



Scan the code above or visit www.nwleics.gov.uk/meetings for a full copy of the agenda.

Meeting	CABINET
Time/Day/Date	5.00 pm on Tuesday, 12 November 2019
Location	Board Room, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

AGENDA

Item	Pages
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
3. PUBLIC QUESTION AND ANSWER SESSION	
4. MINUTES	
Minutes of the meetings held on 24 September 2019 and 29 October 2019	3 - 18
5. CORPORATE ASSET MANAGEMENT STRATEGY	
Report of the Chief Executive Presented by the Housing and Customer Services Portfolio Holder	19 - 64
6. INVESTMENT INTO COMMUNITY LEISURE	
Report of the Strategic Director of Place Presented by the Community Services Portfolio Holder	65 - 76
7. HRA PROPERTY ACQUISITION	
Report of the Chief Executive Presented by the Housing and Customer Services Portfolio Holder	77 - 84

8. MARKET RIGHTS

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

85 - 88

9. BREEDON HILL - ACCESS ISSUES AND PEDESTRIANIZATION

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

89 - 106

Circulation:

Councillor R Blunt (Chairman)
Councillor R Ashman (Deputy Chairman)
Councillor R D Bayliss
Councillor T Gillard
Councillor N J Rushton
Councillor A C Woodman

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on
TUESDAY, 24 SEPTEMBER 2019

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard, N J Rushton and A C Woodman

In Attendance: Councillors J Clarke, D Everitt, J Legrys, V Richichi, C A Sewell and S Sheahan

Officers: Mr J Arnold, Mrs T Bingham, Miss E Warhurst and Mrs R Wallace

30. APOLOGIES FOR ABSENCE

There were no apologies for absence.

31. DECLARATION OF INTERESTS

There were no interests declared.

32. PUBLIC QUESTION AND ANSWER SESSION

QUESTION FROM MR IAN WEBB AND MR WILLIAM MOORE TO COUNCILLOR A WOODMAN

“With reference to the upcoming agenda item, 2019 AIR QUALITY ANNUAL STATUS, is this cabinet aware that this statutory report breaks the law by being 3 months late? Is this cabinet aware that it is being asked to endorse that?

Why does this Annual Status Report fail to mention that the vehicle exhaust pollutants along Nottingham Rd, Ashby de la Zouch exceed the Government legal limits? Why does this Annual Status Report not address the increasing health risks when the present mortality rate stands at 76 Ashby persons per year due to poor air quality according to the NWLDC 2018 Annual Status Report?

In 2019. William Moore Fellow of the Royal society of Chemistry, provided a professional report to the Planning Dept of the NWLDC, applying DEFRA data that showed Nottingham Road, Ashby has air pollution far exceeding government's legal limits. Added to this, the Leicestershire County Council Director of the Environment and Transport has just issued two important air quality reports that record exactly the same problem for Ashby. Is this cabinet aware that this 2019 ASR wrongly concludes *no new area is likely to exceed air quality objectives*?

Is this cabinet aware that this Council is spending several thousand pounds modelling the air quality for Nottingham Road, Ashby instead of taking more credible measurements?

All of this evidence has been previously presented to the NWLDC, yet today why is it not before this Cabinet?

We hope you would agree that this report should be deferred until it is upgraded & corrected, as there is already an external consultant employed to assess the Air Pollution in Ashby.”

RESPONSE FROM COUNCILLOR A WOODMAN

“I would like to thank Mr Webb and Mr Moore for their question in relation to Air Quality in Ashby but specifically Nottingham Road.

I need to make it very clear that this is a status report about air quality that has historically effected residential properties in the district in the 2018 calendar year and is a factual account of the data collected and is therefore not subject to change.

The Department for Environment Food and Rural Affairs (DEFRA), who determine the methodology for statutory air quality monitoring, do provide a target date of the end of June each year for submission but there are no laws or penalties relating to not meeting this target date.

DEFRA provide councils with a template for the air quality report which only covers the monitoring of certain pollutants and locations (nitrogen dioxide and particulates (PM₁₀) primarily). These are different to any other methods of assessing air quality carried out by others such as Public Health England or county councils. To date under this councils statutory monitoring responsibilities Ashby has not been found to have an air quality issue in relation to any effect on nearby residential properties.

I am aware that there is a live planning application for a haulage yard on Nottingham Road, which is being considered by planning officers currently. This Cabinet cannot comment upon that application but is aware that the planning officer has commissioned an independent air quality report in relation to the proposed development.

Should the commissioned report for the said development find a problem then this would be included in the air quality report published in 2020.

The statistics from Public Health England relate to 6% of the deaths in the district as a whole (in 2016 there were 896 deaths). PHE have attributed the deaths to exposure to PM_{2.5} which is not a pollutant that is measured under the air quality monitoring undertaken by the council.

Officers are more than happy to engage further to discuss the concerns raised which could include engagement with DEFRA.”

Councillor D Harrison, as Ward Member expressed his deep concerns regarding the air quality and that there had been no physical scientific measurements taken in the last 15 years. He asked members to be cautious of signing up to a document that was inaccurate as it was compiled using a desktop exercise. He urged members to defer the item so that more work could be undertaken to obtain a better understanding of the air quality throughout the district.

Councillor R Blunt invited Mr Moore to ask a supplementary question.

Mr Moore stated that officers should be using credible monitoring methods rather than a desktop exercise to collect data and felt that the council was contravening its own policies by not compiling physical data.

33. 2019 AIR QUALITY ANNUAL STATUS

It was agreed for the item to be considered after item 3 – Public Question and Answer Session, as it was the subject matter of the public question received.

As he felt it was a very complex matter, Councillor R Blunt moved that the item be deferred to allow further investigation. He asked that Councillor A Woodman have further discussions with Officers and Councillor D Harrison, as ward member, to progress the matter. It was seconded by Councillor A Woodman.

RESOLVED THAT:

The Item be deferred.

Reason for decision: To allow further investigation into the air quality annual status for 2019.

34. MINUTES

Consideration was given to the minutes of the meeting held on 16 July 2019.

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

RESOLVED THAT:

The minutes of the meeting held on 16 July 2019 be approved and signed by the Chairman as a correct record.

Reason for decision: To comply with the Constitution.

35. TO GRANT A LONG TERM LEASE FOR A COUNCIL ASSET (SWANNINGTON DEPOT) TO HOSPICE HOPE

Councillor A Woodman presented the report to members.

He informed members that Hospice Hope was a registered charity that delivered specialist care services for people with life limiting conditions. The owner of the current accommodation in Griffydham now wished to return to the property and live in it; therefore, the charity was in need of alternative accommodation. He reported that Bloor Homes had made a commitment to build the new accommodation for free if a suitable site was provided. Following a site options appraisal, Swannington Depot was deemed the most suitable. Bloor Homes would meet the full cost of the design development and construction of the new facility, and submit the planning application. The Council would need to make provision for the relocation of the bin storage facility currently at Swannington Depot which would cost in the region of £65,000, this would be funded from unallocated reserves.

Councillor R D Bayliss commented on the unusual and highly desirable combination of volunteers, building developer and Local Authority. He wished them well in the venture.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt and

RESOLVED THAT:

- a) The transfer of land under a long-term 150 year lease to Hospice Hope (the extent of which shown edged with a thick red line on appendix 4) subject to securing planning consent.
- b) The authority to negotiate and enter into the lease on substantially the same terms as set out in appendix B be delegated to a Strategic Director.
- c) A commitment to fund the project to extend the Linden Way Recycling Centre to the value of £65,000 from unallocated reserves be approved.

Reason for decision: The granting of a lease will facilitate the construction of the new facility by Bloor Homes to an agreed specification, which will be subject to a planning application by Bloor Homes.

36. FUTURE HIGH STREETS FUND BUSINESS CASE DEVELOPMENT

Councillor T Gillard presented the report to members.

He informed members that the Council's expression of interest in the Future High Street Fund was successful and had now been invited to submit a full business case for up to £25 million. A grant of up to £150,000 from the Ministry of Housing, Communities and Local Government had been allocated to develop the business case with a deadline of 28 February 2020. This money could be used to engage consultants to assist with developing the business plan, as and when the professional expertise was required. He reported that officers would be talking to ward members, businesses and the public to help finalise the bid.

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

RESOLVED THAT:

- a) The expenditure of up to £15,000 of grant funding and existing budgets to develop a full business case for submission to Future High Streets Fund be agreed.
- b) The authority to finalise negotiations and award a contract to WYG Consultants up to a value of £150,000 for development of a full business case for Future High Streets Fund, be delegated to the Strategic Director of Place.

Reason for decision: Cabinet approval is required to enter into a contract with a supplier for amounts over £100,000 spent within a single 12-month period.

37. EXTENSION OF THE COALVILLE CONSERVATION AREA LOCAL DEVELOPMENT ORDER

Councillor T Gillard presented the report to members.

He reported that the Coalville Frontage Improvement Scheme, originally launched in 2015, had committed over £340,000 of grant funding for 15 eligible applications and following the recent review had reopened for applications in July 2019. To enable the frontage scheme works to be completed in a speedy manner, Cabinet approved the adoption of a Local Development Order to allow eligible property owners to carry out certain works that comply with the schemes design guide. This order was due to expire on 30 November 2019. He informed members that the revised order had been drafted in consultation with the Council's Planning and Development Team to allow continued flexibility in delivering the scheme for up to five years whilst protecting heritage assets.

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

RESOLVED THAT:

- a) The 28 day period of consultation for the Draft Coalville Area Local Development Order be endorsed.
- b) The 28 day period of consultation for the Draft Coalville Frontage Improvement Scheme Design Guide be endorsed.
- c) The authority to:
 - i) Consider any responses to consultation; and

- ii) Having given due regard to the consultation responses, make relevant amendments to and adopt the Coalville Conservation Area Local Development Order for a period of five years from 1 December 2019,

be delegated to the Strategic Director of Place in consultation with the Portfolio Holder for Planning and Infrastructure.

Reason for decision:

- To support the Coalville Project, by making it easier for property owners to undertake specified improvements.
- The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides for the local planning authority to formally adopt the Local Development Order.

38. CORPORATE CHARGING POLICY

Councillor N J Rushton presented the report to members.

He advised that the policy had been developed under the new commercial approach and sought to maximise the financial position through local income generation. The new framework would empower service areas to generate income whilst fully considering and managing the impact to customers, and enduring proper transparency around charging decisions. The Council could expect to see the effect of the new policy in the coming months, with details around income streams and the proposals for 2020 charges presented as part of the draft budget.

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

RESOLVED THAT:

The Corporate Charging Policy be approved.

Reason for decision: Policy required Cabinet approval.

39. LIST OF LOCAL HERITAGE ASSETS ADOPTION OF LIST OF RECREATIONAL BUILDINGS

Councillor R Ashman presented the report to members.

He informed members that following the consultation on the draft local list, twelve responses were received and taken into consideration. The revised list contains seven recreational buildings, which were detailed within the report. The owner of the former Rex Cinema objected to the inclusion of the building; however, officers have recommended that it remain on the list due to the nature of the building.

Councillor R Blunt commented that the Conservation Society had stated that Coalville was once a very desirable town due to its cinemas and shops, and with the help of the Coalville Project, it could be that way again. Therefore, it was important to keep and maintain these buildings.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

The revised List of Recreational Buildings be approved.

Reason for decision: Adoption of the revised full list of recreational buildings would support the aims of the Council Delivery Plan relating to sustainable development and growth and people feeling proud of their homes and communities.

40. NWL ECONOMIC GROWTH PLAN 2019-21

Councillor T Gillard presented the report to members, highlighting the ambitions for North West Leicestershire.

He advised that following the consultation on the draft document, a number of amendments had been made. In particular, the sustainable economy section now reflected on the relationship between the economy, the environment and climate change, and the alignment with the National Forest. In addition, a series of additional collaborative objectives had been included within the business, People and Place Sections to reflect feedback.

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

RESOLVED THAT:

The final version of the North West Leicestershire Economic Growth Plan 19-21 and, the Associated Evidence Base and Investor Prospectus be approved.

Reason for decision: Cabinet approval sought to adopt the final version of the North West Leicestershire Economic Growth Plan 19-21 and, the Associated Evidence Base and Investor Prospectus following stakeholder consultation.

41. SAFEGUARDING UPDATE FOR 2018 TO 2019

Councillor A Woodman presented the report to members.

He informed members that in the last 12 months the Council had invested in training new designated safeguarding staff and additional training had been identified to ensure staff understand their cases and improve their ability to refer to other organisations. The number of cases was increasing year on year; in 2018/19, 157 cases were referred to the team, all of which were considered in a timely manner. Councillor A Woodman referred members to the case samples within the report, which indicated the impact of the safeguarding team within the community. He commended the team for their work.

Councillor R Blunt agreed that the case samples were very good examples of what the team had been doing in the community.

It was moved by Councillor A Woodman, seconded by Councillor R Bayliss and

RESOLVED THAT:

The work of the North West Leicestershire Safeguarding Team 2018/19 be noted.

Reason for decision: To comply with the Council's Constitution and statutory duty to safeguard children and vulnerable adults as detailed in the Children Act 2004 and Working Together 2013.

42. 2018/19 END OF YEAR REPORT

Councillor R Blunt presented the report to members.

He informed members that the report reviewed the achievements of the Council against its objectives and targets for the financial year ending April 2019. He advised that excellent progress had been made in all of the priority areas, with 31 of the 35 commitments achieved or on plan. He went on to highlight the achievements has detailed within the report.

Councillor R D Bayliss commented that the housing progress was good overall, especially with the number of affordable homes exceeding targets.

Councillor N J Rushton drew members' attention to the increase in business rate income, which indicated a level of growth within the district. He also referred to the increased levels in recycling, the growth in the self-sufficiency fund and the amount of savings. He commented that North West Leicestershire District Council was possibly the best performer in Leicestershire on a whole range of factors not just income.

Councillor R Ashman thanked officers for the excellent report, which was clear and easy to read. He was happy to see the results of the urban design for new builds and the improvements in the process for Section 106 Agreements.

Councillor A Woodman commented that although he was not an elected member during the period of the report, it was great to see what had been achieved. He thanked his predecessor for the hard work undertaken.

Councillor T Gillard commented that the success of the Enterprising Phase 3 Grant Programme showed that local businesses were continuing to invest, grow and create new jobs. He thanked the Business Focus Team for all the work undertaken for local businesses.

Councillor R Blunt agreed that it was good to see the direction the council was going in and to see the growth in the last 12 years. He was very proud of the success.

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

RESOLVED THAT:

The report be received.

Reason for decision: The report delivers an update and actions on all of the Council priorities.

43. 2019/20 QUARTER 1 PERFORMANCE REPORT

Councillor R Blunt presented the report to members, highlighting the key areas of performance.

Councillor R D Bayliss commented on the housing repairs team operating above target, the progress on the turnaround times for the empty homes programme and the parking improvements underway. He was also pleased with the improved call waiting times in Customer Services and was expecting further improvements in future reports. Councillor R Blunt commented on the parking improvements in council estates and explained his ambitions to become tenure neutral for all council housing to improve society cohesion; he felt this was very important.

Councillor N J Rushton reported that budgets were being effectively managed and Quarter 1 performance had been positive.

Councillor R Ashman commented on the progress made in achieving targets in the planning process and the increase in affordable homes.

Councillor A Woodman reported that work on Hood Park Leisure Centre was going well and the newly opened gymnasium was fantastic.

It was moved by Councillor R Blunt, seconded by Councillor R Ashman and

RESOLVED THAT:

The Quarter 1 Performance Report (April - June 2019) be noted.

Reason for decision: The report be provided for members to effectively monitor the performance of the organisation.

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

Councillor N J Rushton presented the report to members.

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

RESOLVED THAT:

The non-domestic rates and sundry debt write offs that are over £10,000 be approved.

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

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.56 pm

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on
TUESDAY, 29 OCTOBER 2019

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard, N J Rushton and A C Woodman

In Attendance: Councillors D Bigby, D Everitt, J Geary, J Legrys, V Richichi, C A Sewell and
S Sheahan

Officers: Mr J Arnold, Mrs B Smith, Miss E Warhurst, Miss A Wright and Mrs C Hammond

45. APOLOGIES FOR ABSENCE

There were no apologies for absence.

46. DECLARATION OF INTERESTS

There were no interests declared.

47. NORTH WEST LEICESTERSHIRE LOCAL PLAN - PARTIAL REVIEW

The Leader invited Councillor J Legrys to address the Cabinet.

Councillor J Legrys stated that he was aggrieved by the lack of consideration throughout the Local Plan process and that he had always worked hard with other group Members to bring the plan forward.

He asked the following questions:

- 1) In relation to the Money Hill master plan, had the employment land figures been included in the report before them?
- 2) Why had the terms of reference in relation to the frequency of meetings of the Local Plan been ignored and it had been longer than 2 months between meetings?
- 3) Would it be worth Labour Members bothering to attend any future Local Plan meetings?

The Leader thanked Councillor J Legrys for addressing the meeting and for his continued engagement and commitment with not just planning issues but all aspects of the Council's services.

The Portfolio Holder for Planning and Infrastructure addressed Members detailing the following:-

"Members will recall that a report was considered by Cabinet on 16 July outlining a 2 stage approach to the review of the adopted Local Plan – a partial review focussing solely on Policy S1 and a more substantive review with a wider focus. This was in response to it no longer being possible to submit a single revised plan by February 2020, as was originally proposed to meet the requirements of Policy S1 of the adopted Plan. This has been due to changes in circumstances since adoption, including Leicester City Council still not having declared the extent of any unmet housing need and the publication of a new National Planning Policy Framework in July 2018 and subsequent updates in February 2019 and June 2019.

Failure to submit a reviewed plan (even if it is only a Partial Review) by February next year means that the whole of the adopted Plan would in effect be out of date. This would mean that the Council is then at risk of receiving ad hoc planning applications for developments which would be contrary to the Local Plan, but which it would be difficult to resist in the absence of an up-to-date plan and in view of what the NPPF says. Such developments could be for any number of uses, not just housing and employment, although these are the most likely. Members will recall that this was the situation the Council found itself in before the current Local Plan was adopted.

Undertaking a partial review would only involve changing the date by which the (now) substantive review would be submitted – no other changes would be required.

Following the July Cabinet meeting, in accordance with the Council's constitution this Partial Review was recommended to the Local Plan Committee (LPC). At its meeting on 2 October 2019 LPC considered a report which outlined the proposed approach to the Local Plan review and which sought approval of a consultation document.

Local Plan Committee Amendment

At the October meeting of the LPC an amendment to the recommendations was tabled – which can be seen in Appendix B of the report before you. The amendment seeks, as part of the partial Review, the revision or deletion of Local Plan Policies Ec2(2) and S3(s) in order to limit further development in the countryside. It also recommends that the substantive review should take full account of the Council's Climate Emergency Policy.

This amendment was agreed by the Local Plan Committee. I am advised that the statutory framework that underpins the adoption and review of Local Plan splits the process between:

- The Executive (exercised by Cabinet in this Council) which formulates the content of Local Plans; and
- The Council (exercised by the Local Plan Committee under a delegation in the Constitution) which puts forward the formulated Local Plans for consultation or examination.

Since statute does not give the Local Plan Committee the power to formulate the content of the Local Plan, the effect of the amendment that was passed on 2 October is to instruct Cabinet (as the Executive) to reconsider the content of the proposed Partial Review.

Subsequent Labour Group Submission

Further reasoning behind the proposed amendment has now been submitted to this Cabinet meeting by the Labour Group. This focusses around a concern that the current wording of the Local Plan leaves all land adjacent to the District's major roads, vulnerable to unnecessary speculative planning applications, particularly from employment development. I have great sympathy with this sentiment, seeking to protect the countryside within the district. However for a number of reasons I don't believe that the proposed solution will have the desired effect – indeed I consider that it may have the exact opposite effect of what the amendment is trying to achieve and actually make the situation worse.

Let us first consider the process that was agreed by this Cabinet in July. A two stage Local Plan Review - with a partial Review to be followed by a more substantive review. It is important to emphasise once more that the Partial Review would in effect only change the date at which the Local Plan Review (effectively the substantive review) would need to be submitted. This would remove the immediate threat of the Local Plan becoming out of date in February.

The Labour Group submission highlights the fact that under the original review schedule, Policies Ec2 and S3, the main policies dealing with new employment development, would have been reviewed, or even potentially deleted, by next year. The reasons for the delay in the original timetable were detailed in the report to this Cabinet in July – principally that Leicester City has to yet to declare the extent of any unmet housing need, uncertainty about employment land requirements and the publication of a new National Planning Policy Framework. I share my Labour colleagues frustration that the original timetable has not been achieved but in the case of Leicester's unmet need and the new NPPF these are factors outside the control of this Council, and I am confident that the new timetable outlined by officers for the completion of the substantive review, which will cover the review of a much wider range of policies, is as ambitious as it can be taking into account the significant amount of work required in its preparation.

The undertaking of a partial review followed by a more substantive review allows us to address any concerns Members may have with the adopted Local Plan policies as part of the substantive review – and I want to emphasise that I would like to see all Members engaged in this process. However – critically – undertaking the partial review first and promptly allows us to meet the February 2020 submission deadline and keep our adopted Local Plan up-to-date. If policies Ec2 and S3 are deleted, or reviewed, as part of the Partial Review then it is almost impossible that this deadline could be met.

The Labour Group submission notes that Policies Ec2 and S3 were introduced at the very end of the Local Plan Examination process. This is true, but when they were included is not relevant - What is important is that these policies were agreed by the Council when it adopted the Local Plan in 2017.

The submission also claims that the shortfall of employment land identified in the Local Plan has already been met and therefore there is no longer any need for Policies Ec2(2) and S3(s) to be retained. This is not the case. The 30ha of existing employment land supply referred to in the Local Plan Committee Report of 2 October includes the Money Hill site that was allocated in the Local Plan. This means that we still currently have a shortfall of employment land. Therefore, deleting this requirement would contradict the views of the Local Plan Inspector who clearly considered the provisions in Policy Ec2(2) were essential. It would also leave the Council with a policy vacuum and so have to rely upon the provisions of the National Planning Policy Framework (NPPF). Deleting EC2(2) or reference to demand is also very likely to lead to objections, particularly from the development industry, on the grounds that there is still a shortfall of employment land and so the Council is not satisfying its obligations to meet the development needs of the district as required by the NPPF. Such objections would be difficult to refute and pose a serious risk to the Partial Review and could result in an Inspector considering that the Partial review was not sound.

The Labour Group submission also recommends that, should deletion of these two policies be deemed unacceptable, then they could instead be amended to reduce the ease with which employment permissions in the countryside can be gained. The suggested example is removing the words "or demand" from Ec2(2), or deleting the word "favourably" from the Policy.

Officers have considered whether revisions are possible to policy Ec2(2) without changing its principles such that it would be not likely to generate objections. The reference in policy Ec2(2) to immediate need could be replaced with reference to the needs identified in the Local Plan. However, it would still leave reference to meeting a demand and removing this reference as well would change the principles of the policy. It is worth noting, as I referred to earlier, that these policies were agreed with the Local Plan Inspector.

Furthermore, in the event of new evidence in respect of need becoming available which was different to that in the local plan, the policy would, in effect, be out-of-date. Finally, as strategic B8 developments (distribution warehouses) are not included as part of the

specific Local Plan requirements there would be a policy vacuum in respect of such developments from the point of view of need which would weaken the Council's ability to resist such proposals. I do not believe therefore that it would be possible to revise Policy Ec2(2). In terms of policy S3(s) the only possible change which could be made would be to delete it in its entirety. However, this would build in a potential conflict within the plan as a proposal could satisfy Ec2(2) and then fall foul of policy S3. As such this would not provide sufficient certainty.

With regard to the second part of the amendment – the requirement to refer to the Council's Climate Emergency Policy in the substantive review – I would agree with my Labour Group colleagues that such a policy is appropriate to be considered as part of the wider Local Plan review process – however I do not believe that a specific requirement to do it is necessary at this stage.

The Labour Group have also raised some concerns regarding the regularity of Local Plan Committee meetings, particularly that there was an interval of over three months between the June and October meetings. The schedule of meetings of the Local Plan Committee was agreed by Council at its meeting of 21 May 2019. No request was made to change the dates or frequency of these. A meeting was scheduled for 18 September 2019. However, in view of the need to make sure that all of the necessary Sustainability Appraisal and Habitats Regulations Assessment reports were available for the Local Plan Committee to consider alongside the proposed Partial Review a deferment to the meeting was sought by the Planning Policy Team Manager and agreed with the Chair of the Local Plan Committee and the planning spokesperson from the Labour Group. No objection was made to this deferment.

The Labour Group have raised concerns about the decision-making processes surrounding this matter saying that a reasoned debate on these issues could have been achieved in a timely manner had members been engaged prior to Cabinet in July. In terms of consultation prior to the Cabinet in July, all members present were briefed prior to a presentation in respect of the application at Junction 11 on 9 July 2019. The issues in respect of policy Ec2(2) was raised at that briefing and officer's advice mirrors that set out in the report to this Extraordinary Cabinet. A debate could have been had either before or after the July Cabinet.

The Labour Group have also suggested that the Local Plan Committee should input into policies prior to Cabinet confirming its recommendations. I am aware that officers bring reports to the Local Plan Committee on a variety of matters to keep it updated and to seek its views. This will no doubt continue. However it will not be possible for this to happen on this point I refer to the split of functions I mentioned earlier. It is for the executive to formulate policy and for the Local Plan Committee to either approve it for consultation/examination or send it back to the executive to reconsider. This situation is not an "impasse" but rather an example of the system working as the law intends it to.

Conclusion

In conclusion, whilst appreciating and in many ways agreeing with the sentiment and aspiration of what the Labour Group's amendment is seeking to achieve – to stop unnecessary large scale employment development in the countryside - in reality I do not believe that this proposal will do what my Labour colleagues hope that it will. Indeed the unintended consequences on the future of this district may be significant.

If we are unable to consult on a publication version plan – even a Partial review which only seeks to amend one policy – and then submit to the Inspectorate by February 2020, then the adopted Local Plan will be considered out of date. We will then be back in the same situation we were a few years ago when we were at risk of ad hoc planning applications for developments which would be contrary to the local plan, but in the

absence of an up-to-date local plan would be difficult to resist. Critically, this would apply to housing applications as well as employment.

As portfolio holder, I am committed to ensuring that all members are fully engaged with the local plan process. I propose that this is discussed as part of the Planning Cross Party Working Group and that wider working groups are established (as required) which will help inform Local Plan Committee.

In light of the reasons I have outlined I recommend that Cabinet, having fully considered the comments made by the Local Plan Committee and the subsequent submission by the Labour Group, recommends to the Local Plan Committee that the partial Local Plan Review focuses on changes to Policy S1 only and that such a review is approved for consultation.

Therefore I move the recommendations on pages 4 and 5 of the Report, with a slight change to the wording of recommendation (I) so that it read:

That Cabinet considers the amendments made to recommendations 1 and 4 of the report to the Local Plan Committee of 2 October 2019 as set out at appendix b of this report and the implications of accepting them and affirms its decision of 16 July 2019 to recommend to the Local Plan Committee that the partial Local Plan review focuses on changes to Policy S1 only and that such a review is approved for consultation;”

It was noted that call-in on the report had been waived, as call-in would prejudice the ability of the Council to submit the review by 20 February 2020.

Councillor R Blunt thanked Councillor R Ashman for all the work that he done on the issue. He stated that it was important to continue to work with the opposition group.

Councillor T Gillard expressed concerns that should the amendment from the Committee be agreed then it would leave the Whitwick Green Wedge open to development.

In response to Councillor T Gillard, Councillor R Ashman confirmed that it was the case in relation to, not just the Whitwick Green Wedge, but to all other areas of open space. He thanked officers for their continued hard work with the Local Plan.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

- (I) The amendments made to recommendations 1 and 4 of the report to Local Plan Committee of 2 October 2019 as set out at appendix B of the report and the implications of accepting them and affirms its decision of 16 July 2019 to recommend to the Local Plan Committee that the partial Local Plan review focuses on changes to Policy S1 only and that such a review is approved for consultation;
- (II) In the event that the Local Plan Committee agrees to publish the proposed consultation, delegates authority to the Strategic Director of Place in consultation with the Portfolio Holder for Planning and regeneration to agree amendments to the partial review as a consequence of considering responses to the consultation.

Reason for decision: Cabinet approval of the proposed approach required.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.29 pm

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 12 NOVEMBER 2019

Title of report	CORPORATE ASSET MANAGEMENT STRATEGY
Key Decision	<p>a) Financial No</p> <p>b) Community Yes</p>
Contacts	<p>Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 bev.smith@nwleicestershire.gov.uk</p> <p>Head of Housing and Property 01530 454780 chris.lambert@nwleicestershire.gov.uk</p>
Purpose of report	To seek Cabinet approval for the Corporate Asset Management Strategy attached as Appendix 1.
Reason for decision	To adopt the Strategy as a framework within which we will manage our corporate property assets and associated services for the next 5 years.
Council priorities	Value for Money; Support for businesses and helping local people into jobs; Supporting Coalville to be a more vibrant, family friendly town;
Implications:	
Financial/Staff	Existing staff capacity will enable the core Strategy to be implemented, although additional resources may be required to manage significant projects. Funding for any property investments will be secured through reference to the relevant financial strategy.
Health and Safety	N/A
Risk Management	Risks relating to the implementation of this strategy will be managed through the corporate risk management process.
Equalities Impact Screening	N/A
Human Rights	N/A

Transformational Government	The Strategy will support our Journey to Self Sufficiency (J2SS) programme through generating additional rental income from property investments and selling services. Managing our property assets in a more business like way will maximise returns on our investments.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Corporate Leadership Team – 18 June 2019 and 14 August 2019 Corporate Scrutiny Committee - 4 September 2019
Background papers	HRA Asset Management Strategy – Cabinet – 20 October 2015
Recommendations	THAT CABINET APPROVES THE CORPORATE ASSET MANAGEMENT STRATEGY 2019 – 2024 ATTACHED AS APPENDIX 1 TO THIS REPORT.

1.0 BACKGROUND

- 1.1 The restructure of the Council's senior management arrangements in 2017 created the new Housing and Property team, consolidating all property related activities into one service area covering both Housing Revenue Account (HRA) and General Fund (GF) property assets.
- 1.2 Following the conclusion of a service review in 2018 it was determined that the Property Services function should be delivered as an in-house service, following the end of a longstanding shared service arrangement with Charnwood Borough Council. Whilst this review was being undertaken the service was delivered with the support of interim / agency staff, and following the commitment to in-house provision a new structure was established and has now been largely recruited to, with only the Team Manager post currently remaining vacant (closing date on current advert is 18 November 2019).
- 1.3 As a key part of the revised approach to managing corporate land and property assets, an updated Corporate Asset Management Strategy has been produced and is attached as Appendix 1.

2.0 THE ROLE OF THE ASSET MANAGEMENT STRATEGY

2.1 The Strategy exists to provide a framework within which the Council will own and manage its land and property assets. It links closely to the following corporate documents:

- HRA Asset Management Strategy – our approach to investment appraisal and performance management of land and property assets will be consistent between the General Fund and Housing Revenue Account strategies, whilst always respecting the legal distinctions between the two forms of property holding.
 - Medium Term Financial Plan
 - Treasury Management Strategy
 - Council Delivery Plan
 - Commercial Strategy

2.2 The Strategy provides both short term detailed priorities over an initial 1 to 5 year period and then long-term projections. Further versions of the Strategy will be produced as information that is more detailed becomes available regarding the condition and investment needs of the land and property portfolio.

3.0 STRATEGIC PRIORITIES AND KEY PROJECTS

3.1 In anticipation of future proposed changes to the local government funding system, we produced our Medium Term Financial Strategy in February 2018. It launched our Journey to Self-Sufficiency (J2SS) programme to promote self-sufficiency and the safeguarding of the council's financial position against future central government funding changes, whilst also maximising the use of government grant and local income. In late 2018, we developed our Commercial Strategy where we set out our commercial approach, including how we will make the most of our assets and make sure that they work well for us.

3.2 Effective and efficient asset management is a key element in the drive to maintain ongoing financial sustainability and self-sufficiency for the organisation.

3.3 The council currently faces deficits projected in its Medium Term Financial Plan totalling £5.7m over the coming 5-year period to 2023/24 (with further deficits arising beyond the period). Good asset management therefore represents one of the key ways in which the council can maximise locally generated income and reduce costs to ensure the organisation is financially sustainable in the future.

3.4 The Corporate Asset Management Strategy considers the performance of our asset base and how assets can be best used, or rationalised to maximise our revenue position. This will include managing assets differently, disposing of assets that do not

provide value for money returns and acquiring new assets that will give us an ongoing revenue stream.

3.5 The Strategy identifies a number of key priority areas:-

- **Verify and then implement the outcome of the review of our Commercial assets undertaken by Savills.** The review made a number of recommendations regarding retention and disposal of some commercial assets that need to be compared with our commercial income aspirations, and then implemented. It is critically important that we actively disinvest from high maintenance cost and/or low rental income assets that are not delivering yields that reflect anticipated market rates. By doing this we will generate capital sums which can be reinvested in higher performing assets that will contribute more effectively to the budget challenges of the future as detailed in our Medium Term Financial Plan and Journey to Self Sufficiency programme.
- **Establish an effective performance management regime** – to manage our performance regarding the non-HRA property portfolio.
- **Update our stock condition information** - and ensure we have adequate capacity and resources to deliver this in the Planned Preventative Maintenance programme (PPM).
- **Develop and agree an approach to investment acquisitions** – using a matrix approach to evaluate opportunities in a manner consistent with other investment appraisals the Council is conducting.
- **Disposals programme** – to sell or transfer assets that we have no business or community case to retain.
- **Explore new commercial opportunities** – identify income generation opportunities through the acquisition of new assets, develop the skills to evaluate them and develop services, skills and capacity to deliver. Also, develop our Facilities Management (FM) offer as a commercial service to initially be provided to partner organisations.
- **Compliance** – ensuring that all of our duties as a landlord are effectively discharged, and that we sustain the highest standards of compliance with respect to all areas of regulation relating to our land and property portfolio and the associated services we provide. This includes responsibilities for asbestos records, water hygiene, fire safety, gas and electrical safety, and lifts as well as general Health and Safety provisions.

3.6 The following key projects are currently the focus of the Property Services team:-

- **Leisure Centre** – support the construction of the new facility, and the decommissioning processes for the existing building, together with establishing and implementing future plans for the site.

- **Council Office Accommodation project** – refurbishment and upgrading of the Councils Office accommodation in Coalville to provide a modern, flexible and future proofed office environment for staff and members to deliver services and conduct civic business.
- **Moirs Furnace** – continue to deliver the programme of physical improvements identified for this scheduled ancient monument, which the Council are the custodians of, and to work with the Furnace Trust to create a sustainable long-term plan for the future of the building itself and the wider site.
- **Memorial Clock Tower, Coalville** – complete installation of new wreath rails and “Phase 2” improvement scoping and subsequent planning.
- **Marlborough Square, Coalville** – provide support to the project carrying out improvements in this area, including the repurposing of the former Litten Tree building.

4.0 CORPORATE SCRUTINY COMMITTEE CONSIDERATION

- 4.1 Attached for Cabinets information as Appendix 2 are the draft minutes of Corporate Scrutiny Committee on 4 September 2019, where the strategy was considered.

This page is intentionally left blank



**North West Leicestershire
District Council**

Housing and Property Services

**General Fund
Asset Management Strategy**

2019 - 2024

OCTOBER 2019

Contents

- 1 Executive Summary
- 2 Overview
- 3 Introduction
- 4 Customer Involvement
- 5 Partnership Working
- 6 Our Assets
- 7 Our Budgetary Position and Investment Need
- 8 Future Investment
- 9 General Investment Priorities
- 10 Carbon Emission Reduction
- 11 Active Asset Management - Acquisitions and Disposals
- 12 Data Management and Planning
- 13 Facilities Management (FM) Services
- 14 Value for Money
- 15 Procurement
- 16 Staffing and Resources
- 17 Performance Management Framework
- 18 Appendices
 - 1 Assets Details
 - 2 Budget Details
 - 3 Savills review outcome - financial
 - 4 Structure Chart
 - 5 Action Plan

1 Executive Summary

1.1 The General Fund Asset Management Strategy (AMS) is one of a number of key strategic documents that shape the work of the Council:

- **General Fund Asset Management Strategy** – The document provides a service and financial framework within which the Council conducts its activities relating to land and property assets. This excludes the Council's housing stock, which is covered by a separate strategy to reflect the different funding and legal environment in which the provision of social housing is managed.
- **Medium Term Financial Plan** – provides details of the financial environment in which the Council conducts its business as a local authority, including details of revenue and capital budget availability and future pressures and opportunities.
- **Treasury Management Strategy** – articulates the councils approach to management of capital financing through prudential borrowing, and other sources of funding.
- **Council Delivery Plan** – articulates the priorities for the organisation over the next year, with projections to future years.
- **People Plan** – our key strategic workforce planning document which is critical to inform our future accommodation needs as an organisation.
- **Housing Revenue Account (HRA) Business Plan** - Provides the strategic financial and service planning framework for the Councils landlord role over the next 30 years. Contains a narrative section and a financial model section.
- **HRA Asset Management Strategy** - Provides a framework document for the maintenance and improvement of the Councils housing stock over the next 30 years. This includes disposal of poorly performing stock and acquisition of new stock to meet future needs.
- **Commercial Strategy** – Investments to generate additional income will need to be made with reference to our Commercial Strategy, with particular reference to the “Making the most of our assets” are and “marketing our services”,
- **Corporate Charging Policy** – Ensure alignment of all commercial activities with the requirements of this policy.

These core documents are supported by a range of other policies and strategies that focus on specific areas of activity the council undertakes. As land and property is a cross cutting issue, links to these other documents are critical to ensure that the priorities of the council are delivered in a timely and cost effective manner. All these core documents are interlinked, and will be updated periodically in response to changes in local/national policy, and market conditions. Typically, they plan in detail over a 1 to 5 year horizon, with forward projections provided over the longer term, up to 30 years.

1.2 Significant recent decisions relating to the council's approach to the management of land and property are detailed below;

- 2017 - Adoption in principle of the Corporate Landlord Model consolidating the management of all land and property assets within the property services team.

- 2017 - End of the shared service arrangement with Charnwood Borough Council for the provision of strategic and operational property services support. Service delivered by interim agency staff;
- 2018 - Review of delivery options for property service concludes that in house, in house delivery of this function is to be the way forward.
- 2018 – Corporate senior management restructure creates the new combined Housing and Property Department.
- 2018/19 - Implementation of the new structure concluded (with the exception of the Team Manager role, which we are actively seeking to recruit to).
- 2019 - Draft General Fund Asset Management Strategy produced.

1.3 The financial details contained within this AMS are based on the 2019/20 approved budget, with further work underway to produce accurate future funding needs assessment for the land and property portfolio going forwards. This will include the introduction of active asset management, to replace the passive environment of recent years. Through this approach there will be a rigorous review of the performance of commercial assets and an active disposal programme where appropriate. In addition, all other land and property assets will be reviewed over a period of time to determine the most appropriate and cost effective future approach for their management. The disposals programme will also be supported by an acquisitions programme, the scope and scale of which is to be determined.

1.4 The councils' land and property portfolio fall into four groups of assets -

Commercial Assets – land and property held to either generate revenue income or capital growth, or for strategic investment / regeneration purposes.

Operational Assets – property held to facilitate the delivery of services by the council, including offices, depots, leisure centres and other similar buildings.

Community and Heritage Assets – assets of benefit to the local community, including scheduled ancient monuments like Moira Furnace, war memorials, public open spaces, closed church yards, and street art in towns and villages across the district.

Other Assets – land and property often held for historic reasons, which has no operational value. Examples may include footpaths and unadopted roads, agricultural land, small incidental open spaces and amenity area.

In addition to these directly owned and managed assets, the Property Services team also manage our responsibilities with respect to Assets of Community Value legislation. Through this process, local communities can ask the Council to list buildings that are particularly important to them. If approved, the community has to be given 6 months to put together a bid to buy any land or building on the list if it becomes available for sale. There are specific criteria to be used when determining is an asset can be listed, and this assessment will be made in cooperation with the Community Services team, Once listed the owner of the building does not have to sell it to a community group, but must offer them an opportunity to buy it before it can be disposed of commercially.

1.5 This updated AMS represents a fundamental review of the previous strategy, and will require further review and updating as the actions in the action plan are completed in relation to assessing the condition and investment needs of our land and property portfolio. This information will lead to a review of the ownership arrangements for our portfolio with associated detailed investment and disposal plans to be developed.

Key future actions will include -

- Detailed reassessment of the **condition of the current portfolio**, with costed improvement plans;
- A reassessment of **future expenditure (capital and revenue) required** to maintain and improve the condition of the portfolio to be retained, building on the review of our core commercial portfolio carried out by Savills in early 2019;
- Further enhancement of the approach to **compliance**, ensuring that management arrangements are strengthened through improved management information and associated action planning to address issues identified in a structured and comprehensive manner;
- **A disposals programme** for surplus and poorly financially performing assets;
- Develop a programme of **acquisition of assets** to meet operational needs, and for investment purposes, with a view to increasing our commercial rental income to £1m per annum by 2024;
- Reassessment of the **accommodation needs for the organisation** over the short and longer term to ensure our offices are future proofed against new the working environment required as we deliver the People Plan;
- Introduction of **net present value assessments** when modelling financial performance of assets, using the Council's investment appraisal tool, to determine the current value of future income streams from investment properties;
- Relaunch of the **Corporate Landlord Model** approach to consolidating the management of our property portfolio within the Corporate Property Services team with associated restructuring of budget structures.

1.6 Key priority projects from the new AMS are:

- **Deliver Moira Furnace improvement works** to the structure and fabric of this scheduled ancient monument;
- **Coalville office accommodation** improvement project, including works to civic area and meeting rooms as well as office accommodation;
- **Commercial portfolio review implementation** including rent reviews, improvement programme and disposals;
- **Embracing the carbon reduction agenda** and ensuring all our buildings are as efficient as they can cost effectively be made, and developing and implementing a specific Action Plan to deliver this change;
- **Supporting regeneration activities** through the delivery of the land and property actions across the district, particularly relating to activities in Coalville, including the new Leisure Centre;
- **Increasing the performance of existing assets** by reducing vacancy periods and reletting empty units more promptly, as well as ensuring that rent payments are made promptly and action is taken if there is default. Also, developing and introducing sinking funds and ensuring rent levels reflect market levels.

1.7 There are a number of strategic risks that need to be considered and incorporated into the ongoing management and development of the AMS. These include:

Capacity – the right skills and capacity levels will be essential to deliver our ambitions to reshape our property services activities. Recruitment challenges at senior management level have already created issues and delays, and these are being managed and mitigated through the use of agency interim staff and a proactive approach to recruitment.

Funding – historic lack of investment in many of our property assets has created a backlog of repair and improvement works. The initial “catch up” period will require additional funding, which, if not available will undermine our ability to move to a more professional environment

within the service, which balances short medium and long terms investment needs rather than being reactive.

Flexibility – emerging corporate challenges will always require a service to be agile to respond to these issues as they are identified. Effective management will be required to ensure that this does not detract from the delivery of the core service improvement agenda for the property services team.

Consistency – ensuring that the same principles and approaches are adopted across both this strategy and the HRA Asset Management Strategy. The latter has been in place since 2015 and many of its principles such as the emphasis on net present value assessments and selective acquiring and disposing of properties have been incorporated into this strategy. Management of housing and corporate assets is now integrated within the combined Housing and Property department which will promote a unified approach.

1.8 Key issues/decisions/choices arising from the AMS:

Appetite for commercial investment to generate income; acquisition of commercial property to generate revenue income streams which support business as usual activities for councils is an established model which many are already utilising. Such investments can be either inside or outside the local authority's boundaries. Some of the key questions relating to developing this approach relate to the appetite for risk, investment location and the anticipated level of return. Some councils have restricted their geographical area of investment to their own district area or county. In a competitive market to acquire assets that are performing at the required levels this can lead to price inflation, if other investors are also active in the local market.

Acquisitions and investments need to be consistent with the Council's Investment Strategy – Service and Commercial which was adopted in February 2019 and sets parameters around risk exposure, financial appraisals and how investments are funded.

Disposal decisions relating to poorly performing assets – whilst some assets may be producing yields which are below market expectations, this still represents a positive income stream to the Council. Before disposal, careful consideration needs to be given to the opportunities to reinvest any funds derived from a sale to achieve a higher yield, and the associated risks of the transition process. All assessments of the financial performance of assets will be made with reference to the Corporate criteria for these decisions to ensure we are making consistent decisions that reflect the processes and priorities described in the Commercial Strategy.

Balancing carbon reduction costs and ambitions – there are many environmentally responsible alterations that can be made to our portfolio using existing retrofit technologies. These vary in cost significantly, and our ambitions in this area will need to be carefully balanced against our available resources.

1.9 The consultative process for approving the AMS is as detailed below –

- | | |
|---|------------------|
| • Housing Senior Management Team | 22 August 2019 |
| • Corporate Leadership Team | 14 August 2019 |
| • Asset Management Group | 29 August 2019 |
| • Corporate Scrutiny Committee | 4 September 2019 |
| • Cabinet | 12 November 2019 |
| • Adoption and implementation to commence | Nov/Dec 2019 |

2. Overview

- 2.1 The property services activities of the council are moving through a period of significant change. Key to the success of this journey will be the adoption of a more commercial and professional culture within the service, with high professional standards, and proactive approach to the active asset management of our portfolio of land and property assets.
- 2.2 This Strategy provides the framework to govern the repair, maintenance and investment in our portfolio and describes how this challenge will be delivered in line with our corporate objectives. It also articulates our future plans to support the Council's Journey to Self Sufficiency programme, by generating additional revenue income from property investments and commercial activities, and sweating existing assets.
- 2.3 Central to this strategy is our developing commercial business model in partnership with the Finance Team, aimed to ensure that our investment decisions are always informed by a range of contributing factors that include:
- Rates of return from investment opportunities and existing assets;
 - Market conditions for letting any acquisitions;
 - Investment costs required to maintain the value of the assets;
 - External funding opportunities;
 - Maximising the effect of our investment on the local economy;
 - Reducing carbon emissions.
- 2.4 As well as investing in our existing properties we anticipate that in the next five years and beyond we will also be undertaking significant activity in terms of:
- Disposal of existing stock which is not performing at a satisfactory level, or requires extensive investment, making it not financially viable;
 - Reviewing our asset register to determine land and property which we should no longer hold, and making appropriate arrangements to dispose of it to different management arrangements where necessary;
 - Supporting the regeneration of the wider environment in which our land and property is located to enhance its value;
 - Building and/or acquiring new property for commercial returns working closely with our new Local Housing/Trading Company.
- 2.5 Through our Asset Management Strategy and supporting activity we also aim to invest significantly in the local economy in respect of employment, skills and training and we will specifically contribute to the following Council priorities, as detailed in the Council Delivery Plan:

Supporting Coalville to be a more vibrant and family-friendly town

- Supporting the delivery of the Coalville regeneration framework.
- Working closely with services on key projects like the new Leisure centre, Marlborough Square refurbishment, Market relocation, Phase 2 of Memorial Square improvements.
- Working with the Belvoir Centre to increase sustainability.

Our communities are safe, healthy and connected

- Actively support the digital by default agenda for the provision of FM services.
- Involvement in the new leisure centre provision.

- Facilitate the accommodation elements of the improvement of the CCTV system.

Local people live in high quality, affordable homes

- Consider the business case for developing market rental schemes, and purchasing of properties for private rental.

Support for businesses and helping people into local jobs

- Provide a range of business accommodation options to new start up and growing businesses.
- Use local contractors for repair and improvement works, retaining spend within the local community.
- Explore the opportunity for more repair work to be completed using the in-house team, allowing for additional employment options and training apprenticeship opportunities.
- Develop and offer a Facilities Management (FM) support service to local community groups and businesses working on capital projects, and support for compliance activities.

Developing a clean and green district

- Lead by example in reducing the carbon footprint of our land and property portfolio.
- Support the installation of vehicle charging points in car parks if the conclusion of the pilot scheme supports this approach.
- Installation of LED lighting in Council buildings using Salix grant loan funding if appropriate.

Additionally the AMS is supportive of the Value For Money thread that runs through the CDP:

Value for money

- Managing budgets carefully and sensibly.
- Providing excellent value for money services.
- Investing in key schemes and infrastructure that make a real difference to communities.
- Balancing the books and planning for the future.
- Identifying and developing commercial income opportunities, particularly through providing a Facilities Management services to the voluntary sector and Parish Councils.

3 Introduction

- 3.1 Within the General Fund land and property portfolio North West Leicestershire District Council owns 276 land and property assets (as at 1 June 2019). The key individual asset records are detailed in Appendix A, and vary from bus shelters and notice boards, through to commercial properties of significant value.

The AMS sets out how we will achieve our strategic aims to ensure that we invest wisely in this portfolio, having regard to investment needs and operational requirements of services, and future regeneration and development opportunities within the District. It is imperative that we maximise the use of all available funding streams, and take advantage of the opportunities to generate additional income to support the General Fund.

- 3.2 The key objectives arising from this Strategy are:

- To maintain our property portfolio in a way that protects and enhances value.
- To embrace the carbon reduction agenda, and work towards becoming an exemplar of what can be achieved through retrofit and refurbishment of commercial buildings.
- To optimise the balance between planned and responsive revenue expenditure, and ensure that repairs and maintenance activity is planned to maximise the use of resources;
- To deliver value for money and efficiency savings, where possible;
- To achieve continuous improvement in property related services through effective performance management;
- To promote Equality and Diversity through our investment plans;
- To support the Council's regeneration programmes.

- 3.3 This Strategy is a key document which supports the Council's future financial plans, and forms part of the Corporate Journey to Self Sufficiency (J2SS) programme which is leading the Council's approach to meeting the financial challenges of reducing central government grant funding, and an increasing reliance on other sources of income.

- 3.4 Our approach to the management of our property assets will change and develop over the next five years. Traditionally, asset management at North West Leicestershire has been predominantly reactive, with limited medium and long terms planning for funding requirements.

- 3.5 The future focus of our approach to managing our land and property assets is to move away from this approach and to determine our investment priorities to deliver more than just a rolling building component replacement on failure programme. It will also feature active asset management in a more transparent way, with an active acquisition and disposal programme to be developed.

- 3.6 This approach will be based on not just the technical investment need of our properties but also the outcomes of our investment for the commercial sector and the wider community in the District as a whole.

- 3.7 The four stages of our planning and investment model are briefly outlined below:

Diagnose

- Robust and up to date stock condition data;
- Market demand analysis;
- Net Present Value calculations and financial analysis using Corporate commercial

- appraisal toolkit;
- Research and intelligence;
- Corporate strategies alignment.

Plan

- Consultation with any interested parties;
- Assess funding opportunities;
- Map delivery options;
- Procurement options assessment;
- Evaluated new technology solutions.

Invest (dis-invest)

- Deliver programmes.(investment/ acquisitions/ disposals)

Learn

- Impact evaluation;
- Financial performance evaluation;
- Review report and learning sharing.

3.8 Our investment priorities will however, initially focus on seven key areas as highlighted below:

- Legislative and Health and Safety Compliance;
- Carbon Footprint reduction / energy efficiency;
- Enhancing the value of existing assets through structured investment;
- Disposal of financially poorly performing assets;
- Acquisition of positively performing assets;
- Support for regeneration activities through land and property transactions;
- Strategic acquisition for development or redevelopment purposes

4. **Customers**

- 4.1 The core customers of the property services team are; -
- Commercial tenants;
 - Lease/license holders;
 - Other services within the council through the Corporate Landlord Model;
 - Members of the public who have enquiries about land ownership/purchases.
- 4.2 Treating all our customers with respect and offering a quality consistent service, which reflects any equalities issues we need to consider, are core values of the service.
- 4.3 Feedback from all our customers is an essential tool in reshaping and refining the service to learn for things that go well, and things that could have been better. Using feedback from any complaints to review how we deliver services allows us to continually improve. In addition, we will celebrate the success of receiving compliments by sharing these across the service.
- 4.4 Formal consultation with tenants about changes affecting their tenancies will be undertaken in an open and honest way, with comments and questions encouraged. This may be in writing or through meetings (either group or one to one) depending on the issue under consideration. When appropriate surveys may also be used to seek views about service standard changes or other changes to the management arrangements for tenancies.
- 4.5 Tenants will always be notified of improvement and repair work in advance with as much notice as possible to minimise disruption to their use of the buildings.
- 4.6 The proposed introduction of dedicated “sinking funds” for each building will represent a change of approach, which will require specific consultation with affected tenants.
- 4.7 As our commercial portfolio grows, it may be appropriate to consider having a commercial tenants’ consultation group.

5. Partnership Working

5.1 We work with a number of other partners and organisations to deliver a wider positive impact on communities from our property services activities. Local external stakeholders include, but are not restricted to, the following organisations:

- Parish Councils;
- Leicestershire County Council;
- Police;
- Fire Service;
- Voluntary Groups and Agencies;
- Housing Associations and Charitable 3rd Sector Groups;
- Local Primary Care Trust / Clinical Commissioning Group;
- Citizens Advice Bureau
- One Public Estate
- Leicestershire Property Services Forum

5.2 When working with partner organisations we will always seek to identify joint working opportunities that have mutually beneficial outcomes. These may be either financial or service focused, and all projects will be assessed through a robust business case appraisal prior to committing any significant resources.

6 Our Land and Property Assets

- 6.1 North West Leicestershire is a predominantly rural district with an area covering 27,900 hectares (108 square miles) and council housing is available in each of the main towns and outlying villages. Ashby de la Zouch, Castle Donington and Coalville are the three main conurbations, with similar property type throughout.
- 6.2 The district shares borders with Hinckley and Bosworth, Charnwood, Rushcliffe, Erewash, South Derbyshire, Lichfield and North Warwickshire District Councils. It has grown rapidly in recent years and now comprises of over 37,000 homes of which we own and manage 4,402. The population of the district was 93,500 as at the 2011 Census, a growth of about 9,000 from the 2001 Census.
- 6.3 According to the 2011 Census the largest population was in Coalville (36,801 people) followed by Ashby de la Zouch (12,385), Castle Donington (6,350), Ibstock (5,961), Measham (5,200) and Kegworth (3,541).
- 6.4 The district is the 200th most deprived local authority in England (out of 354) but is the most deprived in Leicestershire (excluding Leicester City) with pockets of deprivation concentrated in Coalville, Greenhill, Ibstock, and Measham.
- 6.5 Traditionally mining and extraction was the key employment sector in the area, prior to the closure of the majority of the pits in the 1980s and 1990s. This has been replaced by a more varied workforce including a rapidly developing logistics sector taking advantage of the districts excellent communications network with the M1 and the A42 in the district as well as East Midlands Airport. The A50 provides a link from the north of the District to Stoke on Trent and the north west of England, and in the south east to Leicester, whilst the newly dualled A453 provides a direct link to Nottingham. There are however, currently no passenger rail services in the district, and bus service provision is variable. Travel to work is dominated by the use of the car.
- 6.6 There are high concentrations of working age people in Coalville and Castle Donington, whilst older people are concentrated in the Measham/Appleby Magna area and younger people in Ashby de la Zouch and Ellistown.
- 6.7 The development of the National Forest in the district has served to not only enhance the environment for local people but to bring in tourist revenue and an enhanced reputation for the district.
- 6.8 Key assets (with smaller assets filtered out) in the councils land and property portfolio are detailed in Appendix 1. They consist of;

Commercial properties – we own and operate 12 commercial properties (excludes Housing Revenue Account shops which are covered by the HRA AMS).

- Whitwick Business Centre
- The Courtyard, Stenson Road Whitwick
- Market Street Coalville
- Unit 1 and 2 Forest Court, Linden Way Coalville
- Stenson House, Whitwick Road Coalville
- Ashby Town Hall, Ashby de la Zouch
- Tanyard House, High Street Measham
- Marquis Court, Moira
- Mease House, Measham
- Moira Workshops, Moira
- 17 Ashby Road, Moira (Moira Replan)

All of these assets have recently been subject to external review by Savills as part of a piece of work that concluded in February 2019. The outcome from this work is explained in more detail later in this strategy.

- **Car parks** – located throughout the district with some income generating and others free to use.
- **Cemeteries and closed church yards** – active cemeteries in Coalville, Whitwick and Hugglescote, and closed church yards in various locations which we are responsible for the ongoing management and maintenance of.
- **Offices, depots and leisure centres** – including the Councils main offices and depot at Linden Way in Coalville, as well as leisure centre's in Ashby and Whitwick.
- **Heritage assets** – memorial clock tower and various pieces of street art in Coalville, and Ashby as well as Moira furnace (a scheduled ancient monument).
- **Other assets** – including public toilets, pumping stations, a residential caravan site at Appleby Magna, numerous bus shelters, public seating areas, notice boards, play areas and incidental land on estates.

The portfolio has been assembled through historic acquisitions and transfers from predecessor bodies, to be consolidated with the current District Council.

- 6.9 There are also 7 commercial properties held by the Housing Revenue Account which are managed by the property services team on behalf of the HRA. These are five shop units at Blackfordby Lane, Moira; a post office/shop unit in Worthington, and shop unit on Cropston Drive, Greenhill. Income from these properties is credited to the HRA, and the GF receives a management fee from rental income.
- 6.10 The HRA also holds a considerable number of land assets, which were acquired under Housing Act powers, and are therefore held by the Council under these powers. These holdings can be transferred to the GF if required by a decision of full council. Often these areas are pieces of land on housing estates, or sites adjacent to existing council housing developments, held for potentially phased additional building. If the development of council housing on such sites is not appropriate, transferring the asset to the general fund for alternative uses may represent greater value for money to the Council as a whole. There are also a number of garage and parking sites on council estates across the district, held by the HRA. The HRA asset management strategy 2015-2020 details our approach to the management of these assets.
- 6.11 The GF land and property portfolio contains 276 dedicated asset records, not including incidental land holdings. Ownership of all of these assets has now been recorded with the Land Registry, following a review completed in recent years.
- 6.12 The property service do not have a dedicated ICT system to retain information related to the condition of assets, with spreadsheets forming the key system for recording data. Financial information is held by the Finance team, who undertake invoicing for rent payments and recording of payments. Any defaults are reported to the property services team who then take corrective action. As part of the further raising of professional standards within the service the need for a comprehensive ICT system is to be evaluated. Given the small size of the property portfolio this may not be required, and systems such as EPIMS may provide a cost effective solution.
- 6.13 Over a period of time, our approach to investment in our property assets has been largely reactive and therefore some assets are now in need of modernisation and catch-up repairs.

Further condition survey work is underway to assess the scope and cost of this work as part of a reappraisal of the full portfolio.

- 6.14 Where assets are delivering an income for the Council the rental or fee charged should be consistent with the Council's Fees and Charges Policy. As part of the work being undertaken through the Commercial Strategy, this policy is due to be updated and the outcomes will need to be implemented as part of our asset management strategy.

7 Our Budgetary Provision and Investment Need

- 7.1 Day to day maintenance of assets is funded from dedicated asset specific repairs budgets or the Asset Protection Fund (APF). This fund was formed by consolidating the individual budgeted amounts held against each asset. It is replenished annually by a payment of £65k per annum, with any positive balance at the end of the financial year rolled forward into the subsequent year through the earmarked reserves budgeting process.
- 7.2 Revenue repairs funding is available from the 5% repairs service charge levied on all commercial tenants. This funding for repairs within the Whitwick Business Centre is consolidated and utilised to pay for day to day repairs and other minor improvement works.
- 7.3 The capital programme for property investment has historically been established annually, and funded from prudential borrowing, with a longer term view now required to ensure investments are prudent, and this approach will be adopted from 2020/21 looking over a 5 year planning horizon.
- 7.4 For revenue the level of expenditure required has been assessed on an annual basis, utilising any known condition issues and historic patterns of expenditure. Moving forwards this approach will be refined to look over a longer period of time as with capital.
- 7.5 The introduction of an initial Planned Preventative Maintenance (PPM) programme in 2018/19 established the base principles for a more structured approach to funding our property maintenance activities. The PPM is driven by stock condition information, which is currently being updated to allow the programme to be refined.
- 7.6 The establishment of individual property sinking funds to build up a provision for future capital replacement expenditure is also under evaluation. Whilst this will provide a much clearer association between properties and their true costs, it will also reduce revenue income as a proportion of rental income is top sliced into a holding account against each asset.
- 7.7 The 2019/20 capital programme for property related projects is £13.7m, of which £10.2m refers to the Leisure Centre replacement and refurbishment projects in Coalville and Ashby. Forward projections for capital expenditure needs currently indicate a funding need of £9.8m for 2020/21 and £4.9m in 2021/22, with most of this funding being for leisure center building and modernisation activities. This further illustrates the short term nature of historic funding decisions and planning for the majority of the land and property portfolio.
- 7.8 Savills were commissioned in 2018 to review our core commercial portfolio and their report dated February 2019 concluded that the 12 core properties in the commercial portfolio currently generate a budgeted income of £581,000 for 2019/20 from 124,218 sq ft of floorspace. These properties have a combined market value of £7,373,500, and produce net yields in a range of between 5% and 10% for those let on commercial terms, with a portfolio average of 7.88%. The best performing asset is Mease House in Measham (10%), and the lowest performing is Ashby Town Hall (5%). An overview of the findings of the report are included as Appendix 3.
- 7.9 The report made a number of recommendations regarding the future of each of the 12 properties, and we need to consider them and determine our future approach in each case. This forms a key action for the next stage of our strategic approach to property management.

8 Future Investment

- 8.1 Key decisions are required regarding our existing commercial portfolio following the Savills review. Implementation of the recommendations for disposal will generate a significant capital sum for reinvestment, but will also reduce the portfolios income with an associated negative impact on the approved revenue budget.
- 8.2 Subsequent reinvestment of income derived from sales will mitigate any short-term revenue income reductions, subject to us being able to identify and secure alternative investment opportunities which produce a higher rate of return than we are currently achieving, and meet the aims of the Council's Investment Strategy – Service and Commercial.
- 8.3 Whilst the commercial portfolio generates the most income, there are many other assets which also require review and a recommendation for the future developing. Often disposal will be the outcome of these reviews, but in many cases the market will be weak, or non-existent. In the circumstances, the council will have to continue to own and manage the assets until an alternative arrangement can be identified, even if the decision to dispose has been concluded
- 8.4 Acquiring new investment properties that deliver the required rates or return will require support from external property professionals regarding values and performance assessments, The ambitions of the council regarding anticipated rate of return and geographic location will also need to be established, as limiting the area of investment will inevitably reduce the market for available properties.
- 8.5 As part of developing the approach to investment decisions, the scale of funding available will be critical to understand the type of investments we are in the market for. Through prudential borrowing we can currently access PWLB loans at very competitive rates, making this source of funding attractive to the right property acquisitions, offering strong rental income streams from low risk tenants. It is important to note that early repayment of any loans will incur penalties, which will need to be considered if any disposals are to be considered to release funding for other investments.
- 8.6 Property investments are typically made for a longer term return, as asset disposals can be a costly and time consuming exercise, and is subject to market changes,

9 General Investment Priorities

9.1 Our first priority is to ensure that our properties are safe, by ensuring that they meet all health and safety requirements as defined by law. These include:

- Annual gas and solid fuel servicing when not the tenant responsibility;
- Asbestos identification and if required, removal works;
- Fire risk assessments and fire safety works;
- Electrical testing;
- Water hygiene;
- Lift replacement and maintenance works;
- Door entry replacement and maintenance works.

9.2 In all of these areas we will ensure that for each asset within our portfolio we will:

- comprehensively discharge our duties as a landlord and have a regular monitoring regime in place to ensure compliance
- follow up on the compliance responsibilities of tenants to ensure they are complying fully with their responsibilities. This will be checked through our Estate Management service, with periodic documented landlord checks being undertaken to verify compliance responsibilities are in place, and corrective action being taken in the case of any breaches of responsibility identified.

10 Carbon Emission Reduction

10.1 We are committed to becoming an exemplar for retrofit green technology in commercial buildings. This will involve the installation of new technologies that reduce energy consumption and future proofing any works undertaken to take advantage of emerging technologies.

This may include;

- Solar PV
- Solar Thermal
- Grey water recycling
- Wind turbine power
- Mine water heat transfer
- Insulation
- LED lighting
- Ground source/air source heat pumps
- Vehicle charging points in car parks
- Sustainably sourced materials.

10.2 Our progress will be monitored through review of the energy performance of our buildings.

10.3 The outcomes of this approach will be that:

- Our buildings are better places to visit and work in
- Running costs will be reduced by use of less gas, water and electricity
- Accessing grant funding will ensure we mitigate any additional costs
- Other commercial property owners and building owners will have an living local example of what can be achieved.
- Renewable technology is used where practicable to supply low cost energy
- Improving the energy efficiency is incorporated into our day to day business
- Our buildings are more attractive to tenants because of their low running costs.

10.4 The key energy efficiency investment priorities are shown below:

- Replace gas boilers at their end of life with alternative technologies (heat pump etc.)
- Establish a minimum thermal performance standard for the stock and monitor performance against it.
- Following a thermal efficiency survey of our commercial properties to be retained, commission a retrofit programme to increase insulation to the highest practical standard.
- Evaluate the opportunities for a solar PV programme across the commercial and operational portfolio.

10.5 Taking risk with piloting new technologies will also form part of our approach. To lead in this area we will have to be ready to try emerging technologies and share our learning.

11 Active Asset Management - Acquisitions and Disposal

11.1 Decisions to acquire land and property will be made within the framework of the Acquisitions Policy of the Council, approved by Cabinet in February 2015. Unless there are exceptional circumstances, the Council will only acquire land or property for one or more of the following reasons:

- its contribution towards the provision of the Council's services and/or delivery of corporate aims
- for economic development purposes
- to provide affordable housing
- revenue income generation
- strategic acquisition for regeneration, development or redevelopment purposes
- to improve performance of any investment portfolio.

11.2 Criteria against which any decisions will be made in respect of an acquisition will include, where appropriate:

- price
- condition of property / land
- planning policy
- development constraints
- availability (in terms of timing)
- nature of tenure being offered (freehold or leasehold)
- occupational tenancies/vacant possession
- locational advantages (where a strategic acquisition is under consideration)
- return on investment (where a revenue generating asset is being considered)
- Restrictive covenants/easements etc
- Costs in-use for premises for Operational purposes
- Cost to build, adapt or improve any premises and other costs relevant to the purpose
- Meeting the Council's strategic priorities as outlined in the Local Plan, HRA Business Plan, Asset Management Strategy and/or other Strategies
- Conditions around the spending of any commuted sums (in lieu of a s106 agreement) for acquisitions.

11.3 When a suitable property or site has been identified, a financial/feasibility appraisal will be carried out to establish the financial/budgetary implications of acquiring the asset at the quoted asking price. This will take into account the following matters, where appropriate:

- the capital cost of acquisition and relevant expenditure
- the opportunity cost of acquisition
- any revenue, or potential revenue, generated from the asset, both short and long term
- availability of external funding sources
- internal resourcing required
- development procurement options including joint ventures
- risk assessment
- the cost, in asset management terms, of owning the property or site, including:
 - immediate maintenance/refurbishment requirements
 - demolition costs, if appropriate
 - adaptation requirements
 - ongoing maintenance/life cycle costs
 - national non-domestic rates including empty rates liability
 - insurance
 - Council Tax

- the overall effect of the expenditure on the Council's budgetary position.

11.4 Unless there are exceptional circumstances, the Council will only dispose of land or property to increase capital receipts to support the delivery of the Asset Management Strategy, if the disposal will benefit one or more of the following:

- The overall investment in the Council's existing assets
- Strategic regeneration, development or redevelopment ;
- Investment in new build and/or acquisitions of good quality commercial property;
- Improved provision of Council services and/or delivery of corporate aims;
- Corporate economic development purposes;
- Revenue or capital income generation;
- To improve performance of any investment portfolio.

11.5 Criteria against which any decisions are made in respect of a disposal will include, where appropriate:

- The condition of the property, associated land and other related asset and the costs of refurbishment and/or maintenance required over a five year period to achieve and maintain the required quality standard;
- The supply of such property within the asset portfolio and the current and future demand for such property from existing and potential customers within the local community;
- Any management, Council or associated community issues that impact upon the decision to retain or dispose of the asset;
- Potential for a Community Asset Transfer which would involves transferring the ownership and/or management of land or buildings from the Council to a community organisation, at less than its full market value, in order to further local social, economic and/or environmental objectives;
- Planning policy;
- Development constraints;
- Availability (in terms of timing);
- Locational advantages (where a strategic disposal is under consideration)
- The financial return on disposal (where a revenue generating asset is being considered);
- Restrictive covenants/easements etc;
- Meeting the Council's strategic priorities as outlined in the Local Plan, Asset Management Strategy and/or other Strategies;
- Conditions around the spending of any income generated from disposal.

11.6 Where a number of potentially suitable properties and/or assets exist for disposal, robust comparisons will be made to establish an appropriate means for disposal prioritisation based on the current marketplace and any other associated factors.

11.7 An updated disposals policy will be developed and approved, which reflects the Acquisitions Policy by covering both HRA and GF assets as well as non-operational assets.

12 Data Management and Planning

12.1 Accurate data together with the software and hardware to collate, store, manipulate and analyse it will be the foundation of our asset management decisions. Some investment need is anticipated to support this key requirement in the form of software and hardware developments together with human resources to establish the data sets ready for future use.

12.2 Key data areas that will require refinement as part of this strategies delivery include;

- Holding and updating core asset register information
- Stock condition information including update provision following repairs/cyclical works and improvement expenditure
- Programme profiling and forecasting tools to allow effective financial planning
- Investment appraisal tools to inform strategic retention/disposal decisions
- Provision of information to meet Government return requirements.

13 Facilities Management (FM) Services

13.1 Management of our buildings falls into two categories - hard FM and soft FM.

Hard FM – is the maintenance of the bricks and mortar and associated infrastructure of the buildings in our portfolio.

Soft FM – is the provision of services that support the smooth running of the buildings, such as caretaking, reception and security.

13.2 Responsive repairs are currently outsourced to a local contractor through a contract procured jointly with Charnwood Borough Council. Performance is good and tenants are generally satisfied, but cost control has been an issue. For the future we will be actively seeking to use our in house resources to deliver this service going forwards.

13.3 Cyclical and planned maintenance offers opportunity to consolidate works into shared contracts with HRA property assets. This includes areas such as Legionella Testing, Lift Maintenance, and other compliance responsibilities, as well as areas like painting and window replacement contracts. In addition, support contracts for the provision of scaffold services and drain clearance can also be shared. As existing contracts come to an end these opportunities will be evaluated and built into our plans where appropriate.

13.4 A range of potential commercial opportunities exist through our capacity and skills in these areas. Providing support services to the third sector and other public sector organisations will form phase 1 of our commercial opportunity evaluation in this area, before moving on to our ambition of bidding for and securing work in the commercial sector.

14 Value for Money

14.1 Our Journey to Self Sufficiency Programme requires the property and assets portfolio to contribute to the council's income targets.

14.2 It is imperative that any investment in the land and property portfolio delivers sustainable income streams, and we consider any regeneration and development opportunities as they arise.

14.3 Delivery of efficiencies is essential, but this must consider quality and service delivery to our tenants. We will demonstrate value for money by:

- Reducing inputs (money, people and assets) for the same outputs;
- Reducing prices (procurement, labour costs) for the same outputs;
- Providing greater outputs on improved quality (extra service, productivity) for the same inputs;
- Attaining proportionally more outputs or improved quality in return for an increase in resources.

14.4 We will ensure that:

- Our costs compare favourably to others providing similar services through robust benchmarking with a range of benchmarking groups
- We make use of our In-house Repairs Team (formerly the housing DLO) and parks service for maintenance activities.
- An effective Procurement Strategy is in place and we reduce commissioning and procurement costs.
- The Council's Fees and Charges Policy is applied to income earning assets.

15 Procurement

15.1 Through our procurement activity we also aim to invest significantly in the local economy in respect of employment, skills and training.

Our key procurement objectives are:

- To improve the level of procurement skills, and raise the profile of procurement corporately
- To improve the control of expenditure;
- To mitigate business risk through the use of modern and appropriate procurement methods for supplies, works and services;
- To reduce administrative waste in the procurement process by ensuring continuity of approach and that internal resources are fit for purpose;
- To align procurement with the needs of our customers and our business aims;
- To deliver Value for Money via efficient, effective and transparent procedures.

15.2 Through our procurement activities we will:

- Achieve VFM and efficiency savings, delivering cashable gains through excellent procurement;
- Utilise modern procurement methods and partnerships to achieve demonstrable value for money and deliver outcomes that meet the needs of users and/or the community, including the promotion of social value;
- Disseminate best practice procurement techniques and act as a catalyst for change;
- Acknowledge risk and identify options in order to procure in the most appropriate and cost effective way for the works, goods or services being procured;

- Proactively involve service users and tenants at all stages of the procurement and service design / delivery process, so that they are fully informed and able to effectively influence service standards;
- Ensure that our contractors and consultants are committed to equality and diversity within their own service provision;
- Utilise effective “open-book cost management”, where appropriate, that is linked to service improvement and the generation of savings, which provides suitable incentives for partner contractors whilst maintaining appropriate controls and protections for the Council;
- Promote and extend the use of e-procurement methods (including the use of e-tendering techniques) where practical.

15.3 Our approach will support the delivery of annual efficiency gains, and in particular:

- Business process improvements and collaboration initiatives between public sector organisations, including an increased use of technology;
- Smarter procurement and enhancing competition;
- Better asset management;
- Increasing the productivity of front-line services, the effectiveness of support services and the efficiency of all transactional services.

15.4 There are a number of bodies promoting various forms of combined purchasing activity. We will review arrangements available from organisations like Procurement for Housing (PfH), Efficiency East Midlands (EEM) and the Eastern Shires Purchasing Organisation (ESPO) and will use consortia where it is identified as appropriate.

15.5 As we conclude our review of assets on a rolling basis there will be decisions to implement to invest in or dispose of our holdings. Facilitating the work required offers an opportunity to consider delivery options, which will include the option to insource work for completion by our directly employed workforce. This will include both grounds maintenance and repair/improvement expenditure.

16 Staffing and Resources

- 16.1 Following the decision to retain the property services function as a service delivered in house, the development of a staffing structure was incorporated into the senior management restructure proposals for the Housing and Property Department. This resulted in the creation of an assets and property team to focus on the delivery of property management; capital/revenue planned and cyclical programmes, as well as having dedicated resources to focus on a combined compliance role for both the GF and HRA assets with associated responsibilities.
- 16.2 The resulting structure chart is attached as Appendix 4.

17 Performance Management Framework

17.1. Internal Monitoring

Service performance is monitored internally within the corporate performance management framework and at four levels within the organisation against agreed Performance Indicators and key actions, in addition to the key projects oversight process.

- Housing and Property Portfolio Holder, Cabinet, Corporate Scrutiny Committee, and Elected Members;
- Corporate Leadership Team;
- Housing and Property Senior Management Team;
- Team Manager, Team Leaders and Supervisors.

A key document in this process is the Team Plan, which is updated annually, and contains a range of performance data, including KPIs and Key Actions. Data from this plan is transferred into our Corporate performance management system InPhase, through which monthly and quarterly updates are recorded and progress to deliver targets and actions is monitored.

17.2. External Monitoring

External monitoring is an independent and key part of our performance regime and will be undertaken primarily through:

- Benchmarking with neighboring Councils
- Use of the CIPFA SAN network
- External 3rd party performance review
- Service specific customer satisfaction surveys
- Complaints.

17.3 The Strategy will be supported by a Communications Plan that will be delivered in line with the Corporate Communications Strategy. The Communications Plan will tailor positive communication messages about the Strategy using the most appropriate media – including media releases, website, information leaflets, posters and supporting one to one meetings.

17.4 Key Performance Indicators (KPIs) demonstrating how we will measure the successful delivery of this Strategy are included as Appendix 6 and will be further developed to include those in the table below:

- Commercial property income vs target
- Commercial property occupancy rate
- Rent arrears
- Rent loss due to vacancies
- Time taken to relet units
- % statutory compliance inspections or risk assessments in place
- Completion of actions from risk assessments (prioritised)
- Customer satisfaction with the Council as a landlord
- The percentage of tenants satisfied with their most recent responsive repair;
- The average Energy Efficiency rating of properties;

General Fund and HRA Assets (Excludes HRA Social/Affordable Housing Stock Assets)
4 HOOD COURT, ASHBY DE LA ZOUCHE
ACCESS ROAD - 70A TO 74B, SILVER STREET
ALBERT ROAD COALVILLE ACCESS ROAD
ASHBY ROAD DEPOT
ASHBY ROAD OSGATHORPE
ASHBY ROAD SCOUTS HUT
ASHBY ROAD TIP
ASHBY ROAD, MOIRA
ASHBY TOWN HALL
BAKER STREET COALVILLE
BELVOIR SHOPPING CENTRE
Belvoir Shopping Centre - Market hall
BELVOIR SHOPPING CENTRE - Public Conveniences
BLACKFORDBY LANE SHOPS
Bosworth Road Castle Donington - HRA LAND
BRADGATE DRIVE COALVILLE
BUS SHELTERS - 68 - VARIOUS LOCATIONS
Buttercup Drive/Daisy Close - Public Open Space
CAR PARK - THE GREEN, THRINGSTONE
CAR PARK - HIGH STREET, IBSTOCK (CORNER OF GLADSTONE STREET)
CAR PARK - NEEDHAM'S WALK
CAR PARK / BOROUGH ST.
CAR PARK / BROOK ST. ASHBY
CAR PARK / CLAPGUN ST. C/DON.
CAR PARK EXTENSION, COALVILLE
CAR PARK, REAR HIGH ST (Nth Service Rd)
CAR PARK, HIGH ST. IBSTOCK
CAR PARK,CROPSTON DRIVE
CAR PARKING FOR CADEMAN WOOD
CAR PARKS - HIGH STREET MEASHEM
CAR PARKS - JAMES STREET COALVILLE
CAR PARKS - LONDON ROAD COALVILLE
CAR PARKS - MARGARET STREET,COALVILLE
CAR PARKS - MARKET STREET WHITWICK
CAR PARKS - MARLBOROUGH SQUARE - NO OWNERSHIP INFORMATION
CAR PARKS - NORTH STREET ASHBY
CAR PARKS - PEGGS CLOSE MEASHEM
CAR PARKS - SOUTH STREET ASHBY DE LA ZOUCHE
CAR PARKS - VICARAGE STREET WHITWICK
CEMETERY - Church Lane, WHITWICK; London Road, COALVILLE; Meadlow Lane, COALVILLE; Station Road, HUGGLESCOTE
CHURCH LANE ACCESS ROAD
CLAREMONT DRIVE PLAY AREA

COALVILLE PARK - COMMUNITY ASSET; Public Conveniences; Depot - new block; STORES & GARAGES
Coalville park green - Tarmac entrance
COALVILLE REC GROUNDS - ASHBY ROAD COALVILLE
COALVILLE REC GROUNDS - HALLAM FIELDS CAS DON
COALVILLE REC GROUNDS - IBSTOCK ROAD ELLISTOWN
COALVILLE REC GROUNDS - LOUGHBOROUGH RD THRINGTON
COALVILLE REC GROUNDS - RAVENSTONE RD COALVILLE
COALVILLE REC GROUNDS - SHARPLEY AVE COALVILLE
COALVILLE REC GROUNDS - SWALLOWDALE THRINGTON
COUNCIL OFFICES, WHITWICK ROAD
CROPSTON DRIVE COALVILLE – LAND; SHOP; CHANGING ROOMS
Cultural Qtr Car Park, Ashby
DELVEN LANE CASTLE DON
DEPOT / WASTE TRANSFER STATION
DERBY ROAD, ASHBY - Public conveniences
DIST REC GRDS/OP SPACES - CRESCENT SITE MOIRA; THORNBOROUGH ROAD, COALVILLE; BOSWORTH RD CASTLE DON
DRIVEWAY OFF BLACKFORDBY LANE
FOOTPATH FROM BRUNEL WAY TO RAILWAY BRIDGE, STEPHENSON WAY
FOREST COURT
GRANGE ROAD IBSTOCK
HASTINGS CLOSE, BREEDON
HERMITAGE LEISURE CENTRE AND RECREATION GROUND; PARKLAND; A/W PITCH; GOLF COURSE; PAVILION
HIGH STREET, IBSTOCK - Public Conveniences
HOMESTEAD ROAD, THRINGTON
HOOD PARK, ASHBY
LAND AT CHAPEL STREET MEASHAM
LAND AT MOIRA FURNACE
Land at Nottingham Rd Ashby LE65 1SD
LAND AT PARSONWOOD HILL
LAND STRIP ADJ TO WASTE DEPOT
LAND TO REAR OF BUS SHELTER - RAWDON RD (TOLLGATE), MOIRA
Lillehammer Drive-public open space
MARKET PLACE, KEGWORTH
MARKET STREET INDUSTRIAL UNITS, COALVILLE
MARQUIS COURT INDUSTRIAL UNITS, RAWDON
MEASE HOUSE, MEASHAM
MEASHAM COMMUNITY CENTRE
MEASHAM RD APPLEBY MAGNA – LAND AND CARAVAN SITE
MEASHAM RD OAKTHORPE
MELROSE ROAD RECREATION GROUND - BOWLING PAVILION
MELROSE ROAD RECREATION GROUND - PAVILION
Memorial Clock Tower
Moira Furnace
Moira Furnace Public Conveniences

MOIRA WORKSHOPS, FURNACE LANE
New Market, Marlborough Square, Coalville
NORMANDY WOOD
OPEN SPACE - BETWEEN 88 AND 90 KENMORE CRESECENT, COALVILLE; CORNER OF BROOM LEYS ROAD AND LONDON ROAD, COALVILLE; HALL GARDENS, RAVENSTONE; LAND AT GRACEDIEU, WHITWICK; LAND AT STATION HILL, SWANNINGTON; LAND AT STONE PIT FIELD, MOIRA; LAND OFF MEASHAM ROAD, MOIRA; LAND TO SOUTH OF STEPHENSON WAY, COALVILLE; NW AND SE SIDES OF STAPLES DRIVE; RAVENSTONE HOUSING ESTATE, COALVILLE; REAR OF COALVILLE PARK; ROMANS CRESCENT, COALVILLE; ST FAITHS DRIVE, COALVILLE; STADIUM CLOSE / HARRISON PLACE, COALVILLE
OPEN SPACE AND ROADSIDE KERB AREAS - THRINGSTONE, GLEBE ROAD
OPEN SPACE AT SCOTLANDS DRIVE
OTHER NON HRA LAND
OWEN STREET PAVILION
PARKS / OPEN SPACES
PATHWAY COALVILLE PARK
PLAY AREA - BURGESS ROAD, COALVILLE; FORRESTER CLOSE COLEORTON; ORCHARD CLOSE OSGATHORPE
PLAY AREA/OPEN SPACE AT ADAM MORRIS WAY
PUBLIC NOTICE BOARDS - 21 - VARIOUS LOCATIONS
PUBLIC SEATS - 31 - VARIOUS LOCATIONS
PUMPING STATION - OCCUPATION ROAD, ALBERT VILLAGE
RAMSCLIFF AVE DONISTHORPE
ROADSIDE KERB AREA - COALVILLE, CONVENT DRIVE; END OF OXFORD ST, COALVILLE; WINDSOR CLOSE, COALVILLE;
ROADSIDE PAVEMENT AREA - BURTON RD, ASHBY; CORNER OF BATH ST / MARKET ST, ASHBY
ROSEBANK GARDENS, MEASHAM
SCOTLANDS RECREATION GROUND
Sculpture – Ashby car park
SILVER STREET, WHITWICK
SPEC REC GRDS/OP SPACES - Botts hollow Coalville; Willow Green Coalville; Zion Hill Peggs Green
ST MARYS AVENUE HUGGLESCOTE
STATION ROAD, HUGGLESCOTE - PUBLIC CONVENIENCES
SWANNINGTON DEPOT
TANYARD HOUSE, MEASHAM
THE COCKED HAT PUBLIC HOUSE SITE
THRINGSTONE ASSET UNDER CONSTRUCTION
Thringstone Miners
TOWN HALL MEWS, ASHBY
UNITS 1-16, THE COURTYARD
WHITWICK BUSINESS CENTRE
WORTHINGTON POST OFFICE

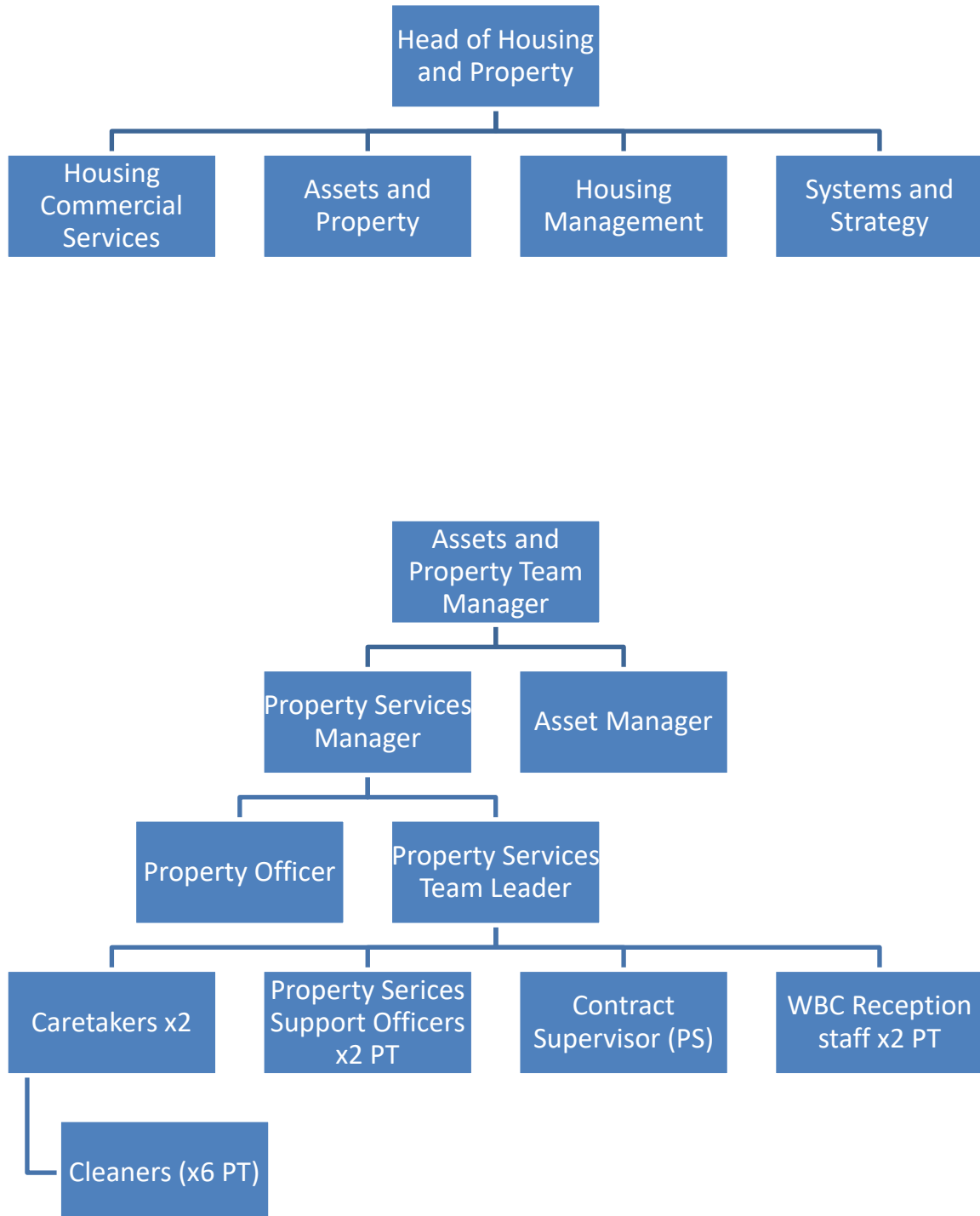
General Fund Capital Programme Budget

DRAFT GENERAL FUND CAPITAL PROGRAMME 2019/20 to 2021/22			
SCHEME	2019/20	2020/21	2021/22
		Indicative	Indicative
	£	£	£
GM Depot Coalville Park - Concreting Grounds	40,000	0	0
Leisure Project - Hood Park Leisure Centre Ashby	1,199,000	0	0
Leisure Project - New Leisure Centre Coalville	8,996,000	9,278,000	4,898,000
Linden Way Depot - Welfare Facilities	96,000	0	0
Moirs Furnace - Masonry & Drainage	210,000	0	0
Moirs Furnace - Upgrades to furnace and Bridge & further remedial works	85,000	0	0
Council Office - Replacement fire alarm & Cotag system	108,000	0	0
Council Offices - Replace obsolete parts to consumer units following M&E survey	75,000	0	0
Council Offices - Replacement LED Lighting throughout (Stenson House & Main Building)	35,000	0	0
Council Offices - Insulate roof space to building	30,000	0	0
Council Offices - Install solar power	0	40,000	0
Council Office - Main Building Lift works	130,000	0	0
Council Offices - Main Building - Upgrade of all walkways, double glazing and insulated panels	250,000	0	0
Council Offices - Main Building - Replacement windows generally	0	250,000	0
Council Offices - (Stenson House) Replacement windows Lightwells and External works	35,450	0	0
Council Offices - (Stenson House) External works to roadway outside registry office	50,000	0	0
Whitwick Business Centre - Replace Lighting with LED	12,000	0	0
Whitwick Business Centre - Installation of Solar Power	0	40,000	0
Marlborough Square	1,646,605	0	0
New Market Provision	600,000	0	0
Salt Bay Cover -	20,000	0	0
Appleby Magna Caravan Site - redevelopment	175,000	175,000	0
TOTAL GENERAL FUND	13,793,055	9,783,000	4,898,000

Savills Review of Commercial Portfolio – Market Value, including Yield Analysis

Address	Valuation	Yield (NIY)	Value per sq ft
Whitwick Business Centre, Stenson Road, Coalville, Leicestershire, LE67 4JP	£1,803,000	8.50%	£113.56
The Courtyard, Stenson Road, Coalville, Leicestershire, LE67 4JP	£2,176,000	8.25%	£73.10
Market Street, Coalville, Leicestershire, LE67 3DX	£567,000	8.25%	£82.17
Unit 1 & 2, Forest Court, Linden Way, Coalville, LE67 3JY	£292,000	8.00%	£73.00
Stenson House, London Road, Coalville, LE67 3FN	N/A	N/A	N/A
Ashby Town Hall, 74 Market Street, Ashby De La Zouch, Leicestershire, LE65 1AN	£173,000	5.00%	N/A
Town Hall Mews, South Street, Ashby De La Zouch, Leicestershire, LE65 1BQ	£178,000	8.00%	£124.91
Tanyard House, 37 High Street, Meacham Swadlincote, DE12 7HR	£217,000	9.00%	£73.88
Marquis Court, Marquis Drive, Moira, Swadlincote, DE12 6EJ	£1,240,000	7.50%	£49.23
Mease House, 78 High Street, Measham, Swadlincote, DE12 7HZ	£188,000	10.00%	£64.01
Moira Workshops, Furnace Lane, Moira, Swadlincote, DE12 6AT	£302,000	9.00%	£56.80
17 Ashby Road, Moira, Swadlincote, DE12 6DJ (Moira Replan)	£237,500	N/A	£74.75

STRUCTRE CHART – ASSETS AND PROPERTY



ACTION PLAN

General Fund Asset Management Strategy 2019 – 2024 - ACTION PLAN

Area	Action	Responsible Officer	Deadline	Success criteria	Comments
Commercial Property	Detailed reassessment of the condition of the current portfolio , with costed improvement plans	Assets and Property Team Manager	November 2019	Comprehensive costed database of asset condition and repair/improvement needs created	
Commercial Property	A reassessment of future expenditure (capital and revenue) required to maintain and improve the condition of the portfolio to be retained, building on the review of our core commercial portfolio carried out by Savills in early 2019	Assets and Property Team Manager	January 2020	Amended base budgets for 2020/21 and introduction of sinking funds.	Subsequent action to review of condition data.
Compliance	Further enhancement of the approach to compliance , ensuring that management arrangements are strengthened through improved management information and associated action planning to address issues identified in a structured and comprehensive manner	Property Services Manager	December 2019	Information already being collected is presented in a management report format, with required actions clearly identified.	
Active asset management	A disposals programme for surplus and poorly financially performing assets	Assets and Property Team Manager	December 2019 – Commercial portfolio March 2020 – remaining portfolio	We retain the assets we need, and are clear why we are holding them.	

Active asset management	Develop a programme of <i>acquisition of assets</i> to meet operational needs, and for investment purposes, with a view to increasing our commercial rental income to £1m per annum by 2024	Assets and Property Team Manager	January 2020	Scope of programme to be defined prior to setting targets.	Initial disposals may lead to a reduction in income from disposal of assets that are not performing.
Office accommodation	Reassessment of the <i>accommodation needs for the organisation</i> over the short and longer term to ensure our offices are future proofed against new the working environment required as we deliver the People Plan	Property Services Manager	July 2020	Modern, fit for purpose working environment provided for staff.	
Active asset management	Introduction of <i>net present value assessments</i> when modelling financial performance of assets, using the Council's investment appraisal tool, to determine the current value of future income streams from investment properties	Finance Manager/Housing Assets and Property Team Manager	October 2019	Property related decisions with financial consequences are informed by an understanding of forecast outcomes.	
Corporate Landlord	Relaunch of the <i>Corporate Landlord Model</i> approach to consolidating the management of our property portfolio within the Corporate Property Services team with associated restructuring of budget structures	Housing Assets and Property Team Manager	April 2020	CLM fully implemented and relevant budgets consolidated within property services.	
Capital programme	<i>Deliver Moira Furnace improvement works</i> to the structure and fabric of this scheduled ancient monument	Property Services Manager	March 2020 - Programme developed and agreed at AMG Subsequent delivery to be planned once	Develop a costed and prioritised programme of improvement works, based on the recently completed (2018) condition survey, and	

			programme established.	associated indicative works programme	
Office accommodation	Coalville office accommodation improvement project, including works to civic area and meeting rooms as well as office accommodation	Head of Customer Services/Head of Housing and Property	Ongoing	Our office accommodation is appropriate, modern and fit for purpose.	Timetable to be established once current feasibility work completed.
Active asset management	Commercial portfolio review implementation including rent reviews, improvement programme and disposals	Assets and Property Team Manager	April 2020	Linked to previous targets.	Rent reviews may be restricted by lease terms.
Carbon reduction	Embracing the carbon reduction agenda and ensuring all our buildings are as efficient as they can cost effectively be made, and developing and implementing a specific Action Plan to deliver this change	Assets and Property Team Manager	To be determined by Head of Community Services	Our building fully pay their part in achieving our carbon reduction targets	Part of the Councils wider response to this agenda
Regeneration	Supporting regeneration activities through the delivery of the land and property actions across the district, particularly relating to activities in Coalville, including the new Leisure Centre	Assets and Property Team Manager	TBC - based on opportunities	Property services support land and property related work to facilitate the regeneration of Coalville	
Active asset management	Increasing the performance of existing assets by reducing vacancy periods and reletting empty units more promptly, as well as ensuring that rent payments are made promptly and action is taken if there is default. Also, developing and introducing sinking funds and ensuring rent levels reflect market levels	Assets and Property Team Manager	December 2019 – evaluate opportunities March 2019 – implement outcome of evaluation	Increase in income and reduction in arrears from commercial units.	Asset sweating

PERFORMANCE INDICATORS – FROM HOUSING ASSETS AND PROPERTY TEAM PLAN 2019/20

Action Ref No	NI Ref/ Local Ref	Responsible Officer (Job Title)	Outcome Measure Description	Estimated Year End 2019/18	Target 2018/19	Quarterly Targets for 2018/19 (leave blank for annual indicators)				How will this be measured?
						Quarter 1	Quarter 2	Quarter 3	Quarter 4	
7.10 BAU	PS1	Property Services Manager	Percentage of commercial units occupied per annum	88%	90%	88%	88%	89%	90%	Data Calculation
7.11 BAU	PS2	Property Services Manager	Percentage of rent collected from commercial tenants	97%	98%	97%	97%	98%	98%	Data provided by Finance
7.12 BAU	PS3	Property Services Manager	Improvement in Council Office building Display Energy Certificate (DEC) performance	101	Range 101-125				110	Updated DEC
7.13 BAU	PS4	Property Services Manager	Condition Survey plan for non HRA property prepared and implemented	N/A	200 surveys	0	100	100	0	Documentary Evidence
7.14 BAU	PS5	Property Services Manager	Capital Projects completed on time and within budget	New indicator	95%				95%	Project Review
7.15 BAU	PS6	Property Services Manager	Stakeholder Satisfaction with projects completed	New indicator	20%	0%	0%	0%	95%	Measure against KPI

This page is intentionally left blank

Extract from minutes of Corporate Scrutiny Committee 4 September 2019

MINUTES of a meeting of the CORPORATE SCRUTINY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 4 SEPTEMBER 2019

Present: Councillor R Boam (Chairman)

Councillors J Hoult, E G C Allman, A J Bridgen and D Bigby (Substitute for Councillor R Johnson)

Officers: Mrs B Smith, Mrs T Bingham, Mr M Fiander, Mr C Lambert, Mrs M Long, Mr M Murphy and Mr P Sanders

7. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Johnson, V Richichi, S Sheahan and N Smith.

12. CORPORATE ASSET MANAGEMENT STRATEGY

Members considered a report presented by Chris Lambert, Head of Housing and Property Services on the Corporate Asset Management Strategy.

Members were advised that the strategy exists to provide a framework to enable the Council to own and manage its land and property assets and was closely linked to a number of other key strategies as set out in paragraph 2.1 of the report. Reference was made to a number of key points within the report.

The Chairman invited questions and comments.

Councillor Bigby welcomed references to improvements to Moira Furnace, health and safety and carbon footprint. He stated that it appeared to him that the emphasis of the report was to maximise profitability from the Council assets yet it was not clear to him which assets the council intended to maximise its profitability from. His concern was again, whether the Council was placing its emphasis on profit over the needs of the community, for example those assets being utilised for useful purposes within the community both now and in the future. He would not like to see the Council selling off its valuable assets to address any financial needs of the Council where these assets are for the good of the community; for example land which could be used for affordable housing. He therefore thought it would be helpful if there was some clarification in what constituted a commercial asset.

In response to these comments, the Head of Housing and Property Services referred to paragraph 1.4 of the report which listed the different categories of assets but understood the point that Councillor Bigby was making and advised that each individual asset would be considered on its own merits. He added that the disposals policy gave the flexibility to allow for transfers of land where appropriate in order to facilitate local housing needs, adding that we also now have the opportunity of developing our own land for council housing which, historically we have never had, and would produce a commercial income as well as addressing a local housing need.

Councillor Bigby sought clarification on the term 'for regeneration purposes' and made reference to the poorest performing asset being Ashby Market Hall and asked what measures were being put in place to address the constraints faced by such assets.

The Head of Housing and Property Services replied that it might be the case that an asset is purchased in order to form part of a wider regeneration scheme and the asset on its own might not necessarily meet the criteria for a commercial purpose. The next part of the review will see us looking at all the constraints placed upon us and agree a programme to enable us to move forward.

The Chairman advised that, in accordance with the recommendation, these comments would be reported to the meeting of Cabinet scheduled in November.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 12 NOVEMBER 2019

Title of report	INVESTMENT INTO COMMUNITY LEISURE
Key Decision	a) Financial Yes b) Community Yes
Contacts	<p>Councillor Andrew Woodman 07932 758555 andrew.woodman@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Head of Community Services 01530 454832 paul.sanders@nwleicestershire.gov.uk</p>
Purpose of report	To update Cabinet on progress of the application process for investment into community leisure provision, and seek approval to allocate funding
Reason for decision	To allow investment into community leisure projects to progress
Council priorities	Our communities are safe, healthy and connected
Implications:	Links to the Leisure Project and Health and Wellbeing Strategy
Financial/Staff	<p>The budget allocated is £1,014,405.74. All expenditure is funded by the VAT reclaim from HMRC regarding sporting services delivered by local authorities.</p> <p>To support project delivery, also funded by the VAT reclaim, a 3 day per week Community Leisure Development Officer will be appointed on a temporary 3 year contract.</p>
Health and Safety	None
Risk Management	To be considered as part of the project management
Equalities Impact Screening	To be considered as part of the project management
Human Rights	None
Transformational Government	None

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Head of Community Services, Financial Services Business Partner, Leisure Services Team Manager, Community Focus Team Leader, Community Leisure Development Officers, Measham Leisure Centre Management Committee, Ibstock Community College Business Manager, Castle Donington College Business Manager
Background papers	Cabinet Minutes February 2019 Health and Wellbeing Strategy 2018
Recommendations	<p>THAT CABINET:</p> <ol style="list-style-type: none"> 1. SUPPORTS THE PROPOSED INVESTMENT INTO MEASHAM LEISURE CENTRE AND IBSTOCK COMMUNITY COLLEGE LEISURE COMPLEX 2. SUPPORTS THE PROPOSAL FOR THE DEVELOPMENT AT CASTLE DONINGTON COLLEGE AND NOTES THAT IT WILL RECEIVE A FURTHER REPORT TO APPROVE INVESTMENT ONCE PROJECT PROPOSALS HAVE BEEN DEVELOPED

1.0 BACKGROUND

- 1.1 A report was taken to [Cabinet in February 2019](#), which received approval to commence a process which would allow investment to improve the community leisure fitness suite provision at Measham Leisure Centre, Ibstock Community College Leisure Complex, and Castle Donington College. This investment would be funded by the VAT reclaim from HMRC (Her Majesty's Revenue and Customs) following the European Court of Justice ruling that local authorities delivering sporting services should be exempt from Value Added Tax in a number of areas that were previously classed as vatable. It was anticipated that the reclaim would be approximately £1 million.
- 1.2 Cabinet approved for the £1 million be allocated to community leisure in the following manner;

Upto £90,000	Community Leisure Development Officer
£910,000 or more	Community Leisure Fitness Suite Provision
Underspends	Other Identified Community Leisure Provision

2.0 FINANCIAL IMPLICATIONS

2.1 The amount of the VAT reclaim was confirmed in April to be £1,014,405.74.

2.2 The table below highlights the allocation of this;

Item	Cost
Ernst and Young LLP Fees	£18,400
Community Leisure Investment	£921,000
Community Leisure Development Officer	£54,732
Community Access to Grass Pitches at Castle Donington College	£20,000
TOTAL	£1,014,132

3.0 PROGRESS TO DATE

3.1 Following Cabinet approval, the application process commenced with submissions being received by Measham Leisure Centre, Ibstock Community College and Castle Donington College. However, the total of all 3 applications significantly exceeded the £921,000 funding available. In addition, each individual application was in excess of £307,000, or one third of the total funding available. Consequently, it was decided to allocate the funding equally across all 3 projects (£307,000 per project), and to ask the applicants to revisit their proposals to ensure they could be delivered within budget.

4.0 MEASHAM LEISURE CENTRE (MLC) AND IBSTOCK COMMUNITY COLLEGE LEISURE COMPLEX (ICC)

4.1 Both MLC and ICC have evidenced that their proposed projects can be delivered within budget.

4.2 The proposal at MLC is to extend the existing fitness suite. This would allow for an additional 16 fitness stations, and all existing equipment will be replaced with brand new leased equipment. The proposals can be seen at **Appendix 1**. The anticipated budget cost of the development is £307,000 and this covers the build costs, professional fees, and an element covering the potential leasing costs for equipment.

4.3 The proposal at ICC is to replace the portacabin that houses the existing fitness equipment with a purpose built fitness suite. All existing equipment will be replaced with brand new leased equipment which will allow for more stations than are currently provided.

The proposals can be seen at **Appendix 2**. The anticipated budget cost of the development is £305,697 and this covers the build cost and professional fees.

- 4.4 As part of their applications, both MLC and ICC highlighted that they were happy to use any profit generated to reduce the investment NWLDC currently funds within each of the partnerships. At MLC this would be to offset the salary of the Community Leisure Officer which is currently funded by NWLDC, and at ICC it would be to reduce the annual funding allocated to the partnership by NWLDC. However, both requested that this be considered following delivery of the projects so the amounts could be based on actual profits generated rather than budgeted or proposed figures which may not be fully realised. Officers are supportive of this approach.
- 4.5 If approved, funding will be allocated direct to both MLC and ICC and they will be responsible for the project management of the developments. NWLDC officers will support as part of the project teams and appropriate grant agreements will be put in place to support monitoring and oversight.
- 4.6 It is proposed that Cabinet approve the funding allocation to these 2 schemes.

5.0 CASTLE DONINGTON COLLEGE (CDC)

- 5.1 As part of the partnership arrangement, there are facilities at CDC that NWLDC own as an asset or are responsible for. This includes the portacabin within which the fitness equipment is located, and the fitness equipment itself.
- 5.2 Currently, all income generated from the fitness suite is retained by NWLDC and it contributes towards the general cost of the partnership to the council.
- 5.3 As well as this, the school has been identified as a potential hub of community sport and physical activity. In partnership with CDC and Castle Donington Parish Council (CDPC), NWLDC officers are facilitating the opening up of the grass pitches at the site for community access to help meet an excess of demand. This requires financial investment of £20,000 to ensure that both the pitches and changing rooms are up to standard for community use.
- 5.4 In addition, the school has been highlighted through both the Playing Pitch Strategy and the Football Association Local Football Facilities Plan as a high priority location for a full sized 3G pitch, and both CDC and CDPC are keen to have a sports hall on site as well. The parish council have section 106 funding which they may be prepared to use to support these developments.
- 5.5 Consequently, at this moment in time there is no desire to transfer any of NWLDC's assets to the school or to change the current financial arrangements of the partnership. Therefore it is proposed that NWLDC officers lead on the fitness suite development at CDC so that NWLDC can retain this as an asset and retain any associated additional income. The scheme can be planned to allow for additional on site developments and can be future proofed accordingly. NWLDC officers can continue to co-ordinate developments with CDC and CDPC to ensure a partnership approach. CDC are supportive of this proposal.
- 5.6 It is also proposed that once a proposal for a new fitness suite has been developed, a further report will go to Cabinet seeking approval for funding to be allocated to this project.

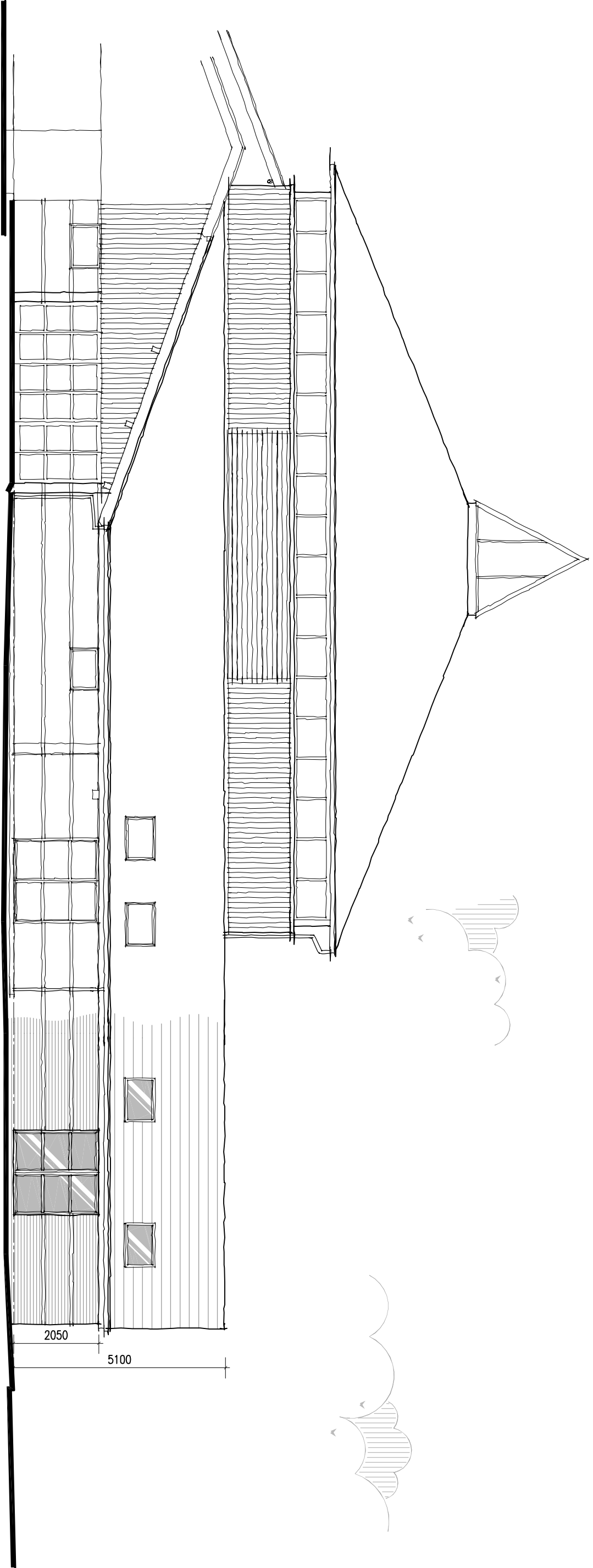
- 5.7 If funding is approved, then NWLDC officers will manage the project. A project team will be established with representation from Leisure Services, Property Services and the school. Property Services have been engaged and are supportive of leading on such a project.

6.0 COMMUNITY LEISURE DEVELOPMENT OFFICER

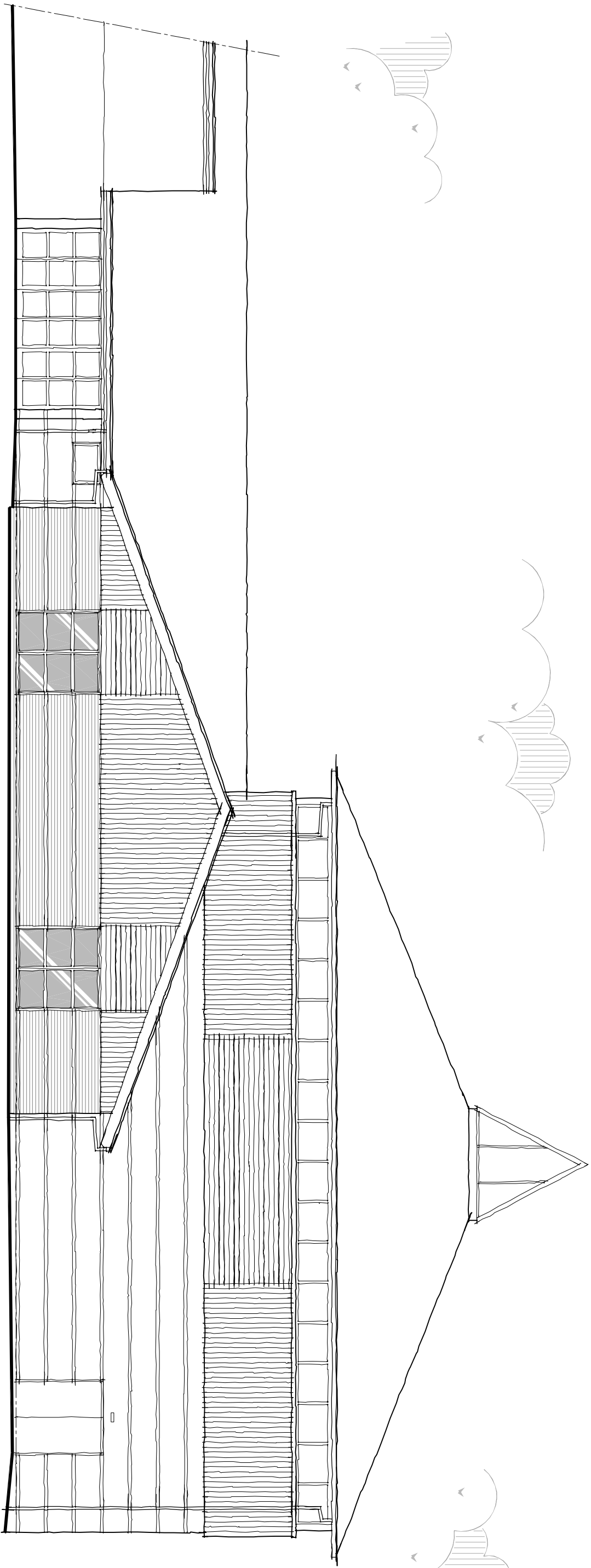
- 6.1 This will be a 3 day per week post on a 3 year temporary contract that will be responsible for the following-:
- Supporting partners and stakeholders in the delivery of the projects
 - Supporting Community Leisure Managers in developing marketing and business plans for the new facilities
 - Supporting Community Leisure Managers in the delivery and sustainability of the new facilities
 - To develop a new NWL fitness membership package
 - Review and revise service level agreements with community leisure partners to accurately reflect community access arrangements for the new facilities
- 6.2 The post is currently out to advert.

This page is intentionally left blank

Proposed Front Elevation
Scale 1:100

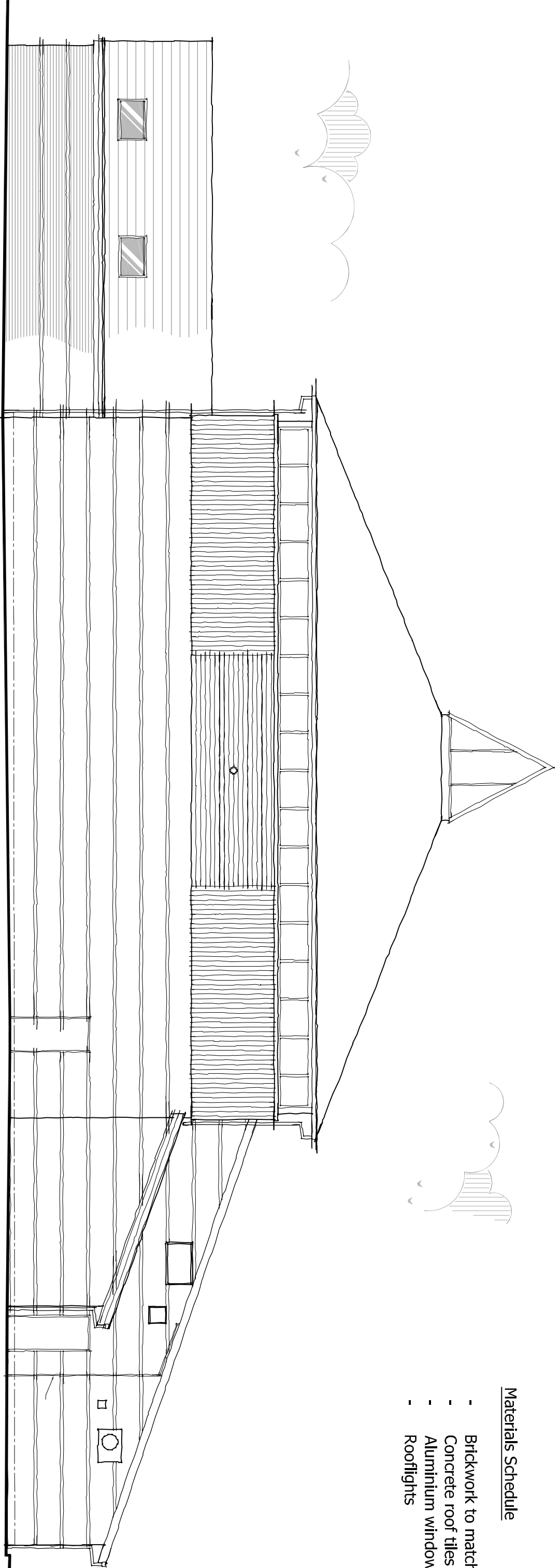


Proposed Side Elevation
Scale 1:100

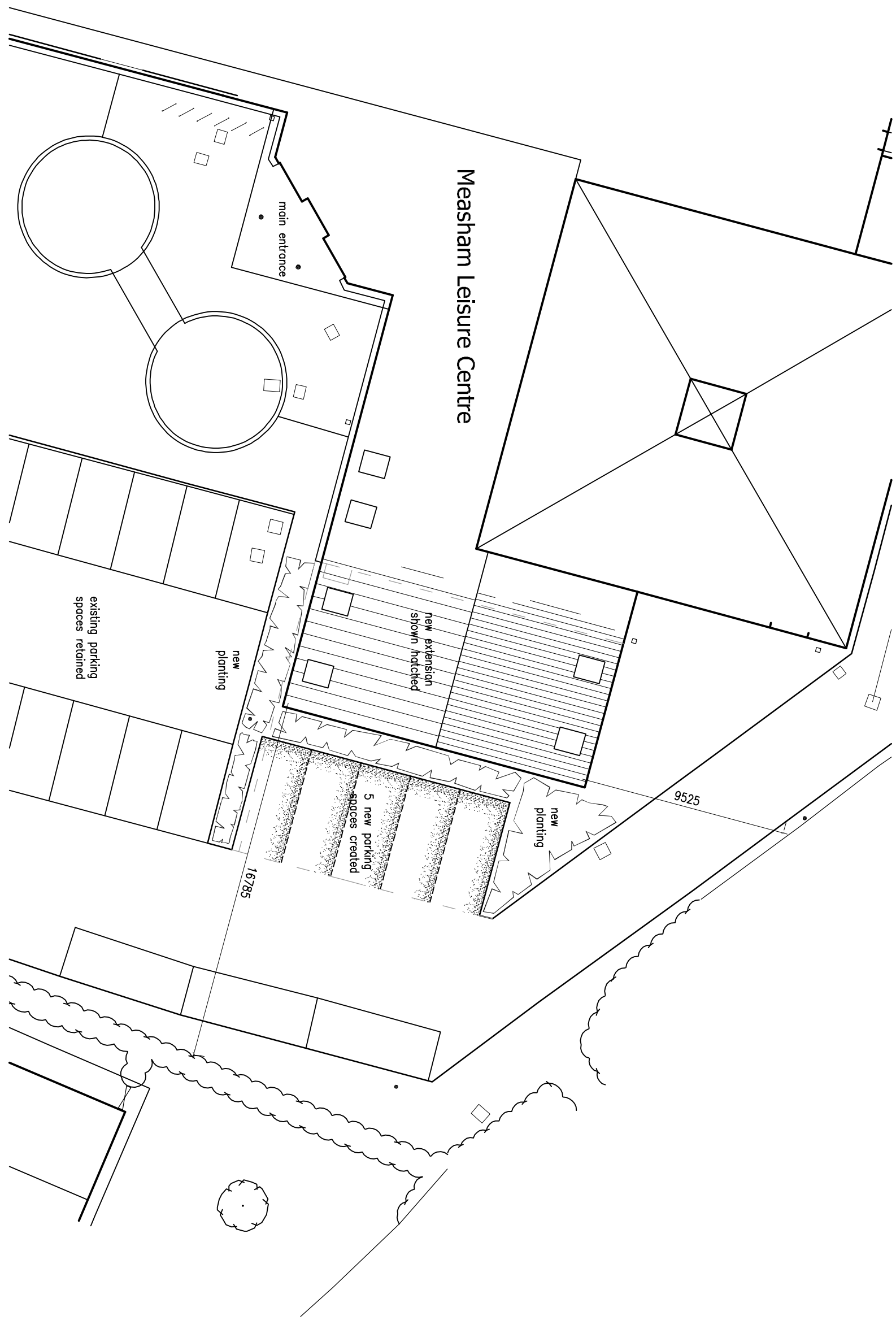
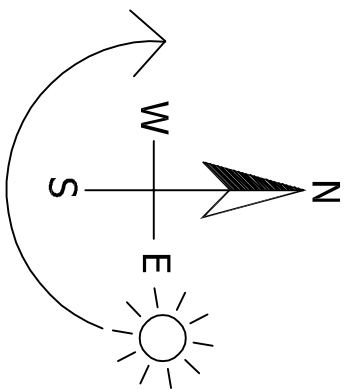


- Materials Schedule**
- Brickwork to match existing
 - Concrete roof tiles to match existing
 - Aluminium windows and screens
 - Rooflights

Proposed Rear Elevation
Scale 1:100



Proposed Site & Roof Plan
Scale 1:200



Notes:
To be read in conjunction with Topographical Survey drawings 19.3651.01 and Existing Details drawings 19.3651.02 - 03

Revisions :

Figured dimensions must be taken in preference to scaled dimensions and any discrepancies are to be referred to David Granger Architectural Design Limited. Contractors, subcontractors and suppliers must verify all dimensions and levels before commencing work. All drawings are copyright of David Granger Architectural Design Limited. Ordnance Survey Data. © Crown Copyright. All rights reserved. Licence No. ARI10020447. Landmark Ref. 105856



DAVID GRANGER
ARCHITECTURAL DESIGN LIMITED

Project
Proposed Extensions & Alterations
Measham Leisure Centre
High Street, Measham
Swadincote

Drawing Title
Detailed Planning Proposals
Sheet 1 of 2

Client
Measham Leisure Centre

Projecting No.
19.3651.06

Date
June 2019

Drawn by
KJV

Scale (A1 Size)
As Shown

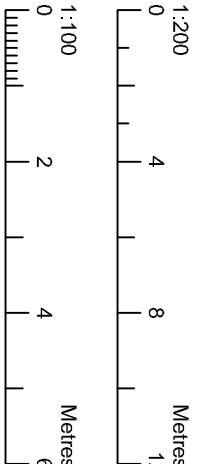
Checked by
MP

The Old Cottage Hospital, Leicester Road,
Ashby-de-la-Zouch, Leicestershire, LE65 1DB

www.davidgrangerdesign.com
Tel: 01530 56093
Email: info@dgdesign.com

DETAILED PLANNING PROPOSALS

PROPOSED GYM EXTENSION ~ MEASHAM LEISURE CENTRE ~ HIGH STREET ~ MEASHAM




This page is intentionally left blank

Notes:
To be read in conjunction with Topographical Survey drawings 19.3651.01 and Existing Details drawings 19.3651.02 - 03

Revisions :

Figured dimensions must be taken in preference to scaled dimensions and any discrepancies are to be referred to David Granger Architectural Ltd. No liability is accepted for errors or omissions in the drawings or any alterations on site before commencing any work or making any working drawings. All drawings are copyright of David Granger Architectural Design Limited. Ordnance Survey Data. © Crown Copyright. All rights reserved. Licence No. AR1000216497, Landmark Ref. 1100816





DAVID GRANGER
ARCHITECTURAL DESIGN LIMITED

Proposed
Proposed Extensions & Alterations
Measham Leisure Centre
High Street, Measham
Swadincote

Drawing Title
Detailed Planning Proposals
Sheet 2 of 2

Client
Measham Leisure Centre

Drawing No.
19.3651.07

Date
June 2019

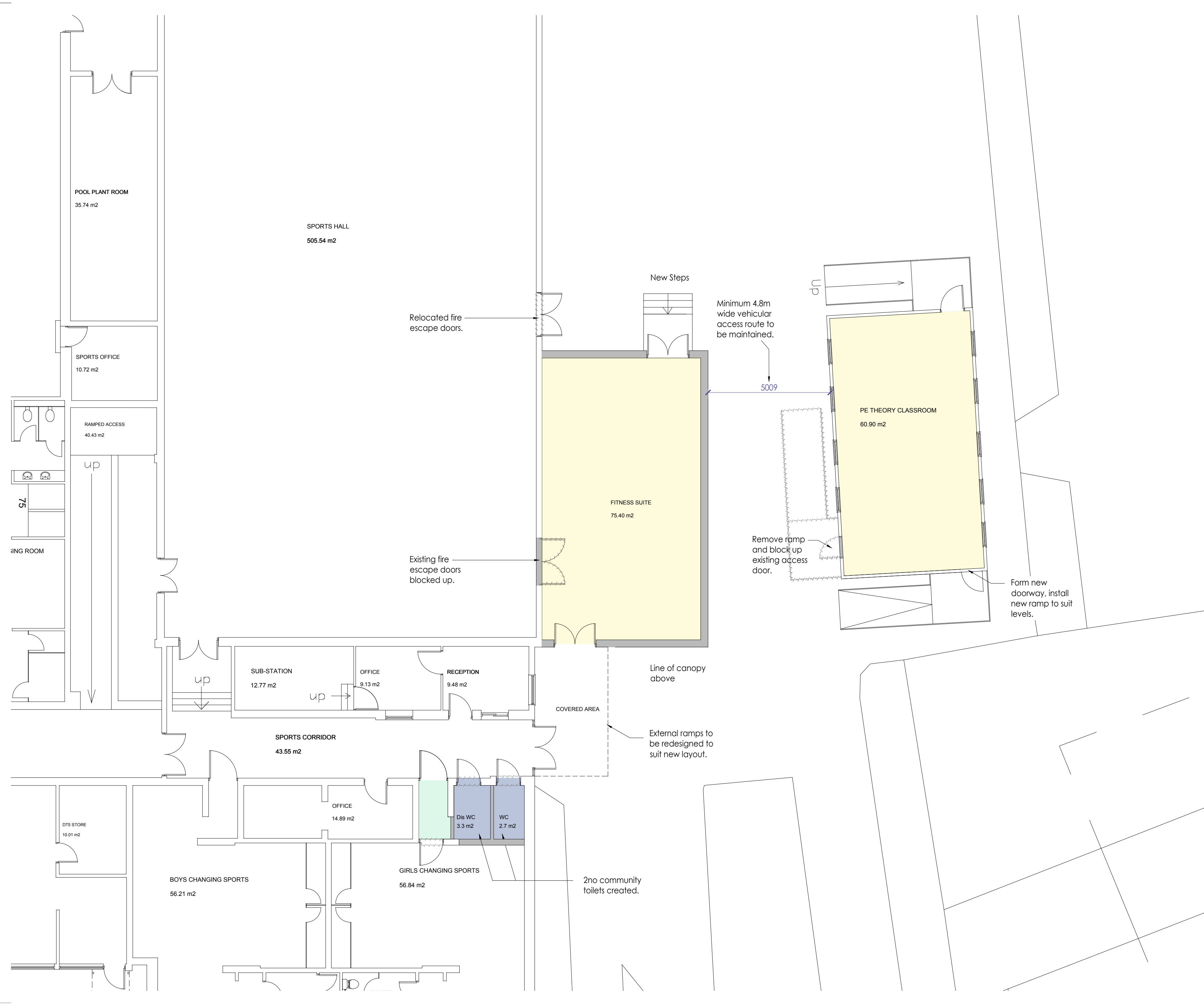
Drawn By
K/V

Scale As Shown
As Shown
Checked by
MP

The Old Cottage Hospital, Leicester Road,
Ashby-de-la-Zouch, Leicestershire, LE65 1DB

Tel: 01530 546977
www.davidgranger.co.uk
Company No. 34-58842

This page is intentionally left blank



DO NOT SCALE FROM THIS DRAWING
EXCEPT FOR PLANNING PURPOSES ONLY
Copyright reserved

This drawing is issued for the sole & exclusive use of the named recipient. Distribution to any third party is on the strict understanding that no liability is accepted by YMD Boon Ltd for any discrepancies, errors or omissions that may be present & no guarantee is offered as to the accuracy of information shown.

All dimensions to be checked on site & any discrepancies found shall be brought to the attention of YMD Boon Ltd prior to commencement of any building works.

THIS DRAWING IS TO BE READ IN COLOUR PRINT

CDM - RESIDUAL RISKS

The following are considered to be significant risks relevant to this drawing, which could not be fully mitigated or removed through design. Further possible control measures have been identified within the Design Risk Assessments which may help to mitigate these and other identified risks further during the construction / maintenance process.

B	Layout Amended	25.07.19	SS	SS
A	Layout Amended	23.07.19	SS	SS
Rev.	Description	Date	Drawn	Chk'd

PRELIMINARY



6b Anson House, Compass Point Business Park,
Market Harborough, LE16 9HW
Tel: 01858 464 482

12 Pride Point Drive, Pride Park, Derby, DE24 8BX
Tel: 01332 293 404 Email: enquiries@ymdboon.co.uk

Client
IBSTOCK COMMUNITY COLLEGE

Project
PROPOSED FITNESS SUITE

Scale 1:100 @ A2	Date JUN 19	Drawn MW
Drawing Title PROPOSED LAYOUT	Checked	
Drawing Number APJ1336-30	Revision B	

S:\Jobs\Schools\Leicestershire\Ibstock Community College\APJ1336 Proposed Gym\6-0 Drawings\Ibstock Proposed revB

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**CABINET – TUESDAY, 12 NOVEMBER 2019**

Title of report	HRA PROPERTY ACQUISITION
Key Decision	a) Financial Yes b) Community Yes
Contacts	<p>Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 bev.smith@nwleicestershire.gov.uk</p> <p>Head of Housing and Property 01530 454780 chris.lambert@nwleicestershire.gov.uk</p>
Purpose of report	To seek Cabinet approval for the acquisition of four new affordable homes on the Chevin Homes site at Newbold Coleorton, and three new affordable homes from Monument Seven Limited at Osgathorpe. In addition, to seek delegated authority for the Head of Housing and Property to authorise bids to acquire property and land for sale through auction.
Reason for decision	To acquire additional properties to increase the housing options for home seekers on the housing register.
Council priorities	Local people live in high quality, affordable homes.
Implications:	
Financial/Staff	The acquisition of Section 106 properties offers an effective way of acquiring additional new properties at discounted values, which can be added to the Housing Revenue Account housing stock of the Council. This type of acquisition can be funded from a number of sources including using commuted sums, one for one replacement funding, or HRA approved budget. The acquisition process can be managed from within existing staff resources.
Health and Safety	No issues identified.

Risk Management	Risks associated with the proposed purchase and delegation will be managed through the Council Corporate Risk Management arrangements.
Equalities Impact Screening	No issues identified.
Human Rights	No issues identified.
Transformational Government	The acquisition of new social/affordable housing provides additional housing opportunities for applicants on the Councils housing register, and will increase the sustainability of the housing stock by generating additional rental revenue to replace those being lost as a result of Right To Buy (RTB) sales.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	Housing Revenue Account Asset Management Strategy Acquisition Policy
Recommendations	<p>1. THAT CABINET APPROVES THE PURCHASE OF FOUR NEW HOMES FROM CHEVIN HOMES AT NEWBOLD COLEORTON AS DETAILED IN THE CONFIDENTIAL APPENDIX TO THIS REPORT.</p> <p>2. THAT CABINET APPROVES THE PURCHASE OF THREE NEW HOMES FROM MONUMENT SEVEN LIMITED AT OSGATHORPE AS DETAILED IN THE CONFIDENTIAL APPENDIX TO THIS REPORT.</p> <p>3. THAT CABINET DELEGATES AUTHORITY TO THE HEAD OF HOUSING AND PROPERTY IN CONSULTATION WITH THE PORTFOLIO HOLDER AND SECTION 151 OFFICER TO AUTHORISE BIDS FOR RESIDENTIAL PROPERTY AND LAND AT AUCTION IN ACCORDANCE WITH THE PARAMETERS SET OUT IN THIS REPORT AND THE APPROVED ACQUISITION POLICY.</p>

1.0 INTRODUCTION

1.1 In the Executive Summary of the Housing Revenue Account Asset Management Strategy, approved by Cabinet on 20th October 2015 it identifies among others the following key issue:

- *There is a demand for new build/acquisitions, and it is viable and would make a significant positive contribution to the overall net present value of the housing stock;*

The strategy then goes on to identify indicative reasons that may lead to an acquisition. It states, *“Unless there are exceptional circumstances, the Council will only acquire land or property for one or more of the following reasons:*

- *its contribution towards the provision of the Council’s services and/or delivery of corporate aims*
- *for economic development purposes*
- *to provide affordable housing*
- *revenue income generation*
- *strategic acquisition for regeneration, development or redevelopment purposes*
- *to improve performance of any investment portfolio*

1.2 There is an active asset management approach to the housing stock on an ongoing basis, and we actively consider opportunities to both acquire and dispose of stock to enhance the HRA portfolio.

1.3 As part of this ongoing active asset management approach, this report seeks Cabinet approval for the acquisition of four new homes, and seeks delegated authority to allow the Head of Housing and Property to pursue property and land acquisition opportunities through purchases at auction.

2.0 ACQUISITION OF FOUR PROPERTIES FROM CHEVIN HOMES AT NEWBOLD COLEORTON

2.1 At the meeting of 9 April 2019, Cabinet approved the purchase of 76 and 76a Bishop Hall Road, Ashby-de-la-Zouch from Bellway Homes, which were being delivered as affordable housing through a Section 106 agreement as part of the planning permission for the development.

2.2 This proved to be a successful process, and the properties have now been acquired and let to new tenants.

2.3 Following this success, bids have subsequently been submitted for other Section 106 properties on a number of sites where the size, type and location of the new homes available would represent an enhancement to the Councils HRA housing stock. The level of bids is determined following a financial appraisal of the scheme using the Councils approved investment appraisal modelling tool.

2.4 For the development by Chevin Homes at Newbold Coleorton our offer as detailed in the confidential Appendix to this report has been provisionally accepted by the developer. The

scheme comprises four properties all to be let at affordable rents (capped to Local Housing Allowance levels):

- 1 x 2 bedroom 4 person house
- 1 x 2 bedroom 3 person bungalow
- 2 x 3 bedroom 5 person houses

2.5 As the developer has to provide these homes as affordable properties under the Section 106 agreement, they are discounted compared to purchasing a property on the open market. An offer has been made to the developer and accepted by them, as detailed in the confidential appendix to this report.

2.6 This acquisition will be funded from the approved New Build capital programme, which includes £1.7 million for the acquisition of new sites and properties, funded through a revenue contribution to capital outlay (RCCO) as agreed in the 2019-20 budget. The scheme is currently forecast to complete around December 2020 and payment is proposed to be 100% on handover, although this detail will be confirmed in the final pre contract negotiations. The completion date cannot be confirmed at this time, as developers retain flexibility over the delivery timetable to respond to market conditions, so there may be delays.

3.0 ACQUISITION OF THREE PROPERTIES FROM MONUMENT SEVEN LIMITED AT OSGATHORPE

3.1 For the development by Monument Seven Limited at Osgathorpe our offer as detailed in the confidential Appendix to this report has been provisionally accepted by the developer. The scheme comprises three properties all to be let at affordable rents (capped to Local Housing Allowance levels):

- 1 x 2 bedroom detached bungalow
- 2 x 2 bedroom semi-detached bungalow

3.2 As the developer has to provide these homes as affordable properties under the Section 106 agreement, they are discounted compared to purchasing a property on the open market. An offer has been made to the developer and accepted by them as detail in the confidential appendix to this report.

3.3 This acquisition will be funded from the approved New Build capital programme, which includes £1.7 million for the acquisition of new sites and properties, funded through a revenue contribution to capital outlay (RCCO) as agreed in the 2019-20 budget. The scheme is currently forecast to complete around May 2020 and payments are proposed to be 10% on exchange of contracts and 90% on handover. The completion date cannot be confirmed at this time, as developers retain flexibility over the delivery timetable to respond to market conditions, so there may be delays.

3.4 The development company is a Special Purpose Vehicle (SPV) and as such, we are conducting appropriate financial checks to assess risks to the Council. If these risks are assessed as being unacceptable, our offer will be withdrawn.

4.0 ACQUISITION OF PROPERTIES AND LAND AT AUCTION

- 4.1 The Housing Service is continuing to explore all opportunities to increase the number of homes available to local people from our housing register, where they offer value for money and have a positive net impact on the HRA Business Plan.
- 4.2 Acquisition at auction is not currently supported by our acquisitions policy and this is an option the service wishes to have available. This would allow the purchase of land or properties at auction when suitable opportunities arise and it is assessed that an acquisition will meet a local need, and can be secured at a cost that can be supported by the HRA business plan. This facility will also help us manage the peaks and troughs of our right to buy one for one replacement funding expenditure requirements. This varies each quarter and can result in large peaks of funding requiring expenditure to avoid the need to repay funds to the Government with interest. One significant advantage of auction is that expenditure can be incurred without the extended lead in time of traditional purchases.
- 4.3 In an auction scenario, the usual process for securing Cabinet approval for an acquisition is not achievable, as a contract is formed when the hammer falls, and completion is normally required within one month of the auction date.
- 4.4 All properties identified as potential acquisitions through auction will be subject to a financial appraisal based on the investment model adopted by the Council. This will examine projected repair and improvement costs to bring them to the “lettable standard” and this process will identify a maximum level of bid the HRA business plan can sustain. The same evaluation modelling process will be applied to the assessment of any proposed land acquisition, with the parameters suitably amended.
- 4.5 Delegated authority is therefore sought from Cabinet for the Head of Housing and Property to authorise bids on properties at auction. This is subject to the prior agreement of the Portfolioholder for Housing and Customer Services and Section 151 officer within a defined budget and within parameters agreed based on an evaluation of condition and likely renovation to reach decency to ensure that properties should have a positive impact on the HRA Business Plan.
- 4.6 All decisions to acquire will be made with reference to the existing criteria within the approved acquisitions policy, this delegations will simply add auction as a method of acquisition to the existing decision making environment. The following criteria will be applied in terms of identifying a maximum bid for any properties that are under consideration:
- Purchase does not cause the approved budget to be exceeded.
 - Purchase has a positive Net Present Value (NPV) and financial appraisal (normal payback within less than 30 years to ensure VFM). The NPV is a financial assessment of the future value of current income and allows us to assess the whole life costs and income from an acquisition. This process is driven by a number of factors with the acquisition price being critical. This is why we will set the maximum bid level prior to auction at a level that supports a positive NPV.
 - Market assessment of recently sold properties in the area (to identify a benchmark value.)

- 4.7 Purchases will be funded through the existing budget for the New Build programme, which will become the New Supply Programme to more accurately reflect its purpose.
- 4.8 The table below illustrates three potential property purchases that were recently available for auction with varying degrees of renovation required. It illustrates how we will cap our maximum bid levels based on financial evaluations undertaken prior to auction.

	Breedon-On-The-Hill	Donington Le Heath	Castle Donington
Property	2 bed semi-detached house	2 Bed terraced house	4 bed semi-detached
Guide price	£90,000 to £100,000	£130,000	£200,000
Allowance for renovation	£50,000	£0	£10,000
Maximum bid	£118,000 Based on payback period of 30 years	£145,000 Based on payback period of 30 years	£215,000 Based on assessment of local market values
Financial results at guide price	NPV of £24,000 Payback in 26 years	NPV of £18,000 Payback in 28 years	NPV of £23,000 Payback within 28 years
Financial results at maximum bid level	NPV of £8,600 Payback in 30 years	NPV of £9,000 Payback in 30 years	NPV of £13,000 Payback in 30 years

- 4.9 All bidding authority decisions will be the subject of a formal written record, with authority to proceed confirmed by the Head of Housing and Property; Portfolio Holder and Section 151 officer in advance of the auction, using amended documentation already developed to record delegated decisions to award contracts.
- 4.10 If approved, it is proposed that the facility to acquire land and properties at auction would be incorporated into the Acquisitions Policy when it is next reviewed.

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

Document is Restricted

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**CABINET – TUESDAY, 12 NOVEMBER 2019**

Title of report	MARKET RIGHTS
Key Decision	a) Financial No b) Community No
Contacts	Councillor Andrew Woodman 07932 758555 Andrew.woodman@nwleicestershire.gov.uk Strategic Director of Place 01530 454555 James.arnold@nwleicestershire.gov.uk Head of Community Services 01530 454832 Paul.sanders@nwleicestershire.gov.uk
Purpose of report	Cabinet to note the Statutory Rights for the Market in Coalville
Reason for decision	Cabinet to note that the Council has established its rights for a market in Coalville in accordance with the Food Act 1984 between the hours of 8am and 10pm, Monday to Sunday.
Council priorities	Supporting Coalville to be a more vibrant, family-friendly town
Implications:	
Financial/Staff	None Discernible
Health and Safety	None Discernible
Risk Management	None Discernible
Equalities Impact Screening	None Discernible
Human Rights	None Discernible
Transformational Government	None
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory

Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Cllr Woodman – Portfolio Holder
Background papers	None
Recommendations	THAT CABINET RESOLVES TO ESTABLISH COALVILLE NEWMARKET UNDER SECTION 50 OF THE FOOD ACT 1984 AS MORE PARTICULARLY DESCRIBED IN THIS REPORT

1.0 CONTEXT

- 1.1 Coalville has exciting regeneration plans, the future vision for Coalville is a vibrant town that creates a positive impact on residents and visitors alike. The provision of a market is key to building and sustaining communities as illustrated by National Association of British Markets (NABM: the voice of local authority markets). In 2018 Cabinet approved the purchase of the former Litten Tree Public House for the purpose of creating a new indoor market.
- 1.2 The design for the “Newmarket” as it is now referred to has been finalised and contractors are currently being procured to carry out the design works and building improvements, which will include a new shop front.
- 1.3 The existing market operates three days a week and was established partly through a Market Charter and partly through statute.
- 1.4 As part of the programme for relocating existing traders and implementing the procedures and processes for operating Newmarket and Marlborough Square markets the council wishes to extend these rights to be operational for 7 days a week. To simplify the process to account for the additional days, we are looking to establish the new markets in Coalville solely through the Food Safety Act 1984.

2.0 AUTHORITY TO ESTABLISH A MARKET

- 2.1 Section 50 of the Food Act 1984 (as amended) (‘the 1984’ Act) provides local authorities with the power to establish markets within their area.
- 2.2 Section 52 of the 1984 Act provides that a market authority may appoint the days on which, and the hours during which, markets are to be held. Section 53(1) of the 1984 Act states that a market authority may demand in respect of the market such charges as they may from time to time determine.
- 2.3 The purpose of exercising these rights is to ensure that the council has control over any other type of market that may wish to operate within the market rights jurisdiction of Coalville. This is to ensure that any other market is not in competition with Newmarket, Marlborough Square regular outdoor markets and market events/specialist markets.

- 2.4 The council wishes to benefit from having the Statutory Rights to operate Newmarket, Marlborough Square regular outdoor markets and other market events/specialist markets in the future. This is important to protect the prosperity and commercial viability of the Newmarket. Also to protect other markets including the regular outdoor markets following the completion of public realm improvements in Marlborough Square.

3.0 LOCATION

- 3.1 The market known as Newmarket will be located as follows:

Indoor at:
7-9 Marlborough Square
Coalville
Leicestershire
LE67 3WD

Outdoor at:
Marlborough Square
Coalville
Leicestershire

4.0 MARKET HOURS AND DAYS

- 4.1 Cabinet is asked to appoint the following days and times for the operation of Newmarket (indoor and outdoor) pursuant to section 52 of the 1984 Act:

Newmarket will have the ability to operate 7 days per week, 8am-10pm (subject to any statutory restrictions on trading hours).

This page is intentionally left blank

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 12 NOVEMBER 2019

Title of report	BREEDON HILL - ACCESS ISSUES AND PEDESTRIANISATION
Key Decision	a) Financial No b) Community Yes
Contacts	<p>Councillor Andrew Woodman 07932 758555 andrew.woodman@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Head of Community Services Tel: 01530 454832 paul.sanders@nwleicestershire.gov.uk</p>
Purpose of report	To resolve to adopt a proposal for improving the amenity of the Breedon Hill area involving the pedestrianisation of a road and to agree to submit a pedestrianisation order to the Department for Transport (DfT)
Reason for decision	To secure consent to the required statutory application
Council priorities	“Developing a clean and green district” and “Our communities are safe, healthy and connected”
Implications:	
Financial/Staff	The council’s in-house legal team will lead on coordinating the submission to the DfT. The cost of installation for the required gate and associated signage will be in the region of £3,000 however the landowner (Breedon Quarry) has indicated that they would be happy to cover both the cost of the gate and its installation.
Health and Safety	Fully considered as part of the physical installation of the gate
Risk Management	Part of project management protocols

Equalities Impact Screening	Access will be managed with clear signposting for when the gate is open and when it will be locked. Pedestrian and cycle access will be unaffected although the design detail can be confirmed with local partners including both Breedon Quarry and the parish council
Human Rights	Not applicable
Transformational Government	Not applicable and on site management will be carried out locally
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Deputy Monitoring Officer	The report is satisfactory
Consultees	Breedon on the Hill Parish Council, Breedon Quarry, local ward members, Leicestershire Police, Leicestershire Community Safety Partnership.
Background papers	None
Recommendations	<p>CABINET APPROVES:</p> <ol style="list-style-type: none"> 1. THE PROPOSAL TO IMPROVE THE AMENITY OF THE BREEDON HILL AREA INCLUDING THE REMOVAL OF VEHICLE RIGHTS OF WAY AS DESCRIBED IN THIS REPORT 2. AN APPLICATION TO THE DEPARTMENT FOR TRANSPORT TO MAKE A PEDESTRIANISATION ORDER TO IMPLEMENT THE PROPOSAL TO IMPROVE THE AMENITY OF THE BREEDON HILL AREA 3. THE INSTALLATION OF A LOCKABLE GATE AND RELATED SIGNAGE TO ENFORCE THE PEDESTRIANISATION ZONE ONCE THE ORDER IS GRANTED IN CLOSE PARTNERSHIP WITH LOCAL STAKEHOLDERS

1.0 BACKGROUND

- 1.1 Breedon Parish Council and the parish residents take great pride in their church, and believe it should be protected as far as possible.
- 1.2 Breedon church was originally founded on a monastery in about AD676 and is a visibly significant monument within North West Leicestershire. The road leading to the Breedon

church is a single-track designated highway of tarmac construction. The site is an iron age fortification with partially remaining bulwarks. Christian development began with a Saxon church in AD 676 of which some notable stone carvings remain. Later this was developed into a 12th Century Priory, of which the Grade I Listed church remains. Hence the entire site and church are of great archaeological and clerical importance. The church visitor's book shows global and national interest with significant numbers of visitors throughout the year.

- 1.3 The rural and open nature of the location brings risks to this irreplaceable monument. It is believed that the placing of a gate on the approach to the church will enhance the historic nature of the location, but also reduce the risk of inappropriate use outside of daytime use.
- 1.4 The visibility of this church and its isolated location brings a number of benefits to the local community, these include: a place to be quiet, viewing the surrounding countryside and visiting the church. However, the location also raises a number of risks including:
 - Criminality, specifically criminal damage, theft and burglary.
 - Visitors can bring litter, fly tipping, drug use and sexual behaviour onto site.
 - A quarry next to the church gives a location for suicide opportunities, also inappropriate bravado with youths climbing the quarry fence.
- 1.5 The district council has been receiving reports of undesirable behaviour from residents, Breedon Parish Council, Breedon Church, local stakeholders and residents as far back as the summer of 2015.
- 1.6 Reported incidents to both the district council and the police have been broadly centred around the misuse of fireworks, littering, fly tipping, substance abuse, threatening and antisocial behaviour by people in the vicinity, vandalism/criminal damage to signage and buildings, vehicles racing and doing stunts on the roads leading to the church and grounds, noise from rowdy behaviour and car movements, consumption of alcohol in a public place and overnight camping involving at times firemaking.
- 1.7 Council officers have been working with the parish to resolve these matters with a number of measures explored including the option for the quarry to apply to Leicestershire County Council to remove the highway rights through the magistrates courts and collating the evidence required to then implement a Public Space Protection Order (PSPO) (renewable every 3 years).
- 1.8 PSPOs are a draconian power to restrict the freedoms of individuals in public areas. As a result there is a clear legislative framework that must be satisfied in order for local authorities to justify their use. While this remains an option in this matter, and the Council does not rule it out, it should never be the first resort and the power needs to be used with caution.
- 1.9 The Council has sought legal advice on whether a PSPO can be used in this scenario, both from its in-house solicitor and the leading barrister in this field. Both lawyers advised that the a PSPO should not be deployed until all other incremental steps had been attempted. Indeed, showing that incremental measures have been attempted but failed to resolve the problem is essential to satisfying the legislative framework that a PSPO is justified. **Annex A** provides greater detail of the recent measures that are being attempted and a summary of the reported incidents over the last six months. The legal advice further

says that the evidence currently collated is not sufficient to meet the requirements of the legislative framework for a PSPO to be deployed. Lastly, the legal advice says that in order to justify the installation of a gate under a PSPO, the solution of a gate must be directly linked to the problem behaviour. This means there must be a link between vehicles having access and the littering/fouling/fireworks/damage etc. On the evidence available installing a gate to prevent vehicular access does not obviously appear to solve these issues (since they could be being caused by individuals on foot) and therefore a gate would be difficult to justify under a PSPO.

- 1.10 Given the fact that the nature of the anti-social behaviour evidenced so far does not meet the legislative framework threshold for a PSPO, this reports sets out another route by which a gate across the road might be obtained.

2.0 INSTALLATION OF A GATE TO CONTROL ACCESS

- 2.1 While the high evidential threshold for a PSPO is noted, it remains the view of Breedon Parish Council and the district council that the installation of a gate to the site to control access to the site outside of daylight hours will resolve many of the issues highlighted under section 1 and improve the amenity of the Breedon Hill area. The parish council has secured significant local support for this and have secured a mutual agreement between Breedon Priory Church, Breedon Quarry and the parish council.
- 2.2 The gate would be situated just after the fork in the road on Squirrel Lane and the parish council have stated their firm intention to manage the gate on behalf of this mutual partnership with the Church Wardens being responsible day to day on site for the opening and closing of the gate at the following times:

1 st April until 31 st October	9.30 to 5pm
1 st November until 31 st March	9.30 to 3.30pm

- 2.3 The access arrangements will be managed in a proactive manner to ensure that visitors to the church are not impeded and that authorised parish council night time events (eg beacon lighting) and any other church or parish organised events are implemented effectively.
- 2.4 **Annex B** sets out the proposed location of the gate and proposed design. Blue light emergency access arrangements will need be put in place as well as key holder arrangements for the key stakeholders set out in section 2.1 of this report as well as colleagues at Leicestershire County Council.
- 2.5 Cabinet is therefore asked to resolve to adopt the proposal to pedestrianise the road from the proposed gate location up to the Church.

3.0 THE APPLICATION TO THE SECRETARY OF STATE FOR TRANSPORT

- 3.1 It is the duty of the district council under Section 17 of the Crime and Disorder Act 1998 to do all that is reasonable to protect local communities by reducing both crime and disorder as well as the fear of crime.

- 3.2 If Cabinet does resolve to adopt the proposal to pedestrianise the road as described in paragraph 2, the district council will apply directly to the Secretary under section 249 of the Town and Country Act 1990 to seek an Order that confirms the pedestrianisation of the road. This would allow a gate to be installed to enforce the pedestrianisation. **Annex C** sets out the step by step guide in terms of the process and estimated timescale to secure this Order.

4.0 FINANCIAL

- 4.1 Breedon Quarry have indicated their willingness to cover the costs and project manage the installation of the gate. That said the district council would carry out these works if this was no longer possible. The gate cost and associated signage is estimated to be £3,000. The district council will cover all costs in relation to the application to the Department for Transport.

This page is intentionally left blank

Monitoring incidents at Breedon Church from 5 September 2019

Council/Police Monitoring

As a result of enquiries and complaints from the Breedon Parish Council, the district Council has stepped up the monitoring of the road leading to the church and the carpark in order to discover the amount of anti-social behaviour at the location. The following actions have been completed:

- A hidden camera placed at the location to monitor vehicles using the site
- Information from cameras downloaded twice a week and reviewed
- Environmental Protection visited the site daily and photographs taken
- All incidents sent to Environmental Protection Manager
- Visit by the Community Safety Team Leader for CCTV options
- Normal Police patrols of the area

Following a review of the above plan, the following actions have been agreed from 2 October 2019 onwards:

- Cameras to remain in place until 31 October 2019 and reviewed as above
- Police ASB car to visit location
- Further CCTV options to be considered
- Additional signs to be considered

The Environmental Team camera recorded visitors from 6 PM to 6am each day from Wednesday 26 September. The table below are the results.

Date	Number of cars using the road	Number of Cycles using the road	Number of Walkers using the road
Wednesday 26 September 2019	14	2	2
Thursday 27 September 2019	10		
Friday 28 September 2019	7		2
Saturday 29 September 2019	8		
Sunday 30 September 2019	4		
Monday 1 October 2019	3		1
Tuesday 2 October 2019	13		2
Wednesday 3 October 2019	9		

Incidents Reported by the Public

Over the last 6 months 13 incidents have been reported to the police and the council about the church or the surrounding area, some incidents were reported by more than one person, so the actual number of reports is 21, each report has been RAG rated for a PSPO and are detailed in appendix A below.

Latest Position re PSPO

The 13 reported incidents, include a number of reports of litter, allegations of drug taking and an attempted suicide over a period of 6 months. The severity and frequency of the incidents is low and there is little evidence of a detrimental effect on any person or the community. There is an average of two reported incidents per month.

Collectively there is insufficient evidence to justify placing a PSPO on the road. In addition, there is insufficient evidence to directly link vehicles to the reported behaviour. As a result, even if there was evidence for a PSPO of some sort, that PSPO could not provide for the installation of a gate. This is because there is no evidenced link between the behaviour that the PSPO is trying to combat and the solution that a gate would offer.

Appendix A

Reported incidents at Breedon Church

14/02/2019	Safety lights covered alongside footpath to church with stones from church footings.	No specifics	Miscellaneous
14/04/2019	Criminal Damage to the window	Reported to the Police	Vandalism
22/04/2019	Youth climbing quarry fence	Reported to the police	Miscellaneous
31/05/2019	Criminal Damage to window	Reported to the Police	Vandalism
03/07/2019	Suicidal Male	Reported to the Police	Miscellaneous
08/08/2019	Burglary Church door broken down.	No specifics	Vandalism
09/08/2019	Vandalism/break-in at church and cars joy riding.	No specifics	Vandalism/cars
09/08/2019	Church vandalised.	No specifics	Vandalism
09/08/2019	Cars racing at church.	No specifics	Cars
09/08/2019	Cars racing at church.	No specifics	Cars
09/08/2019	Church break-in and vandalism.	No specifics	Break-in/Vandalism
10/08/2019	Church break-in.	No specifics but provided negative effects this had.	Vandalism
10/08/2019	Church break-in /vandalism.	No specifics but did provide the negative effects this had.	Vandalism
10/08/2019	Church break-in /vandalism.	No specifics	Vandalism
10/08/2019	Church break-in/vandalism. Sightings of metal drug canisters/balloons. Reports of fireworks/ litter/cars.	No specifics or dates	Vandalism/drugs/fireworks/litter/cars1
10/08/2019	Cars racing at church.	No specifics or dates	Cars
10/08/2019	Vandalism of church.	No specifics	Vandalism
11/08/2019	Vandalism of church.	No specifics	Vandalism
12/08/2019	Vandalism and cars flashing.	No specifics but provided negative effects this had.	Vandalism
30/09/2019	Substance abuse using nitrous oxide bulbs.	No specifics	Drugs
07/10/2019	Litter	Bottles and food containers	Litter

Appendix B

Photographs of Breedon over the last 6 Months

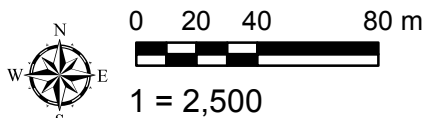


Appendix C

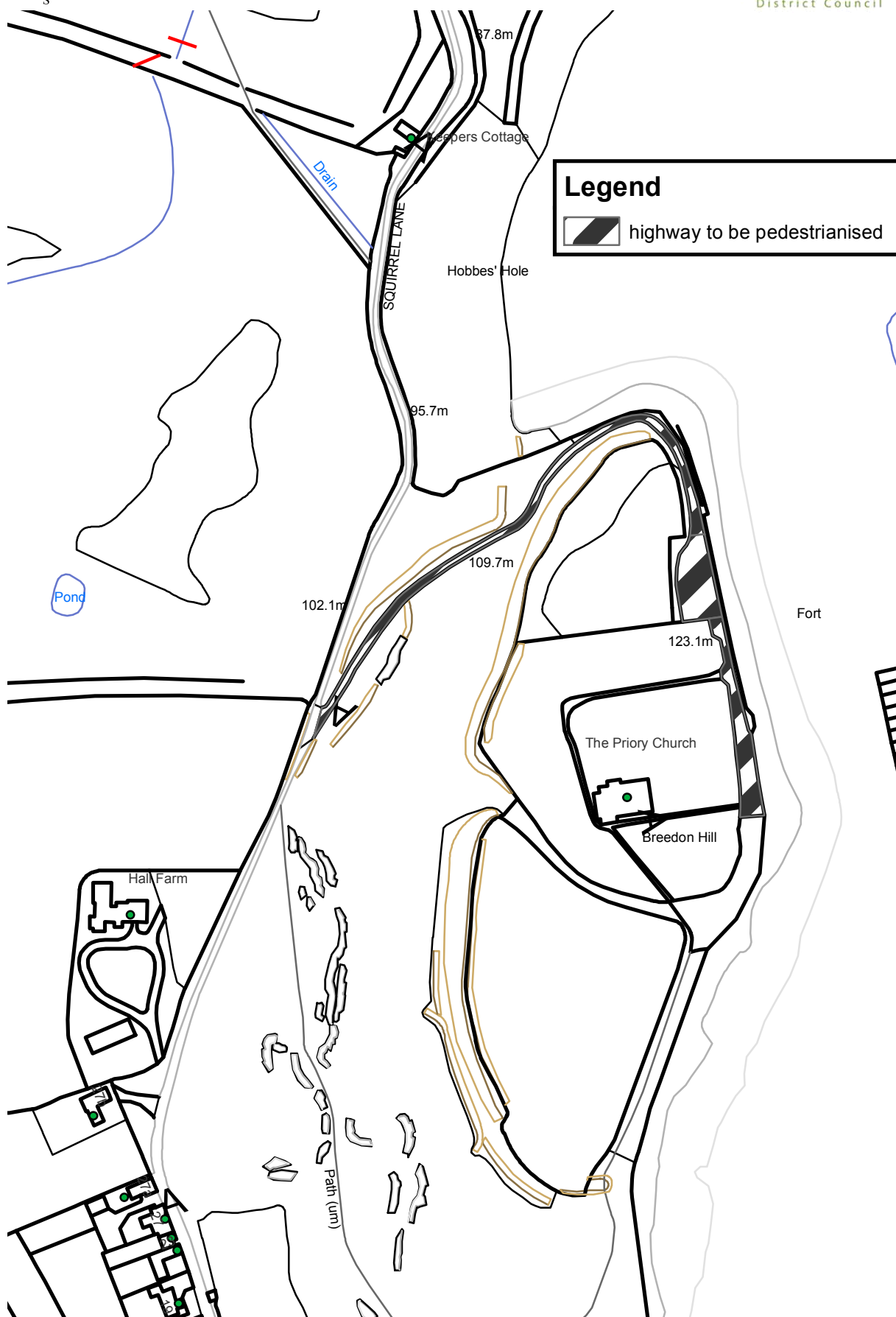
Photographs of Breedon over the last 18 Months

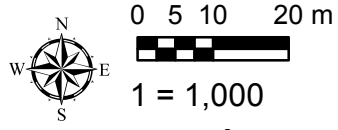


This page is intentionally left blank



All maps reproduced from the Ordnance Survey mapping with the permission of the Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. This copy has been produced specially for reference purposes only. No further copies may be made.
NW Leicestershire LA 078832 2019






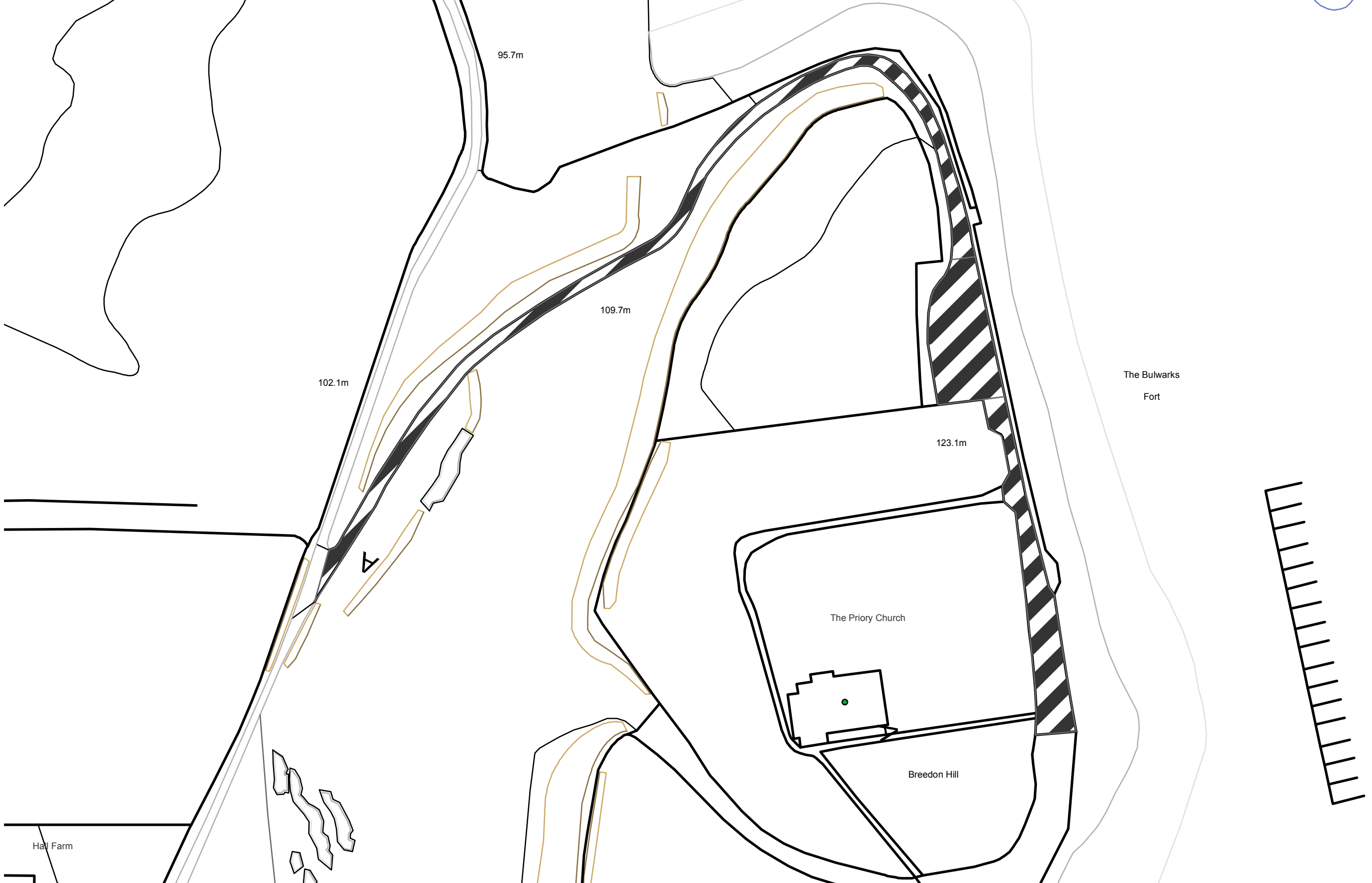
All maps reproduced from the Ordnance Survey mapping with the permission of the Crown. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of the Ordnance Survey. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. This copy has been produced specially for reference purposes only. No further copies may be made.
NW Leicestershire LA 078832 2019



Legend

 highway to be pedestrianised

102



ANNEX C: Step Plan for Pedestrianisation of Road up to Breedon Church

Step	Description	Timescale (Approx)	Comments/Outcome
1.	Ask Planning Dept if a gate will need planning permission	Complete	Confirmed as not required
2.	Informal engagement with County	Under way	<p>Explain that we are thinking of pedestrianising the road under s249 TCPA 1990</p> <p>The road is not a Trunk Road or a Principal Road</p> <p>Obtain confirmation that County would not object to this and seek a letter of support</p>
3.	Informal engagement with the Quarry and/or Priory Church	Complete	<p>Explain that we plan to pedestrianise the road under s249 TCPA 1990</p> <p>Confirm with the Quarry as landowners they are willing to install a gate once the road is pedestrianised</p>
4.	Informal engagement with Parish Council	Complete	<p>Explain the option to pedestrianise the road and that this could result in the road being gated.</p> <p>Confirm times that they want the gate closed</p> <p>Secure a letter of support for the application.</p>
5.	Formally Consult the above third parties	Under way	Obtain written confirmation that they support the proposals (or at least do not object)

6.	Draft Cabinet Report	<p>SO Deadline: 21 October 2019</p> <p>Final Deadline: 31 October 2019</p>	<p>Report will be the required “Statement of Reasons” in support of the application to the DfT.</p> <p>Describe the nature of the site including historical and architectural interest.</p> <p>Briefly setting out how the low level ASB and vandalism at the site has been adversely affecting the amenity of the area.</p> <p>Stating that other steps to deal with these issues have been tried but that removing vehicular access will help to reduce incidents and improve the amenity of the area.</p> <p>Setting parameters of the Order:</p> <ul style="list-style-type: none"> - Types of vehicle to be excluded - Exemptions (e.g. visitors to the church/quarry) - Authorised parish council night time events (eg beacon lighting) and any other church or parish organised events - Times of restriction <p>Include Plan of the proposed pedestrianisation</p>
7.	Cabinet Decision	12 November 2019	Cabinet to make decision to “adopt a proposal for improving the amenity of part of the area” – namely the pedestrianisation of the road
8.	Complete Application Form	Submit on 25 November 2019 (following call-in period)	Submission of Application with all supporting materials and letters of support
9.	DfT assesses application	DfT casework waiting times unknown	<p>DfT may ask for additional information</p> <p>DfT prepares consultation papers and draft Order</p>
10.	<p>DfT to publish notice of application</p> <p>Council to put up site notice</p>	Expected during Dec 2019	Starts 28 day consultation period

11.	DfT to consider objections	Jan-Feb 2020	To consider objections
12.	DfT Makes Order (or not)	Feb/March if no inquiry is needed	If there are no objections, officers have been told by the DfT that this will be "as a matter of course". DfT's decision is final.
13.	Signage	Implementation actions to follow Order	Once order is made, signs need to be put up to state that vehicles access is restricted
14.	Installation of the gate		Gate to be installed
15.	Upkeep/operation of the gate		Parish Wardens are willing to open and close the gate to permit daytime access.

This page is intentionally left blank