corridors to develop a high quality transport infrastructure that will unlock development opportunities and reduce congestion to help accelerate business growth. It also identified four Transformational Priorities in specific localities along with two thematic Growth programmes that include Market Towns and rural areas. The significant potential of the District is recognised in its identification of two of five Growth Areas as being East Midlands Enterprise Gateway and Coalville Growth Corridor and one of four Transformational Priorities as East Midlands Gateway Strategic Rail Freight Interchange
- 3.4 The Strategic Economic Plan provides an overarching framework for a number of significant programmes, including the **Leicester and Leicestershire City Deal**, which over its lifetime will deliver improved co-ordination of business support services and a range of innovative business support programmes - along with a new employment scheme targeted at 16-24 year olds that will reduce youth unemployment and deliver additional apprenticeships, traineeships and work placements.
- 3.5 The **EU Structural and Investment Funds Strategy (EU-SIF)** has been developed alongside the Strategic Economic Plan and provides a framework for the allocation of €126M of EU funds from 2014 – 2020. The Strategy was submitted in January 2014 and focussed on a number of Thematic Objectives covering innovation, ICT, SME competitiveness, low carbon infrastructure, employment development, addressing social inclusion and enhancing skills.
- 3.6 The resources available through the above strategies and programmes provide an important opportunity to assist with implementation of the projects and themes identified in the North West Leicestershire Growth Plan. Careful consideration will need to be given to maximising the impact of the District's own investment given finite resources available.
- 3.7 Other key Strategies this Plan will support include the Key Priorities for Leicestershire Together, the County Council's forthcoming 'Enabling Growth Plan' and the Corporate Plan for North West Leicestershire District Council.

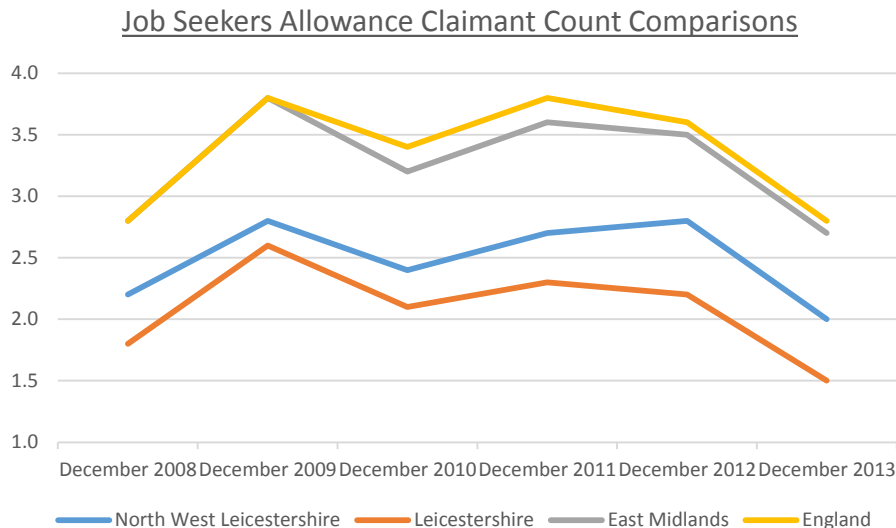
4 People

Demographics

- 4.1 Since 2000 the population of North West Leicestershire has increased by over 10% and now stands at 94,000, with just under two thirds being of working age¹. Almost half of the population lives in the two main towns in the District, Coalville (32,987) and Ashby-de-la Zouch (13,049)². Other key settlements include Measham, Castle Donington, Kegworth and Ibstock.

Economic Activity Rates

- 4.2 Economic activity rates for men (at 85%) are higher than both the national, regional and county average, but they are considerably lower for women (67.6%). To increase female participation to the regional average, it would involve supporting an additional 2,600 women of working age population entering the labour market or becoming self-employed³. There is clearly a latent economic potential to expand the female labour force within the area, with a strong link to the District's economic structure as identified in section 6. Increasing the employment rate for women will also have an impact on median/mean household earnings within the District.
- 4.3 Unemployment within North West Leicestershire has generally been slightly higher than the rate across Leicestershire and currently 2% of the working age population are on Job Seekers Allowance. However the claimant rate is significantly lower than the regional and national average.



- 4.4 There remain pockets of much higher claimant rates and economic activity across the District, especially in the Coalville and Greenhill wards which have much higher than the national average claimant rates⁴.

¹ ONS (2012) Mid-Year Population Estimates

² Leicestershire County Council Population Estimates from 2001 Census

³ Based on ONS Annual Population Survey (Sept 2013)

⁴ NOMIS (2014) December 2013 Claimant Counts, ONS (2014) 2011 Census Working Age population in North West Leicestershire wards

Young People

- 4.5 The Youth claimant count across North West Leicestershire aged 18-24 is 4.3%, which is lower than both the regional and national averages, but considerably higher than the rate for Leicestershire, which is 2.7%. Youth unemployment has fallen sharply across the District and as of June 2012 was actually higher than regional and national rates and stood at 7.6%⁵.
- 4.6 However, longer term unemployment (12 months plus) remains at about the regional average (1% of the total age cohort) and there remains a high rate of NEET, especially in Coalville. Identifying and supporting this cohort to engage with the Employment Gateway and other services will be a key priority for the District (most notably Talent Match and Supporting Leicestershire Families).

Skills and Qualifications

- 4.7 A major challenge for North West Leicestershire is the level of skills and qualifications within the local workforce and the ability of local labour to compete. Process manufacturing is in a cycle of continually shedding lower skilled labour and there is more competition for higher order technical jobs from a wider travel to work catchment.
- 4.8 As of December 2012, only 22% of the working age population had NVQ Level 4 or above. Despite some strong fluctuations, the NVQ is no different to the rate in 2004. Indeed the level of NVQ level 4 qualifications in the workforce has fallen by almost a third over the past two years alone. The rate is lower than both the East Midlands (29%) and Leicestershire (30.4%).
- 4.9 The picture is better for NVQ Level 2, with 70.1% of the workforce being qualified to this level, which is higher than the regional average at 70%, but lower than the Leicestershire rate at 72.4%.

Earnings

- 4.10 Workplace average hourly pay in North West Leicestershire is above the Leicestershire and regional average, but is lower than the County for residence based earnings. Resident based hourly pay for women is lower than the County and region, although it has increased sharply over the past two years, whereas average gross hourly pay for men has fallen (whilst increasing in Leicestershire). It is important to support activity that allows residents to access some of the higher paid employment the District is clearly generating coming out of the economic slowdown.

Table 4.1 Median Hourly Pay by Workplace and Residence

	Workplace (2013)			Residence (2013)		
	Men £	Women £	Total £	Men £	Women £	Total £
North West Leicestershire	11.73	9.26	10.9	12.52	9.41	11.16
Leicestershire	12	8.99	10.36	13.19	9.7	11.45
East Midlands	11.84	9.25	10.5	12.14	9.52	10.78
England	13.13	10.38	11.75	13.14	10.41	11.76

Source: Nomis (2013) Annual Survey of Hours and Earnings

⁵ NOMIS (2014) Monthly claimant counts

Key Priorities

A number of important initiatives have been identified, but key actions are;

Develop and/or engage with programmes to support more women enter the labour market through employment and self-employment and promote positive local role models through local media and networks

Attract resources and capacity through EUSIF/SEP to promote social inclusion and get people back into employment (particularly young people unemployed for over 12 months) – including increasing the number of apprenticeships/work placements on offer within the District

Extend and develop the successful Talent Match programme to support young people to work and reduce NEET rates

Supporting and referring into the Supporting Leicestershire Families initiative

Increase the learning infrastructure within North West Leicestershire – including supporting aspirations to access the FE Capital Fund

5 Place

- 5.1 Our location and environment has been a considerable driver for the economy of North West Leicestershire, be that in terms of natural resources, natural assets and the location of strategic national and international transport links.
- 5.2 Much of the District remains rural in character with some attractive countryside in places. The principal town is Coalville and smaller settlements are found at Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham. The population is just over 90,000 and is expected to rise by around 20% by 2031 through planned housing growth. It is the most deprived District in Leicestershire with an ageing population. Coalville is the main retail centre although many people have indicated they would like a much better range of facilities. The District lies at the heart of the National Forest which is rapidly developing as a tourist destination. It contains a number of leisure and visitor attractions and facilities such as Donington Race Circuit, Snibston Discovery Centre, the National Forest with Conkers Visitor Centre, Ashby Castle and the National Forest Youth Hostel.
- 5.3 North West Leicestershire is located in the centre of England, on the western boundary of the East Midlands within relatively close proximity to the major cities of Birmingham, Leicester, Derby and Nottingham. It has excellent strategic Motorway links but no rail passenger services. The location of regional and nationally significant activities at East Midlands Airport and Castle Donington inevitably means that more people commute into the District than leave it to find work. EMA handles over 4 million passengers a year, it is a significant UK passenger airport serving over 100 international and domestic destinations. Conversely some 60% of residents that commute out of the District do so to seek better paid managerial and professional work.
- 5.4 The economic, physical and social profile of an area is the result of generations of activity and can have differing imprints in different communities. Whilst the profile may change rapidly as industries decline and new activities come in, the sense of place can be more resistant to change. For Ashby, with an ancient castle and a home in the history books it is rather different to Coalville, as the name implies, Coalville developed rapidly in response to

massive industrialisation and lacks the distinctiveness of a historic market town. The present legacy is therefore a complex patchwork and in planning for growth, place matters.

- 5.5 New development relies on the timely provision of infrastructure and investment – this includes essential utility services, as well as a host of other factors including access to transport, schools, open space, community, health and leisure services. Preserving the best of the past and addressing deficiencies to develop new amenities will be an important element in successfully planning for growth. The North West Leicestershire Local Plan which is currently being prepared, which will provide the local planning framework to coordinate future investment.
- 5.6 Of major significance to North West Leicestershire are plans for the East Midlands Gateway by Roxhill Developments – a Strategic Rail Freight Interchange (SRFI), providing nationally significant new rail and road connected large-scale distribution and storage facilities, which will further enhance the Districts profile. This sits alongside a proposed expansion around East Midlands Airport. These projects, if implemented, will likely pull in employees from a very wide catchment and ensuring opportunities are available to local people will be a major challenge. Based on current proposals, both these projects will be affected by proposals for the HS2 rail line.
- 5.7 Our Growth Plan also recognises the porous boundaries we have and the importance of working with neighbouring areas to support growth that can be mutually beneficial. There are six key strands to our work on “Place”

Employment Land and Premises

- 5.8 Ensuring an adequate range of choice of land and premises in areas where the market wishes to invest is a fundamental requirement of any plan to promote growth. The district benefits from a wide range of existing provision from older industrial estates to new employment parks. These include modern mixed premises at Westminster Industrial Estate at Measham where occupiers include Plastic Omnium Automotives, employing over 400 people and Donington Hall, recently acquired by Norton Motorcycle Company as their corporate HQ and production base. Bardon 22 is a large employment park adjacent to the M1 and there are other industrial estates closer to the main settlements. Alongside all this are specialist facilities such as air freight depot at East Midlands Airport and the nearby proposed rail freight interchange at the East Midlands Gateway.
- 5.9 The LLEP Strategic Economic Plan identifies five core Growth Areas to accelerate infrastructure projects and programmes in order to achieve benefits of economic agglomeration. These sites are critically linked to investment in developing key transportation corridors. Within the District, the Coalville Growth Corridor and the cluster of freight and logistics related activity at the East Midlands Enterprise Gateway represent major opportunities. The East Midlands Gateway Strategic Rail freight Interchange is one of only four LLEP Transformational priorities. It is important we work with LLEP to secure the required public and private investment to develop and accelerate such schemes.
- 5.10 Local planning policies also recognise the need for additional employment land to provide for a wider urban extension focussed around Coalville with additional modest allocations in smaller settlements. Land, sites and premises attractive for service sector activities will provide opportunities to boost economic activity rates.

- 5.11 As the Growth Plan is implemented, the need for specialist provision such as Incubation Centres and other managed workspace will be explored as part of a review of the Council's Asset Management Strategy and this can be linked with Asset Management reviews from other partners such as Leicestershire County Council. This approach will encourage more knowledge intensive activity and build greater diversity and resilience in the economy. This could potentially involve partnerships with HE/FE to enhance their footprint within the District and linking with efforts to develop LLEP growth sectors not presently well represented in the area.

Housing

- 5.12 Significant housing growth is planned over the next 15 years and this can be a stimulus to growth through the construction jobs provided and the increase in local purchasing power from new residents. This provides a considerable opportunity to transform our town centres and creates an opportunity to make the critical infrastructure investment to pave the way for additional employment sites.
- 5.13 Through the former Regional Spatial Strategy the Housing Market Area (HMA) identified sufficient land within the area to accommodate the necessary housing requirements. Housing growth will be accommodated by Sustainable Urban Extensions (SUE's) one of which is planned for South East Coalville.
- 5.14 This may accommodate up to 4,000 additional dwellings and this increase in local purchasing power can provide a catalyst for investment in town centre regeneration. The recession has exacerbated issues of viability, caused a sharp fall in development values and led to a dramatic reduction in the level of development activity. Reductions in public spending have reduced the ability of public investment to bridge the investment gap in the provision of housing, employment land and infrastructure.
- 5.15 The development of the South East Coalville SUE has presently stalled. Overall the acceleration of development of all Leicestershire's SUEs is of key importance to the Strategic Economic Plan (notably as SUEs are mixed sites with employment land and primary infrastructure). LLEP intend to develop an Infrastructure Development Fund to stimulate additional housing completions within SUEs and Strategic Regeneration Areas. Given local circumstances, accessing this resource is likely to be highly significant in implementing a comprehensive Local Growth Plan.

Low Carbon

- 5.16 'Greening' housing infrastructure and infrastructure generally is a major priority across the wider county given resilience issues in energy supplies and with the high unit cost of energy removing disposable household income from the local economy. Through EU Structural Funds, LLEP wish to develop a partnership with the National Housing Federation/European Investment Bank to retrofit 5,000 social housing units to tackle one of the major components of fuel poverty (and wider poverty). North West Leicestershire could potentially play a major part in this programme as well as with parallel plans to invest in older industrial properties to improve their energy efficiency. The District has a total stock of 5,970 social houses.
- 5.17 There is also scope to further advance proposals for the development of biomass across the National Forest.

Connectivity

- 5.18 Despite its excellent location, and the external connectivity opportunities regionally, nationally and globally, there remain a number of challenges to be tackled in relation to connectivity. Businesses with major transportation and logistics requirements are drawn to areas with excellent transport connections to major urban areas, a locally available and competitive labour force and low land values for the scale of developments required. In order to maintain this advantage in light of the extension of the core logistics and advanced manufacturing corridor northwards along the M1 (where rent and labour are cheaper) it will be important to extend the supply of development sites and take advantage of a reduction in journey times through Highways Agency investment along the spine of the M1.
- 5.19 The opportunities for multi-modal freight around East Midlands Airport on the Roxhill site, which would be more competitive with increased road/rail/air interchanges and links. This will mean developing a co-ordinated programme between the Highways Agency, the Local Transport Board, the local highways authority, the District Council and Developers/Landowners to open up new sites. Other significant issues are;
- Congestion on Motorway/Trunk routes needs to be reduced, notably at key junctions
 - Whilst the proposed HS2 line delivers no benefit to the District, we are keen to explore wider opportunities for rail transport in the area. There are no passenger rail services in North West Leicestershire although a freight-only rail line currently connects Leicester with Burton-on-Trent via Coalville and Ashby.
 - The area is heavily reliant on car borne transport as a means of getting to work. Public transport and other sustainable modes (cycling, walking, car share etc) needs to be improved to allow more local residents to connect to job opportunities within and outside the district boundaries.
- 5.20 After phase one of the Ivanhoe Line was completed in the mid-1990s it had been planned that phase two would extend the line to Burton-on-Trent, often referred to as the National Forest Line. However, the scale of capital cost and an annual operating subsidy have meant that this has not been viewed as a feasible option in the near future but the introduction of new rail passenger services remains a long-term ambition. Indeed, viability is expected to be significantly improved as a result of planned employment and housing expansions.
- 5.21 Developing High Speed Broadband connectivity is also a major priority for the District and we continue to work closely with Leicestershire County Council to ensure investment is made in the area, notably in rural areas. Much of our more rural areas are missing out on connectivity to High Speed Broadband and the business opportunities that this brings

Town and Local Centres

- 5.22 Investment in our town and local centres is a major component in improving their attractiveness both for local people wishing to live there and investors committing resources to economic growth. Local "Place Planning" will help to coordinate investment and make the greatest impact which will include investment in town centre regeneration in Coalville, with the aim to improve retail and leisure amenities and develop a more distinctive identity. It will also support public realm investment. Coalville town centre has also recently been

designated as a conservation area with the aim of regenerating the town through conservation.

Visitor Attractions

- 5.23 North West Leicestershire has a range of attractions aimed at those attending specific events or day visits. These include Donington Race Circuit which has been selected as the HQ and testing centre for a new programme of international races involving electric vehicles; the development of Formula E also creates the potential to develop satellite industries and hi-tech development hubs around Donington Park; Snibston Discovery Centre; Conkers Visitor Centre at the heart of the expanding National Forest and Ashby Castle. The National Forest Charitable Trust and their subsidiary the Forest Experience Board are developing exciting plans for further investment within the District which will significantly advance the profile of the National Forest as a tourist destination; encourage the development of overnight visitor accommodation; secure a step change in visitor spending in the District and act as a catalyst to private investment in tourist and leisure facilities.
- 5.24 The Visitor Economy is one that LLEP wishes to develop further. Leicester and Leicestershire is currently ranked 33rd out of 39 LEP areas for total number of overnight stays between 2010 and 2012 and 32nd for total visitor spend. LLEP wish to develop and enhance the quality of the overall tourism offer, including culture and sports, supported by focussed place marketing. It is also important to recognise that there is a significant element of business travel to the local visitor economy with many of the hotels in the north of the district catering for both leisure and business travellers. The LLEP also wishes to stimulate additional investment by the private sector in ancillary services directly associated with tourism, including hotels and restaurants. There is clear potential for NWL to link with these wider efforts and develop mutually supportive packages with other attractions such as Twycross Zoo and Calke Abbey that can extend the length of time spent in the area and with this increase expenditure by visitors. There is the opportunity to invest in customer service skills as part of business development throughout the National Forest.
- 5.25 The European Agricultural Fund for Rural Development will be a key resource for investing in the development of our rural visitor economy.

Key Priorities

A number of important initiatives have been identified, but key actions are;

Facilitating development of the East Midlands Airport and growth of passenger and freight services/Gateway Growth Node

Lobbying to protect the District's economic interests in relation to HS2 proposals

Support the development of the Roxhill Strategic Rail Freight Hub and associated development site

Ensure the forthcoming Asset Management Strategy for the District (and those of relevant partners) identifies opportunities to support economic growth in the District including developing/upgrading managed workspace and infrastructure to grow the service sector – with an emphasis on Coalville

Deliver the Coalville Sustainable Urban Extension to ensure more employment land is made available and facilitate the climate for Town Centre regeneration

Engage with Leicester and Leicestershire Enterprise Partnership and the Highways Agency and Leicestershire County Council to promote action to relieve congestion on key Motorway corridors and junctions

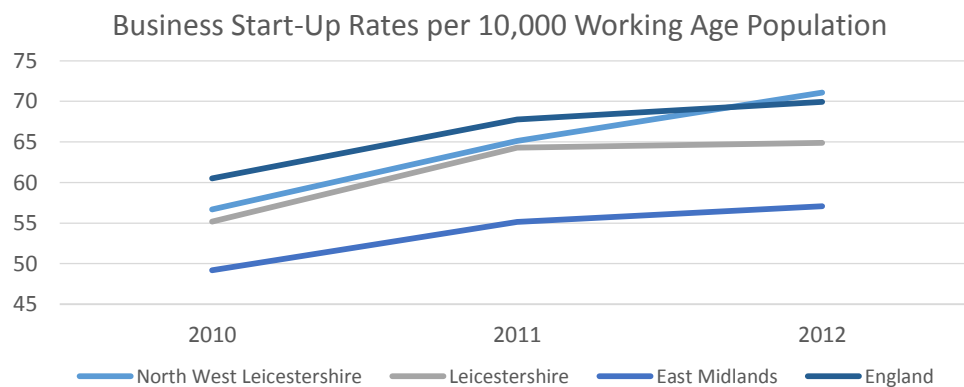
Explore opportunities to provide better public transport connections to major employment areas, including key rail links

Work to secure investment through Leicester and Leicestershire Enterprise Partnership to retrofit a high quantity of Social Housing in the District to be more environmentally efficient

Developing proposals for increased investment within the National Forest to extend the visitor experience including expanding the recreational economy

6 Business

6.1 North West Leicestershire is home to some major national and multi-national businesses including David Wilson (construction) DHL (logistics) Norton (motor vehicles) Pall Ex (logistics) Davidson Homes (construction) East Midlands Airport (transportation) and Bloor Homes (construction). We have a dynamic and growing small and micro business sector. Business start-up rates within the District have accelerated coming out of the slowdown. They now stand at 71 per 10,000 population and have recently overtaken the England average. Business Start Up rates have exceeded failure rates since 2011, indicating growth in the business base. By contrast, Leicestershire start up and failure rates are still in relative equilibrium with only limited growth in business stock. Business stock per 10,000 population in the District is higher than the national average as are 5 year business survival rates.

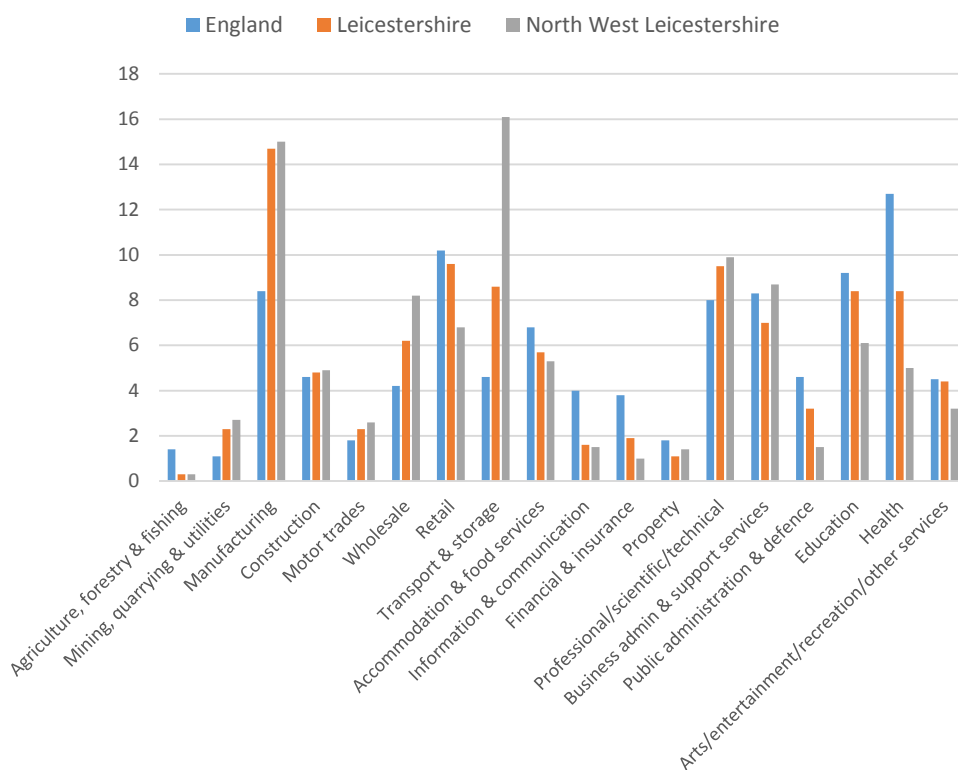


Employment Structure within North West Leicestershire

6.2 The economic structure of North West Leicestershire is in many ways distinct from that of the rest of Leicestershire. The chart below compares the employment structure (workplace based) of the District against that of Leicestershire and England. It shows the clear dominance of the manufacturing and logistics sector in employment within the District, accounting for almost a third of all employment. Business administration is also a major employment sector (supported by Pegasus Business Park) and professional, scientific and technical. Retail and the arts/leisure/recreation sectors are both under-performing against

the Leicestershire and England. The public sector is also a very low proportion of work-based employment in North West Leicestershire.

Comparisons of Economic Structure (2012)

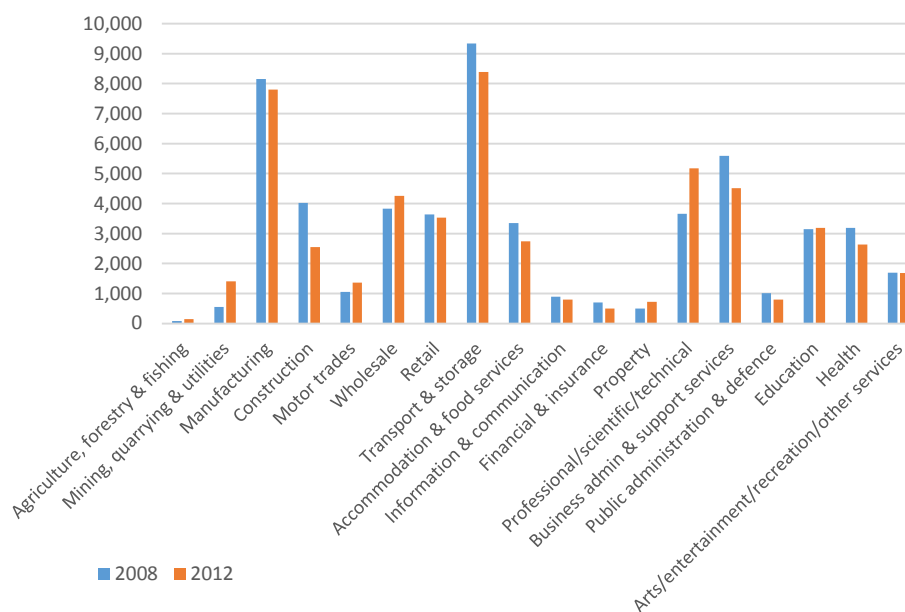


Source: BRES (2013) Broad Industry Group Classification

- 6.3 At the end of 2012 there were over 2,000 fewer jobs in the North West Leicestershire than the 2008 peak, down to just over 52,000. However, the economy had turned a corner in terms of employment growth and is expected to have continued growing strongly since⁶.
- 6.4 The BRES data from 2013 identifies some clear trends and opportunities for the District – and also some structural weaknesses in the local economy. Employment in the construction sector within the District has fallen by over a third since 2008 and was still falling in 2012. Clearly since then there has been a resurgence in construction activity, which may generate opportunities.

⁶ BRES (2013) Broad Industry Classification

Changes in employment structure in North West
Leicestershire 2008 and 2012



Key Growth Sectors

6.5 Based on the analysis of BRES data and a range of other sources considered in the development of this Local Growth Plan, there are five key sectors that will be prioritised for growth within the District (which are in line with key sectors identified by LLEP). These sectors are:

- Business and Professional Services (linked to town centre regeneration)
- Construction
- Creative/Cultural/Tourism Sector
- Manufacturing
- Logistics and Distribution

6.6 Linked to section 4, the emphasis on supporting and developing the SME sector is supporting the growth of businesses that have the capacity to generate higher earnings capacity for the resident population. This would mean identifying relevant businesses and using an Investor Developer approach to link those businesses to support and opportunities (such as Regional Growth Fund 4, national and local business support, planning and property issues and training, development and recruitment). This approach is slightly different from the proposed Business Growth Hub under City Deal and could add significant value locally.

Key Priorities

A number of important initiatives have been identified, but key actions are;

Supporting more women to start a business/consider self-employment

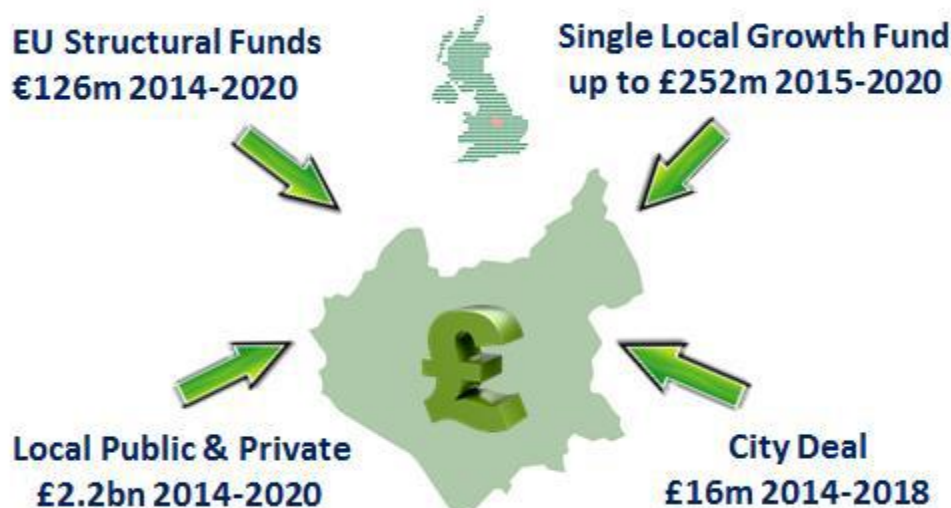
Develop an Investor Development approach to businesses in the District to ensure their needs are being met to facilitate growth

Facilitate growth in the five identified key sectors, working with partners involved in supporting sector growth in LLEP

Provide information to businesses in North West Leicestershire about the forthcoming Business Gateway with an aim of achieving the highest take-up in the County

7 Resources and Implementation

7.1 Collectively the following resource is potentially available for Leicester and Leicestershire from the programmes outlined in the Strategic Context section, which the LLEP will advise on how it is allocated, up to 2020.



Source: LLEP EU Structural and Investments Funds Strategy, January 2014

7.2 These are likely to be implemented in a number of ways

- LLEP wide contacts or arrangements with national partners (the Opt in process) where the ability to influence delivery is likely to be limited beyond raising awareness and demand locally
- LLEP wide programmes such as addressing social inclusion, where there will be an opportunity to contribute ideas and help to design the end product
- Opportunities to secure funding for individual projects and programmes which fit into the overall strategic framework and to take responsibility for delivery

7.3 Partnerships will be critical to the success of the Local Growth Plan, notably with Leicestershire County Council and Leicester and Leicestershire Enterprise Partnership. North West Leicestershire has a key role to play in designing interventions that will have the maximum impact on the District. There will also be opportunities to collaborate formally and informally with other Districts (within Leicestershire and outside) and across other counties and LEPs for example the Derby and Nottingham LEP. This will be particularly relevant to Charnwood, who share many of the same economic characteristics and have the core urban/industrial populations of the County area.

8 Performance Management

8.1 The Local Growth Plan has set three key strategic outcomes to deliver as a result of its interventions. These are:

- Support the potential to create over 15,000 new jobs within the District,
- Halve youth unemployment by 2019; and
- Increase resident based female participation and wage rates to the regional average.

8.2 These outcomes are key cross cutting themes for the District and will be expected to form a major component of any interventions designed to support growth (and other projects where appropriate). Our decision making process in offering support to projects within the District (including financial where possible) will centre upon these cross cutting themes being at the core of any business case, preferably all three simultaneously.

8.3 Some of the anticipated 15,000 new jobs may be delivered after the period of this plan – but this plan highlights the framework and infrastructure required for long term employment creation and direct and indirect job creation needs to be part of our monitoring process and also part of our contribution to the Strategic Economic Plan.

8.4 Despite a sharp reduction in youth unemployment, we are committed to halving the claimant rate from its September 2013 baseline by 2019. We would measure success through Claimant Count rates, but also would look to hold to account any delivery of services within the District to ensure that projects and programmes are making measured contributions to accelerating this downward trend.

8.5 The gap between resident based wage rates for women is only slightly below the regional average, but has been fluctuating widely over the past 5 years. Participation rates are much lower and based on September 2013 data, there would need to be an additional 2,600 women in employment by 2018 (or 8.7% of the female working age population).

8.6 We are keen to develop interventions that are evidence based, well thought out and measurable. We would look for projects to have a clear process for identifying any added value and demonstrate a clear understanding of any positive and negative economic impact on the District – and where there may be negative economic impacts how these could be mitigated.

8.7 North West Leicestershire District Council will monitor progress against the Local Growth Plan – working with LLEP and Leicestershire County Council to disaggregate performance information for activities as they impact and to provide analysis of key economic indicators.

9 North West Leicestershire Growth Plan – Action Plan

- 9.1 Delivering economic growth is critical to the wellbeing and prosperity of the North West Leicestershire District’s population. The significant potential of the District is recognised in the Leicester and Leicestershire Local Enterprise Partnership Strategic Economic Plan where it identifies two of five Growth Areas (East Midlands Enterprise Gateway and Coalville Growth Corridor) and one of four Transformational Priorities (East Midlands Gateway Strategic Rail Freight Interchange) as being located in the District. The implementation of these initiatives alongside the investment in wider programmes across the District could deliver in the 15,000 jobs over the period up to 2020, halve youth unemployment by 2019 and bring female participation and wage rates in line with the regional average.
- 9.2 The District Council is keen to ensure that opportunities are realised, so that this considerable growth potential can be fully grasped. At the same time, it recognises that a number of challenges need to be addressed, in particular accessibility to areas of new opportunity and also making sure that local residents have the skills that businesses need to be successful.
- 9.3 In March 2014, the North West Leicestershire District Council Cabinet agreed a Local Economic Growth Plan that assesses the likely drivers of future growth and sets out the issues that need to be addressed. The aim is that this will be a “live” document rather than simply a promotional one and that the plan will be refreshed in 2016, led by the District Council and subsequently updated every two years. This Action Plan begins the process of turning the potential for growth into reality.
- 9.4 Set out below is an overarching framework for how the District Council can seek to influence the design and delivery of programmes and projects that access the resources identified earlier in order to stimulate growth in the local economy.

Building capacity through Partnerships

- Supporting and influencing LLEP Strategy and Policy
- Facilitating local business networks, developing joint solutions to common problems and connecting them to wider opportunities
- Identifying local champions to promote expansion in the identified Key sectors of, construction, manufacturing, retail, creative, leisure and tourism
- Working with neighbouring Districts within and outside the County to develop joint approaches to common issues
- Working with the County Council in its capacities as local highways authority, education authority and land/property owner
- Working with Town and Parish councils to support their roles for the benefit of local economies

Strategic enabler and lobbying

- Finalising Planning policies to provide a clear framework for future investment

- Influencing/Lobbying Government/Agencies to ensure awareness of local priorities and assistance to implement particularly by engaging the local MP
- Securing External Funding and also making available match funding opportunities when available
- Enabling development of key employment and mixed use housing sites

Driving demand for LLEP wide activities

- Acting as an effective and vital part for the local delivery of the Business Hub for a range of services including Business Start Up, access to finance, access to new markets, business management skills, promoting innovation linked to growth sectors
- The local delivery model for the Employment Gateway services
- Supporting Inward Investment and Business Growth programmes (including working with previous investors) to ensure their needs are being met
- Addressing Broadband gaps in relation to businesses and coordinating local access to ICT training
- Developing new approaches to public transport including new rail provision
- Support improvements in educational attainment and post 16 qualification levels

Delivery body

- Review the Asset Management Strategy to ensure it will facilitate future growth
- Developing key local centres in Coalville, Ashby, Measham, Castle Donington and Kegworth
- Developing Incubation Centres/other workspace provision for growth sectors
- Developing further procurement opportunities for SME's and smarter Business Regulation (eg Better Business For All)

It is important to note that there are a number of constraints in relation to the availability of potential resources outside of the District area

- Discussions are still continuing between the UK Government and EU on the operations of the EU Structural and Investment Funds and it is now likely that calls for projects will not commence until December 2014 at the earliest. In addition legal challenges from other LEP areas may have an impact on the overall allocations.
- Elements of the City Deal programme addressing worklessness will now only be funded within the City Council area and County wide activity will now need to use EU-SIF resources

9.5 The outcome of the Growth Deal negotiations based on submissions from Strategic Economic Plan will be known later in 2014 but it is known that the funds available are oversubscribed by a factor of 3 at least. The Growth Deal process is a competitive one and LEP's are being asked to prioritise schemes likely to start in 2015. No revenue funding is available for the foreseeable future.

Action Plan Schedules

- 9.6 Attached is a schedule that outlines the action contained with the Local Growth Plan by theme and that identifies key partners, potential funding streams, broad timescales and the overall outcome. It provides a basis for the District Council to discuss with partners and funders and agree priorities. It identifies possible lead officers from within North West Leicestershire and as such, it creates a framework for the Council to determine its own work programme so that the greatest impact can be achieved with the resources available.
- 9.7 The Action Plan will be overseen through the NWL Business and People Group. The membership of this group includes, various business representatives from North West Leicestershire, East Midlands Airport, Leicestershire County Council, LLEP, and the National Forest. The group is chaired by the Council's Chief Executive. The Group will oversee the implementation of the action plan and identify opportunities and any 'barriers' then find final solutions locally. The action plan will be reviewed annually by this group.

North West Leicestershire Growth Plan – Draft Action Plan

People					
Activity	Lead Partners	Actions	Timescale	Funding/Resources	Outcomes
Develop and/or engage with programmes to support more women entering the labour market through employment and self-employment and promote positive local role models through local media and networks	North West Leicestershire District Council – working with Enterprise Agencies, Leicestershire County Council, neighbouring Authorities and the Third Sector	<p>Research other successful activity and design a series of projects/interventions based on best practice and local need – which may include reviewing existing return to work/enterprise projects within the District</p> <p>Identify female role models from the District and develop a female ambassador programme</p> <p>If additional resources are required, develop a new project or enhance existing provision</p>	<p>2014-15</p> <p>2014-</p> <p>2015-</p>	<p>Explore opportunities around EU Structural Funds</p> <p>Co-ordination and Leadership from North West Leicestershire District Council – Business Focus team</p>	Increase female activity rates/hourly wages towards regional average (based on ASHE)
Attract resources and capacity to promote social inclusion and get people back into employment (particularly young people aged 18-24 unemployed for over 12 months)	LLEP working with North West Leicestershire District Council and Leicestershire County Council. Job Centre Plus, Skills Funding Agency and other delivery partners	<p>Review opportunities to expand the City Deal “Leicester and Leicestershire to Work” programme into District and funding opportunities via EU Structural Funds</p> <p>Signpost young people and those furthest from the labour market to careers and back to work provision (including Supporting Leicestershire Families and Talent Match).</p>	<p>2014-</p> <p>2014-</p>	<p>Explore opportunities around EU Structural Funds/City Deal</p> <p>Co-ordination/ Lobbying from North West Leicestershire District Council. Signposting role from a range of services inc. Benefits Advice, Housing/ Libraries</p>	Halve youth unemployment (based on Sept 2013 Claimant Count as a baseline) by 2019
Extend and develop the successful Talent Match programme to	Prince’s Trust or other provider(s), LLEP and	Provide support for an additional Talent Match programme in the	2014/15-	EU-Structural Funds or Local Growth Fund	Reduced youth unemployment and

support young people to work	Leicestershire County Council with support and signposting from North West Leicestershire District Council	District. Refer young people into Talent Match as they engage with Local Authority services	2014/15-	Co-ordination and Lobbying from North West Leicestershire District Council Community Focus	NEET rates. Increased apprenticeship/work placements on offer within the District
Engage with local/regional HE/FE providers to identify opportunities to increase the learning infrastructure and capacity within North West Leicestershire	North West Leicestershire District Council working with Leicestershire County Council and HE/FE providers with aspirations to grow within the District	Audit HE/FE assets within North West Leicestershire District and assess opportunities/buildings that establishments can expand into.	2014- As part of Local Plan	Support aspirations to access the FE Capital Fund via LLEP SEP North West Leicestershire District Council to provide Co-ordination and a review of opportunities through the Asset Management Strategy.	Enhanced local access to HE/FE provision leading to improved participation and NVQ Level 2/4 Qualification rates

Activity	Lead Partners	Actions	Timescale	Funding/Resources	Outcomes
Finalising Planning policies to provide a clear framework for future investment	North West Leicestershire District Council	Complete the Local Development Plan Document (DPD) and submit for adoption processes.	From 2014- 2016	North West Leicestershire District Council to provide Leadership and Co-ordination – Planning Policy	The vision, strategic objectives and spatial strategy for future developments within North West Leicestershire established up to 2031 and key future employment sites identified
Facilitating development of the East Midlands Enterprise Gateway uniting air, road and rail freight in a central location as one of LLEPs five strategic Growth Areas	East Midlands Airport, Donington Park Race Circuit, Marks and Spencer, DHL and Clowes Developments working with Highways Agency, County Council and North west Leicestershire District Council	An integrated programme to improve infrastructure including Highways and Broadband, improve local access from within the District through public transport and address skill needs	From 2014- 2016	Single Local Growth Fund	The development of an international, national and regionally significant growth area that drives ongoing investment within the District
Facilitating development of East Midlands Airport through local planning process and wider infrastructure investment	East Midlands Airport, supported by LLEP and North West Leicestershire District Council	Work with East Midland’s Airport to deliver relevant aspirations in the 2014 Sustainable Development Plan Balancing the needs of local communities against the need for development in planning policy	Ongoing	Private Sector and Single Local Growth Fund if relevant. – Planning Policy and Chief Executive	Realise potential of EMA to be a focal point for growth opportunities for economic, employment, passenger and cargo services.

Lobbying to protect the District’s economic interests in relation to	North West Leicestershire District	Consult, gather evidence and prepare detailed	2014-	Lobbying directly to Government and	HS2 implementation enhances wider
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HS2 proposals to ensure development sites are not detrimentally affected and that enhancement to the local rail infrastructure are also considered	Council , Local MPs, LLEP and Leicestershire County Council	responses to ongoing consultation processes Monitoring and lobbying to explore longer term opportunities to expand the Ivanhoe line through the District in line with population change, development sites and changing travel to work patterns		engaging partners to support an agreed North West Leicestershire position Director	accessibility without detriment to local growth plans
Support the development of the Roxhill Strategic Rail Freight Interchange and associated development site to initially secure planning consent	Roxhill Developments , North West Leicestershire District Council, Leicestershire County Council and LLEP	Influencing role within LLEP to secure resources to facilitate the development Investor Development Role to work with the Developers and identify potential end users Promote the opportunities of the site to potential businesses and in national and regional forums	Ongoing	Act as planning authority - Director Lobbying Government in relation to HS2 issues	Strategic Rail Freight Hub developed, up to 7,000 jobs created

Ensure the review of the Asset Management Strategy for the	North West Leicestershire District	Asset Management Strategy completed	2014/15	Identification of a £19m Workspace Fund	Additional high quality small business space
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District (and those of relevant partners) identifies opportunities to support economic growth in the District including developing/upgrading managed workspace and infrastructure to grow the service sector – with an emphasis on Coalville	Council and other public bodies including Leicestershire County Council, working to secure investment from LLEP	identifying key assets to support economic growth Developing feasibility options around investment in assets to generate economic returns and outcomes Developing projects/ applying for resources	2014/15 2015 onwards	within the Strategic Economic Plan and resources through EU Structural Funds North West Leicestershire to lead and identify Local Authority (and other partner) assets in the District that can be used to support economic development Chief Executive/Head of Finance/ Head of Planning	within North West Leicestershire, with an emphasis on Coalville
Deliver the Coalville Sustainable Urban Extension to ensure more housing and employment land is made available	Private developers , facilitated by North West Leicestershire District Council/ Leicestershire County Council (if appropriate) by investment from Single Local Growth Fund	Assess investment opportunities within the Strategic Economic Plan/Growing Places Fund Act as planning authority for the scheme – ensuring residential and commercial needs are balanced	2014/15-	Private Investment and Single Local Growth Fund Director	South East Coalville Sustainable Urban Extension delivered with at least 3,500 new dwellings and 6ha of additional employment land

Facilitate the climate for Town Centre regeneration within the	North West Leicestershire District	Develop a detailed action plan to support public	2014/15-	Town Centre Development Fund if	Increased investment in Coalville Town Centre,
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Coalville Growth Corridor	Council , with a range of local stakeholders and partners (including Leicestershire County Council)	realm, conservation priorities, premises improvements, marketing, tourism and development opportunities.		secured through the Strategic Economic Plan Heritage Lottery Fund to support Conservation work North West Leicestershire District Council to co-ordinate a programme of public realm and premises improvements – potential for small scale investment Director/Head of Planning	reduction in retail vacancy rates and a more vibrant town centre.
Engage with Leicester and Leicestershire Enterprise Partnership and the Highways Agency to promote action to relieve congestion on key Motorway corridors and junctions as part of the Coalville Growth Corridor	Leicestershire County Council , LLEP and Highways Agency	Deliver a series of planned improvements within the Coalville Growth Corridor	2015-	North West Leicestershire to play a supportive and co-ordination role Director	Investment to relieve congestion encouraging further investment from businesses

Explore opportunities to provide better public transport connections to major employment areas,	North West Leicestershire District Council working with	Monitoring and lobbying to explore long term opportunities to expand	2014	Attract resources through Single Local Growth Fund to	More NWL residents being able to access new and existing
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including key rail links and cycling/walking, with a focus on north south links	Leicestershire County Council, Transport Providers and Network Rail	Ivanhoe line through the District as population changes, major sites develop and travel to work patterns change Lobby to secure enhanced public transport services, notably links to employment sites and ensuring developments are considered in transport planning		promote and develop sustainable transport Director	employment opportunities
Work to secure investment through Leicester and Leicestershire Enterprise Partnership to retrofit a high quantity of Social Housing in the District	LLEP , North West Leicestershire District Council and local Registered Social Landlords	Engage within the proposals for Retrofitting social housing and develop an investment plan based on local needs and priorities	2014/15-	EU Structural Funds and European Investment Bank Role for North West Leicestershire in identifying properties locally, lobbying for investment and co-ordinating local activity Director	Increased proportion of stock to be more environmentally efficient
Developing proposals for Bio Fuel within the National Forest	National Forest Company with support from North West Leicestershire District Council and other National Forest Local Authorities/Partners	Explore new local markets for surplus wood from the National Forest and how new technologies might be developed to promote environmentally sustainable applications	2014/15-	EU Structural Funds Support National Forest Company in developing their plans Director	National Forest as an exemplar of Bio Fuel applications
Develop the local tourism and cultural offer in North West Leicestershire	North West Leicestershire District Council working with LLEP, Leicestershire County Council and	Support Donington Race Circuit to take advantage of the Formula E offer Support local tourism	2015-	EU Structural Funds and EAFRD Single Local Growth Fund	Increased visitor numbers into the District leading to increased visitor spend; more overnight stays; a

	major attractions within and close to the District such as National Forest Charitable Trust, Twycross Zoo and Calke Abbey and the Destination Management Partnership	attractions to secure investment through the Single Local Growth Fund Support the planned investments by the National Forest Charitable Trust and their subsidiary the Forest Experience Board		North West Leicestershire District Council to co-ordinate activity and lobby for investment Head of Community Services	growing recognition of the National Forest as a tourist destination and increased private investment and employment opportunities in visitor related facilities.
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Business					
Activity	Lead Partners	Actions	Timescale	Funding/Resources	Outcomes
Supporting more women to start a business/consider self-employment	North West Leicestershire District	Research other successful activity and design a series	2014-15	Explore opportunities around EU Structural	Female self-employment rates

	Council – working with LLEP Growth Hub, Enterprise Agencies, Leicestershire County Council, neighbouring Authorities and the Third Sector	<p>of projects/interventions based best practice and local need – which may include reviewing existing return to work/enterprise projects within the District</p> <p>Identify female role models from the District and develop a female ambassador programme</p> <p>If additional resources are required, develop a project submission to develop a new project or enhance existing provision</p>	<p>2014-</p> <p>2015-</p>	<p>Funds</p> <p>Co-ordination and Leadership from North West Leicestershire District Council – potentially contract managing supplier(s) to deliver on the Local Authority’s behalf</p> <p>Chief Executive Business Focus</p>	<p>increase towards the regional average (Annual Population Survey)</p>
Develop an Investor Development approach to businesses in the District to facilitate growth via a structured process of engagement that addresses business barriers and enhances opportunities	North West Leicestershire District Council , working with the LLEP Growth Hub and other partners	<p>Ongoing review of the outreach provision and penetration into District of the LLEP Growth Hub</p> <p>Signpost businesses to support available through the Growth Hub</p> <p>Assist businesses overcome any non-support orientated barriers to growth where the Local Authority or partners can do so.</p>	<p>2014-</p> <p>2015-</p> <p>2015-</p>	<p>LLEP Regional Growth Fund/ Business Growth Hub</p> <p>North West Leicestershire District Council to provide an additional role/ capacity if there is insufficient penetration into the District from the Growth Hub Business Focus</p>	<p>More local businesses encouraged to expand and invest.</p> <p>More businesses referred to the Business Growth Hub</p> <p>Increases in local employment</p>
Facilitate growth in the five identified key sectors, working with partners involved in supporting sector growth in LLEP, identifying	North West Leicestershire District Council , Leicestershire County Council, LLEP	Develop an Investor Development model to work with growth businesses and major	2014-	EU Structural Funds and LLEP Regional Growth Fund	Increased investment and job opportunities within key sectors

<p>local champions to establish task and finish groups to identify challenges and opportunities. The aim will be to tackle one sector each quarter.</p>	<p>Growth Hub, LLEP,</p>	<p>employers in key sectors</p> <p>Work with local skills and training providers to ensure businesses can meet any needs</p>	<p>2014-</p>	<p>North West Leicestershire District Council to provide an additional role/ capacity if there is insufficient penetration into the District from the Growth Hub Director /Business focus</p>	<p>Increased local people into local jobs</p>
<p>Provide information to businesses in North West Leicestershire, acting as an effective spoke for Business Hub for a range of services including Business Start Up, access to finance, access to new markets, business management skills, promoting innovation linked to growth sectors</p>	<p>North West Leicestershire District Council, LLEP Growth Hub</p>	<p>Work with existing local business networks to raise awareness of available business support</p> <p>Provide better links to business support from the North West Leicestershire District Council website</p>	<p>2014-</p> <p>2014-</p>	<p>LLEP Regional Growth Fund Business Focus</p>	<p>Greater take up of support from NWL businesses</p>

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	MEDIUM TERM FINANCIAL STRATEGY (MTFS) 2015/16 TO 2018/19
Key Decision	a) Financial Yes b) Community Yes
Contacts	Councillor Nicholas Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk Head of Finance 01530 454520 ray.bowmer@nwleicestershire.gov.uk
Purpose of report	The purpose of the report is to establish the financial strategy for the Authority for the next four years and to set out a high level timeline for the production of the 2015/16 General Fund Revenue Budget.
Reason for Decision	Requirement of the budget setting process.
Council Priorities	Value for Money
Implications:	
Financial/Staff	Financial issues are contained within the report.
Link to relevant CAT	Impacts over all Corporate Action Teams (CATS)
Risk Management	Preparation of a Medium Term Financial Strategy reduces the risk of adverse impact on the provision of services in a climate of reducing resources.
Equalities Impact Assessment	No impact at this stage.
Human Rights	No impact at this stage.
Transformational Government	The strategy outlined responds to the requirement to deliver a more efficient authority within reducing and changing resource levels.

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	As report author the report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Corporate Leadership Team
Background papers	None
Recommendations	THAT CABINET APPROVES THE MEDIUM TERM FINANCIAL STRATEGY AS OUTLINED IN THIS REPORT AND NOTES THE OUTLINE TIMETABLE FOR THE 2015/16 BUDGET PROCESS.

1. BACKGROUND

- 1.1 This review has been undertaken to update the MTFFS and to highlight the financial issues facing the Council. Since the current MTFFS was approved in June 2013 the Council has approved a balanced budget for 2014/15 and responded to the Government's reforms of local government funding including the Local Retention of Business Rates and the Localisation of Council Tax Support. The MTFFS below has also been updated to reflect revised interest rates and inflation forecasts as well as estimated changes to government grants.
- 1.2 The review covers the General Fund only but reflects recharges to/from the Housing Revenue Account (HRA). The latter was subject to a separate business plan case approved in January 2012 reflecting the debt settlement due to the government in 2012 and the other major changes in the operation of the HRA effective from 1 April 2012. The HRA Business Plan is currently being updated and will be presented to members for approval later this year. The revised Plan will take account of the increased number of council homes being made decent and the increased costs of completing the Decent Homes Investment Programme by March 2015.
- 1.3 Potential capital expenditure over the next four years will be covered by separate reports to Cabinet running in line with the Revenue Budget process for 2015/16. However, this MTFFS assumes that there will no net material revenue impacts from that expenditure.

2. REVISED MEDIUM TERM FINANCIAL STRATEGY

- 2.1 The MTFFS set out in Appendix 1 illustrates the financial and operational challenges facing the Council over the next four years. It is the Council's aim to approve balanced budgets and bridge the funding gap by the end of March 2019. Proposals will be put forward at future Cabinet meetings setting out how this will be achieved.

2.2 As can be seen from Appendix 1 by 2018/19 there is an estimated ongoing budget shortfall of £1.4m per year. This can clearly change as there are many elements of the budget which are fluid e.g. National and local policy changes and more reliance on local income (business rates, service income and fees and charges).

2.3 The 2015/16 – 2018/19 financial plans indicate that ongoing savings will be needed profiled as follows:

2015/16	£365k
2016/17	£343k
2017/18	£366k
2018/19	£351k

As part of continuing sound financial management over the last few years, the savings target will be met through a variety of strategies including additional income generation, continuing efficiencies and better use of our asset portfolio.

2.4 The budget shortfalls currently projected will be manageable and is a reflection of the Council's forward thinking in making year on year efficiencies without impacting on front line service delivery. The projected shortfalls could change significantly even in the short term particularly if there are changes to Central Government funding. The projections also do not take into account the impact of budgetary decisions which other partner organisations might take beyond 2015/16.

2.5 In preparing the MTFS the risk of losing income from the County Council currently paid as credits for recycled materials has been identified. The County is proposing to cease paying credits on Green Waste and not pay the annual increase for inflation from 2015/16 on all recycled materials. The Council received £269k from the County Council in Green Waste recycling credits for 2013/14 and next year's inflation uplift is worth a further £11k. As part of its 2014/15 budget proposals the County Council also provided some indication of other budget reductions from 2015/16 which could impact on the District Council. Whilst these pressures have not been built into our budget projections it is recommended that £300k is set aside as a contingency for this from 2015/16. The total income received from the County Council in recycling credits is around £536k a year and the remaining income could be withdrawn in future years. This has not at this stage been factored into the MTFS.

2.6 MTFS Assumptions

2.6.1 The main assumptions used in the MTFS are set out in Table 1.

Table 1

Summary of Assumptions	2015/16	2016/17	2017/18	2018/19
Council Tax - % increase	0%	0%	0%	0%
Inflation Rate Applied to Salaries - % increase	1.00%	1.00%	1.00%	1.00%
Revenue Support Grant (Reduction)	Provisional	-10%	-10%	-10%
Inflation Rate Applied to Non-Pay items	1.50%	1.50%	1.50%	1.50%
Interest Rates - average for NWL - internal and external investments	0.50%	0.50%	0.50%	0.50%
Increase in the Council's Pension contributions	1.00%	1.00%	1.00%	0.00%

2.7 Government Grants

- 2.7.1 Central Government has provided provisional grant information for 2015/16 but projecting levels of funding beyond next year is complicated by the General Election in May 2015. The assumptions made in this report are already subject to annual review and we would respond to any unforeseen changes which are announced. The initial assumption in this report is that from 2016/17 onwards Revenue Support Grant will reduce by 10% each year.
- 2.7.2 Income from business rates is also effectively Central Government funding with the potential to retain a proportion of any increases from growth in the tax base. Under new arrangements which started in 2013/14 the District shares gains and/or losses at a rate of 40%. There is however a 50% levy on any net increase so at best only 20% of additional rates would be retained by the District. As the Council is no longer participating in county-wide pooling arrangements the 50% levy would go to Central Government rather than the countywide Pool. The Council will however have the security of the national safety net arrangements rather than the risk of depending on resources in a local pool to pay any safety net payments required. The MTFs currently assumes no losses or gains on business rates. The Council's aim will be to increase its business rates base and increase the amount of business rates retained locally to assist in bridging the projected budget shortfalls. Unfortunately whilst the business rates base can increase it can also reduce because of a variety of reasons including reductions following appeals, statutory relief payments and provisions for future losses.
- 2.7.3 Our New Homes Bonus (NHB) projections assume increases of £0.5m in 2015/16 when it will reach £1.9m and £0.2m in 2016/17 taking it to £2.1m. From 2017/18 the NHB which was paid from the first year of the scheme will drop out and we are likely to see a levelling off in this income under the current rules and assuming similar levels of housing growth. However more general reductions are always possible and beyond 2016/17 the considerable financial pressures of the scheme are quite likely to force the Government to review the mechanism. Each new home brings the District approximately £1000 in New Homes Bonus representing 80% of a national average Band D Council Tax Charge. The County Council benefits from 20%.

2.7.4 The MTFS assumes that the New Homes Bonus (NHB) is retained for general use. Alternative uses would include specific capital or revenue items but each pound used for those purposes would increase the General Fund Budget shortfall by a similar amount.

2.8 Council Tax

2.8.1 Council Tax freezes each year have been assumed in the financial plans. Growth in the Council Tax base of 1% has been assumed although in reality this is subject to considerable variation each year depending how many new properties have been listed for Council Tax in the previous year.

2.9 Revenue Reserves

2.9.1 The 2013/14 Provisional Outturn Report approved by Cabinet on 29 July 2014 set out how the underspending from arising from additional income and further efficiencies would be utilised. This left a balance of around £1.1m before any potential surpluses in 2014/15. This is in line with maintaining a minimum balance of £1m which the Council's Section 151 Officer and the Council's external auditors are satisfied with.

2.9.2 As part of the same report the Cabinet approved further allocations from the Value For Money Reserve. It is projected that around £750k will remain unallocated and available in this reserve for other projects.

2.10 Future Risks

The MTFS has been compiled with less than a year before the next General Election. Whilst it is generally accepted that future governments will need to continue to reduce public expenditure and Local Government funding will continue to fall, it is unclear what the impact on individual authorities will be. The current emphasis on New Homes Bonus and Business Rate Retention provides opportunities for district councils such as ours to increase revenue whilst Revenue Support Grant is reduced. There is the risk that a future government could change this emphasis and that this Council could be disadvantaged by revised resource allocation policies. Savings projections beyond 2015/16 can only be tentative at this time and we need to be prepared for more challenging savings targets in response to higher than assumed reductions in grant.

3. **OUTLINE BUDGET TIMETABLE 2015/16**

3.1 The table below sets out the outline budget timetable for 2015/16:

Action	Dates
MTFS agreed by Cabinet	23 September 2014
Cabinet's draft budget proposals agreed	18 November 2014
Consultation undertaken	1 December 2014 to 16 January 2015
Policy Development Group consideration	7 January 2015
Cabinet makes final budget recommendations to Council	10 February 2015
Council agrees 2015/16 Budget	24 February 2015

3.2 The report to Cabinet in November will set out the draft budget proposals for closing the projected budget shortfall in 2015/16.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	GENERAL ENFORCEMENT POLICY
Key Decision	a) Financial No b) Community Yes
Contacts	Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk
Purpose of report	To consider and approve the content of the general enforcement policy
Reason for Decision	The council has a statutory duty to enforce a wide range of legislation, with regulatory functions being delivered by a number of service areas across the council. The adoption of an enforcement policy is essential to ensure consistency in enforcement is achieved.
Council Priorities	Homes and Communities Business and Jobs Green Footprints Challenge Value for Money
Implications: Financial/Staff Link to relevant CAT Risk Management	 The approved budget provides for adequate levels of finance and staffing to ensure adequate arrangements are in place to enforce all relevant laws Business CAT There are inherent risks associated with taking enforcement actions. The adoption of this policy will reduce those risks. Legal advice has been sought in the development of the policy. The current general enforcement policy and environment directorate enforcement policy have not been challenged.

Equalities Impact Assessment	N/A
Human Rights	See paragraph 2.3.3 of report
Transformational Government	This relates to the new ways in which council's are being asked to deliver their services.
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	Public, Ashby Tourist Information Centre, Ashby ladies business group, Ashby Town Centre Partnership, LLEP Better Business For All, NWL Chamber of Trade and Commerce, Coalville Town Team, Creative Leicestershire, Federation of Small Businesses, Job Centre Plus, Lets Go Local, Lion Court, Millhouse Business Centre, My area DE74, NLB club- Thringstone, NWL- Green Footprints, South Derbyshire District Council, Springboard Centre.
Background papers	Regulators' Code Code for Crown Prosecutors Internal Consultee comments - Building Control and Community Safety
Recommendations	<ol style="list-style-type: none"> 1. THAT THE CONTENT OF THE GENERAL ENFORCEMENT POLICY IS APPROVED AND ADOPTED BY THE AUTHORITY 2. THAT THE HEAD OF SERVICE IN CONSULTATION WITH THE PORTFOLIO HOLDER BE DELEGATED TO APPROVE SERVICE SPECIFIC ENFORCEMENT POLICIES, IN LINE WITH THE COUNCIL'S GENERAL POLICY 3. THAT THE RELEVANT DIRECTOR BE AUTHORISED TO MAKE MINOR CHANGES TO THE GENERAL ENFORCEMENT POLICY 4. THAT THE ENVIRONMENT DIRECTORATE ENFORCEMENT POLICY ADOPTED IN 2006 IS REVOKED

1.0 BACKGROUND

- 1.1 The council has a statutory duty to enforce a wide range of legislation, with regulatory functions being delivered by a number of service areas across the council. The adoption of an enforcement policy is essential to ensure consistency in enforcement is achieved.
- 1.2 In 1998 the Council signed up to the principles of the enforcement Concordat published by the Cabinet Office. The council published its commitment through a General Enforcement Policy, approved by Executive Board in 2006.
- 1.3 In 2006 a significant proportion of the council's enforcement activity was carried out by the Environment Directorate. A specific Environment Directorate Enforcement Policy was developed and adopted by Executive Board in May 2006.
- 1.4 Currently there are three types of enforcement policies in place:
 - Council General Enforcement Policy – covers all service areas
 - Environment Directorate Enforcement Policy – covers environmental health, car parking, enviro-crime, building control, planning.
 - Service specific Enforcement Policies – some service areas have a specific policy.
- 1.5 The Regulatory Enforcement and Sanctions Act 2008 and the introduction of the Regulators' Code in April 2014 has resulted in a need to review the content of the existing enforcement policies.
- 1.6 It is proposed to simplify the enforcement framework by revoking the environment directorate enforcement policy. The councils General Enforcement Policy has been reviewed and amended. A draft policy referred to as the councils 'General Enforcement Policy is at Appendix 1. If approved, this policy will replace the current General Enforcement Policy adopted by Cabinet in May 2006.
- 1.7 The general enforcement policy is a generic policy covering a range of regulatory functions. It does not deal with service specific enforcement options. These are contained within service specific enforcement policies and operational procedures. These specific policies are likely to need frequent amendments as legislation changes and therefore it is appropriate that their approval be delegated to the relevant Head of Service, in consultation with the Portfolio holder, to remove the need to keep referring back to Cabinet.
- 1.8 The general enforcement policy applies to all law enforcement duties which the council undertakes, except those undertaken by the Revenues and Benefits service. Revenues related enforcement action is detailed within a service specific Recovery Policy.
- 1.9 The following diagram explains the simplified framework:
 - Council General Enforcement Policy (all enforcement action except revenues)
 - Service specific Enforcement Policies (not all services require a specific policy)

2.0 THE POLICY

2.1 A decision about enforcement action, and in particular the decision to prosecute, has serious implications for all involved. The aim of this policy is to ensure that:

- Decisions about enforcement action are fair, proportionate and consistent;
- Officers apply current Government guidance and codes of practice;
- Everyone understands the principles that are applied when enforcement action is considered.

2.2 The policy sets out what those being regulated can expect from the council when enforcement activities are undertaken.

2.3 Regard has been had to the following legislation, guidance and codes when devising the draft policy:

- Principles of Good Regulation
- Regulators' Code
- Human Rights Act 1998
- Data Protection Act 1998
- The Code for Crown Prosecutors
- Regulatory Enforcement and Sanctions Act 2008

2.3.1 Principles of Good Regulation

The Legislative and Regulatory Reform Act 2006 requires the council to have regard to the principles of good regulation when exercising regulatory functions within our environmental health and licensing services. The council will exercise its regulatory activities in a way which is proportionate, accountable, consistent, transparent and targeted. This is explained further at paragraph 6 of the draft enforcement policy.

2.3.2 Regulator's Code

On 6 April 2014 the Regulators' code was introduced. As required to do so; regard has been had to the Regulators' Code in the preparation of this policy. The code is based around six core objectives which are explained at paragraph 6 of the draft policy. In certain circumstances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented by the service undertaking the enforcement activity or action.

The Environmental Health Team Leader (Business Champion) has delivered two seminars for relevant Team Managers and Team Leaders to ensure that key staff in each service area are fully aware of the requirements of the Code. Each Team Manager and Team Leader are responsible for ensuring that enforcement activities and operational procedures are compliant with the Code.

2.3.3 Human Rights Act 1998

The council apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

2.3.4 Data Protection Act 1998

Where there is a need for the council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1998.

2.3.5 The Code for Crown Prosecutors

When deciding whether to prosecute the council has regard to the provision of the Code for Crown Prosecutors as issued by the Director of Public Prosecutions. The Code is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied, commonly referred to as the 'evidential test' and the public interest test. The Code is explained further at paragraph 10 of the draft enforcement policy.

2.3.6 Regulatory Enforcement and Sanctions Act 2008

The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. The council will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a primary authority.

3.0 CONSULTATION

3.1 An internal and external consultation process commenced on 14 April 2014 and ended on 30 June 2014.

3.2 All relevant Team Managers were consulted.

3.2.1 Comments were received from internal consultees relating to the Community Safety and Building Control regulatory functions. Regard has been had to all comments received in the preparation of this policy.

3.3 An open public consultation was carried out using the council's website.

3.3.1 No comments were received from members of the public.

3.4 In addition a targeted consultation was carried out with the following members of the NWL Business consultation group (Business Champions): Ashby TIC, Ashby ladies business group, Ashby Town Centre Partnership, LLEP Better Business For All, NWL Chamber of Trade and Commerce, Coalville Town Team, Creative Leicestershire, Federation of Small Businesses, Job Centre Plus, Lets Go Local, Lion Court, Millhouse Business Centre, My area DE74, NLB club- Thringstone, NWL- Green Footprints, South Derbyshire District Council, Springboard Centre.

3.4.1 No comments were received as a result of the targeted consultation.

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General Enforcement Policy

Cabinet Approval: TO INSERT DATE

General Enforcement Policy

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1. Introduction

- 1.1 One of North West Leicestershire District Council's principal duties is to ensure that individuals, businesses and others are meeting their statutory obligations and complying with the law relating to a range of issues from the payment of council tax to the dropping of litter and producing safe food. To achieve this, officers from the council are authorised to take enforcement action.
- 1.2 A decision about enforcement action, and in particular the decision to prosecute, has serious implications for all involved. The council applies this policy to ensure that:-
- Decisions about enforcement action are fair, proportionate and consistent.
 - Officers apply current Government guidance and codes of practice.
 - Everyone understands the principles that are applied when enforcement action is considered.
- 1.3 The purpose of this general enforcement policy is to set out what those being regulated can expect from the council when enforcement activities are undertaken.

2. Approval and Application of the Enforcement Policy

- 2.1 This policy was approved by Cabinet on DATE TO BE INSERTED.
- 2.2 This policy applies to all law enforcement duties which the council undertakes, except those undertaken by the Revenues and Benefits service. Revenues related enforcement action is detailed within a service specific Recovery Policy.
- 2.3 In addition some service areas have specific enforcement policies. Service specific policies should be read in conjunction with this policy.
- 2.4 'Enforcement' includes any action taken by Officers aimed at ensuring that individuals or businesses comply with the law. This is not limited to formal enforcement actions such as prosecution, formal cautions and the issuing of enforcement notices; it also includes, for example, activities undertaken for the purpose of checking compliance with Acts of Parliament and Regulations, and the provision of advice to facilitate compliance. Some activities undertaken for the purposes of checking compliance is fee earning e.g. building control inspection.
- 2.5 This policy helps to promote efficient and effective approaches to inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens. This policy has been produced having had regard to the Regulators' Code (RC). Requirements of the Code are explained further at section 6.

3. How to obtain a copy of the Policy or make comments

- 3.1 This policy is available in printed format at the Council Offices. It is posted on the Council's website at: www.nwleics.gov.uk and is available in other formats or on disc on request.
- 3.2 If you need any help in understanding this policy, or you would like to comment on the contents, please contact us by:
- telephoning 01530 454545
 - e-mailing ehhealth@nwleicestershire.gov.uk
 - writing to the Director of Services, North West Leicestershire District Council, Council Offices, Coalville, Leicestershire, LE67 3FJ

4. General Principles

- 4.1 Each set of circumstances is unique and must be considered on its own merits. However, there are general principles that apply to the way each case will be approached. The principles of good enforcement contained in the Enforcement Concordat produced by the Cabinet Office have been formally agreed and adopted by the council.
- 4.2 Authorised officers must be fair, independent and objective and must not let any personal views about issues such as ethnic or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender influence their decisions. They must not be affected by improper or undue pressure from any source.
- 4.3 All authorised officers will have regard to the Policy and take action which is proportionate to the risk and to the seriousness of any breach of legislation where appropriate. In most circumstances officers have a range of actions available to facilitate compliance ranging from an educational and advisory approach to recommending legal proceedings. However, in certain circumstances legislation is prescriptive and this will limit the discretion of the Authorised Officer. In some circumstances persistent breaches will result in formal action being taken for what would normally be regarded as less serious contraventions.
- 4.4 Consideration will be given to the particular interests of customers including business owners, employees and the public. For example, where the hours of operation of a business do not coincide with normal office hours, we will endeavour to agree a mutually acceptable time or visit during the business's normal trading hours. Similarly, where English is not spoken as a first language, and there is particular difficulty in communication, the services of a suitable translator/interpreter and the provision of information in a relevant accessible form will be considered. Where formal action is proposed, the assistance of an interpreter may be obtained to ensure fairness. There may be occasions when a relative or friend of the individual may act as an interpreter. Officers will seek to confirm that their statements and questions are clearly understood.
- 4.5 Advice and information will be available and given, and businesses, employees and the public will be encouraged to contact the council regarding relevant matters. The council retains the right to charge for advice. See fees and charges for further information.

- 4.6 All officers undertaking enforcement activities will be duly authorised under the council's scheme of delegation and will be appropriately trained.
- 4.7 All authorised officers will be made fully aware of the requirements of this Policy. Any departure from this Policy will have to be justified to, and endorsed by, the relevant Head of Service.
- 4.8 This council is committed to the Equality of Opportunity in employment and the provision of services. Accordingly, this policy will take into account all equality and diversity issues.

5. Enforcing the Law

- 5.1 The Council believes in firm but fair regulation, and its enforcement activities follow these essential principles:-

- **Transparency**

Transparency means helping individuals and businesses to understand what we expect of them and what they should expect from us.

- **Consistency**

Our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities.

- **Targeting**

Targeting means making sure that, whilst all requests for service are responded to, regulatory effort is directed primarily towards those whose activities actually or potentially give rise to the most serious risks to public safety and the environment.

- **Proportionality**

Proportionality means relating enforcement action to the risks posed. Any action taken by officers will be proportionate to the seriousness of any breach. Persistent minor breaches may also be viewed as serious.

- **Accountability**

Our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient feedback and complaints procedures.

6. Regulator's Code

Specific Obligations of the Regulators Code on the Authority

- 6.1 When developing policies and operational procedures relating to the regulatory functions and activities within the scope of the Regulators' Code the council will have regard to the requirements of the Code. This Code applies to the regulatory functions listed under Part 3 of the Legislative Reform (Regulatory Functions) Order 2007. They are:

Food Standards and Safety
Environmental Protection
Housing
Animal Health and Welfare
Licensing
Public Health and Safety
Anti Social Behaviour
Consumer and Business protection

6.2 However, in certain circumstances we may conclude that a provision in the Code is either not relevant or is outweighed by another relevant consideration. We will ensure that any decision to depart from the Code is properly reasoned, based on material evidence and documented.

The council will:

6.2.1 Carry out activities in a way that supports those they regulate to comply and grow.

- The council will avoid imposing unnecessary regulatory burdens through regulatory activities. The council will choose proportionate approaches based on relevant factors including, for example, business size and capacity.
- When designing and reviewing policies the council will consider how to support or enable economic growth for compliant businesses, for example minimising the costs of compliance, improving confidence in compliance and encouraging and promoting compliance.
- The council will ensure that Authorised Officers have the necessary knowledge and skills to support those we regulate.

6.2.2 Provide simple and straightforward ways to engage with those they regulate and hear their views

- The council will have mechanism in place to engage those we regulate, residents and others to offer views and contribute to the development of policies and service standards.
- In responding to identified non-compliance the council will clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. The council will provide an opportunity for dialogue in relation to the advice or decision. This does not apply where the Authorised Officer can demonstrate that immediate action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed action.
- Where the councils enforcement actions allow for an appeal an impartial and clearly explained route to appeal against a regulatory decision will be provided. The council will explain in writing any right to representation or right of appeal.
- The council will make available a clearly explained complaints procedure. The council will have a range of mechanisms to receive customer feedback. These processes are specific to each service area.

6.2.3 Base regulatory activities on risk

- The council will take an evidence based approach to determining the priority risks and will allocate resources where they would be most effective in addressing those priority risks.
- The council, when making an assessment of risk, will recognise the compliance record/history of those they regulate.
- The council will review the effectiveness of its chosen regulatory activities in delivering the desired outcomes.

6.2.4 Share information about compliance and risk

- The council will collectively follow the principle of “collect once, use many times” when requesting information from those it regulates.
- Where the law allows the council will agree secure mechanisms to share information with other regulators about businesses to help target resources and activities.

6.2.5 Ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.

- The council will provide advice and guidance that is focussed on assisting those it regulates to understand and meet their responsibilities. Legal requirements will be distinguished from good practice.
- The council will publish guidance, and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language.
- The council will seek to create an environment in which those it regulates have confidence in the advice received and feel able to seek advice without fear of triggering enforcement action.
- In responding to requests for advice, the council will provide the advice necessary to support compliance, and will ensure that its advice can be relied on.
- The council will have a mechanism in place to work collaboratively to assist those regulated by more than one regulator. The council will consider advice provided by other regulators and, where there is disagreement, this will be discussed with the other regulator to reach agreement.

6.2.6 Ensure their approach to the regulatory activities is transparent.

- The council will publish a set of clear service standards, setting out what those it regulates can expect from them.
- Any information published to meet the requirements of the Code will be easily accessible, including being available on the Council’s website.
- The council will have a mechanism in place to ensure that Authorised Officers act in accordance with published service standards, including the Council’s enforcement policy.

- The council will publish details of performance against service standards, including feedback from customer satisfaction surveys and data relating to complaints and appeals.

7. Notifying Alleged Offenders

- 7.1 If we receive information that may lead to enforcement action against an individual or business we will notify that individual or business as soon as is practicable of any intended enforcement action, except in the circumstances described in 7.3 below.
- 7.2 During the progression of enforcement investigations/actions, individuals, business proprietors and witnesses will be kept informed of the progress of the matter under investigation. Confidentiality will be maintained and personal information about individuals will only be released during legal proceedings when required and/or in accordance with the Data Protection Act 1998.
- 7.3 In certain circumstances, we may choose not to keep individuals, business proprietors or witnesses informed of progress if this could impede enforcement action.

8. Covert Surveillance

- 8.1 During an investigation into suspected non-compliance with legislation the council may need to undertake directed covert surveillance from time to time. This may include remote sound or video monitoring equipment as well as personal observation. When this is necessary the requirements of the Regulation of Investigatory Powers Act 2000 will be complied with.

9. Deciding what level of enforcement action is appropriate

- 9.1 A decision on enforcement action will be taken on its own merits and after full consideration of the implications and consequences of the action. While fair and effective enforcement is essential to the maintenance of law and order, a breach of criminal law may not necessarily result in enforcement action.
- 9.2 A number of factors are considered when determining what action to take. These factors are detailed in **Appendix 1 [Factors we consider when taking enforcement action]**.

Levels of enforcement action:

We will take steps to help individuals and organisations comply with their legal obligations without unnecessary expense, while at the same time taking firm enforcement action where appropriate against those who flout the law or act irresponsibly. Officers have a range of actions at their disposal in seeking to secure compliance with the law and to ensure a proportionate response to apparent offences. **The range of enforcement actions available differs between Regulatory functions.**

The level of the action taken varies from no action through to proceedings in Court. Examples of the main types of action that can be considered are shown below:-

- No Action
- Verbal Warning and/or Advice

- Written Warning and/or Advice
- Acceptable Behaviour Contracts (ABC)
- Fixed Penalty Notices (FPN)
- Formal Notices
- Anti-Social Behaviour Order (ASBO)
- Seizure
- Court Injunction
- Refusal, Revocation or suspension of a Licence
- Formal Caution
- Prosecution

i) **No Action**

In some circumstances, contraventions of the law may not warrant any action. This can be where the cost of compliance to the offender outweighs the detrimental impact of the contravention on the community, or the cost of the required enforcement action to the District Council outweighs the detrimental impact of the contravention on the community. A decision of no action may also be taken where formal enforcement is inappropriate in the circumstances, such as where a trader has ceased to trade, or the offender is elderly, frail or a juvenile and formal action would seriously damage their well being. A decision to take no action must take into account the health, safety, environmental damage or nuisance implications of the contravention.

ii) **Verbal Warning and/or Advice**

For minor breaches of the law verbal advice will generally be given to the offender. We will clearly identify the contraventions of the law and give advice on how to put them right and include a deadline by which this must be done. Sometimes we will advise offenders about 'good practice', but we will clearly distinguish between what they must do to comply with the law and what is advice only.

Failure to comply could result in more severe enforcement action being taken. The time allowed must be reasonable, but must also take into account the health, safety and nuisance implications of the contravention.

iii) **Written Warning and/or Advice**

For some contraventions we will send the offender a firm but polite letter clearly identifying the contraventions, giving advice on how to put them right and including a deadline by which this must be done. Failure to comply could result in a notice being served or more severe enforcement action being taken. The time allowed must be reasonable, but must also take into account the health, safety and nuisance implications of the contravention.

iv) **Acceptable Behaviour Contracts (ABC)**

For repeat or serious cases of anti-social behaviour, it may in some circumstances be appropriate for an individual to be asked to sign an acceptable behaviour contract. The ABC is a written agreement between the person who has committed repeated incidents of Anti-Social Behaviour and the council and/or the police. The contract is entered into voluntarily and clearly details the actions which the perpetrator is no longer allowed to

engage. In addition, a personalised support package is offered to help the individual keep to the conditions of their contract.

v) **Fixed Penalty Notices (FPN)**

For some contraventions Fixed Penalty Notices are issued once an offence has been committed, requiring the offender to discharge their liability to prosecution by payment of a fixed sum. Failure to pay the fixed sum will result in a prosecution being instigated unless there are exceptional circumstances.

vi) **Formal Notice**

Notices are served to require offenders to cease activities contravening the relevant legislation, to give offenders reasonable time to rectify a contravention or to require further information. Notices may require such activities to cease immediately where the circumstances relating to health, safety, environmental damage or nuisance demand. In other circumstances, the time allowed to comply with the notice must be reasonable, but must also take into account the health, safety, environmental damage or nuisance implications of the contravention.

All notices issued will include details of any applicable Appeals Procedures.

Certain types of notice allow the council to 'carry out work in default'. This means that if a notice is not complied with [i.e. a breach of the notice] the council may carry out any necessary works to satisfy the requirements of the notice. Where the law allows, the council may then charge the person/business served with the notice the costs incurred in carrying out the work.

Failure to comply with a notice is an offence which will result in a prosecution being instigated unless there are exceptional circumstances.

vii) **Anti-Social Behaviour Order (ASBO)**

Anti-Social Behaviour Order (ASBO, to be replaced in late 2014 by Criminal Anti-Social Behaviour Order): ASBOs are civil orders which are intended to protect the public from Anti-Social Behaviour. An order contains certain conditions prohibiting the offender from carrying out anti-social acts or from entering specific areas in which they have previously committed Anti-Social Behaviour. Usually an order will last for a two year period and if the order is breached by the individual they could face a heavy fine or even imprisonment.

viii) **Seizure**

Certain legislation enables authorised officers to seize goods, vehicles or equipment. For example food that is unsafe or sound equipment that is being used to cause a statutory noise nuisance. When the council seizes goods an appropriate receipt will be given. Where the law requires, the council will produce seized goods before the Magistrate Court.

ix) **Court Injunction**

In certain circumstances, for example where offenders are repeatedly found guilty of similar offences or where an injunction is a more appropriate course of enforcement action than any other, injunctions may be used as an enforcement measure to deal with repeat offenders or dangerous circumstances.

x) **Refusal, Revocation or Suspension of a Licence, Registration or Authorisation**

Certain types of premises/businesses require a licence, registration or authorisation to operate legally. In order to warrant refusal/revocation one of the following criteria must apply to the licensed individual or organisation:-

- No longer a fit and proper person.
- Deliberately or persistently breached legal obligations, which were likely to cause material loss or harm to others.
- Deliberately or persistently ignored written warnings or formal notices.
- Endangered, to a serious degree, the health, safety or well being of people, animals or the environment.
- Obstructed an officer undertaking their duties.
- Deliberate or persistent breach of licence conditions.
- Any other reasonable cause.

xi) **Simple Caution**

This procedure is used as an alternative to prosecution to deal quickly and simply with less serious offenders to divert them from the criminal courts. For a simple caution to be issued a number of criteria must be satisfied:-

- Sufficient evidence must be available to prove the offence, and;
- The offender must admit the offence, and;
- The offender must understand the significance of the caution and give informed consent to being cautioned.

There is no legal obligation for any person to accept a simple caution.

A record of the simple caution will be kept on the appropriate local and/or national database, and will be kept on file for 3 years. If the offender commits a further offence, the simple caution may influence any decision to prosecute the further offence.. If during the time the caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, the caution may be cited in court, and this may influence the severity of the sentence that the court imposes.

If the offender refuses to accept a caution then legal proceedings will normally be instigated.

The caution will also be recorded in the council's Register of Convictions.

xii) **Prosecution**

A prosecution will normally ensue where one of the following criteria are met by the individual or organisation:-

- Deliberately or persistently breaching legal obligations, which were likely to cause material loss or harm to others.
- Significant or serious breach of legal obligations.
- Deliberately or persistently ignoring written warnings.
- Failure to comply with an enforcement notice, including the non-payment of a FPN
- Endangering, to a serious degree, the health, safety or well being of people, animals or the environment.
- Assaulting or obstructing an officer in the course of their duties.

10. Determining whether a Prosecution or Simple Caution is viable and appropriate

10.1 The council applies two ‘tests’ to determine whether a Prosecution or Simple Caution is viable and appropriate and follows guidance set by the Crown Prosecution Service when applying the tests:

- **The Evidential Test**

There must be sufficient evidence to provide a ‘realistic prospect of conviction’ against any defendant charged.

- **The Public Interest Test**

There may be public interest factors which are in favour of, or are against prosecution. These have to be considered before a decision regarding the final enforcement action (caution or prosecution) is taken.

For more information about the ‘Code For Crown Prosecutors’ visit:

http://www.cps.gov.uk/publications/code_for_crown_prosecutors/

10.2 If the case meets the evidential test, the Director will recommend appropriate formal action to the Head of Legal and Support Services. The Head of Legal and Support Services may then authorise a formal caution or prosecution.

10.3 Simple Caution or Prosecution proceedings will only be progressed when the case has passed both tests. Paragraphs 10.4 to 10.8 below, detail how this Policy applies to the consideration of taking a prosecution.

10.4 The Head of Legal and Support Services must be satisfied that there is enough evidence to provide a ‘realistic prospect of conviction’ against each defendant on each charge. A realistic prospect of conviction is an objective test that means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply. A jury or magistrates’ court should only convict if it is sure of a defendant’s guilt.

10.5 When deciding whether there is enough evidence to prosecute, the Head of Legal and Support Services must consider whether the evidence can be used and is reliable.

10.6 The public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. A prosecution will usually take place

unless there are public interest factors tending against prosecution, which clearly outweigh those tending in favour. Although there may be public interest factors against prosecution in a particular case, often the prosecution should go ahead and those factors should be put to the court for consideration when sentencing the defendant.

- 10.7 The Investigating Officer(s), along with senior managers and the council solicitors must balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. Some factors may increase the need to prosecute but others may suggest that another course of action would be better. The following lists include some common public interest factors, both for and against prosecution. These are not exhaustive and the factors that apply will depend on the facts in each case.

The more serious the offence, the more likely it is that a prosecution will be in the public interest. A prosecution is likely to be appropriate if:-

- A conviction is likely to result in a significant sentence.
- The evidence shows that the defendant was a ringleader or an organiser of the offence.
- There is evidence that the offence was premeditated.
- The victim of the offence was vulnerable, has been put in considerable fear, or suffered personal, damage or disturbance.
- The victim of the offence has suffered harassment, alarm or distress.
- The offence was motivated by any form of discrimination against the victim's ethnic or national origin, gender, religious beliefs, political views or sexual orientation, or the suspect demonstrated hostility towards the victim based on any of those characteristics.
- There is a marked difference between the actual or mental ages of the defendant and the victim, or if there is any element of corruption.
- The defendant's previous convictions or cautions are relevant to the present offence.
- There are grounds for believing that the offence is likely to be continued or repeated, for example, by a history of recurring conduct.
- A prosecution would have a significant positive impact on maintaining community confidence or safety.

A prosecution is less likely to be needed if:-

- The court is likely to impose a nominal penalty.
- The defendant has already been made the subject of a sentence and any further conviction would be unlikely to result in the imposition of an additional sentence or order, unless the nature of the particular offence requires a prosecution.
- The offence was committed as a result of a genuine mistake or misunderstanding (these factors must be balanced against the seriousness of the offence).
- The loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by a misjudgement.
- There has been a long delay between the offence taking place and the date of the trial, unless:-
 - the offence is serious;
 - the delay has been caused in part by the defendant;
 - the offence has only recently come to light; or
 - the complexity of the offence has meant that there has been a long investigation.

- A prosecution is likely to impact adversely on the victim's physical or mental health, always bearing in mind the seriousness of the offence.
- The defendant is elderly, frail or a juvenile or is, or was at the time of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is a real possibility that it may be repeated.
- The defendant has already discharged their liability through payment of a fixed penalty notice.

10.8 Deciding on the public interest is not simply a matter of adding up the number of factors on each side. The Investigating Officer(s), along with senior managers and the council's Solicitors must decide how important each factor is in the circumstances of each case and go on to make an overall assessment.

11. Who decides what enforcement action is taken

11.1 For less serious infringements of the law, decisions about the most appropriate course of action are usually determined by the Investigating Officer(s). Decisions are based upon professional judgment, legal guidelines, statutory codes of practice and priorities set by the council and/or Central Government.

11.2 For more serious offences, where the nature of the offence points towards prosecution or simple caution, decisions about enforcement will be recommended by the relevant Director or Chief Executive and authorised and instigated by the Head of Legal and Support Services.

Details of 'Who decides what enforcement action is taken' is shown in **Appendix 2**.

12. Reconsidering a Prosecution Decision

Normally if the defendant is told that there will not be a prosecution, or that the prosecution has stopped, the case will not start again. However, they may be an occasion when the decision not to prosecute, offer a simple caution or stop a prosecution, may be overturned.

The reasons for this include:-

- Rare cases where a new look at the original decision shows that it was wrong.
- Cases which were stopped so that further evidence could be collected.
- Cases which were stopped due to lack of evidence but more significant evidence is discovered later.
- Cases involving a death in which a review following an inquest concludes that a prosecution should be brought.

13. Liaison with other regulatory bodies and enforcement agencies

13.1 Where appropriate, enforcement activities carried out by the council will be co-ordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

- 13.2 In some cases, for example where there has been a work related death we will inform and liaise directly with Leicestershire Police. Joint investigations may also be undertaken with the Police and or the Health and Safety Executive. These provisions along with other matters relating to workplace health, safety and welfare are detailed within our Health & Safety Enforcement Policy available at www.nwleics.gov.uk.
- 13.3 Where an enforcement matter affects a wide geographical area beyond the district boundaries, or involves enforcement by one or more other local authorities or organisations; all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity co-ordinated.
- 13.4 The council shares intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, including:
- Government Agencies, such as the Food Standards Agency, Health and Safety Executive, Environment Agency, Civil Aviation Authority and Public Health England.
 - Police Forces, such as Leicestershire Police
 - Fire Authorities, such as Leicestershire Fire and Rescue Service
 - Public Health Laboratory Service
 - Statutory undertakers, such as Severn Trent Water
 - Other Local Authorities
 - The Safer North West Partnership
- 13.5 Where wider regulatory matters can be more effectively addressed through joint working we will, where appropriate, enter into formal 'Enforcement Liaison Protocols'.
- 13.6 Where enforcement action is being considered against a business, reference will be made to the Primary Authority Scheme.
- 13.7 Where action is being considered in cases of persistent or serious anti-social behaviour a collective decision may be made by the local Community Safety Partnership (The Safer North West Partnership)

14. Offences

- 14.1 It is the duty of enforcement officers to make sure that enforcement action is taken against the right person. In doing so they must act in the interests of justice and not solely for the purpose of obtaining a conviction.
- 14.2 The Investigating Officer(s), along with the Council's Solicitors should select the most appropriate legislation and ensure that cases are dealt with in the appropriate court which so that the prosecution
- Reflects the seriousness of the offence.
 - Gives the court adequate sentencing powers.
 - Enables the case to be presented in a clear and logical way.
- 14.3 Juveniles (persons aged 17 or under) can be served with warning letters, a Fixed penalty Notice or issued with an acceptable behaviour contract or anti-social behaviour order. Prosecutions can be brought in the Youth Court.

15. Considering the views of those affected by offences

- 15.1 The Council undertakes enforcement on behalf of the public at large and not just in the interests of any particular individual or group. However, when considering the public interest test (see section 10.1 above), the consequences for those affected by the offence, and any views they may have expressed, will, where appropriate, be taken into account.
- 15.2 Those people affected by the offence will be told about any decision that makes a significant difference to the case.

16. Actions by the Courts

- 16.1 In cases of sufficient gravity, for example where serious injury or ill health has resulted, consideration will be given to requesting that the Magistrates Court refers the case to the Crown Court where the legislation allows.
- 16.2 The existing law gives the courts considerable scope to punish offenders and to deter others. Unlimited fines and, in some cases, imprisonment may be imposed by the higher courts. The Council will continue to raise the awareness of the courts to the gravity of offences and will encourage them to make full use of their powers.
- 16.3 The Council will always seek to recover the costs of investigations which result in court proceedings.

17. Protection of Human Rights

- 17.1 This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998.
- 17.2 Authorised Officers of the Council operate to a range of internal guidance documents that support the principles of primary human rights legislation, for example guidance relating to the Data Protection Act 1998 and Regulation of Investigatory Powers Act 2000. These guidance documents will be monitored by scheduled internal quality audits.

18. Publicity

- 18.1 Where appropriate, publicity will be actively sought for any enforcement action taken which could draw attention to the need to comply with the law or deter anyone else from non-compliance.
- 18.2 Information about enforcement actions will be made available on request subject to the restrictions placed on the authority by the Data Protection Act 1998 and the Freedom of information Act 2000.

19. Complaints, Appeals and Accountability

- 19.1 The Council operates a complaints procedure details of which are available on the website www.nwleics.gov.uk and in the leaflet entitled 'Have Your Say – Complaints, Comments and Compliments'

- 19.2 The mechanism for appeals against enforcement action taken will be referenced in all cases.
- 19.3 The actual service standards provided by the Council are contained in other service specific information.

20. Review of the Enforcement Policy

- 20.1 The implementation of this Policy will be monitored on an ongoing basis.
- 20.2 Every 5 years the Policy will be fully reviewed to ensure it is relevant.

Factors we consider when taking enforcement action?

Officer(s) carry out **investigations/inspections**. This can be done in response to a complaint or request for assistance, as part of routine planned inspections of business premises or survey work.

Investigating Officer discovers evidence and is satisfied that a **criminal offence** may have been committed or is about to be committed. This is called *Prima facie* evidence.

Investigating Officer considers a range of factors including:

- Previous History - whether any similar situation has been found before.
- Seriousness of the alleged offence(s), including:
 - Risks to the public or the environment
 - Any intent or recklessness of the person(s) committing the offence
 - Any obstruction of the Investigating Officer
 - Whether the alleged offence(s) are considered a special area of priority by Central Government and/or North West Leicestershire District Council
- Is their enough evidence to provide a realistic prospect of conviction
- Would any further action be in the public interest

For **LESS SERIOUS** infringements of the law and/or where there is no previous history of offences/non-compliance with legislation the following options are considered:

- **Informal Action** – verbal or written advice/warning
- **Statutory Notice** – service of a legal notice that will require certain specified action to be taken by the recipient

In all cases we will advise the alleged offender what he/she needs to do in order to comply with the law.

For **MORE SERIOUS** offences the following options will also be considered:

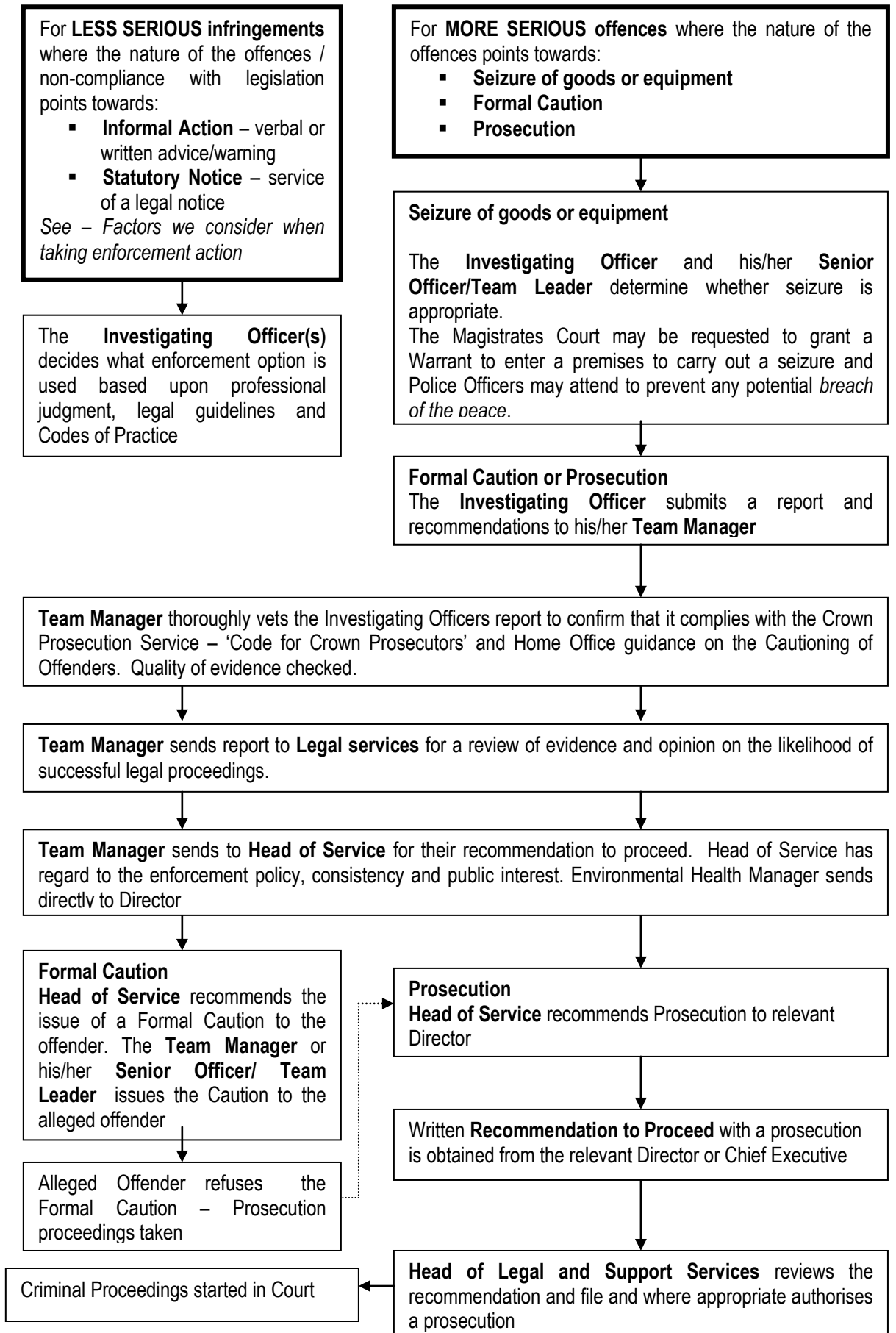
- **Seizure of goods or equipment** – In certain cases, goods or equipment may be seized to protect the public and/or employees, for example unsafe food or sound equipment being used to cause a nuisance.
- **Formal Caution** – a Formal Caution is an alternative to prosecution and can only be issued if strict criteria are met. The Home Office of Central Government sets these criteria. A Caution stays on public record for three years.
 - If a Formal Caution is offered to an offender, but he/she refuses to accept it then we may prosecute instead.
- **Prosecution** – legal proceedings are taken against the offender that results in the offender being summonsed to appear in Court. Any decision to prosecute is based upon guidelines set by the Crown Prosecution Service

In all cases the alleged offender will be informed of the matters under investigation and invited to attend a formal interview in accordance with the Police and Criminal Evidence Act 1984.

See – Who Decides What Action is taken [Appendix 2]

Appendix 2 – Council Enforcement Policy

Who decides what enforcement action is taken?



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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	UPDATED AFFORDABLE WARMTH STRATEGY 2014 - 2017
Key Decision	a) Financial No b) Community Yes
Contacts	Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk Head of Housing 01530 454780 chris.lambert@nwleicestershire.gov.uk
Purpose of report	To inform members of the issues around Fuel Poverty in North West Leicestershire and understand how the implementation of the revised Affordable Warmth Strategy 2014 – 17 and associated action plan will tackle this.
Reason for Decision	This report is provided for members to inform them of Affordable Warmth and Fuel Poverty nationally and how this affects North West Leicestershire.
Council Priorities	Homes and Communities
Implications:	
Financial/Staff	The action plan will be delivered within existing resources
Link to relevant CAT	Private Sector Housing CAT
Risk Management	Risk assessments will be completed as part of the work, if necessary.
Equalities Impact Assessment	Equality Impact Assessment already undertaken, issues identified actioned
Human Rights	None identified

Transformational Government	Not applicable
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Appropriate Internal Departments: <ul style="list-style-type: none"> • Housing Choices • Street Action • Safer and Stronger Communities • HRA Business Support
Background papers	<p>Affordable Warmth Strategy October 2014 – October 2017 https://www.nwleics.gov.uk/files/documents/affordable_warmth_strategy_october_2014_october_2017/Affordable%20Warmth%20Strategy%20October%202014%20-%20October%202017.doc</p> <p>Affordable Warmth Strategy 2008 – 2016 https://www.nwleics.gov.uk/files/documents/affordable_warmth_strategy_2008_16/affordable%20warmth%20policy%202008.doc</p> <p>Department for Energy and Climate Change – Fuel Poverty Strategy https://www.gov.uk/government/publications/fuel-poverty-a-framework-for-future-action</p> <p>Home Energy Conservation Acts https://www.gov.uk/government/publications/2013-home-energy-conservation-act-heca-reports</p> <p>Public Health England Health Profiles http://www.apho.org.uk/default.aspx?QN=HP_METADATA&ArealD=50511</p>
Recommendations	THAT CABINET AGREES THE IMPLEMENTATION OF THE REVISED AFFORDABLE WARMTH STRATEGY

1. PURPOSE OF THE REPORT

- 1.1 To gain approval from Cabinet to implement the revised Affordable Warmth Strategy 2014 – 17 and associated action plan.

2. CONTEXT

- 2.1 In 2008 North West Leicestershire District Council launched its first Affordable Warmth Strategy to drive forward a focus on fuel poverty, its effects on residents' health and wellbeing and to identify how properties could be improved. This strategy was implemented in 2009 with a review date of 2016.
- 2.2 The national agenda for Affordable Warmth has changed considerably during this period, and the existing strategy requires revising to reflect these changes. It is therefore proposed to review the Affordable Warmth Strategy with an updated version to be implemented from October 2014. **Appendix A**

3. BACKGROUND

- 3.1. The Council has a responsibility to its own tenants to ensure that council homes are fit for habitation and are in decent condition. The Council, as a strategic housing authority, also has a statutory responsibility to address the housing needs and conditions of all residential properties within its' district to ensure that homes are of a fit standard for occupancy.
- 3.2 North West Leicestershire is comprised of a variety of new and old homes. Homes built pre 1945 are often of solid brick construction and have no cavity wall insulation, very little loft insulation and can be off-gas networks, i.e with no gas to the property. This makes the homes harder and more expensive to heat.
- 3.3 The Council's Private Sector Housing Condition survey, completed in 2008, considered the issues of old and cold homes in North West Leicestershire where damp, mould and mildew are leading to ongoing health concerns. The survey acknowledged that in North West Leicestershire these older homes are often owned by older people who are potentially more vulnerable to health risks or are let by private landlords to young people who may have babies or young children living with them.
- 3.4 The Council has set out within its' 2014/15 corporate priority for Homes & Communities that 'we aim to improve the wellbeing of people in North West Leicestershire'. The Council is mindful that fuel poverty, which is where the costs of home fuel are disproportionately high in comparison to income, can lead to significant health issues particularly for vulnerable residents. The aims of the Affordable Warmth Strategy support the delivery of this Council priority.

4. RESEARCH

- 4.1 The Council has used data from the Department of Energy and Climate Control, (DECC), Energy Performance Certificates, Energy Saving Trust analysis and local knowledge gathered by the Warm Homes Officer to identify the areas in the district that are particularly vulnerable to fuel poverty.
- 4.2 The information for North West Leicestershire shows that there are a number of wards which have been assessed as high in potential fuel poverty. These areas will be targeted through the Affordable Warmth Strategy action plan:
 - Greenhill Central

- Greenhill North East
- Measham Centre
- Albert Village/Ashby Wolds/Norris Hill
- Ibstock Centre
- Castle Donington South
- Ellistown and Battleflat
- Ibstock East and Battram
- Central Coalville
- Donisthorpe

4.3 The number of households in North West Leicestershire at risk of fuel poverty is 12.5%. This is lower than the average across Leicestershire which is 13.6% but higher than the East Midlands average which is 10.2%.

4.4 An up-to-date Affordable Warmth Strategy and action plan will ensure that the Council has initiatives in place to tackle fuel poverty and its effects, supporting vulnerable people within North West Leicestershire.

4.5 The Council also works in partnership with other statutory and non-statutory organisations such as First Contact, Citizen's Advice and the CCG, (Clinical Commissioning Group), to identify, develop and support initiatives that assist vulnerable people. For example, through the work of the Leicestershire Housing Services Partnership, NWL Housing Choices officers are currently assisting in the development of the countywide 'Light Bulb' project, a tenure neutral service that will offer a single point of access to a trusted and responsive housing support service, part of which will be aimed at reducing fuel poverty, winter deaths and hospital admissions.

5. PREVIOUS RESULTS

5.1 Since the implementation of the previous Affordable Warmth Strategy, £3 million of Energy Company Obligation, (ECO) funding has come to local authorities in Leicestershire and Rutland to fund Department of Energy and Climate Change (DECC) initiatives including the role of the Warm Homes Officer (WHO) between December 2012 and April 2014. During this time the WHO undertook 215 audits/visits and logged 533 conversations.

5.2 As part of these projects in North West Leicestershire 173 households have received DECC funding measures with some households receiving more than one measure. These include boiler replacements, £150 fuel grants which are known as Jam Jar accounts, fuel tariff switching, emergency off-gas fuel deliveries, fuel vouchers and Green Deal assessments.

5.3 The outcome of these measures is that households are saving money on their fuel bill bringing them out of fuel poverty as assessed by the High Cost Low Indicator framework. The average saving for fuel switching is approximately £100 per household per year. This also helps to reduce the number of excess winter deaths in North West Leicestershire.

6. VALIDATION PROCESS

- 6.1 This strategy has been developed through the Private Sector Housing CAT, (PSH CAT), a cross-departmental team comprising officers from Housing Choices, Housing Management, Street Action, Planning and Engagement and Safer and Stronger Communities.
- 6.2 The PSH CAT identified two main cross cutting themes; “better and warmer buildings”, and “supporting vulnerable groups” as key priority areas for the action plan. The group also identified the private rental sector as the main focus, particularly in the previously mentioned targeted localities in the district.
- 6.3 Objectives for North West Leicestershire identified through the Private Sector Housing CAT:
- Better and warmer buildings in the private sector**
- Residents in priority areas as identified through DECC data have access to quality information on Affordable Warmth
 - Private Sector housing in North West Leicestershire is more energy efficient
- Supporting Vulnerable Groups**
- North West Leicestershire residents in targeted localities have increased awareness of subsidies, benefits and deals for Affordable Warmth
 - There is a reduction on the health impact of Fuel Poverty amongst vulnerable groups
- 6.4 An action plan has subsequently been developed that will ensure we deliver against the above objectives during the 2014-15 financial year. The action plan is included in the Affordable Warmth Strategy and will be monitored by the PSH CAT. It will be reviewed annually to take account of any policy changes and potential funding opportunities that may arise.
- 6.5 An Equality Impact Matrix has been undertaken for the Affordable Warmth Strategy and action plan and has found that there are no identifiable inequalities for protected groups.
- 6.6 The strategy is due to be launched in October 2014. The PSH CAT are working with the Communication Team to ensure that the strategy is customer friendly and in line with the Communication Team’s style guide.

7. RESOURCE COMMITMENTS

- 7.1 With the cessation of the ECO funding for the WHO, there is no specific role for developing the work around the Affordable Warmth Strategy. Therefore the action plan is based on capitalising on existing resources to ensure that quality information about affordable warmth and fuel poverty is available to residents.
- 7.2 Through representation on the Local Housing Services Partnership, the Council continues to work with a range of agencies to identify funding opportunities that address Affordable Warmth and Fuel Poverty issues.
- 7.3 The Affordable Warmth action plan will be monitored, reviewed and updated by the Private Sector Housing CAT to ensure it is responsive to new initiatives and funding opportunities.



Affordable Warmth Strategy 2014 – 2017



IMPLEMENTATION DATE: October 2014
REVIEW DATE: October 2015

Owner: Private Sector Housing Corporate Action Team

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1 Executive Summary

Background:

North West Leicestershire District Council has a responsibility to its own tenants to ensure that homes are fit for habitation and are in decent condition. The Council's statutory responsibilities as a strategic housing authority extend this to all tenures including the private sector, comprising the owner/occupier and private rental market. The District Council is not responsible for repairs and maintenance to private sector accommodation but does have powers to make sure that homes are of a fit standard, that private landlords are aware of their responsibilities and that owners have information about how they can access deals to make homes warmer, cheaper to run and more eco friendly.

The District Council has set out within its 2014/15 corporate priority for *Homes & Communities* that 'we aim to improve the wellbeing of people in North west Leicestershire'. The council is mindful that fuel poverty, which is where the costs of home fuel are disproportionately high in comparison to income, can lead to significant health issues particularly in vulnerable residents. The aims of the Affordable Warmth Strategy support the delivery of this council priority

Reason for local policy

North West Leicestershire is comprised of a variety of new and old homes with 36.2 percent of houses built pre 1945. These homes are usually of solid brick construction with no cavity wall insulation, very little loft insulation and are sometimes off Gas networks. This makes the homes harder and more expensive to heat. A cold home leads to a number of issues with damp, mould and mildew and ongoing health concerns.

Data and information

In order to develop this strategy and associated action plan for Affordable Warmth, North West Leicestershire District Council has used a range of data sources supplied by the Department of Energy and Climate Control, (DECC), Carbon Saving Community Obligation, (CSCo) and also used local knowledge gathered by the Warm Homes Officer (WHO) to target areas in the district that are particularly vulnerable to fuel poverty due to house type.

The DECC information for North West Leicestershire shows that the percentage of households in North West Leicestershire at risk of fuel poverty is 12.5 percent. This is lower than Leicestershire County which is 13.6 percent but higher than the East Midlands as a whole which comes out at 10.2 percent. An appendix is attached to show the areas in NWL that have the highest percentages of fuel poverty as assessed by DECC.

Included in this document is an action plan to target these areas to ensure that residents have quality accessible information on home improvements. This is based on emerging objectives as identified through the Private Sector Housing CAT workshop:

Objective 1 - Better and warmer buildings in the private sector

- Residents in priority areas as identified through DECC data have access to quality information on Affordable Warmth
- Private Sector housing in NWL is more energy efficient

Objective 2 - Supporting Vulnerable Groups

- NWL residents in targeted localities have increased awareness of subsidies, benefits and deals for Affordable Warmth
- There is a reduction on the health impact of Fuel Poverty amongst vulnerable groups

2 Introduction from Portfolio Holder – Councillor Roger Bayliss

Our vision for North West Leicestershire is that it will be a place where people and business feel they belong and are proud to call home. Essential to this vision is that residents have suitable quality housing that is adequately warm and comfortable ensuring a better standard of health. As a Council we committed to our Green Footprints challenge, motivating residents to be greener and consider their carbon footprint. It is essential that our current and planned housing keeps this as a priority.

However, we are mindful that more than one third of the District's homes were built before 1945, many of which are of solid wall construction. We know that a number of our residents who are struggling with low incomes find it difficult to heat their homes to the level required for their comfort and health. These residents are said to be in Fuel Poverty and the aim of this Affordable Warmth strategy is to ensure that the impacts of Fuel Poverty within the District are tackled.

Fuel poverty is calculated by the Department of Energy and Climate Change (DECC), by offsetting household fuel costs against household income, using the poverty line as a basis for demonstrating if that household is fuel poor. This helps us to identify the people in the District who are struggling to make ends meet and are spending a significant portion of their income on heating their homes. In North West Leicestershire it is estimated that 12.5 percent of households are affected by Fuel Poverty. This is 1 percent lower than the county but 2 percent higher than the East Midland regional average.

With energy prices set to continue to rise over the coming years it is important that residents are able to manage their energy costs within their household budget.

This strategy and action plan are key to North West Leicestershire District Council understanding our residents and the circumstances that impact on their health and identifying initiatives to help them make heating their homes more efficiently.

3 Background: Why is it important to have an Affordable Warmth Strategy

North West Leicestershire District Council launched its first Affordable Warmth Strategy in 2008 to drive forward a focus on fuel poverty, its effects on residents' health and wellbeing and an identification of how properties could be improved. This strategy was implemented in 2009 with a review date of 2016. It is considered, however, that the cessation of DEFRA funding, resulting in the loss of our energy efficiency officer post, prioritised the review of the strategy with refreshed version to be implemented from October 2014.

Fuel Poverty is defined by The Department of Energy and Climate Change (DECC) through a Low Income High Costs (LIHC) framework and states that a household is fuel poor if:

- **They have required fuel costs that are above average (the national median level)**
- **Were they to spend that money they would be left with a residual income below the official poverty line (DECC July 2013)**

Government and local authority targets for fuel poverty have been refocused towards ensuring that there should be ongoing efforts to mitigate and reduce fuel poverty to minimise the number of fuel poor households.

In North West Leicestershire we have used the DECC definition to give us a clear and relevant statement about Affordable Warmth:

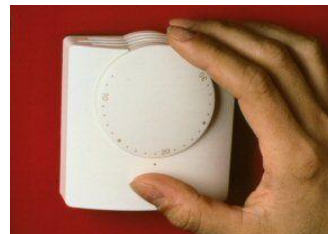


“Affordable Warmth means a household can afford to heat their home to the level required for their comfort and health. It follows therefore that Affordable Warmth will depend on the household’s circumstances. Any household without the means to heat their home to the level required is said to be in Fuel Poverty.”

Efforts will be focusing primarily on ensuring that those houses who are fuel poor (as defined by the LIHC indicator) attain a certain standard of energy efficiency in their homes.

There are a number of issues which give rise to fuel poverty and should be considered as part of an Affordable Warmth strategy:

- low income
- old dwelling (pre 1945)
- private rented sector
- old/inefficient boiler (or no heating system)
- non-gas heating.



Increases in fuel costs and other household expenses caused by inflation, combined with welfare reform and a weak economy, are exacerbating the problems of fuel poverty in North West Leicestershire. This strategy and associated action plan seek

to identify those most vulnerable to and prioritise work within these community to ensure residents have clear options to make their houses and homes warm and efficient.

4 Legislative Framework

The Housing Act 2004

The Housing Act 2004 identifies 29 hazards that landlords should be aware of that can be detrimental to people's wellbeing. The first 2 of these hazards are:

1) Damp and mould growth – threats to physical and mental wellbeing from living with dampness, mould and fungus growth and dust mites



2) Excess Cold – threats to health from exposure to sub-optimal indoor temperatures

Home Energy Conservation Act

Guidance issued by DECC in July 2012, under the Home Energy Conservation Act 1995 (HECA), required all English authorities with housing responsibilities to prepare a report by 31 March 2013 setting out the energy conservation measures that the authority considers practicable, cost-effective and likely to result in significant improvement in the energy efficiency of residential accommodation in its area. NWLDCs report can be found at:

https://www.nwleics.gov.uk/files/documents/home_energy_conservation_act_heca_delivery_proposals_for_2013_2015/HECA%20report%20August%202013.pdf

The Energy Company Obligation (ECO) 2012

The Energy Company Obligation (ECO) is a new domestic energy efficiency programme which works alongside the Green Deal, the government initiative to ensure houses are more energy efficient, to provide added support for packages of measures.

These measures can help with cutting down energy loss from a building and lead to less energy use. Support includes insulation and heating packages to low income and vulnerable households and insulation measures to low income communities.

Energy efficiency plays a key role in helping to lower energy bills. Following installation of most measures the difference will be immediate. Assuming that a consumer has been heating their home to an adequate level, they can continue doing so, but by using their heating less, resulting in significant bill reductions. Each house will require different measures for the optimum result, which is why it is important for the householder to work closely with their provider or installer to select the best options

ECO creates a legal obligation on energy suppliers to improve the energy efficiency of households through the establishment of three distinct targets:

Carbon Saving Community Obligation (CSCo)

This provides measures to households in specified areas of low income. It uses the Indices of Multiple Deprivation to target the lowest 25 percent of areas regardless of whether the household is on benefits. It also makes sure that 15 percent of each supplier's obligation is used to upgrade more hard-to-reach low-income households in rural areas.

Affordable Warmth Obligation

This provides heating and insulation measures to consumers living in private tenure properties that receive particular means-tested benefits. This obligation supports low-income consumers that are vulnerable to the impact of living in cold homes, including the elderly, disabled and families.



Carbon Saving Obligation

This covers the installation of measures like solid wall and hard-to-treat cavity wall insulation, which ordinarily can't be financed solely through the Green Deal

Code for Sustainable Homes (CSH)

The Code for Sustainable Homes is the national standard for the sustainable design and construction of new homes. It aims to reduce carbon emissions and create homes that are more sustainable by measuring the sustainability of a new home against categories of sustainable design, rating the 'whole home' as a complete package. The code uses a 1 to 6 star rating system with CSH Level 1 at the lower end to the high performing CSH Level 6 at the top. It also sets minimum standards for energy and water use at each level.

The code provides 9 measures of sustainable design:

- energy/CO2
- water
- materials
- surface water runoff (flooding and flood prevention)
- waste
- pollution
- health and well-being
- management
- ecology.



The code is essentially voluntary, it is not a set of regulations and should not be confused with zero carbon policy or the 2016 zero carbon target. The only circumstances where the code can be enforced are where:

- local councils require developers to comply with the code by including a requirement in their planning policy
- affordable housing is funded by the Homes and Community Agency that requires homes to be built to code level 3
- the level 3 energy standard is now incorporated in the building regulations.



The code applies in England, Wales and Northern Ireland and is captured in the **North West Leicestershire Affordable Housing Supplementary Planning Document:**

https://www.nwleics.gov.uk/files/documents/affordable_housing_supplementary_planning_document_spd/Affordable%25FHousingSPDOct2007Inc%25FMap%252Epdf.pdf

5 Why is tackling fuel poverty important?

Fuel poverty impacts on residents in a number of ways:

Worsening Health

Cold homes can increase the risks of strokes and heart attacks. Cold conditions are also thought to lower resistance to respiratory infections and exacerbate asthma and Chronic Obstructive Pulmonary Disorder.

Excess Winter deaths

During the months of December to March, the number of deaths recorded nationally (winter deaths) exceeds the average death rate for the remainder of the year. A significant number of these are thought to be linked to cold conditions particularly amongst the elderly. In Leicestershire excess winter deaths are higher than the England average according to health profiles published by Public Health England. An assessment of winter deaths, which is observed winter deaths minus expected deaths based on non-winter deaths, from 01 Aug 08 to 31 July 2011 shows the England average to be at 19.1 percent and the Leicestershire average to be 23.5 percent - shown on the Public Health profile as “significantly worse”.

Increased accidents

Mobility and dexterity reduce when people are cold which can increase the risk of falls and injury as well as potentially affecting arthritis.

Social exclusion

People can be reluctant to invite friends to their homes when they are cold, which can result in an increased sense of social isolation.

Consequently, many of the effects of fuel poverty set out above are potentially preventable and in addition to the benefits to the individuals themselves, could result in significant savings in health care costs.

The purpose of this affordable warmth strategy is to provide overall direction and a coordinated framework for council services, contractors and partners in their activities to reduce fuel poverty in North West Leicestershire by increasing the energy efficiency of homes in target areas.

6 Properties

The table below shows the North West Leicestershire regional comparison for Fuel Poverty

Area	% Fuel Poverty
North West Leicestershire	12.5%
Leicestershire	13.6%
East Midlands	10.2%



Causes of inefficient houses

Inefficient heating systems, poor insulation and bad management of existing heating systems can all lead to an excessive household spend on fuel. It is important to understand the status of housing in the district to be able to put in place systems to manage issues.

Often older properties built before 1945 have solid walls, (*Appendix A*) with no cavity wall insulation. They also may have limited loft insulation and inefficient boiler systems. The table below shows that more than one third of NWL homes were built pre 1945.

Age of houses in NWL

Build date	Number	% of Total	Average SAP*
Pre 1919	9,011	26.9%	41
1919-1944	3,115	9.3%	46
1945-1964	4,993	14.9%	46
1965-1980	8,375	25.0%	48
Post 1980	8,006	23.9%	57
TOTAL	33,500		

7 Plans and strategies that link to the Affordable Warmth Strategy:



Corporate Delivery Plan –

Homes and Communities: We aim to improve the wellbeing of people living in North West Leicestershire

Housing Strategy –

Healthy Homes: There are warm, safe and well maintained homes

Health and Wellbeing Strategy –

Supporting an Ageing Population

8 Initiatives and successes in North West Leicestershire since 2009:

DECC and 4Ways 2Warmth funds

£3m was awarded to local authorities in Leicestershire and Rutland to fund Department of Energy and Climate Control initiatives. This also funded the post of Warm Homes Officer (WHO) between December 2012 and May 2014. During this time the WHO undertook 215 audits and visits and logged 533 conversations and referrals.

In North West Leicestershire 173 households have received DECC funding measures with some households receiving more than one measure. This includes boiler replacements, £150 fuel grants which are known as Jam Jar accounts, emergency off gas fuel deliveries, fuel vouchers and green deal assessments.



DECC initiatives in detail:

- 177 Green Deal Assessments
- 19 boiler replacements / heating system installations or improvements
- 19 emergency fuel deliveries – coal, oil, LPG
- 77 Jam Jar accounts
- All £5905 worth of prepayment credit vouchers given out, (some addresses received several), 95 of the £49 vouchers and 250 of the £5 vouchers. These are used to pay off debts on meters and as emergency credit.
- 21 energy monitors given out
- 56 audit households have received Energy saving bulbs and TV power downs
- 100 energy saving bulbs and TV power downs given out at Well Families Clinics.

4 Ways 2 Warmth – Warm Homes Healthy People fund:

- 27 referrals have been made to the Home Improvement Agency Papworth Trust. These have resulted in loft insulation, hatch widening and clearance, boiler servicing and repairs, Thermostatic Radiator Valves (TRVs) and heating controls.
- Six households have also received emergency heaters via Papworth
- Link to GP surgeries flu clinics to give out information. All flu packs contain 4Ways 2Warmth information cards.
- 50 tariff comparison visits with 20 percent switch rate
- HECA (Home Energy Conservation Association) delivery plan for NWL, available online at:
http://www.nwleics.gov.uk/files/documents/home_energy_conservation_act_heca_delivery_proposals_for_2013_2015/HECA%20report%20August%202013.pdf

Green and Decent Homes

NWL has identified a number of tenant households who will pilot different energy efficiency technology over 2014/15. This pilot will be regularly assessed with a view to rolling out to a wider number of tenants. As a result of its current green and decent homes initiative, NWL has been selected to demonstrate good practice in a trade publication.



The Housing Management team have recruited an “Energy Strategy Officer” to continue to drive the green and decent homes project.

9 North West Leicestershire 2014 – 2015 Affordable Warmth Action Plan

In October 2013, the Private Sector Housing Corporate Action Team held a workshop focusing on the issues surrounding affordable warmth in North West Leicestershire. The workshop was attended by officers from council services who have a responsibility regarding Fuel Poverty and Affordable Warmth.

During the workshop the group identified two main cross cutting themes, “better and warmer buildings” and “supporting vulnerable groups², particularly focusing on the private rental sector. Specific localities to target have been identified through CSCo initiatives.

CSCo (Carbon Saving Community Obligation)

The Carbon Savings Community Obligation (CSCo) requires energy suppliers to deliver energy efficiency measures worth £190m per year through to March 2015.

The CSCo will target households across Great Britain in specified areas to improve energy efficiency standards, focusing on low income households. This will contribute to removing families from fuel poverty through ensuring that their properties receive energy efficiency measures.

CSCo areas are worked out based on the lowest 25% of areas in the national Indices of Multiple Deprivation which give in North West Leicestershire areas as:

- Greenhill central
- Greenhill north east
- Measham Centre
- Albert Village/Ashby Woulds/Norris Hill
- Measham Centre
- Ibstock Centre
- Castle Donington south
- Ellistown and Battleflat
- Ibstock East and Battram

All residents in these areas can apply for home improvements identified through CSCo even if the household is not on benefits.

Local Knowledge

Through the work of the Warm Homes Officer and the North West Leicestershire Housing Survey of 2006 alongside information from Department of Energy and Climate Change (appendix B), we know that there are two further areas in North West Leicestershire that are at risk of fuel poverty. These are:

- Central Coalville
- Donisthorpe

These areas will be incorporated into the action plan.

Objectives for North West Leicestershire identified through the Private Sector Housing CAT:

Better and warmer buildings in the private sector

- Residents in priority areas as identified through DECC data have access to quality information on Affordable Warmth
- Private Sector housing in North West Leicestershire is more energy efficient

Supporting Vulnerable Groups

- North West Leicestershire residents in targeted localities have increased awareness of subsidies, benefits and deals for Affordable Warmth
- There is a reduction on the health impact of Fuel Poverty amongst vulnerable groups

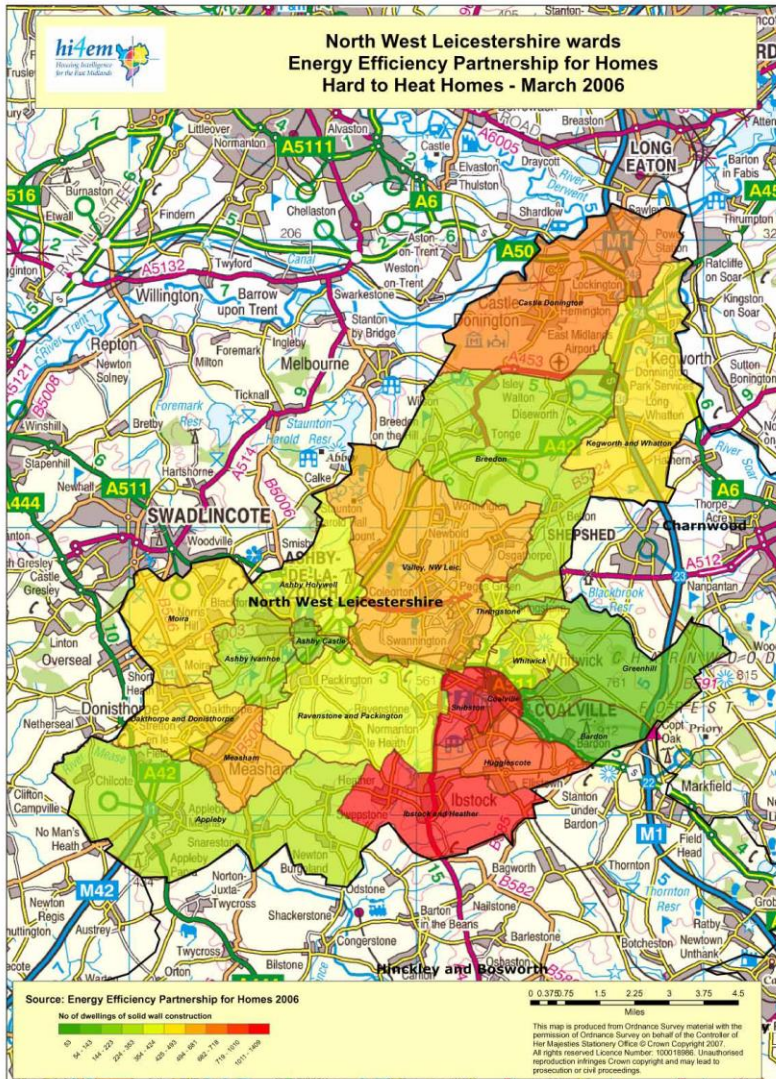
Action plan for 2014/15 (Appendix C)

The action plan is based on the priorities above identified by the Private Sector Housing CAT specifically targeting the CSCo and other identified areas. Affordable Warmth and Fuel Poverty work is not included in any officer's job role so the action plan is based on capitalising on existing resources and ensuring quality information is available.

Monitoring

The action plan will be monitored through the Private Sector Housing CAT.

No of Dwellings in NWL with Solid Wall Construction (2006)



The 5 top areas where Solid Wall Constructed houses are highest are Ibstock, Hugglescote, Castle Donington, Valley and Measham

DECC table to show specific areas in NWL affected by Fuel Poverty

Location	no of house-holds	no in fuel poverty	% fuel poverty
Appleby	917	145	15.8%
Ashby Castle	555	49	8.8%
Ashby Castle	488	61	12.5%
Ashby Holywell	637	52	8.2%
Ashby Holywell	880	100	11.4%
Ashby Holywell	718	73	10.2%
Ashby Ivanhoe	618	69	11.2%
Ashby Ivanhoe	642	78	12.1%
Ashby Ivanhoe	705	85	12.1%
Bardon	1,277	86	6.7%
Breedon	566	82	14.5%
Breedon	448	72	16.1%
Castle Donington	1,001	159	15.9%
Castle Donington	647	77	11.9%
Castle Donington	672	80	11.9%
Castle Donington	610	47	7.7%
Coalville	837	117	14.0%
Coalville	683	155	22.7%
Coalville	777	133	17.1%
Greenhill	467	36	7.7%
Greenhill	498	50	10.0%
Greenhill	554	54	9.7%
Greenhill	539	61	11.3%
Greenhill	484	60	12.4%
Hugglescote	630	90	14.3%
Hugglescote	524	48	9.2%
Hugglescote	783	104	13.3%
Ibstock and Heather	791	103	13.0%
Ibstock and Heather	647	71	11.0%
Ibstock and Heather	727	81	11.1%
Ibstock and Heather	813	96	11.8%
Kegworth and Whatton	613	88	14.4%
Kegworth and Whatton	668	93	13.9%
Kegworth and Whatton	702	136	19.4%
Measham	758	82	10.8%
Measham	678	58	8.6%
Measham	715	101	14.1%
Moira	743	75	10.1%
Moira	676	66	9.8%

Moira	663	69	10.4%
Oakthorpe and Donisthorpe	506	71	14.0%
Oakthorpe and Donisthorpe	613	67	10.9%
Ravenstone and Packington	576	66	11.5%
Ravenstone and Packington	461	76	16.5%
Snibston	652	94	14.4%
Snibston	685	70	10.2%
Snibston	847	106	12.5%
Thringstone	629	65	10.3%
Thringstone	643	64	10.0%
Thringstone	603	64	10.6%
Valley	608	84	13.8%
Valley	625	109	17.4%
Valley	1,510	296	19.6%
Whitwick	638	75	11.8%
Whitwick	729	85	11.7%
Whitwick	786	81	10.3%
Whitwick	831	93	11.2%

Affordable Warmth Action Plan 2014/15

Objective	Outcome	Project/work to be delivered	Performance monitoring	Q1	Q2	Q3	Q4	Responsible section
Better and warmer buildings in the private sector	AF1 Residents in priority areas as identified through DECC data have access to quality information	Analyse DECC and other relevant data sources to identify priority areas	Full data set available Amount of information given out	Develop information leaflet with relevant numbers and web links	Mail out to CSCo areas Ensure information available on NWL website	Monitor potential data sets	Monitor website hits	Building Control Street Action
	AF2 Private housing stock in NWL is of better quality and is more energy efficient	Ensure private landlords are aware of energy efficiency deals and measures	No of landlords who take up ECO assessments		Arrange forum and develop information.	Deliver landlord forum		Housing Choices Team Leader Housing choices senior strategy and partnership officer Street protection team leader

Objective	Outcome	Project/work to be delivered	Performance monitoring	Q1	Q2	Q3	Q4	Responsible section
Supporting Vulnerable Groups	AF3 There is a reduction of health impact of Fuel Poverty on vulnerable groups in NWL	Link with vulnerable people to assess need and suitability Link with suitable partners and agencies to support events and initiatives	No of information leaflets given to target groups	Map well families clinics and provide leaflets to organiser	Promote Affordable warmth and energy saving at summer events Link with other district and borough councils to develop the "Lightbulb" Scheme	Ensure Affordable Warmth is included in Health Forum action plan	Implement Lightbulb scheme initiatives	Health Forum Community Focus Housing Choices Housing Management
	AF4 NWL residents in targeted localities have Increased awareness of subsidies, benefits, deals for affordable warmth and information on tariffs	Ensure all information is up to date and accessible		Continue to update and refresh website	Develop and approve information leaflet Distribute leaflets to a wide audience	Distribute information Scope out Collective Switching and report back to the PSH CAT	Update and distribute information	Health forum Street Protection team Housing Choices senior strategy and partnership officer

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	REFUSE WASTE TRANSFER FACILITY (COALVILLE)
Key Decision	a) Financial Yes b) Community Yes
Contacts	Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk Head of Community Services 01530 454832 john.richardson@nwleicestershire.gov.uk
Purpose of report	To seek Cabinet's approval to build a refuse waste transfer facility in partnership with Leicestershire County Council at NWLDC's Linden Way Depot
Reason for Decision	To ensure efficient use of public sector resources through seeking approval to proceed with a joint project to construct a Refuse Waste Transfer Station at Coalville.
Council Priorities	Value For Money Green Footprints Challenge
Implications:	This report highlights potential future operational and financial implications of Waste Disposal for NWLDC as detailed within the report.
Financial/Staff	Efficiency savings will be realised from this development as detailed within the report.
Link to relevant CAT	Green Footprints CAT
Risk Management	Risk assessments will be completed as appropriate
Equalities Impact Assessment	None discernible
Human Rights	None discernible

Transformational Government	Working in partnership across tiers within the Public Sector to generate efficiency savings for both authorities.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Corporate Leadership Team Leicestershire County Council
Background papers	Cabinet report 19 November 2013 – Refuse Waste Transfer Facility (Coalville) - http://prod-modgov:9070/documents/s364/Cabinet%20-%2008%20-%20Refuse%20Waste%20Transfer%20Facility%204%20-%2007%2011%202013%20SM%20amends%20doc%202.pdf Planning Application - Ref No 2014/REG3Mi/0175/LCC at www.leics.gov.uk/planning_search.htm
Recommendations	THAT CABINET: 1) APPROVES THE DEVELOPMENT OF A REFUSE WASTE TRANSFER FACILITY FOR COALVILLE AT THE LINDEN WAY DEPOT; AND 2) DELEGATES AUTHORITY TO THE DIRECTOR OF SERVICES IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR AGREEING TERMS AND ENTERING INTO A MEMORANDUM OF UNDERSTANDING, LEASE AND SERVICE LEVEL AGREEMENT WITH LEICESTERSHIRE COUNTY COUNCIL BASED ON THE KEY PRINCIPLES DOCUMENT AT APPENDIX 3.

1.0 BACKGROUND

- 1.1 In November 2013, Cabinet approved the principal of working with Leicestershire County Council (LCC) to build a refuse waste transfer facility (RWTF) at NWLDC's Linden Way Depot site.
- 1.2 This new RWTF will provide capacity to receive, handle and bulk-up waste for onward transfer to waste treatment facilities and would take the form of a building similar in size to the existing garage at the depot. It will have a concrete base to receive the waste to be held short term before re-loading onto larger haulage vehicles. See

Appendix 1 for an example of a similar facility based at Loughborough and Appendix 2 for the proposed site layout at Linden Way.

2.0 KEY BENEFITS

2.1 The key benefits of the project are to provide:

- NWLDC with a centrally located facility for tipping off waste;
- The opportunity for cost savings for NWLDC in terms of travel time, fuel and vehicle wear and tear;
- The opportunity for LCC to divert waste away from landfill in line with the waste hierarchy to more sustainable disposal options and to more cost effective forms of treatment. This would also allow LCC to market test for the treatment/disposal of the waste through a procurement process leading to possible further savings in the cost of disposal on NWLDC's commercial waste collection service;
- More certainty over the long term treatment/disposal of the waste as the current planning consent for landfill at the New Albion site expires at the end of 2014.
The continuation of the landfill site beyond that date being subject to a successful application for an extension of the current planning consent;
- An opportunity to remove dependency on the New Albion landfill site as this is the only location that is currently available in the area for delivery of NWLDC's waste;
- A reduced carbon footprint for the waste collection and disposal services within Leicestershire helping to reduce both Council's greenhouse gas emissions and supporting our corporate priority Green Footprints Challenge;
- An opportunity to improve the competitiveness of the trade waste collection service by reducing current disposal expenditure through redirecting NWLDC's waste to a more cost effective treatment outlet.

3.0 FINANCIAL IMPLICATIONS

3.1 A capital cost of £420,000 is included within LCC's capital programme for 2014/15 for construction of the RWTF building.

3.2 NWLDC has not been asked to contribute to capital costs of the RWTF building as these will be met by LCC.

3.3 The estimated revenue costs of the project are outlined as follows;

Vehicle leasing, maintenance, tyres, insurance	£46,000
1 x Yardman (includes on costs)	£34,000
Fuel	£ 7,000
Additional environmental permit	£ 2,000
Electricity	£ 1,000
Total revenue costs	£90,000*

3.4 The estimated cost savings as a result of the project are outlined as follows:

Reduced fuel consumption	£20,000
Reduced wear and tear on vehicles	£23,000
Total estimated annual savings	£43,000
Annual Revenue contribution from LCC	£50,000
Total net savings estimated for NWLDC per annum	£3,000

3.5 The following funding principles have been agreed between officers from LCC and NWLDC;

LCC will contribute:

- An annual fee of £50,000. This would be a fixed minimum payment that is paid irrespective of annual waste tonnage and is a contribution to the revenue costs as detailed in 3.3.
- For each tonne of NWLDC household waste (i.e. excluding trade waste tonnage) above 20,000 tonnes per annum handled and loaded through the transfer station, LCC will pay NWLDC £2.50 per tonne. Please note that although it is not the intention at present, if necessary at times other WCAs may be directed to use the facility.
- For each tonne of LCC Recycling and Household Waste Site residual or bulky waste items that is handled and loaded through the transfer station, LCC will pay £2.50 per tonne plus any additional costs incurred by NWLDC operating outside the normal working week such as Bank (Public) Holidays. This would be by mutual agreement between NWLDC and LCC.

3.6 Any weekend or Bank (Public) Holiday opening would be subject to prior request and mutual agreement between NWLDC and LCC.

- 3.7 The above rates including the fixed amount will be subject to an annual inflation index based on the retail prices index (RPI), specifically RPIY.
- 3.8 It is also clear that this development will benefit NWLDC going forward in terms of time savings. This would be more significant if all approved planning applications in the district are developed which will see an increase in residential properties and therefore an increase in the demand for the refuse service.

4.0 LEGAL ARRANGEMENTS

- 4.1 Three legal agreements are proposed between LCC and NWLDC subject to Cabinet agreeing with this report's recommendations, which are based on the key principles document in Appendix 3:

(1) Memorandum of Understanding (MOU):

- This will record the Councils' desire and intention to work together jointly on this specific project of building and operating a new RWTF.
- The MOU is currently in a draft form to be agreed by the Councils.

(2) Lease:

- Heads of terms for the lease are to be agreed by respective surveyors and legal teams.

(3) Service Level Agreement (SLA):

- Day to day operations will be managed by NWLDC including vehicle movements, bulking and loading, odour management and general administration including ensuring compliance with environmental and legislative requirements.
- Annual contributions to revenue costs will be paid by LCC to NWLDC as set out in paragraph 3.4 and in the key principles document attached at Appendix 3.
- Initially LCC will be responsible for contracting and paying for haulage of the waste from Linden Way to the appropriate treatment and disposal facility unless otherwise agreed by NWLDC and LCC.
- The SLA for the operation of the site is anticipated to be for a period of up to 5 years unless mutually agreed to terminate earlier; and reviewed annually. Any changes made at the annual review to be mutually agreed by NWLDC and LCC.

5.0 PLANNING PERMISSION

- 5.1 As a waste application the planning application led by LCC has been submitted to their planning team on 18 August 2014 for consideration and the usual LCC consultation

processes will be followed. To date this has included a public notice in the Coalville Times published on 22 August 2014.

- 5.2 It is anticipated that the full Planning Application will be determined in October 2014.
- 5.3 Initial ground site investigations took place between Monday 28 April and Friday 9 May 2014 summary results of which are included in the design and access statement submitted as part of the planning application.

6.0 KEY RISKS FOR NWLDC AND LCC

- 6.1 Failure to deliver a new refuse transfer station would result in the risk of:
- NWLDC having to deliver waste further afield such as Whetstone, Loughborough, Lutterworth or Coventry with increased costs of fuel and staffing to NWLDC, in addition to increased disposal costs to LCC if New Albion landfill site closed;
 - Increased costs of waste disposal for LCC through exposure to continued future annual landfill tax increases;
 - Continued reliance on the use of the New Albion landfill site. A site that does not have guaranteed long term planning consent.
 - Abortive costs from site investigations, planning fees, officer time in preparatory works if planning permission is refused;
- 6.2 Risks associated with proceeding are detailed in 8.0 and are summarised as follows:
- Potential for local residents to be concerned about potential odours, to be mitigated through odour management plan enforced by the Environment Agency
 - Potential for local resident concern over increased vehicle movement to be mitigated in part through instruction for haulage contractor to avoid town centre route
 - Potential for local resident concern over expansion into the Urban Forest Park
 - If LCC withdraw from the site at the end of the term or sooner it could result in NWLDC being responsible for the facilities upkeep and maintenance. Provision for this is to be agreed between respective surveyor and legal teams.

7.0 PROJECT MANAGEMENT

- 7.1 A project team comprising NWLDC and LCC officers has been meeting since November 2013 to progress the project.
- 7.2 Ward Members have been briefed and a site visit undertaken on 19 May 2014 with the Portfolio Holder and Ward Members to the new Loughborough Waste Transfer Station.
- 7.3 A further visit by Ward Members who were unable to attend the previous visit in May was undertaken on 23 June 2014.
- 7.4 During both visits all Members gave their broad support for the project with questions relating to odour management, vehicle movements and noise from operating loading vehicles. Section 8.0 of this report includes measures to mitigate the concerns raised.

8.0 IMPLICATIONS FOR COALVILLE

8.1 ODOURS

- 8.1.1 It is not proposed that the RWTF will be used for the collection of any odourous industrial waste but solely used for the management of household waste, bulky waste, and some types of commercial wastes that are similar in composition to household wastes.
- 8.1.2 The management of odours will be considered as part of the planning application. The following measures are proposed to mitigate against odours emanating from the premises. Loads would be managed in and out in such a way that the transfer facility is cleared out each day or waste stored in a sealed container within the transfer station overnight. It will also be a priority to ensure no waste is left in the facility over the weekend. The management of odours is primarily controlled by having effective transport and site management arrangements in place which will be the responsibility of the District Council.
- 8.1.3 As a further mitigation the transfer facility has been designed to have roller shutter doors which will be down at all times other than when dropping off/loading is taking place therefore reducing the risk of escaping odours.

8.2 VEHICLE MOVEMENTS

- 8.2.1 It is anticipated that an external contractor would be collecting approximately 100 tonnes of waste from the facility a day, that would be 5 articulated lorry loads a day (20 tonnes each). This equates to 10 extra vehicle movements a day (40 a week Tues -Fri) along Linden Way and Ashby Road (the contractor will be instructed to use Ashby Road to the A511 and not through the town centre). LCC highways have been informally approached by LCC waste officers and their initial reaction was that this would not create any traffic related problems but they would consider it in more detail at the planning stage.
- 8.2.2 It is anticipated that on average there will be approximately 56 more vehicle movements from NWLDC vehicles returning to Linden Way to drop off waste, as such there will be 56 less vehicle movements through the district to New Albion, Albert Village.

8.3 URBAN FOREST PARK

- 8.3.1 In order to accommodate the new facility the existing depot site will require extending. This will mean an area covered by trees will need to be used. Various design options have been considered and the proposed site layout and facility design are considered to minimise the impacts on the Urban Forest Park. Further mitigation will be considered as part of the planning process. LCC and NWLDC Tree Officers have been consulted on the proposals and have advised accordingly.

8.4 NOISE

- 8.4.1 A loading vehicle will be required to load waste into bulkers for onward transportation to a treatment facility. Such vehicles are usually fitted with reversing beepers as a safety feature. The reversing beeper sound will be substituted for a 'squelch' or white noise which achieves the same outcome in terms of safety and minimises noise so as not to disturb local residents.

9.0 NEXT STEPS

- 9.1 If Cabinet approve the development the following project timetable is proposed:

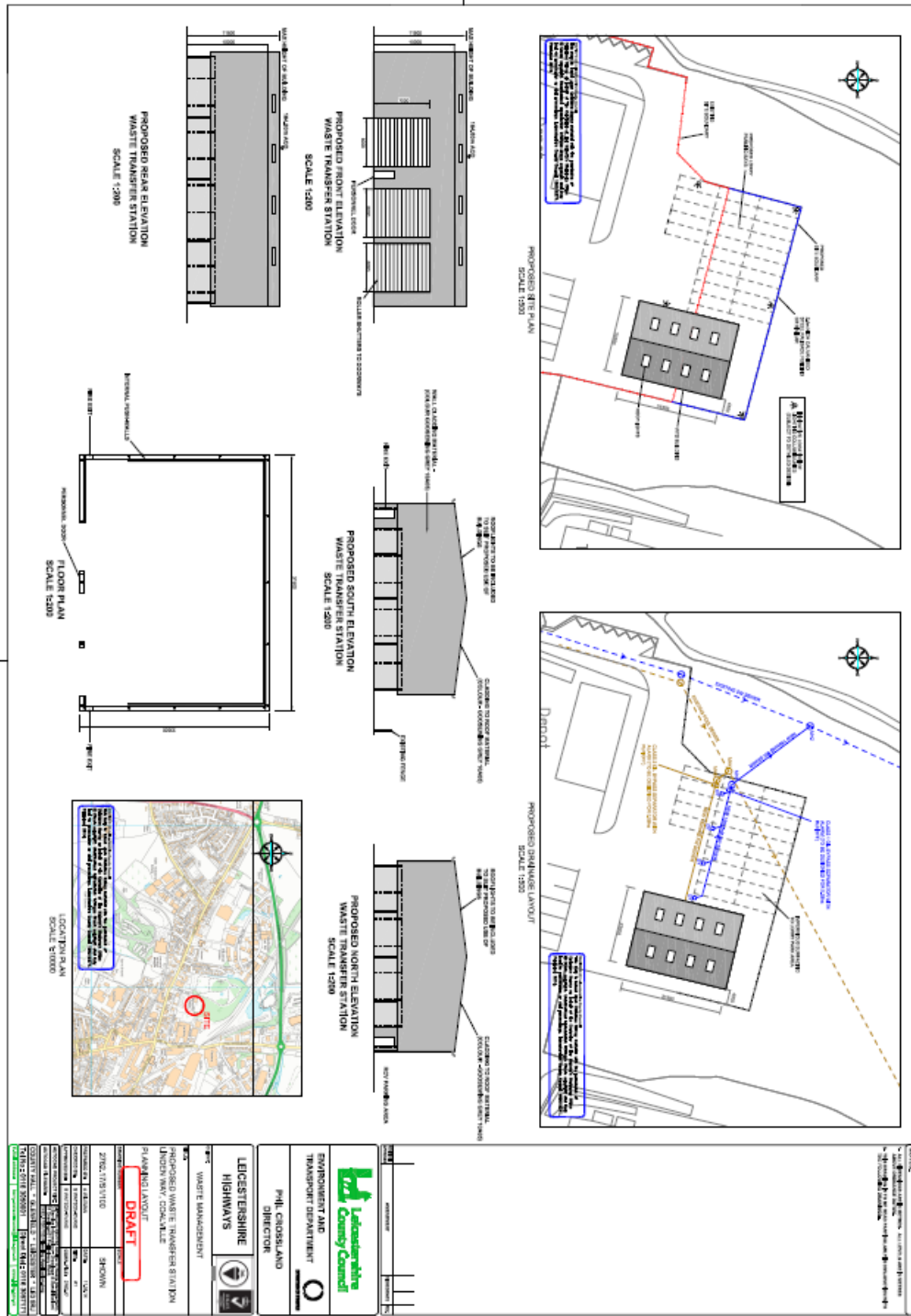
Planning application determined	October 2014
Completion of MOU, Lease and SLA	December 2014
Principal contractor appointed by LCC	January 2015
Commence construction	February 2015
Complete construction	May 2015

APPENDIX 1

Photos of the Refuse Waste Transfer Station at Loughborough for illustrative purposes



Site plan and location



Site location plan (not to scale)

Proposed Site for Refuse Transfer Facility at Linden Way
Linden Way, off Ashby Road, Coalville, LE67 3JY



-  Proposed Refuse Transfer Facility
-  Existing depot footprint
-  Additional land required at rear of depot

APPENDIX 3

JOINT WORKING BETWEEN LEICESTERSHIRE COUNTY COUNCIL (LCC) AND NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL (NWLDC)

LCC and NWLDC (referred to jointly as the Parties) propose to work together jointly to deliver and operate a new Waste Transfer Station (the Site)

At this stage the information below remains subject to contract, and subject to successful planning permission being granted

Key Principles

The joint working will be documented in three agreements as follows:

1. Memorandum of Understanding;
2. Lease;
3. Service Level Agreement.

In addition LCC intends to procure a construction contract and a haulage contract. NWLDC will not be a party to either of these arrangements.

Further information on each of these documents is provided below.

LCC has submitted a planning application in respect of the Site and therefore the entire scheme is subject to adequate planning consent(s) being obtained.

1. Memorandum of Understanding

- This records the Parties desire and intention to work together to perform their respective waste functions within the district area of North West Leicestershire and sets out the aims they are trying to achieve. It acts effectively to document the scheme of the joint works and envisages further more detailed agreements that sit under it (for which see further below). A copy of this document has been provided to NWLDC.

2. Lease

- NWLDC and LCC to agree between them a lease at a peppercorn rent of the land for the Site. Heads of Terms for the lease including the term are to be agreed by respective surveyors and legal teams.

3. Key Elements of the Service Level Agreement (SLA)

Pricing Schedule

Annual management fee for:

- 0 to 20,000 tonnes per annum of agreed acceptable waste types £50,000*¹
- Additional charge for waste collection authority 'black bag' waste

over the 20,000 tonnes

£2.50 per tonne*¹

- Additional charge made for deliveries of Bulky waste and Recycling and Household Waste Site Waste plus any additional related costs incurred by NWLDC by receiving waste outside of the normal working week. This charge is in addition to the £2.50 and would be by mutual agreement with LCC and NWLDC officers. £2.50 per tonne *¹

*¹ Price is inclusive of labour, plant and fuel and an annual indexation based on RPIY will apply. No charge will be levied to LCC for the cost of handling trade waste materials collected by NWLDC

Opening Hours

Normal Working Week (including Good Friday)

Monday to Friday 07:00 – 17:00
(+ additional hours at NWLDC discretion)

Statutory and Bank (Public) Holidays 09:00 – 17:00*²
Saturday 09:00 – 17:00*²
Sunday 09:00 – 17:00*²

*² Subject to prior request and mutual agreement between the Parties

Waste Types

- The following waste types shall be accepted at the Site for bulking and transfer to Designated Treatment Facilities:
 - Kerbside collected Municipal Waste (WCA), EWC 20-03-01, 20-03-07
 - Municipal Waste (RHWS), EWC 20-03-01, 20-03-07
 - Any other municipal waste approved in writing by LCC.

Period of Agreement

- Initial term of 5 years
- It is intended that there would be provision for onward extension beyond 5 years Provisions for early termination on notice and by mutual agreement

Service Requirements

- NWLDC shall ensure that only authorised users access the Site
- NWLDC shall ensure that authorised users of the Site have free and unobstructed access to the Site and are allowed to deposit permitted Waste without unreasonable delay during the opening hours.
- All vehicles are weighed in and out over the weighbridge system and details of the collection/delivery are recorded.
- NWLDC will provide at no additional cost to LCC any mechanical Site Plant that is necessary for the adequate provision of the Service at the Site in accordance with the requirements of the SLA.
- Provisions to be included regarding NWLDC liaison with LCC's haulage contractor.

Site Infrastructure and maintenance

- NWLDC will be responsible for repairing damage to the building and infrastructure caused by its own day to day operations.
- LCC will be responsible for rectification of defects arising from the construction works and the applicable defects period.
- Funding of any improvements required to the Site subsequent to the initial full Construction (i.e. after it's been built) shall be jointly agreed between the Parties during the term of the SLA.
- NWLDC will be responsible for the subsequent revenue costs of all services at the Site including electricity, telephone and water supply, used water, surface water and foul water charges. LCC will be responsible for the initial capital costs of installing the necessary services above.
- The SLA will contractually provide for the occupation of the Site by NWLDC during the term of the SLA.

Permit/Site Tidiness

- NWLDC existing EA Site Permit will be varied to incorporate the Site and operation of a waste transfer station functions.
- NWLDC will ensure that the Site is legally compliant environmentally and meets the requirements of the Site Environmental Permit.
- NWLDC shall ensure that all Waste is stored in a designated container or bay prior to its removal from the Site.
- Provision to be included regarding compliance with applicable planning consents.

Data

- NWLDC will provide LCC with data on a monthly basis in accordance with their requirements detailing but not limited to the following information on the deliveries and collections from the Site:
 - Source
 - Destination
 - Tonnage
 - Date/Time
 - Vehicle registration
 - Waste type

Payment

- NWLDC will provide a quarterly invoice and statement to LCC for managing the operations of the Site. The statement shall include the following elements:
 - One quarter of the applicable management fee from the Pricing Schedule;
 - The total cost for any additional site opening hours negotiated for an emergency event; and tonnages handled

Emergency Arrangements

- The Site should be made available in emergency situations where through agreement with NWLDC arrangements are made to allow additional deliveries to be made into the Site. An emergency would constitute the short term or long term closure of a

treatment/disposal facility or transfer station used by LCC that would result in Waste needing to be diverted to alternative outlets.

Commencement Date

- One month following construction completion of the Site unless otherwise agreed between the Parties.

TUPE

The application of TUPE to be kept under review by the parties in preparing the SLA.

4. Additional Documents

Haulage Contract

- LCC intends to procure a contract for the onward haulage of Waste from the Site to Designated Treatment Facilities/Disposal Facilities.
- NWLDC would not be a party to this contract but would liaise with the haulage operator to schedule collections of Waste from the Site and to load the Waste into appropriate vehicles or allow collection of the designated containers. Further terms on such liaison will be included within the Service Level Agreement.

Construction Contract

- LCC intends to procure a construction contract for the construction works.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**CABINET – 23 SEPTEMBER 2014**

Title of report	LEICESTERSHIRE PLANNING OBLIGATIONS POLICY - RESPONSE TO CONSULTATION
Key Decision	a) Financial No b) Community No
Contacts	Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk
Purpose of report	To advise Cabinet of the publication and consultation by Leicestershire County Council of its Planning Obligations Policy
Reason for Decision	To agree the Council's position
Council Priorities	Not applicable
Implications: Financial/Staff Link to relevant CAT Risk Management Equalities Impact Assessment Human Rights Transformational Government	None Not applicable The District Council as local planning authority is responsible for securing Planning Obligations. However, the County Council as a service provider has an important role to play and is entitled to set out what its requirements may be. The District Council will need to determine what weight should be attached to the County Council's policy and subsequent requests on a case-by-case basis. None No discernible impact Not applicable
Comments of Head of Paid Service	The report is satisfactory

Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Portfolio Holder
Background papers	<p>Leicestershire Planning Obligations Policy – Draft for consultation June 2014 which can be viewed at http://www.leics.gov.uk/lpop_version_2_doc.pdf</p> <p>The Statement of Requirements for Developer Contributions in Leicestershire (December 2006, interim review December 2007) which can be viewed at http://www.leics.gov.uk/dev_cont_update_121207-2.pdf</p>
Recommendation	THAT CABINET AGREES THE COUNCIL'S RESPONSE TO THE LEICESTERSHIRE COUNTY COUNCIL'S PLANNING OBLIGATIONS POLICY AS SET OUT AT APPENDIX A OF THIS REPORT TOGETHER WITH ANY OTHER COMMENTS WHICH CABINET MIGHT WISH TO MAKE.

1.0 BACKGROUND

- 1.1 Leicestershire County Council has published a draft policy in respect of Planning Obligations.
- 1.2 The consultation ran from 27 June 2014 until 8 August 2014. Due to the fact that the consultation period finished before the draft policy could be considered by Cabinet it has been necessary to send officer comments. The County Council has been informed that these comments are subject to confirmation by Cabinet.
- 1.3 The policy is intended to replace the Leicestershire County Council *Statement of Requirements for Developer Contributions in Leicestershire* which was adopted by the County Council in December 2006 followed by an interim review in 2007.
- 1.4 The policy covers those services and facilities for which the County Council is responsible and which could be impacted upon by new development, especially residential development. These are:-
- Adult Social Care and Health
 - Civic Amenity
 - Economic development
 - Education
 - Highways and Transportation
 - Library Services
 - Sports & Recreation facilities

- 1.5 The responsibility for securing planning obligations rests with the local planning authority, which in the case of the vast majority of developments is the district or borough council. In such instances the County Council will be consulted in order to ascertain their views as to the likely impact upon their services, but the ultimate decision about what should be included in any planning obligation will rest with the local planning authority. However, the County Council is the planning authority in respect of minerals applications and so in those instances the County Council will be responsible for securing appropriate planning obligations.

2.0 COMMENTS ON THE DRAFT POLICY

- 2.1 As a matter of principle it is considered appropriate for the County Council to prepare such a policy, especially as it helps to clarify for all those with an interest in potential new development what type of contributions the County Council may seek and how it will calculate such contributions.
- 2.2 There are however a number of concerns which have been identified as set out at Appendix A of this report.

APPENDIX A

Paragraph/Appendix Number	Comment
General	It would be helpful if the document included a clear guiding principle that contributions received by the County Council as a result of a particular development will be spent within the community (or communities) affected by the development concerned.
General	It would be helpful to make it clear that where the County Council is the planning authority that it will make sure that District/Borough Council and Parish/Town Council's are signatories to any S106 Agreements where such authorities have a role and responsibility to deliver the S106 Agreement commitments.
2.1	It is stated that the document has " <i>undergone a formal consultation</i> ". It is not clear what this consultation has involved to date. It would be helpful if the final document could provide more information, possibly in the form of an appendix.
2.2	It is not clear as to what the justification is for saying that the document is capable of being a material consideration in the determination of planning applications. That is a matter for individual local planning authorities to decide when determining planning applications.
3.7	This should be amended to say that in the event of the Community Infrastructure Levy being introduced across Leicestershire that " <i>section 106 may continue to have a role..</i> " rather than "will" as currently stated.
4.6 - 4.9	It would be helpful for clarification purposes to note in here that the potential to pool contributions will be limited after April 2015 under the government's current proposals.
6.1	This section refers to and identifies a number of Sustainable Urban Extensions across Leicestershire. It would be helpful to identify which ones are included in adopted local Plans/Core Strategies for the avoidance of doubt as a number of those listed (including Bardon Grange) are not included in an adopted plan.
7.4	As currently written this is potentially misleading as it implies that viability is only an issue on previously developed land. It needs to be made clear that this is not the case and so viability needs to be considered for all sites.
7.5	As currently worded the second sentence is not clear as to what it is saying.
7.6	This paragraph suggests that where the County Council's requests have not been accepted by the local planning authority then any agreement should include a review mechanism so that there could be an uplift in the level of contributions. This would only be relevant where viability is the reason why the full contributions requested by the County Council are not secured initially. If there are other reasons (for example because it is considered that the request is not reasonably related in scale) then it would not be appropriate to seek to readdress at a later date. This paragraph should be amended to provide more clarity on this distinction in circumstances.

10.1	This paragraph is concerned with cost recovery to cover the cost of negotiations and monitoring of agreements. The paragraph would benefit from rewording for clarity.
10.3	This refers to a (ii) in the previous paragraph but there is no (ii). It also suggest that 3% of the total sum of contributions or £300 per contribution as a charge to cover the County Council's costs as outlined above. No justification is provided for these figures. These need to be explained and justified, particularly as monitoring costs will only contribute towards an increase viability issues.
13.1	The second bullet point refers to regular monitoring reports in respect of the operation of the County Council's policy but it is not clear as to where such reports are made or how often. This needs to be clarified.
Appendix 1, Paragraph 2	This suggests that new development can impact upon the County Council's Adult Social care provision service but it is not clear in what ways this may happen. It would be helpful to have some examples of how new development could impact on social care.
Appendix 1, paragraph 9	This notes that the threshold for seeking contributions is normally 10 or more dwellings, but that on occasion it may be less than 10 dwellings. This may change under the government's current proposals to restrict planning obligations to only developments of 10 or more dwellings. This should be noted in this paragraph.
Appendix 2, paragraph 8	This refers to the pooling of contributions. Such pooling will no longer be possible after April 2015 (as noted in respect of paragraphs 4.6 to 4.9 above).
Appendix 2, paragraph 10	As worded this paragraph does not make sense.
Appendix 2, paragraph 15	This also refers to the issue of thresholds for seeking contributions. This may change under the government's current proposals to restrict planning obligations to only developments of 10 or more dwellings.
Appendix 3, paragraph 7	This appendix is concerned with contributions in respect of education. This paragraph seems to contradict what is said in paragraph 6 in terms of the issue of capacity.
Appendix 3, paragraph 44	This paragraph suggests that agreement should be worded so as to provide flexibility for the County Council in terms of which schools' funding is to be directed to. This will be difficult to do under the government's current proposals to stop the pooling of contributions. It will be necessary to identify a specific project that any monies will be directed towards.
Appendix 3	Consideration should be given to not requiring a contribution to education provision from proposals for affordable housing to meet a local need as it is likely that the education needs are already being met in the locality (ie the development is not generating a new need).
Appendix 4	This appendix is titled 'Economic Growth' but it is not clear as to why this is included nor what should be contributed to and by whom.
Appendix 5	This appendix is concerned with contributions in respect of Highways and Transport and includes a table within which a number of potential contributions are highlighted with a **, but it is not clear what the ** means.

Appendix 7	This section is concerned with Sport and Recreation. This is normally a district/borough function so its inclusion is queried.
Appendix 9	<p>This appendix is entitled Notification Procedure for Planning Obligations. There are a number of aspects in this section (for example paragraphs 5 and 11) which appear to be seeking to dictate how specific matters are to be dealt with. However, such matters are the responsibility of the local planning authority to determine how it deals with them. It would be appropriate to reword these sections to make it clear that the County Council will request that such actions are undertaken, but that they are not specific requirements.</p> <p>Paragraph 22 refers to consultation with the Fire, Police and Health Authorities. As these are not a County Council function (as noted in the policy) it is considered inappropriate to be included in this document.</p>

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE-OFFS
Key Decision	a) Financial No b) Community No
Contacts	Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk Head of Finance 01530 454520 ray.bowmer@nwleicestershire.gov.uk
Purpose of report	To agree write-offs over £10,000 and receive details of debts written off under delegated powers.
Reason for Decision	To comply with proper accounting practices.
Council Priorities	Value for Money
Implications:	
Financial/Staff	There is no additional financial effect as all the debts are met from the Authority's bad debt provision.
Link to relevant CAT	None
Risk Management	Regular reviews of debts for write off moderates the risk that External Audit will "qualify" the Council's accounts on the basis they do not reflect the true level of recoverable income. It is also part of an effective arrears management strategy.
Equalities Impact Screening	Not applicable.
Human Rights	None discernible.
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory

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

1.0 DOUBTFUL DEBT PROVISIONS

1.1 Provision is made in the accounts as follows:

	As at 1 April 2014	Write offs to date (under delegated powers)	Amounts written off over £10,000 approved by Members	Balance Available
Council Tax	£1,475,791.00	£77,924.98	£0.00	£1,397,866.02
Non Domestic Rates	£840,710.00	£11,066.50	£95,312.73	£734,330.77
Housing Rents	£381,230.18	£11,799.51	£0.00	£369,430.67
Sundry Debtors/Housing Benefit Overpayments	£1,143,083.25	£5,634.12	£0.00	£1,137,449.13

2.0 FORMER TENANT RENT ARREARS

2.1 There are currently no Former Tenant Rent Arrears over £10,000 for which we seek Approval for write off.

2.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy are as follows: 39 cases under £1,000 which amount to £5,423.57. Of these, 18 are uneconomical to pursue (£716.19), three are where the tenant is deceased and there is no estate (£375.81). There were 18 cases which qualified for a bereavement allowance following the death of the tenant (£4,331.57).

3.0 CURRENT TENANT RENT ARREARS

3.1 There are currently no Current Tenant Rent Arrears over £10,000 for which we seek approval for write-off.

3.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy are as follows: One case under £1,000 which amounts to £538.13. The tenant has a Debt Relief Order.

4.0 COUNCIL TAX

- 4.1 There are currently no Council Tax debts over £10,000 for which we seek approval for write off.
- 4.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy, are as follows: Eight cases under £100 which amount to £353.27. Of these, three have absconded (£190.36), two are deceased (£28.85), one is insolvent (£28.00) and two are uneconomical to collect (£106.06). There are 38 cases between £100 and £1,000, which amount to £16,800.55. Of these, two have a debt relief order (£1,039.68), 17 have absconded (£6,864.81), three are deceased with no assets (£1,098.03), eight are insolvent (£5,302.06), five are statute barred (£1,674.51) and three are uneconomical to collect (£821.46). There are 11 cases between £1,000 and £10,000 which amount to £20,291.31. Of these, seven have absconded (£7,396.99), one is due to hardship (£4,969.58) and three are insolvent (£7,924.74).
- 4.3 The full list of reasons for writing off debt includes:
- Bankruptcy or a Debt Relief Order is in place
 - Deceased – No assets in the estate.
 - Debtor Absconded / No Trace
 - Company in liquidation/dissolved or ceased trading with no assets
 - Severe Hardship and/or Serious health Issues
 - Statute barred i.e. we cannot legally pursue the debt as there has been six years since the debt fell due and no action has been taken to collect the debt.
 - Uneconomical to collect i.e. it is not financially viable to take further action for e.g. due to the low level of the debt, they have gone abroad etc.
- 4.4 Writing off debts is only considered where all appropriate recovery and enforcement measures have been taken, or, where the council are legally prohibited from pursuing the debt.
- 4.5 Each year the council produces a recovery timetable which details the dates on which the statutory Reminders, Final Notices and Summonses are to be despatched. The letters issued are designed to maximise collection by prompting tax payers to pay their missed instalments in a timely manner, thereby avoiding further enforcement action taking place. A leaflet is included with the reminders to explain what happens next should payment not be made.
- 4.6 For all outstanding debt, the council takes the recovery action outlined in the bullet points below:
- If payment is not received by the instalment due date shown on the bill, a reminder notice is issued.
 - If payment is received within seven days the tax payer may continue with their original instalment plan. If they default again within the year, then one further reminder notice is issued. If they do not pay, the following steps are taken.
 - If payment is not received by the date on the reminder notice, a court Summons is issued. The Summons advises them of the date and time that the Council will

attend a Magistrates Court hearing to apply for the award of a Liability Order against them.

- Once a Liability Order is obtained, the Council has a number of enforcement options open to them in order to secure payment of the debt.

4.7 Liability Order Action

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

1. Apply to the debtor's employer for an Attachment of Earnings.
2. Apply to the DWP for a deduction from the debtor's benefits
3. Instruct an external enforcement company (bailiffs) to collect the debt on the council's behalf.
4. If the bailiff company are unsuccessful, the Council could commence committal proceedings against the debtor.
5. If the debtor owns their own home a Charging Order could be made against the property.
6. If the debt is over £750, bankruptcy proceedings could be commenced against the debtor.

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

5.0 NON DOMESTIC RATES (NDR)

- 5.1 There are currently three Non Domestic Rate debts over £10,000 which amount to £52,847.51 for which we seek approval for write off. The three companies have all gone into liquidation, therefore we cannot legally take any further recovery action against these debts.
- 5.2 The amounts written off under delegated powers in accordance with the policy thresholds are as follows: There are no cases under £100. There are three cases between £100 and £1,000 which amount to £1783.07. Of which, two have absconded (£998.00) and one is insolvent (£785.07). There is one case between £1,000 and £10,000 which amounts to £4,389.73, which is insolvent.
- 5.3 As with the recovery of Council Tax, for Business Rates, writing off debt is only ever considered as a last resort. Often companies, sole traders or partnerships become insolvent and the Council is prohibited from taking any further action as all of their outstanding debts are included within the Administration, Liquidation or personal bankruptcy.
- 5.4 The Council follows the same recovery process for Business Rates as for Council Tax. However, once the Council has obtained a Liability Order there are only a limited number of enforcement actions that can legally be pursued. In most cases, where a payment arrangement or contact cannot be made, the Council refers the case to external bailiffs. If they are unsuccessful, the Council then has three further options to consider before putting the debt for write off. These options are:

- Committal (For sole traders and partnerships only)
- Security for Unpaid Rate (this is the equivalent of a Charging Order on a property but this can only be done with the ratepayers agreement)
- Insolvency Proceedings

6.0 SUNDRY DEBTORS (INCLUDES HOUSING BENEFIT OVERPAYMENTS)

6.1 There are currently no Sundry Debtor cases over £10,000 for which we seek approval for write off.

6.2 The amounts written off under delegated powers in accordance with the thresholds outlined in the write off policy are as follows: There are three housing benefit overpayment cases under £100 which amount to £111.38. Two of these have absconded (£109.92) and one is uneconomical to collect (£1.46). There are 10 housing benefit overpayment cases that are between £100 and £1000 amounting to £4,540.63. Of these, three have a Debt Relief Order (£1,581.71), two have absconded (£1,237.80), three are deceased with no assets (£1,352.26) and two are insolvent (£368.86).

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

- An invoice is issued giving 14 days to make payment, or to contact the council.
- If payment is not received a first Reminder is issued, followed by a second reminder two to three weeks later.
- If payment is not received a 'CIS' (DWP database) check is carried out to assess if an attachment of benefit is appropriate. If benefit cannot be attached the account is sent to an external bailiffs collection team with no cost to the Council. However, they have no powers to enforce the debt at this stage only to collect it.
- If the cases are returned, each case is checked and a decision is made as to whether it is appropriate to start legal proceedings in the County Court.
- If judgement is obtained in the County Court, the following enforcement options are available to consider:-
 1. Attachments of Earnings (deduction of customer's wages, at source by employer)
 2. Warrants of Control (the use of County Court Bailiff, or High Court Sheriff)
 3. Third Party Debt Orders (Utilises the customer's bank account to extract payment)
 4. Charging Order (the debt is secured on the customer's house)
 5. Insolvency (petition for bankruptcy)

7.0 BENCHMARKING

7.1 At the end of 2013/14 we undertook a benchmarking exercise with other Leicestershire and Rutland Authorities. We compared the 2013/14 Council Tax and Non Domestic Rates 'in year' collection rates against the 2012/13 out-turn. This analysis is shown in table 3 below.

Table 3 (*see note below)

2012/13 v 2013/14 Outturn - Benchmarking Analysis for Leicestershire and Rutland

Council	CTax Collection 2012/13	CTax Collection 2013/14	NNDR Collection 2012/13	NNDR Collection 2013/14
North West Leicestershire DC	97.76%	97.42%	99.20%	97.80%
Hinckley & Bosworth BC	98.16%	98.00%	97.74%	98.04%
Harborough DC	98.53%	98.57%	98.35%	99.10%
Melton BC	97.96%	97.80%	98.01%	98.90%
Oadby & Wigston BC	98.80%	98.50%	98.20%	98.30%
Blaby DC	97.05%	97.45%	96.78%	99.13%
Charnwood BC	97.92%	97.73%	98.76%	98.14%
Leicester CC	95.97%	94.81%	97.43%	96.99%
Rutland CC	98.96%	98.80%	98.74%	98.80%

***Please note:** When comparing the data in table 3, account must be taken of the significant variance in the levels of staffing resource at each Local Authority, the number of dwellings, the number of rating assessments, the demographics of each area and the level of affluence/deprivation which all contribute towards the performance figures.

Also, in 2013/14 each council replaced the former fully funded Council Tax Benefit Scheme with a Local Council Tax Support Scheme (LCTS), with 10% less Government funding to pay for it. As 100% support was no longer available, in 2013/14, each council had a higher level of debt to collect from people on low incomes. Many of the people affected had not had to pay council tax before.

In addition to the introduction of the LCTS, the abolition of two council tax empty property exemptions, replaced by local discounts, also created more debt and had a negative impact on the 2013/14 collection rates.

7.2 The Partnership has recently undergone a full service review. Part of the remit of the Institute of Revenues, Rating and Valuation (IRRV) review team was to look at the performance of the Partnership in comparison to similar Shared Services. In the future the Partnership intends to join a new Shared Service benchmarking group, to be established by the IRRV, which will provide more detailed 'like for like' comparable performance data. Benchmarking information will be included in future write off reports once the data becomes available. The current year targets for collecting Council Tax (97.8%) and NNDR (99.0%) will be reviewed with reference to appropriate benchmarking data and performance.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 23 SEPTEMBER 2014

Title of report	MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY
Key Decision	a) Financial No b) Community No
Contacts	Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk Head of Community Services 01530 454832 john.richardson@nwleicestershire.gov.uk
Purpose of report	To consider the recommendations made by the Coalville Special Expenses Working Party.
Reason for Decision	To progress Coalville Special Expenses projects and programmes.
Council Priorities	Value for Money
Implications:	
Financial/Staff	As set out within the budget.
Link to relevant CAT	None.
Risk Management	N/A
Equalities Impact Assessment	None discernible.
Human Rights	None.
Transformational Government	None.
Comments of Head of Paid Service	The report is satisfactory

Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	Members of the Coalville Special Expenses Working Party
Background papers	Agenda and associated documents of the meeting held on 15 July 2014:
Recommendations	TO NOTE THE RECOMMENDATIONS MADE BY THE COALVILLE SPECIAL EXPENSES WORKING PARTY AS DETAILED WITHIN THE MINUTES AND APPROVE THE RECOMMENDATIONS AS SUMMARISED AT 3.0

1.0 INTRODUCTION

- 1.1 The Coalville Special Expenses Working Party meets quarterly to consider financial issues which affect the special expenses area. As the group reports directly to Cabinet, all recommendations made will be sent to the first available Cabinet meeting after the group have met for final approval.

2.0 TERMS OF REFERENCE

- 2.1 To consider budget and financial issues which either solely or predominantly affect the special expenses area alone and to make recommendations back to Cabinet.
- 2.2 To consider possible project options regarding the allocation of surplus reserves which have been examined by the relevant budget officers and to make recommendations to Cabinet.

3.0 RECOMMENDATIONS FROM MEETING ON 15 JULY 2014

3.1 CAPITAL PROJECTS

3.1.1 The following recommendations were made by the Working Party

- a) Surface water testing be conducted at the Urban Forest Park.
- b) Internal resources be utilised in order to conduct a risk assessment of the footpath and drainage proposals at the Urban Forest Park.

3.1.2 Officers consider that these recommendations would provide further evidence on which to base future developments and maintenance work at the Urban Forest Park and as such support the proposals.

3.2 FINAL OUTTURN FIGURES 13/14 AND 14/15 FINANCE UPDATE

3.2.1 The following recommendations were made by the working party

- a) New neon style signage for the Market Hall be funded from the reserves.
- b) Laser style lighting be hired as a one-off for the Christmas switch on event.
- c) Officers work on further proposals that would drive footfall through the market.

3.2.2 Officers support the recommendations with the comment that any signage is appropriate for the newly designated Coalville Conservation Area and agreed with the Conservation Officer.

APPENDIX 1

MINUTES of a meeting of the COALVILLE SPECIAL EXPENSES WORKING PARTY held in the Board Room, Council Offices, Coalville on TUESDAY, 15 JULY 2014

Present: Councillors R Adams, N Clarke, J Geary, R Johnson, J Legrys, M Specht and L Spence

Officers: Mr L Brewster, Mr J Knight and Mr G Lewis

1. APPOINTMENT OF CHAIRMAN FOR ENSUING YEAR

It was moved by Councillor N Clarke, seconded by Councillor J Geary and

RESOLVED THAT:

Councillor R Johnson be elected Chairman of the Working Party for the ensuing municipal year.

Councillor R Johnson then took the chair.

2. APPOINTMENT OF DEPUTY CHAIRMAN FOR ENSUING YEAR

It was moved by Councillor J Legrys, seconded by Councillor R Adams and

RESOLVED THAT:

Councillor J Geary be elected Deputy Chairman of the Working Party for the ensuing municipal year.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors P Clayfield, D Everitt and M B Wyatt.

4. DECLARATIONS OF INTEREST

Councillors J Geary, R Johnson, J Legrys and L Spence declared a disclosable non pecuniary interest in Item 6 – Capital Projects Update as regular supporters of Coalville Town FC.

Councillor J Legrys also declared a disclosable non pecuniary interest in Item 7 – 2014/15 Events Update due to his involvement with Hermitage FM.

5. MINUTES OF THE PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 15 April 2014.

The Leisure Services Team Manager confirmed that the Whitwick Pit Disaster Memorial had now been successfully restored.

Councillor J Legrys thanked officers for their work in ensuring that the memorial was restored. He commented that it was a shame that the memorial was being used as a smoking area by some in the community.

Councillor N Clarke enquired whether the brass plaque had been replaced. The Leisure Services Team Manager confirmed that it had not been replaced but had been polished and cleaned.

Councillor J Geary expressed his disappointment that a visit to Broomleys Allotments had not been arranged, as had been agreed at the last meeting. The Leisure Services Team Manager confirmed that contact had been made with Tim Sporne from the society and a visit would be arranged in due course.

The Leisure Services Team Manager confirmed that Cabinet had agreed to provide free car parking in Coalville Town Centre for five weekends between 22 November and 20 December.

It was moved by Councillor M Specht, seconded by Councillor J Legrys and

RESOLVED THAT:

The minutes of the meeting held on 15 April 2014 be approved.

6. CAPITAL PROJECTS UPDATE

The Leisure Services Team Manager presented the report to Members.

He provided the Working Party with an update on each of the ongoing projects.

Coalville Park Improvements

Minor improvements had been made to enhance the offer to toddlers through the addition of talking flowers that allow two-way communication. These had now been ordered and it was anticipated that delivery would be taken in mid-August and installation would follow in early September.

It was confirmed that Cabinet had agreed with the recommendation not to change the name of Coalville Park. However, it had been requested that the suggestion to install a peace garden in the park be considered further. The Leisure Services Team Manager confirmed that a potential site within the park had been identified and that plans would now be formulated once a budget for the project had been agreed.

Councillor J Legrys suggested that the Working Party visit the proposed site in order to confirm its suitability for the garden. The Leisure Services Team Manager confirmed that he would arrange such a visit.

Councillor J Legrys enquired whether the project would be completed in time for the annual Remembrance Day commemorations in November. The Leisure Services Team Manager confirmed that this would be the aim.

Owen Street Recreation Ground

It was stated that the electricity upgrade works had been completed. However, it had been ascertained that the £60,000 quote to upgrade the fittings on the floodlight columns would not increase the lux levels to the necessary standard. Consequently, another contractor had been approached with a view to developing proposals that will raise the lux levels to a standard that would be sufficient to cope with a further two

promotions. It was anticipated that the new proposals, as well as their cost, would be finalised by the end of August.

The proposed long term lease had now been considered by the football club and had now been returned to Legal Services to finalise. It was stated that, as a short term measure, a one year lease had been agreed and signed in order to satisfy league requirements for the upcoming season.

Once the long term lease had been finalised, the club would be able to apply to the Football Stadia Improvement Fund (FSIF) for match funding for the new changing rooms. It was confirmed that the designs had already been approved by the FSIF, as well as by Building Control and the Asset Management Group at the District Council.

It was stated that the football club had commenced the procurement process for the pavilion and that specifications of work had been sent to three building contractors as had been requested by both the FSIF and the Working Party. Each contractor would quote against the existing planning drawings, including all materials and finishes. A JCT (Joints Contract Tribunal) Design and Build contract would then be issued to the successful bidder in order to ensure that the contractor completed the project within the cost they had quoted.

Councillor N Clarke placed on record his thanks to the Leisure Services Team Manager for having regularly updated members of the Working Party with progress on the project.

Councillor J Legrys enquired as to how the planning application for the project was advancing. The Leisure Services Team Manager responded that the application was currently following due process and that indications were that the application would be called in.

Thringstone Miners Social Centre

It was stated that provisional costs and plans had been obtained for the development of an enclosed grass training pitch. The County Council had advised that the proposed footpath extinguishment would not be viable and had instead suggested a footpath diversion. Consequently, costs were currently being sought for a new footpath that would run across the edge of the land that formerly housed Clover Place play area.

Councillor L Spence stated that he was concerned that the social centre appeared to have isolated themselves within the community. He stated that he had been informed by residents who neighbour the site that there had been little consultation on the project. He enquired whether the District Council could encourage the social centre to liaise more closely with the community. The Leisure Services Team Manager confirmed that he would provide feedback to the social centre accordingly.

Cropston Drive BMX Track and Wheeled Sports Facility

It was confirmed that the BMX track had now been completed. Designs and costs for the wheeled sports facility had been received from two contractors. Unfortunately, a third contractor had not responded. Further consultation had now been undertaken with Greenhill Youth Club and Greenhill Community Shop and the opinions of local children had also been sought. It was stated that a final decision on which design would be implemented would be taken once further stakeholders had responded to the consultation.

Councillor N Clarke suggested that a deadline on responses be set in order to prevent the project being delayed any further. The Leisure Services Team Manager confirmed that he would look into this further.

Broomleys Allotments

It was confirmed that the project had been completed and that feedback had continued to be extremely positive.

Councillor J Legrys enquired how many plots had been taken at the allotment. The Leisure Services Team Manager stated that he would look into this and report back accordingly.

Councillor R Johnson asked how many beehives had been installed at the site. The Leisure Services Team Manager stated that he would contact the society in order to establish the figure before informing Members.

Urban Forest Park

It was stated that it had been established that it would be possible to undertake surface water sampling at the site if desired. However, such an approach would only act as a broad screen looking for contaminants that are appropriate to a landfill site, and would not cover every eventuality. It was confirmed that the cost of undertaking such testing would be in excess of £1,000 and that the final cost would be dependent upon the number of samples required.

The Leisure Services Team Manager confirmed that no issues had arisen from the biannual gas monitoring that occurred at the site and stated that Members needed to decide whether further testing was desired.

Councillor J Geary stated the Council found itself in an awkward position in that the possibility of water contamination had now been established. As such, he argued that the Council had a duty of care to test further in order to prevent any liability in the future. He stated that he favoured spending the £1,000 on further testing on this basis.

Councillor J Legrys thanked officers for having taken their concerns seriously. He agreed that the Council needed to take further action. He suggested that the Council's Health and Safety Officer undertake a proper risk assessment on the footpath and drainage proposals. He stated that he agreed with the idea of testing the surface water and indicated that he thought that this was the minimum that should be done.

Melrose Road Play Area

It was confirmed that the additional safety surfacing had now been fully installed and, as such, the project had now been completed.

Scotlands Changing Pavilion

The £10,000 that had been earmarked for maintenance work on the roof and boilers had now been spent and the work had been completed accordingly. All of the boilers had now been replaced and the roof had been fully refurbished. It was confirmed that, consequently, all balances had now been spent.

Councillor J Legrys proposed that the item remain on the agenda at future meetings of the Working Party due to the possibility of the play equipment at Lillehammer Drive being relocated to the site.

RECOMMENDED THAT:

- a) surface water testing be conducted at the Urban Forest Park.
- b) internal resources be utilised in order to conduct a risk assessment on the footpath and drainage proposals at the Urban Forest Park.

7. 2014/15 EVENTS UPDATE

The Cultural Services Team Manager presented the report to Members.

He provided Members with an update on each event.

St George's Day Flags

It was confirmed that the usual number of St George's Day flags were not erected this year. However, flags were displayed at each side of the Clock Tower, at Market Hall and at the Council Offices.

Picnic in the Park

It was estimated that more than 5,000 people attended this year's event. The event enjoyed an exciting mix of live music, family activities, fairground rides, street entertainers and stalls. The event saw an appearance from European BMX champion Keelan Phillips, as part of the County Council's Big Bike Ride scheme.

The event had received very positive feedback from various stakeholders including the Rotary Club of Coalville, the Friends of Thringstone and the Sir John Moore Foundation. The main theme of the feedback was community engagement and having fun.

The Cultural Services Team Manager paid tribute to the hard work of both Angela Bexton and Julia Harley in ensuring that the event was organised successfully.

Councillor L Spence thanked the Cultural Services Team for their hard work in organising the event. He stated that he feared the event would become undeliverable if its budget was cut any further in future years. He stressed that this year's budget should be seen as the minimum going forward.

Councillor J Legrys echoed the comments regarding the hard work of officers in arranging the event. He stated that it was important to explore external sponsorship opportunities for next year's event as this would ensure that the baseline budget was maintained in the future. He stressed that it was important to ensure that the event moves forward next year and does not become stale. He stated that he was unsure whether it would be wise to schedule the event on the same weekend as the Motorfest next year. He cited the fact that Hermitage FM had been involved in both events and had struggled with the logistics of doing so.

Councillor N Clarke agreed that the event had been a success. He stated that officers had been visible at the event and that he thought this would help with the Council's perception in the community.

Councillor R Johnson stated that the amount of litter at the event had dropped significantly from last year. He went on to say that it was good to see the public being more responsible in this respect.

Coalville by the Sea

Following its success last year, a similar event would be organised for families this year. The event would include games, arts and crafts, puppet shows, music and sandpits and would take place on 8 August in Needhams Walk.

Christmas Events

It had been agreed to combine the Council's Christmas event with the Coalville Town Team's Food and Drink Festival. Both events would be held on 22 November. It was reiterated that Cabinet had agreed that free car parking would be available on each Saturday between 22 November and 20 December.

RESOLVED THAT:

the progress on 2014/15 events be noted.

8. FINAL OUTTURN FIGURES 13/14 AND 14/15 FINANCE UPDATE

The Leisure Services Team Manager presented the report to Members.

It was stated that the outturn figures showed an underspend with a contribution to balances of around £29,000. This was predominantly due to an increase in burial and monument income, a reduction in staffing costs at parks and recreation grounds and reduced service recharges.

It was explained that there was a balance of £81,000 and that it was prudent to retain 5-10% of balances as a reserve. Consequently, it was confirmed that there was around £40,000 to allocate to projects if Members desired.

It was stated that Cabinet had put forward two proposals at its meeting on 24 June. It had been suggested that an allocation of approximately £10,000 be taken from balances to continue with Coalville's Christmas lights improvement programme. Specifically, the money would fund an exterior Christmas lighting scheme which would become a key part of the annual lights switch on event at the Market Hall. Around £1,000 of the money would also be used to repair and refurbish existing lighting where needed.

Similarly, Cabinet had agreed with the proposal to construct a peace garden, in conjunction with Armed Forces Veterans, within Coalville Park. A potential location had been identified and a budget of between £5,000 and £10,000 had been suggested.

Councillor J Geary asked what the maintenance costs for the peace garden would be. The Leisure Services Team Manager stated that this would be dependent on the plans.

Councillor J Legrys stated that he had serious doubts regarding the proposal to spend the reserves on Christmas lighting. He stated that he would prefer the money to be allocated to projects that would be used throughout the year. He suggested that investing in modern signage for the Market Hall would be more beneficial to the Town Centre.

Councillor J Geary stated that the emphasis over the last few years had been on cuts. Consequently, the £10,000 would be better spent on increasing footfall in the town throughout the year. He argued that the current signage did not give a good impression and suggested that modern, neon style signage should be installed. He stated this would be a far more prudent investment and would provide best value for money in tough fiscal times.

Councillor L Spence stated that the Working Party had invested in Christmas lighting in previous years. He stated that he was strongly of the opinion that reserves should be spent on improving footfall within the Town Centre. He stated that the Working Party should be doing all it can to drive economic regeneration throughout the year.

The Leisure Services Team Manager stated that approximately £1,000 of the money had been earmarked to refurbish existing lighting. The consensus of Members was to agree to fund this aspect of the programme.

The Leisure Services Team Manager explained that Parish Councils were being approached to see if they would favour taking over some of the grounds maintenance functions from the County Council. As such, the District Council had been approached regarding the unparished area covered by the Working Party. He stated that the priority areas currently identified as requiring attention were the area around the Phoenix Green Footbridge, as well as the approaches to the town on Bardon Road and Ashby Road.

Councillor J Geary stated that the County Council were taking this approach solely so that they could save money. He argued that the County Council had not fulfilled their duties in this respect and stated that the lack of upkeep on the Ashby Road corridor was a disgrace.

Councillor L Spence stated that the County Council would only fund the basic costs of doing the work. He stated that he believed the Working Party would have to supplement the funding for the work in order to complete it to a good standard.

Councillor N Clarke reminded Members of the Community Right to Bid. He enquired whether it would be possible for the Working Party to bid to take over the grass cutting function from the County Council.

Councillor M Specht stated that a meeting of Parish Councils had been arranged for 6 August to discuss this issue. He suggested that it should be ascertained whether Members of the Working Party could attend this meeting.

The consensus of Members was to attend the meeting on 6 August before discussing whether taking over grounds maintenance functions would be favoured.

It was moved by Councillor J Geary, seconded by Councillor J Legrys and

RECOMMENDED THAT:

a) new neon style signage for the Market Hall be funded from the reserves.

b) laser style lighting be hired as a one-off for the Christmas switch on event.

c) officers work on further proposals that would drive footfall through the market.

9. DATES OF FUTURE MEETINGS

Members noted the dates of the future meetings.

The next meeting will be on Tuesday, 14 October 2014 6.30pm in the Board Room.

The meeting commenced at 6.30pm

The Chairman closed the meeting at 7.44 pm

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