

Meeting	CABINET
Time/Day/Date	5.00 pm on Tuesday, 9 December 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

Item	Pages
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
3. PUBLIC QUESTION AND ANSWER SESSION	
4. MINUTES	
Minutes of the meeting held on 18 November 2014	3 - 10
5. CAPITAL PROGRAMMES - GENERAL FUND, COALVILLE SPECIAL EXPENSES AND HOUSING REVENUE ACCOUNT (H.R.A). PROJECTED OUTTURN 2014/15 AND DRAFT PROGRAMMES 2015/16 TO 2019/20	
Report of the Head of Finance Presented by the Corporate Portfolio Holder	11 - 22
6. EAST MIDLANDS GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE - LOCAL IMPACT REPORT	
Report of the Director of Services Presented by the Regeneration and Planning Portfolio Holder	23 - 28



7. 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

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8. 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.

9. RECYCLING CREDITS

Report of the Director of Services
Presented by the Community Services Portfolio Holder

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Circulation:

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

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 18 NOVEMBER 2014

Present: Councillor R Blunt (Chairman)

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

In Attendance: Councillors D De Lacy, R Johnson, J Legrys, T Neilson and S Sheahan

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mrs C Hammond, Mr G Jones and Miss E Warhurst

59. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

60. DECLARATION OF INTERESTS

Councillor N J Rushton stated that should the debate on item 6 – General Fund Revenue Budget Proposals 2015/16 go into detail relating to the operations of the market he would declare a disclosable pecuniary interest , as the owner of the indoor market in Ashby de la Zouch and would leave the meeting.

61. PUBLIC QUESTION AND ANSWER SESSION

There were no public questions received.

62. MINUTES

Consideration was given to the minutes of the meeting held on 21 October 2014.

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

RESOLVED THAT:

The minutes of the meeting held on 21 October 2014 be approved and signed by the Chairman as a correct record.

Reason for decision: To comply with the Constitution.

63. LOCAL PLAN - REPRESENTATIONS MADE IN RESPONSE TO REGULATION 18 CONSULTATION

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

He advised Members that the Regulation 18 consultation was the first stage of the process in preparing the Local Plan. He informed Members that the two most significant issues that were highlighted in the responses were renewable energy and heritage, and it was now proposed to include these in the Local Plan.

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

RESOLVED THAT:

Cabinet notes the representations made in response to the Local Plan Regulation 18 consultation and the Council's response set out within appendix B, as attached.

Reason for decision: To ensure that Cabinet is aware of the outcome of the Regulation 18 consultation.

64. GENERAL FUND REVENUE BUDGET PROPOSALS 2015/16

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the proposals detailed in the report would go out for consultation and would be considered by Policy Development Group in January and it would then be reported back to Cabinet in February to agree a recommendation to Council. He highlighted that there was an underspend forecast of £800,000 due to increases in income from planning fees, recycling and additional New Homes Bonus. He stated that a number of savings had been put in place including reductions in the Revenues and Benefits Partnership contributions and ICT efficiency savings.

He informed Members that it was proposed to use £500,000 of the Value for Money reserve to establish a Business Bidding Fund, and allocate funds from the General Fund reserve to fund additional costs of the Local Plan and additional works to Coalville Market. He also advised that the Council proposed to continue the Local Council Tax Support Scheme Grants to the Town and Parish Councils and that it was intended to freeze Council Tax for a sixth year.

Councillor T J Pendleton advised Members that there had been an unprecedented amount of planning applications submitted recently, but stated that this may not continue. He informed Members that to ease the pressure with the extra applications and to ensure that the Local Plan was produced appropriately extra staffing would be required.

Councillor A V Smith stated that she was very proud of the recycling rate within the district and thanked the residents for their hard work. She highlighted that the income generated was dependent on the market value and that the Council had to get the best price.

Councillor T Gillard informed Members that the money that had been spent on Coalville Market had been received well. He stated that the traders were happy and that they had seen an increase in footfall.

Councillor R D Bayliss advised Members that the Revenues and Benefits Partnership had now been going for four years and that it had maintained costs, but was now starting to show savings following the review.

Councillor R Blunt stated that there were concerns about how the partnership would work and that it was observed that savings were not always made straight away.

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

RESOLVED THAT:

Cabinet

1. Approves the General Fund Revenue Budget proposals as set out in this report;
2. Approves the allocations of resources from reserves detailed in section 5; and
3. Agrees in principle to continuing the payment of LCTS Grants to Town and Parish councils subject to confirmation by Cabinet when it sets the Council Tax base in January 2015.

Reason for decision: To enable the Council to set a balanced budget as required by law.

65. HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS FOR 2015/16

The Housing Portfolio Holder presented the report to Members.

He advised Members that the Government had announced that from 2015/16 new guidance on setting rent increases would be introduced and, if adopted, this would have a downward effect on future rental income predictions. He stated that officers had looked into the possible options for the Council to approach for rent increases and these were detailed in the report and option C – Accelerated Convergence was the recommended approach. This would enable the Council to continue to invest in bringing the housing stock up to a high standard, and also result in all tenants paying the same rent for similar properties. He informed Members that under option C the reserves would be in a position to enable the Council to repay its outstanding loans in seven years.

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

RESOLVED THAT:

1. The assurance statement by the S151 Officer be noted.
2. Cabinet approves the draft HRA Budget proposal as detailed in this report, with option C as the recommend approach for rent increases and associated appendices for consultation.

Reason for decision: To enable the Council to set a balanced Housing Revenue Account Budget for 2015/16.

66. APPROVAL OF HOUSING POLICIES

The Housing Portfolio Holder presented the report to Members.

He advised Members that the report included both refreshing existing policies and adopting new ones.

He highlighted that the Under Occupation Policy had been amended to include incentive payments, which consisted of a payment of £2,000 to tenants who moved from a house to a supported or sheltered property, and a payment of £1,000 to tenants liable to pay the under occupation charge who moved to a smaller Council or Housing Association property.

He informed Members that two new policies were to be introduced relating to garages and tenancy. The Garage Policy will enable the Council to review all garage sites and put them to the best possible use. Under the Tenancy Policy, he explained the two types of tenancy that the Council would now offer – Introductory Tenancies for new tenants, and Lifetime Secure Tenancies to existing tenants. As the latter would help foster stable communities, and avoid transient neighbourhoods, he felt the Council should offer lifetime secure tenancies.

Councillor R Blunt stated that he would be happy to back the decision to stay with lifetime secure tenancies.

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

RESOLVED THAT:

Cabinet approves the adoption of the policies detailed in appendix A of the report.

Reason for decision: Policies have been reviewed and created to reflect the requirements of the service for the medium term.

67. AUTHORITY TO AWARD BANKING CONTRACT

The Corporate Portfolio Holder presented the report to Members.

He reminded Members that the main banking contract had been awarded last year, however the bank had now made it clear that they wished to leave the local authority banking market. He advised Members that there was a new ESPO contract framework that would assist with the tendering process, but there were not many suitable banks in the market and the Council would be looking for a smooth transition.

Councillor R Blunt asked what problems would be envisaged with moving banks.

Councillor N J Rushton stated that it was hoped that the new bank would come in and pick up where the current bank had left off.

The Head of Finance stated that it was expected the current bank would fully co-operate with the transition and that the Council did have a contingency plan in place. He informed Members that the new contract would be in place in time for the new Council Tax billing run.

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

RESOLVED THAT:

Cabinet

1. Notes the tender process selected for the banking services contract;
2. Delegates authority to the Chief Executive, in consultation with the Corporate Portfolio Holder to award the banking services contract.

Reason for decision: The level of potential expenditure exceeds the authority threshold in the Scheme of Delegation.

68. NWLDC APPROACH TO COMMUNITY RIGHTS

The Community Services Portfolio Holder presented the report to Members.

She informed Members that she was pleased with how the community had responded to the Right to Bid and that the report detailed a range of assets that had been nominated so far.

She advised Members however that the Community Right to Challenge and Community Asset Transfer had not had the same level of interest. She stated that the report contained a new process for considering requests in the future and highlighted that delegated authority was being sought to allow the Director of Services to decide asset transfers on an initial five year lease to test whether or not the arrangement was viable.

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

RESOLVED THAT:

Cabinet:

1. Approves the Council's approach to the exercise of community rights in the district;
2. Delegates authority to the Director of Services, in consultation with the Portfolio Holder to decide community asset transfers on an initial 5 year lease to test viability.

Reason for decision: To provide a framework for Community Rights requests.

69. DELEGATION OF BUSINESS RATES POOLING DECISIONS

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the report was asking for authority to be delegated to the Chief Executive and Section 151 Officer in consultation with himself, to enter or withdraw from the business rates pooling rather than continuing to bring a report to Cabinet.

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

RESOLVED THAT:

Cabinet delegates authority to the Chief Executive and Section 151 Officer, in conjunction with the Corporate Portfolio Holder, to enter and withdraw from future business rates pooling agreements and negotiate their terms.

Reason for decision: To improve the efficiency of business decisions.

70. MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY

The Community Services Portfolio Holder presented the report to Members.

She thanked the Members of the Working Party for the continuing work that they had done. She stated that she was pleased with the progress on the Coalville Park Peace Garden and that the wheeled sport facility at Cropston Drive had been completed, with further improvements being looked into. She added that whilst investment and improvement to the outdoor spaces and play provision was continuing, the Council needed to ensure that there was enough warden resource available.

She advised Members that plans were in place for the Christmas lights switch on and was pleased that the Working Party was already planning ahead for the next year. She highlighted the proposal for Proms in the Park.

She informed Members that she would be recommending items a, b and c detailed at 3.1.1 of the report however item d would be removed as the grass cutting offer was no longer available to District Councils.

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

RESOLVED THAT:

Cabinet notes the recommendations made by the Coalville Special Expenses Working Party as detailed within the minutes and approves the recommendations as summarised at 3.0 as amended by the Portfolio Holder.

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

71. CHILDREN, YOUNG PEOPLE AND ADULT SAFEGUARDING REPORT 2013/14

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

He informed Members that a joint audit of all the District and Borough Councils in the County had been undertaken and that the Authority was doing very well, however following the audit there were two areas in which there was room for improvement. He highlighted the number of designated officers within the Council and that there was a seasonal rise in the number of incidents reported that was in line with other agencies.

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

RESOLVED THAT:

Cabinet notes the continuing focus on safeguarding in North West Leicestershire District Council.

Reason for decision: For Cabinet to be informed of procedures and annual data in relation to the Council's statutory duty to ensure compliance with safeguarding duties as detailed in Sections 10 and 11 of the Children Act 2004 and Working Together 2013.

72. 2014/15 QUARTER 2 PERFORMANCE MANAGEMENT REPORT

The Leader presented the report to Members.

He informed Members that all three benefit performance indicators had exceed targets, 100% satisfaction had been achieved with the Decent Homes works and that it was projected that there would be a significant underspend for the year on the General Fund of £800,000. He highlighted that the absence rate was slightly below target at 3.67 days per full time equivalent employee.

He advised Members that following the launch of the re-designed website he was pleased to report that the number of customers using it to report incidents and request services had increased, and following a quality assessment at Hood Park Leisure Centre the facility was assessed as good overall. He stated that a Head of Partnership had recently been appointed for the Revenues and Benefits service and that customer satisfaction for Development Control remained high at 91%.

Councillor T J Pendleton highlighted that there had been 2 slippages within the Development Control targets, however following the recruitment of the new Head of Regeneration and Planning and other support staff it was hoped that the slippages would be put right.

Councillor T Gillard highlighted that the improvement works to Coalville Market had seen an increase in trading and revenue.

Councillor R D Bayliss highlighted the performance indicators for housing. He stated that in relation to the choice based lettings, bids had to be done online so some residents who did not have access to the internet may find it difficult to bid and that some residents struggled to understand the banding process. In relation to the average re-let times, he advised that work was being undertaken by the Interim Decent Homes Team Manager, alongside the Director of Housing to assist with returning void properties to use.

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

RESOLVED THAT:

Cabinet receives and comments on the Quarter 2 Performance Report (July – September 2014).

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

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.55 pm

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 9 DECEMBER 2014

<p>Title of Report</p>	<p>CAPITAL PROGRAMMES – GENERAL FUND, COALVILLE SPECIAL EXPENSES AND HOUSING REVENUE ACCOUNT (H.R.A). PROJECTED OUTTURN 2014/15 AND DRAFT PROGRAMMES 2015/16 TO 2019/20</p>
<p>Key Decision</p>	<p>a) Financial Yes b) Community Yes</p>
<p>Contacts</p>	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Finance 01530 454520 ray.bowmer@nwleicestershire.gov.uk</p>
<p>Purpose of Report</p>	<p>To advise Members of the likely Capital Outturn and the relevant financing for 2014/15 for the General Fund, Coalville Special Expenses and the H.R.A.</p> <p>To seek approval to the draft General Fund, Coalville Special Expenses and H.R.A Capital Programmes for 2015/16 to 2019/20 and associated funding for consultation.</p>
<p>Reason for Decision</p>	<p>To enable projects to be included in the Programmes for consultation.</p>
<p>Council Priorities</p>	<p>The projects in the Capital Programmes help the Council achieve all its priorities.</p>
<p>Implications</p> <p>Financial / Staff</p> <p>Links to relevant CAT</p>	<p>As contained in the report.</p> <p>The Capital programmes are potentially relevant to all Corporate Action Teams (CATs).</p>

Risk Management	The Capital Programmes are monitored at project level to ensure they are delivered on time and within budget.
Equalities Impact Screening	No impact at this stage.
Human Rights	None identified.
Transformational Government	The Programmes attached are integral to delivering better services.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Section 151 Officer	As author the report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	CLT and budget holders.
Background Papers	None.
Recommendations	<p>A. THAT CABINET APPROVES THE PROJECTED OUTTURN FOR THE GENERAL FUND, COALVILLE SPECIAL EXPENSES AND H.R.A. CAPITAL PROGRAMMES FOR 2014/15 AND PLANNED FINANCING.</p> <p>B. THAT CABINET APPROVES FOR CONSULTATION THE DRAFT CAPITAL PROGRAMMES IN 2015/16 DETAILED IN:</p> <ul style="list-style-type: none"> • APPENDIX “A” GENERAL FUND AND SPECIAL EXPENSES CAPITAL SCHEMES • APPENDIX “B” FOR HRA CAPITAL SCHEMES

1.0 INTRODUCTION

- 1.1 Attached at Appendix “A” is the General Fund and Special Expenses draft Capital Programme for 2015/16 to 2019/20.”
- 1.2 Appendix “B” shows the H.R.A. draft Capital Programme for 2015/16 to 2019/20.
- 1.3 The Appendices also present the estimated outturn for the current year for approval.

2.0 ESTIMATED OUTTURN 2014/15

- 2.1 The projected outturn for 2014/15 on General Fund schemes totals £2,402,000. This is a planned increase of £108,000 on the original budget for the year of £2,294,000.
- 2.2 This managed increase is caused by the following:

Schemes carried forward from 2013/14	£	£
User Work Station Replacement	47,000	
Improving Customer Experience (ICE)	60,000	
Waste Management System, SAN and Virtual Replacement	56,000	
Car Park(Retention Element)	4,000	
Disabled Facilities Grant	1,000	
Total	153,000	321,000
Additional Approved Schemes 2014/15		
Coalville Market Phase 2	127,000	
Additional Disabled Facilities Grant	17,000	
Total		144,000
Planned Reductions 2014/15		
Disabled Facilities Grant – Slippage into 2015/16	(175,000)	
Whitwick Business Centre – Central Heating System - Under Spending	(50,000)	
Caravan Site – Appleby Magna, Fire Risk Scheme – slippage into 2015/16	(100,000)	
Council Offices Extension Car Park	(32,000)	
Total		<u>(357,000)</u>
		108,000

The planned financing of the General Fund expenditure totalling £2,402,000 in 2014/15 is as follows:

	£
Disabled Facilities Grant and PCT Monies Carried Forward	284,000
Revenue Contributions to Capital	149,000
Value for Money Reserve	471,000
Other Reserves	305,000
Leasing/Internal Borrowing	<u>1,193,000</u>
Total	<u>2,402,000</u>

- 2.3 There were sufficient funds identified prior to this capital spend being committed.
- 2.4 The carried forward schemes shown in paragraph 2.2 above is expenditure which was originally expected and budgeted for in 2013/14 but which has fallen in 2014/15 and for which the budgeted financing has also been carried forward.

3.0 GENERAL FUND CAPITAL PROGRAMME 2015/16 TO 2019/20 – INDIVIDUAL SCHEMES

3.1 The programme for 2015/16 to 2019/20 detailed in Appendix A provides for a continuation of the current Disabled Facilities Grants Scheme and the Vehicle Replacement Programme. The following new schemes are included in the programmes for approval to commence in 2015/16:

3.1.1 User Workstation Monitor Replacements (£7,000)

The current monitors are between three and five years old and will need replacing as the fluorescent backlighting fails. Use of new LED lighting is more cost efficient and will reduce running costs.

3.1.2 Helpdesk Software Upgrade (£12,000)

The current LAN desk software is out of support and an improved call logging system is required in response to feedback from satisfaction survey. We will also save £6000 per annum in support charges from the old software.

3.1.3 Server and Storage additional capacity (£29,000)

The current servers are around six years old and will soon become out of support. Additional storage capacity will allow remaining business critical servers (such as OPENhousing and IDOX) to be migrated to updated hardware prior to a move to cloud based solution.

3.1.4 Replacement Telephone System (£70,000)

The Council currently uses two main telephone systems. One system is based on current technology and owned by the Council, with critical equipment located on various sites to provide continuity of service in the event of a critical power or telephone line failure. This system is used by Customer Services and Leisure. The other system, which is used by the majority of officers at the main council offices, is based on old technology and owned and managed by the provider. Adding sufficient capacity to the newer Customer Services / Leisure system to create a single telephone system to support all officers, and cancelling the existing contract, will save the Council approximately £40,000 per annum as well as providing a better service to customers and officers. Capital funding of £70,000 is requested to realise these savings and support these improvements

3.1.5 Belvoir Shopping Centre, Main Service Road, Coalville (£12,000)

New scheme added to address maintenance/improvement issues. The construction of the service road presents problems, part of it being a mixture of a rigid concrete pavement overlaid with a flexible paving material (tarmac). The current surface is coming up to five years old and to preserve the condition and maximise the life of the surface before it will need to be renewed again. Selected defects need repairing.

3.1.6 Silver Street/Hermitage Leisure Centre Car Park -Resurfacing (£50,000)

This scheme, previously in 2016/17 has been brought forward into 2015/16. The condition of the surface at this site has continued to deteriorate steadily and has required further repairs (patching of potholes and some larger areas) to manage potential trip hazards and maintain it in a satisfactory condition.

3.1.7 Replace asbestos roof on outdoor pool change at Hood Park Leisure Centre (£17,000)

This was identified through a condition survey in 2010. The roof of the older outdoor pool changing cubicles is overlaid with corrugated asbestos sheets with asbestos ridge tiles and translucent sheets. Whilst the roof is checked visually on a monthly basis, replacement of it would totally remove any health and safety risk the asbestos may create through being damaged

3.1.8 Replace External Flashing at Hermitage Leisure Centre (£12,000)

The flashing is a weather resistant barrier on the external buildings that prevents water seeping into joints and structures. Through elements being damaged and worn over a period of time, the flashing now needs replacing.

3.1.9 Wellbeing Centre at Hood Park Leisure Centre (£400,000)

Section 106 contributions have been received for a Wellbeing Centre at HPLC. The intention is to convert the dry side changing rooms into a facility that can be used by existing members as part of the fitness room offer (thereby increasing capacity and giving the ability to sell more memberships), whilst also having an area that can be used by targeted groups – exercise referral, the elderly, and children and young people, people undergoing rehabilitation, etc. Public Health and the Clinical Commissioning Group are engaged as part of the project to help design the facility in the hope that they may be able to utilise it to help meet some of their objectives and/or they may be able to commission us to deliver initiatives on their behalf within it. The cost at this stage is based on the amount of funding received to date.

3.2 With regard to the Fleet Replacement Programme, each year a number of vehicles either come to the end of their lease period or their lease extensions are reviewed. Each vehicle is reviewed based on its age, condition, mileage, potential risk of major repairs (due to being out of warranty) and a decision is made whether to extend the lease or replace the vehicle.

3.3 These decisions are made in the previous year in order to allow a suitable lead-in period from order to delivery in April, particularly for large items such as refuse vehicles. Many of these vehicles are built to order and these orders have to be placed before October for delivery the following April. Therefore, although they are actually acquired in April a commitment has to be made in the previous year.

3.4 In order to progress with the 2016/17 purchases approval will be sought for the following vehicles:

	£
Refuse Kerbsider (End of Lease)	172,000
Refuse (2x refuse vehicles. End of Lease and End of Life)	350,000
Market Vehicles/Cars (End of Life)	15,000
Vans - Small (4x End of Lease)	60,000
Vans - Medium (2x End of Lease)	32,000
Vans - Pickup (End of Life)	25,000
Bin Lifter (New for refuse vehicle)	20,000
Tractor Plant (End of Life Baler, loading shovel and Tractor)	250,000
Mowing Machines (2x End of Lease)	60,000
Total	<hr/> 984,000

3.5 The General Fund Capital Programme (2015/16) will be funded by:

	£
S106/Grants	400,000
Internal Borrowing	1,050,000
Reserves	294,000
Revenue Contribution	149,000
Disabled Facilities Grants	<u>237,000</u>
Total	2,130,000

4.0 COALVILLE SPECIAL EXPENSES – ESTIMATED OUTTURN AND INDIVIDUAL SCHEMES

4.1 The projected out turn for Coalville Special Expenses is £216,000. This is £14,000 more than the approved budget of £202,000. This is mainly due to slippage from prior year on the following projects

	£
Coalville Park Improvements	1,000
Melrose Road Play Hub	2,000
Broomleys Allotments	1,000
Urban Forest Park – Play equipment	9,000
Owen Street – Floodlights	<u>1,000</u>
Total	<u>14,000</u>

4.2 There are no new schemes agreed at present for 2015/16.

5.0 H.R.A. CAPITAL PROGRAMME 2015/16 - 2019/20 – INDIVIDUAL SCHEMES

5.1 The HRA Capital programme (Appendix “B”) covers in detail the capital schemes for the period 2015/16 to 2019/20.

5.2 Planned spend in 2015/16 and onwards mainly consists of

5.2.1 Decent Homes Improvement Programme (DHIP)

The Decent Homes standard was introduced by the last Government to drive up the quality of social housing across the country. The standard sets a range of indicators for different elements of tenants’ homes. North West Leicestershire previously had the highest national level of predicted Non Decency on this assessment at 70%.

Government had set aside £2.1bn, out of which £0.6bn was ring fenced to new Stock Transfer gap funding and the remaining £1.5bn was available for councils, with over 10% of their stock non decent, to bid for. The Council bid was successful and it received £3.7m for 2012/13, with further funding of £8.5m for years 2013/14 and £7.55m for 2014/15. The latter was the last year of grant funding from the Government, and there will be no further grants in the foreseeable future.

The Council will therefore continue to invest in the Decent Homes Investment Programme to maintain the level of decency across the Housing Stock.

The Decent Homes Improvement Programme for 2015/16 will invest £5.29 million in improving tenants’ homes.

5.2.2 Housing Planned Investment Programme (HPIP)

In addition to delivering the Decent Homes Improvement Programme, there are a wide range of other investments required to maintain and enhance the housing stock and associated services and assets, which are outside the Government's definition of Decent Homes works. This part of the housing capital programme is funded by the annual transfer of a Major Repairs Allowance from the Housing Revenue Account.

6.0 CAPITAL RESOURCES

6.1 The resources estimated to be needed to finance the General Fund programme 2015/16 to 2019/20 total £5,984,250 as follows:

	£
2015/16	2,130,000
2016/17	1,536,750
2017/18	1,282,500
2018/19	984,000
2019/20	<u>51,000</u>
Total	<u>5,984,250</u>

6.2 Funding is in place in 2015/16 for the Disabled Facilities Grants Scheme (£560,000) consisting of £237,000 Disabled Facilities Grants, £174,000 of reserves and £149,000 of Revenue Contribution. The remaining schemes can be funded through either leasing or borrowing depending on value for money and provision has been made in the 2015/16 Revenue Budget.

6.3 The following resources are estimated to be available for financing the Housing Revenue Account Programme. A surplus of £987,000 can be carried forward to 2015/16.

	£
Major Repairs Reserve Balance at 1 st April 2014	1,996,000
Available Capital Receipts at 1 st April 2014	2,539,000
RCCO	2,922,000
Major Repairs Allowance 2014/15	4,008,000
Decent Homes Funding 2014/15	<u>7,547,000</u>
Resource available to Finance 2014/15 Capital expenditure	19,012,000
Less:	
Used to finance HRA Capital Expenditure in 2014/15	<u>18,015,000</u>
Resource available at 1 st April 2015	987,000
Contribution to Major Repairs Reserve 2015/16	3,991,000
Revenue Contribution in 2015/16	2,590,000
Retained Right to Buy Receipts	667,000
Capital Receipts/Allowance	<u>122,000</u>
Resource available to Finance 2015/16 Capital Expenditure	<u>8,367,000</u>
Less:	
Used to Finance HRA Capital Expenditure in 2015/16	<u>8,367,000</u>
	0
Resource Available at 1 st April 2016	0

6.4 The Cabinet is recommended to approve £31,000 in the 2014/15 financial year to complete urgently required capital works at five HRA shops in Blackfordby Lane, Moira. There has been limited investment from the council in these shop premises in preceding

years, and after inspections by the council's surveyor, it has now become apparent that the required works cannot be delayed until 2015/16. It is therefore being proposed that works including the supply and fitting of new shutters, new windows, a new heating system and cavity wall insulation are completed during the current financial year.

7.0 NEXT STEPS

- 7.1 This report will be presented to the Policy Development Group at its meeting on 7 January 2015. Consultation with the business community will be through the Leicestershire, Northamptonshire and Rutland Federation of Small Businesses. Any comments received will be included in the report to Cabinet on 10 February 2015 which will make the final recommendations to Council on 24 February 2015.

DRAFT GENERAL FUND CAPITAL PROGRAMME 2015/16 to 2019/20

SCHEME										FUNDING					
	2014/15	2014/15	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	GRANTS/	DF	OTHER	RESERVES	REVENUE	LEASING	SALIX
	ORIGINAL	Actual @	FORECAST						S106 CONTRIB	GRANTS	RESERVES	ASSET PROT		OR	LOAN
	BUDGET	Period 6	(Inc c/f & slippage)									FUND		BORROWING	
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
CHIEF EXEC DIRECTORATE															
Network Upgrade	100,000		100,000											100,000	
SAN and Virtual server replacement	-	-	4,000											4,000	
User Work Station Replacement	-	51,000	47,000											47,000	
Improving Customer Experience Project (ICE)	-	21,000	60,000								25,000			35,000	
Waste Management System (ICE)	-	59,000	56,000									56,000			
Payroll Software	37,000		37,000											37,000	
User workstation monitor replacements				7000	7000	7000								21,000	
Helpdesk software upgrade				12000										12,000	
Server and storage additional capacity				29000										29,000	
Replacement telephone system				70000							70,000				
DIRECTOR OF SERVICES															
Disabled Facility Grants	546,300	150,000	543,000	560,000	386,000	386,000			952,000		327,000		596,000		
Waste Services	390,000	46,000	390,000	468,000	542,000	672,000	575,000	-	-	-	-	-	-	2,647,000	
Cars/vans	170,000	72,000	171,000	117,000	132,000	130,000	235,000	15,000	-	-	-	-	-	800,000	
Plant / Equipment	85,000	51,000	85,000	176,000	310,000	-	140,000	-	-	-	-	-	-	711,000	
Council Offices Extnsn car park c/ville, Resurfacing	32,000	-	-	20,000	-	-								20,000	
Market Hall CP, C/Ville - Resurfacing	64,500	61,805	63,390	-	-	-								63,390	
South Street Car park, Ashby - Resurfacing	22,500	-	22,500	-	-	-								22,500	
Hermitage Rec Grounds AWP Area Access, Whitwick - resurfacing	11,500	-	11,500	-	-	-								11,500	
North Street, Ashby: Resurfacing.				-										-	
Hermitage Leisure Centre Car Park - Resurfacing (section of).						15,000								15,000	
Hermitage Recreation Grounds, Whitwick, All Weather Play Area Car Park				-	2,500	-								2,500	
Belvoir Shopping Centre, Main Service Road, Coalville - Maintenance.				12,000										12,000	
Silver Street Car Park, Whitwick - Resurfacing.				50,000										50,000	
Hood Park Leisure Centre Car Park, Ashby - Resurfacing (section of).					15,000									15,000	
North Service Road Car Park, Coalville - Maintenance & Improvements.					32,250									32,250	
Bridge Road Car Park, Coalville - Resurface main through route.						21,500								21,500	
Materials Separating Technology - Linden way Depot	190,000		190,000	-	-	-						190,000		-	
Whitwick Business Centre - Central Heating System	150,000	4,000	100,000	50,000							150,000				
Coalville Market Upgrade	168,000	167,000	168,000						43,000		53,000	72,000			
Coalville Market Upgrade -Phase 2			127,000								127,000				
Market Hall Wall				30,000										30,000	
Caravan Site - Appleby Magna, Fire Risk Scheme	175,000		75,000	100,000										175,000	
Replace asbestos roof on outdoor pool change at Hood Park LC				17,000										17,000	
Replace external flashing at Hermitage LC				12,000										12,000	
Coalville Park - Reconfigure depot, replace building					80,000									80,000	
Upgrade Hood Park LC outdoor pool electrics					20,000									20,000	
Replace Hood Park LC outdoor learner pool boiler and pipework					10,000									10,000	
Replace Hood Park and Hermitage LC gym air con						28,000								28,000	
RegROUT Hermitage LC swimming pool tiles						23,000								23,000	
Replace hot water system pipework, heat emitters & cold water storage tank at Hermitage LC							18,000							18,000	
New Sportshall floor at Hermitage LC							16,000							16,000	
Replace suspended ceiling in Hermitage LC main pool hall								30,000						30,000	
Replacement of outdoor pool filter media at Hood Park LC								6,000						6,000	
Wellbeing Centre at Hood Park LC				400,000					400,000						
Hermitage Recreation Ground - Astroturf Replacement	140,000	121,000	140,000											140,000	
Hood Park Leisure Centre Fire Alarm Upgrade	12,000	12,000	12,000											12,000	
	2,293,800	815,805	2,402,390	2,130,000	1,536,750	1,282,500	984,000	51,000	1,395,000	-	752,000	318,000	596,000	5,325,640	-

SCHEME	2014/15	2014/15	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	GRANTS/	DF	OTHER	RESERVES	REVENUE	LEASING	SALIX
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	ORIGINAL	Actual @	FORECAST							S106 CONTRIB	GRANTS	RESERVES	ASSET PROT		OR	LOAN
	BUDGET	Period 6	(Inc c/f										FUND		BORROWING	
			& slippage)													
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
COALVILLE SPECIAL EXPENSES																
Coalville Park Improvements	-	1,000	1,000							1,000						
Melrose Road Play Hub	-	5,000	2,000										2,000			
Cropston Drive BMX Track	42,047	33,000	42,000							25,000		10,000	7,000			
Broomleys Allotments	-	1,000	1,000										1,000			
Thringstone Miners Social Centre	5,000		5,000										5,000			
Urban Forest Park - Play equipment	-		9,000							9,000						
Urban Forest Park-Footway and drainage improvements	30,000		30,000							30,000						
Scotland Recreation Ground	10,000	13,000	10,000										10,000			
Owen Street -Floodlights	-		1,000										1,000			
Owen Street - Changing Rooms	115,000		115,000							30,000			85,000			

TOTAL SPECIAL FUND	202,047	53,000	216,000	-	-	-	-	-	-	95,000	-	10,000	111,000	-	-	-
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Actuals rounded to £'000's
C/F and slippage where known at Period 06, has been included into figures
Forecasts largely based on budget

2014/15 TO 2019/20 HOUSING CAPITAL PROGRAMME

	2014/15 Forecast Outturn (Q2)	2015/16	2016/17	2017/18	2018/19	2019/20
2010/12 Programme						
2012-17 DHIP Programme						
Year 1 programme slippage (including Major Aids & Adaptations completed under DHIP)						
Year 2 Programme Slippage	245,000					
HCA Funded Properties (90% of pre 2012 failures)	7,546,647		-	-	-	-
NWLDC Funded Properties (10% + post 2012 failures)	6,069,536	4,281,900	4,582,700	4,677,400	4,866,100	4,968,100
Decent Homes Refusals/Deferrals Provision		155,000	155,000	155,000		
Major Aids & Adaptations completed under DHIP	-					
Enabling Works Provision	415,000					
Enabling Works for Decants	-					
Asbestos Handling	450,000					
Year 3 and 4 Scoping Surveys	-					
DH Works in Voids and Tenanted Properties	850,000	850,000	850,000	850,000	850,000	850,000
2012-17 HPIP Programme						
2013/14 Slippage	378,000					
Hard Wired Smoke Detectors		47,000	47,000	47,000	47,000	47,000
Fire Risk Assessment Remedial Works	40,000	40,000	40,000	40,000	40,000	40,000
Lift Replacement	300,000					
Fire Alarm / Emergency Lighting	194,000					
Defective floor slabs (red ash floors)/Damp proofing (loughborough rd and other identified in year)	200,000	297,500	187,500	187,500	187,500	187,500
Fuel swaps (solid fuel to gas supply)	78,000	25,000	25,000	25,000	25,000	25,000
OTHER SCHEMES AND MISCELLANEOUS						
Garage Modernisation	-	100,000	-	-	-	-
Major Aids & Adaptations	380,000	350,000	350,000	350,000	350,000	350,000
Development Site Preparations	-	40,000	-	-	-	-
Insulation Works	-	250,000	-	-	-	-
Green & Decent Installations	140,000	100,000	250,000	250,000	250,000	250,000
Speech Module	-	50,000	50,000	50,000	50,000	50,000
Capital Programme Delivery Costs	698,000	654,000	654,000	654,000	654,000	654,000
Unallocated/Contingency		500,000	500,000	500,000	500,000	500,000
New Build Programme - One for One provision		122,178	27,421			
New Build Programme - NWLDC One for One provision		285,082	63,982			
New Build Programme - NWLDC additional provision		219,000				
HRA Shops	31,000	-				
Capital Allowances						
Programme to be defined						
Total Programme Costs	18,015,183	8,366,660	7,782,603	7,785,900	7,819,600	7,921,600

**2014/15 TO 2019/20 HOUSING CAPITAL PROGRAMME
FUNDING**

	2014/15 Forecast Outturn (Q2)	2015/16	2016/17	2017/18	2018/19	2019/20
A&A Grant						
Usable balances held	3,235,000	996,524	0	0	0	0
Retained Right to Buy Receipts (RTB)	203,618	228,344	211,226	208,096	203,349	193,480
RTB receipts - attributable debt	770,859	438,799	275,274	221,677	168,055	114,418
Use of RTB one for one reserve RCCO	2,922,413	122,178 2,589,815	27,421 3,277,683	- 3,365,127	- 3,457,196	- 3,622,703
Decent Homes Backlog Funding	7,546,647	-	-	-	-	-
Major Repairs Allowance	4,008,170	3,991,000	3,991,000	3,991,000	3,991,000	3,991,000
Asset Disposals (Capital Allowance)	325,000	-	-	-	-	-
Green & Decent Funding	-					
Total Funding	19,011,707	8,366,660	7,782,603	7,785,900	7,819,600	7,921,600
Cumulative Over / (Under Resource)	996,524	0	0	0	0	0

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**CABINET – 9 DECEMBER 2014**

Title of report	EAST MIDLANDS GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE – LOCAL IMPACT REPORT
Key Decision	a) Financial No b) Community Yes
Contacts	Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk Director of Services 01530 454500 steve.bambrick@nwleicestershire.gov.uk Head of Regeneration and Planning 01530 454782 jim.newton@nwleicestershire.gov.uk
Purpose of report	(i) To update Cabinet on the progress of the East Midlands Gateway Strategic Rail Freight Interchange application; (ii) To allow Cabinet to review and agree the contents of the Local Impact Report which will be directed to the Examining Authority when requested; (iii) To ascertain from the Cabinet whether it would wish to make a separate formal representation to the Examining Authority outlining whether the District Council supports or objects to the development proposals.
Reason for Decision	To enable Cabinet to determine the contents of the Local Impact Report which assesses the key impacts on the District as well as a determination as to whether the District Council submit a separate representation either supporting or objecting to the development proposals.
Council Priorities	Business and Jobs
Implications:	The East Midlands Gateway Strategic Rail Freight Interchange will have significant implications to the District given the overall scale of the scheme and the nature of its operations.
Financial/Staff	Continued involvement of a Project Officer to complete and submit the Local Impact Report and facilitate any response of the District Council to the application. Should permission be granted the Project Officer will also be involved in discharging Requirements

	(Planning Conditions) and involvement of Planning Enforcement Officers may also be required should there be a breach of the Consent.
Link to relevant CAT	Business CAT
Risk Management	Risk assessments will be completed as appropriate.
Equalities Impact Screening	Not applicable
Human Rights	No discernible impact
Transformational Government	The contents of the Local Impact Report are also to be agreed by Leicestershire County Council who have contributed to its contents.
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	Draft Local Impact Report: http://tinyurl.com/Draft-JointLocalImpactReport Cabinet Minutes and Report, 10 December 2013: http://minutes-1.nwleics.gov.uk/ieListDocuments.aspx?CId=126&MId=152&Ver=4
Recommendations	THAT CABINET AGREE: (I) TO SUPPORT THE CONTENTS AND FINDINGS OF THE LOCAL IMPACT REPORT AND CONFIRM THAT IT IS APPROPRIATE TO SUBMIT WHEN REQUIRED BY THE EXAMINING BODY; (II) TO DELEGATE AUTHORITY TO THE DIRECTOR OF SERVICES IN CONSULTATION WITH THE RELEVANT PORTFOLIO HOLDER TO PROVIDE A REPRESENTATION TO THE EXAMINING AUTHORITY SUPPORTING THE DEVELOPMENT PROPOSALS

1.0 BACKGROUND TO THE EAST MIDLANDS GATEWAY STRATEGIC RAIL FREIGHT INTERCHANGE LOCAL IMPACT REPORT

- 1.1 A NWLDC Roxhill Project Officer was appointed in order to collaborate a response between the District Council and County Council to this nationally significant infrastructure project in the form of a Local Impact Report (LIR) which Section 60(3) of the 2008 Planning Act (the Act) defines as a “*report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).*” Section 104 of the Act requires the Secretary of State to have regard to LIR’s in the determination of applications. Although not a statutory requirement for an LIR to be submitted, given the scale and nature of the development it was considered necessary for an LIR to be prepared. An agreement was made between Leicestershire County Council (LCC) and NWLDC that the NWLDC Roxhill Project Officer would be responsible for the preparation of a joint LIR which was considered the most favourable position in providing a collaborative response.
- 1.2 Discussions and consultation was undertaken with relevant consultees at both the District and County Council’s at the beginning of October 2014, following the acceptance of the application by the Planning Inspectorate the consultees were given a deadline of 3 November 2014 to provide relevant comments. Following this deadline the LIR was formed which outlines the positive and negative impacts of the development on the District as well as whether any mitigation measures would overcome any negative impacts identified. There was no disagreements between the views collected from Officers of the District Council and County Council given that specialist information was provided by relevant experts in their fields in order to contribute to the relevant sections of the LIR.
- 1.3 The LIR has assessed the positive and negative impacts of the development on the following topic areas which were identified as relevant topics within the applicant’s Environmental Statement (ES): -
- Socio Economic;
 - Landscape and Visual Effects;
 - Ecology and Nature Conservation;
 - Noise, Vibration and Lighting;
 - Air Quality;
 - Flood Risk;
 - Transportation and Sustainable Transport;
 - Land Contamination and Implications to Mineral Resources;
 - Heritage and Archaeology;
- 1.4 The key conclusions of the LIR are identified in Section 2.0.
- 1.5 At this stage it is unknown when the LIR will need to be submitted as the date of the commencement of the Examination will not be known until the Examining Authority establishes a Preliminary Meeting to discuss the application. At present the District Council is working to a timetable which will see the Preliminary Meeting held at the start of January 2015 with the Examination commencing at the end of January 2015. Upon the commencement of the Examination it will likely be required that the LIR is submitted within two weeks of the start of the Examination with no flexibility allowed on the deadline.

- 1.6 Members Planning Forum was provided with a brief on the 20 November 2014 and the key comments from this meeting were that Members wish to maximise the workforce available within NWLDC, particularly Coalville, and as such the employment scheme contained within the draft Development Consent Order Obligations should support this aim. Improvements to the public transport network should also be encouraged in order for this vision to be realised. Continued support for the scheme was also expressed by the Members in attendance.

2.0 KEY CONCLUSIONS OF THE LOCAL IMPACT REPORT

- 2.1 It is accepted that a development of this scale would have a significant impact on the landscape by virtue of the fact that the land in question is currently undeveloped. This impact, however, has to be assessed in the context of the relationship of the proposals with other urban forms of development which would include East Midlands Airport, Radcliffe on Soar Power Station, the East Midlands Distribution Centre and the major road infrastructure (M1, A50 and A453). It is also proposed that significant landscaping, as well as bunding, would be provided around the warehouse development site in order to mitigate the visual impacts although it is appreciated that any landscaping would require time to mature.
- 2.2 Significant works would be undertaken to the major road infrastructure around Junctions 24 and 24A of the M1, as well as parts of the A50, and would also include the provision of a Kegworth Bypass. In overall terms it is considered that the highway works undertaken would have a positive impact on the road network by improving the flows of traffic as well as removing HGV's off the highway due to the shift towards rail freight distribution. The provision of a bypass for Kegworth would also assist in removing the movement of a significant volume of traffic through the settlement's centre and help alleviate the issues of 'rat-running' which are experienced in Kegworth as well as Castle Donington. A removal of vehicles through the settlements would also improve the air quality. The only factor which poses a risk to the District is that the Kegworth bypass will not be provided until 185,800 square metres of the total 555,476 square metres of warehouse floor space is constructed and as such until, the bypass is open more significant congestion may be experienced in the neighbouring settlements.
- 2.3 The provision of a development of this scale will result in the creation of numerous jobs throughout the construction and operational phases of the development which in turn will result in more people potentially using local services (such as shops, restaurants, pubs, hotels). In these circumstances a development of this nature can only lead to positive impacts on the local economy with provisions being made within the draft Development Consent Obligations (essentially a Section 106 Agreement) for an employment scheme to be agreed with the District Council to ensure that the developer maximises the local workforce for both construction (where possible) and operational jobs and encourage training through partnerships with local education establishments (such as Stephenson College).
- 2.4 It is also considered that subject to relevant controls on the levels of noise generated through the construction and operational phases and details of lighting being secured within the Development Consent Order Requirements (Planning Conditions) there would not be significant detriment to the amenities of residents within the neighbouring

settlements, by virtue of a cumulative impact, due to the levels of noise generated by existing uses in the area.

3.0 COMMENTS ON THE LOCAL IMPACT REPORT AND CONSIDERATION BY THE CABINET OF WHETHER AN INDIVIDUAL REPRESENTATION FROM THE DISTRICT COUNCIL SHOULD BE SUBMITTED TO THE EXAMINING AUTHORITY ON THE DEVELOPMENT PROPOSALS

- 3.1 The LIR forms a broad overview of the key impacts on the Local Authorities (District and County Council) area and has identified them as either positive and negative impacts in relation to the particular topic. It is hoped that this layout is clear and precise and assesses the topics in an appropriate manner. Although the LIR remains a draft document all of the relevant topics have been assessed with consultation responses being provided by Officers at NWLDC and LCC who have different fields of expertise and who have made a technical appraisal of the development and its overall impacts on the local area. Where negative impacts on the local area have been identified suggested mitigation measures to reduce these impacts have also been identified and would likely form Requirements (planning conditions) of the overall consent which the Examining Authority would have to take into account when undertaking their assessment. All technical consultation responses received from Officers at NWLDC and LCC are available for viewing in the NWLDC Planning Office.
- 3.2 It is considered that there are no significant outstanding issues which would be raised by relevant specialists at NWLDC or LCC (in respect of their relevant fields of expertise) which would require a substantial change to the document presented. It is therefore requested that Cabinet agree to the content and conclusions of the LIR and that the document can be submitted when requested by the Examining Authority at the commencement of the Examination.
- 3.3 In December 2013 Cabinet agreed to support the development in principle, subject to a detailed appraisal of the East Midlands Gateway being provided. This 'in principle' support was offered due to the substantial potential for job creation and the likely local, regional and national benefit of such a proposal. In the circumstances that an LIR has now been prepared assessing the key implications of the proposal on the District Council's Administrative Area it is requested that Cabinet form an opinion as to whether the District Council should provide a separate representation to the Examining Authority outlining whether there is continued support for the development proposals or whether an objection should be lodged. If an objection is to be lodged than the precise reasons for the objection, i.e. the impacts of the development which are not considered satisfactory, should be provided in order for the objection to be focused and precise.
- 3.4 On the basis of the assessments undertaken as part of the LIR, which have technically assessed the relevant merits of the scheme on the basis of the detailed information which has been submitted to the Examining Authority for consideration, it is recommended that Cabinet re-affirm its support to the East Midlands Gateway Strategic Rail Freight Interchange and a written consultation response is sent to the Examining Authority reflecting the position of the District Council. This stance is considered to be reasonable on the basis of the considerations and recommendations agreed during the Cabinet meeting of December 2013 as well as the technical appraisal provided by the LIR which has not identified any significant areas of concern in respect of the implications to the Local Area.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 9 DECEMBER 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 mitigates the risk that the Council's accounts do not reflect the true level of recoverable income. It is also part of an effective arrears management strategy.
Equalities Impact Screening	Not applicable.
Human Rights	None discernible.
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory.

Comments of Section 151 Officer	The report is satisfactory.
Comments of Deputy 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	<p>1. THAT CABINET APPROVES THE WRITE OFFS OVER £10,000 DETAILED IN THIS REPORT.</p> <p>2. THAT CABINET NOTES THE AMOUNTS WRITTEN OFF UNDER DELEGATED POWERS.</p>

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	£166,821.34	£0.00	£1,308,969.66
Non Domestic Rates	£840,710.00	£66,051.38	£148,160.24	£626,498.38
Housing Rents	£381,230.18	£17,283.43	£0.00	£363,946.75
Sundry Debtors/Housing Benefit Overpayments	£1,143,083.25	£7,842.41	£0.00	£1,135,240.84

2.0 FORMER TENANT RENT ARREARS

2.1 There are currently no former tenant rent arrears over £10,000 for which Cabinet's approval for write off is sought.

2.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy are as follows: 36 cases under £1,000 which amount to £5,483.92. Of these, 19 are uneconomical to pursue (£878.45), one is where the tenant is deceased and there is no estate (£176.48), one is statute barred (£350.10) and two are uneconomical to pursue legal action (£984.86). There were 13 cases which qualified for a bereavement allowance following the death of the tenant (£3,094.03).

3.0 CURRENT TENANT RENT ARREARS

3.1 There are currently no current tenant rent arrears for which we seek approval for write-off.

4.0 COUNCIL TAX

- 4.1 There are currently no council tax debts over £10,000 for which Cabinet's approval for write off is sought.
- 4.2 The amounts written off under delegated powers, in accordance with the thresholds outlined in the write off policy, are as follows: Nine cases under £100 which amount to £329.86. Of these, four have absconded (£223.35), two are deceased (£14.12), one has a debt relief order (£41.51), one is insolvent (£17.50) and one is uneconomical to collect (£33.38). There are 71 cases between £100 and £1,000, which amount to £33,875.82. Of these, one has a debt relief order (£467.33), 48 have absconded (£23,915.40), two are deceased with no assets (£840.55), three have severe hardship (£1,088.74), nine are insolvent (£3,417.49) and eight are uneconomical to collect (£4,146.31). There are 32 cases between £1,000 and £10,000 which amount to £54,690.68. Of these, one has a debt relief order (£1,221.10), 22 have absconded (£30,462.27), four are insolvent (£11,545.51), and five are uneconomical to collect (£11,461.80).
- 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 (NNDR)

- 5.1 There are currently four Non Domestic Rate debts over £10,000 which amount to £63,814.20 for which Cabinet's approval for write off is sought. One of the companies has gone into liquidation (£13,680.57), therefore we cannot legally take any further recovery action against these debts. The other three have absconded (£50,133.63).
- 5.2 The amounts written off under delegated powers in accordance with the policy thresholds are as follows: There are two cases under £100 which amount to £127.76. Of which, one is insolvent (£37.10) and one is uneconomical to collect (£90.66). There are 16 cases between £100 and £1,000 which amount to £6,023.37 of which, two have absconded (£516.38), seven are insolvent (£2,990.93), two case have insufficient recovery data (£1,115.85) and five are uneconomical to collect (£1,400.21). There are eighteen cases between £1,000 and £10,000 which amount to £48,833.75 of which, seven have absconded (£19,156.51), one case is severe hardship (£4,594.86), six cases are insolvent (£15,289.30) and four are uneconomical to collect (£9,793.08).
- 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 Cabinet's approval for write off is sought.

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 five housing benefit overpayment cases under £100 which amount to £236.52. One of these has absconded (£35.58), one is deceased with no assets (£63.62) and three are uneconomical to collect (£137.32). There are six housing benefit overpayment cases that are between £100 and £1000 amounting to £1,971.77. Of these, one has absconded (£233.51), three are insolvent (£749.14), and two are uneconomical to collect (£989.12).

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 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 and 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 City	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.

- 7.2 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.
- 7.3 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.
- 7.4 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.

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