

SUMMONS TO ATTEND A MEETING OF THE
NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Time/Date 6.30 pm on TUESDAY, 25 MARCH 2014
Location Council Chamber, Council Offices, Coalville
Officer to contact Democratic Services (01530 454512)



Chief Executive

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
------	-------

PRAYERS

1. APOLOGIES FOR ABSENCE

2. DECLARATION OF INTERESTS

Members are reminded that any declaration of interest should be made having regard to the code of conduct. In particular, members must make clear the nature of the interest and whether it is 'pecuniary' or 'non pecuniary'.

3. CHAIRMAN'S ANNOUNCEMENTS



Item		Pages
4.	LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
	Members are reminded that under paragraph 11.1 of part 4 of the Constitution, questions can be asked of the Leader and Cabinet Members without notice about any matter contained in any address. Questions shall be limited to five minutes in total for each announcement.	
5.	QUESTION AND ANSWER SESSION	
	To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
6.	QUESTIONS FROM COUNCILLORS	
	To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
7.	PETITIONS	
	To receive petitions in accordance with the Council's Petition Scheme.	
8.	MINUTES	
	To confirm the minutes of the meeting of the Council held on 25 February 2014.	3 - 12
9.	ADDITIONAL COSTS OF THE DECENT HOMES IMPROVEMENT PROGRAMME 2014/15	
	Report of the Head of Finance Presented by the Corporate Portfolio Holder and Housing Portfolio Holder	13 - 42
10.	PROPOSED COUNCIL DELIVERY PLAN 2014/15	
	Report of the Chief Executive Presented by the Leader	43 - 74
11.	REVIEW OF STATEMENT OF LICENSING POLICY	
	Report of the Chief Executive Presented by the Community Services Portfolio Holder	75 - 136
12.	PAY POLICY STATEMENT 2014/15	
	Report of the Chief Executive Presented by the Leader	137 - 146

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 25 FEBRUARY 2014

Present: Councillor G Jones (Chairman)

Councillors R Adams, G A Allman, R D Bayliss, R Blunt, A Bridges, J Bridges, N Clarke, J Cotterill, D De Lacy, D Everitt, J Geary, T Gillard, J Houlst, D Howe, P Hyde, R Johnson, C Large, J Legrys, L Massey, C Meynell, T Neilson, T J Pendleton, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, L Spence, D J Stevenson, R Woodward and M B Wyatt

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mr D Hughes, Mr C Lambert, Mrs M Phillips, Mr J Richardson, Mrs R Wallace and Ms E Warhurst

69. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Clayfield, J G Coxon, R Holland and J Ruff.

70. DECLARATION OF INTERESTS

Councillor J Legrys declared a disclosable non pecuniary interest in item 10 – Budget and Council Tax 2014/15 due to his association with Hermitage FM.

71. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Civic Service was taking place on Sunday, 16 March 2014 at St Helen's Church in Ashby; the Chairman encouraged everyone to attend.

The Annual Green Footprint Award Dinner was taking place on Friday, 4 April 2014 at the Radisson Blu Hotel; the Chairman informed Members that tickets were available and that the proceeds would be going to his chosen charity, the Breast Care Unit at Burton Hospital.

72. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt made the following announcements:

- The Boundary Commission had now released the results of the recent boundary review of the District. This meant that the District Elections in 2015 would be based on the new ward structure.
- Another successful budget proposal was to be considered by Members, in particular, council tax had been frozen for the fifth year in a row, car parking charges had been frozen for the seventh year in a row and there were no charges for green waste collections. As part of the budget process, provisions had been made to support the Living Wage for the Council's lower paid staff; this was to help the lowest paid staff during the difficult economic climate. It was acknowledged that the Labour group had also been working on the issue and it was pleasing to see them join the debate by introducing the motion which was on the agenda. Unfortunately, Councillor R Blunt advised that the Conservative group could not support the motion in its entirety as it could have a negative impact on local businesses and potentially increase tender prices for the Council.

- Provision was being made to provide financial support to spruce up town centres, support existing and new businesses, and increase affordable housing.

Councillor T Gillard announced that plans for the new Formula E at Donington Race Track were going well and he would give a more detailed update at the next meeting.

Councillor T J Pendleton announced that the eight children's centres within the District had recently been inspected by OFSTED and all had been classified as good, this was a great success for the District.

Councillor T Neilson stated that he welcomed the changes that had been made to the budget proposals during the budget process and he was glad the Labour group had had some impact. He reminded Members that he had strongly opposed the boundary review as the Labour group believed it was unnecessary, however they took part fully in the consultation process and were pleased to see some of their suggestions in the final results. He thanked the Council Officers and the Boundary Commission for the work they had undertaken.

Councillor S Sheahan stated that he was pleased with the outcome of the OFSTED inspection on the children's centres and thanked the staff for the great work that they do day to day with the children.

Councillor D De Lacy asked for an update on the issue that was raised under Questions from Councillors at the previous meeting regarding 45 people within the District who according to tenancy records could be entitled to 'Bedroom Tax' refunds. He explained that he expected to see it on the agenda as the Portfolio Holder had promised to provide an update at the previous meeting. Councillor R D Bayliss reported that the reason an update had not been given was that it was still a work in progress but was happy explain the current position. He explained that the refund applied to anyone who has had a continuous tenancy and received benefits since 1996 and information dating back to this period was no longer kept on file, therefore a particular process had to be followed to identify those people. The people that had been identified were being written to and the correct process was being followed. Councillor R D Bayliss agreed to provide another update when he had more to information to report.

73. QUESTION AND ANSWER SESSION

There were no questions received.

74. QUESTIONS FROM COUNCILLORS

There were no questions received.

75. MOTIONS

Councillor N Clarke moved the following motion:

"Council notes:

That a growing number of local authorities are now paying the Living Wage.

That the Living Wage is a level of pay which is based on the principle of decency that work should pay at least enough to provide the essentials of life.

That the Living Wage has been independently set nationally at £7.95 and £8.80 for London per hour.

Therefore this Council:

- Supports the introduction of the Living Wage for all its employees with effect from April 2014.
- Works towards accreditation as a Living Wage Employer.
- Seeks to ensure its contractors and suppliers of goods and services do likewise.
- Uses its influence to encourage all employers within the District to also implement the Living Wage for their employees."

Councillor N Clarke stated that he was delighted that the Council was adopting the living wage for its employees, he then urged Members to fully commit and support the motion. He explained that it was proven that adopting the Living Wage improved the standard of work as it motivated employees, this in turn would improve the service. He stressed the importance of encouraging others to adopt the Living Wage and since employers had no pressure to do so, the Council should be applying the necessary pressure. He concluded that this would improve the local economy, lift people out of poverty and restore people's dignity.

The motion was seconded by Councillor D De Lacy.

Councillor J Bridges stated that he could not support the motion due to the way it was worded as administering it for contractors would be impossible. He stressed that there should have been some cross party discussion before the motion was submitted to get it right. Councillor P Hyde stressed that it was possible as other Councils and contractors already worked in that way.

Councillor D Everitt reiterated the comments from Councillor P Hyde and explained that he understood it was possible from his past working experience. He added that he was disappointed that the Conservative group could not support the motion as they were missing a good opportunity.

Councillor T J Pendleton reported that the Living Wage was receiving support from many employers and was pleased that the Council was committed to it also. He believed that it was wrong to tell employers what they should be paying their employees and the Council was setting an example by adopting the Living Wage.

Councillor L Spence stated that he was proud that the Council had adopted the Living Wage but was disappointed that the Conservative group would not support the motion in its entirety. He believed that the Council should act as an ambassador as it has done in the past on other initiatives and asked for further discussions on the topic outside of the meeting. Councillor J Legrys agreed with these comments.

Councillor J Legrys reported that approximately £24 billion was spent nationally on housing benefit and this was a burden on the tax payer. He commented that although the Council's staff would be paid the Living Wage, there was a high amount of agency workers at the Council that would not be, in his opinion that was immoral. He concluded that he was bitterly disappointed that the Conservative group were choosing not to support the motion.

Councillor D De Lacy commented that the point of paying the Living Wage was to provide the basic essentials in life and it was the moral thing to do as an employer. He believed the Council could be proud of paying the Living Wage and the main thrust of the motion was to demonstrate to others what to do. The Council was already doing what was needed for the accreditation; the only thing left to do was to check if indirect staff were also receiving the Living Wage. He finally asked Members to consider if they were paying their staff the Living Wage and whether it should be declared before moving to the vote.

Using his right of reply, Councillor N Clarke stated that since publishing the motion on the agenda, the Conservative group could have discussed the matter with him before the meeting to come to an agreement but they did not. Also the Conservative group had the opportunity to submit an amendment to the motion but they did not.

At this point the Chairman reminded Members of their obligation to declare an interest under the code of conduct and invited Members to make any declarations if necessary. No declarations were made.

The motion was put to the vote and declared LOST.

76. PETITIONS

There were no petitions received.

77. MINUTES

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

It was moved by Councillor G Jones, seconded by Councillor G A Allman and

RESOLVED THAT:

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

78. BUDGET AND COUNCIL TAX 2014/15

Councillor N J Rushton presented the report to Members, outlining the General Fund and Special Expenses revenue budgets for 2014/15 which included over £11 million net expenditure which enabled the Council to continue to deliver front line services without the need to increase Council Tax. He referred to the Housing Revenue Account budget for 2014/15 which was in accordance with the rent convergence policy introduced in 2002. He explained that this would result in an average rent increase of £4.30 per week in rent for tenants but in return they were seeing a massive investment in improvements to their homes. He added that the rent increase would also ensure that the Council would be in a position to repay its HRA debt as agreed in the 30 year Housing Business Plan. He explained that garage rents would increase by 3.2% and there would be a 1.02% increase in service charges.

Councillor N J Rushton outlined the proposals in the General Fund Capital Programme and the Coalville Special Expenses Programme for 2014/15. He referred to the Housing Revenue Account Capital Programme and reported that the Council was still on target for all properties to achieve decent homes status by 31 March 2015.

Councillor N J Rushton concluded by thanking the Chief Executive, Head of Finance and all staff who had been involved in preparing the budget and to all the staff who continue to deliver the services so well within the agreed budgets.

The recommendations within the report were moved by Councillor N J Rushton and seconded by Councillor R Blunt.

Councillor R Blunt commented that he hoped to have cross party support as all could be proud of the budget proposals. He explained that he had been involved in discussions with other Councillors about what they would have liked to have seen in the budget proposals but due to the timescales of the budget process, were unable to accommodate.

He urged Members to have these discussions in plenty of time so that it could be considered for next year's budget proposals.

Councillor P Hyde thanked all staff for their work on the budget process. He was pleased to see that certain proposals had been removed but was disappointed that there was nothing included to assist in getting people out of poverty.

Councillor S Sheahan commented that he was pleased that the green waste collection charge had been removed but was disappointed that there had been no consideration of the cumulative impact on Council tenants due to another increase in rent. He concluded that he could not support the budget proposals due to this as it was attacking people that could not afford it.

Councillor D J Stevenson commented that if the Labour group had major issues with the budget proposals then they should have submitted an alternative budget proposal for Members to consider.

Councillor N Smith thanked Officers for fantastic budget proposals. He added that he was aware that the Labour group were asking for an increase in Council Tax which in his opinion would not be helping people.

Councillor A C Saffell explained that his main issue with the budget proposals was how the New Homes Bonus was being spent, as promises had not been kept. He stated that there had been 50% more housing built in Castle Donington and therefore more of the New Homes Bonus should have been spent there. He added that upon asking a large number of his constituents, no one was against an increase in Council Tax as it was expected. Therefore he believed that there should be an increase in Council Tax to ease the burden on the poorest people of the District.

Councillor T Neilson expressed strong opposition to the budget proposals. He commented that the freeze on Council Tax would only benefit the people who were on the highest banding points; add this to the current decrease in benefits and the budget proposals do not help at all. He added that the Council was over relying on the New Homes Bonus and more income was needed. He concluded that the budget proposals were unfair to the poorest people of the District.

Councillor R D Bayliss referred to Councillor S Sheahan's comments regarding the rent increase and stated that it was necessary to provide decent homes. The cumulative impact of being a low rental authority meant that in the past 70% of the council stock was not decent. He added that he believed it was appropriate to charge a decent rent for decent homes.

Councillor J Legrys felt that the budget proposals were not fair or transparent and therefore he could not support it. He commented that the poorest people in the District would suffer and he predicted that there would be more introductions of charges and then the removal of them in the future for political gain. He commented that he was pleased that money was being spent on Linden Way Depot's recycling units but as Leicestershire County Council were looking at cutting recycling grants, he was not sure if it was a good use of money. He concluded by referring to the provision to 'spruce up Coalville' mentioned by the Leader and reminded Members of a document produced by the Conservative group when they came into power about the promised vision of Coalville. In his opinion this was a waste of money which could have been used elsewhere. He thanked the Democratic and Support Services Team Manager for responding to the request to provide the document.

Councillor C Large agreed that there were elements missing from the budget proposals and as recommended by the Leader, she would be discussing this with him further, but

unfortunately as there were no alternative budget proposals to consider she would reluctantly be voting in favour.

Councillor D De Lacy commented that the budget proposals were an improvement to earlier in the process, and he welcomed the freeze in car park charges and the removal of the green waste collection charge. He made a point that a cynical person might have said that unpopular proposals had been included only to be removed when the finances were not as expected; he added that he was not a cynical person. He felt that the Council tenants were the people that would suffer due to the Bedroom Tax, rent increases and the benefit cuts. He did not agree with the level of unfairness and therefore could not support the budget proposals.

Councillor N J Rushton concluded the debate and reiterated that the Council was dealing with the economic climate well whilst still delivering front line services.

As a recorded vote was required in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the voting was as follows:

For the motion:

Councillors G Allman, R D Bayliss, R Blunt, A Bridges, J Bridges, J Cotterill, T Gillard, J Hoults, G Jones, C Large, C Meynell, T Pendleton, V Richichi, N J Rushton, A Smith, N Smith, M Specht and D J Stevenson (18).

Against the motion:

Councillors R Adams, N Clarke, D De Lacy, D Everitt, J Geary, D Howe, P Hyde, R Johnson, J Legrys, L Massey, T Neilson, A C Saffell, S Sheahan, L Spence, R Woodward and M B Wyatt (16).

Abstentions:

None (0).

The motion was CARRIED.

RESOLVED THAT:

- 1) The Section 151 Officer's comments on the robustness of the estimates and adequacy of reserves be noted.
- 2) The District Council Tax for 2014/15 be frozen.
- 3) The transfer of the surplus income over expenditure in 2014/15 to the General Fund balance at 31 March 2015 be approved.
- 4) The Housing Revenue Account rent increase for 2014/15 be approved.
- 5) The increase in the rent for garages for 2014/15 be approved.
- 6) The increase in the Housing Revenue Account service charges for 2014/15 be approved.
- 7) The ground rent increase at Appleby Magna Caravan Site be approved.
- 8) The increases in lifeline charges be approved.
- 9) The General Fund and Housing Revenue Account budgets for 2014/15 be approved.
- 10) The Coalville Special Expenses budget for 2014/15 be approved.

- 11) The other special expenses precepts for 2014/15 be approved.
- 12) The proposed Coalville Special Expenses and Housing Revenue Account Capital Programmes for 2014/15 and planned financing be approved.
- 13) The capital expenditure in 2014/15 and capital expenditure in 2015/16 for the vehicle replacement programme only, be approved.
- 14) The remainder of the Capital Programmes 2015/16 to 2017/18 be approved as indicative only at this stage.
- 15) The following amounts for the year 2014/15 be approved in accordance with Section 31B of the Local Government Finance Act 1992 as amended:
 - i) 29,074 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year.
 - ii) The amounts specified in table 1 of the report being the amounts calculated by the Council, in accordance with Section 34 of the Local Government Finance Act 1992, as the amounts its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.
- 16) Council approve that the following amounts be now calculated by the Council for the year 2014/15 in accordance with Sections 31A and 31B of the Local Government Finance Act 1992 as amended:
 - i. District / Parish Gross Expenditure
£68,024,807 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - ii. Income
£61,488,126 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - iii. District / Parish NeT Expenditure
£6,536,681 being the amount by which the aggregate at 16(1) above exceeds the aggregate at 16(2) above, calculated by the Council in accordance with Section 31A(4) of the Act as its council tax requirement for the year.
 - iv. Basic Amount of Tax (Including Average Parish Precepts)
£224.83 being the amount at 16(3) above, divided by the amount stated as the council tax base in parts of the Council's area, calculated by the Council in accordance with section 31B of the Act as the basic amount of its council tax for the year.
 - v. Parish Precepts / Special Expenses
£1,926,126 being the aggregate amount of all special items referred to in Section 35(1) of the Act.
 - vi. Basic Amount of Tax (Basic Council Tax – District)
£158.58 being the amount at 16(4) above less the result given by dividing the amount at 16(5) above by the amount as stated as the council tax base for the whole of the Council area, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its council tax for dwellings in those parts of its area to which no special item relates.

vii. Basic Amount of Tax (Parished Areas)

The amounts listed in column 5 of table 2 to this report, being the amounts given by adding to the amount at 16(6) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned, divided in each case by the amount stated as the council tax base in parts of the Council area, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

viii. District / Parish Council Tax Rates

The amounts set out in table 3 to this report being the amounts given by multiplying the amounts at 16(6) and 16(7) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the council in accordance with Section 36(1) of the act as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

17) Major Precepting Authorities

That it be noted that the amounts set out in table 4 to this report are the amounts notified by Leicestershire County Council, Leicestershire Police and Crime Commissioner and the combined Fire Authority in accordance with Section 40 of the Local Government Finance Act 1992 as their precepts for 2014/15 for each of the categories of dwellings listed.

18) Council Tax Rates – All Bands

That, having calculated the aggregate in each case of the amounts at 16(8) (table 3) and 17 (table 4) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts of council tax for the Council's area for the year 2014/15 for each of the categories of dwellings as shown in table 5.

19) Referendums relating to Council Tax Increases

To note that the relevant basic amount of council tax for 2014/15 is not excessive.

20) Treasury Management Strategy

The Treasury Management Strategy Statement 2014/15, Prudential Indicators 2013/14 (Revised) and 2014/15 - 2016/17, and Annual Minimum Revenue Provision Statement 2014/15 be approved.

79. LOCAL PLAN ADVISORY COMMITTEE

Councillor N J Rushton presented the report to Members and referred them to the nominations detailed within the additional papers booklet.

Both Councillor J Legrys and J Bridges thanked the Chief Executive and the Director of Services for the work undertaken in reaching the current stage in the process as it had not been an easy task. Both Councillors also stressed the importance of cross party working for success.

Councillor J Legrys added that he welcomed that the group would report directly to Council and that there would be an opportunity for public involvement. He concluded that it was important to gain trust between the political parties as it was currently low.

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

RESOLVED THAT:

- a) A Cross Party Advisory Committee to work with Planning Officers on the Local Plan be established and the terms of reference as set out in appendix A of the report be approved.
- b) The following Members be appointed to the Advisory Committee for the remainder of the civic year:

Councillor R D Bayliss
Councillor J Bridges
Councillor D De Lacy
Councillor C Large
Councillor J Legrys
Councillor V Richichi
Councillor S Sheahan

Substitutes:
Councillor R Adams
Councillor A Bridges
Councillor A Smith
Councillor R Woodward

- c) The authority to make any consequential changes to the constitution as set out in appendix B of the report, be delegated to the Monitoring Officer.

80. NOTIFICATION OF AN URGENT DECISION - BUSINESS RATES POOL

Councillor R Blunt presented the report to Members.

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

RESOLVED THAT:

The report be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.50 pm

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 25 MARCH 2014

Title of report	ADDITIONAL COSTS OF THE DECENT HOMES IMPROVEMENT PROGRAMME 2014/15
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Finance 01530454520 ray.bowmer@nwleicestershire.gov.uk</p>
Purpose of report	To consider Cabinets recommendation to Council for approval of an amended HRA Budget, Housing Capital Programme, and Treasury Management Strategy Statement for 2014/15, in response to the increase in costs identified as part of the preparations for the delivery of the 2014/15 Decent Homes Improvement Programme.
Reason for Decision	To ensure that Council has adequate financial resources to deliver the required programme of improvement works to Council tenants homes.
Council Priorities	Value for Money Homes and Communities
Implications: Financial/Staff	Financial implications detailed in the report.
Link to relevant CAT	Not applicable
Risk Management	Making adequate budget provision to complete this work will allow the Council to achieve the objectives for the improvement programme as set out in the Housing Business Plan.

Equalities Impact Assessment	No impact identified
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 Deputy Monitoring Officer	On the advice of external solicitors, the report is satisfactory
Consultees	Housing Revenue Account Business Plan Project Board
Background papers	None
Recommendations	<p>THAT COUNCIL -</p> <ol style="list-style-type: none"> 1. NOTES THE PROJECTED INCREASE IN COSTS ASSOCIATED WITH COMPLETING THE 2014/15 DECENT HOMES PROGRAMME OF IMPROVEMENTS AS DETAILED IN THE REPORT TO CABINET ATTACHED AS APPENDIX 1. 2. CONSIDERS THE REPORT TO CABINET AND THE ASSOCIATED RECOMMENDATION FROM CABINET IN RELATION TO FUNDING THE REQUIRED WORKS AND APPROVES THE REVISED 2014/15 HOUSING CAPITAL PROGRAMME AND HRA BUDGET AS DETAILED IN APPENDIX 2 AND 3 OF THIS REPORT TO FUND THIS INCREASE IN COSTS, AND THE AMENDED PRUDENTIAL INDICATORS DETAILED IN APPENDIX 4. 3. AGREES TO RECEIVE A FURTHER REPORT AT ITS MEETING ON 1 JULY 2014 REGARDING THE FUNDING OPTIONS TO COMPLETE DECENT HOMES IMPROVEMENTS TO THE ADDITIONAL NON DECENT PROPERTIES RECENTLY IDENTIFIED.

1.0 REPORT

- 1.1 Cabinet considered an addendum to the Housing Revenue Account budget report and related papers on the 11 February 2014, regarding additional costs of the Decent Homes improvement programme that had been identified whilst preparing for the delivery of the 2014/15 programme. The addendum also made reference to additional non Decent Homes that had been identified following the outcome of our recent stock condition surveys, and identified the need to consider the options available regarding the completion of this work. This was subsequently reported to Council as part of the budget report approval process on 25 February 2014.
- 1.2 Cabinet then considered a further report on 4 March 2014 entitled “Additional Costs of the Decent Homes Improvement Programme 2014/15”, and that report with associated appendices is attached as Appendix 1. The report identified a need for an additional £1.65 million to complete the 2014/15 Decent Homes improvement programme, and recommends that it be secured from the use of Housing Revenue Account reserves and use of windfall income from additional Right To Buy property sales. Further details of the background to this issue are contained in the Cabinet report.
- 1.3 The decision of Cabinet was to recommend the amended budget to Full Council as detailed in the draft minutes of the meeting, attached as Appendix 2.
- 1.4 On 5 March 2014 the Monitoring Officer received a valid “call-in” request which was considered by Policy Development Group on the 12 March 2014 as an urgent item. Having fully considered the matter, Policy Development Group recommended that no further action be taken. The extract from the draft minutes of Policy Development Group detailing their comments is set out in Appendix 3.
- 1.5 Council is invited to consider the recommendation from Cabinet on 4 March 2014 as detailed in Appendix 2, and the outcome of Policy Development Group’s consideration of this item.

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 4 MARCH 2014

Title of report	ADDITIONAL COSTS OF THE DECENT HOMES IMPROVEMENT PROGRAMME 2014/15
Key Decision	a) Community Yes b) Financial Yes
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Finance 01530454520 ray.bowmer@nwleicestershire.gov.uk</p>
Purpose of report	To seek Cabinet approval to recommend to the Council an amended HRA Budget, Housing Capital Programme, and Treasury Management Strategy Statement for 2014/15, in response to the increase in costs identified as part of the preparations for the delivery of the 2014/15 Decent Homes Improvement Programme.
Reason for Decision	To ensure that Council has adequate financial resources to deliver the required programme of improvement works to Council tenants homes.
Council Priorities	Value for Money Homes and Communities
Implications:	
Financial/Staff	Financial implications detailed in the report.
Link to relevant CAT	Not applicable

Risk Management	Making adequate budget provision to complete this work will allow the Council to achieve the objectives for the improvement programme as set out in the Housing Business Plan.
Equalities Impact Assessment	No impact identified
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 Deputy Monitoring Officer	On the advice of external solicitors, the report is satisfactory.
Consultees	Housing Revenue Account Business Plan Project Board
Background papers	<p>Delivery of the Decent Homes Improvement Programme 2012/13 to 2014/15 – Procurement Issues (Cabinet - 18 October 2011)</p> <p>Housing Revenue Account (HRA) Business Plan – (Cabinet 17 January 2012)</p> <p>Delivery of the Decent Homes Improvement Programme 2014/15 – Stock Condition Survey Procurement. (Cabinet – 24 September 2013)</p> <p>Capital Programmes – General Fund, Coalville Special Expenses and Housing Revenue Account (H.R.A.) Projected Outturn 2013/14 and Proposed Programme 2014/15. (Cabinet 11 February 2014)</p>
Recommendations	<p>THAT CABINET -</p> <p>1. NOTES THE PROJECTED INCREASE IN COSTS ASSOCIATED WITH COMPLETING THE 2014/15 DECENT HOMES PROGRAMME OF IMPROVEMENTS.</p> <p>2. RECOMMENDS TO COUNCIL THE REVISED</p>

	<p>2014/15 HOUSING CAPITAL PROGRAMME AND HRA BUDGET AS DETAILED IN APPENDIX 2 AND 3 OF THIS REPORT TO FUND THIS INCREASE IN COSTS, AND THE AMENDED PRUDENTIAL INDICATORS DETAILED IN APPENDIX 4.</p> <p>3. AGREES TO RECEIVE A FURTHER REPORT AT ITS NEXT MEETING ON 24 JUNE 2014 REGARDING THE FUNDING OPTIONS TO COMPLETE DECENT HOMES IMPROVEMENTS TO THE ADDITIONAL NON DECENT PROPERTIES RECENTLY IDENTIFIED.</p>
--	--

1.0 BACKGROUND

- 1.1 The Decent Homes Improvement Programme was established in 2012/13 using a combination of the Council's own resources and £20.75 million of Government Decent Homes Backlog Funding, which was secured following a competitive bidding process in 2010/11. The programme was structured to deliver Decent Homes Improvement works to an estimated 3729 Council tenants homes over a three year period covering 2012/13, 2013/14 and 2014/15.
- 1.2 The level of Decency within the housing stock is dynamic, in that it varies on an ongoing basis due to many factors. These include reductions in Decency due to building components failing (e.g. central heating boilers breaking down), or getting older (exceeding their working life) and increases due to responsive repairs where we cannot wait for the improvement programme to pick up emerging issues. We also need to adjust the level of Decency as we sell properties under the Right To Buy or other sales, such as the recent disposal of Heather House. For these reasons the management of the delivery of the Decent Homes Improvement Programme required a degree of flexibility to react to the changing situation regarding Decency levels.
- 1.3 The nature and scope of work required in individual properties also varies significantly, from one or two elements requiring attention, to a comprehensive modernisation involving most components in the property. The process used to cost the works to be carried out is therefore based on average values of works per property, and whilst there are expected parameters to this average, the nature of the work being undertaken and the age and condition of the housing stock in any one year's programme can have a significant impact on the average cost for that year.
- 1.4 Based on the three year Decent Homes backlog funding award we have developed a three year improvement programme, designed to make all of the projected 3,729 non decent properties meet the Decent Homes standard by 31st March 2015. As part of our grant funding agreement with the Homes and Communities Agency we are required to make all of the properties that failed the Decent Homes standard before March 2012 (3390 homes), meet the Decent Homes standard by March 2015. 90% of this work is to be funded from Decent Homes Backlog Funding and the remainder from our own resources. All properties that have failed the Decent Homes standard since March 2012 are our responsibility to complete work to, and we can dictate the timetable.

- 1.5 In preparation for the delivery of the Decent Homes Improvement Programme, Cabinet approved a series of recommendations which created the governance infrastructure to appoint contractors and deliver the works on the 18 October 2011. This involved delegation of the authority to award works to the Director of Services in consultation with the Head of Finance as Section 151 Officer. It also included financial projections relating to the level of capital resources predicted to be needed/available to complete the full three year programme of works, but noted that with Housing Revenue Account Reform to be implemented, the situation was likely to be subject to change. It also noted that we projected that £10m of borrowing headroom was likely to be available from HRA reform and that this could provide funding capacity by saying the headroom “....this does offer us some flexibility to react to any negative short term funding issues” (section 4.7 of the report).
- 1.6 Having taken advice from our professional advisors Savills, we undertook an OJEU compliant procurement process to appoint two contractors to complete the required improvements. This competitive process lead to the appointment of Kier and Lovell as service providers under the terms of five-year Term Partnering Contract (TPC), to spend a projected £35 million on improvement works to Council tenants homes between 2012/13 and 2016/17.
- 1.7 Performance in terms of delivering the required programme is currently progressing well, with over 1800 properties already made Decent by our contractors by the end of January 2014. Improvement works to a further 1561 properties were projected to be required in 2014/15, to complete the original programme.

2.0 CURRENT SITUATION

- 2.1 The Term Partnering Contract that we have with our service providers, Kier and Lovell, commits us to undertaking an estimated £35 million of work over the five years of the contract term. The process through which each year's programme of work is annually commissioned is for the Council to provide each service provider with a Term Brief, which specifies details of the addresses where work is required, and the specific work required at each address.
- 2.2 The service providers then use the Term Brief to produce a Task Price, which is then submitted to the Council for consideration. The annual price is driven by a number of factors, including the volume and complexity of the works required, and the costs to the contractor of completing the work, in terms of labour, materials, and overheads. The Council then considers the contractors submitted Task Price, and if it is accepted we issue a Task Order which confirms the works required and the price to be charged for the year's programme. This is our third year of the five year programme, with this process being used each year to commission works.
- 2.3 In order to ensure that the annual Term Brief we issue to the contractors is as accurate as possible, Cabinet has agreed to the completion of scoping surveys of all the homes to be included in the programme to assess their condition. This has proved to be invaluable for us in terms of being able to minimise variations in the specified work that would have arisen if we had based our Term Brief on our historic stock condition information.
- 2.4 There remains a degree of variation in works process as a result of the individual needs and preferences of customers, and any unforeseen works which only become apparent once other works commence. These are managed on an ongoing basis as part of the contract management process. We also have to amend the programme on an ongoing basis due to -

- Refusals – where tenants do not want any work completing.
- Part refusals – where tenants want some but not all of the required work completing.
- Deferrals – where tenants want the works completing, but at a later date.
- No access – where we cannot make contact with the tenants.

All of these issues require properties to be moved backwards and forward in the annual programmes, with all of these movements having an effect on the contract price, as the properties brought forward may require more or less work than those originally specified. This process is also managed on a day to day basis by the Planned Improvement Team.

- 2.5 There is an annual Partnering Timetable as part of the contract's requirements, which gives agreed deadlines for the supply of information by both the service providers and the Council regarding the agreement to a Task Order.
- 2.6 At its meeting on 11 February 2014 the Cabinet was made aware in an addendum to Item 7 on the agenda regarding the Capital Programme, (see Appendix 1), that as part of the process of agreeing the Task Price for the completion of works to the 1561 tenants homes in the 2014/15 programme, additional costs of £1.873 million were identified, and additional funding will be required before these works can be commissioned as the cost currently exceeds the available draft capital budget.
- 2.7 Section 3 of this report will examine the options available to fund this work and/or reduce the additional budget requirement. This issue has prevented us from placing an order for the entire 2014/15 programme, so as an interim step we intend to commission a revised Task Price 5 for 800 properties (400 each for the two service providers) as this can be funded from within the existing draft capital budget. Subject to the outcome of Cabinet's decisions regarding funding the rest of the programme, a further Term Brief will be issued, which will lead to the agreement of a Task Price 6 for the remaining properties in the 2014/15 programme. Prices for Task Price 5 and Task Price 6 have been received from the contractors and validated, and the final confirmed funding shortfall is £1.65 million. The reason for this reduction is that Lovell have taken the opportunity to refine their price for roofing works, making a consequent reduction. This is as a result of them changing their projected roof type profile, with an associated reduction in the projected cost of completing the works. This cost reduction would have been addressed as part of the ongoing contract management process, as the specific nature of roofing works completed is confirmed at the property handover stage, and the accounts submitted for payment have to reflect this final agreed position.
- 2.8 In addition to surveying the properties that were to form part of the 2014/15 improvement programme, Cabinet also agreed in September 2013 to commission surveys of the properties that we believed already met the Decent Homes standard. This was considered prudent to ensure that our information regarding these properties was as accurate as the data we held on all the other properties in the housing stock. Consequently a total of 2100 surveys were commissioned from Savills, and as a result of the outcomes from these surveys an additional 296 non Decent Homes were identified. Initial consideration of the options available with respect to addressing these properties will be considered in section 5.0 of this report, although it is proposed that a more detailed evaluation of the options available will be presented to Cabinet in June.

3.0 ADDITIONAL COSTS

- 3.1 As a result of the Task Price supplied by the contractors for the completion of the 2014/15 programme, we estimate an additional £1,650,058 will be required to complete the improvement work. This is because the prices supplied exceed the draft Housing Capital Programme budget provision by this amount. The draft Housing Capital programme budget was established in 2013/14 based on a projection from our historic stock condition records and historic rates charged for the completion of each element of the required improvement works. Table 1 below illustrated the position re the budget.

Table 1 –Comparison of draft budget provision and Task Price 5.

	Value (‘000’s)
Combined Task Price 5 and 6	£12,501,725
Available Draft Budget	£10,851,667
Difference	£1,650,058

- 3.2 The contract is based on partnering open book principles, and therefore the contractors supply details of the reasons for any cost increases as part of the pricing process. Our assessment of these prices is completed in three phases, 1) examining their arithmetic correctness of the prices, 2) checking the prices submitted against the specification, and 3) considering the wider Value For Money implications of the prices submitted.
- 3.3 Our arithmetic checks have identified no errors or omissions, and our assessment of the detailed prices submitted against properties has also identified no significant errors to date. In the event that any issues are identified after the Task Price has been agreed, these will be rectified on an ongoing basis throughout the year by adjusting prices accordingly.
- 3.4 The Value For Money assessment of the prices submitted will be conducted by comparing the projected costs against benchmarking data provided by the Homes and Communities Agency. The Homes and Communities Agency have advised that this analysis will not be available until 7 March 2014 as it is still being analysed by them. As soon as it is available a comparison will be completed and any necessary action with respect to issue identified will be taken.
- 3.5 The reasons that the costs have exceeded the draft budget are mainly -
- Roofing – An increase in the number of properties requiring roof replacement over previous years programmes, from 224 in the 2014/15 to 305 in the 2014/15, and an increase in the average cost of completing roofing works. .

- Asbestos removal –increase in the projected amount of asbestos treatment and removal as a result of age and type of properties in the programme meaning there is more asbestos to be removed.
- Level access showers – An increase in the number of properties eligible for a Level Access Shower in lieu of a bathroom replacement which we offer in bungalows and elderly/disabled designated flats. This is mainly as a result of our sheltered housing schemes all being within the 2014/15 programme. There were 130 eligible properties in the 2013/14 programme and 295 in the 2014/15 programme. Each Level Access Showers each cost an average of an additional £2500 over the cost of a standard bathroom, but this saves money in the longer term by removing the need to replace the bathroom with a Level Access Shower at some point in the future if the tenant requests it through an adaptation, and also makes our older persons housing stock more attractive to potential tenants. Although this is optional work, we have seen 90% of tenants in previous years accepting this offer, and we are therefore budgeting on an assumed 100% take up rate.
- Inflationary increases for materials and labour – with increased activity in the housing market generally, prices that have been held in previous years by suppliers are being increased. Examples include projected 5% increase in the cost of kitchens from our specified suppliers Rixonway; increases of between 5% and 10% in the cost of roofing materials by our specified suppliers Redland and Forticrete; and a 4% increase by our nominated Level Access Shower equipment supplier AKW.

3.6 In response to this situation we have three options -

Option A – reduce the costs by reducing the amount of work to be completed

Option B – reduce the specification of components to reduce costs

Option C – identify alternative funding sources for the required budget to complete the works.

4.0 OPTIONS

4.1 Examining the three options identified in more detail -

4.2 ***Option A – Reducing the amount of work to be completed.***

By removing 207 properties from the 1561 in the current 2014/15 programme, we could still complete the amount of improvement work required by the Homes and Communities Agency Backlog funding agreement from within the existing draft budget provision. This would mean that improvements to 207 tenants homes would need to be deferred until 2015/16 when a revised budget provision could be made. We could also consider removing the option for tenants in appropriately designated properties to have a Level Access Shower replacement instead of a standard bathroom.

4.3 ***Option B – reducing the specification or materials and components***

By removing our specified supplier requirements we could allow the service providers to source materials at the cheapest prices they could obtain from the market. This

introduces risks of premature component failures due to a lower specification, which will increase subsequent maintenance costs and introduces non standard components into our repairs supply chain when we have been working to standardize the specification for the last 6 years.

4.4 Option C – identify alternative sources of funding for the required budget to complete all the required work

There are a number of options available to secure the additional funds required to fully fund the 2014/15 programme of works. These include -

4.4.1 Additional borrowing – following the implementation of Housing Revenue Account reform, we currently have “headroom” within our HRA Business Plan of circa £11m. This represents an increase from the £10m original headroom level mentioned in 1.5, as a result of repayments already made on annuity loans. This is funding which we could access at any time subject to the Business Plan being able to sustain the repayment of any loans incurred over their full life and us having a business need which required the funding.

4.4.2 Use of HRA reserves – the portfolio of loans established when implementing HRA reform included both maturity and annuity borrowing. In order to create the budget capacity required to repay our first two loans with a combined value of £13 million which are both due in 2021/22, we have been building a surplus on the Housing Revenue Account, which is estimated to be £6.7 million at the end of 2014/15.

There is an option to use some of this surplus to provide the funding to support the additional costs identified. The mechanism to achieve this would be through an increase in the Revenue Contribution to Capital Outlay, or RCCO through which funding is transferred from the HRA to the Housing Capital Programme.

If some of the surplus were to be used, in order to rebalance the HRA Business Plan, revisions to our assumptions would need to be made in terms of our strategy to repay the loans, or our forecast expenditure levels in future years to increase our balances again back to the levels required for loan repayment on 28 March 2022. Alternatively the Council could agree to a revised borrowing strategy which re-borrowed any required funding on 28 March 2022 to refinance any outstanding balances. There is also an option to part repay and part re-borrow. Any strategy to re-borrow introduces the risk that interest rates could increase making the borrowing more expensive than currently being projected. Longer term interest rate projections will need to be obtained from our treasury advisors, Arlingclose, as part of a detailed evaluation of the options for rebalancing the HRA Business Plan.

4.4.3 Use of additional windfall capital income – 2014/15 has seen a significant increase in Right To Buy levels following the Governments “reinvigorating the Right To Buy” initiative. As a result of the increase in discounts the resultant lower average sale prices have meant that despite selling more properties than we had projected, we have not yet reached the income levels that trigger the Governments “One for One” replacement policy, which we have subscribed to. However the increase in activity has produced some additional capital receipts which are not currently part of our projected sources of funding within the capital programme. These additional receipts total £461k for the first three Quarters of 2014/15. The amount for the final quarter of the year (Q4) will not be known until April 2014.

As these additional receipts are a windfall gain to the Housing Capital Programme, they can be used to offset part of the increase in costs with no consequential implications. This approach is therefore recommended.

4.4.4 Reprioritising schemes within the 2014/15 programme – by deferring other improvement work proposed within the current draft Housing Capital Programme, it is estimated that we could release up to £980k as detailed below –

£660,000	Deferral of insulation programme (this is a two year provision as 2013/14 allocation is being deferred to 2014/15). Budget provision to supplement our ECO programme, although detailed analysis of requirement not yet concluded as works not yet priced.
£100,000	Garage site improvements. New funding to commence the implementation of our garage site survey's outcomes.
£50,000	Reduction in void and major works provision (£850k budget).
£40,000	Development site preparations (provision for demolition of decommissioned sheltered scheme buildings).
£80,000	Removal of contingency within capitalised salaries provision
£50,000	Defer speech module upgrade in some Older Persons alarm system properties pending the outcome of the Older Persons Support re-tender process

All of these options simply delay expenditure requirements to a subsequent financial year. They all form part of the draft Housing Capital budget so the funds are available, but their use is not recommended as it will simply defer the need to commit expenditure on these items to a subsequent year.

- 4.5 Having evaluated the available options as described in 3.6, it is recommended that Option C represents the most effective response to the increase in costs.
- 4.6 Following evaluation of the funding options in section 4.4 of the report, the combination of using an increase in the Revenue Contribution to Capital Outlay (4.4.2) and the windfall increase in Right To Buy income (4.4.3) is considered to be the most cost effective option to secure the required funds. This would result in the required funding being obtained from the sources identified in Table 2 below.

Table 2 – Proposed sources of additional funding for 2014/15 Decent Homes Improvement Programme

Required funding	£1,650,058
Windfall additional Right to Buy income (4.4.3)	£461,000
Additional Revenue Contribution to Capital Outlay (RCCO) (4.4.2)	£1,189,058
Net balance	£0

- 4.7 The Amended Housing Revenue Account Summary attached as Appendix 2, and the Amended HRA Capital Programme 2014/15 to 2017/18 attached as Appendix 3 reflect these recommended changes, and it is proposed that these amended budgets be recommended to the next meeting of Full Council on 25 March 2014.
- 4.8 The Local Government Act 2003 requires the Authority to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Authority has fulfilled these objectives, the Prudential Code sets out a number indicators that must be set and monitored each year.
- 4.9 The Council was asked to approve the Prudential Indicators for 2014/15 to 2016/17 at its meeting on 25 February 2014. As a result of the proposed changes to the HRA Capital Programme detailed in this report it is necessary for the Cabinet to recommend revised Prudential Indicators to Council for approval. The revised Prudential Indicators are set out in Appendix 4.
- 4.10 Members will be aware that external advisors were instructed to give advice on the initial procurement process for the Decent Homes Improvement Programme and in the interests of consistency the legal advisors they employed have been asked to advise on this report. The additional budgetary requirements contained in this report were previously brought to the attention of both Cabinet (when making its recommendations) and Council (when approving the initial budget on 25 February). This report provides Cabinet (and Council on 25 March 2014) with the detail of the additional expenditure that had previously been brought to their attention.

5.0 ADDITIONAL NON DECENT PROPERTIES

- 5.1 As mentioned in section 2.7 of this report, the completion of the scoping surveys of the 2014/15 programme was supplemented by surveys of the properties projected to already meet the Decent Homes standard. This has identified an additional 296 Non

Decent homes, with two principal options regarding completing works to these properties.

5.2 *Option 1 – Complete the properties in 2015/16.*

There are no contractual commitments relating to the Decent Homes Backlog Funding that require the works to be completed before March 2015. Completing the works in 2015/16 will allow a longer lead in time to manage their addition to the improvement programme.

5.3 *Option 2 - Complete the properties in 2014/15 and amend the capital programme to provide the required additional funds.*

Completing the required works has been estimated to require funding of £2.37 million, based on the use of the 2014/15 revised average cost per property. The final cost for the works will only be known once the Term Brief to Task Price process has been completed for an additional order to the service providers. There will also be risks that commissioning the additional works part way through the year, would introduce delivery challenges to the service providers which could negatively impact on the delivery of the core 2014/15 programme by the March 2015 deadline.

5.4 It is proposed that a further report examining the options to complete works to these properties will be presented to Cabinet in June 2014, and Cabinet is invited to offer any initial views regarding its preference between Options 1 and 2 as described in sections 5.2 and 5.3.

Appendix 1

CABINET

11 FEBRUARY 2014

ITEM 7 – CAPITAL PROGRAMME GENERAL FUND – COALVILLE SPECIAL EXPENSES AND HOUSING REVENUE ACCOUNT (H.R.A.) PROJECTED OUTTURN 2013/14 AND PROPOSED PROGRAMME 2014/15 TO 2017/18

UPDATE TO SECTION 5 – H.R.A. CAPITAL PROGRAMME 2014/15 – 2017/18 – INDIVIDUAL SCHEMES

Preparations for the delivery of the 2014/15 Decent Homes Improvement Programme have identified two issues which could have an impact on the 2014/15 Capital budget and related reports on this agenda.

1. Cost of Completing 2014/15 Decent Homes Improvement Programme

The Decent Homes Improvement Programme delivery contractors (Kier and Lovell) have produced a price for the completion of the improvements we have specified to the 1561 tenants homes currently contained within the 2014/15 programme. Due to a number of factors, this price exceeds the draft 2014/15 Capital budget allocation by £1.874 million.

The principal reasons for this are -

- Asbestos removal costs are higher than projected due to a higher volume of properties with asbestos that requires treating.
- Inflationary increases have been applied by the contractors in some areas and provisions in specific commodities and trades price increases have been factored in (these prices were fixed for 2012/13 and 2013/14).
- Higher roofing costs due to an increase in the volume of roof replacements and the types of roof requiring work being of a more complex nature.
- A significant increase in the proportion of properties potentially requiring a Flat Floor Showers, which are offered to all Older Persons' designated properties in lieu of a bathroom replacement.

We are currently conducting a Value For Money assessment of the prices received to ensure they reflect current market rates. This will be completed through use of the Homes and Communities Agency benchmarking data for the works costs of all Councils delivering Decent Homes Backlog Funding works.

There are a range of options available to secure the funding required to complete this work, and these need to be evaluated in a considered way before a recommended way forward can be proposed to Members. It is intended that this will be completed and a report addressing the financial and budget implications will be submitted to the next meeting of Cabinet, in March 2014, for consideration and referral on to Council if appropriate.

External advice is currently being sought on the most appropriate way to maintain continuity of workload for the contractors and avoid any potentially unnecessary costs being incurred.

Subject to that advice, it is intended to issue an order to the contractors to complete the first 800 properties in the 2014/15 programme (400 to Kier and 400 to Lovell), with the remainder to be confirmed once the funding sources have been determined. This approach would commit £6.48 million of the draft budget (£10.85 million). The remaining budget would not be committed until the further report had been considered by Members in March.

2. Number of Non Decent Properties

Following Cabinets approval to appoint Savills as our stock condition survey consultants in September 2013, an assessment of the required works to the properties in the 2014/15 programme has been completed. In addition the properties we believed from historic data were already at the Decent Homes standard have also been surveyed making a total of 2100 surveys.

Analysis of the outputs from these surveys has identified that 296 properties from the 800 surveyed do not meet the Decent Homes standard. This was a known risk, as a proportion of the properties considered to be Decent were assessed on the basis of data from surveys of other neighbouring/similar properties. There is no contractual obligation to the Homes and Communities Agency as part of their grant funding agreement for the Council to complete these additional properties next year, and the additional cost of completing the work in 2014/15 has been estimated to be £2.4 million based on the average unit costs submitted by the contractors for the 2014/15 programme.

Cabinet will recall that the decision to commission a survey of these homes was taken to verify that our historic data was accurate, and it was anticipated that additional Non Decent homes may be identified as part of this process. Cabinet will consider the financial implications of these properties being brought up to the Decent Homes Standard at a future meeting.

3. Way Forward

Officers are currently evaluating the various options available regarding the timing and funding for completing improvement work to these tenants homes, and will report back in detail on these matters to the next meeting of Cabinet on 4 March 2014.

If significant changes are required to the Capital Programme approval would be also required from Council on 25 March 2014. It is also possible that Cabinet and Council would need to make amendments to the Treasury Management Strategy Statement 2014/15 and potentially the Housing Revenue Account budget if additional funding is provided from revenue resources.

SUPPLEMENTARY RECOMMENDATION

That Cabinet notes the two issues relating to the available budget for the 2014/15 Decent Homes Improvement Programme, and the recently identified additional number of non decent homes, and agrees to receive a further report detailing the implications for the 2014/15 Capital Programme at the Cabinet meeting on 4 March 2014.

HOUSING REVENUE ACCOUNT SUMMARY

LINE NO.	DETAIL	2013/2014		2014/2015
		Budget £	Forecast (p9) £	Estimate £
	HOUSING REVENUE ACCOUNT			
1.	TOTAL REPAIRS & MAINTENANCE	4,849,230	4,879,170	4,933,190
	SUPERVISION & MANAGEMENT			
2.	General	2,114,740	2,041,070	2,117,130
3.	Special / Supporting People	229,830	168,600	387,720
4.		2,344,570	2,209,670	2,504,850
5.	PROVISION -DOUBTFUL DEBTS	96,760	96,760	170,790
6.	CAPITAL FINANCING:-			
7.	Depreciation - MRA & other	4,008,170	4,008,170	4,008,170
8.	Debt Management Expenses	1,380	1,380	1,390
9.		4,009,550	4,009,550	4,009,560
10.	HOUSING SUBSIDY PAYMENT TO NATIONAL POOL	0	0	0
11.	TOTAL EXPENDITURE	11,300,110	11,195,150	11,618,390
12.	RENT INCOME			
13.	Dwellings	16,051,250	15,800,430	16,741,400
14.	Service Charges	316,550	303,680	304,550
15.	Garages & Sites	89,020	83,340	80,920
16.	Other	26,100	26,100	26,100
17.		16,482,920	16,213,550	17,152,970
18.	GOVERNMENT GRANTS			
19.	Decent Homes Backlog Grant	0	8,500,000	8,560,000
		0	8,500,000	8,560,000
20.	TOTAL INCOME	16,482,920	24,713,550	25,712,970
21.	NET COST OF SERVICES	-5,182,810	-13,518,400	-14,094,580
22.	CAPITAL FINANCING - HISTORICAL DEBT	175,000	175,000	175,000
23.	CAPITAL FINANCING - SELF FINANCING DEBT	3,257,170	3,257,170	3,257,170
24.	INVESTMENT INCOME	-25,200	-25,200	-25,200
25.	PREMATURE LOAN REDEMPTION PREMIUMS	19,270	19,270	14,470
26.		3,426,240	3,426,240	3,421,440
27.	NET OPERATING EXPENDITURE	-1,756,570	-10,092,160	-10,673,140
28.	REVENUE CONTRIBUTION TO CAPITAL	250,000	250,000	1,679,058
29.	DEPRECIATION CREDIT - VEHICLES	0	0	-50,730
30.	DECENT HOMES BACKLOG GRANT FINANCING	0	8,500,000	8,560,000
31.	CONTINGENCY	33,000	0	0
32.		283,000	8,750,000	10,188,328
33.	NET (SURPLUS) / DEFICIT	-1,473,570	-1,342,160	-484,812
	<u>HRA BALANCES</u>			
34.	Balance Brought Forward	-3,759,156	-3,759,156	-5,101,316
35.	(Surplus)/Deficit for Year	-1,473,570	-1,342,160	-484,812
36.	Balance as at year end	-5,232,726	-5,101,316	-5,586,128

2014/15 TO 2017/18 HRA CAPITAL PROGRAMME								
APPENDIX 3								
	Notes	2013/14 Approved Programme	2013/14 Revised Programme Jan 2014	2014/15	2015/16	2016/17	2017/18	
2012-17 DHIP Programme								
Year 1 programme slippage (including Major Aids & Adaptations completed under DHIP)			1,192,450					
Year 1 Programme Additional costs			-					
HCA Funded Properties (90% of pre 2012 failures)		8,500,000	9,026,000	8,560,000	-	-	-	
NWLDC Funded Properties (10% + post 2012 failures)	Post 2015/16 as per PIMSS	1,417,000	1,376,000	3,076,725	4,500,000	4,500,000	4,500,000	2014/15 amended to reflect additional spend
Major Aids & Adaptations completed under DHIP			453,000					
Enabling Works Provision	Works in addition to core DHIP spec which are essential to complete jobs.	415,000	415,000	415,000	132,000	132,000	132,000	
Enabling Works for Decants	Including decs/soft furnishing and decant allowance	30,000	30,000		-	-	-	
Asbestos Handling	Disposal of asbestos, following R&D asbestos surveys	450,000	450,000	450,000	50,000	50,000	50,000	
Year 3 Scoping Surveys	Assumed cost £164 per survey	225,000	267,000					
Year 4 Scoping Surveys	Assumed cost £164 per survey. Year 1-4 scoping surveys = 4,475 = total stock.							
2012-17 HPIP Programme								
Fire Risk Assessment Remedial Works	Includes provision for fire risk assessment work, including doors, signage, external openings.	80,000	35,500	40,000	40,000	40,000	40,000	
Lift Replacement	6 lift replacements at Sheltered Schemes	300,000	-	300,000				
Fire Alarm / Emergency Lighting	Sheltered scheme & communal flats emergency lighting and fire alarm upgrades	340,000	146,000	194,000				
Communal Boilers	4 schemes + Woulds/Cherry Tree	146,000	80,000					
Measham (Riverway) Staircases	Reinforced concrete communal staircase remedial works	60,000	32,000					
Defective floor slabs (red ash floors)/Damp proofing (loughborough rd and other identified in year)	Assumption of average of 25 properties p.a. @ £6k each. Loughborough rd - 17 properties, other - 15 properties pa £2.5k each. Budget originally intended for chemical injection, likely that other remedial works will be completed instead within same budget provision	422,500	300,000	310,000	187,500	187,500	187,500	
Fuel swaps (solid fuel to gas supply)	Energy company rebate on fuel swaps income = £12k estimate	67,000	67,000	78,000	25,000	25,000	25,000	
In Year Priorities	No current provision held			-	-	-	-	
Garage Modernisation	One off £100k provision for demolitions, resurfacing & lighting works	50,000		100,000	-	-	-	
Carbon Monoxide Detectors	Potential delivery through solid fuel servicing contractor as will not exceed CV by more than 50%	15,000	15,000	-	-	-	-	
DH Works in Voids and Tenanted Properties	Additional provision added 13/14 to reflect historic expenditure trends	1,455,000	850,000	850,000	850,000	850,000	850,000	
Major Aids & Adaptations	Expenditure on flat floor shower on DHIP needs a virement of additional costs over standard bathroom to be transferred out of this budget where there is not an active A&A referral @ an approx cost of £1200 pp	380,000	140,000	380,000	350,000	350,000	350,000	

		Notes	2013/14 Approved Programme	2013/14 Revised Programme Jan 2014	2014/15	2015/16	2016/17	2017/18	
	Development Site Preparations	Related to decommissioned sheltered schemes. £20k, provision left in for 12/13 for rebuilding wall at Heather House	40,000	40,000	40,000	-	-	-	
	Insulation Works	Principally external wall works. External grant income anticipated.	525,000	-	660,000	-	-	-	
	Green & Decent Installations	Pilot costs for 2013/14, recurring budget requirement from 2015/16 for ongoing programme. External grant income anticipated.	125,000	-	125,000	250,000	250,000	250,000	
	IBS Upgrade (Contract Module)	Provision for repairs data requirements required to support implementation of repairs diagnostics and mobile working. Moved from 2012/13 to 2013/14.	25,000	25,000					
	Dynamic Scheduling	Required for Mobile Working (Dynamic Scheduling) project.	34,550	34,550					
	Speech Module	Replacement of speech module equipment in hard wired older persons accommodation.			50,000	50,000	50,000	50,000	
	Capital Programme Delivery Costs	Includes Decent Homes Improvement Programme contingency	763,000	763,000	698,000	623,000	623,000	623,000	
	Unallocated/Contingency	Contingency prior to 2015/16 incorporated into individual budget lines. For 2015/16 onwards separate provision held to ensure adequate capacity available to meet in years needs as and when identified.			-	500,000	500,000	500,000	
	Capital Allowances								
	Programme to be defined	Review of income from asset disposals will determine capacity within this budget. Potential option of funding works within Other Investment category from this source							
	Total Programme Costs		15,865,050	15,737,500	16,326,725	7,557,500	7,557,500	7,557,500	
	Funding								
	A&A Grant								
	Usable balances held @ 31/03/12		2,913,000	4,008,000	1,720,500	613,451	625,295	608,795	
	Retained Right to Buy Receipts (RTB)	Based on projections from Spreadsheet agreed on 01/11/2012. Target/estimate to be used one year in arrears.	174,000	143,000	203,618	228,344	200,000	200,000	
	RCCO	Balancing transfer from HRA to be verified through HRA Business Plan Model.	250,000	250,000	1,679,058	3,250,000	3,250,000	3,250,000	
	Decent Homes Backlog Funding		8,500,000	9,026,000	8,560,000	-	-	-	
	Major Repairs Allowance	More detailed work to be undertaken as part of HRA Business Planning and in reference to HRA component depreciation.	3,991,000	3,991,000	3,991,000	3,991,000	3,991,000	3,991,000	
	Asset Disposals (Capital Allowance)	Income from sale of HRA (non RTB) assets. Target/estimate to be used one year in arrears. (Includes Broughton Street District Heating building).	65,000	40,000	325,000	100,000	100,000	100,000	
	Windfall RTB receipts				461,000				
	Total Funding		15,893,000	17,458,000	16,940,176	8,182,795	8,166,295	8,149,795	
	Cumulative Over / (Under Resource)		27,950	1,720,500	613,451	625,295	608,795	592,295	

PRUDENTIAL INDICATORS

1 Background

The Local Government Act 2003 requires the Authority to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Authority has fulfilled these objectives, the Prudential Code sets out the following indicators that must be set and monitored each year.

2. Gross Debt and the Capital Financing Requirement

This is a key indicator of prudence. In order to ensure that over the medium term debt will only be for a capital purpose, the Authority should ensure that the debt does not, except in the short term, exceed the total of the capital financing requirement in the preceding year plus the estimates of any additional increases to the capital financing requirement for the current and next two financial years.

The Section 151 Officer reports that the Authority has had no difficulty meeting this requirement in 2012/13, nor is there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

3. Estimates of Capital Expenditure

This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council Tax and in the case of the HRA, housing rent levels.

Capital Expenditure	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Non-HRA	1.779	2.031	2.496	1.122	1.281
HRA	15.865	15.738	16.327	7.558	7.558
Total	17.644	17.769	18.823	8.680	8.839

Capital expenditure will be financed or funded as follows:

Capital Financing	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Capital receipts	0.239	0.183	0.990	0.328	0.300
Government Grants	8.873	9.255	8.784	0.224	0.224
Major Repairs Allowance	0.000	3.991	3.991	3.991	3.991
Reserves	3.048	2.635	1.852	0.000	0.017
Other Contribution-s106	0.000	0.055	0.115	0.000	0.000
Grants - Other	0.000	0.000	0.013	0.000	0.000
Revenue contributions	4.213	0.448	1.838	3.388	3.399
Total Financing	16.373	16.567	17.583	7.931	7.931
Supported borrowing	0.000	0.000	0.000	0.000	0.000
Unsupported borrowing	1.271	1.202	1.240	0.749	0.908
Total Funding	1.271	1.202	1.240	0.749	0.908
Total Financing and Funding	17.644	17.769	18.823	8.680	8.839

4. Ratio of Financing Costs to Net Revenue Stream

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs. The definition of financing costs is set out in the Prudential Code.

The ratio is based on costs net of investment income.

Ratio of Financing Costs to Net Revenue Stream	2013/14 Approved %	2013/14 Revised %	2014/15 Estimate %	2015/16 Estimate %	2016/17 Estimate %
Non-HRA	10.22	10.08	10.14	9.83	10.18
HRA	14.68	15.87	14.91	14.78	14.65
Total (Average)	12.95	13.59	13.31	13.21	13.25

5. Capital Financing Requirement

The Capital Financing Requirement (CFR) measures the Authority's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and it's financing.

Capital Financing Requirement	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Non-HRA	13.619	13.591	14.248	14.421	14.740
HRA	79.155	78.168	77.159	76.128	75.072
Total CFR	92.774	91.759	91.407	90.549	89.812

6. Actual External Debt

This indicator is obtained directly from the Authority's balance sheet. It is the closing balance for actual gross borrowing plus other long-term liabilities. This Indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.

Actual External Debt as at 31/03/2013	£m
Borrowing	88.510
Other Long-term Liabilities	0.055
Total	88.565

7. Incremental Impact of Capital Investment Decisions

This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and Housing Rent levels. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

Incremental Impact of Capital Investment Decisions	2013/14 Approved £	2013/14 Revised £	2014/15 Estimate £	2015/16 Estimate £	2016/17 Estimate £
Increase in Band D Council Tax	2.55	2.59	2.99	2.32	2.63
Increase in Average Weekly Housing Rents	3.76	3.76	4.30	3.40 *	3.29 *

*The Government is proposing to change the basis of the calculation of rents from 2015/16 and has recently consulted on this but the outcome is as yet undetermined. The estimates for 2015/16 and 2016/17 are based on one of four potential options and are therefore subject to change, when a new method has been agreed.

8. Authorised Limit and Operational Boundary for External Debt

The Authority has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Authority and not just those arising from capital spending reflected in the CFR.

The **Authorised Limit** sets the maximum level of external debt on a gross basis (i.e. excluding investments) for the Authority. It is measured on a daily basis against all external debt items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Authority's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

The Authorised Limit has been set on the estimate of the most likely, prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

Authorised Limit for External Debt	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Borrowing	97.100	97.100	99.914	97.579	97.025
Other Long-term Liabilities	1.000	1.000	0.700	0.700	0.700
Total	98.100	98.100	100.614	98.279	97.725

The Operational Boundary links directly to the Authority's estimates of the CFR and estimates of other cash flow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely, prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.

The Section 151 Officer has delegated authority, within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long-term liabilities. Decisions will be based on the outcome of financial option appraisals and best value considerations. Any movement between these separate limits will be reported to the next meeting of the Council.

Operational Boundary for External Debt	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Borrowing	95.100	95.100	97.914	95.579	95.025
Other Long-term Liabilities	0.500	0.500	0.500	0.500	0.500
Total	95.600	95.600	98.414	96.079	95.525

9. Adoption of the CIPFA Treasury Management Code

This indicator demonstrates that the Authority has adopted the principles of best practice.

Adoption of the CIPFA Code of Practice in Treasury Management
The Authority has re-affirmed adoption of the CIPFA Treasury Management Code within this strategy, 11 February 2014.

The Authority has incorporated the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.

10. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

These indicators allow the Authority to manage the extent to which it is exposed to changes in interest rates. The Authority calculates these limits on net principal outstanding sums (i.e. fixed rate debt net of fixed rate investments).

The upper limit for variable rate exposure has been set to ensure that the Authority is not exposed to interest rate rises which could adversely impact on the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments.

	Existing (Benchmark) level 31/03/13 %	2013/14 Approved %	2013/14 Revised %	2014/15 Estimate %	2015/16 Estimate %	2016/17 Estimate %
Upper Limit for Fixed Interest Rate Exposure	100	100	100	100	100	100
Upper Limit for Variable Interest Rate Exposure	50	50	50	50	50	50

The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Authority's treasury management strategy.

Fixed rate investments and borrowings are those where the rate of interest is fixed for the whole financial year. Instruments that mature during the financial year are classed as variable rate.

11. Maturity Structure of Fixed Rate borrowing

This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

Maturity structure of fixed rate borrowing	Lower Limit for 2014/15 %	Upper Limit for 2014/15 %
under 12 months	0	20
12 months and within 24 months	0	20
24 months and within 5 years	0	20
5 years and within 10 years	0	50
10 years and within 20 years	0	50
20 years and within 30 years	0	60
30 years and within 40 years	0	50
40 years and within 50 years	0	50
50 years and above	0	0

12. Upper Limit for total principal sums invested over 364 days

The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Authority having to seek early repayment of the sums invested.

	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Upper Limit	5	5	5	5	5

This page is intentionally left blank

Extract from the Draft Minutes of Cabinet – 4 MARCH 2014

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 4 MARCH 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, J Legrys, S Sheahan and M B Wyatt

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

115. ADDITIONAL COSTS OF THE DECENT HOMES IMPROVEMENT PROGRAMME 2014/15

The Housing Portfolio Holder presented the report to Members.

He reminded Members that at the last meeting of Cabinet they were advised that additional costs had been identified and that this would need to be met from other reserves.

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

RESOLVED THAT:

Cabinet -

1. Notes the projected increase in costs associated with completing the 2014/15 Decent Homes Programme of Improvements.
2. Recommends to Council the revised 2014/15 Housing Capital Programme and HRA budget as detailed in appendix 2 and 3 of this report to fund this increase in costs, and the amended prudential indicators detailed in appendix 4.
3. Agrees to receive a further report at its next meeting on 24 June 2014 regarding the funding options to complete decent homes improvements to the additional non decent properties recently identified.

Reason for decision: To ensure that Council has adequate financial resources to deliver the required programme of improvement works to Council tenants homes.

This page is intentionally left blank

Extract from the Draft Minutes of Policy and Development Group – 12 MARCH 2014

The Head of Housing presented the report to Members. He highlighted to Members the four grounds for calling-in the decision and that the report took each ground in turn and provided information to address them.

Councillor S Sheahan advised the Committee that the call-in request had arisen following a routine briefing and he had concerns over the magnitude of money that was required. He requested a breakdown of how much of the additional £1.6 million was required for each of the four elements stated in the report.

The Head of Housing informed Members that £810k was required for roofing work, £226k was required for asbestos removal, £405k was required to offer a level access shower in suitable properties in lieu of a standard bathroom and £210k was required to cover inflationary pressures.

Councillor S Sheahan asked if it was the aim of the Head of Housing to complete the work within the budget and if the overspend could have been avoided.

The Head of Housing advised Members that it was his objective to complete all work within budget, however Officers could not predict any additional works that may be required once the original work had begun. He stated that the additional money that was required was not an overspend, it was required as additional costs following surveys that had been completed in December, however in the future Officers would ensure that the surveys would be carried out in the earlier quarters so that any additional costs could be incorporated. He advised Members that on this occasion the additional costs could not have been avoided.

Councillor S Sheahan went on to ask if the additional costs that had been raised had come from just one contractor or both, and if the Council would use the Term Partnering Contract in the future.

The Head of Housing responded by advising Members that the contractors worked in different areas and it would depend on the age of the property and previous materials used as to the costs that each contractor would incur, however should contractors come to Officers with an increase in costs they must provide reasons and justify the increase. He went on to advise Members that he would recommend the use of the Term Partnering Contract again in the right circumstances, but would let experience decide if it was the right option for the work that was needed.

Councillor D Everitt asked that if the contractor found additional work, was the Council able to verify this itself and once the work had been completed was it signed off with the tenant, as to being completed to an acceptable standard.

The Head of Housing advised that Officers from the Council did go out to verify the additional work and that Council Officers, tenants and contractors would sign the work off together.

Councillor N Clarke raised concerns over the use of the Right to Buy money as this would affect the One to One Policy.

The Head of Housing advised Members that despite selling more properties, the decrease in value had not led to the income reaching a level to trigger the policy.

Councillors A C Saffell and J Geary expressed concerns at the lateness of the report and felt that they had not received enough time to take in the information provided.

Councillor J Geary stated that he was finding it difficult to understand the amount of money that was required, as he felt that Council should know the amount of asbestos within properties and the roofing materials should not be a big costing. He expressed doubts as to how the costs were procured.

The Head of Housing responded that it was difficult to know where the asbestos was in properties as it may have been built in behind objects in the past and with carrying out pre-inspections, Officers were locating more and completing the register that was required for contractors to view, and with regard to roofing materials, it was not until the purlins were removed that it was becoming apparent that the roof structures did not meet the standards. He advised that this could not be predicted by just looking into the roof space.

Councillor S Sheahan stated that he would be happy to receive a future report regarding the additional non-decent homes, but queried if the Council could secure additional external funding.

The Head of Housing advised that funding was only available for Authorities with more than 10% of homes requiring work by April 2015 and that he did not envisage the Council having more than 10% at that time.

Councillor N Smith stated that he had replaced many roofs over the years and informed the Committee that until you stripped the roof off you could not know what additional work may be required to ensure the safety of the structure.

Councillor N Clarke stated that he supported the Decent Homes Programme as a lot of the work had been carried out within his Ward and thanked Officers for all the hard work that had been put into the programme.

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

RESOLVED THAT:

No further action be taken.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 25 MARCH 2014

Title of report	PROPOSED COUNCIL DELIVERY PLAN 2014/15
Contacts	<p>Councillor Richard Blunt 01530 454510 richard.blunt@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p>
Purpose of report	To endorse the Council's Delivery Plan for 2014/15 and consider any recommendations from Cabinet.
Reason for Decision	To adopt the Council Delivery Plan for 2014/15.
Council Priorities	This report delivers an update and actions on all of the Council's priorities.
Implications:	
Financial/Staff	The implementation of the Council Delivery Plan has been resourced through the Council's Medium Term Financial Strategy.
Link to relevant CAT	Improvements contained within the Delivery Plan
Risk Management	Improvements contained within the Delivery Plan
Equalities	Equality impacts will be continuously monitored
Human Rights	None discernible at this time
Transformational Government	Improvements contained within the Delivery Plan
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	CLT; Strategy Group on 17/2/14; and Cabinet on 4/3/14.
Background papers	<p>Medium Term Financial Strategy 2014/15 (Cabinet 11 June 2013) Link to report</p> <p>General Fund Revenue Budget – Draft Proposals 2014-15 and 2015-16 (Cabinet 24 September 2013) Link to report</p> <p>Proposed Council Delivery Plan 2014-15 (Cabinet 4 March 2014) Link to report</p>
Recommendations	<p>IT IS RECOMMENDED THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. CONSIDERS THE PROPOSED COUNCIL DELIVERY PLAN 2014/15. 2. SUBSEQUENTLY APPROVES THE PLAN'S CONTENT. 3. AUTHORISES THE CHIEF EXECUTIVE, IN CONSULTATION WITH THE LEADER OF THE COUNCIL, TO MAKE ANY FINAL TECHNICAL AMENDMENTS TO THE TARGETS FOR 2014/15.

1 BACKGROUND

- 1.1 The Council adopted its first Council Delivery Plan (CDP) in April 2005. Since then, the CDP has evolved annually to reflect the changing environment in which the Council is operating.
- 1.2 Previously, the CDP was used as evidence towards the Council's Comprehensive Area Assessment (CAA) inspection, and was a lengthy and highly detailed document of several volumes designed to meet the requirements of the Audit Commission inspection process. With the abolition of the Audit Commission, the National Indicator set and the CAA during 2010, the Council is able to determine locally how performance is reported.
- 1.3 Since 2011/12, the CDP format has been designed to suit our customers rather than our auditors. These plans provided an accessible overview of the Council's plans for the new financial year, including priority outcomes and high level actions. Detailed quarterly milestones and performance indicators were developed and included in an Appendix to the CDP. Performance against the detailed appendix is reported quarterly to Cabinet. The most recent CDPs have a strong customer focus, and several sections of the reports were included largely for the benefit of readers outside the Council.
- 1.4 The Council's priorities for 2014/15 remain the same as those for 2013/14 - Business and Jobs, Homes and Communities, Green Footprints Challenge and Value for Money.

- 1.5 A number of frontline services, which matter most to customers, were agreed at Cabinet in the *General Fund Revenue Budget – Draft Proposals 2014-15 and 2015-16* report of 24 September 2013. These are:

- Waste Services
- Housing Services
- Leisure Centres
- Revenues & Benefits
- Planning Services
- Environmental Health

2 PROPOSED COUNCIL DELIVERY PLAN 2014/15

- 2.1 The 2014/15 CDP is attached at Appendix 1 and follows the same format as plans from the past few years.
- 2.2 The Council's priorities and frontline services have been used to shape the content of the Council Delivery Plan, which also details key projects planned for each priority area.
- 2.3 The outcomes and actions listed in the Plan have a detailed set of quarterly milestones and indicators listed in Team Business Plans, and quarterly performance monitoring against these plans will continue as it does at present. These quarterly milestones and indicators are detailed in Appendix 2.

3 MEMBER PROCESS

- 3.1 The Council Delivery Plan was considered at Cabinet on 4 March 2014. It was resolved that, following consideration of the proposed Council Delivery Plan for 2014/15, Cabinet:
- Endorses the plan's content and recommends it to Council for approval on 25 March 2014.
 - Authorises the Chief Executive, in consultation with the Leader of the Council, to make any final amendments to the plan prior to Council on 25 March 2014.

This page is intentionally left blank



Council Delivery Plan 2014/15





“We are very fortunate to live in an area full of character, thanks to our busy market towns, close-knit rural villages, rolling farmland and wooded countryside”

Introduction...

Welcome to our Council Delivery Plan for 2014/15, which sets out how we intend to improve North West Leicestershire in the year ahead.

We are working harder than ever to provide value for money in these challenging financial times and while this sometimes means taking tough decisions, our focus for 2014/15 remains on providing high quality frontline services for our customers. While we are reducing our overall expenditure, we will still make sure that funding is available to maintain, invest and make essential improvements in services for the communities in our district.

Despite significant financial challenges, we're proud of our achievements during the past year:

Value for Money

- We have developed a new website which will make it easier for customers to access council services. Customers will be able to interact with us at a time and place that suits them.
- 117 new affordable homes were built between April and the end of December 2013. Our residents have benefitted by the increased availability and choice of affordable homes which have been allocated through our Choice Based Lettings Scheme.

Business and Jobs

- We continue to support the 'Better Business for All' programme; a local partnership between businesses and regulators to promote business growth. A support pack has been developed for all new businesses to help them understand their legal responsibilities and giving guidance

and contacts that will support them to start up compliantly. We are also working to reduce the impact of regulation on small businesses who have a track record of regularly complying with the law, to enable them to spend less time on paperwork and more on growing their business.

Homes and Communities

- As part of our £35 million Decent Homes Improvement Programme, we completed our 1,000th home. Around 2,000 tenants are now benefiting from these improvement works which have improved their standard of living and will reduce their heating bills. The tenant living at the 1,000th home to have works completed commented: "I am absolutely thrilled with all of the work done in my house and could not be more pleased with the quality and workmanship carried out."
- We have improved the facilities on offer to customers at our leisure centres in Whitwick and Ashby, which now offer some of the latest gym equipment, refurbished changing rooms and new air conditioning. More people are using our leisure facilities, meaning increased levels of fitness and general wellbeing, and customers are happier.

Green Footprints Challenge

- Our commitment to tackling local litter hotspots during 2013/14 led to our roadside litter campaign being declared the overall winner at the Keep Britain Tidy 2013 awards.

Introduction...

Our campaign focused on reducing litter from vehicles, working with local haulage and distribution firms and their drivers, such as Pall-Ex and United Biscuits. This is a great recognition for the Council and means that our roadside verges are cleaner and greener for residents and visitors.

- In partnership with local businesses and Leicestershire County Council, we have secured £4 million to boost sustainable transport around Coalville and Loughborough. We will use this money to provide more local opportunities for cycling, cutting congestion and reducing carbon emissions, and leading to improved air quality, less time spent commuting and an enhanced quality of life for residents.
- During the year, we worked with 85 volunteer litter pickers to help keep the district clean for all our residents. They have collected more than five tonnes of other people's rubbish the weight of a large elephant and helped ensure that the district is a tidier and cleaner place for everyone.

The future

A key area of investment for us in the years ahead will be our continued work on improving the quality of tenants' homes to meet the Decent Homes Standard. The council plans to invest over £10 million between April 2014 and March 2015 which will improve more than 1,500 homes.

We will also:

- Support housing associations to build new homes. Not only will this help to house people in need, it will also support local businesses and jobs
- Set up an investment fund to encourage new businesses to move into the district and to help existing local businesses to expand, creating new jobs for local people
- Embark on a number of projects which will help to regenerate Coalville and other shopping centres to encourage more people to shop locally and support small businesses
- Assist community groups with funding and support to develop small scale projects that improve the quality of life for local people and the environment

We would like to thank those who have worked with us over the last year to improve the services we provide. Special thanks are deserved by Leicestershire Police, the Homes and Communities Agency, Leicester and Leicestershire Enterprise Partnership, Leicestershire County Council, Stephenson College, The National Forest Company and of course our staff. We look forward to building on our successes during 2014/15 and beyond.



Cllr Richard Blunt
Leader
North West Leicestershire
District Council



Christine E Fisher
Chief Executive
North West Leicestershire
District Council

What we plan to do in 2014/15



Coalville by the Sea

Our vision for the future

'North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home.'

Delivering this vision is the focus of our four priorities and ensures that we concentrate on using our resources to provide services that really matter to local people and businesses.

Council Priorities for 2014/15

- **Value for Money**

We aim to provide council services that people feel provide good value for money

- **Business and Jobs**

We aim to make the district a better place to invest, work and visit

- **Homes and Communities**

We aim to improve the wellbeing of people living in North West Leicestershire

- **Green Footprints Challenge**

We aim to make people feel proud to be part of a greener district

Our People



At North West Leicestershire District Council, we know our staff are our biggest asset. Providing excellent service for our customers means developing and supporting our staff to be their best; we measure success not only by getting great results, but also in the way we achieve them. The council promotes five core values for its employees as part of its Best Employee Experience (BEE) programme:

- **Spend our money wisely** – Our staff make sure they deliver value for money in everything they do
- **Support what is possible** – Our staff identify, agree and provide the best possible outcomes for all customers
- **Be fair and proud** – Our staff show pride in

their work and take individual responsibility for delivering what is agreed

- **Listen carefully** – Our staff listen and respond to the needs of customers and colleagues – both internally and externally
- **Deliver agreed quality** – Our staff make sure they deliver within agreed timescales and to the expected quality

During 2014/15 our staff will continue to deliver on our core values through regular appraisals, monitoring of feedback from customers and training and development. We will celebrate the achievements of staff who consistently demonstrate outstanding service, and will use feedback from our customers to identify staff providing exceptional customer experiences.

Value for Money

People feel council services provide good value for money

What we want to achieve

- Customers are happier with key services provided
- People feel the council is spending money well

How we will achieve it

Providing high quality frontline services

To provide a fair and supportive Revenues and Benefits service for our customers through the following actions:

Outcome	Action
Customers of the Revenues and Benefits service receive a more efficient service	Implement the recommendations resulting from an external review of the Revenues and Benefits service
Customers migrating to Universal Credit feel that the transition is managed effectively	Produce a plan for the introduction of Universal Credit including resource implications and timescales
Customers are happier with methods of accessing the Revenues and Benefits service	Make services available on the web for Revenues and Benefits customers to self-serve



Value for Money

People feel council services provide good value for money

Delivering high priority corporate projects	
Outcome	Action
Customers are happier with methods of accessing council services Customers can interact with the council at a time and place that suits them	To deliver a change programme which improves our Customer Experience
The council's savings targets are met	To deliver a comprehensive 'Planning for the Future' programme which reduces net expenditure and ensures that services meet the council's future needs

Other 'Value for Money' measures we will monitor and report to Cabinet

- Quarterly updates on managing our finances
- Quarterly updates on managing sickness absence



Moirs Furnace

Business and Jobs

Our district is a better place to invest, work and visit

What we want to achieve

- Businesses choose to locate and remain in our district
- People find suitable employment within the district
- The council supports sustainable development and growth

How we will achieve it

Providing high quality frontline services

To provide a fair and timely Planning and Development service through the following actions:

Outcome	Action
Customers are happier with service provided and can co-design the council service	Review and refresh the Agents Forum, which will help improve the working relationship with agents
Customers are happier with Planning and Development service and will be more involved with the planning process locally so that local views are fully taken into account as part of the planning process	Engage with and deliver planning related training to the Parish and Town Councils



Donington Park, Castle Donington

Business and Jobs

Our district is a better place to invest, work and visit

To provide a robust and supportive Environmental Health service through the following actions:

Outcome	Action
People attending large public events feel safe Residents living nearby large public events feel supported by the council	Advise, guide and support organisers of music events and residents to prevent crime and disorder, public nuisance, ensure public safety and protect children from harm
Food produced or sold in the district is safe to eat	Undertake a programme of interventions at food establishments in accordance with the Statutory Food Law Code of Practice
Consumers have the information and understanding to make informed choices about where and what they eat	Inform consumers of hygiene standards at food establishments
Businesses view the Environmental Health service as an effective and efficient service that supports business growth	Contribute to the work of the Leicester, Leicestershire and Rutland Regulatory Services Partnership and 'Better Business for All' work programme

Delivering high priority corporate projects

Outcome	Action
Coalville Market is more attractive to traders and customers leading to greater use of the market	To undertake physical improvements and implement a strategy for promotion and advertising of Coalville Market
Sustainable growth of the district is promoted through an up to date Local Plan, enabling residents to access good quality housing and job opportunities	To engage elected members, Town and Parish councils in the Local Plan preparation process

Homes and Communities

The wellbeing of people in North West Leicestershire is improved

What we want to achieve

- People feel proud of their homes and communities
- People feel safe in their community
- Families in need are supported by the council

How we will achieve it

Providing high quality frontline services

To provide a fair and supportive Housing service through the following actions:

Outcome	Action
Vulnerable people are provided with vibrant and safe places to live	Determine the long term future of sheltered housing schemes with low occupancy/demand
Customers are satisfied with the Housing Management Service and feel listened to	Feedback from customers is used to inform future service delivery and service improvements
Tenants have safe and decent places to live	Provide effective contract management for all responsive, planned and cyclical contracts (not DHIP or IRT)
Tenants are satisfied with the Repairs and Investment Service and feel listened to	Feedback from Scrutiny Panel and tenants in general is used to inform future service delivery and service improvements
Customers are happier with key services provided as they have web access to tailored 24/7 housing advice enabling them to make informed decisions Vulnerable people have better access to Housing advisors	Implement HomeGuide self service housing advice service by end of June 2014
People feel proud of their homes and communities	110 affordable housing units will be delivered across the district by March 2015

Homes and Communities

The wellbeing of people in North West Leicestershire is improved

To provide a dynamic and customer-focused Leisure service through the following actions:

Outcome	Action
People feel the council is spending money well	Run a programme of efficiency savings in the leisure centres
Improved levels of customer satisfaction in leisure centres and with the grounds maintenance service	Measure customer service levels in Leisure services

Delivering high priority corporate projects

Outcome	Action
Tenants have safe and decent places to live	To significantly improve the condition of our housing stock through the Decent Homes Improvement Programme



Coalville Miner

Green Footprints Challenge

People feel proud to be part of a greener district

What we want to achieve

- Residents and businesses are motivated to be greener

How we will achieve it

Providing high quality frontline services

To provide a reliable and efficient Waste collection, recycling and cleansing service through the following actions:

Outcome	Action
Residents receive better value for money for their recycling efforts	Invest in sorting technology to maximise the value of plastics bottles, pots, tubs, and trays, and steel and aluminium cans
Customers are satisfied with the level of waste services provision	Establish how satisfied the residents of the district are with the waste collection and street cleansing service



Green Footprints Challenge

People feel proud to be part of a greener district

Delivering high priority corporate projects	
Outcome	Action
Residents feel that the council is spending money wisely	To fully implement waste management software that will increase the reliability and efficiency of our refuse and recycling collections
Residents are motivated to become involved in making their community greener	To empower community groups to develop a series of projects that make a difference to residents' quality of life and the environment



Castle Donington

Managing the council's finances - 2014/15 to 2017/18

In the current economic climate, it is more important than ever that we continue to make sure that we provide value for money in our services, as the Government moves forward with its deficit reduction programme. The Government has reviewed the funding of local authorities and provided opportunities to reward business growth and increases in housing stock, but it is clear that the overall level of national funding will continue to fall.

We are doing all we can to maximise our locally determined income, including New Homes Bonus and Retained Business Rates.

For 2014/15 our mainstream Government grant allocation was reduced by more than 12% compared with 2013/14. Through our medium term financial planning, we anticipated such a reduction and have continued to identify and deliver savings to meet overall expected funding reductions up to the end of 2017/18. This has allowed us to freeze our portion of Council Tax again in 2014/15.

We will continue this drive for efficiency, economy and effectiveness in everything we do and will also continue with the regular monitoring of income and expenditure and recording efficiency savings made. Savings of £400,000 have been approved for 2014/15 and a further £300,000 is expected to be found in 2015/16. We will update our four year Medium Term Financial Strategy in the summer in anticipation of further reductions in Government funding.



Market Street, Ashby-de-la-Zouch

Building confidence in the council's performance

Our performance was very strong across the council during 2013/14, but we continue to strive for performance improvements across all services.



Ashby Canal, Moira

At the heart of our work to further improve the services that people value most will be a performance programme focusing on:

- **Robust monthly meetings of the Corporate Leadership Team to manage the council's performance**
- **Quarterly reports to Cabinet, which will include performance on the council's priorities and frontline services**
- **Actively engaging our customers and communities in shaping our services**

- **Investing in and supporting our local councillors in undertaking their duties**
- **Valuing the views of our partners and customers to improve our performance**
- **Engaging external best practice and benchmarking to challenge what we do and how we do it**
- **Working as one council and one team to be the best we can**
- **Releasing talent, growing capacity and expertise within the staff of the council**

Each of the actions set out in this Plan will be monitored quarterly by members of the council's Cabinet to make sure we are achieving the high standards we have set.

You can check our progress by visiting the performance page of our website

www.nwleics.gov.uk/performance

Useful information

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

Website:

www.nwleics.gov.uk

Email:

customer.services@nwleicestershire.gov.uk

Twitter:

@NWLeicestershir

Post:

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

Telephone:

01530 454 545 (Main switchboard)

If you have an emergency outside of normal hours,
please call 01530 454 789

Fax:

01530 454 506 (Reception)



Appendix 2 - Council Delivery Plan Outcomes, Actions and Outcome Measures 2014/15

Council Priority - Value for Money							
Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
To provide a fair and supportive Revenues and Benefits service for our customers							
1	Customers of the Revenues and Benefits service receive a more efficient service	Implement the recommendations resulting from an external review of the Revenues and Benefits service	Head of Finance	IRRV report considered by Management Board Implications of IRRV report assessed by the Revenues and Benefits Partnership and CLT	Report recommendations and timescales for implementation agreed by Joint Committee	Anticipated changes to working practices implemented	Anticipated changes to governance and structure anticipated
2	Customers migrating to Universal Credit feel that the transition is managed effectively	Produce a plan for the introduction of Universal Credit including resource implications and timescales	Head of Finance	Assist in mapping council services and agencies provision		Respond to the Government's final support service framework	Prepare for the migration of customers to Universal Credit subject to the migration programme agreed by the DWP
3	Customers are happier with methods of accessing the Revenues and Benefits service	Make services available on the web for Revenues and Benefits customers to self-serve	Head of Finance		Identify key steps in the project and ICT requirements. An initial focus is to be given to Direct Debit over the web.	Develop and implement Direct Debit over the web.	Develop and test the remaining self service functionality. Launch web self-service to customers.
Value for Money Projects							
4	Customers are happier with methods of accessing council services Customers can interact with the council at a time and place that suits them	To deliver a change programme which improves our Customer Experience	Head of Legal and Support Services	Launch new Council Website including a number of self-service options SMS Messaging launched to enable customers to receive text messages from the Council about their	Roll-out the implementation of mobile working technology to our Housing operatives Develop a campaign to publicise new ways customers can contact the Council	Encourage our customers to use new channels for contacting the Council by implementing publicity campaign developed in Q2 Assess customer demand for web self-	Assess the success of web self-service and revise publicity campaign messages if applicable

Council Priority - Value for Money							
Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
				queries Develop and implement improvements to self-service kiosks in our reception area	Introduce more self-service options on the Council's website	service options and develop further functionality as required	
5	The councils' savings targets are met	To deliver a comprehensive 'Planning for the Future' programme which reduces net expenditure and ensures that services meet the council's future needs	Head of Legal and Support Services	Ensure full delivery of 2014/15 PFFP savings. Support, monitor and shape 215/16 targets with PMO Project Board	Support project management of the delivery of 2015/16 savings and provide reporting and oversight to support governance structure	Define and support early prioritisation of 2016/17 savings. Continuation of Q2 Tasks/Milestones	Support end stage delivery of 2014/15 savings. Firm up 2016/17 priorities.

Council Priority - Business and Jobs

Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
To provide a fair and timely Planning and Development service							
*6	Customers are happier with service provided and can co-design the council service	Review and refresh the Agents Forum, which will help improve the working relationship with agents	Head of Regeneration & Planning	Planning and Building Control Agents Forum Scheduled for May 2014	Review feedback from Forum and set in place any agreed action points	Schedule and deliver Planning and Building Control Agents Forum (Likely October/ November)	Review feedback from Forum and set in place any agreed action points
7	Customers are happier with Planning and Development service and will be more involved with the planning process locally so that local views are fully taken into account as part of the planning process	Engage with and deliver planning related training to the Parish and Town Councils	Head of Regeneration & Planning	Contact clerks to discuss engagement with them on planning applications and to assess required planning training needs for Parish and Town Councils	Carry out liaison and engagement with Parish/Town Councils and undertake rolling programme of bespoke Parish training delivery across a range of formats to include training at Parish offices and centralised training Carry out review of training feedback delivered to date to inform ongoing programme	Review progress on Neighbourhood plans in Ashby and Ellistown – identify lessons to improve engagement with residents and parish councils	Consider service review options for 15/16
65							
To provide a robust and supportive Environmental Health service							
8	People attending large public events feel safe Residents living nearby large public events feel supported by the council	Advise, guide and support organisers of music events and residents to prevent crime and disorder, public nuisance, ensure public safety and protect children from harm	Head of Legal & Support Services	To advise, guide and support the event organiser and residents in the planning for the Download Music Festival, Gatecrasher, Zoo Project Festival and Fake Music Festival	To advise, guide and support the event organiser and residents in the planning for the Strawberry Fields Music Festival	To undertake a debrief of both the Download and Strawberry Fields events	To capture the internal learning to the approach taken to manage events
9	Food produced or sold in the district is safe to eat	Undertake a programme of interventions at food establishments in accordance	Head of Legal & Support Services	To undertake a programme of interventions due in Q1	To undertake a programme of interventions due in Q2	To undertake a programme of interventions due in Q3	To undertake a programme of interventions due in

Council Priority - Business and Jobs

Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
		with the Statutory Food Law Code of Practice		at food establishments in accordance with the Statutory Food Law Code of Practice	at food establishments in accordance with the Statutory Food Law Code of Practice	at food establishments in accordance with the Statutory Food Law Code of Practice	Q4at food establishments in accordance with the Statutory Food Law Code of Practice
10	Consumers have the information and understanding to make informed choices about where and what they eat	Inform consumers of hygiene standards at food establishments	Head of Legal & Support Services	<p>To rate all food hygiene inspections carried out and upload data to the national website</p> <p>To publicise the rating scheme including the highest rated businesses</p>	<p>To rate all food hygiene inspections carried out and upload data to the national website</p> <p>To publicise the rating scheme including the highest rated businesses</p>	<p>To rate all food hygiene inspections carried out and upload data to the national website</p> <p>To publicise the rating scheme including the highest rated businesses (festive theme)</p>	<p>To rate all food hygiene inspections carried out and upload data to the national website</p> <p>To publicise the rating scheme including the highest rated businesses (valentines theme)</p> <p>To issue and publicise the Food Safety Awards</p>
11	Businesses view the Environmental Health service as an effective and efficient service that supports business growth	Contribute to the work of the Leicester, Leicestershire and Rutland Regulatory Services Partnership and 'Better Business for All' work programme	Head of Legal & Support Services	<p>To review our food safety intervention policy focussing on ensuring a risk based approach to targeting</p> <p>To implement new intervention policy by reducing the number of inspections at lower risk businesses</p>	To develop model service standards for regulatory services and introduce in Environmental Health	To participate in a national pilot allowing regulators to share intelligence for the purpose of effective targeting of resource (IRIS)	To complete and evaluate a programme of frequent interventions at a target group of non compliant food businesses
Business and Jobs Projects							
12	Coalville Market is more attractive to traders and customers leading to greater	To undertake physical improvements and implement a strategy for	Head of Regeneration & Planning	Commence improvement works	Complete improvement works	Introduce new social media marketing with traders	Review success of promotion and marketing and amend

Council Priority - Business and Jobs

Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
	use of the market	promotion and advertising of Coalville Market		Initiate promotion and marketing	Develop new marketing collateral in terms of leaflets and fliers. Commence programme for events on new forecourt area		marketing plan accordingly
13	Sustainable growth of the district is promoted through an up to date Local Plan, enabling residents to access good quality housing and job opportunities	To engage elected members, Town and Parish councils in the Local Plan preparation process	Head of Regeneration and Planning	Local Plan Advisory Committee established	Local Plan Advisory Committee meets Local Plan Advisory Committee considers early results of SHMA	Local Plan Advisory Committee meets	Local Plan Advisory Committee considers final SHMA results and recommendations from the Members Advisory Group

Council Priority - Homes and Communities

Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
To provide a fair and supportive Housing service							
Housing Management							
14	Vulnerable people are provided with vibrant and safe places to live	Determine the long term future of sheltered housing schemes with low occupancy/demand	Head of Housing	Set up Task & Finish Group for each scheme.		Evaluate findings of community consultation and identify preferred option for the long term future of the schemes.	Present options to CLT/Strategy Group/Cabinet for approval as required.
15	Customers are satisfied with the Housing Management Service and feel listened to	Feedback from customers is used to inform future service delivery and service improvements	Head of Housing	Identify learning from Satisfaction Surveys and STAR Survey	Consult HMWG to identify quick wins and top 3 priorities and develop implementation plan	Consider any new areas for collecting satisfaction levels and how the information can be analysed (e.g by officer?)	
Housing Repairs and Investment							
*16	Tenants have safe and decent places to live	Provide effective contract management for all responsive, planned and cyclical contracts (not DHIP or IRT)	Head of Housing	Hold Quarterly Service Review (QSR) meetings with all contractors Monthly (MSR) with SOR support contractor	Hold Quarterly Service Review (QSR) meetings with all contractors Monthly (MSR) with SOR support contractor	Hold Quarterly Service Review (QSR) meetings with all contractors Monthly (MSR) with SOR support contractor	Hold Quarterly Service Review (QSR) meetings with all contractors Monthly (MSR) with SOR support contractor
17	Tenants are satisfied with the Repairs and Investment Service and feel listened to	Feedback from Scrutiny Panel and tenants in general is used to inform future service delivery and service improvements	Head of Housing	Review results of Satisfaction and STAR Survey	Formulate action plan to address main areas of dissatisfaction	Undertake actions within action plan	Undertake actions within action plan
Housing Choices							
*18	Customers are happier with key services provided as they have web access to tailored 24/7 housing advice enabling them to make informed decisions	Implement HomeGuide self service housing advice service by end June 2014	Head of Housing	Launch and advertise introduction of scheme	Commence ongoing mystery shopping exercise to assess ease of use and relevance		Produce evaluation to end of Q3 and report to Homelessness Forum and CLT

Council Priority - Homes and Communities

Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
	Vulnerable people have better access to Housing advisors						
19	People feel proud of their homes and communities	110 affordable housing units will be delivered across the district by March 2015	Head of Housing		Report outcome of HCA National Affordable Homes Programme 2015-18 bid round to CLT		Establish in year delivery numbers and produce informed forecast of affordable housing delivery numbers for 2015-16 based on in year negotiations
To provide a dynamic and customer-focused Leisure service							
20	People feel the council is spending money well	Run a programme of efficiency savings in the leisure centres	Head of Community Services	Undertake customer consultation on leisure centre opening times and implement agreed changes	To consult on and develop proposals for a new range of vending services	To undertake site based energy efficiency audits, develop action plan and cost proposals	Review all operational service contracts to seek efficiencies
21	Improved levels of customer satisfaction in leisure centres and with the grounds maintenance service	Measure customer service levels in Leisure services	Head of Community Services	Design and undertake customer satisfaction measurement for Grounds Maintenance Co-design leisure centre website page improvements	Prepare for and manage the Quest Assessment at Hood Park Leisure Centre Relaunch the Learn To Swim Programme at Hermitage and Hood Park Leisure Centres	Prepare for and deliver a Customer Engagement and Listening Week at Hermitage and Hood Park Leisure Centres Co-design to refresh the health and fitness induction and programme experience for customers	Undertake a Quest Directional Review Day at Hermitage Leisure Centre
Homes and Communities Projects							
22	Tenants have safe and decent places to live	To significantly improve the condition of our housing stock through the Decent Homes Improvement Programme	Head of Housing	Hold three core group meetings and six service provider	Hold three core group meetings and six service provider	Hold three core group meetings and six service provider	Hold three core group meetings and six service provider

Council Priority - Homes and Communities							
Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
				meetings. Prepare and submit DHIP out turn report to HCA for 2013/14 year	meetings. Complete final accounts for 2013/14 year	meetings. Evaluate out-turn costs from 2013/14 year and report to Project Board. Produce term brief for 2015/16 year	meetings. Issue Task Order to Service Providers.

Council Priority - Green Footprints Challenge							
Ref No	Outcome	Action	Responsible Officer	Action milestones for 2014/15			
				Q1	Q2	Q3	Q4
To provide a reliable and efficient Waste collection, recycling and cleansing service							
23	Residents receive better value for money for their recycling efforts	Invest in sorting technology to maximise the value of plastics bottles, pots, tubs, and trays; and steel and aluminium cans	Head of Community Services	Prepare tender documentation for tender process and place advert in OJEU for design and installing materials separating technology	Procure and plan installation of under cover bay for housing material separating technology	Complete OJEU evaluation and award contract for design and installing materials separating technology	Commence installation works at Linden Way depot including sorting technology and undercover sorting bays
24	Customers are satisfied with the level of waste services provision	Establish how satisfied the residents of the district are with the waste collection and street cleansing service	Head of Community Services	Prepare a customer satisfaction survey for approval by HoS in conjunction with Portfolio Holder	Mail out surveys to a sample of 6,000 district households	Process returned surveys and evaluate the findings	Prepare an action plan based on the findings of the customer satisfaction survey for approval by HoS in conjunction with Portfolio Holder
Green Footprints Challenge Projects							
25	Residents feel that the council is spending money wisely	To fully implement waste management software that will increase the reliability and efficiency of our refuse and recycling collections	Head of Community Services	Fit in cab devices to all domestic waste collection rounds and prepare and deliver driver training in the use of the new equipment	Complete the commissioning of the integrated waste back office system including delivery of all new system training requirements	Implement waste performance and financial management software	Go live with capability to offer a range of online waste transactions including bulky waste and trade waste collections
26	Residents are motivated to become involved in making their community greener	To empower community groups to develop a series of projects that make a difference to residents' quality of life and the environment	Head of Community Services	Evaluate the Give and Gain 2014 Event to scope out the possibility of a Celebrating NWL event Develop the Small Grants Programme 2014/15	Launch the Small Grants Programme 2014/15	Launch of Investing in Our Communities Initiative	Evaluate the Small Grants Programme 2014/15

Outcome Measures						
Ref No	Indicator	Responsible Officer	Quarterly Targets for 2014/15 (Annual Targets in Q4 only)			
			Q1	Q2	Q3	Q4
Revenues and Benefits						
	Benefits Right Time Performance Indicator	Head of Finance	11 days	11 days	11 days	11 days
	Benefits New Claims	Head of Finance	19 days	19 days	19 days	19 days
	Benefits Change Events	Head of Finance	9 days	9 days	9 days	9 days
	Council Tax in year collection rate	Head of Finance	97.8%	97.8%	97.8%	97.8%
	Non-domestic rates in year collection rate	Head of Finance	99%	99%	99%	99%
	HB overpayments recovered	Head of Finance	48%	48%	48%	48%
Planning and Development						
*	Satisfaction with service based on agents and town and parish councils	Head of Regeneration & Planning		Establish baseline		
	% of customers very satisfied or satisfied with the planning service	Head of Regeneration & Planning	90%	90%	90%	90%
72 *	% of major planning applications processed within 13 weeks (assessed against national target)	Head of Regeneration & Planning	60%	60%	60%	60%
	% of minor planning applications processed within 8 weeks (assessed against national target)	Head of Regeneration & Planning	65%	65%	65%	65%
	% of other planning applications processed within 8 weeks (assessed against national target)	Head of Regeneration & Planning	80%	80%	80%	80%
Environmental Health						
	Proportion of residents living near large music events that feel supported by the Council	Head of Legal & Support Services				Establish baseline
	Proportion of programmed food hygiene inspections carried out	Head of Legal & Support Services				95%
	Number of food establishments rated as 3 (satisfactory) or higher using the national food hygiene rating scheme	Head of Legal & Support Services				655
Business Focus						
	Number of permanent traders attending Coalville market increases	Head of Regeneration & Planning		Increase of 1 additional trader from March 2014 figure		Increase of 2 additional traders from March 2014 figure

Outcome Measures						
Ref No	Indicator	Responsible Officer	Quarterly Targets for 2014/15 (Annual Targets in Q4 only)			
			Q1	Q2	Q3	Q4
	Footfall figures at Coalville market	Head of Regeneration & Planning				Establish baseline
Housing Management						
	Reduction in number of voids	Head of Housing	TBC	TBC	TBC	TBC
	% rent arrears of current tenants	Head of Housing	2.04%	3.09%	2.42%	2.13%
	Total arrears for current tenants £	Head of Housing	£349,901	£529,997	£415,078	£368,768
	% tenants satisfied with the allocation and lettings process	Head of Housing	86%	88%	88%	90%
	Average re-let times (days)	Head of Housing	37 days	36 days	36 days	35 days
Housing Repairs and Investment						
	Percentage of customers satisfied with adaptations	Head of Housing				95%
	Percentage of customers satisfied with responsive repairs	Head of Housing				89%
73	Percentage of customers satisfied with DHIP programme	Head of Housing				95%
Housing Choices						
	Percentage of Homeguide users who find the service easy to use	Head of Housing				75%
	Number of affordable homes delivered (Quarterly – Cumulative target 110)	Head of Housing	10	0	0	100
Leisure						
	Level of NWLDC subsidy to leisure centres	Head of Community Services				£396,230
	Leisure Centre Membership income (quarterly)	Head of Community Services	£224,500	£220,500	£212,400	£222,600
	Hermitage and Hood Park Leisure Centre Customer Satisfaction Scores (obtaining baseline data)	Head of Community Services				Establish baseline
	Leisure Facility Usage Levels (cumulative)	Head of Community Services	224,000	423,000	617,500	838,000
Waste Services						
	Income from sale of recyclables (cumulative)	Head of Community	£348,000	£696,000	£960,000	£1.2m

Outcome Measures						
Ref No	Indicator	Responsible Officer	Quarterly Targets for 2014/15 (Annual Targets in Q4 only)			
			Q1	Q2	Q3	Q4
		Services				
	% customer satisfaction with waste collections	Head of Community Services				To establish baseline
	% of waste recycled	Head of Community Services	46%	46%	46%	46%
	Kgs of waste sent to landfill	Head of Community Services	518	518	518	518

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 25 MARCH 2014

Title of report	REVIEW OF STATEMENT OF LICENSING POLICY
Contacts	<p>Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To outline the policy proposed to discharge functions under the Licensing Act 2003 in North West Leicestershire, for consideration and approval
Council Priorities	Business and Jobs Homes and Communities
Implications:	
Financial/Staff	No additional financial or staffing implications
Link to relevant CAT	Business CAT
Risk Management	There is a risk that the Council's Statement of Licensing Policy is challenged. Legal advice has been sought in its preparation to mitigate the risk of challenge
Equalities Impact Assessment	Equality Impact Assessment already undertaken, issues identified have been actioned
Human Rights	Article 1 of Protocol 1 provides that everyone is entitled to the peaceful enjoyment of his possessions except in the public interest and subject to the conditions provided by the law
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	As required under section 5(3) of the Licensing Act 2003 – Listed at paragraph 4
Background papers	<p>Equality Act 2010 http://www.legislation.gov.uk/ukpga/2010/15/contents</p> <p>Licensing Act 2003 – Statement of Licensing Policy – Issue 5 Statement of Licensing Policy - Licensing Act 2003 (Issue 5)</p> <p>DCMS – Guidance issued under Section 182 of the Licensing Act 2003 – June 2013 Section 182 Statutory Guidance</p> <p>Licensing Committee 11 September 2013 - Minutes & Report</p> <p>Licensing Committee 27 November 2013 - Minutes & Report</p> <p>Licensing Committee 26 February 2014 Minutes & Report</p>
Recommendations	THAT COUNCIL CONSIDERS AND APPROVES THE DRAFT STATEMENT OF LICENSING POLICY

1.0 BACKGROUND

- 1.1 Section 5 of the Licensing Act 2003 requires a Licensing Authority to determine and publish a statement of its licensing policy at least once every five years.
- 1.2 A statement of Licensing Policy explains how the Licensing Authority will carry out its role under the Licensing Act 2003. The statement can be used:
- As a guide by members of the Licensing Authority in their decision making;
 - To inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
 - To inform residents and businesses about how applications will be viewed and how their needs will be addressed;
 - To support decisions made by the Licensing Authority when these decisions are challenged in a court of law.
- 1.3 The current policy (issue 5) was determined by Council on 26 October 2010 and came into force on 7 January 2011 and shall remain valid until 7 January 2016 unless amendments are necessary before this date.

- 1.4 A report was presented to Licensing Committee on 11 September 2013 providing notification of the review of the policy and explained the reasoning behind the decision to review the current policy only 2 years after it came into force. The reasons are briefly explained below.

2.0 DRIVERS RESULTING IN THE DECISION TO REVIEW THE CURRENT POLICY NOW

- 2.1 The Secretary of State for the Department for Culture, Media and Sport must issue and, from time to time, may revise Guidance to Licensing Authorities on the discharge of their functions under the Licensing Act 2003. Section 4 of the Act provides that, in carrying out its functions, a licensing authority must 'have regard to' the guidance. The Guidance is therefore binding on licensing authorities to that extent.
- 2.2 Amended Guidance was issued in October 2012. The purpose of the new guidance was to provide advice to licensing authorities in relation to the implementation of the Police Reform and Social Responsibility Act 2011 and the Live Music Act 2012. The draft policy reflects these changes introduced by the amended guidance.

3.0 PROPOSED CHANGES TO CURRENT POLICY

- 3.1 The draft policy sent to all consultees contained the following amendments:
- The profile of the District in relation to premises licensed under the Licensing Act 2003 has been explained in more detail.
 - The insertion of an explanation of the Live Music Act 2012.
 - The Licensing Authority has been added to the list of Responsible Authorities.
 - The insertion of an explanation of an Early Morning Alcohol Restriction Order.
 - The insertion of an explanation of a Late Night Levy.
 - The draft policy sets out criteria and considerations which applicants should bear in mind when putting together their application. This improved guidance is expected to result in fewer representations being made reducing the need for hearings.
 - To refresh the current special policy relating to cumulative impact in Ashby Town Centre.
 - An amendment to the section on Temporary Event Notices to reflect legislative changes.

4.0 CONSULTATION PROCESS

- 4.1 Before a Licensing Authority can publish its policy it must consult with bodies/persons listed in section 5(3) of the 2003 Act. They are as follows:
- Chief Officer of Police for the area;
 - Chief Officer of Fire & Rescue service for the area;
 - Persons/bodies representative of local holders of premises licences;
 - Persons/bodies representative of local holders of Club premises certificates;
 - Persons/bodies representative of local holders of Personal licences;
 - Persons/bodies representative of businesses and residents in its area.
- 4.2 The consultation period commenced on 11 July 2013 and ended on 7 October 2013.
- 4.3 A letter was sent to all consultees referring to a consultation document detailing structured questions and a draft policy.

Consultee Comments

- 4.4 The Council received representations from the following 9 consultees: Leicestershire Police, Leicestershire Fire & Rescue Service, Kegworth Parish Council, Castle Donington Parish Council, Measham Parish Council, Ashby Town Council, Street Action Team NWLDC, District Councillor NWLDC, Ashby Civic Society.
- 4.5 A table detailing all consultee comments is provided at Appendix 2. Due to the length and detail contained within the representation received from Leicestershire Police the full response is attached at Appendix 3
- 4.6 An amended draft of the policy was presented to Licensing Committee on 27 November for their consideration and comment. The following provides a summary of recommendations and comments made:
1. The introduction of an early morning restriction order is not considered appropriate
 2. The introduction of a late night levy is not considered appropriate
 3. That a special policy relating to cumulative impact in Ashby de la Zouch be retained
 4. The special policy should apply to all types of licensed premises
 5. The special policy should apply between 20:00 and 06:00
 6. The special policy area to remain unchanged – Consideration was given to extending the special policy area to include the Wetherspoons – Shoulder of Mutton public house. In the absence of further information from the police evidencing crime or disorder issues with the premises, Committee members recommended that the premises continues to be outside of the special policy area.
 7. That the consultation process to remain unchanged
- 4.7 A further report was received from Leicestershire police (Appendix 4) providing additional information and recommending that due to crime and disorder issues, the cumulative impact zone in Ashby town centre be extended to include the premises trading as the ‘Shoulder of Mutton’ public house. Due to the detailed information contained within the report Licensing Committee were asked to consider extending the cumulative impact zone in Ashby.

Following a debate Licensing Committee recommended that the Shoulder of Mutton public house remains outside of the cumulative impact zone.

- 4.8 All representations have been considered and reviewed against the draft policy before being formally submitted to Council for approval. A final draft policy taking into account all comments made by consultees and recommendations made by Licensing Committee is at Appendix 1.

5.0 SUMMARY OF KEY ISSUES/CHANGES WITHIN DRAFT POLICY

5.1 Early Morning Restriction Order (EMRO)

No consultees have suggested an EMRO would be appropriate for the promotion of the licensing objectives. The draft policy states that ‘There are currently no EMRO’s in place within North West Leicestershire District’.

5.2 Late Night Levy

No consultees have suggested a late night levy would be appropriate for the promotion of the licensing objectives. The draft policy states that 'A Late Night Levy is not considered appropriate for the promotion of the licensing objectives.'

5.3 Retention of Special Policy (Cumulative Impact) – Ashby De La Zouch Town Centre.

Leicestershire Police have presented evidence supporting the retention of a cumulative impact policy. This view is supported by other consultees. The data submitted shows a rise in assaults in Market Street Ashby, prior to November 2005 when the first policy was introduced. Assault rose from 56 in 2002 to 87 in 2005. Following the introduction of the policy the number of assaults steadily decreased, with the exception of 2011. The following year also saw a fall in the number of assaults. Between 2005 and 2012 the number of assaults decreased by almost 50%.

The draft policy states that 'the Licensing Authority has determined that a special policy should apply in respect of Ashby de la Zouch town centre.'

5.4 Nature of Cumulative Impact Policy – Ashby De La Zouch Town Centre

The effect of the policy is the creation of a rebuttable presumption that applications for new premises licences or club premises certificates or variations will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Currently this rebuttable presumption to refuse applies to applications from **all types of premises** and applies to **all operating hours**. The review considered a move away from applying to all licensed premises to exempting lower risk premises such as Theatres, cafes and hotels. Also considered was the operating hours when the special policy should apply.

Types of Premises

The Statutory Guidance states that 'the impact can be expected to be different for premises with different styles and characteristics'. For example, while a nightclub or high capacity public house might add problems of cumulative impact, a small restaurant or a theatre may not'. The evidence submitted by Leicestershire Police does not breakdown the crime data by premises type. The police have expressed concern regarding exempting certain types of premises as the premises type is not always clear. For example, many restaurants and café offer a takeaway service, some public houses offer accommodation.

Hours

The evidence submitted by Leicestershire Police shows that crime levels begin to increase at 20:00

The draft policy states that 'This special policy applies to applications from **all types of premises** operating between **20:00 and 06:00**'.

5.5 Area covered by Special Policy on cumulative impact (CIZ) - Ashby De La Zouch Town Centre

Ashby Civic Society and Leicestershire Police have suggested an amendment to the area covered by the policy. Ashby Civic Society have suggested the area be extended to include the Royal Hotel and Bath Grounds (Station Road), the Plough Inn Public House (The Green) and the Wetherspoons trading as the Shoulder of Mutton (Derby Road). Leicestershire Police have suggested the area be extended to include the Wetherspoons Shoulder of Mutton (Derby Road).

The area covered by the special policy is shown by the map at Appendix 1 of the policy. No changes have been made to the area covered by the special policy relating to cumulative impact.

- 5.6 Consultation Process – A request has been received to add Parish Councils, Town Councils, residents and businesses within 50 metres of any application premises to the list of Responsible Authorities who must be notified of all applications.

The definition of a Responsible Authority is provided within the legislation. A licensing authority is unable to amend the definition. A Licensing Authority may provide a consultation / notification process which exceeds the statutory requirements by publishing an enhanced notification policy within its statement of licensing policy. Licensing Committee considered that NWLDC is not in a position to resource the proposed process of notifying all residents and businesses within a 50 metre radius of an application. NWLDC will continue to meet its statutory obligations regarding consultation and notification.

In addition to the statutory minimum NWLDC will continue to notify Parish Councils of applications.

- 5.7 Other comments made

A small amendment to a paragraph regarding fire safety certificates was suggested by Leicestershire Fire & Rescue. This amendment has been incorporated within the draft policy.

A stated case has brought into question the enforceability of noise related conditions requiring inaudibility. Implications arising from this case have been considered in the drafting of the policy. A move away from conditions requiring inaudibility to objective noise limits has taken place. In the case of new applications, if considered appropriate to add a condition relating to noise controls, specific noise limits are specified. Where a current licence contains a condition requiring inaudibility a process to remove and replace that condition with a specific noise limit will be considered should justified complaints relating to noise disturbance be received. An example would be following an application to review a licence.

Comments received relating to amendments to proposed licence conditions have been considered with the draft policy reflecting these changes.

- 5.8 Following receipt of a recent case whereby effective service of an application was disputed by an applicant it is considered necessary to insert a paragraph into the policy defining effective service and defining the Councils working day. This is inserted at paragraph 2.6 of the draft policy.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Licensing Act 2003 Statement of Licensing Policy

**Effective Period:
March 2014 to March 2019**

Issue 6

To be submitted for approval by the Council at its meeting on 25 March 2014

CONTENTS

	Page No.
1. Introduction	5
1.1 Profile of the District	5
1.2 Purpose of the Policy	5
1.3 History	6
1.4 Consultation	6
1.5 Licensable Activities	6
1.6 Live Music	6
2. Fundamental Principles	7
2.1 Background	7
2.2 The Licensing Objectives	7
2.3 Balance	7
2.4 Extent of Control	8
2.5 Determination of Applications	8
2.6 Effective Service	8
2.7 Licensing Authority (Responsible Authority Role)	9
3. Policies Supporting Each of the Four Licensing Objectives	11
4. Prevention of Crime and Disorder	11
4.1 The Policy	11
4.2 Criteria	11
4.3 Considerations	11
4.4 Conditions	11
5. Public Safety	12
5.1 The Policy	12
5.2 Criteria	12
5.3 Consideration	12
5.4 Conditions	13
6. The Prevention of Public Nuisance	14
6.1 The Policy	14
6.2 Criteria	14
6.3 Considerations	14
6.3.1 Noise and Vibration	14
6.3.2 Eating, Drinking and Smoking Outside Premises	15
6.3.3 Other Environmental Impacts	15
6.4 Conditions	16
7. The Protection of Children from Harm	17
7.1 The Policy	17
7.2 Criteria	17

7.3	Considerations	17
7.4	Conditions	18
8.	Early Morning Restriction Officers (EMRO)	20
9.	Late Night Levy	20
10.	Special Policy on Cumulative Impact (Cumulative Impact Zone)	21
11.	Licensing Hours	22
12.	Lapsed Licences, Insolvency and Death	22
13.	Variation of Licences	22
14.	Transfer of Licences	23
15.	Provisional Statements	23
16.	Review of Licences	23
17.	Personal Licences	24
18.	Permitted Temporary Activities	25
19.	Integrating Strategies	26
19.1	Safer North West Partnership	26
19.2	Planning	27
19.3	Building Control	27
19.4	Promotion of Equality	27
19.5	Disabled Access	27
19.6	Transport	27
20.	Related Policies	27
20.1	Street Trading Places	27
20.2	Sex Establishment Venues (SEV)	28
21.	Avoiding Duplication	28
22.	Standardised Conditions	28
23.	Enforcement	29
24.	European Union Services Directive	29
25.	Delegation of Functions	30
26.	Appeals	30
27.	Fees	30
28.	Period of Validity and Review	30

29. Contacts	31
Document History	31
Appendix 1 Map of Ashby de la Zouch	32
Appendix 2 Delegation of Licensing Functions	33
Appendix 3 Responsible Authority Contact Details	34

1. Introduction

1.1 Profile of the District

North West Leicestershire District covers an area of 27,933 hectares. The principal town is Coalville and the other main settlements are Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham.

According to Census data (2011), North West Leicestershire has a population of 93,468. The proportion of young people (0-14 years) is 17.5 per cent and is close to regional and national averages. The District has 17.4 per cent of the population above pension age. The black and minority ethnic population is 7.3 per cent; this compares with 13 per cent for East Midlands and 17.2 per cent for England.

The Council's vision statement is "North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home".

The Council recognises that the entertainment and leisure industry and shopping contribute to the Districts urban and rural economies. These have a part to play in attracting tourists and visitors and are major employers. There were 3,400 tourism-related jobs in 2008. The district is home to a number of major attractions including Donington Park Race Circuit, Snibston Discovery Park, National Forest, Conkers and Ashby Castle.

Pubs and restaurants are an important part of village life, and contribute to the vitality of the Districts towns, together with the arts and entertainments venues throughout the District.

The District has 364 licensed premises. These include approximately 130 pubs, bars and wine bars, 41 restaurants licensed to serve alcohol, 7 night clubs and dance venues. 235 premises are licensed as a late night refreshment house, these premises include takeaways, pubs and restaurants. There are other premises which are licensed which include other cultural venues and shops.

In the past, some licensed premises have caused nuisance to residents, either from noise or from behaviour of customers. All licensees are encouraged to operate premises in a way that minimises future impact on neighbouring residents.

1.2 Purpose of the Policy

This Statement of Licensing Policy explains how the Licensing Authority will carry out its role under the Licensing Act 2003, (the Act). The Licensing Authority will keep this policy under review and may make revisions to the document following consultation with the bodies outlined in paragraph 1.4 below.

It will also:

- Be used as a guide by members of the Licensing Authority in their decision making.
- Inform applicants about how applications will be viewed and how a licensed premise is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis.

- Inform residents and businesses about how applications will be viewed and how their needs will be addressed.
- Be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

1.3 History

The first Statement of Licensing Policy issued by North West Leicestershire District Council came into force on 7 January 2005. It was revised on 8 November 2005 to reflect the adoption of a Special Policy in Ashby de la Zouch and further minor amendments. Issue 3 came into force on 7 January 2008 with minor amendments. Issue 4 with further amendments came into force on the 15 January 2008. Issue 5 of the policy was introduced on 7 January 2011. The policy remained unaltered until 25 March 2014. The current issue (number 6) of the policy was introduced on 26 March 2014.

1.4 Consultation

In developing this Statement the Licensing Authority has consulted with the bodies set out below, and has taken account of their views (In the final document there will be a definitive list of all those people and groups that have been consulted).

- Police.
- Fire authority.
- Persons representative of local holders of premises licences.
- Persons representative of local holders of club premises certificates.
- Persons representative of local holders of personal licences.
- Persons representative of businesses and residents in its area.

1.5 Licensable Activities

Licensable activities are:

- The sale of alcohol by retail.
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club.
- The provision of regulated entertainment.
- The provision of late night refreshment.

1.6 Live Music

The Live Music Act 2012 came into force on 1st October 2012.

Its main aim was relax the licensing burden on those licence holders staging or looking to stage live music at their venue.

It removes the licensing requirements for:

- Amplified live music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises.
- Amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment).

- Unamplified live music between 8am and 11pm in all venues.

It is possible to reinstate or impose conditions about live music following a review of a premises licence or club premises certificate authorising premises to supply alcohol for consumption on the premises.

The Live Music Act also removes licensing requirements for the provision of entertainment facilities.

In addition, it has widened the licensing exemption for music integral to a performance of Morris dancing or similar, so that the exemption applies to live or recorded music instead of unamplified live music.

Although the changes to the law and the associated benefits to local musicians and their supporters are to be welcomed there is still a requirement that any music should not be loud enough as to cause a nuisance to neighbours.

2. Fundamental Principles

2.1 Background

This Statement of Licensing Policy sets out how the Licensing Authority will carry out its functions under the Licensing Act 2003. However, all decisions relating to licences will be made on the merits of the individual case, having regard to this policy as part of the decision making process.

The Act requires applicants to consider carefully this policy when drafting their applications.

2.2 The Licensing Objectives

The Licensing Authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

2.3 Balance

The Licensing Authority will seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.

This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Licensing Act 2003.

The Human Rights Act 1998, incorporating the European Convention on Human Rights, makes it unlawful for a Local Authority to act in a way, which is incompatible with a Convention right. The Licensing Authority will have regard to the Human Rights Act when exercising its licensing functions, with particular reference to the following relevant provisions of the European Convention on Human Rights:

Article 6 – In the determination of civil rights and obligations every person is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 8 – Every person has the right to respect for his home and private and family life.

Article 1 of the First Protocol – Every person is entitled to the peaceful enjoyment of his or her possessions.

2.4 Extent of Control

Licensing is about the control of premises and places being used for licensable activities. The conditions attached to various authorisations are focused on relevant matters that are within the control of the licence holders and others with relevant authorisations. This means those matters occurring at, and in the vicinity of premises, and the direct impact they have on nearby residents and businesses. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises is a question of fact and will depend on the particular circumstances of the case.

Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. However, the Licensing Authority expects every holder of a licence, certificate or authorisation to be responsible for minimising the impact of the activities and anti-social behaviour by their patrons within the immediate vicinity of their premises and will require licence holders to demonstrate that they have taken appropriate action.

2.5 Determination of Applications

When the Licensing Authority receives an application it will initially determine whether the application has been made properly in accordance with the provisions of the Licensing Act 2003 and the relevant regulations. Amongst other things the Licensing Authority will consider whether the application has been properly advertised in accordance with the regulations.

All applications for new premises licences and variations need to be supported by an operating schedule. The schedule must specify (amongst other things) the steps which the applicant proposes to promote each of the four licensing objectives. Applicants are advised to discuss their application with a member of the licensing team and to have regard to sections 3, 4, 5 and 6 of this policy when completing their application form.

A hearing will not be required where an application for a new premises licence, club premises certificate or variation has been properly made and no responsible authority or other persons has made a representation. In these cases the Licensing Authority must grant the application in the terms sought, subject only to conditions which are

consistent with the operating schedule submitted with the application and relevant mandatory conditions contained in the Licensing Act 2003.

The responsible authorities who must be notified of applications and are entitled to make representations to the Licensing Authority in relation to an application are:

- Chief Officer of Police.
- Local Fire & Rescue Authority.
- Licensing Authority.
- Enforcement Agency for the Health & Safety at Work etc Act 1974.
- Local Authority with responsibility for Environmental Health.
- Local Planning Authority.
- A body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm (Local Safeguarding Children Board).
- Local Trading Standards Department.
- Local Health Boards.
- Canal & River Trust.

The Local Authority name for each of the Responsible Authorities is provided at Appendix 3. Current contact details including postal address and telephone contact numbers is provided on the Councils website.

‘Other Persons’ are the bodies or individuals who are entitled to make representations to the Licensing Authority on applications and consist of:

- Any person;
- A body representing persons;
- A person involved in a business;
- A body representing persons involved in such businesses;

In order to be accepted by the Licensing Authority a representation must be relevant. A representation will only be relevant if it relates to the likely effect of the application on the promotion of at least one of the licensing objectives

A representation by a Responsible Authority or ‘other persons’ cannot be accepted if it is frivolous or vexatious. The Licensing Authority will determine whether any representation is frivolous or vexatious on the basis of the ordinary meaning of those words and the statutory guidance.

Where, however, there are relevant representations to an application or variation, then a hearing before a Licensing Sub-Committee will normally follow. At the hearing the Sub-Committee must, having regards to the representations, take such steps as it considers appropriate to promote the four licensing objectives. These may include refusing the application either in full or in part or adding to or modifying the conditions proposed in the operating schedule.

2.6 Effective service of applications

Where reference is made to working days this is defined at Section 193 of the Licensing Act as ‘any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealing Act 1971 in England and Wales.

For the purposes of this policy non-statutory closures of the Council are not considered to be working days.

The Councils working day is 08:45 to 17:00. Applications received after 17:00 shall be deemed to be received on the following working day.

The Council accepts the following methods of service:

- Postal
- Electronic submission (online GOV.UK website)
- Electronic submission (email)

An application that is submitted electronically during the course of a working day will be deemed as received at the time of receipt. This shall include applications submitted online or by email.

An application that is submitted electronically outside of the working day will be deemed as being received on the first working day following submission.

An application submitted by post will be served on the day of receipt or if there is no receipt deemed as if served on the second working day after being placed in a postal system. Proof of service will be required to confirm the date of posting.

Where an electronic application is received by the Council there is a requirement for the Council to serve a copy on all Responsible Authorities. Service can be made both by email and by post with the preferred method of service being by email. The above definitions of 'service' will apply. An application for a review falls outside of this process. This is explained further within the Statutory Guidance.

2.7 Licensing Authority (Responsible Authority Role)

The Licensing Authority is included in the list of responsible authorities and in common with the other responsible authorities it is for the Licensing Authority to determine when it considers it appropriate to act in that capacity.

The Licensing Authority will not make a representation or apply for a review at the request of another Responsible Authority or Other Person.

There may be occasions when the Licensing Authority may decide to make a representation or apply for a review based on evidence and information collated from other Responsible Authorities even though those other Responsible Authorities have chosen not to make a representation.

The Licensing Authority is unlikely to intervene where the basis for the intervention falls within the remit of another Responsible Authority. For example, the police should make representations where the representations are based on concerns about crime and disorder.

Where the Licensing Authority does make representations it will ensure that there is a proper separation of responsibilities. The Licensing Officer preparing papers for a sub-committee hearing will be different to the Licensing Officer making the representations on behalf of the Responsible Authority. The Licensing Officer acting for the Responsible Authority will not be involved in the administrative process of the application or review and will not discuss the merits of the case with those involved in making the determination by the Licensing Authority. Communication between these

Licensing Officers in relation to the case will remain professional and consistent with communication with other Responsible Authorities.

The Licensing Officers administering the application will be allowed to conduct negotiations between the Licensing Officer making the representation and the applicant.

3. Policies Supporting Each of the Four Licensing Objectives

Applications for the grant or variation of a licence or certificate must be accompanied by an operating schedule that includes the steps that the applicant proposes to take to promote the licensing objectives. These policies are intended to help applicants by setting out the **criteria** and **considerations** that they should bear in mind when drawing up the Operating Schedule. The criteria, because they relate to the licensing objectives, will apply to all applications to some degree; the considerations listed may not necessarily apply, or apply equally, to all applications. The list contains considerations that Responsible Authorities are likely to consider when deciding whether to make representations on an application or whether to call for a review. Applicants for licences are recommended to discuss their proposals with the Responsible Authorities prior to submitting an application. This will enable them to obtain advice on the production of their operating schedule and may avoid representations and the need for a hearing.

4. Prevention of Crime and Disorder

4.1 The Policy

To prevent crime and disorder, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews:

4.2 Criteria

Whether the premises makes or will make a significant contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, of the likelihood of crime and disorder occurring as a result of the grant of the application.

4.3 Considerations

The levels of crime and disorder in and around the venue.

The proposals contained in the operating schedule.

The level of compliance with conditions on existing licences.

4.4 Conditions

The Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003 (as amended) (The Guidance) sets out matters that may be relevant to the imposition of conditions relating to crime and disorder on licensed premises. The Licensing Authority will tailor appropriate conditions for premises licences and club premises certificates. The seeking of and any imposition of conditions and their extent will depend upon the risks of crime and disorder at the particular premises.

In the context of this licensing objective the essential purpose of a licence or certificate is to regulate the behaviour of people while on, or in the immediate vicinity of the premises and as they seek to enter or leave. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct control of the licence holder and their staff or agents.

The Licensing Authority may consider if any steps are appropriate to promote the prevention of crime and disorder. It will also consider representations made by Responsible Authorities that conditions are applied to licences to require those steps.

When preparing their operating schedules, applicants are encouraged to consider including the following items of best practice:

- Prohibiting the sale of alcohol in glass bottles for consumption on the premises to prevent their use as weapons.
- Prohibiting alcohol in open containers being taken from premises - This approach will discourage drinking in the streets and will also prevent the use of these containers as offensive weapons.
- Consider using drinking vessels made of plastic or toughened glass.
- Prohibiting irresponsible drinks promotions - The Licensing Authority will support an approach to the marketing of alcohol and the management of licensed premises that promotes responsibility in the consumption of alcohol.
- Consider the provision of CCTV surveillance equipment particularly in town centre locations and other large venues. The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside, licensed premises. Should you deem it appropriate to install CCTV at your premises it is suggested that any system should be installed and maintained on advice from the Leicestershire Police Crime Prevention Officer.
- Warning signs about crime prevention measures.
- Consider the provision of text pagers to connect persons employed at premises, particularly in town centre locations, to the police.
- Appropriate measures to prevent overcrowding in premises or parts of the premises.
- The provision of staff to control admission and to control persons inside the premises. When such staff are engaged they must be licensed by the Security Industry Authority.
- Appropriate measures to prevent the supply and consumption of illegal drugs, including any search procedures and entry policies.

The above items of best practice need only be included in an operating schedule where relevant to the premises. In addition to the above items of best practice applicants are also encouraged to refer to the Council's pool of licence conditions when producing an operating schedule.

The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of this licensing objective at their particular premises.

5. Public Safety

5.1 The Policy

To promote public safety, the Licensing Authority will apply the following criteria and

take into account the following considerations, where relevant, in determining applications and reviews:

5.2 Criteria

Whether appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant Responsible Authority and to the Licensing Authority, that demonstrate that the public will be safe within and in the vicinity of the premises.

5.3 Considerations

Whether the premises has undertaken a risk assessment and identified the maximum number of people who can be present in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency.

Whether there are procedures proposed to record and limit the number of people on the premises.

Whether patrons can arrive and depart from the premises safely.

Whether the premises will use equipment or special effects that may affect public safety (e.g. vehicles, pyrotechnics, strobe lights, smoke machines, temporary structures etc).

Whether due regard has been given to the measures outlined in the 'Safer Clubbing' guide published by the Home Office – January 2002, in applications for facilities for music and dancing. The key areas identified are:

- Prevention of overcrowding
- Air conditioning and ventilation
- Availability of drinking water
- Affordable cloak rooms
- Further measures to prevent patrons overheating

Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services.

5.4 Conditions

The Guidance sets out matters which relate to conditions on public safety, and includes a Safer Clubbing checklist. These will be used to tailor appropriate conditions for premises licences and club premises certificates.

The Licensing Authority may consider if any steps are appropriate to promote public safety. It will also consider representations made by Responsible Authorities that conditions be applied to licences to require those steps.

When preparing their operating schedules, applicants are expected to consider the following items of best practice:

- Checks on equipment at specified intervals.

- Equipment and facilities to be maintained in accordance with recognised standards.
- Reliable method to count and control the number of persons on the premises.
- Adequate levels of door supervision to control access to and egress from premises in order to ensure public safety.
- Provision of training for current and future staff in matters relating to public safety, where not already required by other legislation.
- Maintaining and making available a record of inspections, pre-opening and during performance, of fire doors, escapes, and appliances and of the number of people on the premises.
- Prevention of injury – Consider a policy of using plastic, polycarbonate or toughened glass.
- Ensuring that floors are kept from becoming slippery from spillages or condensation.
- Measures to prevent climbing onto ledges, balconies and speakers.
- Measure to keep sound levels below levels where damage to the hearing of staff and customers is likely to occur.
- Measures to reduce the risk of dancers and others overheating (chill-out rooms, affordable cloakrooms, free water, breaks from fast dance rhythms, identifying people who may be in distress).
- Provision of facilities for people who are taken ill or injured to contact friends or family, to recover, or be kept safe while awaiting medical assistance.

The above items of best practice need only be included in an operating schedule where relevant to the premises. In addition to the above items of best practice applicants are also encouraged to refer to the Council's pool of licence conditions when producing an operating schedule. If applicants elect not to include best practice items in the operating schedule, they are strongly advised to include information explaining the reason for their decision. This might be because a risk assessment has shown that the step is not appropriate. If such information is not included, it is more likely that a relevant representation will be made, leading to the cost and delay of a hearing before a licensing sub-committee.

The steps volunteered in the operating schedule will become conditions of the licence or certificate, and therefore applicants should consider carefully the steps appropriate for the promotion of this licensing objective at their particular premises.

6. The Prevention of Public Nuisance

6.1 The Policy

To prevent public nuisance the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining

applications and reviews:

6.2 Criteria

The potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. This will particularly apply in areas of residential accommodation and where there is a mixed commercial / residential use with residential accommodation in the proximity of the premises.

Under the Act, “public nuisance” retains its broad common law meaning. Public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as a major disturbance affecting the whole community.

6.3 Considerations

6.3.1 Noise and Vibration

Whether Operating Schedules contain adequate measures to prevent noise and vibration, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity. Stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them.

Measures to limit noise and vibration

Applicants will be expected to have considered the inclusion of measures in their Operating Schedules that make adequate provision to:

- Restrict the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open air site.
- Limit the escape of noise from the premises or open air site.
- Restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and whilst sleeping.
- Minimise and control noise from customers arriving at the premises, or open air site outside it and departing from it.
- Minimise and control noise from staff, contractors, and suppliers and their activities.
- Minimise and control noise from vehicles associated with and providing services to the premises or open air site and their customers.
- Monitor the noise levels and its impact.
- Make a contact number available to any person wishing to report noise disturbance.

6.3.2 Eating, Drinking and Smoking Outside Premises

Whether people standing or sitting outside the premises are likely to cause obstruction or other nuisance.

Whether the premises are under or near to residential accommodation.

The hours of sale of alcohol in open containers or food for consumption outside the premises.

Measures to make sure that customers move away from outside premises when such sales cease.

Measures to collect drinking vessels and crockery, cutlery and litter.

The extent and location of areas proposed to be set aside for the consumption of food and alcoholic drink and for smoking.

Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink, between certain hours or at all times.

6.3.3 Other Environmental Impacts

Whether Operating Schedules contain adequate measures to prevent:

- Litter, smells, fumes, dust, tobacco or other smoke, or other emissions.
- Light pollution arising from the proposed licensable activity.

Whether the proposal will be likely to cause nuisance by congesting the pavement or the roadway.

Whether the proposal would lead to the need for increased refuse storage or waste collection.

Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse.

Whether the sale of take-away food is proposed and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs. Litter includes both chewing gum and smoking related litter. Premises may need to make provision for patrols to clear up litter.

Whether queuing is likely and the steps proposed to prevent queuing, or to divert queues away from residential properties.

The measure proposed for the management of people leaving premises to smoke and for their readmission.

Whether other measures to prevent nuisance such as the use of CCTV or the employment of registered door supervisors are appropriate.

6.4 Conditions

The Guidance sets out a pool of conditions that relate to the prevention of public nuisance. In addition the Licensing Authority has devised a pool of conditions which can be found on the Council's website.

With regard to existing premises with non-audibility conditions the enforceability of these is now in question. In the event that premises subject to such a condition were found to be breaching that condition a review of all enforcement options would be undertaken to decide on the most appropriate course of action. If this results in a review of the licence a suitable condition would be added taking into account current noise guidance.

Hours of opening and hours for each licensable activity must be included in Operating Schedules. Conditions will be attached relating to the hours when premises are permitted to open in order to prevent public nuisance. Conditions could be appropriate to limit the times when certain licensable activities take place, although the premises may be open to the public at such times. For example, there may be reason to have a condition specifying the time at which music ceases to be played in a bar or at an open air concert, which is prior to the end of other licensable activities. Stricter conditions will be applied in areas of denser residential accommodation.

Conditions will be attached to premises where appropriate. These conditions are designed to reduce the impact of a public nuisance arising from the operation of the premises. The conditions may include the following:

- Maximum noise levels over particular time periods – Noise controls and limits specified within the licence will be set in line with relevant guidance currently the Noise Council Guidance and the World Health Organisation Guidelines for Community Noise.
- Installation of sound limiters.
- Acoustic lobbies.
- Provision of signs.
- Publicity and verbal advice to patrons to leave quietly.
- Controlling nuisance from light pollution.
- Taking food and drink outside the premises.
- Fly posting.
- Distribution of leaflets.
- Litter and cleaning outside of the frontage and in the vicinity of the premises.

7. The Protection of Children from Harm

7.1 The Policy

To protect children from harm, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews:

7.2 Criteria

Whether there are appropriate measures in place to protect children from harm

The admission of children to premises holding a premises licence or club premises

certificate will normally be freely allowed without restricting conditions unless the Licensing Act 2003 imposes such a restriction or there are good reasons to restrict entry or to exclude children completely.

7.3 Considerations

Whether there are effective means to check the age of those young people who appear under 21, or under 25, to ensure that alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises.

Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

Whether accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises are taking a table meal or are being entertained by a live performance.

The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises.

Whether due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks. The Licensing Authority supports the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. It is recommended premises licensed for the sale of alcohol comply with the Code.

Whether there are adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult.

The likelihood of children being attracted to the premises; e.g. by the nature of activities or facilities provided whether or not these are licensed.

Whether there is evidence of heavy, binge or underage drinking on the premises.

Whether there is evidence of drug taking or dealing on the premises.

Whether the premises commonly provides entertainment or services of an adult or sexual nature.

Whether there is a strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines).

Whether films are to be shown and the measures to restrict children from viewing age restricted films classified according the recommendations of the British Board of Film Classification or the Council itself.

If performances or activities are likely to attract children, the number of adults required for the supervision of children.

Where play facilities are provided if an adequate risk assessment has been made and appropriate measures taken.

The measures taken to ensure that those supervising or having significant contact

with children have been appropriately vetted to ensure that they pose no risk to children.

Proposals for the provision or arrangement for safe transport of children.

7.4 **Conditions**

The Guidance sets out suggestions for conditions that venue operators may offer relating to the protection of children from harm. This includes the protection of children from moral, psychological and physical harm. In addition the Licensing Authority has devised a pool of conditions which can be found on the Council's website.

In line with the Guidance conditions may be attached relating to the access or, where necessary, the exclusion of people under the age of 18 to a premises licence or club premises certificate where there is:

- A history of offences relating to underage drinking.
- A known association with drug taking or dealing.
- A strong element of gambling on the premises.
- Entertainment of an adult or sexual nature is commonly provided.
- Films shown with age restricted classification.

In line with the Guidance, where they are appropriate, conditions limiting the access of children should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions could include:

- Requirements for adequate procedures to check ages in premises where alcohol is served.
- Limitations on the hours when children may be present.
- The exclusion of children under certain ages when particular specified activities are taking place.
- Age restrictions (below 18).
- Requirements for accompanying adults.
- Restrictions on the parts of premises to which children may have access.
- Full exclusion of people under 18 from the premises when any licensable activities are taking place

As a Licensing Authority the Council will impose conditions on film exhibitions in order to protect children from inappropriate exposure to portrayals of violence or sexual activities, strong language and sexual expletives.

At premises and performances which are likely to attract a substantial number of

children, the Licensing Authority may attach conditions requiring the presence of a sufficient number of adult staff on the premises to ensure the well being of the children during an emergency.

8. Early Morning Restriction Orders (EMRO)

A Licensing Authority can introduce an EMRO in a particular area if they are satisfied it is appropriate for the promotion of the licensing objectives. An EMRO can restrict sales of alcohol in the whole or part of the Licensing Authority's area for any specified period between 12 midnight and 6 a.m. If an EMRO is introduced it would apply to premises licences, club premises certificates and temporary event notices that operate within the specified area and period.

The introduction of an EMRO could be suggested by the public or the Police. A Licensing Authority is required to advertise any proposal to make an EMRO and demonstrate that they have evidence to justify doing so, as well as considering any representations.

The Licensing Authority will review the need for EMRO's at least every five years in line with the review of this policy to see if circumstances have changed and any are needed, however, the Licensing Authority would consider an EMRO at any time if circumstances changed and evidence supported this course of action.

There are currently no EMRO's in place within North West Leicestershire District.

9. Late Night Levy

A late night levy enables Licensing Authorities to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. It is a power that Licensing Authorities can choose whether or not to exercise.

The levy must cover the whole of the Licensing Authority's area. The Licensing Authority will choose the period during which the levy applies every night, between midnight and 6 a.m., and decide what exemptions and reductions should apply.

The Licensing Authority should discuss the need for a levy with the relevant Police and Crime Commissioner and the relevant Chief Officer of Police. The Licensing Authority will then decide whether to move to the next stage in the process and consult on its proposal to introduce a late night levy.

Should a Licensing Authority be considering the introduction of a levy, they will prepare and publish a consultation document stating its intention to introduce a levy, its proposed design and the services to be funded with the levy revenue. A Licensing Authority will then consider all consultation responses with a final proposal being put to full Council for their consideration.

The Licensing Authority will review the need for a Late Night Levy at least every five years in line with the review of this policy to see if circumstances have changed and whether a levy is needed, however, the Licensing Authority would consider a Late Night Levy at any time if circumstances changed and evidence supported this course of action.

A Late Night Levy is not considered appropriate for the promotion of the licensing objectives.

10. Special Policy on Cumulative Impact (Cumulative Impact Zone)

Cumulative impact is the potential impact on the licensing objectives of a significant number of licensed premises concentrated in one area.

In certain areas the number, type and density of premises selling alcohol may be associated with serious problems of crime and disorder and/or public nuisance. If this is the case the Licensing Authority may adopt a special policy.

The Licensing Authority in considering whether to adopt a special policy has taken the following steps:

- Identify concern about crime and disorder or public nuisance in the area.
- Consider whether there is good evidence that crime and disorder or nuisance are happening and caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Where it can be demonstrated that disorder or nuisance is arising as a result of customers of licensed premises, the boundaries of the disorder or nuisance of that area will be identified.
- Consult with those specified in section 5(3) of the Licensing Act 2003, and subject to the outcome of the consultation,
- Adopt a special policy, and publish details in the licensing policy statement.

The Licensing Authority recognises that there can be confusion about the difference between “need” and “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub, restaurant, etc. This is not a matter for a Licensing Authority in discharging the licensing functions or for this statement of licensing policy.

Any special policy will not be used to:

- Revoke a licence or certificate when representations are received about problems with existing premises.
- Justify the rejection or variation of a licence or certificate except where the modifications are directly relevant to the policy.
- Adopt quotas or set terminal hours in a particular area that pre-determine the individual merits of any application.

The Licensing Authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. In these circumstances, there are other mechanisms available for addressing such issues for instance:

- Planning controls.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority.
- The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
- Powers of local authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly.

- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
- The confiscation of alcohol from adults and children in designated areas.
- Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance.
- The power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

Special Policy – Cumulative Impact – Ashby de la Zouch Town Centre

Having had regard to the legislation, guidance, representation from the Leicestershire Police and following the necessary consultation, the Licensing Authority has determined that a special policy should apply in respect of Ashby de la Zouch town centre. Evidence supporting the necessity of the special policy made reference to both crime and disorder and public nuisance.

The area / premises making up the cumulative impact zone is marked on the map at Appendix 1.

The special policy was initially adopted by the Licensing Authority in November 2005 and has been regularly reviewed. The special policy in respect of Ashby de la Zouch town centre has been retained following reviews of the policy in 2008, 2011 and 2014.

The effect of the Ashby de la Zouch Town Centre special policy is the creation of a rebuttable presumption that applications for **new premises licences or club premises certificates or variations** will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This special policy applies to applications from **all types of premises** operating between **20:00 and 06:00**

The presumption contained in the special policy does not relieve responsible authorities or other persons of the need to make a relevant representation before the Licensing Authority may lawfully consider giving effect to the special policy. If no representation is received, it remains the case that any application must be granted in terms that are consistent with the operating schedule submitted.

This special policy adopted by the Licensing Authority will be regularly reviewed.

The Licensing Authority recognises that this policy cannot be absolute and will continue to consider each application properly on its merits and those that are unlikely to contribute to the cumulative impact problems will be granted.

Where the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

11. Licensing Hours

It is recognised that flexible licensing hours are important to ensure that concentrations of customers leaving licensed premises simultaneously are avoided. This can help to reduce the potential for disorder at fast food outlets, taxi ranks and other sources of transport.

However any licensable activity does have the potential to impact adversely on the surrounding area due to disturbance or crime and disorder. Customers may be noisy when leaving or leave litter. The impact of these activities can be particularly intrusive at night when ambient noise levels are much lower.

The Licensing Authority welcomes the development of a wide ranging and culturally diverse night-time economy where this can be achieved whilst the businesses are promoting the four licensing objectives.

Under the Act there are no permitted hours for the sale of alcohol. Applicants are able to suggest in their operating schedule the hours they wish to open and to apply to vary their existing licences if they wish to open beyond their current permitted hours.

Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the Council considers it appropriate for the promotion of the licensing objectives to do so.

In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times that the outlet is open for business. Any decision not to allow sales of alcohol at particular times will be based on the promotion of the licensing objectives.

The Licensing Authority will seek to avoid arbitrary restrictions on hours of opening that would undermine the principle of flexibility.

12. Lapsed Licences, Insolvency and Death

In cases where licences have lapsed through insolvency or death, the Council will generally grant a new licence on similar terms to the lapsed licence as a replacement.

Any reapplication will be treated in the same way as other applications. Should representations be received and not resolved the matter will be decided by a hearing.

The Council will take into account the previous history of the premises, the length of time the premises has been closed, and any problems at the premises, and will impose conditions that reflect current good practice for the type of business proposed at the premises.

13. Variation of Licences

Variations to premises licences or club premises certificates that do not/will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process.

Minor variations will generally fall into four categories: minor changes to the structure or layout of premises; small adjustments to licensing hours; the removal of out of date, irrelevant or unenforceable conditions or the addition of volunteered conditions; and the addition of certain licensable activities.

On receipt of an application for a minor variation, the Licensing Authority will consider whether the variation could impact adversely on the licensing objectives. When considering an application, the Licensing Authority will consult relevant Responsible Authorities and take into account their views if there is any doubt about the impact of the variation on the licensing objectives.

The Licensing Authority will consider any relevant representations received from Other Persons in arriving at a decision. There is no right to a hearing.

The Licensing Authority will not use an application for the variation of a licence as a means to review the licence conditions already granted.

14. Transfer of Licences

When considering an application for the transfer of a premises licence, the Licensing Authority will only have regard to the individual circumstances of the case as set out in any objection raised by the police on the grounds that the transfer will undermine the crime prevention objective.

15. Provisional Statements

An application for a provisional statement will be considered in the same way as would an application for a premises licence or club premises certificate, on the assumption that the works are completed as per the schedule of works submitted by the applicant.

16. Review of Licences

At any stage, following the grant of a premises licence or a club premises certificate a Responsible Authority or any Other Person may apply to the Licensing Authority for a review of the licence or certificate. A member of the club may also apply for review of a club premises certificate.

The application for review must relate to particular premises for which a premises licence or club premises certificate is in existence and must be relevant to the promotion of the licensing objectives.

Where an application for review is made the Licensing Authority will initially consider whether the application is relevant, vexatious, frivolous or repetitious. A repetitious representation is one that is identical or substantially similar to:

- A ground for review specified in an earlier application for review made in relation to the same premises which has already been determined.
- Representations considered by the Licensing Authority when the licence or certificate was first granted.
- Representations which would have been made when the application for the licence or certificate was first made and which were excluded by reason of the prior issue of a Provisional Statement

A reasonable interval must have elapsed since an earlier review or the grant of the licence. The Licensing Authority considers that a review originating from any Other Person should not normally be permitted within a period of 12 months on similar grounds.

17. Personal Licences

The Licensing Authority recognises the important role that personal licence holders have to play in the promotion of the licensing objectives at premises selling alcohol. For this reason personal licence holders are required to have prescribed training and not have relevant convictions, which would indicate their unsuitability.

Every sale of alcohol at a licensed premises is required to be made or authorised by a personal licence holder.

When applying for a personal licence, the Licensing Authority require applicants to produce a Disclosure Scotland certificate that is no older than one month. All applicants are also expected to make a clear statement as to whether or not they have been convicted of a relevant offence or an equivalent foreign offence outside England and Wales.

18. Permitted Temporary Activities

Where a person wishes to use premises for one or more licensable activities for a period not exceeding 168 hours, that person can serve a:

- Standard Temporary Event Notice (TEN) on the Licensing Authority notifying it of the event. The TEN must be served on the Licensing Authority and a copy served on the Police and Environmental Health, as Responsible Authorities no later than ten clear working days before the event is to begin. To avoid confusion, the ten working days does not include weekends, public holidays, the day of receipt of the TEN and the day of the event itself.
- Late Temporary Event Notice (LATE TEN) on the Licensing Authority notifying it of the event. The TEN must be served on the Licensing Authority and a copy served on the Police and Environmental Health, as Responsible Authorities no later than 5 working days before the first day of the event and no earlier than 9 working days before the first day of the event. To avoid confusion, the ten working days does not include weekends, public holidays, the day of receipt of the TEN and the day of the event itself.

Whilst the Licensing Authority recognise that 10 working days is the minimum notice that may be given in respect of a TEN, the Licensing Authority would encourage such notices to be given at least 28 days before the event.

The maximum number of persons allowed on the premises at the same time during the temporary event is 499.

If alcohol is to be supplied, all supplies must be carried out by or under the authority of the person serving the TEN, and that person need not hold a personal licence.

Only the Police and Environmental Health may object to the staging of a temporary event. If they believe that any of the four licensing objectives will be undermined by the event they will issue an 'Objection Notice'.

Where an Objection Notice is received in relation to a standard TEN, a licensing sub-committee will be held to determine the notice within seven working days of the Objection Notice being issued. A hearing may not be necessary if an agreement can be reached beforehand.

Where an Objection Notice is received in relation to a LATE TEN, the event will automatically be refused authorisation. There is no right of appeal in this instance.

There are limitations on the number of TENS that individuals can give and which can be given in relation to a particular premises.

The Act provides that only the Licensing Authority can impose conditions (from the existing conditions on the premises licence or club certificate) to a TEN. The Licensing Authority can only do so:

- If the Police or Environmental Health have objected to the TEN.
- If the objection has not been withdrawn.

19. Integrating strategies

The Licensing Authority will seek to achieve integration with the other strategies related to the availability and consumption of alcohol and the reduction of crime and disorder and will consult with the appropriate organisations to achieve this.

19.1 Safer North West Partnership

The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make North West Leicestershire a safe and attractive area in which to live, work, study and socialise.

The Licensing Authority, in making decisions will consider the Community Safety Strategy and the work undertaken by the Safer North West Partnership, especially relating to tackling crime and anti-social behaviour.

19.2 Planning

The Licensing Authority will ensure that planning and licensing regimes are properly separated. Applicants must bear in mind that it may be necessary to obtain both planning permission and an appropriate licence/certificate. In such cases applicants are encouraged to seek planning permission first. However, applications for Licences and Certificates may be made before any relevant planning permission has been sought or granted by the Planning Authority.

19.3 Building Control

The Building Regulation process is a separate system to the licensing regime.

Applicants should ensure that all necessary approvals have been obtained before the premises begin operating.

19.4 Promotion of Equality

In developing this strategy, the Licensing Authority has recognised its responsibility, under the Equalities Act 2010 to consider the need to eliminate unlawful discrimination and to promote equal opportunity and good race relations between persons of different racial groups.

19.5 Disabled Access

The Licensing Authority would remind operators of premises of their duties under the Equalities Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to enable a disabled person to access the service.

19.6 Transport

The Transport Strategy is set out in the Local Transport Plan (LTP) produced by the Leicestershire County Council. The plan sets out the main proposals for achieving an integrated transport system to tackle the adverse impacts of traffic growth. The intention is to encourage greater use of public transport, walking and cycling by making these more attractive.

20. Related Policies

20.1 Street Trading Policy

North West Leicestershire District Council administers a Street Trading Consent scheme. The whole District is considered to be a consent area.

Those street traders who provide hot food or drink between 23:00 and 05:00 hours also require a premises licence under the Licensing Act 2003.

Street traders equipped with a mobile catering vehicle may apply for a premises licence to supply late night refreshment but as part of the application process will be required to provide the details of the area in which they want to trade. This trading area will be quite well defined within the broader landscape and will act as the 'premises'. Trading will not be allowed outside the 'premises' area. The applicant will also be required to provide a description including photographs of their mobile catering vehicle.

To make a change to the vehicle or the 'premises' trading area a licence holder will be required to submit a fresh premises licence application.

20.2 Sex Establishment Venues (SEV)

The Council introduced its SEV policy on 29 March 2011 and although there is an understanding that no SEV licences will be granted the policy does accept there may be exceptional circumstances where this principle may be overturned. Should a SEV licence be granted its conditions will be integrated with any Licensing Act authorisation.

Licence holders taking advantage of the facility to have up to 11 events in any 12 month period must take all measures to comply with the four licensing objectives.

Failure to comply may result in the premises licence/club premises certificate being reviewed.

21. Avoiding Duplication

The Licensing Authority will seek to avoid duplication with other regulatory regimes (e.g. Health and Safety at Work Act) insofar as attaching conditions to premises' licences and club premises certificates.

Conditions will only be attached where they are necessary and proportionate for the promotion of the licensing objectives. If duties are already imposed by other legislation it cannot be considered necessary to impose the same or similar duties in the context of the Licensing Act 2003.

22. Standardised Conditions

The Licensing Authority will only attach conditions to premises licences and club premises certificates that are tailored to the individual style and characteristics of the premises and events concerned and where they are appropriate and proportionate for the promotion of one or more of the licensing objectives.

The Guidance contains a pool of conditions from which the Licensing Authority may draw appropriate conditions to cover particular circumstances. However, it is not intended to be an exhaustive list and other specific conditions may be appropriate.

A number of conditions are mandatory and are required to be applied to some licences or certificates. These relate to such things as the requirement for a designated premises supervisor where alcohol is to be sold, preventing under age admission to age restricted films and the requirement that door supervisors are licensed by the Security Industry Authority. The list of mandatory conditions can be found within the legislation and Guidance.

23. Enforcement

The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives.

The Licensing Authority will develop and review enforcement protocols in consultation with the police and other relevant enforcing authorities.

Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition account will be taken of the general enforcement policy of the Licensing Authority, which aims to ensure that enforcement is transparent, fair, reasonable and proportionate.

The Licensing Authority will investigate complaints relevant to the four licensing objectives in relation to licensed premises. In the first instance, complaints will be encouraged to raise the complaint directly with the licensee or business concerned. Where a Responsible Authority or any other person has made:

- Valid representations about licensed premises; or

- A valid application for a licence to be reviewed;

then the Licensing Authority may initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern.

North West Leicestershire District Council will continue to support and participate in the Leicester and Leicestershire Licensing Best Practice Group – The licensing group aims to:

- Develop consistency in approach and procedure between Licensing Authorities and Responsible Authorities.
- Develop liaison with agencies and other relevant organisations.
- Promote best practice.

North West Leicestershire District Council will continue to support and participate in the Leicester and Leicestershire Regulatory Services Partnership – The Partnership aims to:

- Act as a strategic forum for licensing.
- Enhance the potential for sharing resources.

24. European Union Services Directive

The EU Services Directive provides a mechanism for its citizens to apply for alcohol licences in other member states. That mechanism allows an applicant to make an application electronically, through the Licensing Authority's web site. Payments can also be made electronically. Where applications are made through this system the Licensing Authority will notify all responsible authorities on behalf of the applicant.

The Licensing Authority's EU Services Directive web pages can be found at www.nwleics.gov.uk/pages/licences and street trading.

25. Delegation of Functions

The following will be determined by either the Licensing Committee or one of its sub-committees:

- Application for a personal licence where there are relevant unspent convictions.
- The review of a premises licence or club premises certificate.
- Decision to object when the Local Authority is the consultee and not the relevant authority considering the application.
- Determination of a Police objection to a temporary event notice.
- Determination of an Environmental Health objection to a temporary event notice.

The following will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:

- Application for a personal licence.
- Application for a premises licence or club premises certificate.
- Application for a provisional statement.
- Application for variation to a premises licence or club premises certificate.
- Application to vary a designated premises supervisor.

- Application for transfer of a premises licence.
- Application for interim authority.

The Licensing Authority will ensure that all members appointed to serve as members on the Licensing Committee have undergone appropriate training before they act in that capacity.

A table of delegations of licensing functions is detailed at Appendix 2

26. Appeals

Applicants and those making representations in respect of applications and reviews to the Licensing Authority have the right of appeal to the Magistrates' Court against the Licensing Authority's decisions. Further information on how to appeal can be obtained by contacting Leicester Magistrates Court, The Court House, 15 Pocklington Walk, Leicester LE1 6BT

27. Fees

Following amendments that came into force in October 2012 the Licensing Act 2003 requires a Licensing Authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due.

28. Period of Validity and Review

This statement of licensing policy will come into force on **26 March 2014** and be valid for five years, subject to review.

The policy will be kept under review during that period and if necessary amendments made.

29. Contacts

Anybody wishing to contact the Licensing Authority with regard to this Policy Statement can do so as follows:

In writing to: Environmental Health - Licensing
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

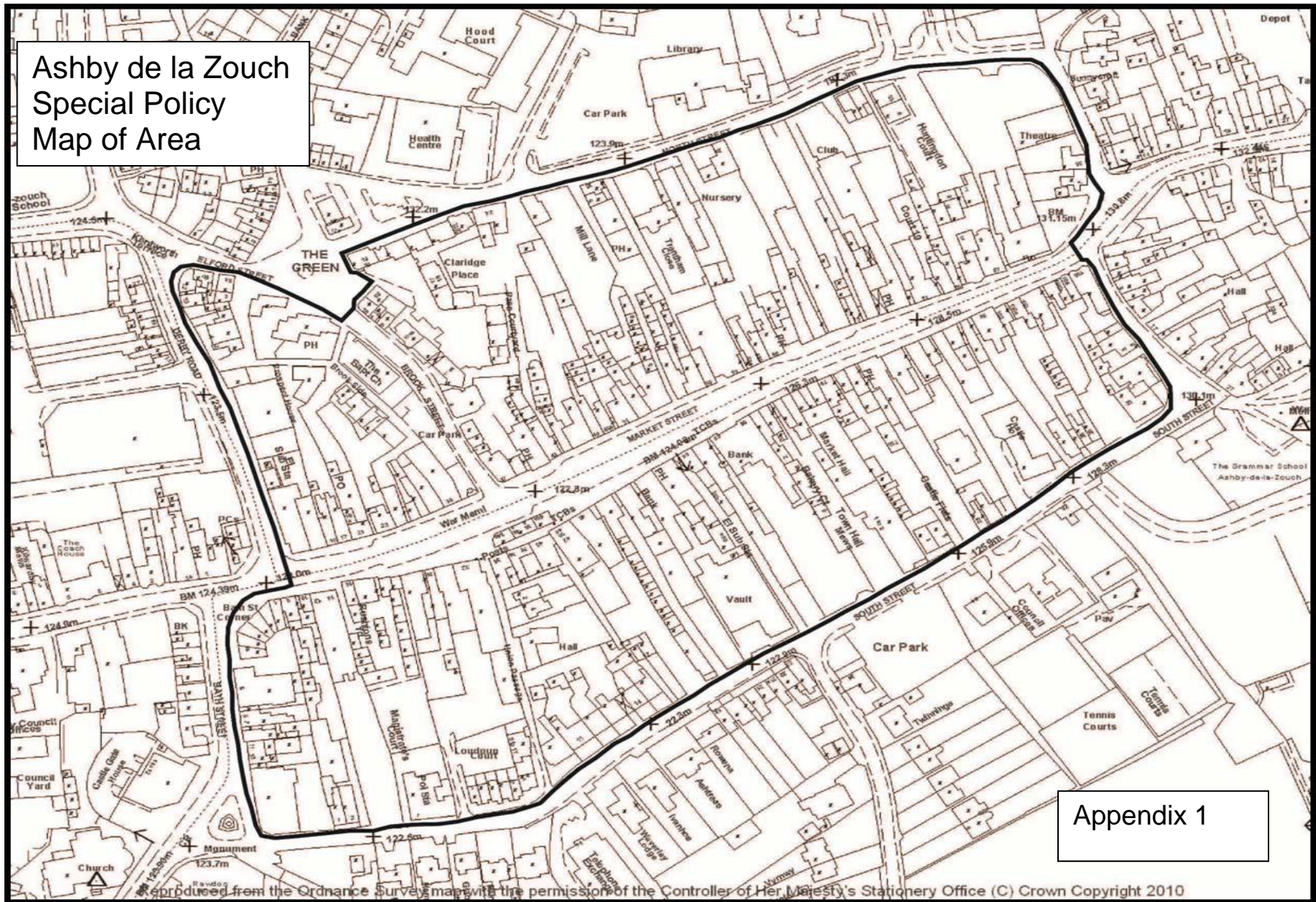
By e-mail to: licensing@nwleicestershire.gov.uk

By fax to: 01530 454574

Document History

Issue 1	7 January 2005 – 7 November 2005
Issue 2	8 November 2005 – 6 January 2008 (Ashby Special Policy)
Issue 3	7 January 2008 – 15 January 2008
Issue 4	15 January 2008 – 6 January 2011
Issue 5	7 January 2011 – 25 March 2014
Issue 6	26 March 2014 – 26 March 2019 (unless reviewed)

Ashby de la Zouch
Special Policy
Map of Area



Appendix 1

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright 2010

Table of Delegations of Licensing Functions

Matter to be Dealt With	Licensing Committee	Sub-Committee (3 Member Panel)	Authorised Officer
Application for Personal Licence		If an objection is made	If no objection made
Application for a personal licence with unspent convictions		All cases	
Applications of premises licence / club premises certificate		If a representation is made	If no representation made
Application for provisional statement		If a representation is made	If no representation made
Application for Minor Variation to vary premises licence / club premises certificate			All cases
Application to vary premises licence / club registration certificate		If a representation is made	If no representation made
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated premises supervisor / personal licence holder			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for Interim Authorities		If a police objection is made	All other cases
Application to review premises licence / club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc			All cases
Decision to object when Local Authority is a consultee and not the lead authority		All cases	
Determination of a police and / or Environmental Health representation to standard Temporary Event Notice		All cases	
Determination of a police and / or Environmental Health representation to a Late Temporary Event Notice			All cases

Responsible Authorities

A current list of contact details for each authority is provided on the Council's web pages. Alternatively contact details can be obtained by contacting the Licensing Authority by telephone on 01530 454545 or by email at licensing@nwleicestershire.gov.uk.

Responsible Authority	Local Authority
Chief Officer of Police	Leicestershire Police
Local Safeguarding Children Board	Leicestershire & Rutland Local Safeguarding Children Board Leicestershire County Council
Local Fire & Rescue Authority	Leicestershire Fire & Rescue Service
Local Planning Department	Development Control North West Leicestershire District Council Council Offices
Local Authority with responsibility for Environmental Health (Public Nuisance)	Street Action North West Leicestershire District Council Council Offices
Local enforcement agency for Health & Safety at Work	Environmental Health – Safety North West Leicestershire District Council
Licensing Authority	Environmental Health – Licensing North West Leicestershire District Council
Trading Standards	Trading Standards Business Services Leicestershire County Council
Local Health Board	Public Health Leicestershire County Council
Navigation Authority (vessels)	Environment Agency Canal & River Trust

Appendix 2 - Review of Statement of Licensing Policy – Consultee Comments

Date Received	Consultee	Comment	Reply
27/8/13	Kegworth Parish Council	<p>Kegworth Parish Council has asked me to inform you that it has reviewed the Policy and would like to continue to receive information weekly about who has applied for a new or change of Licence. This has been extremely helpful in the past and meant that applications within its own Parish have not been missed.</p> <p>With regard to the consultation questions, as these pertain, mostly, to larger areas such as Ashby and Coalville, then the Councillors for those areas are best placed to comment on the proposals for these areas. Kegworth Parish Council is not aware of any problems caused within its village by the granting of Licences to public houses and off licences as well as the Village Hall and other public venues. One off incidents are handled by the Police or your own enforcement team on an ad hoc basis. The Council does not see any problem with the number of takeaways or off licences in Kegworth and does not feel that the Policy requires alteration with regard to this village.</p>	<p>Noted, the weekly log will continue to be sent out to Parish Councils for information purposes. This service falls outside of the statutory consultation and notification process.</p> <p>Noted</p>
9/9/13	Ashby Civic Society	<p>An EMRO is not appropriate at the moment</p> <p>The cumulative impact policy should continue for Ashby. There are ongoing applications to extend Pub, nightclub and takeaway licensing hours. Much evidence has been supplied by the police, town council and residents of continued crime and disorder and public nuisance associated with licensed premises in the</p>	<p>Noted.</p> <p>This view is supported by Leicestershire Police and Ashby Town Council – To recommend the cumulative impact policy in Ashby be retained.</p>

		<p>town centre. the continuance of the saturation policy is vital to controlling the licensing objectives for Ashby town centre.</p> <p>The Special Policy Area does need amending. Area should be extended to include The Royal Hotel and Bath Grounds, The plough inn on the Green and Weatherspoons on Derby Road. These are significant licensed premises which are currently not covered by the saturation policy.</p> <p>The Special policy should cover Pubs, Clubs and Takeaways. (i.e. all licensed premises.)</p> <p>The rebuttable presumption to refuse should apply to all operating hours</p> <p>Ashby Civic Society would like to comment on all Ashby licensing applications. However this is difficult as we rely on monitoring local premises and the council website. We would like to be treated as a consultee and be informed directly of all Ashby applications.</p>	<p>The Special Policy on cumulative impact was introduced due to the impact of a concentration of licensed premises on the licensing objectives. When considering an extension of the existing area, the nature, size and location of each of the premises named and whether the premises is likely to add to the existing cumulative impact must be considered.</p> <p>Noted. This view is supported by Leicestershire Police and Ashby Town Council Noted, this is the current position.</p> <p>Noted</p> <p>Ashby Civic Society are able to comment on all applications. NWLDC will continue to satisfy both legislative requirements and statutory guidance regarding consultation and notification. However NWLDC is not in a position to directly notify other persons / bodies.</p>
11/9/13	Resident via Councillor Large	<p>To consider the implications arising from the case R. (on behalf of Developing Retail Ltd v East Hampshire Magistrates Court & Portsmouth City Council (The Portsmouth Case).</p> <p>Requirement to replace noise conditions requiring inaudibility with a specified noise limit.</p>	<p>Implications arising from the stated case have been considered resulting in a move away from conditions requiring inaudibility to objective noise limits.</p> <p>In the case of new applications in the event it is considered appropriate to add a condition relating to noise controls, a noise</p>

		<p>Requirement to apply lower noise limits contained within the Noise Act 1995. Requirement to provide a noise report, where the licence holder or applicant contests the noise limit.</p>	<p>limit is specified.</p> <p>Where a current licence contains a condition requiring inaudibility a process to remove and replace the condition with a specific noise limit will be considered should justified complaints relating to noise from the premises be received. An example would be following an application to review the licence.</p> <p>The Noise Act 1996 (The Act) requires the provision of an out of hour's noise service in order to adopt the requirements of the act. NWLDC have not adopted the Act as an out of hour's noise service is not justified given the nature and character of the District. As NWLDC have not adopted the Act the Authority cannot adopt the noise limits within it. Consequently it is not appropriate to require the production of a noise report where the licence holder or applicant does not agree with the limits set out in the Act.</p>
13/9/13	Measham Parish Council	<p>Yes the Parish Council agree that an EMRO is not appropriate, however should it be felt that it was necessary to be introduced the Parish Council would be supportive.</p> <p>Measham Parish Council feel that they don't have enough working knowledge of the situation relating to the licensed premises in Ashby de la Zouch town centre to be able to make comment on the special policy currently in place.</p> <p>The Parish Council would like to see a compulsory linked</p>	<p>Noted. This view is shared by other consultees.</p> <p>Noted.</p> <p>NWLDC encourages the sharing of</p>

		<p>'Pub Watch' scheme for licensed premises in villages as well as town centres.</p> <p>Cleaning up of cigarette ends and chewing gum should be included within the paragraph regarding litter.</p> <p>All alcohol off sales should be individually marked so they can be identified where they have come from when found in the parks, open spaces and in the possession of under age children.</p> <p>The Parish Council would welcome rigorous enforcement on licensing conditions in Measham.</p>	<p>information and best practice between licence holders and responsible authorities. However it is not considered appropriate to make attendance at Pubwatch compulsory for all licensed premises.</p> <p>Noted, paragraph amended.</p> <p>A condition requiring the marking of alcohol receptacles is contained within a pool of licence conditions. This is added to individual premises licences if it is considered appropriate for the promotion of the licensing objectives.</p> <p>A risk based inspection programme is in place. All complaints and concerns received are responded to and investigated.</p>
13/9/13	Ashby De La Zouch Town Council	<p>It is appropriate for the promotion of the licensing objectives to apply a special policy relating to cumulative impact to Ashby de la Zouch town centre.</p> <p>The implementation of the Special Policy for the town has helped to improve the night time atmosphere in the town. Many people live within the town centre and it is crucial that the needs of residents living in the town centre and of businesses operating pubs, clubs and takeaways are balanced, the Special Policy assists in maintaining this balance. With the need for licensees to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives of approving an application. The 2013 Licensing Survey conducted by Ashby de la</p>	<p>Noted, This view is supported by Leicestershire Police and Ashby Civic Society – To recommend the cumulative impact policy in Ashby be retained.</p>

		<p>Zouch Town Council highlighted the following concerns about the late night economy in the town:</p> <p>Public safety: Within responses to the Licensing Survey people acknowledged improvements in the night time economy in recent years. It is the Town Council's opinion that the Special Policy has contributed to these improvements.</p> <p>Prevention of Public Nuisance: 73% of respondents to the survey felt that closing times should be before 2am, with a wide variety of times suggested. Whilst 45% of people saw a direct link between noise and disruption and the closing times of the night clubs. The Special Policy should prevent later opening times and the perceived increase in noise and disruption later opening times would bring to people living in the town centre.</p> <p>The area currently covered by the Special policy does not require amendment.</p> <p>The special policy should apply to all types of licensed premises.</p> <p>The special policy should apply to all operating times / hours.</p>	<p>Noted.</p> <p>Noted, this is the current position. This view is supported by Leicestershire Police and Ashby Civic Society</p> <p>Noted, this is the current position. This view is supported by Ashby Civic Society</p>
4/10/13	Leicestershire Police	<p>Their reply was made up of several documents in support of the retention of the Ashby de la Zouch cumulative impact policy. The full response can be found at Appendix 3</p>	<p>Noted, This view is supported by Ashby Civic Society and Ashby Town Council. The proposal is supported by crime data demonstrating that crime levels have fallen since the introduction of the cumulative impact policy in 2005 – To recommend the cumulative impact policy in Ashby be retained.</p>

		<p>To extend the CIZ to include the Wetherspoons premises (trading as Shoulder of Mutton) at the junction of Kilwardby Street, Derby Road, Bath Street and Market Street which abuts the current special policy area.</p> <p>The special policy could relate only to Premises closing at or before 20:00 as it is from this time the incidents of crime begins to increase.</p>	<p>Noted. To recommend Licensing Committee consider an extension of the area to include the Shoulder of Mutton public house</p> <p>Noted. To recommend the special policy to apply to premises which are trading at 20:00 and later.</p>
7/10/13	Leicestershire Fire and Rescue Service	<p>A response to Section 5.3 of the draft consultation -</p> <p>This section deals with occupancy figures and states that a fire certificate specifies the max numbers of persons on a premises. Fire Certificates are no longer issued and the Fire Service would require a Fire Risk assessment to justify the occupancy figures appropriate to the premises. The Regulatory Reform (Fire Safety) Order 2005 sets out the legislation.</p>	Noted, section 5.3 of draft policy amended.
7/10/13	NWLDC Street Action	<p>To add the following paragraph to the policy: "With regard to existing premises with non-audibility conditions the enforceability of these is now in question. In the event that premises subject to such a condition were found to be breaching that condition a review of all enforcement options would be undertaken to decide on the most appropriate course of action. If this results in a review of the licence a more suitable condition would be added taking into account current noise guidance".</p> <p>At section 6.4 Conditions - the following should be added (possibly after bullet point 'Maximum noise levels over</p>	<p>Noted, draft policy amended by adding suggested paragraph at section 6.4.</p> <p>Noted, draft policy amended.</p>

		<p>particular time periods.'</p> <p>To add the following paragraph to the policy: 'Noise controls specified within the licence will be set in line with relevant guidance currently The Noise Council guidance and the World Health Organisation Guidelines for Community Noise.'</p>	<p>Noted, draft policy amended.</p>
7/10/13	Castle Donington Parish Council	<p>'The Purpose of the Policy' – "inform residents and businesses about how applications will be viewed and how their needs will be addressed" Town Councils, Parish Councils, Parish meetings and residents and businesses within 50 metres of the application premise should be added to the list of responsible authorities etc. who <u>must be notified</u> of applications and are entitled to make representations to the Licensing Authority in relation to an application.</p> <p>Currently these groups are listed as 'other persons' and whilst they are entitled to make representations to the Licensing Authorities on application, they are not notified of applications and the only requirement to advertise the application other than the formal notification to responsible authorities is by public notice within the application premise.</p> <p>The Parish Council would like to see a system similar to that for planning applications.</p> <p>The Parish Council also would like to suggest that where there is an event held within premises which have been granted a premises licence for an extensive site which can host a variety of indoor and outdoor events (e.g. Raves, Rock Concerts, County & Western Festivals etc) and which has an expected attendance of over say 1000 then an officer of the Licensing Authority should be paid for by the</p>	<p>The requirements relating to consultation and notification are detailed within the statutory guidance and the legislation itself.</p> <p>NWLDC will continue to meet its statutory responsibilities with regards the placement of public notices, the notification to responsible authorities and the advertisement of all applications on the Council website.</p> <p>In addition to the statutory minimum the Council currently notifies Parish Councils of applications received by emailing a weekly log</p> <p>NWLDC does not have the capacity to directly notify all interested persons within 50 metres of an application.</p> <p>All applications are available to view on the Council website</p> <p>The Council holds a pool of conditions which are used as a reference tool to ensure that conditions appropriate for the promotion of the licensing objectives are</p>

		<p>licensee to be in attendance and a complaints telephone line, to be advertised locally, should be established and maintained for the duration of the event so that appropriate on site measures can be taken to address any problem and stop the nuisance immediately at source. A direct line to the police should also be maintained in the event of trouble resulting from possible enforced early closure.</p>	<p>added to individual premises licences. Conditions include a requirement to submit an agreed event management plan and noise management plan. The content of the plans differ dependent upon the size and nature of the proposed event. The establishments of a resident telephone number would be appropriate to prevent public nuisance in some cases but not all events with an attendance of 1000 or more. The content of the noise management plan is agreed through discussion between the Council, the event organiser and licence holder. It is not considered appropriate to require a direct line to the police for all events of over 1000 persons. A licence holder is required to put in place appropriate measures to prevent crime and disorder which are discussed and agreed at the event planning stage.</p> <p>The following has been added to section 6.3 of the draft policy:</p> <ul style="list-style-type: none"> • Monitor the noise levels and its impact. • Make a contact number available to any person wishing to report noise disturbance.
--	--	---	---

Appendix 3

Review of licensing policy and Police findings

Ma'am, Sir

Please find attached Statistical information prepared by our analysts, Appendix A and B. The request was to collate figures before and after the introduction of the first revised and adopted, statement of licensing policy, made by NWLDC in November 2005. There is a comparison of figures for recorded crime in areas of violent crime such as assaults and public order and criminal damage. Appendix A is the statistical data which supports the Final results in Appendix B. These are recognised crimes associated with alcohol fuelled, night time economy offences. We have been unable to collate accurate data for Anti social behaviour, due to changes in recording systems over the years. We have also attempted to separate cases of drunk and disorderly, but it has not been possible to separate this data.

In addition to police data, we have worked closely with Ashby Town Council. They have in turn carried out a valuable local engagement exercise. The results are attached and supported by the Town council. At a licensing committee meeting on September 2nd the committee formally agreed to support the continuation of the cumulative impact policy.

I would draw your attention to what I consider to be the key findings of both reports and would ask that you submit and endorse this report to the NWLDC, by the end of the Consultation period.

The NWLDC have adopted a number of special policies over the years. The first statement of policy was created in January 2005 and as stated, revised to reflect the adoption of a special policy in Ashby in November 2005. This has been used as the bench mark period to record data 3 yrs before and thereafter to show changes in relevant crime.

A third statement was made in January 2008 and was further amended in the same month, giving a fourth statement. This continued until a 5th policy document was completed in January 2011. This is due to run for 3 years or until review. This is now subject of consultation ahead of review.

The groupings of offences by the analyst, shows low level public order offences under the heading of assaults. The remaining public order category, contains the more serious public order offences such as affray and violent disorder.

The first thing to note is the dramatic rise in assaults in Market street Ashby, prior to November 2005 when the first policy was implemented. Total assaults steadily rose from 2002 at 56 assaults peaking by November 2005 at 87. This peak represented 33.1% of all assaults in Ashby. This period was known as the **Wild West years**. During this period, Ashby Town centre had a very poor reputation for its night time economy.

Thereafter you will note a steady decrease in assaults year on year, with one blip November 2010 to 2011. But again this continued to then decline to November 2011-2012 with a low of 44 assaults. This latest figure represents a cut of nearly 50% on the assaults just prior to implementation of the first policy.

Assaults in Market street have steadily reduced as a percentage of all assaults in Ashby. Up to November 2010 they had reduced to 25.1 % compared to 33.1 % in November 2005. Again the blip yr end 2011 has increased the average figure. But without this, there is a clear benefit shown in the implementation of the policy.

The criminal damage figures do not give any clear conclusions.

The more serious incidents of public order have also decreased. The numbers are thankfully low. But when we compare the 9 incidents up to November 2005 to 3 up to November 2012, we can again see the benefits of joined up working. I would emphasise these are the more serious incidents of public order, such as Affray and Violent disorder; generally involving large groups of people fighting in the street.

The policy has allowed for a tight focus on all licensing issues in Ashby. Licensing Sergeants working with NWLDC, have been able to review licensed premises over the years, supported by the policy and tailor policing accordingly.

There have been many examples of good practice. In recent times we have worked with night clubs to improve safety and cut violent crime. Simple examples include measures to introduce plastic glasses, to reduce incidents of grievous bodily harm by glassing.

The policy has also been instrumental in challenging night club opening hours and keeping the resultant public nuisance to residents to a minimum. This has come about from pegging back closing times.

All members of the pub watch scheme are familiar with the policy and an improving relationship with all premises, allows for early dialogue; ahead of applications for changes in premises licenses and the like.

A joined approach with NWLDC has helped to develop the existing pub watch scheme and strengthen it.

On the same theme, police and council officers work together when dealing with breaches of policy. We adopt a tiered approach, to ensure a proportionate response to poor licensing control. This approach has led to a number of action plans to help and support licensees, rather than prosecute. But where blatant breaches have occurred, prosecutions have resulted.

The NWLDC policy has helped guide police and NWLDC staff to work together with licensees, to ensure a vibrant Night time economy and at the same time include residents living in the area, when decisions have been made.

Residents have contributed to giving evidence at challenges to hours, where extensions have been sought by clubs.

Resident groups have been involved when TENS have been challenged.

The policy has helped police, when considering new applications and variations to licenses. This has resulted in agreements being made with businesses, to ensure they are able to run their businesses effectively, but not to the detriment of those living and

working in the area. Often this has occurred without the need to go to hearing. The existence of the policy has aided these mediations.

I would also bring your attention to the Ashby Town council survey. This again came about as a result of the existence of the policy. Over 400 survey forms were submitted to local residents and businesses in Market street and surrounding area. 49 forms were returned.

Of note is that nearly 40% of respondents saw the closing times of night clubs from 3am to 2.30am as beneficial. This came about as a direct result of police challenging extensions at the two main clubs. The policy was sighted in this process and local residents have acknowledged the benefit of this closing time.

The associated noise and disruption attributed to the night clubs closing, was also a key point identified by local people.

The economic value of the night time economy was acknowledged. The policy does not seek to negatively impact on businesses and it is widely understood that far from having a negative impact, a good quality mix of businesses should ensure a thriving night time economy. If crime is falling, more will feel safe and wish to come to Ashby.

Comments were also made in relation to closing times of public houses and the effects of fast food outlets.

In relation to fast food outlets, we have been able to oversee SIA door staff where required and ensure they are present. We have also worked with licensing staff at NWLDC to enforce regulations. In addition we have opposed successfully, later openings of some fast food outlets. This has been key, in preventing congregations of crowds after closing of clubs. This in turn has reduced incidents of violence. Again the policy has been sighted in hearings to assist these successes. In addition the policy has focussed owners, to tidy up at closing and dispose of rubbish. Clubs also proactively encourage their customers away and towards taxi ranks promptly at closing. This is all done to demonstrate their willingness to work with police and under the principles of the policy.

My position is that the figures demonstrate that although crime has fallen steadily, it was very high in Market street. It is still a relatively high proportion of all similar crime in Ashby and needs control. The crime is clearly seen to be mainly in the evenings as the report shows.

The frequency and seriousness of crimes has reduced also, as good working relationships have improved environments for customers. The policy has aided this process.

The Ashby special policy does allow proportionate scrutiny in Market Street and has assisted in the reductions identified. However it may quickly escalate if there were a free for all, of new premises and total relaxation of hours etc for existing premises. Police resource do have to be considered and those already stretched, would be put under further pressure. This would inevitably lead to response pressures across the LPU.

The use of the no alcohol zone has been proportionately policed. This was introduced December 2007, under the criminal justice and Police act 2001. Areas are designated as attached order.

Where special events have been held in Market street, discretion has been used and where enforcement has been required, it has been implemented. This has helped to keep Market street free of alcohol and the associated bottles etc. This does not come under the cumulative impact policy, but shows we use various tactics and not just the policy in isolation.

Likewise the use of powers such as s27 dispersal notices are used proportionately.

We do not seek to prevent further diverse development of the night time economy. A case in point was demonstrated when we agreed a change to license of a deli, that wished to sell limited wines with table meals during the day.

We do generally feel there is no need for further vertical drinking bars.

But we and the council would not be constrained in reviewing every application on its own merit, by the continuation of the cumulative impact Zone.

We have been asked by the council to consider a change to the policy, where cafes/restaurants/cinemas and theatres aswell as hotels may be exempted. The police position is that we would need clarity on the description of businesses, in order to exempt them. We would have concerns that it would be impossible to distinguish between descriptions of businesses for example, how we would distinguish between a fast food outlet and its potential activities as a café.

How would we distinguish between a hotel and its potential activities as a night club or public house? This blurring of the policy would in our view have a negative impact and lead to potentially spurious applications; by businesses that the policy had no intention of encouraging. Our view is that exempting businesses from the policy is not required, as we do review every application on its own merit, considering the policy objectives.

If council decide to add exemptions, we would ask that the closing times for such businesses be 8pm. As seen from appendix B and the diagrams provided, the incidents of assaults start to rise from this time of night.

We would also require very clear guidance on the premises exempted and how they would be described.

We have considered the area covered by the Saturation Zone as still relevant. It encompasses all of the relevant premises and areas of disorder. We would ask that the area be increased to include the Shoulder of Mutton Public house, on Kilwardby street, junction Derby road and Bath street. This premises is likely to have a major impact on the drinking habits of local people and abuts the zone. To prevent any ambiguity we would ask the boundary be re drawn to include it.

When you put all the tactics together with the existing policy, there is a good working process. This is delivering year on year reductions in violent crime. I do not seek to expand the current policy except as described above.

Submitted for your attention.

Mark Watson

PS531

NW

	Year										
Crime HO	8Nov02 to 7Nov03	8Nov03 to 7Nov04	8Nov04 to 7Nov05	8Nov05 to 7Nov06	8Nov06 to 7Nov07	8Nov07 to 7Nov08	8Nov08 to 7Nov09	8Nov09 to 7Nov10	8Nov10 to 7Nov11	8Nov11 to 7Nov12	Grand Total
ASSAULT											
301 – Threats to kill		1		1		1					3
501 – GBH with intent Sec18		1	2			1	1			1	6
801 – GBH Inflict Sec20	1	2	3	2	1	1	2		1	3	16
806 – ABH Sec47	36	33	35	33	33	30	24	21	31	19	295
811 – possess offensive					1			1			2
831 – breach of restraining order							1				1
859 – racially aggravated GBH or wounding	1										1
856 – racially aggravated harassment		1					1				2
855 – racially aggravated sec 4a POA	1								1		2
857 – racially agg common assault										1	1
10400 – assault on police officer		1	3	1	1		2	2	1		11
10501 – common assault	5	20	12	12	11	11	5	7	10	8	101
12509 – sec 4A POA			1							2	3
12511 – sec 4 POA	3	5	5	4	6		1	2	4	1	31
12512 – sec 5 POA	6	15	23	22	21	16	17	12	20	8	160
12582 – racially agg sec 5 POA	1		3	2	2	1	1				10
19594 – 2+ harassment	2	2		1	1					1	7

ASSAULT Total	56	81	87	78	77	61	55	45	68	44	652
% change on previous year		44.6%	8.6%	-10.3%	-1.3%	-20.8%	-9.8%	-18.2%	51.1%	-35.3%	
DAMAGE											
5601 – arson endangering life			1							1	2
5602 – arson not endangering life		1		1		1					3
5865 – criminal damage to dwelling	3	1		1	1	6	1				13
5866 – criminal damage to other building	17	9	6	11	13	8	5	9	9	5	92
5870 – other criminal damage	2	1	3	5	4	2	2	3	1	3	26
5911 – threat to commit criminal damage									1		1
DAMAGE Total	22	12	10	18	18	17	8	12	11	9	137
% change on previous year		-45.5%	-16.7%	80%	/	-5.6%	-52.9%	50%	-8.3%	-18.2%	
PUBLIC ORDER											
6500 – violent disorder		1	1	1							3
6601 - affray	4	5	8	3	6	7	4		5	2	44
6623 – use of words/behaviour/written material										1	1
6645 racial hatred act 2006: use of words/behaviour/display written material						1					1
PUBLIC ORDER Total	4	6	9	4	6	8	4		5	3	49
% change on previous year		50%	50%	-55.6%	50%	33.3%	-50%	-100%	/	-40%	
Grand Total	82	99	106	100	101	86	67	57	84	56	838
% change on previous year		20.7%	7.1%	-5.7%	1%	-14.9%	-22.1%	-14.9%	47.3%	-33.3%	

Year	ASSAULT			DAMAGE			PUBLIC ORDER			Grand Total For Ashby
	Total LN14 Ashby	Total Market Street	% Market St	Total LN14 Ashby	Total Market Street	% Market St	Total LN14 Ashby	Total Market Street	% Market St	
8Nov02 to 7Nov03	174	56	32.2	136	22	16.2	6	4	66.7	316
8Nov03 to 7Nov04	288	81	28.1	157	12	7.6	8	6	75.0	453
8Nov04 to 7Nov05	263	87	33.1	112	10	8.9	15	9	60.0	390
8Nov05 to 7Nov06	261	78	29.9	152	18	11.8	6	4	66.7	419
8Nov06 to 7Nov07	246	77	31.3	133	18	13.5	12	6	50.0	391
8Nov07 to 7Nov08	222	61	27.5	99	17	17.2	14	8	57.1	335
8Nov08 to 7Nov09	215	55	25.6	103	8	7.8	6	4	66.7	324
8Nov09 to 7Nov10	179	45	25.1	102	12	11.8	3		0.0	284
8Nov10 to 7Nov11	170	68	40.0	97	11	11.3	11	5	45.5	278
8Nov11 to 7Nov12	135	44	32.6	79	9	11.4	4	3	75.0	218
Grand Total	2153	652	30.3	1170	137	11.7	85	49	57.6	3408

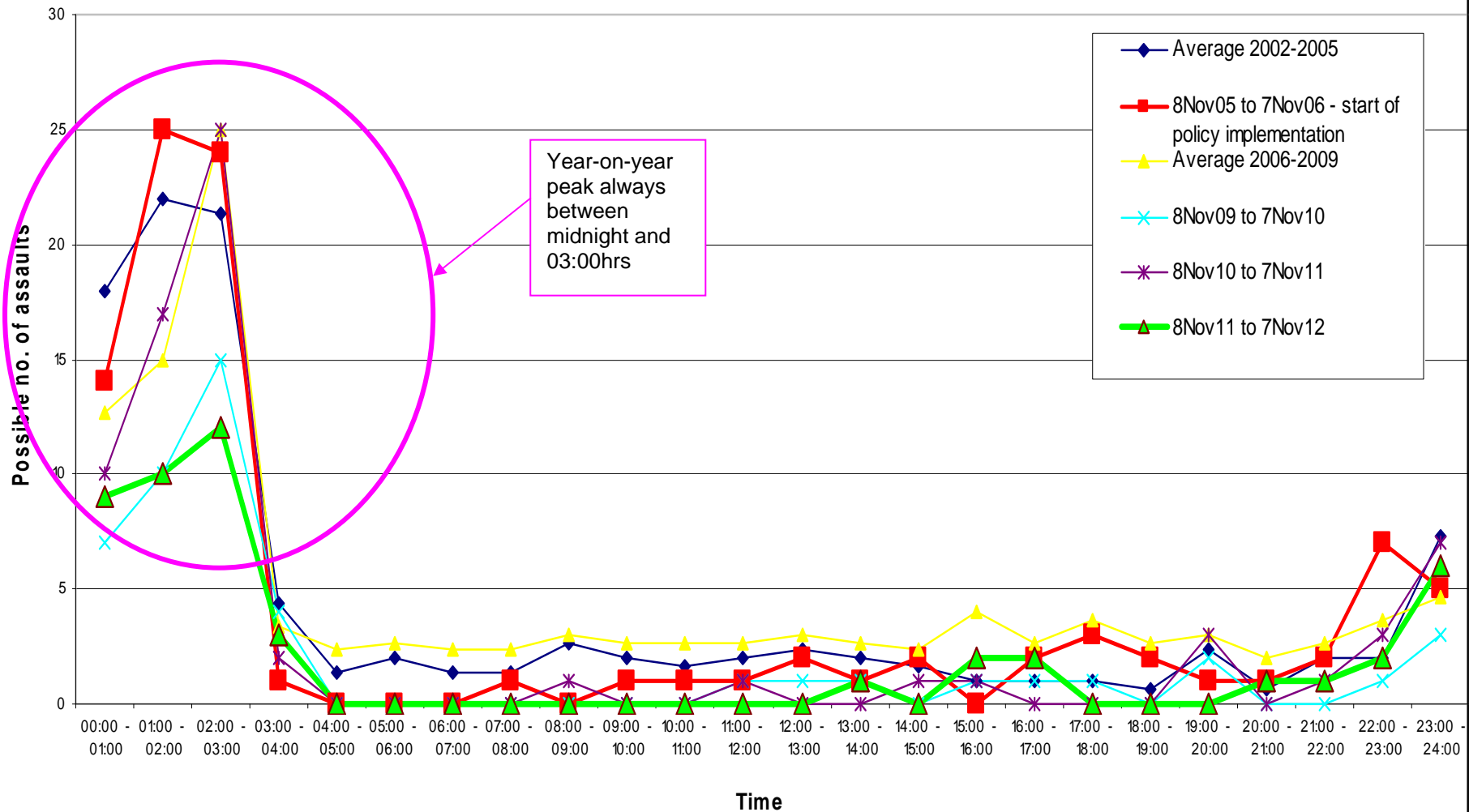
Main threat to Market St, Ashby has been violent crime – ABH sec47s are the main crimes to note, many influenced by alcohol from the night-time economy. Since policy measures were introduced on 08/11/05, violent crimes has seen reductions, year-on-year (albeit one blip 2019/10).

Public Order and Damage numbers were relatively low, so no conclusions can be drawn from these figures of the impact of the policies.

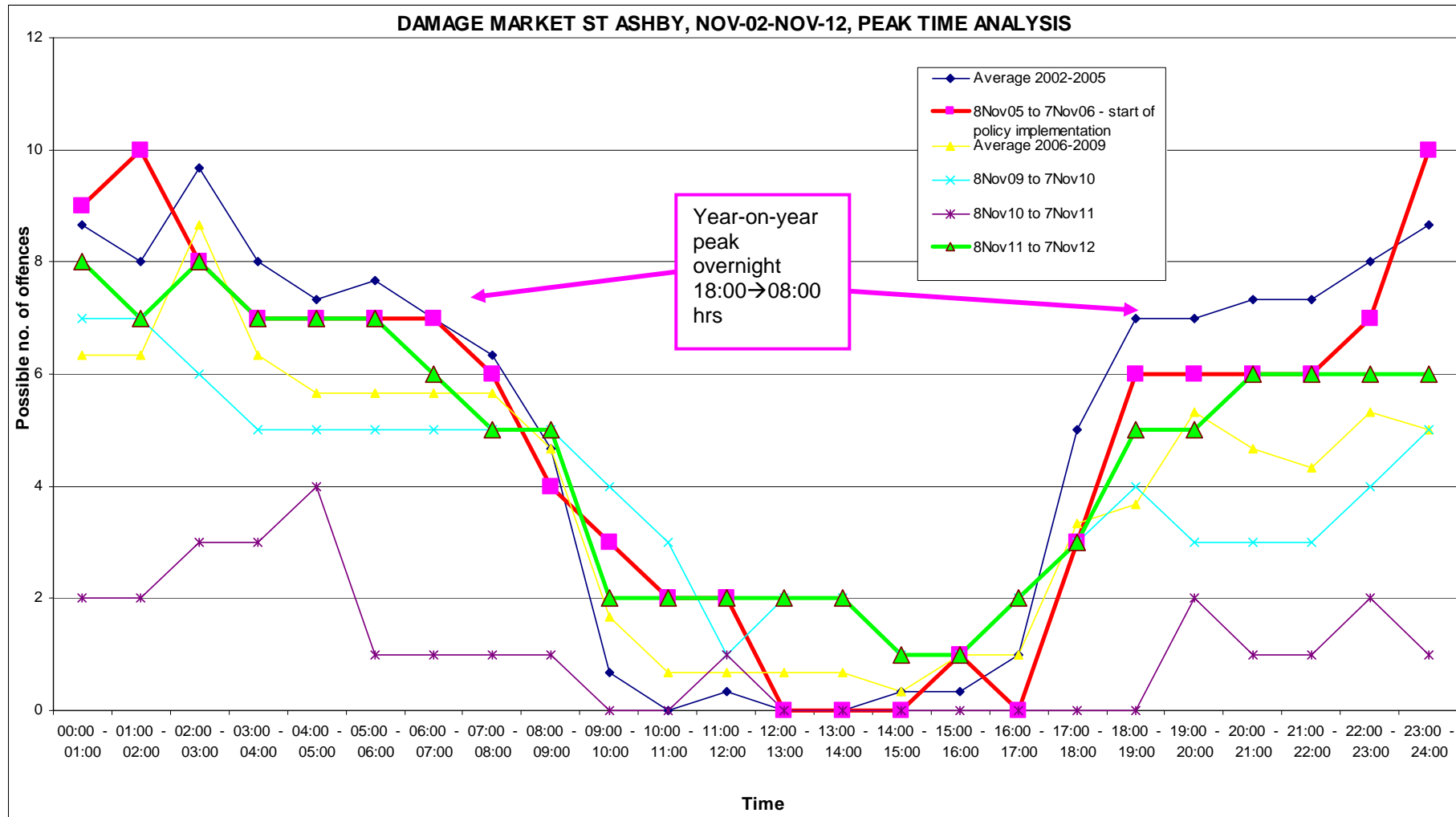
Although violent crime has reduced on the neighbourhood of Ashby as a whole over the years, violent crime on Market St still forms a significant proportion of all the violent crime.

Chart below highlights the peak times for assault offences occurring on Market St. For the last ten years, the peak has significantly been between the hours of midnight and 03:00hrs, even with the noted reductions in crime:

ASSAULTS MARKET ST ASHBY, NOV 02-NOV-12 - PEAK TIME ANALYSIS



Damage offences were not as easy to pinpoint time wise, as often there would be no witness to the offence. However, data over the years would indicate that most offences would occur in the overnight period on Market St:



CRIMINAL JUSTICE AND POLICE ACT 2001

Alcohol Consumption in Designated Public Places Order 2007

North West Leicestershire District Council (in this Order called 'the Council') hereby make the following Order under Section 13 (2) of the said Act:

The land described in the Schedule below and on the map attached to this Order, being land in the area of the Council which land to which the Criminal Justice and Police Act 2001 applies, is hereby designated for the purposes of that Act.

This Order may be cited as the Alcohol Consumption in Designated Public Places for the area of Ashby de-la-Zouch Order 2007 and shall come into force on 17 December 2007.

Schedule

- Hood Park
- The Green
- North Street
- Derby Road
- Market Street
- South Street
- Bath Street
- Bath Grounds
- Castle Grounds

The Common Seal of)
North West Leicestershire)
District Council was)
hereunto affixed in the)
presence of:)



Neel Taylor

INTERIM

Head of Legal & Democratic Services

This page is intentionally left blank

Appendix 4

UPDATE REPORT FROM LEICESTERSHIRE POLICE

1.0 Introduction

Additional information was received from Leicestershire police on 10 January 2014 in the form of an email from Insp Helena Bhakta – NW Leicestershire LPU Commander. Using the content of the email, Officers have worked with the police to agree the wording on this update report.

2.0 Retention of Special Policy

The report makes the following comments in relation to supporting the continuation of a special policy in Ashby town centre. This matter was dealt with by Licensing Committee in November with Committee recommending to Council that the special policy in Ashby town centre be retained.

“Non domestic related violent crime in North West Leicestershire has increased 20%, this compares to a force-wide increase of 5.4%. It is not suggested that this rise is solely associated with licensed premises as research has demonstrated part of the increase is linked with the summer good weather and social gathering at homes, however it has contributed to this significant increase. This has resulted in increased joint license activity to ensure licensees are fully sighted on their duties and responsibilities in relation to the licensing objectives.”

“Alcohol fuelled violent crime in Ashby since 20th November 2013 to New years day 2014 has gone up, where it has dropped significantly in Coalville 60% down and Whitwick 50% down. Year on year data as follows:”

	20/11/12 to 1/1/13	21/11/13 to 1/1/14
Public Order	0	1
Assault/Harrassment	5	10

“The figures for Ashby are open to interpretation. We could conclude that the presence of the RBV, (Rural Beat Vehicle) acted as a point for reporting and did its job, resulting in more reporting. I saw a willingness of DPS/door staff and members of the public to attend and report incidents readily. So this should be seen as a positive.” (Ps531 Mark Watson)

3.0 Extension of area to include the Shoulder of Mutton Public House

The additional information received from the police on 10 January also makes the following comments in relation to the Shoulder of Mutton:

“There are no direct crime reports specifically related to the Shoulder of Mutton premises. This is in part due to the fact that it was closed from September 2010 and did not re-open until mid October 2013.”

“Since it has been reopened it is a pub that is used to pre-load. Other licensees and observations of police officers are that the opening of the premises has brought a change in drinking habits as customers commencing drinking early at the Shoulder of Mutton and then move onto other premises in Bath Street/Market Street. Further drinking ensues. Thus the Shoulder of Mutton is contributing to the overall increase in violent crime.”

“It is the Police view that the spirit of the CIZ or any policy is not about a specific premise, it is with

regard to a concentration of premises that may have a potential to impact on the promotion of these objectives.”

“Practically if you look at its location it is a contingent part of Ashby’s night time economy. You can see the Shoulder of Mutton from almost the top of Market street. Thus the police maintain that the Shoulder of Mutton is part of the concentration of public houses that make up the town centre of Ashby De La Zouch that collectively are impacting on the promotion of the objectives.”

“We would also suggest in the interest of fairness and being equitable to other licensees that the Shoulder of Mutton is included.”

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 25 MARCH 2014

Title of report	PAY POLICY STATEMENT 2014/15
Contacts	<p>Councillor Richard Blunt 01530 454510 richard.blunt@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Human Resources Team Manager 01530 454518 mike.murphy@nwleicestershire.gov.uk</p>
Purpose of report	The Council is required by the Localism Act 2011 to prepare and approve a pay policy statement in respect of each financial year, before the commencement of that financial year. This report has been produced to provide the relevant information in accordance with the relevant provisions of the Act.
Council Priorities	Value for Money.
Implications:	
Financial/Staff	<p>The pay policy statement will apply to all of the most senior employees in the organisation.</p> <p>There are no additional costs to the Council resulting from the information in this report.</p>
Link to relevant CAT	Not Applicable.
Risk Management	None.
Equalities Impact Assessment	Has been completed. No equality issues identified. Held with the Author of the report as Background papers.
Human Rights	No implications.
Transformational Government	This relates to the new ways in which council's are being asked to deliver their services.
Comments of Head of Paid	The report is satisfactory.

Service	
Comments of Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.
Consultees	The report and pay statement has been provided to the Senior Officers of the Council for information.
Background papers	Held in Room 128 of the Council Offices. Some of the Background papers are confidential because they relate to individual employees.
Recommendations	THAT COUNCIL APPROVES THE COUNCIL'S PAY POLICY STATEMENT 2014/15, AS ATTACHED AT APPENDIX 1 OF THIS REPORT.

1.0 BACKGROUND

- 1.1 Under Section 38 of the Localism Act 2011, the Council is required to produce a Pay Policy Statement for each financial year, which must be approved by full Council before the beginning of the financial year to which it relates.
- 1.2 The Statement must set out the Council's policies in relation to:
- Senior Officers
 - Its lowest paid employees; and
 - The relationship between the pay of Senior Officers and the pay of other employees
- 1.3 For the purposes of this statement 'pay' includes basic salary, bonuses and all other allowances arising from employment.
- 1.4 The proposed pay policy statement attached sets out the Council's policy and explains the processes that apply to performance management and assessment. The Policy Statement also details the other benefits payable to Senior Officers and the approach to the engagement of Interim Senior Officers who may be in receipt of a previous public sector pension.
- 1.5 In accordance with the requirements of the Localism Act, the statement details the Council's pay multiple, which is 5.8 (the relationship between the median average pay of the Council's workforce compared to the salary of the most Senior Officer (the Chief Executive)). This multiple has reduced from a factor of 6 in last year's pay statement because the Local Government workforce received a cost of living increase of 1% in 2013/14, but no cost of living increase was agreed for Senior Officers. It is important to note that the salary of the most Senior Officer in the Council has not changed.

2.0 **CHANGES**

2.1 The following changes are worthy of mention in this year's pay statement:-

- (Paragraph 3.9) No cost of living award has been made for 2014/15 (determined at national level) at the time of writing this report.
- (Paragraph 4.4) The Car allowance rates have not changed. They remain at the same level as during 2013/14.
- (Paragraph 5.0) The Local Government Pension Scheme is changing significantly from April 2014. This will mean that the Senior Officers covered by the Pay Statement will be required to pay increased employee contributions to the scheme if they elect to join or remain in the scheme. Current Senior Officer employee Contribution rates are between 7.2 and 7.5% of salary. The rates will increase to a range of 8.5 to 11.4% of salary.
- (Paragraph 11.2). The Council has agreed to adopt the "Living Wage" for all of its employees from 1st April 2014. The lowest salary paid to employees will increase from £12,435 to £14,460 from that date.

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Pay Policy Statement 2014 / 15

1.0 Introduction

- 1.1 This Statement sets out the Council's policies in relation to the pay of its workforce, particularly its Senior Officers, in line with Section 38 of the Localism Act 2011. In accordance with that Act, the Statement is required to be approved by full Council each year. The statement will be published on the Council's website. The Council is committed to an open and transparent approach to the pay and benefits that apply to its workforce.
- 1.2 This Statement sets out the Council's policies relating to the payment of the workforce particularly:
- Senior Officers
 - Its lowest paid employees; and
 - The relationship between the pay of Senior Officers and the pay of other employees
- 1.3 For the purposes of this statement 'pay' includes basic salary, bonuses and all other allowances arising from employment.

2.0 Objectives of this Statement

- 2.1 This Statement sets out the Council's key policy principles in relation to pay. The Council has employment law and contractual responsibilities in relation to the pay and benefits of its existing employees and these have been taken into account when formulating the Statement.
- 2.2 This Statement aims to ensure the Council's approach to pay and benefits attracts and retains a high performing workforce whilst ensuring value for money. It sits alongside the information on pay that the Council already publishes as part of its responsibilities under the Code of Practice for Local Authorities on Data Transparency.

3.0 Basic Salaries of Senior Officers

- 3.1 From a legal perspective, for the purposes of this Statement Senior Officers are defined as those posts with a salary above £58,200 which is the current Senior Civil Service minimum pay band.
- 3.2 In North West Leicestershire District Council 7 posts have the potential to earn a salary in excess of £58,200. The posts of Chief Executive and Director of Services and Deputy Chief Executive earn a basic salary in excess of £58,200. The other 5 posts are on a salary banding which starts at £51,880 and ends at £60,517,
- 3.3 The following posts are determined to be statutory, Chief or Deputy Chief Officer posts in the Council:-

Chief Executive (Head of Paid Service and Returning Officer)
 Director of Services and Deputy Chief Executive
 Head of Legal and Support Services (Monitoring Officer)
 Head of Finance (Section 151 Officer)
 Head of Housing
 Head of Regeneration and Planning
 Head of Community Services

- 3.4 It should also be noted for completeness that two other posts at Service Manager Level are also technically Deputy Chief Officers because of their functions within the Council as Deputy Monitoring Officer and Deputy Finance Officer. Their information has not been included within this statement as their total pay package is less than £58,200 per annum.
- 3.5 The Heads of Service are all located within a salary range £51,880 to £60,517 (9 incremental points), The Deputy Chief Executive / Director salary range is £71,389 to £79,096 (6 incremental points) and the Chief Executive Salary range is £112,695 to £120,651.(4 incremental points).
- 3.6 The salaries of all Senior Officers have been set previously by formal meetings of elected members. In the case of the Chief Executive and the Deputy Chief Executive/Director, these were most recently reviewed in 2008 and the existing salary ranges were determined having regard to market conditions and the responsibilities associated with the roles. The Chief Executive's performance is considered annually at a meeting of the members Appointments Panel.
- 3.7 A member review of the salaries of the Heads of Service took place in 2011, which was in response to difficulties in recruiting to the Head of Finance post. The Deputy Chief Executive/Director and the Heads of Service are all subject to an annual appraisal process, and are required to report on their progress on Service delivery Plans to members.
- 3.8 Increments for all employees including Senior Officers are paid on an annual basis until the maximum of the scale is reached. The Chief Executive, or her nominated representative, has the discretion to award and withhold increments of officers' dependant on satisfactory or unsatisfactory performance.
- 3.9 Annual pay awards (cost of living) are decided at national level for all employees of the Council. A pay award of 1% was agreed at national level and was effective from 1st April 2013, but this increase did not apply to the Senior Officers covered by this pay statement because the National Employers (Local Government Association) decided to not make any offer. . Negotiations are continuing at national level between the Employers Organisations and the Trade Unions to see if agreement can be reached on a pay award for 2014/15. At the time of preparation of this Statement no agreement had been reached.

4.0 Car Allowance payments made to Senior Officers.

- 4.1 It is a requirement of the contracts of all Senior Officers that they be on a call-out rota to be available for Service Emergencies or to act in the event of a civil or national emergency situation. The rotas offer 24/7 365 days a year cover.

- 4.2 Due to the need to respond to emergencies out-of-hours and being on-call, Senior Officers have retained either a Car Lease or car allowance. These criteria also apply to other employees in the workforce.
- 4.3 The annual car leasing value to Senior Officers varies depending on the year renewal date of their vehicle and the relative value of “benchmark” vehicles in the Car Leasing scheme. On the basis of the current arrangements the maximum current annual value is a range between £2,554 and £3,000 (for the Senior Officers in this statement).
- 4.4 All Officers who are provided with a lease car are tied to a 4 year contract, with penalties payable if they terminate the contract prematurely. Officers are responsible for their own car insurance and petrol / diesel costs. If Officers with a lease car use the car for business mileage they are reimbursed the cost at 16.6p per mile. This rate is reviewed periodically by reference to the National Conditions of Service petrol element. This rate has not changed during the course of the 2013/14 financial year
- 4.5 The Car Allowance rates for Senior Officers are identical to those for all other employees in the Council, and these have been determined at National Level by the annual negotiations between the Employers Organisations and the Trade Unions. The current rate is a lump sum allowance of £963 per annum which is paid in monthly instalments. Officers are then paid a fixed mileage rate for any business miles undertaken which varies from 36.9p per mile to 40.9p per mile.

5.0 Local Government Pension Scheme

- 5.1 All Council employees may join the Local Government Pension Scheme. The Scheme is a statutory scheme with contributions from employees and from employers. For more comprehensive details of the local government pension scheme see:

<http://www.lgps.org.uk/>

- 5.2 Neither the Scheme nor the Council adopt different policies with regard to benefits for any category of employee and the same terms apply to all staff. It is not normal Council policy to enhance retirement benefits but there is flexibility contained within some pensions discretions for enhancement of benefits. The Council will consider each case on its merits in accordance with the discretions determined by Council at the time. There is no flexibility for the discretions to be applied more favourably to Senior Officers.
- 5.3 The Local Government Pension Scheme is changing significantly in April 2014. The revised scheme will mean increased employee pension contributions for the employees covered by this pay statement. The current employee contribution rates are a range between 7.2% and 7.5% of salary for Senior Officers, but these will increase to a revised range of 8.5% to 11.4%.
- 5.4 The discretions that North West Leicestershire is able to apply will need to be revised when the full details of the new pension scheme have been finalised. These will form the basis of a separate report to members.

6.0 Professional Fees

- 6.1 The Council will reimburse the cost of professional fees for Senior and other Officers where it is a requirement of their employment or contract. The Council will only reimburse the cost of one fee up to a maximum of £239 per annum. The annual maximum is linked to a percentage of one of the spinal column points in the main employee salary scale, so is increased when there is a nationally-agreed cost of living rise.

7.0 Electoral Registration fees

- 7.1 In accordance with the national agreement the Chief Executive is entitled to receive and retain the personal fees arising from performing the duties of returning officer, acting returning officer, deputy returning officer or deputy acting return officer and similar positions which he or she completes.
- 7.2 Fees for returning officer and other electoral duties are identified and paid separately for local government elections, elections to the UK Parliament and EU Parliament and other electoral processes such as referenda. As these relate to performance and delivery of specific elections duties they are distinct from the process for the determination of pay for Senior Officers. The fees are set externally by legislation and based on a formula linked to the number of electors.

8.0 Employment Stability Policy

- 8.1 The Council has previously determined that its “Employment Stability Scheme” will apply to all employees of the Council including Senior Officers. The Employment Stability Policy provides that actual weekly pay will be used when calculating an employee’s redundancy payment and the number of redundancy weeks payable is the statutory number of weeks redundancy multiplied by a factor of 1.5. This means that the maximum number of week’s payable, depending on age and service, is 45.
- 8.2 The Employment Stability Policy also includes the potential for any employee (including Senior Officers) who is at risk of being made redundant to receive salary protection for 3 years on a stand-still basis if they are redeployed to a lower graded post. It should be noted that in practice, this is a rare occurrence.
- 8.3 Full Council will be given the opportunity to vote on severance arrangements which exceed a total value of £100,000 before they are approved. The information presented will clearly set out the components of the severance package (e.g. salary paid in lieu, redundancy compensation, pension capital costs, holiday pay and any other bonuses, fees or allowances paid).

9.0 Whole-time service

- 9.1 All Senior Officers are expected to devote the whole of their service to the Authority and are excluded from taking up additional business, ad hoc services or additional appointments without consent. Officers at a senior level are restricted from being involved in specified political activities, and all employees of the Council are bound by a code of conduct. Senior Officers are expected to work the hours required to complete the job, subject to a minimum of 36.25 hours per week. No additional payments are normally made for out-of-hours working, and there is an expectation that Senior Officer Roles will include on-call and out-of-hours meetings and duties.

10.0 Other benefits.

- 10.1 A number of the Senior Officers terms and conditions of Service are determined at National level according to the following frameworks:

National Joint Council for Chief Executives Conditions of Service
National Joint Council for Chief Officers Conditions of Service

These frameworks provide the details of conditions of service such as annual leave, sick pay, maternity allowances, training and development etc.

11.0 Pay Relationships

- 11.1 The Localism Act 2011 requires the Council to set out its policy relating to the relationship between the pay of its Senior Officers and the pay of the rest of its employees. The Council has not previously set its pay structure of any group of employees by reference to a pay multiple. The Council has previously set the pay rates for different groups through processes of job evaluation, market comparability and the prevailing economic and market conditions. These can vary enormously from time to time and between the many occupational groups comprising the Council's workforce.

- 11.2. Pay of the Council's Lowest Paid Employees

The Council has defined its lowest paid employees as those on the lowest pay grade the Council operates, who are not undergoing an apprenticeship. On this basis the lowest paid full-time equivalent employee of the Council earned £12,435 in 2013/14 financial year. The Council has agreed to adopt the "Living Wage" for all employees from April 2014, so the rate payable will increase to £14,460 from that date.

- 11.3 The Localism Act requires Councils to calculate the pay multiples between the highest and lowest earners. The median average pay of the Council's workforce in January 2013 (including overtime payments) was £20,802 so the pay multiple factor is 5.8.

12.0 Approach to pensioners and Interim Managers.

- 12.1 The Localism Act requires an explanation of the Council's policy in relation to the arrangements that might apply where it could appear that the public sector is paying an individual twice through a salary and a pension for doing the same job. This Council's view is that it is not good value for money for the taxpayer to make a person redundant (and pay a pension if they are aged 55 years and over) for them to then return to the same job. The Council will not condone this approach. However, it should be noted that there may be circumstances where the Council may employ individuals who are in receipt of a public sector pension for new roles where they are the best person for the job. An example of this may be the employment of ex-services or "blue-light" personnel, to a different role in this Council. It should also be noted that there might be risks of age or disability claims if the Council was to adopt a contrary position.
- 12.2 The Council has previously used Interim Managers to fill short-term vacancies or to undertake specific projects where there are capacity issues or a shortage of a particular skill set within the Council's own workforce. This may mean that the

Council could engage Interim Managers who are in receipt of a public sector pension from other previous employment where an appropriate assessment has been completed on the value-for-money of the proposed arrangement for the Council. Such assessment will be completed by the Head of the Paid Service in consultation with the Leader of the Council.

13.0 Review and Changes

The Council will review this policy annually, or if amendments need to be made before the date of the scheduled review, in year, to full Council. Any significant amendments to the pay and benefits of Senior Officers will be determined according to the Council's constitution by the relevant Committee or Panel prior to a recommendation being made to full Council.