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Meeting	<b>CABINET</b>
Time/Day/Date	5.00 pm on Tuesday, 8 June 2021
Location	Council Chamber, Council Offices, Coalville - The public are encouraged to attend remotely
Officer to contact	Democratic Services (01530 454512)

### AGENDA

Item	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATION OF INTERESTS</b>	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
<b>3. PUBLIC QUESTION AND ANSWER SESSION</b>	
<b>4. MINUTES</b>	
To confirm the minutes of the meetings held on 23 and 30 March 2021.	<b>3 - 8</b>
<b>5. UPDATE ON AIR QUALITY MANAGEMENT AREAS &amp; SUBMISSION OF ANNUAL STATUS REPORT</b>	
Report of the Strategic Director of Place Presented by the Community Services Portfolio Holder	<b>9 - 112</b>
<b>6. ENVIRONMENTAL HEALTH - FOOD SAFETY SERVICE DELIVERY PLAN 2021/22</b>	
Report of the Strategic Director of Place Presented by the Community Services Portfolio Holder	<b>113 - 142</b>
<b>7. PSPO CASTLE DONINGTON 'CAR CRUISE'</b>	
Report of the Strategic Director of Place Presented by the Community Services Portfolio Holder	<b>143 - 158</b>

<b>8.</b>	<b>MINUTES OF THE COALVILLE SPECIAL EXPENSES PARTY</b>	
	Report of the Strategic Director of Place Presented by the Community Services Portfolio Holder	<b>159 - 166</b>
<b>9.</b>	<b>PAID PLANNING PRE-APPLICATION ADVICE</b>	
	Report of the Strategic Director of Place Presented by the Leader of the Council	<b>167 - 178</b>
<b>10.</b>	<b>RIVER MEASE DEVELOPER CONTRIBUTION EXPENDITURE FOR CONTRACTORS COSTS ASSOCIATED WITH A SCHEME NEAR MEASHAM</b>	
	Report of the Strategic Director of Place Presented by the Leader of the Council	<b>179 - 182</b>
<b>11.</b>	<b>AWARDING OF MHCLG ROUGH SLEEPER INITIATIVE FUNDING</b>	
	Report of the Strategic Director of Housing and Customer Services Presented by the Housing, Property and Customer Services Portfolio Holder	<b>183 - 186</b>
<b>12.</b>	<b>MICROSOFT ENTERPRISE SOFTWARE ASSURANCE LICENCE RENEWAL</b>	
	Report of the Strategic Director of Housing and Customer Services Presented by the Housing, Property and Customer Services Portfolio Holder	<b>187 - 190</b>
<b>13.</b>	<b>TREASURY MANAGEMENT STEWARDSHIP REPORT 2020/21</b>	
	Report of the Strategic Director of Housing and Customer Services Presented by the Corporate Portfolio Holder	<b>191 - 204</b>
<b>14.</b>	<b>EXEMPTIONS FROM THE CONTRACT PROCEDURE RULES MADE IN Q4</b>	
	Report of the Chief Executive Presented by the Corporate Portfolio Holder	<b>205 - 208</b>
<b>15.</b>	<b>ASHBY BUSINESS IMPROVEMENT DISTRICT</b>	
	Report of the Strategic Director of Place Presented by the Business and Regeneration Portfolio Holder	<b>209 - 236</b>

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 Remote Meeting using Microsoft Teams on TUESDAY, 30 MARCH 2021

Present: Councillor R Blunt (Chairman)

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

Officers: Mrs B Smith, Mr J Arnold, Mr A Barton, Mr D Bates, Miss E Warhurst, Mr C Elston, Mr B Walford, Mr P Wheatley and Mr T Delaney

#### **109. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **110. DECLARATION OF INTERESTS**

There were no declarations of interest.

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

No questions were received.

#### **112. MINUTES**

Consideration was given to the minutes of the meeting held on 2 March 2021.

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

RESOLVED THAT:

The minutes of the meeting held on 2 March 2021 be confirmed as an accurate record of the proceedings.

**Reason for decision:** To comply with the constitution.

#### **113. ADMISSION OF ADDITIONAL ITEM**

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

RESOLVED THAT:

By reason of special circumstance in that an additional item of business needs to be considered before the next meeting of the Cabinet, the item entitled "Exemption to Council's Contract Procedure Rules – Supporting Our Customers" be considered at the meeting as a matter of urgency in accordance with Section 100B(4)(B) of the Local Government Act 1972.

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

#### **114. 2020/21 QUARTER 3 PERFORMANCE REPORTS**

Councillor R Blunt presented the report, which provided Cabinet with information on the performance and progress made against the Council Delivery Plan actions and performance indicators for Quarter 3 of 2020-2021.

Portfolio Holders then spoke in turn on progress within their service areas:

- In Community Services, particular regard was given to the progression of the new leisure centre, various recycling and carbon-reduction initiatives, and the obesity strategy, for the latter it was noted there was a correlation between countries with higher obesity rates and those worst affected by COVID-19.
- In Customer Services, it was noted that more customers than before were accessing the Council's services digitally, and the waiting time for customers contacting the Council by phone continued to fall. There were no updates with regard to Property Services except that work to review the Council's accommodation needs was ongoing.
- In Housing there were several plans progressing for the building of new-build Council houses and the purchasing of existing stock, and the development of the Appleby Magna Caravan Site was on track.
- In Business and Regeneration, the Economic Development team had seen increases in the quantity and variety of service requests to support individuals and businesses, however the team had continued to meet national targets and was progressing various regeneration programmes and a limited number of events across the district.
- In Finance, the General Fund and the Housing Revenue Account were both expected to show a small surplus, albeit lower than previously expected, and the Journey to Self Sufficiency Fund would help cushion against the impact of future risks. It was also noted that officers had faced vast additional strain through the design, administration, and expeditious delivery of various grant schemes to local businesses.
- In Planning and Infrastructure, despite a small downturn at the beginning of the first lockdown the service was now receiving and processing a high number of applications within required timescales. And various industrial projects in the District continued to grow alongside proposals for a Freeport and locally-led Development Corporation centred at East Midlands Airport.

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

RESOLVED THAT:

Cabinet notes the progress against the corporate objectives and performance indicators during quarter 3.

**Reason for decision:** To report Q3 2020/21 Council Delivery Plan performance.

#### **115. UPDATE ON ESTABLISHMENT OF COMPANY TO BE KNOWN AS 'EM DEVCO LIMITED'**

Councillor R Ashman presented the report, which provided an update on the proposals for a locally led Development Corporation following the approval of Council on 16 March 2021 for the allocation of funding in 2021/22, and sought Cabinet approval for several delegations relating to the incorporation and future decision-making of the Interim Vehicle. The report and proposals within were welcomed by Members.

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

RESOLVED THAT CABINET:

- 1) Approves the expenditure of £167,000 to support the Interim Vehicle for the first year
- 2) Delegates authority to the Strategic Director (Place) in consultation with the Planning and Infrastructure Portfolio Holder to approve the detailed terms of the funding agreement and ancillary documents/agreements to give effect to the expenditure and to facilitate the incorporation and operation of the interim vehicle
- 3) Endorses the appointment of the Chief Executive to act as director of the interim vehicle, once established, in accordance with the council's right to appoint one director under the terms of the proposed articles of association and members agreement; and
- 4) Delegates the function to make decisions on behalf of the council as member of the interim vehicle, once established, to the Planning and Infrastructure Portfolio Holder.

**Reason for decision:** The proposed delegations in the report require Cabinet approval.

## **116. ASHBY CANAL INFRASTRUCTURE INVESTMENT**

Councillor T Gillard presented the report, which sought Cabinet approval for the reallocation of funding from the Ashby Canal Trust and the reconstruction of the aqueduct over the Gilwiskaw Brook at Snarestone to Ashby Canal Association and the next phase of restoration of the Ashby Canal. The report and proposals within were welcomed by Members.

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

RESOLVED THAT CABINET:

- 1) Approves the reallocation of £20,000 to Ashby Canal Association for the purposes of the restoration of the Ashby Canal.
- 2) Endorse the Cultural Services Team Manager to enter into a grant funding agreement with Ashby Canal Association and make payment once the total project funding is secured.

**Reason for decision:** Cabinet approval is needed to reallocate the funding.

## **117. ADDITIONAL RESTRICTIONS GRANT (ARG)**

Councillor T Gillard presented the report, which sought approval from Cabinet to accelerate the spend of the Council's £2,850,000 Additional Restriction Grant fund award. As a consequence of government guidance an acceleration was required in order to ensure the Council received additional funding through the government's recently announced "Restart" grants for businesses. The report and proposals within were welcomed by Members.

It was moved by Councillor T Gillard, seconded by Councillor N Rushton, and

RESOLVED THAT CABINET:

- 1) Reviews and approves the Additional Restrictions Grant proposals set out in the report.

- 2) Delegates authority to the Section 151 Officer in consultation with the Business and Regeneration Portfolio Holder to review and amend the Additional Restrictions Grant proposals set out in the report, to respond and adapt to the changing economic environment and local business recovery needs.
- 3) Delegates authority to the Section 151 Officer in consultation with the Business and Regeneration Portfolio Holder to varying the funding allocations set out in this report to ensure to smooth administration of the various proposals in this report.
- 4) Delegates authority to the Section 151 Officer in consultation with the Business and Regeneration Portfolio Holder to award a contract for the delivery of the rapid business growth grants and the business start-up support initiative set out in this report
- 5) Delegates authority to the Strategic Director of Housing and Customer Services to award Enterprising growth grants up to and including the value £100,000.

**Reason for decision:** Guidance published by the Department for Business, Energy & Industrial Strategy in March 2021 now require local authorities to shorten their ARG spend profiles by 9 months from 31 March 2022 to 30 June 2021.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.33 pm

MINUTES of a meeting of the CABINET held in the Remote Meeting using Microsoft Teams on TUESDAY, 23 MARCH 2021

Present: Councillor R Blunt (Chairman)

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

Officers: Mrs B Smith, Mr J Arnold, Mr A Barton, Mrs T Bingham, Mr D Bates, Miss E Warhurst, Mr P Wheatley and Mr T Delaney

#### **104. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **105. DECLARATION OF INTERESTS**

There were no declarations of interest.

#### **106. AMENDMENTS TO THE TEST AND TRACE DISCRETIONARY POLICY**

Councillor R Bayliss presented the report, which sought Cabinet approval for changes to the nationally funded Test and Trace Discretionary Policy, in line with changes made by other local authorities in the Leicestershire Revenues and Benefits Partnership. The intention of the changes were to widen eligibility and therefore increase take-up of the scheme before its expiration in June 2021. The proposals in the report were welcomed by Members.

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

RESOLVED THAT CABINET:

- 1) Approves revision to the discretionary scheme by way of the following changes
  - Removal of the non-dependent restriction
  - Increase the capital limit to £2,000
- 2) Delegates authority to the Strategic Director of Housing and Customer Services in conjunction with the relevant Portfolio Holder to make further revision to the discretionary scheme as required for the duration of its existence.

**Reason for decision:** The original discretionary scheme was approved under the emergency decision making powers of the Chief Executive and did not include further delegation. The report seeks authority to revise the scheme to increase the number of eligible claimants.

#### **107. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor T Gillard, seconded by Councillor N Rushton and

RESOLVED THAT:

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

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

**108. NEEDHAM'S WALK COALVILLE**

Councillor R Blunt presented the report, which presented a proposal to Cabinet for the future use of land at Needham's Walk in Coalville. Members welcomed the report and its contents.

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

RESOLVED THAT:

The recommendations set out on pages 7 and 8 of the agenda be agreed.

**Reason for decision:** The Regeneration of Coalville is a priority in the Council Delivery Plan.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.17 pm

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>UPDATE ON AIR QUALITY MANAGEMENT AREAS &amp; SUBMISSION OF ANNUAL STATUS REPORT</b>	
<b>Presented by</b>	Andrew Woodman Community Services Portfolio Holder	
<b>Background Papers</b>	<a href="#">December 2020 Cabinet minutes</a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	None	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	None	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To ask cabinet to consider the annual status report for submission to DEFRA and to make decisions regarding the AQMAs. To approve the Air Quality Action Plan for Castle Donington for submission to DEFRA.	
<b>Reason for Decision</b>	Compliance with Part IV of the Environmental Protection Act 1995	
<b>Recommendations</b>	<b>THAT CABINET:</b> <ol style="list-style-type: none"> <li><b>1. APPROVES THE ANNUAL STATUS REPORT FOR SUBMISSION TO DEFRA</b></li> <li><b>2. APPROVES THE REVOCATION OF THE DERBY ROAD/LONDON ROAD, KEGWORTH AIR QUALITY MANAGEMENT AREA</b></li> <li><b>3. APPROVES THE REVOCATION OF THE BROOMLEYS/STEPHENSON WAY JUNCTION, COALVILLE AIR QUALITY MANAGEMENT AREA</b></li> <li><b>4. APPROVES THE AIR QUALITY ACTION PLAN FOR CASTLE DONINGTON FOR SUBMISSION TO DEFRA</b></li> </ol>	

**1.0 BACKGROUND**

**1.1** Following the air quality Cabinet report in December 2020, the Environmental Protection Team has implemented a number of actions.

**1.2** The Air Quality Delivery Plan has been updated and is attached at **Appendix 1**.

- 1.3 A working group has been established with key stakeholders and partners to develop the Air Quality Action Plan (AQAP) for Castle Donington Air Quality Management Area (AQMA). Although this is an AQMA for Castle Donington it does contain broader actions for the whole of the district.
- 1.4 The Air Quality Action Plan is attached at **Appendix 2**.
- 1.5 One of the actions within the delivery plan was to develop a supplementary planning document to provide guidance about dealing with air quality issues as part of proposed developments as it is a material planning consideration. The council's Planning Policy team has commenced work on this area and are looking at best practice to consider how to take this action forward.
- 1.6 North West Leicestershire has been working collaboratively with Leicestershire County Council on air quality. This has included the joint drafting of the air quality action plan for Castle Donington. This document not only looks at improving air quality within Castle Donington but will also have a positive impact on air quality across the whole of the district. Work has also continued on the Joint Strategic Needs Assessment (JSNA).
- 1.7 In order to meet the 6 objectives on the air quality chapter of the JSNA a working group called Air Quality and Health Partnership has been set up. The group meets every six weeks. There are also some task and finish groups that have been set up to achieve the actions. The Environmental Protection Team Manager is part of the Air Quality & Health Engagement task & finish group. This group will be tackling health inequalities through communication, understanding the barriers to behaviours change to air quality and seeking the views of those who live near to AQMA's.
- 1.8 As part of the delivery plan approved in 2020, a monitoring regime has been drafted to detail how and where the zephyr monitoring equipment will be used/installed. As locations include installation onto lampposts, permission has to be granted from Leicestershire County Council (LCC). An application for permission has been submitted and is awaiting approval. Once received the monitoring plan will be implemented.
- 1.9 In addition to the delivery plan, Coalville Special Expenses Working Party (CSEWP) requested additional monitoring in the Coalville area. The Environmental Protection Team has been working with CSEWP to consider the monitoring regime. At the CSEWP meeting on 20 April 2021 a monitoring plan and funding was agreed. This is also on the agenda this evening for the CSEWP minutes for approval.

## 2.0 ANNUAL STATUS REPORT

- 2.1 The district council has a duty to monitor Nitrogen Dioxide. This is monitored using diffusions tubes. There are 35 tubes around the district. A map of these locations can be found at **Appendix 3**.
- 2.2 To meet these responsibilities the council has a published Air Quality Strategy and as a result of assessing these pollutants there are currently 4 declared AQMAs for the exceedance of NO<sub>2</sub>.
- 2.3 All AQMA's are declared for exceeding the annual mean air quality standard for NO<sub>2</sub>:
- Derby Road/London Road, Kegworth

- This applies to domestic properties along Derby Road and London Road
- Bondgate, Castle Donington
  - This applies to domestic properties along Bondgate
- Copt Oak
  - This applies to 4 domestic properties at Corner Farm.
- Broomleys Road/Stephenson Way junction, Coalville
  - This applies to 4 domestic properties and pedestrians walking through the junction

**2.4** The ASR is a standard DEFRA template and is attached at **Appendix 4**. There have been changes this year to take account of Covid and the effects on traffic movements.

### **3.0 DERBY ROAD/LONDON ROAD, KEGWORTH AQMA**

**3.1** There are 7 diffusion tube locations with the AQMA and 1 location outside of the AQMA.

**3.2** Since 2014, results at these locations have been below the objective. There was a further reduction at two sites in 2018/2019 and this coincides with the opening of the Kegworth bypass at the end of 2018.

**3.3** It is therefore recommended that this AQMA is revoked.

### **4.0 BONDGATE, CASTLE DONINGTON AQMA**

**4.1** There are 3 diffusion tube locations within the AQMA and 6 other nearby locations.

**4.2** A relief road was opened in 2020 which will likely divert traffic away from the AQMA.

**4.3** Although the annual mean objective was met in 2020 it is not clear at this stage if this is as a result of Covid-19 restrictions on movement or the relief road.

**4.4** It is recommended that the proposed AQAP is approved for submission to DEFRA to further improve air quality in this area.

### **5.0 COPT OAK AQMA**

**5.1** There is 1 diffusion tube location within the AQMA and 2 locations outside the AQMA.

**5.2** All receptor locations were substantially lower than the standard.

**5.3** A location on the kerb of the M1 was exceeded but there are no relevant receptors linked to this location.

**5.4** Following a review of the monitoring locations, one of the diffusion tubes has recently been re positioned to the façade of the nearest residential property.

### **6.0 BROOMLEYS/STEPHENSON WAY JUNCTION, COALVILLE AQMA**

**6.1** There are 4 diffusion tube locations within the AQMA and 2 locations nearby.

**6.2** All locations have been below the objective since 2013.

6.3 It is therefore recommended that this AQMA is revoked.

## 7.0 NEXT STEPS

7.1 Lead officers will continue to monitor progress against the delivery plan and AQAP.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	- Developing a clean and green district
Policy Considerations:	None
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	None
Economic and Social Impact:	None
Environment and Climate Change:	Actions to reduce CO2 emissions will help improve air quality
Consultation/Community Engagement:	None
Risks:	None
Officer Contact	Paul Sanders Head of Community Services <a href="mailto:Paul.Sanders@nwleicestershire.gov.uk">Paul.Sanders@nwleicestershire.gov.uk</a>

**Air Quality Delivery Plan – Updated April 2021**

**KEY**

**Blue = Statutory for Environmental Protection**

**Green = Non-statutory already in progress**

**Grey = Non-statutory work to be discussed at the working group**

<b>Within next 12 months</b>				
<b>Category</b>	<b>Action</b>	<b>Status</b>	<b>Timescale/Resource</b>	<b>May 2021 Update</b>
AQMA's	AQMA 1 Kegworth – Revoke in ASR submitted in 2021/22	Pending	June 2021	Revoked in last year's ASR
	AQMA 2 M1 – Revoke in ASR submitted in 2021/22	Pending	June 2021	Requested in this Cabinet report
	AQMA 3 Castle Donington – Produce an action plan	In progress	Draft AQAP report by month TBC 2021 (Commissioned AQC to complete this work)	Action plan is included in this Cabinet report
	AQMA 4 Coalville – Revoke in ASR submitted in 2021/22	Pending	June 2021	Requested in this Cabinet report
	AQMA 5 Copt Oak – Look to undertake monitoring with a diffusion tube at nearest residential property	In progress	March 2021	New location has been installed
Monitoring	Set up monitoring tubes at: <ul style="list-style-type: none"> <li>• Market Street, Ashby – suggested in AQC report – no appropriate receptor</li> <li>• Kilwardby Street, Ashby – suggested in AQC report – no appropriate receptor</li> <li>• Derby Road/The Callis, Ashby – installed following a review of traffic data</li> <li>• Wood Street, Ashby – installed following a review of the traffic data</li> <li>• Belvoir Road, Coalville – suggested in AQC report – no appropriate receptor</li> </ul>	Complete	Installed summer 2020	Data from Derby Road, Ashby and Wood Street, Ashby included in the ASR report.  Traffic data and distance of receptors for Melbourne Road, Ibstock has shown monitoring in this location is not required.

	<ul style="list-style-type: none"> <li>London Road, Coalville – suggested in AQC report – following the demolition of the buildings behind the ford dealership this is no longer an issue as the canyon has been removed</li> <li>Central Road, Coalville – already monitored</li> <li>Melbourne Road, Ibstock – suggested in AQC report – awaiting traffic data</li> </ul>			
Monitoring	Develop monitoring plan for use of mobile monitoring equipment	In progress	December 2020	Awaiting feedback on lamppost surveys
Collaborative working	Work with Climate Change officer to ensure delivery of schemes to get to carbon zero road map will positively impact on air quality (eg EVs/ district heating networks etc)	Ongoing action	To work with Climate Change timescales, can deliver within current resource	This is included in the AQAP
Collaborative working	Collaboration with County on Transport Schemes and Promotion of Low Emission Transport	Leicestershire AQ working Forum established. Working group for the LCC joint AQ and Health Action Plan at County level. This is integral part of LCC joint AQ and Health Action Plan	Can deliver within current resources but actions that come out of the group may require additional resources	This is included in the AQAP
Public Information	Clean air day, school streets, school education etc. possibly in collaboration with LCC transport/ public health Integral part of LCC joint AQ and Health Action Plan	Suggested action for discussion	Will require additional resource – officer time and promotional material (£3K). Can apply for Defra grant	Ongoing through the Health Partnership with LCC
Collaborative working with County Public Health	Recommendation at the next County Public Health air quality workshop that:	Suggested action for discussion	Will require additional resource – desktop study £4-12K	This will be progressed through the steering group

	<ul style="list-style-type: none"> <li>Desktop study to investigate PM<sub>2.5</sub> concentrations/sources. Source apportionment for PM<sub>2.5</sub> based on available information (background maps etc). Undertaken in NWL, which would include source apportionment, in order to be able target actions better. Investigate strategies and costs for monitoring PM<sub>2.5</sub></li> </ul>		depending on level of detail within the study Monitoring strategy may include purchase or hire of additional equipment. Would use information obtained in Joint Strategic Needs Assessment Air Quality Action Plan.	
Planning	Workshop for planners to increase knowledge of air quality and improve collaborative working. Improving planning process is 1 of main 3 aims of LCC joint AQ and Health Action Plan	Suggested action for discussion	Will require additional resource – probably £2-4K depending on how large the workshop is, number of sessions etc	This will be progressed through the steering group
<b>Within 12-24 months</b>				
<b>Category</b>	<b>Action</b>	<b>Status</b>	<b>Timescale/Resource</b>	
Planning	Supplementary Planning Document to recognise the importance of air quality as a material planning consideration and to help ensure consistency in the approach to dealing with air quality when determining planning applications in the district, including the approach to mitigation.	Suggested action for discussion	Will require additional resource – approx. £6K	This is being progressed through the steering group
Collaborative working with County Public Health	Monitoring PM <sub>2.5</sub> - Use outcomes of investigations re: monitoring and sources, as well as collaboration with County to implement monitoring at key locations as part of wider county strategy.	Suggested action for discussion	Depends on outcome of above. Will require additional resource – officer time/ outsource and additional capital for monitoring. Monitoring costs will depend on how many monitoring sites/ what equipment/ how long monitor.	This will be picked up through the steering group once the desk top study is completed

<b>Within 24-36 months</b>				
<b>Category</b>	<b>Action</b>	<b>Status</b>	<b>Timescale/Resource</b>	
Collaborative working with County Public Health	Improving PM <sub>2.5</sub> - Measures to reduce emissions of PM <sub>2.5</sub>	Suggested action for discussion	Depends on outcome of above. Unclear until undertaken preparatory work but will require additional resource	This will be picked up through the steering group once the desk top study is completed



## North West Leicestershire District Council Air Quality Action Plan

In fulfilment of Part IV of the  
Environment Act 1995  
Local Air Quality Management

May 2021

## North West Leicestershire District Council

Local Authority Officer	Minna Scott, Public Protection Team Leader Clare Proudfoot, Environmental Protection Team Manager
Department	Environmental Protection
Address	North West Leicestershire District Council Council Offices Whitwick Road Coalville Leicestershire LE67 3FJ
Telephone	01530 454545
E-mail	Environmental.protection@nwleicestershire.gov.uk
Report Reference number	J4126/2/D1
Date	May 2021

## Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action we will take to improve air quality in North West Leicestershire between 2021 and 2026.

This action plan replaces the previous action plan which ran from 2005. Projects delivered through the past action plan include the Kegworth bypass and various measures to reduce congestion on the M1, but the previous Action Plan did not include the Castle Donington, Coalville or Copt Oak AQMAs which were declared in 2008.

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas<sup>1,2</sup>.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion<sup>3</sup>. North West Leicestershire District Council is committed to reducing the exposure of people in North West Leicestershire to poor air quality in order to improve health. Ongoing work in collaboration with public health staff at Leicestershire County Council is being undertaken through the Joint Strategic Needs Assessment (JSNA) and associated action plan. There are a number of complementary measures to both documents, particularly around encouraging active travel.

Actions have been developed that both address the nitrogen dioxide air quality objective exceedance on Bondgate in Castle Donington, but also to address more strategic issues to try and reduce emissions of both nitrogen dioxide and PM<sub>2.5</sub> across the district in order to improve health in a more equitable way. The measures can be considered under seven broad topics:

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<sup>1</sup> Environmental equity, air quality, socioeconomic status and respiratory health, 2010

<sup>2</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

## North West Leicestershire District Council

- Castle Donington Relief Road and related traffic management measures
- Promotion of Behaviour Change away from Single Occupancy Private Vehicle Use
- Promotion of the Use of Alternatively Fuelled Vehicles
- Supporting Actions in the Zero Carbon Road Map Action Plan
- Developing Planning Policies to Support Better Air Quality
- Supporting and Collaborating with Leicestershire County Council on wider Public Health projects
- Controlling Domestic Emissions

Our priorities are to ensure that the air quality objectives are met in Castle Donington, largely through the relief road, which is already in place, and associated measures, some of which are still to be implemented, and also to reduce emissions more generally across the district through collaborative working with other policy areas such as County transport, public health, planning and work underway to tackle the Climate Emergency declared in North West Leicestershire. We will ensure that air quality is considered within the review of the Local Plan, within transport schemes and within other policy areas which are looking to reduce vehicle use, either by encouraging active travel, by reducing travel demand, encouraging freight onto different modes, or increase the use of non-diesel and petrol vehicles. By taking this more strategic approach, air quality and the associated health outcomes should improve more generally across the district.

In this AQAP we outline how we plan to effectively tackle air quality issues within our control. However, we recognise that there are a large number of air quality policy areas that are outside of our influence (such as vehicle emissions standards agreed in Europe), but for which we may have useful evidence, and so we will continue to work with regional and central government on policies and issues beyond North West Leicestershire's direct influence.

## Responsibilities and Commitment

This AQAP was prepared by the Environmental Protection team of North West Leicestershire District Council, with the assistance of Air Quality Consultants Ltd., with the support and agreement of the following officers and departments:

- Planning and Development team, NWLDC
- Health and Wellbeing team, NWLDC
- Public Health, LCC
- Climate Change Programme Manager, NWLDC

## North West Leicestershire District Council

- Traffic and Signals Team Manager, LCC

This AQAP has been approved by:

North West Leicestershire Cabinet meeting on 8 June 2021.

This AQAP will be subject to an annual review, appraisal of progress and reporting to the Head of Community Services. Progress each year will be reported in the Annual Status Reports (ASRs) produced by North West Leicestershire District Council, as part of our statutory Local Air Quality Management duties.

If you have any comments on this AQAP please send them to Minna Scott at:

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# 1 Introduction

This report outlines the actions that North West Leicestershire District Council (NWLDC) will deliver between 2021 and 2026 in order to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the North West Leicestershire authority's administrative area.

It has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

This Air Quality Action Plan (AQAP) will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported on annually within NWLDC's air quality Annual Status Report (ASR).

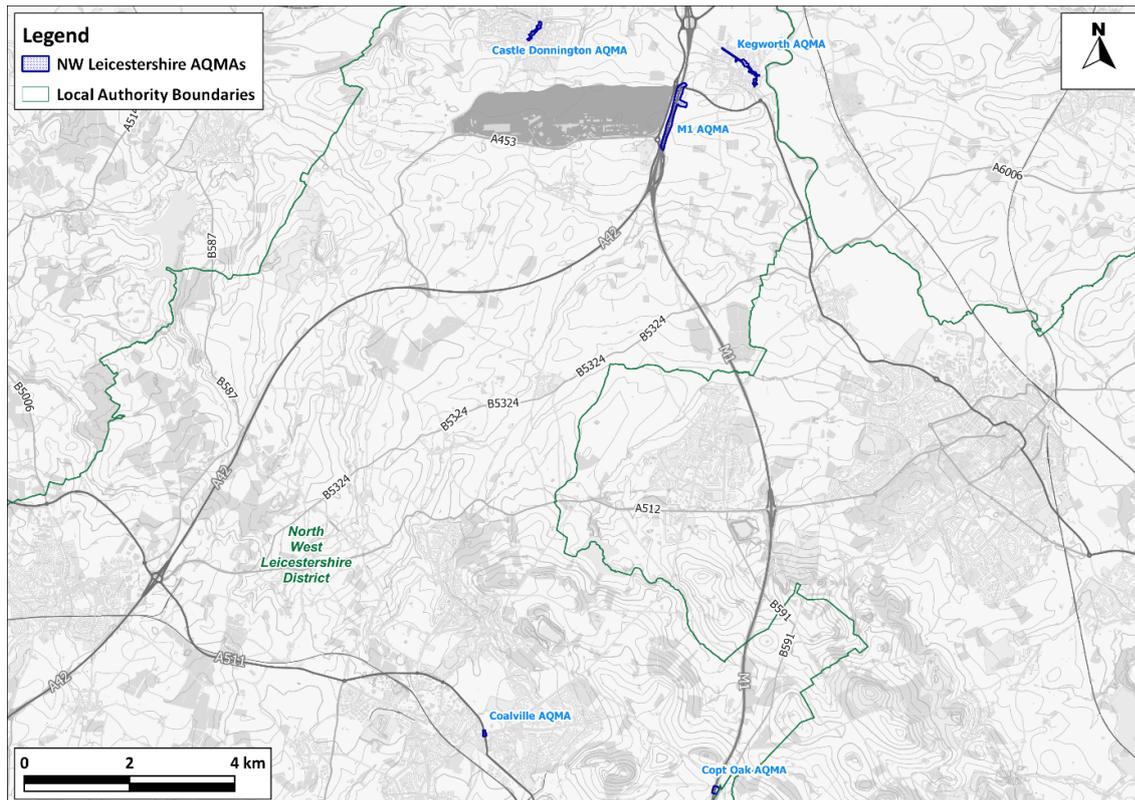
## 2 Summary of Current Air Quality in North West Leicestershire

Since the inception of LAQM a number of AQMAs have been declared and revoked in North West Leicestershire<sup>4</sup> and there are currently 4 AQMAs declared in the district (as shown in Figure 1 and described Table 1). The AQMA on the M1 was revoked in 2020. These are all locations where residential properties are (or were) near to roads, with road traffic being the dominant source of emissions. All of the AQMAs are in relation to nitrogen dioxide (NO<sub>2</sub>) (annual mean objective). The AQMAs include locations adjacent to the M1, and in smaller towns where congested narrow streets prevent full dispersion of pollutants and residential properties are close to the road. No exceedances of any of the other regulated pollutants, including PM<sub>10</sub>, have been identified in the district. A review of the AQMAs was undertaken in 2020 (prior to the revocation of the M1 AQMA), which concluded with the recommendations set out in Table 1.

It should be noted that at present, air pollution policy is mainly driven by exceedances of the NO<sub>2</sub> annual average objective or limit value, although the greater health impact of PM<sub>2.5</sub> is acknowledged. PM<sub>2.5</sub> at present is not a statutory air quality monitoring requirement for the District Council under the Local Air Quality Management regime. This is because at present the legal limits for PM<sub>2.5</sub> are higher than the World Health Organization's (WHO) health-based guideline limit and are met in most places in the UK. However, as the WHO recognises, the health evidence shows that there is no safe level of PM<sub>2.5</sub>, so any concentration-based target for PM<sub>2.5</sub> does not fully reflect the health evidence.

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<sup>4</sup> The historical context of LAQM can be found in the latest ASR (North West Leicestershire District Council, 2019)



**Figure 1: NW Leicestershire Air Quality Management Areas (AQMAs)**

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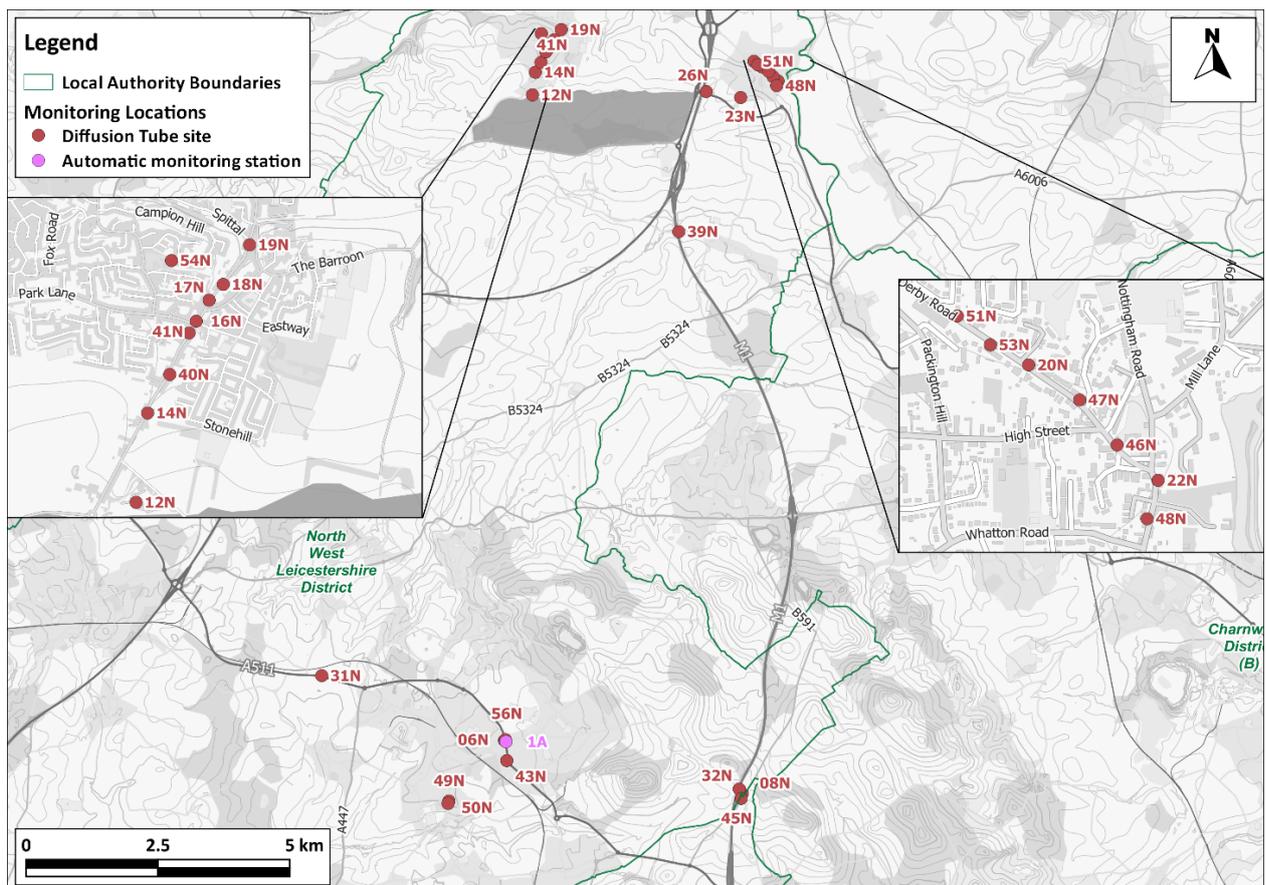
**Table 1: Current North West Leicestershire AQMAs**

No	Name	Objective	Year Declared	Description	Recommendation
1	Kegworth	NO <sub>2</sub> annual mean	2004	Busy trunk road fronted by residential properties	Based on monitored data it is recommended that AQMA 1 is revoked in the next ASR.
2	Castle Donington	NO <sub>2</sub> annual mean	2008	An area encompassing the High Street and Bondgate area of Castle Donington.	AQMA 3 should be retained and an Air Quality Action Plan (AQAP) produced to reduce concentrations within Castle Donington
3	Coalville	NO <sub>2</sub> annual mean/ NO <sub>2</sub> 1-hour mean	2008 (annual)/ 2012 (Hourly)	An area encompassing parts of Stephenson Way, Broom Leys Road and Bardon Road in Coalville.	Based on monitored data it is recommended that AQMA 4 is revoked in the next ASR.
4	Copt Oak	NO <sub>2</sub> annual mean	2009	An area of the village of Copt Oak that lies within the boundaries of NWLDC.	If feasible, it is recommended that a diffusion tube is installed on the facade of the property closest to the M1 with a view to

					revoking this AQMA
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As can be seen from Table 1 it is recommended that AQMAs 1 and 3 should be revoked, and a diffusion tube installed in AQMA 4 on the property closest to the M1 with a view to demonstrating that the AQMA can be revoked. It is only AQMA 2 (Castle Donington) where a clear exceedance of the annual mean nitrogen dioxide air quality objective was measured in 2019.

In order to support the LAQM regime, NWLDC carries out monitoring of nitrogen dioxide concentrations using a network of diffusion tubes, and previously at one automatic analyser. The diffusion tubes are focussed in or near AQMAs where the Review and Assessment process has identified the potential for air quality objective exceedances. All of the monitoring sites are shown in Figure 2.

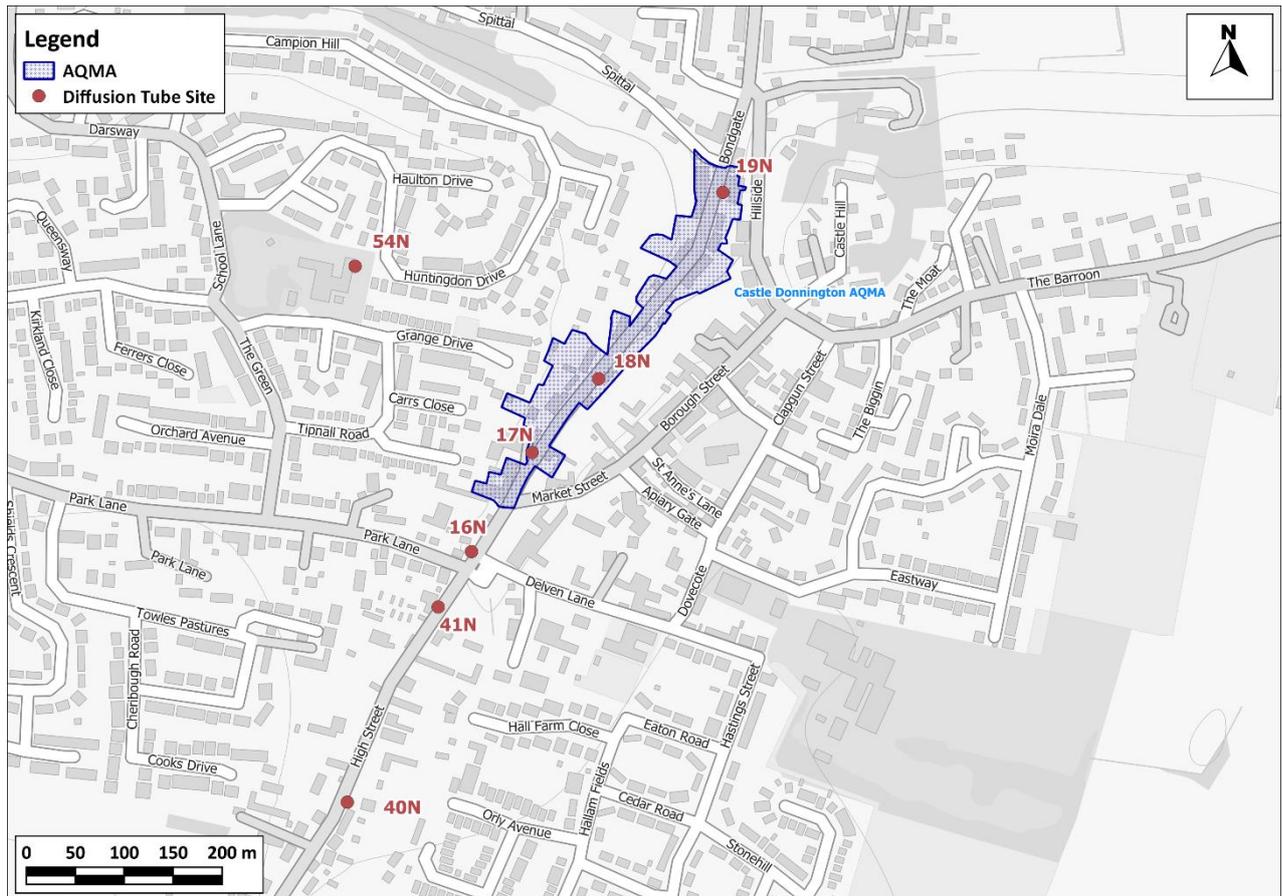


**Figure 2: NW Leicestershire Monitoring Locations**

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### 2.1.1 Castle Donington (AQMA 2)

Monitoring is carried out at six locations in Castle Donington, using diffusion tubes; 16N, 17N, 18N, 19N, 41N and 54N. Three of them (17N, 18N and 19N) are located within the AQMA (see Figure 3). As shown in Table 2, concentrations at the 17N and 19N sites have remained below the objective since 2013, whereas 18N has exceeded the objective for all years presented. As site 18N is located on the façade of a property, and therefore represents relevant exposure, the review concluded that the AQMA should be retained. It is likely that the area of exceedance in Castle Donington is confined to a short section of Bondgate. Site 18N is located on the façade of a property which fronts onto a narrow pavement, with a wall and dense foliage on the opposite side of the road which forms a short street canyon, preventing full dispersion of pollutants. There is also a slight gradient on this section of the road, which will increase acceleration of vehicles on this section, further increasing emissions locally. It is likely to be a combination of these factors which are contributing to the exceedance. The trend in nitrogen dioxide concentrations appears to be decreasing, which reflects national analysis over this time period (Air Quality Consultants Ltd, 2020). It is noted that concentrations at diffusion tube site 41N have been close to or exceeding the annual mean nitrogen dioxide objective over the last 7 years, but the tube is 4m closer to the road than the relevant façade. 2019 is the most recent representative year of monitoring data due to Covid 19 restrictions (and resulting traffic changes) that occurred in 2020.



**Figure 3: Castle Donnington AQMA and Nearby Monitoring Sites**

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**Table 2: Summary of Nitrogen Dioxide (NO<sub>2</sub>) Monitoring (2013-2019), Castle Donnington (µg/m<sup>3</sup>)**

Site No.	Location	2013	2014	2015	2016	2017	2018	2019
16N	Bondgate Crossroads	36.6	37.2	31.6	34.2	34.4	35.9	31.5
17N	13 Bondgate	37.1	37.1	31.6	31.1	32.4	37.0	30.9
18N	34 Bondgate	<b>49.5</b>	<b>53.0</b>	<b>45.7</b>	<b>49.8</b>	<b>47.8</b>	<b>51.9</b>	<b>42.1</b>
19N	94 Bondgate	32.4	32.9	25.9	32.6	28.6	30.7	27.3
41N	18 High Street	<b>41.3</b>	35.6	38.4	39.9	<b>42.7</b>	-	36.2
54N	Parking restrictions sign - 12 & 20 Park Lane	-	34.8	22.7	22.8	23.7	27.4	24.7
<b>Objective</b>		<b>40</b>						

NB Exceedances of the objectives are shown in bold.

## North West Leicestershire District Council

This AQAP focuses on Castle Donington with measures to reduce emissions on Bondgate. However, it should be noted that the Castle Donington Relief Road identified in the previous AQAP, which was completed in early 2020, should reduce traffic flows and thus concentrations along this road, as will improvements to the vehicle fleet, and it is therefore important that any other measures proposed within an AQAP are proportionate to the level of exceedance. Although the focus of the LAQM regime is to achieve the air quality objectives at hotspot locations such as in Castle Donington, it is also recognised that in order to improve the health of residents more widely, a reduction in emissions of both nitrogen dioxide and particulate matter (PM)<sup>5</sup> more widely across the district would have greater benefit. Exposure to air pollution over a period of years is thought to be the strongest driver of health impacts. However, current legislation and policy do not deal with exposure effectively. Exceedances of targets, such as air quality objectives, provide the clearest means of communication but do not reflect the evidence that there is no “safe” level for air pollutants such as PM<sub>2.5</sub> and probably NO<sub>2</sub>. This AQAP will therefore not only provide actions specific to Bondgate in Castle Donington, but also provide more strategic measures to ensure that emissions gradually reduce across the district (and the County) which should ensure that AQMAs are not required in the future.

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<sup>5</sup> PM is made up of small airborne particles, with PM<sub>10</sub> specifically particulate matter less than 10 micrometres in aerodynamic diameter and PM<sub>2.5</sub> particulate matter less than 2.5 micrometres in aerodynamic diameter. In terms of health effects, the larger fractions of PM<sub>10</sub> are thought to be able to penetrate into the upper airways, while PM<sub>2.5</sub> can penetrate deeper into the lungs. Both contain much smaller particles which, although they have very little mass, are far more numerous and can penetrate all areas of the lungs and even pass into the bloodstream

## 3 North West Leicestershire's Air Quality Priorities

There are a number of policies already in place which will help support air quality, which are outlined below. Most of these policies cannot be quantified in terms of the impact on pollutant concentrations at specific locations (which is the aim of this Action Plan), but they will lead to an overall reduction in emissions across North West Leicestershire, which in turn will reduce concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> and improve health.

### 3.1 Public Health Context

Air pollution is a major public health risk ranking alongside cancer, heart disease and obesity. A review by the World Health Organisation concluded that long-term exposure to air pollution reduces life expectancy by increasing the incidence of lung, heart and circulatory conditions. The Department of Health and Social Care's advisory Committee on the Medical Effects of Air Pollutants (COMEAP) has estimated that long-term exposure to man-made air pollution in the UK has an annual impact on shortening lifespans, equivalent to 28,000 to 36,000 deaths (COMEAP, 2018). Poor air quality can affect health at all stages of life. Those most affected are the young and old. In the womb, maternal exposure to air pollution can result in low birth weight, premature birth, stillbirth or organ damage. In children, there is evidence of reduced lung capacity, while impacts in adulthood can include diabetes, heart disease and stroke. In old age, a lifetime of exposure to air pollution can result in reduced life-expectancy and reduced wellbeing at end of life. There is also emerging evidence for a link between air pollution and an acceleration of the decline in cognitive function (Defra, 2019).

Poor air quality disproportionately affects the poorest and most vulnerable in our communities including children. Public health not only aims to improve health, but also reduce health inequalities by using an evidence-based approach to make recommendations on the delivery of health and wellbeing services. As such, this Action Plan will support work underway within the public health arena.

This Action Plan will complement work underway at County level. Public Health staff have drafted the Joint Strategic Needs Assessment (JSNA) and associated action

plan and these went to Leicestershire County Council Cabinet in October 2020<sup>6</sup>. Within the JSNA there is a chapter on air quality and health. The chapter recognises that by its nature, air quality cannot be controlled by geographical boundaries or by a single individual alone. Instead, collective, systematic efforts are required to reduce air pollution and its harmful effects on health. The key recommendation is that the Leicestershire Air Quality and Health Partnership Steering Group should agree a plan to deliver joint actions to tackle poor air quality and related health issues. Six objectives, and associated recommendations, are set out to form the basis of the partnership action plan, all of which are equally as relevant for this action plan:

1. Clear leadership, vision and strategic direction
2. Collaborative partnership working
3. Consideration of air quality and health in planning and development
4. Aligning air quality and health with environment and transport decisions
5. General communication with the public and organisations about air quality and health
6. Targeted communication and campaigns with priority groups and key organisations about air quality and health

## **3.2 Planning and Policy Context**

### **Local Plan**

The North West Leicestershire Local Plan was adopted in 2017 (North West Leicestershire District Council, 2017). This plan contains two policies relevant to air quality. Policy En6 'Land and Air Quality' states that:

*"Proposals for development on land that...is located...within or close to an Air Quality Management Area...will be supported where:*

- *A planning application is accompanied by a detailed investigation and assessment of these issues; and*
- *Appropriate mitigation measures are identified which avoid any unacceptably adverse impacts upon the site or adjacent areas..."*

Policy D2 'Amenity' states that:

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<sup>6</sup> <http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5998&Ver=4>

*“Proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it. As such, development proposals will be supported where...they do not generate a level of...pollution...which cannot be mitigated to an appropriate standard and so, would have an adverse impact on amenity and living conditions...”.*

The Local Plan is currently under review, having already undergone a partial review and now under a substantive review. The substantive review takes account of, amongst other things, changes that have occurred since adoption - including the publication of a new National Planning Policy Framework (NPPF). It will need to identify potential housing and employment sites to meet the identified need, along with the new infrastructure required as well as reviewing the existing policies. A number of specific consultations have already taken place with consultation on emerging options likely to take place later in 2021.

In and around Castle Donington specifically, there are sites already being promoted for housing and employment developments. These have the potential to significantly increase the volume of traffic on the highway network, including the recently opened relief road. In addition, planning applications for employment sites have also been submitted. In the longer term there are significant uncertainties in relation to planning and the scale of growth which might be required. This could include large scale developments, and also increased freight transport within the area. East Midlands Airport was successful in gaining freeport status in March 2021 which is likely to bring significant investment in the locality, and potentially increased traffic, although most of this is unlikely to be through the AQMA.

### **Local Air Quality Action Plan**

The previous NWLDC Air Quality Action Plan (2005) set out a series of measures by which the air quality objectives in AQMAs would be achieved. The Plan listed 26 actions within the following broad themes;

- Reducing vehicle emissions
- Improving the road network to reduce congestion
- Using area planning measures to reduce traffic volumes
- Reducing air pollution from industry, commerce and residential areas

- Changing levels of travel demand / promotion of alternative modes of transport

Measures successfully implemented include the Kegworth bypass and Castle Donington Relief Road, as well as a consideration of air quality with respect to planning applications and working with Leicestershire County Council on measures which improve the public transport network, encouraging modal shift to walking and cycling through work with schools and businesses, improving access to information regarding public transport and publicising air quality information on the Council website. This new AQAP aims to identify any additional measures required for Castle Donington, whilst building upon the on-going partnership working to further reduce emissions across the district.

### **Local Transport Plan (LTP)**

Leicestershire LTP3 outlines the long-term vision for transport in Leicestershire. LTP3 covers the whole of Leicestershire, excluding Leicester City. Leicester City Council has produced a separate plan that covers Leicester City, the area for which it is responsible (previously at LTP2, this was undertaken as one plan). There are 6 strategic goals including '*A transport system that helps to reduce the carbon footprint of Leicestershire*'. In relation to air quality LTP3 recognises the challenges of achieving the air quality objectives within the AQMAs and the need to identify solutions specifically for these locations, including Castle Donington. The LTP will continue to regularly review the approach that the long-term transport strategy and Implementation Plan are taking to ensure that they remain robust in the light of the changing circumstances that we find ourselves in, and the progress that we are making in delivering our LTP3 outcomes.

### **Climate Change**

In 2019 NWLDC declared a Climate Emergency and appointed specialist environmental consultants to help develop the council's response to the need to reduce the council's and the district's carbon emissions. This study proposes a comprehensive series of actions across the key sectors of electricity generation, buildings, transportation and land use. Most emissions reductions to date in the district are due to the UK's electricity supply becoming cleaner through the replacement of coal fired electricity generation with wind turbines and solar panels, though the district has made good progress in deploying solar technology. The

outcome from the consultant's work was the publication of a Zero Carbon Roadmap in November 2019. The Zero Carbon Roadmap and accompanying Action Plan were adopted by the council on 31 March 2020. The Action Plan focuses on carbon emissions, their sources and how to reduce them and identifies recommended actions which the Council needs to take in order to achieve Net Zero Carbon. The actions are wide ranging covering diverse sectors and have split up into two phases:

1. Recommended action plan to achieve a Net Zero Carbon Council by 2030
2. Recommended action plan to achieve a Net Zero Carbon District by 2050

The first phase refers to actions the Council must take to achieve net zero Green House Gas (GHG) emissions by 2030. The second action plan provides a broader set of actions that must be taken if the Council wishes to put NWLDC onto a pathway toward net zero GHG emissions by 2050. The second action plan specifically addresses the role of planning in helping to achieve zero carbon by 2050 identifying a number of actions including setting targets for both solar and wind capacity within the district, and other measures that could be considered as part of the substantive review of the Local Plan. The work in relation to achieving net zero carbon, by the Council, and subsequently the district, is still at a relatively early stage. However, by working in collaboration with the Climate Change Programme Manager, as this work evolves, many of the actions, particularly around energy use, use of low carbon vehicles (such as electric) and the encouragement of a shift to active travel will also support work to reduce emissions of local air pollutants, and vice versa.

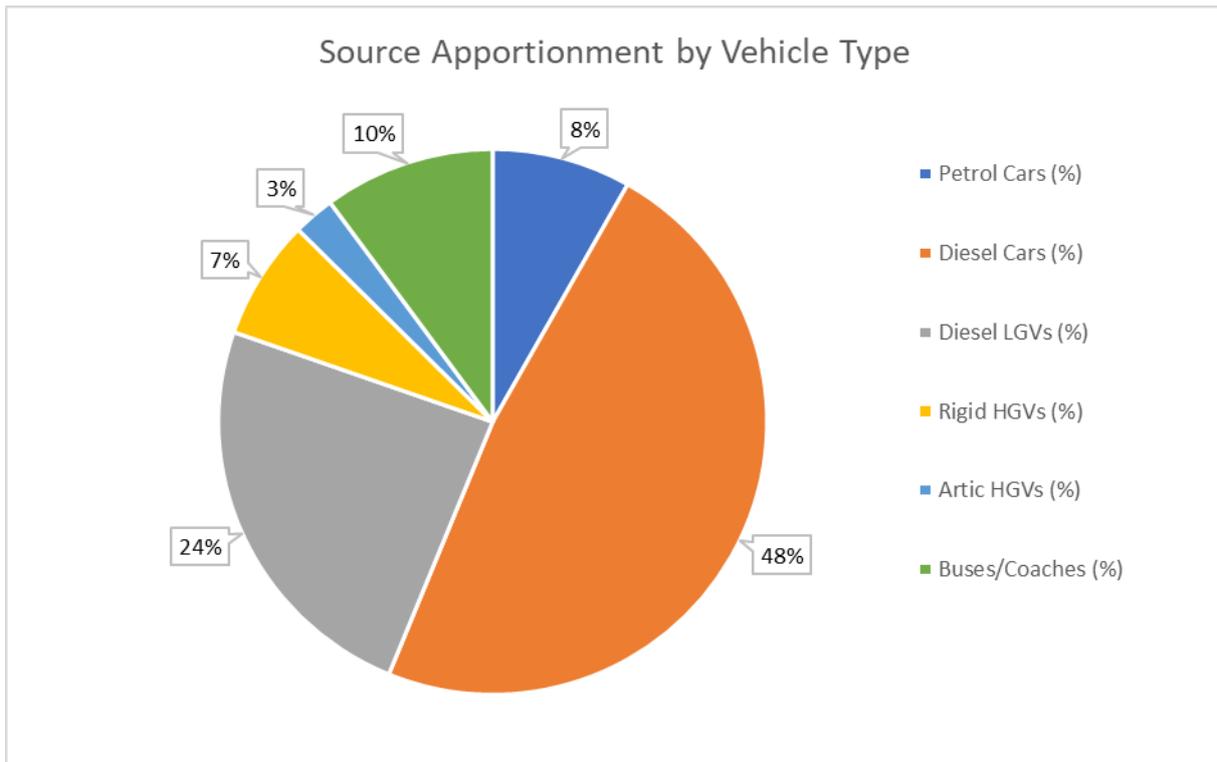
### **3.3 Source Apportionment**

The AQAP measures presented in this report are intended to be targeted towards the predominant sources of emissions within NWLDC's area.

A source apportionment exercise was carried out by Air Quality Consultants Ltd in support of this Action Plan. Traffic data for the section of Bondgate which currently exceeds air quality objectives were used. This was then run through the Defra Emission Factor Toolkit (version 10.1)<sup>7</sup> which identified that within the AQMA, the percentage source contributions of traffic emissions were as follows:

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<sup>7</sup> Available at <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>



**Figure 4: Source Apportionment by Vehicle Type in Bondgate, Castle Donington**

Figure 4 shows that the majority of the emissions within the AQMA were from diesel cars and LGVs with buses and coaches providing the next largest contribution followed by petrol cars. It is therefore considered that in relation to the AQMA specifically, a reduction in diesel cars and LGVs is required to achieve the nitrogen dioxide objective. This will be delivered largely through both reducing traffic going through Castle Donington and reducing the number of diesel vehicles by encouraging electric vehicles. Measures to smooth traffic flow are also included within this plan.

### 3.4 Required Reduction in Emissions

The improvement in road NOx emissions in order to meet the objective at monitoring site 18N, where measured concentrations exceeded the objective in 2019, is shown in Table 3. An 8.4% decrease in emissions is required to meet the objective at monitoring site 18N.

**Table 3: Percentage Decrease in Road NOx required to Meet Annual Mean NO<sub>2</sub> Objective at Local Monitoring Site (µg/m<sup>3</sup>) in 2019**

Receptor	Annual Mean Contribution (µg/m <sup>3</sup> )			% Decrease in Road NOx to Meet Objective
	Measured NO <sub>2</sub>	Background NOx	Background NO <sub>2</sub>	
			Road NOx	

18N	42.05	21.2	14.6	56.6	8.4
Objective	40	-	-	51.9	-

### 3.4.1 When will the objective be achieved?

Using the factors for adjusting roadside nitrogen dioxide concentrations to future years supplied by defra (<https://laqm.defra.gov.uk/tools-monitoring-data/roadside-no2-projection-factor.html>), concentrations at site 18N (42.05 µg/m<sup>3</sup> in 2019) should achieve the objective in 2021 (projected concentration = 42.05 X 0.8864 = 37.3 µg/m<sup>3</sup>) and is predicted to be at the objective in 2020 (these projections do not take into account any changes in traffic due to Covid restrictions or the implementation of the relief road). These adjustments should be used with some caution, but nonetheless, it is likely that the objective will be achieved in the next few years as the proportion of less polluting vehicles increase within the fleet. Therefore, the Action Plan, in order to be proportionate focuses on actions for Castle Donington which can be implemented within a short timescale. It should however be noted that this plan also contains more widespread strategic measures to reduce emissions more generally across the district.

## 3.5 Key Priorities

Based on the evidence provided above, the key priorities are:

- To reduce nitrogen dioxide concentrations in Bondgate, Castle Donington in order to achieve the air quality objective at this location. This will be achieved through the Castle Donington Relief Road and various supporting transport measures, including those to increase the proportion of electric vehicles in the fleet;
- To ensure that more strategic measures to reduce emissions of air pollutants (nitrogen dioxide and PM<sub>2.5</sub>) are in place to ensure wider benefits to health across the population. This will be achieved through collaborative work with; Leicestershire County Council on transport, planning colleagues to ensure that the planning system fully considers air quality implications of development, public health staff and climate change colleagues.

## 4 Development and Implementation of North West Leicestershire AQAP

### 4.1 Consultation and Stakeholder Engagement

In developing/updating this AQAP, we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 4.

The response to our consultation stakeholder engagement is given in Appendix A.

**Table 4: Consultation Undertaken**

Yes/No	Consultee
Yes	the Secretary of State
Yes	the Environment Agency
Yes	the highways authority (Leicestershire County Council)
Yes	all neighbouring local authorities
Yes	other public authorities as appropriate, such as Public Health officials
Yes	bodies representing local business interests and other organisations as appropriate

### 4.2 Steering Group

A Steering Group was set up in order to take this Action Plan revision forward. Up to the publication of the consultation draft, two Steering Group meetings have been held (28<sup>th</sup> January and 23<sup>rd</sup> February 2021). The meetings have involved setting out the background to the air quality issue in North West Leicestershire, the process of the Action Plan, recent work undertaken on air quality (review of air quality delivery and the AQMAs) and gaining input and insight into existing and future policy measures within North West Leicestershire and how these may assist in the implementation of measures within this Plan (and vice versa). Some discussions around evaluation of the measures included were also held. Leicestershire County Council, as Highways Authority are key to the implementation of the transport measures within the plan, and their input is paramount to the success of this plan. Public health colleagues within Leicestershire County Council have also been invaluable in the drafting of the

## **North West Leicestershire District Council**

plan. Planning and climate change officers within NWLDC have also been key to the AQAP process. The Steering Group will continue to be fully involved, and consulted on as the process continues, through comment on this draft report, and following a wider consultation.

## 5 AQAP Measures

Table 6 shows the NWLDC AQAP measures. It contains:

- a list of the actions that form part of the plan
- the responsible individual and departments/organisations who will deliver this action
- expected benefit in terms of pollutant emission and/or concentration reduction
- the timescale for implementation
- how progress will be monitored

**NB:** Please see future ASRs for regular annual updates on implementation of these measures

The following groups of measures, as outlined by Defra and categorised for reporting to the EU, have been considered. A brief overview of current practice is included in the Table 5:

**Table 5: Current Measures in North West Leicestershire**

EU Measure Category	Current practice
Alternatives to Private Vehicle Use	Investment in public transport has included a new bus service 'Airway 9' providing a direct link from Burton, through Swadlincote, Ashby-de-la-Zouch, Melbourne, the transport hub at East Midlands Airport (EMA) and on to the SEGRO Strategic Rail Freight Interchange.
Environmental Permits	Work to ensure that all industrial installations are permitted and visits etc. are up to date. Not likely to be a significant issue in Castle Donington.
Freight and Delivery Management	Freight is being considered through the planning system, in particular for applications related to the Strategic Rail Freight interchange, and other businesses around East Midlands Airport. It is recognised that recent changes such as East Midlands Airport gaining freeport status may increase freight in this area, but this is unlikely to impact on the AQMA in Castle Donington. Any applications, will, however be thoroughly assessed for their impact on air quality.
Policy Guidance and Development Control	Air quality is currently being considered within the planning system through assessments of planning applications, but this will be strengthened with the new Local Plan incorporating a more robust policy on air quality and accompanying Supplementary Planning Document on air quality.
Promoting Low Emission Plant	NWLDC recognises that although this Action Plan is focussing on transport, other sectors such as domestic and small plant should also be considered (see Action 7). A programme of development is being progressed to install Air Source Heat Pumps in council properties that currently use solid fuel or

## North West Leicestershire District Council

	storage heating.
Promoting Low Emission Transport	NWLDC is investing in EV infrastructure as part of the council's Zero Carbon ambition. Lower emission public transport is also being encouraged, for example the Skylink bus which has low emission buses on the route connecting Leicester with Derby and East Midlands Airport.
Promoting Travel Alternatives	Work has been undertaken around schools, for example the Living Street's Walk to School campaign to encourage walking and cycling, bikeability courses and other initiatives such as Walk and Stride. All of these current initiatives are being built on in this document.
Public Information	Leicestershire County Council is actively promoting air quality through an annual Clean Air Day, anti-idling campaigns at schools and the 'Choose How you Move' website.
Traffic Management	A number of traffic management measures have already been implemented such as the rephasing of traffic lights within Castle Donington.
Transport Planning and Infrastructure	Large scale infrastructure projects such as the Castle Donington Relief Road have already been implemented, which complement other work on promoting travel alternatives and low emission transport.
Vehicle Fleet Efficiency	Through the Zero Carbon Action Plan there are a number of measures to improve vehicle fleet efficiency including implementation of EV infrastructure for private vehicles and working with taxi drivers to encourage a switch to electric vehicles (for example through incentives in the form of lower vehicle licence fees for ULEV).

The following broad topics are covered in this Action Plan, with specific actions included for each one:

### **Action 1: Castle Donington Relief Road and supporting traffic management measures in Castle Donington**

The Castle Donington Relief Road opened in February 2020, funded by a consortium of developers. The road, which is in close proximity to East Midlands Airport, comprises of four roundabouts, providing access points to Charters Gate and the surrounding developments including Redrow Homes' Foxbridge Manor off Park Lane and a much-needed link from East Midlands Airport to the A50. The road connects Hill Top to Back Lane, and has been designed to improve traffic flow in the village. The relief road project is part of a £7.76 million investment into the Castle Donington area provided jointly by Redrow Homes and Miller Homes, which includes over £1.5m towards new bus services, bus stops and passes, alongside a £330,000 commitment to traffic calming measures in Castle Donington.

An Air Quality Assessment was undertaken as part of an Environmental Impact Assessment (EIA) of 895 new homes, employment use and provision of a primary school, which included the Castle Donington Relief Road as one of the modelled scenarios. The EIA was undertaken in 2012 and hence although some of the methodology is now out of date, it concluded that the proposed scheme would reduce air pollution at receptors along Hill Top, High Street, Bondgate and Park Lane. The greatest reduction was predicted to occur along Bondgate, due to the diversion of traffic along the proposed relief road.

It is anticipated that this measure, which will take vehicles out of the area of exceedance in Castle Donington and reduce congestion, will provide enough improvement in concentrations of nitrogen dioxide to achieve the air quality objective in Castle Donington. The traffic calming measures have not yet been implemented, but Leicestershire County Council is in discussion with Castle Donington Parish Council about the precise nature of the scheme.

Other traffic management measures have also been implemented in Castle Donington, including a traffic light rephasing in February 2018 with the aim to smooth traffic flow. Further signage is also planned to encourage more people to use the relief road.

In addition, work is planned to investigate the traffic impacts of relief road, but this has been delayed to avoid undertaking traffic measurements during times where Covid restrictions would influence the results.

**Funding Source:** Developer Contributions.

**Cost:** £7.76 million

### **Action 2: Promote Behaviour Change away from Single Occupancy Private Vehicle Use**

When considering solutions to reduce the environmental impacts of transport, it is important to first establish what drives transport demand. Access to efficient public transport will be of high importance in reducing demand for cars, including the provision of buses and bus priority measures in urban areas. Achieving change in travel mode choice to active travel can be an effective strategy to manage transport demand and so reduce NOx emissions. Changes in travel mode may come about through incentivisation, public engagement or a regulatory scheme. Measures to

## North West Leicestershire District Council

provide information on alternative ways of travelling or encouraging lift sharing can be implemented relatively quickly compared to provision of transport infrastructure or the development and introduction of cleaner vehicles, and in many cases can be a more cost-effective approach.

Leicestershire County Council (LCC) has a number of strategies aimed at promoting active travel (cycling and walking) and public transport which are largely being implemented through the LTP. LCC is currently drafting a Cycling and Walking Strategy for Leicestershire, which is due to be published in Summer 2021.

Consultation was undertaken between January and March 2021 in order to shape this document. The aim of the strategy will be to support more sustainable travel choices to help the environment and improve health and wellbeing.

Specific campaigns such as Living Streets' Walk to school campaign have been used successfully across the County, including an Active Travel to School project at Broom Leys Primary School in North West Leicestershire. These campaigns will be targeted at locations where air quality objectives are being exceeded, such as in Castle Donington. Castle Donington College and St Edwards CofE Primary school are in close proximity to the area of exceedance. Other school projects being implemented in Leicestershire include bikeability courses (delivery of on road and off road training to groups in schools, through clubs, to families or individually to children, adults, new learners and experienced cyclists), Modeshift Stars (Sustainable Travel Accreditation and Recognition for Schools) which is a national awards scheme to recognise schools demonstrating excellence in supporting cycling, walking and other forms of sustainable travel and Park and Stride (families who live too far away to walk the whole way to school, are encouraged to park a ten minute walk from school or if using public transport to get off a couple of stop earlier and walk the rest of the way on foot).

In addition to the LCC Cycling and Walking Infrastructure Strategy, NWLDC is also completing a cycling and walking strategy, which is currently being drafted.

Employers such as Leicestershire Rutland Sport have signed a pledge to encourage active travel in the workplace and there are likely to be further opportunities to work with employers based close to East Midlands Airport.

In relation to public transport, NWLDC has invested £100,000 in a bus service to help boost employment links and encourage people to change mode from private

vehicles. The council has co-funded the Airway 9 service with operator Midland Classic and other members of the East Midlands Enterprise Gateway (EMEG) Access to Work Partnership. The bus route, originally connecting people to Burton and Ashby-de-la-Zouch, was extended in October 2019 to provide a direct link from Burton, through Swadlincote, Ashby-de-la-Zouch, Melbourne, the transport hub at East Midlands Airport (EMA) and on to the SEGRO Strategic Rail Freight Interchange.

As part of the Department for Transport's Covid-19 Emergency Active Travel Fund, Leicestershire County Council were awarded funding for a series of works to encourage and support walking and cycling throughout the county. Although the schemes are temporary, and none will impact on Castle Donington, the measures will be closely monitored in order to inform decisions on future permanent measures.

Derby and Nottingham have received £161m for transport improvements through the Transforming Cities Fund which includes improvements to connectivity between Nottingham, Derby and East Midlands Airport including improvement of real time information, signal and bus lane priority for public transport across the region, expanding the rapid electric charge point network and upgrading cycle routes, including those in Castle Donington.

**Funding Sources:** Transforming Cities Fund, DfT, LCC

**Cost:** Lots of different schemes being implemented in different timescales – where known, costs have been included in text above.

### **Action 3: Promote the Use of Alternatively Fuelled Vehicles**

The primary objective of promoting a switch to low emission vehicles is the reduction of carbon and local pollutant emissions from transport. However, this measure does not have the additional benefits such as congestion reduction, or increased levels of physical activity that are generated by measures to encourage active travel modes. Provision of suitable infrastructure to support low emission vehicles is critical to their introduction. For commercial vehicle operators, the financial case for investing in electric vehicles is strongly dependent on ensuring high vehicle usage.

Lower emissions can also be realised through vehicle retrofit, which usually consists of the implementation of an on-board device that allows vehicles to comply with more stringent standards by reducing the emission of pollutants through technical

measures. Retrofit measures are usually either Exhaust Gas Recirculation (EGR) or Selective Catalytic Reduction and urea technology (SCR).

NWLDC is investing in EV infrastructure, having recently installed 12 new electric car charging points using a grant from the Office for Low Emission Vehicles (OLEV), with support from the Energy Saving Trust (EST). The charging points are part of the council's Zero Carbon ambition. There have been four new charging points installed at each of the following locations:

- Vicarage Street, Whitwick
- The Green, Thringstone
- Clapgun Street, Castle Donington

There will also be four charging points at the council's new Whitwick and Coalville Leisure centre, currently being built off the A511 Stephenson Way. Ashby-de-la-Zouch already has four electric charging points which were installed by NWLDC when North Street car park was renovated and extended in 2018. The EV charging infrastructure will be expanded in line with the work being delivered for the Zero Carbon Road Map Action Plan. There are currently feasibility studies underway at other car parks in the district with a view to apply for further OLEV funding.

A bus route serving East Midlands Airport has benefited from an ultra-low emission fleet through a £2.1m investment. Skylink provides a route connecting Leicester with Derby and East Midlands Airport. The 24 hours a day, seven days a week service provides a way for travellers to get to the airport and back, as well as helping workers commute to the growing number of employers at and around the airport. East Midlands Airport and the businesses in the East Midlands Enterprise Gateway (EMEG) area already employ 10,000 people, with a potential 20,000 new jobs to be created in the next 20 years. Each of the new buses exceeds Euro VI emissions standard and emits less nitrogen dioxide than a new car. They also use green stop-start technology to further reduce emissions.

Through the Zero Carbon Action Plan, NWLDC will be working with taxi drivers to encourage a switch to electric vehicles. Currently there are incentives in the form of lower vehicle licence fees for ULEV (15% discount on both new applications and renewals), and vehicles which do not achieve at least Euro 5 emissions standards are no to be longer licensed from April 2021, with vehicles requiring to be at least

Euro 6 standard from 1 January 2025. Future plans include information sharing with taxi drivers as to potential funding options for electric vehicles.

NWLDC has set a programme to incorporate electric vehicles as part of the future fleet capital programme. In the future, the aim is to create a roadmap and action plan to transition the existing council fleet to zero carbon/low carbon by 2030.

**Funding Sources and Partners:** Office for Low Emission Vehicles (OLEV), Energy Savings Trust (EST), neighbouring local authorities.

**Cost:** Lots of different schemes being implemented in different timescales – where known, costs have been included in text above.

#### **Action 4: Support Actions in the Zero Carbon Road Map Action Plan**

As outlined in section 3.2, NWLDC declared a Climate Emergency in 2019 and has subsequently started work on reducing greenhouse gas emissions both within the Council, and more widely across the district with the aim of achieving carbon net zero, within the council by 2030 and across the district by 2050. The following projects are underway, which will also provide benefits for local air pollutants:

- A programme of development is being progressed to install Air Source Heat Pumps in council properties that currently use solid fuel or storage heating. This work has been rolled out on a geographical basis commencing in Albert Village and Worthington. To date over 360 installations have been completed, with many of these of these having removed the need to burn solid fuel;
- 12 electric vehicle charging points being installed across the district, funded by the Office for Low Emission Vehicles (OLEV), with support from the Energy Saving Trust (EST) including 4 in Castle Donington (Clapgun Street), with a further 4 charging points at the council's new Whitwick and Coalville Leisure centre, currently being built off the A511 Stephenson Way; and
- The planned greening of the Council fleet to replace existing vehicles with electric.

This action is to further support the Climate Change Programme Manager to implement projects which will benefit reductions both in terms of greenhouse gases and local air pollutants. These will focus around infrastructure for electrifying the fleet, reducing domestic emissions and encouraging modal shift to active travel.

**Funding Sources:** Office for Low Emission Vehicles (OLEV), Energy Savings Trust (EST), NWLDC.

**Cost:** No specific Environmental Health budget, as ongoing collaborative work, budget available for enabling some of the activities in the roadmap.

**Action 5: Develop Planning Policies to Support Better Air Quality**

The appropriate regulatory framework is in place to guide new and existing developments to minimise emissions. All new developments are required to implement or support actions that make a positive contribution to improving air quality, for example by reducing travel demand and opening up possibilities for increasing cycling and walking. Air quality assessments for applications are undertaken where air quality is of specific concern.

It is, however, recognised that currently the inclusion of air quality into planning decisions in NWLDC is restricted to *“Proposals for development on land that...is located...within or close to an Air Quality Management Area”*. This has the potential to exclude applications which, for example, generate large traffic increases outside of AQMAs, or potentially to exclude applications which introduce relevant exposure into locations with unacceptable pollution concentrations (which would not be declared an AQMA because currently there is no relevant exposure).

This action is therefore to ensure that the review of the Local Plan includes a policy (or policies) specific to air quality, which will robustly ensure that air quality is considered across the district where air quality could be impacted. In relation to the new policy, NWLDC will write and implement a guidance document for developers on air quality, which will take the form of a Supplementary Planning Document (SPD). The aim of the guidance would be to ensure that air quality is considered fully and consistently within the development management process, that developers know what is required of them, and that mitigation, proportionate to the impacts of the development is routinely implemented. Good design principles that will reduce emissions (or exposure) can also be included within the SPD. The planning system could also be used to obtain contributions to air quality mitigation measures. The guidance will cover both the operational effects of development and construction

impacts. Emission limits for Non Road Mobile Machinery (NRMM)<sup>8</sup> could also be explicitly included. The scope of the guidance could potentially be broadened to incorporate climate change gas emissions, which is also likely to be dealt with more fully within the updated Local Plan.

In order to support increased knowledge of air quality among planners in advance of the new Local Plan, a workshop will be undertaken with planning officers (development management and planning policy) to increase collective knowledge of the air quality process and discuss how the process of assessing air quality within the planning process is undertaken.

**Funding Source:** Mainly from existing budgets. Planning system could generate funding for measures within this Action Plan through s106 contributions from developers.

**Cost:** Unknown, but mainly staff time

### **Action 6: Support and collaborate with Leicestershire County Council on wider Public Health projects**

As outlined in section 3.1, air pollution is a major public health risk disproportionately affecting the poorest and most vulnerable in our communities including children. Work underway at County level through the JSNA already aims to reduce poor health and mortality due to air pollution, among other public health risks.

The Environmental Protection team will work closely with the County Council to help implement the JSNA action plan through being an active member of the Health Partnership. The council has been actively engaging with Leicestershire County Council through the JSNA process and the publication of the action plan, and this action will continue, and build on, this collaborative working. The implementation of the JSNA air quality action plan will be through ongoing Health Partnership meetings with the districts, boroughs and Public Health Leicestershire.

There may be future opportunities for specific projects, for example county wide monitoring programme for PM<sub>2.5</sub>, which NWLDC can input. These opportunities will

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<sup>8</sup> Non-Road Mobile Machinery (NRMM) is a broad category which includes mobile machines, and transportable industrial equipment or vehicles which are fitted with an internal combustion engine and not intended for transporting goods or passengers on roads. NRMM, particularly from the construction sector, can be a significant contributor to air pollution in some locations.

be identified through the Health Partnership and resourced, where possible, using external funding. There are also likely to be collaborative opportunities for working on travel behaviour change initiatives and public information campaigns.

A further area of work being led by public health staff is an online portal for Health Impact Assessment (HIA) which will aim to reduce health inequalities and embed HIA into the planning process.

**Funding Source:** Funding through public health, internal budgets for staff time

**Cost:** No specific budget, as ongoing collaborative work

### **Action 7: Control Domestic Emissions**

Open fires and wood-burning stoves have risen in popularity over recent years. They are now an additional form of heating for many households in both urban and rural areas; for a minority they may be the sole heat source. In addition, there has been a growth of biomass boilers for home heating. This increase in burning solid fuels in our homes is having an impact on our air quality and now makes up the single largest contributor to UK wide Particulate Matter emissions at 38%<sup>9</sup>. This compares with industrial combustion (16%) and road transport (12%). What people burn and the appliance they use will have a significant impact on emissions. A recent report by King's College London<sup>10</sup>, measuring local concentrations, found that wood burning accounts for up to 31% of the urban derived PM<sub>2.5</sub> in London. Not all forms of domestic burning are equally polluting. The appliance (for example, stove or fireplace), how well it is used and maintained, and what fuels are burnt in it, all make a substantial difference to how much pollution is produced. Significant air quality benefits can be realised through a new efficient appliance as compared with an old stove or open fire. There are simple steps that households can take to limit emissions both indoors and out. Using cleaner fuels, in a cleaner appliance which is installed by a competent person, knowing how to operate it efficiently, and ensuring that chimneys are regularly swept, will all reduce emissions. However, a reduction in solid fuel burning towards non-polluting renewable sources of heat and power, will also reduce the overall emissions of this sector. Work being undertaken through the Roadmap to Zero Carbon Action Plan on domestic heating (i.e. increasing the

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<sup>9</sup> Clean Air Strategy 2019 <https://www.gov.uk/government/publications/clean-air-strategy-2019>

<sup>10</sup> Font, Fuller et al, 'Airborne particles from wood-burning in UK cities' (2017), [https://uk-air.defra.gov.uk/assets/documents/reports/cat05/1801301017\\_KCL\\_WoodBurningReport\\_2017\\_FINAL.pdf](https://uk-air.defra.gov.uk/assets/documents/reports/cat05/1801301017_KCL_WoodBurningReport_2017_FINAL.pdf)

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proportion of energy from solar, wind and heat pumps) will be supported, to reduce emissions of PM<sub>2.5</sub> from the domestic sector across the North West Leicestershire area.

The UK Clean Air Strategy provides a number of actions around solid fuel burning, including encouraging the uptake of cleaner stoves, working with business and industry to support educational schemes, taking forward potential measures to control the supply of the most polluting domestic fuels – including a ban on house coal, and restricting the sulphur content of smokeless fuels to 2% and prohibiting the sale of wet wood. NWLDC will support work being undertaken by the UK Government in reducing emissions from this source, and where necessary undertake local information campaigns to support the national message.

**Funding Source:** NWLDC

**Cost:** Already within budgets outlined above.

Table 6: Air Quality Action Plan Measures

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
1	Castle Donington Relief Road and supporting traffic management measures in Castle Donington	Traffic Management	Strategic Highway Improvements	LCC and NWLDC	2012-2019	2019-2020	Traffic flows on Bondgate in Castle Donington, and resulting nitrogen dioxide concentrations	Reductions large enough to achieve the annual mean NO <sub>2</sub> at all relevant monitoring locations	Road built and open. Traffic light rephasing complete. Post scheme monitoring still to be undertaken (delays due to impacts on traffic from Covid restrictions)	Completed February 2020	Traffic calming measures still to be implemented
2	Promote Behaviour Change away from Single Occupancy Private Vehicle Use	Promoting Travel Alternatives	Encourage/ facilitate home working, intensive active travel campaign & infrastructure, Personalised Travel Planning, Promotion of Cycling, Promotion of Walking, School Travel Plans, Workplace Travel Planning	LCC and NWLDC	Ongoing	Ongoing and 2021 onwards	Monitoring strategy for LTP includes	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Ongoing work with schools mainly, and travel plans through planning system. Local Cycling and Walking Infrastructure plan being drafted	Ongoing for the measure as a whole, late 2021 for LCC Local Cycling and Walking Infrastructure Plan	
3	Promote the use of Alternatively Fuelled Vehicles	Promoting Low Emission Transport	Priority Parking for LEVs, procuring alternative refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging, taxi emission incentives, taxi licensing conditions	LCC and NWLDC	Ongoing	Ongoing and 2021 onwards	Proportion of alternatively fuelled vehicles in the fleet on Leicestershire's roads	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	EV charging points increasing in NWL as funding will allow, ultra low emission buses on Skylink route	Ongoing with Zero Carbon Road map	

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Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
4	Support Actions in the Zero Carbon Road Map Action Plan	Wide range of measures spanning a number of categories	Wide range of measures spanning a number of categories	NWLDC	Ongoing	Ongoing and 2021 onwards	Wide range of measures, therefore range of KPIs, which will be driven by Climate Emergency work	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	EV infrastructure, work on some council properties, some housing stock changed to air source heat pumps	Ongoing with Zero Carbon Road map	
5	Develop Planning Policies to Support Better Air Quality	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance, Low emission strategy, other policy, regional groups	NWLDC	2021	2021-2022	Broader Policy in Local Plan, SPD on Air Quality	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Discussions between EH and planning on review of Local Plan	2023	
6	Support and collaborate with LCC on wider Public Health projects	Policy Guidance and Development Control	Regional Groups Co-ordinating programmes to develop Area wide strategies to reduce emissions and improve air quality	LCC and NWLDC	2021-2022	2021-2026	n/a as no specific projects identified as yet	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Ongoing Health Partnership meetings with the districts, boroughs and Public Health Leicestershire.	n/a	Non statutory function will require additional resources to implement
7	Control Domestic Emissions	Promoting Low Emission Plant	Regulations for fuel quality for stationary and mobile sources	NWLDC	2021	2022	Level of solid fuel burning	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Some council housing stock changed to air source heat pumps	n/a	Very difficult to quantify any change without detailed survey work

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## Appendix A: Response to Consultation

Table A.1 – Summary of Responses to Consultation and Stakeholder Engagement on the AQAP

Consultee	Category	Response
		To be completed following consultation

## Appendix B: Reasons for Not Pursuing Action Plan Measures

Table B.1 – Action Plan Measures Not Pursued and the Reasons for that Decision

Action category	Action description	Reason action is not being pursued (including Stakeholder views)
Currently no actions specifically <i>not</i> being pursued		

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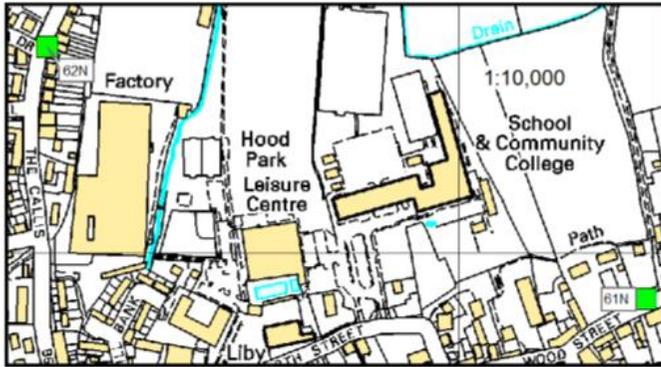
## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality objectives
AQC	Air Quality Consultants Ltd
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
COMEAP	Committee on the Medical Effects of Air Pollution
Defra	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
EFT	Emission Factor Toolkit
EGR	Exhaust Gas Recirculation
EIA	Environmental Impact Assessment
EMA	East Midlands Airport
EST	Energy Savings Trust
EU	European Union
EV	Electric Vehicle
HGV	Heavy Goods Vehicle
JSNA	Joint Strategic Needs Assessment
LAQM	Local Air Quality Management
LCC	Leicestershire County Council
LGV	Light Goods Vehicle

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LTP	Local Transport Plan
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
NRMM	Non Road Mobile Machinery
NWLDC	North West Leicestershire District Council
OLEV	Office for Low Emission Vehicles
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
SCR	Selective Catalytic Reduction
SPD	Supplementary Planning Document
ULEV	Ultra Low Emission Vehicle

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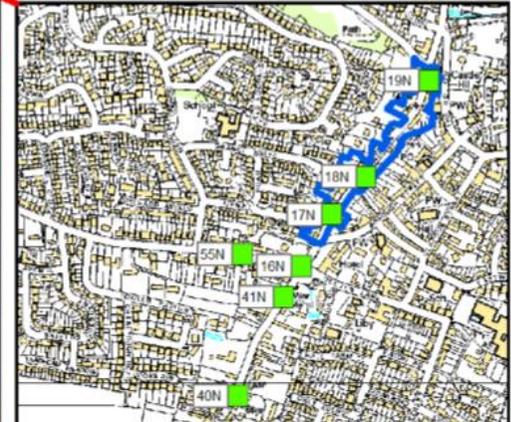
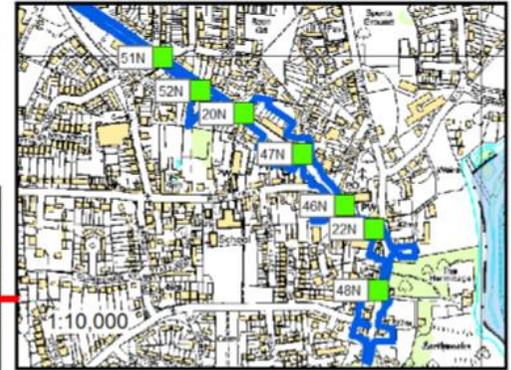
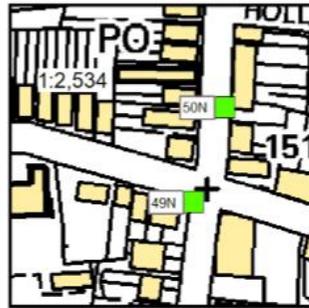
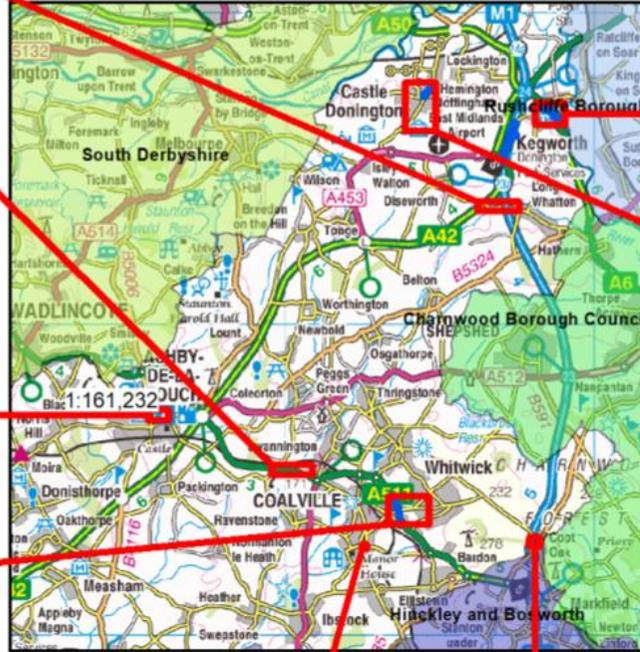


North West  
Leicestershire  
DISTRICT COUNCIL

- Legend**
- Diffusion Tubes
  - AQMA



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# 2021 Air Quality Annual Status Report (ASR)

In fulfilment of Part IV of the Environment Act 1995  
Local Air Quality Management

Date: June, 2021

<b>Information</b>	<b>North West Leicestershire District Council Details</b>
<b>Local Authority Officer</b>	Gareth Rees
<b>Department</b>	Environmental Protection Community Services
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<b>Report Reference Number</b>	NWLDC-ASR-2021-v1
<b>Date</b>	June, 2021

## Executive Summary: Air Quality in Our Area

### Air Quality in North West Leicestershire

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children, the elderly, and those with existing heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often less affluent areas<sup>1,2</sup>.

The mortality burden of air pollution within the UK is equivalent to 28,000 to 36,000 deaths at typical ages<sup>3</sup>, with a total estimated healthcare cost to the NHS and social care of £157 million in 2017<sup>4</sup>.

### Actions to Improve Air Quality

Whilst air quality has improved significantly in recent decades, and will continue to improve due to national policy decisions, there are some areas where local action is needed to improve air quality further.

The 2019 Clean Air Strategy<sup>5</sup> sets out the case for action, with goals even more ambitious than EU requirements to reduce exposure to harmful pollutants. The Road to Zero<sup>6</sup> sets out the approach to reduce exhaust emissions from road transport through a number of mechanisms; this is extremely important given that the majority of Air Quality Management Areas (AQMAs) are designated due to elevated concentrations heavily influenced by transport emissions.

In this reporting year, the Action Plan covering the AQMA in Castle Donington has been drafted (and submitted to Defra alongside this ASR). Actions have been developed that both address the nitrogen dioxide air quality objective exceedance on Bondgate in Castle

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<sup>1</sup> Public Health England. Air Quality: A Briefing for Directors of Public Health, 2017

<sup>2</sup> Defra. Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Air quality appraisal: damage cost guidance, July 2020

<sup>4</sup> Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

<sup>5</sup> Defra. Clean Air Strategy, 2019

<sup>6</sup> DfT. The Road to Zero: Next steps towards cleaner road transport and delivering our Industrial Strategy, July 2018

Donington, and more strategic issues to try and reduce emissions of both nitrogen dioxide and PM<sub>2.5</sub> across the district in order to improve health in a more equitable way. The measures have been considered under seven broad topics:

- Castle Donington Relief Road and related traffic management measures;
- Promotion of Behaviour Change away from Single Occupancy Private Vehicle Use;
- Promotion of the Use of Alternatively Fuelled Vehicles;
- Supporting Actions in the Zero Carbon Road Map Action Plan;
- Developing Planning Policies to Support Better Air Quality;
- Supporting and Collaborating with Leicestershire County Council on wider Public Health projects; and
- Controlling Domestic Emissions.

The Castle Donington Relief Road opened in February 2020, and is part of a £7.76 million investment into the Castle Donington area provided jointly by Redrow Homes and Miller Homes. This investment includes over £1.5m towards new bus services, bus stops and passes, alongside a £330,000 commitment to improving traffic calming measures in Castle Donington. It is anticipated that this measure, which will take vehicles out of the area of exceedance in Castle Donington and reduce congestion, will provide enough improvement in concentrations of nitrogen dioxide to achieve the air quality objective in Castle Donington. The outcomes of this measure will be monitored both using traffic counts, and nitrogen dioxide diffusion tubes, and will be evaluated when there is enough long-term data collected during periods of representative traffic flow.

## Conclusions and Priorities

The ASR concludes that

- there are no new areas likely to be exceeding air quality objectives

In 2021 the council plans to

- undeclare Coalville AQMA
- undeclare Derby Road/London Road, Kegworth AQMA
- Develop, publish and implement AQMA action plan

## Local Engagement and How to get Involved

The main contributions that our community can make to improving air quality are around minimising emissions from traffic and other sources and limiting exposure at times of poor air quality. Specifically that means avoiding unnecessary car use for short journeys, utilising public transport where possible, buying and maintaining low emissions vehicles and being linked in to the national alert system for predicted episodes of poor air quality.

The public can get further information on Air Quality from the following websites

- North West Leicestershire District Council Air quality website  
[http://www.nwleics.gov.uk/pages/air\\_quality](http://www.nwleics.gov.uk/pages/air_quality)
- DEFRA's UK-AIR: Air information Resource website  
<https://uk-air.defra.gov.uk/>
- DEFRA's Local Air Quality Management (LAQM) Support website  
<http://laqm.defra.gov.uk/>
- Environmental Protection UK Air Pollution website  
<http://www.environmental-protection.org.uk/policy-areas/air-quality/about-air-pollution/>

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## 1 Local Air Quality Management

This report provides an overview of air quality in North West Leicestershire during 2020. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995) and the relevant Policy and Technical Guidance documents.

The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives. This Annual Status Report (ASR) is an annual requirement showing the strategies employed by North West Leicestershire District Council to improve air quality and any progress that has been made.

The statutory air quality objectives applicable to LAQM in England are presented in Table E.1.

## 2 Actions to Improve Air Quality

### 2.1 Air Quality Management Areas

Air Quality Management Areas (AQMAs) are declared when there is an exceedance or likely exceedance of an air quality objective. After declaration, the authority should prepare an Air Quality Action Plan (AQAP) within 12 months setting out measures it intends to put in place in pursuit of compliance with the objectives.

A summary of AQMAs declared by North West Leicestershire District Council can be found in Table 2.1. The table presents a description of the 4 AQMAs that are currently designated within North West Leicestershire District Council Appendix D: Map(s) of Monitoring Locations and AQMAs, provides maps of AQMAs and also the air quality monitoring locations in relation to the AQMAs. The air quality objectives pertinent to the current AQMA designations are as follows:

- NO<sub>2</sub> annual mean;

We propose to revoke Coalville and Kegworth AQMAs (see monitoring section and Appendix C2).

Table 2.1 – Declared Air Quality Management Areas

AQMA Name	Date of Declaration	Pollutants and Air Quality Objectives	One Line Description	Is air quality in the AQMA influenced by roads controlled by Highways England?	Level of Exceedance: Declaration	Level of Exceedance: Current Year	Name and Date of AQAP Publication	Web Link to AQAP
Kegworth	26/07/2004	NO <sub>2</sub> Annual Mean	Busy trunk road fronted by residential properties	NO	44 µg.m <sup>-3</sup>	18.4 µg.m <sup>-3</sup>		
Castle Donington	09/01/2008	NO <sub>2</sub> Annual Mean	An area encompassing the High Street and Bondgate area of Castle Donington.	NO	47.8µg.m <sup>-3</sup>	30 µg.m <sup>-3</sup>		
Coalville	09/01/2008	NO <sub>2</sub> Annual Mean	An area encompassing parts of Stephenson Way, Broom Leys Road in Coalville.	NO	48 µg.m <sup>-3</sup>	27.6 µg.m <sup>-3</sup>		
Copt oak	30/07/2009	NO <sub>2</sub> Annual Mean	An area of the village of Copt Oak that lies within the boundaries of NW Leicestershire District Council.	YES	44 µg.m <sup>-3</sup>	39 µg.m <sup>-3</sup>		

North West Leicestershire District Council confirm the information on UK-Air regarding their AQMA(s) is up to date.

North West Leicestershire District Council confirm that all current AQAPs have been submitted to Defra.

## 2.2 Progress and Impact of Measures to address Air Quality in North West Leicestershire District Council

Defra's appraisal of last year's ASR concluded

1. Concentrations have now been added to the revised 2020 ASR
  - This has been added to the report in Table 2.1
2. There is currently no record of any AQAPs having been completed on the RSW (Report Submission Website) and no new AQAPs can be seen on the Council's website. One of the priorities from the appraisal of the 2019 ASR was to develop a new AQAP. This continues to be a priority. If the Council need guidance on this, please contact the LAQM Helpdesk.
  - The council has commissioned Air Quality Consultants to draft an Air Quality Action Plan
  - The council intend to undeclare the Coalville and Kegworth AQMAs
  - The council is attempting to improve monitoring in the Copt Oak AQMA to confirm if the AQMA actually exists as this is still unclear
  - An AQAP for Castle Donington has been submitted to DEFRA with this ASR. This also covers the broader air quality improvements being sought by the Council in collaboration with other stakeholders. An AQAP will be required for Copt Oak if data substantiates an air quality issue.
3. This has been addressed by the Council and an explanation has been provided in the revised 2020 ASR.
  - The 2020 ASR was revised to address this comment
4. The Council has provided further discussion in their revised 2020 ASR.
  - The 2020 ASR was revised to address this comment
5. This has been addressed.
  - The 2020 ASR was revised to address this comment
6. It can be seen that the National Bias adjustment factor has been used in the ASR however there is no supporting evidence provided in the Appendix or in any of the additional files provided. The only evidence of an adjustment factor is in the additional file 'NWLDC-ASR-2020 - appendix C2 ', however this again refers to a local bias adjustment calculation for Marylebone Road which is not within the Council's jurisdiction. When the national bias adjustment factor is checked for when the ASR was submitted (May 2020) the Gradko

50% TEA acetone factor is correct as 0.87. The inclusion of the Marylebone file is misleading and the Council are advised to only present evidence for the relevant bias adjustment factor.

- The file included is part of Gradkos QA/QC document on precision and is included in their precision calculation spreadsheet. As stated in the report we used the National Bias Adjustment factor.

7. Distance correction calculations are encouraged to be included in future ASRs.

- The Diffusion Tube Data Processing Tool has been included as appendix C1

North West Leicestershire has taken forward a number of direct measures during the current reporting year of 2021 in pursuit of improving local air quality. Initially, a review of air quality delivery was undertaken, which included a review of the AQMAs in relation to whether there were still exceedances of the relevant air quality objectives. The review of concluded with the recommendations set out in Table 2.2.

**Table 2.2 – North West Leicestershire AQMAs**

No	Name	Objective	Year Declared	Description	Recommendation
1	Kegworth	NO <sub>2</sub> annual mean	2004	Busy trunk road fronted by residential properties	Based on monitored data it is recommended that AQMA 1 is revoked in the next ASR.
2	Castle Donington	NO <sub>2</sub> annual mean	2008	An area encompassing the High Street and Bondgate area of Castle Donington.	AQMA 2 should be retained and an Air Quality Action Plan (AQAP) produced to reduce concentrations within Castle Donington
3	Coalville	NO <sub>2</sub> annual mean/ NO <sub>2</sub> 1-hour mean	2008 (annual)/ 2012 (Hourly)	An area encompassing parts of Stephenson Way, Broom Leys Road and Bardon Road in Coalville.	Based on monitored data it is recommended that AQMA 3 is revoked in the next ASR.
4	Copt Oak	NO <sub>2</sub> annual mean	2009	An area of the village of Copt Oak that lies within the boundaries of NWLDC.	If feasible, it is recommended that a diffusion tube is installed on the facade of the property closest to the M1 with a view to revoking this AQMA

As can be seen from Table 2.2 it is recommended that AQMAs 1 and 3 should be revoked, and a diffusion tube installed in AQMA 4 on the property closest to the M1 with a view to demonstrating that the AQMA can be revoked. It is only AQMA 2 (Castle Donington) where a clear exceedance of the annual mean nitrogen dioxide air quality objective was measured in 2019.

In this reporting year, the Action Plan covering the AQMA in Castle Donington has been drafted (and submitted to Defra alongside this ASR). The process of drafting the Action Plan provided the opportunity to build on ongoing collaborative working, both within North West Leicestershire District and at County level with public health, transport, planning and climate change colleagues. Actions have been developed that both address the nitrogen dioxide air quality objective exceedance on Bondgate in Castle Donington, and more strategic issues to try and reduce emissions of both nitrogen dioxide and PM<sub>2.5</sub> across the district in order to improve health in a more equitable way. The measures have been considered under seven broad topics:

- Castle Donington Relief Road and related traffic management measures
- Promotion of Behaviour Change away from Single Occupancy Private Vehicle Use
- Promotion of the Use of Alternatively Fuelled Vehicles
- Supporting Actions in the Zero Carbon Road Map Action Plan
- Developing Planning Policies to Support Better Air Quality
- Supporting and Collaborating with Leicestershire County Council on wider Public Health projects
- Controlling Domestic Emissions

Even though the action plan has not yet been formally adopted, progress is being made and the details of the measures, and current progress, are set out in Table 2.3. Where there have been, or continue to be, barriers restricting the implementation of the measure, these are also presented within Table 2.3. The Castle Donington Relief Road opened in February 2020, and is part of a £7.76 million investment into the Castle Donington area provided jointly by Redrow Homes and Miller Homes. This investment includes over £1.5m towards new bus services, bus stops and passes, alongside a £330,000 commitment to improving traffic calming measures in Castle Donington. It is anticipated that this measure, which will take vehicles out of the area of exceedance in Castle Donington and reduce congestion, will provide enough improvement in concentrations of nitrogen dioxide to achieve the air quality objective in Castle Donington. The traffic calming measures have not yet been implemented, but Leicestershire County Council is in discussion with Castle Donington Parish Council about the precise nature of the scheme.

North West Leicestershire District Council expects the following measures to be undertaken over the course of the next reporting year:

- Implementation of traffic management measures by Leicestershire County Council within Castle Donington (to complement the Relief Road);
- Leicestershire County Council to adopt the Local Cycling and Walking Infrastructure Plan (providing the framework to apply for further funding for measure 2 in the AQAP);
- Continued expansion of the Electric Vehicle charging infrastructure across the district;
- Ongoing collaboration with planning colleagues both in relation to planning applications, and also the update of Local Plan policies and associated guidance; and
- Attendance by Environmental Protection officers at ongoing health partnership meetings with contribution to future projects on air quality.

Our priorities are to ensure that the air quality objectives are met in Castle Donington, largely through the relief road, which is already in place, and associated measures, some of which are still to be implemented, and also to reduce emissions more generally across the district through collaborative working with other policy areas such as County transport, public health, planning and work underway to tackle the Climate Emergency declared in North West Leicestershire. We will ensure that air quality is considered within the review of the Local Plan, within transport schemes and within other policy areas which are looking to reduce vehicle use, either by encouraging active travel, by reducing travel demand, encouraging freight onto different modes, or increase the use of non-diesel and petrol vehicles. By taking this more strategic approach, air quality and the associated health outcomes should improve more generally across the district.

The principal challenges and barriers to implementation that North West Leicestershire District Council anticipates facing are in terms of resourcing, mainly in staff time, and also in implementing projects, for example in increasing the numbers of EV charging points, or undertaking behavioural change projects.

North West Leicestershire District Council anticipates that the measures stated above and in Table 2.3 will achieve compliance in 2021 within the Castle Donington AQMA.

North West Leicestershire will also facilitate regular meetings between stakeholders to monitor progress against the AQAP delivery.

Whilst the measures stated above and in Table 2.3 should achieve compliance, North West Leicestershire District Council will continue with wider collaborative measures to

reduce emissions across the district, thus improving the health of the population of North West Leicestershire.

Table 2.3 – Progress on Measures to Improve Air Quality

Measure No.	Measure	Category	Classification	Year Measure Introduced	Estimated / Actual Completion Year	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
1	Castle Donington Relief Road and supporting traffic management measures in Castle Donington	Traffic Management	Strategic Highway Improvements	2020	Completed February 2020 for relief road, 2021 for measure as a whole	NWLDC	Consortium of Developers	No	Fully funded	£7.76 million in total	Mainly implemented	Reductions large enough to achieve the annual mean NO <sub>2</sub> at all relevant monitoring locations	Traffic flows on Bondgate in Castle Donington, and resulting nitrogen dioxide concentrations	Road built and open. Traffic light rephasing complete. Post scheme monitoring still to be undertaken (delays due to impacts on traffic from Covid restrictions)	Traffic calming measures still to be implemented
2	Promote Behaviour Change away from Single Occupancy Private Vehicle Use	Promoting Travel Alternatives	Encourage/ facilitate home working, intensive active travel campaign & infrastructure, Personalised Travel Planning, Promotion of Cycling, School Travel Plans, Workplace Travel Planning	Ongoing group of measures	Ongoing for the measure as a whole, late 2021 for LCC Local Cycling and Walking Infrastructure Plan	NWLDC	Transforming Cities Fund, DfT, LCC	No	Partially funded	Lots of different schemes, difficult to estimate overall cost	Being Implemented	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Monitoring strategy for LTP includes	Ongoing work with schools mainly, and travel plans through planning system. Local Cycling and Walking Infrastructure plan being drafted	Largely implemented by LCC. Restricted by resourcing.
3	Promote the use of Alternatively Fuelled Vehicles	Promoting Low Emission Transport	Priority Parking for LEVs, procuring alternative refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging, taxi emission incentives, taxi licensing conditions	Ongoing group of measures	Ongoing with Zero Carbon Road map	LCC and NWLDC	Office for Low Emission Vehicles (OLEV), Energy Savings Trust (EST), neighbouring local authorities	No	Partially funded	Lots of different schemes, difficult to estimate overall cost	Being Implemented	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Proportion of alternatively fuelled vehicles in the fleet on Leicestershire's roads	EV charging points increasing in NWL as funding will allow, ultra low emission buses on Skylink route	
4	Support Actions in the Zero Carbon Road Map Action Plan	Wide range of measures spanning a number of categories	Wide range of measures spanning a number of categories	2019	Ongoing with Zero Carbon Road map	NWLDC	Office for Low Emission Vehicles (OLEV), Energy Savings Trust (EST), NWLDC	No	Partially funded	Lots of different schemes, difficult to estimate overall cost	Being Implemented	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Wide range of measures, therefore range of KPIs, which will be driven by Climate Emergency work	EV infrastructure, work on some council properties, some housing stock changed to air source heat pumps	
5	Develop Planning Policies to Support Better Air Quality	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance, Low emission strategy, other policy, regional groups	2021	2023	NWLDC	Mainly from existing budgets. Planning system could generate funding through s106 contributions from developers.	No	Funded (collaborative working)	Unknown, but mainly staff time	Planning Phase: Initial discussions held	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Broader Policy in Local Plan, SPD on Air Quality	Discussions between EH and planning on review of Local Plan	
6	Support and collaborate with LCC on wider Public Health projects	Policy Guidance and Development Control	Regional Groups Co-ordinating programmes to develop Area wide strategies to reduce emissions and improve air quality	Ongoing	n/a	NWLDC	Funding through public health, internal budgets for staff time	No	Funded (collaborative working)	No specific budget, as ongoing collaborative work	Being Implemented	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	n/a as no specific projects identified as yet	Ongoing Health Partnership meetings with the districts, boroughs and Public Health Leicestershire.	Non statutory function will require additional resources to implement
7	Control Domestic Emissions	Promoting Low Emission Plant	Regulations for fuel quality for stationary and mobile sources	2021	n/a	LCC and NWLDC	Mainly from existing budgets.	No	No funding for information campaigns	No specific budget	Planning Phase	n/a – strategic measure which will also assist in achievement of air quality objective in AQMA	Level of solid fuel burning	Some council housing stock changed to air source heat pumps	Very difficult to quantify any change without detailed survey work

North West Leicestershire District Council expects the following measures to be completed over the course of the next reporting year:

- Publish the Air Quality Action Plan
- Revoke the Coalville and Kegworth AQMA's

North West Leicestershire District Council's priorities for the coming year are

- Publish and implement the Air Quality Action Plan
- Revoke the Coalville and Kegworth AQMA's
- Continue the collaborative work with stakeholders

## 2.3 PM<sub>2.5</sub> – Local Authority Approach to Reducing Emissions and/or Concentrations

As detailed in Policy Guidance LAQM.PG16 (Chapter 7), local authorities are expected to work towards reducing emissions and/or concentrations of PM<sub>2.5</sub> (particulate matter with an aerodynamic diameter of 2.5µm or less). There is clear evidence that PM<sub>2.5</sub> has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.

The Public Health Outcomes Framework (PHOF)

(<https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/>) is a Department of Health data tool for England, intended to focus public health action on increasing healthy life expectancy and reducing differences in life expectancy between communities. The tool uses indicators to assess improvements. Recognising the significant impact that poor air quality can have on health, the PHOF includes an indicator relating to fine particulate matter (PM<sub>2.5</sub>) (indicator D01 Fraction of mortality attributable to particulate air pollution) .

The indicator in the PHOF reports the estimates fraction of all-cause adult mortality attributable to anthropogenic particulate air pollution (measured as fine particulate matter).

Based on the latest available figures the position in North West Leicestershire district can be compared to the situation across the rest of England, East Midlands and nearby districts. North West Leicestershire has:

- attributable deaths on par with Oadby And Wigston; and Hinckley and Bosworth;
- attributable deaths lower than Blaby; and Charnwood

PM<sub>2.5</sub> background air quality data published by DEFRA for 2020 shows the district has background concentrations between 7.5 µg/m<sup>3</sup> and 11.36 µg/m<sup>3</sup> with a mean of 8.2 µg/m<sup>3</sup>.

Many of the measures within the AQAP are designed to target PM<sub>2.5</sub> as well as NO<sub>2</sub>. In particular, measure 2 aims to promote behaviour change away from single occupancy vehicle use, encouraging active travel and hence reducing traffic related PM<sub>2.5</sub>. The promotion of electric vehicles will reduce tailpipe emissions of PM<sub>2.5</sub>, but it is acknowledged that emissions from brake and tyre wear will remain, and in some cases increase. Collaborative projects with public health and ongoing work with planning colleagues will both directly address PM<sub>2.5</sub> in the longer term, and moves to reduce solid fuel burning will directly impact PM<sub>2.5</sub> rather than NO<sub>2</sub>.

Ongoing work in collaboration with public health staff at Leicestershire County Council is being undertaken through the Joint Strategic Needs Assessment (JSNA) and associated action plan. Within the JSNA there is a chapter on air quality and health. The chapter recognises that by its nature, air quality cannot be controlled by geographical boundaries or by a single individual alone. Instead, collective, systematic efforts are required to reduce air pollution and its harmful effects on health. The key recommendation is that the Leicestershire Air Quality and Health Partnership Steering Group should agree a plan to deliver joint actions to tackle poor air quality and related health issues.

## 3 Air Quality Monitoring Data and Comparison with Air Quality Objectives and National Compliance

This section sets out the monitoring undertaken within 2020 by North West Leicestershire District Council and how it compares with the relevant air quality objectives. In addition, monitoring results are presented for a five-year period between 2016 and 2020 to allow monitoring trends to be identified and discussed.

### 3.1 Summary of Monitoring Undertaken

#### 3.1.1 Automatic Monitoring Sites

The authority did not undertake any automatic monitoring during 2020.

#### 3.1.2 Non-Automatic Monitoring Sites

North West Leicestershire undertook non-automatic (i.e. passive) monitoring of NO<sub>2</sub> at 35 sites during 2020. Table A.2 in Appendix A presents the details of the non-automatic sites.

Maps showing the location of the monitoring sites are provided in Appendix D. Further details on Quality Assurance/Quality Control (QA/QC) for the diffusion tubes, including bias adjustments and any other adjustments applied (e.g. annualisation and/or distance correction), are included in Appendix C.

### 3.2 Individual Pollutants

The air quality monitoring results presented in this section are, where relevant, adjusted for bias, annualisation (where the annual mean data capture is below 75% and greater than 33%), and distance correction. Further details on adjustments are provided in Appendix C.

#### 3.2.1 Nitrogen Dioxide (NO<sub>2</sub>)

Table A.3 and Table A.4 in Appendix A compare the ratified and adjusted monitored NO<sub>2</sub> annual mean concentrations for the past five years with the air quality objective of 40µg/m<sup>3</sup>. Note that the concentration data presented represents the concentration at the location of the monitoring site, following the application of bias adjustment and

annualisation, as required (i.e. the values are exclusive of any consideration to fall-off with distance adjustment).

For diffusion tubes, the full 2020 dataset of monthly mean values is provided in Appendix B. Note that the concentration data presented in Table B.1 includes distance corrected values, only where relevant.

**Error! Reference source not found.** in Appendix A compares the ratified continuous monitored NO<sub>2</sub> hourly mean concentrations for the past five years with the air quality objective of 200µg/m<sup>3</sup>, not to be exceeded more than 18 times per year.

Due to COVID restrictions monitoring in March and April were outside of the DEFRA published exposure dates. March was exposed for 6 weeks. April was exposed for 2 weeks

Diffusion tubes for January to March were supplied by Gradko using 50%TEA in Acetone

Diffusion tubes for April to December were supplied by Socotec (Didcote) using 50% TEA in Acetone.

The national bias adjustment factors for the 2 labs are

Analysed By <sup>1</sup>	Method To undo your selection, choose (All) from the pop-up list	Year 5 To undo your selection, choose (All)	Bias Adjustment Factor (A) (Cm/Dm)
Gradko	50% TEA in acetone	2020	0.82
SOCOTEC Didcot	50% TEA in acetone	2020	0.77

To ensure that the worst case possibility is covered the authority has chosen to use the higher of the 2 Adjustment factors (0.82)

### 3.2.1.1 Kegworth AQMA

There are 7 diffusion tube locations within the AQMA and 1 location outside of the AQMA

Trends for diffusion Tubes located in and around the Kegworth AQMA are shown in Figure A-1 in **Error! Reference source not found.**

Concentrations at 46N and 48N exceeded the objective in 2013 and 2014, but have been consistently below the objective since 2014, as have concentrations at the remaining diffusion tube sites. There was also a reduction in concentrations at all sites between 2018 and 2019, which coincides with the opening of the Kegworth bypass at the end of 2018. It is recommended that, as these diffusion tube sites represent worst case locations and most are closer to the road than relevant receptors, this AQMA is revoked.

### 3.2.1.2 Castle donington AQMA

There are 3 diffusion tubes within the AQMA and 6 other nearby locations.

Trends for diffusion Tubes located in and around the Castle Donington AQMA are shown in Figure A-2 in **Error! Reference source not found..** All locations except 18N and 41N have been substantially below the annual mean air quality objective for Nitrogen dioxide and have been for the last 5 years.

A relief road was opened in 2020 which will have likely diverted traffic away from the AQMA.

,All locations in 2020 met the annual mean objective however this is likely a result of reduced traffic caused by COVID-19 some of the improvements may be a result of the relief road opening.

### 3.2.1.3 Coalville AQMA

There are 4 monitoring locations within the AQMA and 2 nearby locations

Trends for diffusion Tubes located in and around the Coalville AQMA are shown in Figure A-3 in **Error! Reference source not found..**

All monitoring locations have been below the objective since 2013 and are located closer to the road than relevant receptors so represent a worst case exposure.

### 3.2.1.4 Copt Oak AQMA

There is 1 diffusion tube locations within the AQMA and 2 locations outside of the AQMA

Trends for diffusion Tubes located in and around the Copt Oak AQMA are shown in Figure A-4 **Error! Reference source not found.** in **Error! Reference source not found..**

All receptor locations were substantially lower than the air quality standard.

A location on the kerb of the M1 exceeded however there are no relevant receptors linked to this location.

### 3.2.1.5 Other Locations

There are 4 other monitoring locations in the district that were monitored for the entire year.

Following the air quality review of the district the following monitoring locations were commissioned in April 2020 to address potential concerns.

- Whitwick Road, Coalville (63N)
- zebra crossing The Green, Whitwick (59N)
- lamppost outside 53 North Street, Whitwick (60N)
- lamppost outside 53 Wood Street, Ashby (61N)
- lamppost 45 The Callis, Ashby (opposite Rowena Drive) (62N)

Trends for diffusion tubes located at other locations within the district are shown in Figure A-4 in **Error! Reference source not found..**

## Appendix A: Monitoring Results

### Table A.1 – Details of Automatic Monitoring Sites

No Automatic monitoring undertaken in 2020

Table A.2 – Details of Non-Automatic Monitoring Sites

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
06N	Broomleys junction (1)	Roadside	443632	314026	NO2	Y Coalville	5.8	2.0	No	1.8
08N	End Cottage Copt Oak	Rural	448138	313012	NO2	N	0.0	0.0	No	1.8
12N	Aeropark	Other	444161	326355	NO2	N		0.0	No	1.8
14N	69 High St CD	Roadside	444216	326788	NO2	N	0.0	2.9	No	1.8
16N	crossroads CD	Roadside	444450	327233	NO2	Y Castle Donnington	7.5	1.0	No	1.8
17N	13 Bondgate CD	Roadside	444512	327335	NO2	Y Castle Donnington	2.0	2.5	No	1.8
18N	34 Bondgate CD	Roadside	444580	327411	NO2	Y Castle Donnington	0.0	2.3	No	1.8
19N	94 Bondgate CD	Roadside	444707	327603	NO2	Y Castle Donnington	0.8	1.4	No	1.8
20N	Derby Rd Kegworth (Benny's Hill)	Roadside	448523	326885	NO2	Y Kegworth	3.2	1.0	No	1.8
22N	Keg A6 2	Roadside	448817	326621	NO2	Y Kegworth	0.0	2.3	No	1.8
23N	120 whatton road kegworth	Suburban	448108	326305	NO2	N			No	1.8
31N	Sinope	Roadside	440167	315264	NO2	N	7.8	3.2	No	1.8

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
32N	M1 Bridge Copt Oak	Other	448082	313100	NO2	N			No	1.8
39N	LW new M1	Other	446935	323744	NO2	N			No	1.8
40N	35 High Street castle donington	roadside	444323	326975	NO2	N	3.0	0.9	No	1.8
41N	18 High Street castle donington	roadside	444474	327171	NO2	N	4.0	1.0	No	1.8
43N	Direction Sign Bardon Rd/A511 RBT	roadside	443675	313642	NO2	Y Coalville	2.4	3.0	No	1.8
45N	outside corner farm copt oak	roadside	448119	312920	NO2	Y Copt Oak	27.0	4.3	No	1.8
46N	Kegworth PO Derby Road	roadside	448724	326702	NO2	Y Kegworth	0.0	1.3	No	1.8
47N	12 Derby Rd Kegworth	roadside	448639	326805	NO2	Y Kegworth	4.7	2.5	No	1.8
48N	28 london road kegworth	roadside	448792	326533	NO2	Y Kegworth	0.8	1.5	No	1.8
49N	10 central road hugglescote	roadside	442578	312871	NO2	N	4.1	2.5	No	1.8
50N	hugglescote cross roads	roadside	442562	312823	NO2	N	5.4	1.0	No	1.8
51N	40mph sign N of petrol station	roadside	448361	326997	NO2	Y Kegworth	9.6	3.2	No	1.8
52N	lamppost 65 Derby Road	roadside	448436	326931	NO2	Y Kegworth	5.9	2.5	No	1.8

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
53N	20mph sign outside 10 greenhill road	roadside	448436	326931	NO2	N	5.9	2.5	No	1.8
54N	parking restrictions sign adj drive 12 & 20 park lane	roadside	444331	327257	NO2	N	8.8	2.0	No	1.8
56N	lamppost adjacent 27 Broomleys road	roadside	443649	314040	NO2	N	1.8	1.2	No	1.8
57N	lamppost outside 21 broomleys road	Roadside	443630	314028	NO2	Y Coalville	4.7	3.0	No	1.8
58N	cycle route sign outside 34 broomleys road	Roadside	443634	313996	NO2	Y Coalville	12.0	5.0	No	1.8
59N	zebra crossing the green whitwick	Roadside	442754	317177	NO2	N	0.5	0.5	No	1.8
60N	lamppost outside 53north street whitwick	Roadside	443366	316277	NO2	N	0.0	1.0	No	1.8
61N	lamppost outside 53 wood street ashby	Roadside	436194	316958	NO2	N	1.0	1.0	No	1.8
62N	lamppost 45 the callis, ashby (opposite rowena drive)	Roadside	435587	317204	NO2	N	4.0	0.5	No	1.8
63N	Whitwick Road Coalville	Roadside	442800	314466	NO2	N	0.0	2.4	No	1.8

**Notes:**

- (1) 0m if the monitoring site is at a location of exposure (e.g. installed on the façade of a residential property).
- (2) N/A if not applicable.

**Table A.3 – Annual Mean NO<sub>2</sub> Monitoring Results: Automatic Monitoring (µg/m<sup>3</sup>)**

No automatic monitoring undertaken

**Table A.4 – Annual Mean NO<sub>2</sub> Monitoring Results: Non-Automatic Monitoring (µg/m<sup>3</sup>)**

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2020 (%) <sup>(2)</sup>	2016	2017	2018	2019	2020
06N	443632	314026	Roadside	91.7%	93.7	35.53	<b>36.16</b>	34.05	32.47	25.3
08N	448138	313012	Rural	100.0%	100.0	25.85	24.79	<b>23.39</b>	22.37	16.9
12N	444161	326355	Other	83.3%	84.6	19.01	18.48	19.14	18.86	13.4
14N	444216	326788	Roadside	100.0%	100.0	22.96	22.16	23.93	20.68	16.1
16N	444450	327233	Roadside	83.3%	82.7	34.19	34.39	35.86	31.51	21.5
17N	444512	327335	Roadside	100.0%	100.0	31.07	32.42	36.97	30.88	20.7
18N	444580	327411	Roadside	100.0%	100.0	<b>49.77</b>	<b>47.81</b>	<b>51.93</b>	<b>42.05</b>	29.8
19N	444707	327603	Roadside	100.0%	100.0	32.56	28.59	30.67	27.29	19.7
20N	448523	326885	Roadside	91.7%	92.3	29.13	29.91	25.37	21.81	16.5
22N	448817	326621	Roadside	100.0%	100.0	33.5	29.23	28.43	23.35	17.6
23N	448108	326305	Suburban	100.0%	100.0	20.84	20.54	19.81	20.49	16.0
31N	440167	315264	Roadside	100.0%	100.0	30.75	27.61	22.31	22.62	17.2
32N	448082	313100	Other	100.0%	100.0	<b>55.02</b>	<b>58.09</b>	<b>59.47</b>	<b>53.91</b>	39.3

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2020 (%) <sup>(2)</sup>	2016	2017	2018	2019	2020
39N	446935	323744	Other	100.0%	100.0	27.28	19.76	24.38	20.91	16.3
40N	444323	326975	roadside	83.3%	82.7	23.51	34.8	25.72	22.94	14.8
41N	444474	327171	roadside	100.0%	100.0	<b>38.43</b>	<b>39.85</b>	<b>42.67</b>	<b>36.16</b>	24.1
43N	443675	313642	roadside	100.0%	100.0	29.09	28.72	28.76	25.84	23.2
45N	448119	312920	roadside	100.0%	100.0	33.51	31.29	30.71	26.66	23.0
46N	448724	326702	roadside	100.0%	100.0	<b>36.72</b>	31.95	31.59	24.56	17.6
47N	448639	326805	roadside	100.0%	100.0	35.73	34.44	29.58	24.5	18.5
48N	448792	326533	roadside	100.0%	100.0	35.19	33.56	34.07	26.29	18.0
49N	442578	312871	roadside	100.0%	100.0	34.39	33.66	36.52	30.94	24.5
50N	442562	312823	roadside	100.0%	100.0	35.06	<b>36.97</b>	33.06	33.22	29.2
51N	448361	326997	roadside	100.0%	100.0	30.67	32.66	26.46	22.4	18.3
52N	448436	326931	roadside	100.0%	100.0	32.16	32.12	28.85	23.29	18.1
53N	448436	326931	roadside	100.0%	100.0	21.87	22.48	21.89	19.79	16.1
54N	444331	327257	roadside	91.7%	90.7	22.82	23.69	27.39	24.74	20.0

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Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2020 (%) <sup>(2)</sup>	2016	2017	2018	2019	2020
56N	443649	314040	roadside	100.0%	100.0	35.88	35.74	36.58	34.23	26.7
57N	443630	314028	Roadside	100.0%	100.0				32.02	27.3
58N	443634	313996	Roadside	100.0%	100.0				23.08	21.3
59N	442754	317177	Roadside	88.9%	64.0					17.7
60N	443366	316277	Roadside	100.0%	73.4					24.4
61N	436194	316958	Roadside	77.8%	61.5					31.9
62N	435587	317204	Roadside	77.8%	53.8					16.9
63N	442800	314466	Roadside	100.0%	73.4					18.9

Annualisation has been conducted where data capture is <75% and >33% in line with LAQM.TG16

Diffusion tube data has been bias adjusted.

Reported concentrations are those at the location of the monitoring site (bias adjusted and annualised, as required), i.e. prior to any fall-off with distance correction.

#### Notes:

The annual mean concentrations are presented as  $\mu\text{g}/\text{m}^3$ .

Exceedances of the NO<sub>2</sub> annual mean objective of  $40\mu\text{g}/\text{m}^3$  are shown in **bold**.

NO<sub>2</sub> annual means exceeding  $60\mu\text{g}/\text{m}^3$ , indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

Means for diffusion tubes have been corrected for bias. All means have been “annualised” as per LAQM.TG16 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

Concentrations are those at the location of monitoring and not those following any fall-off with distance adjustment.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Figure A.1 – Kegworth Trends in Annual Mean NO<sub>2</sub> Concentrations

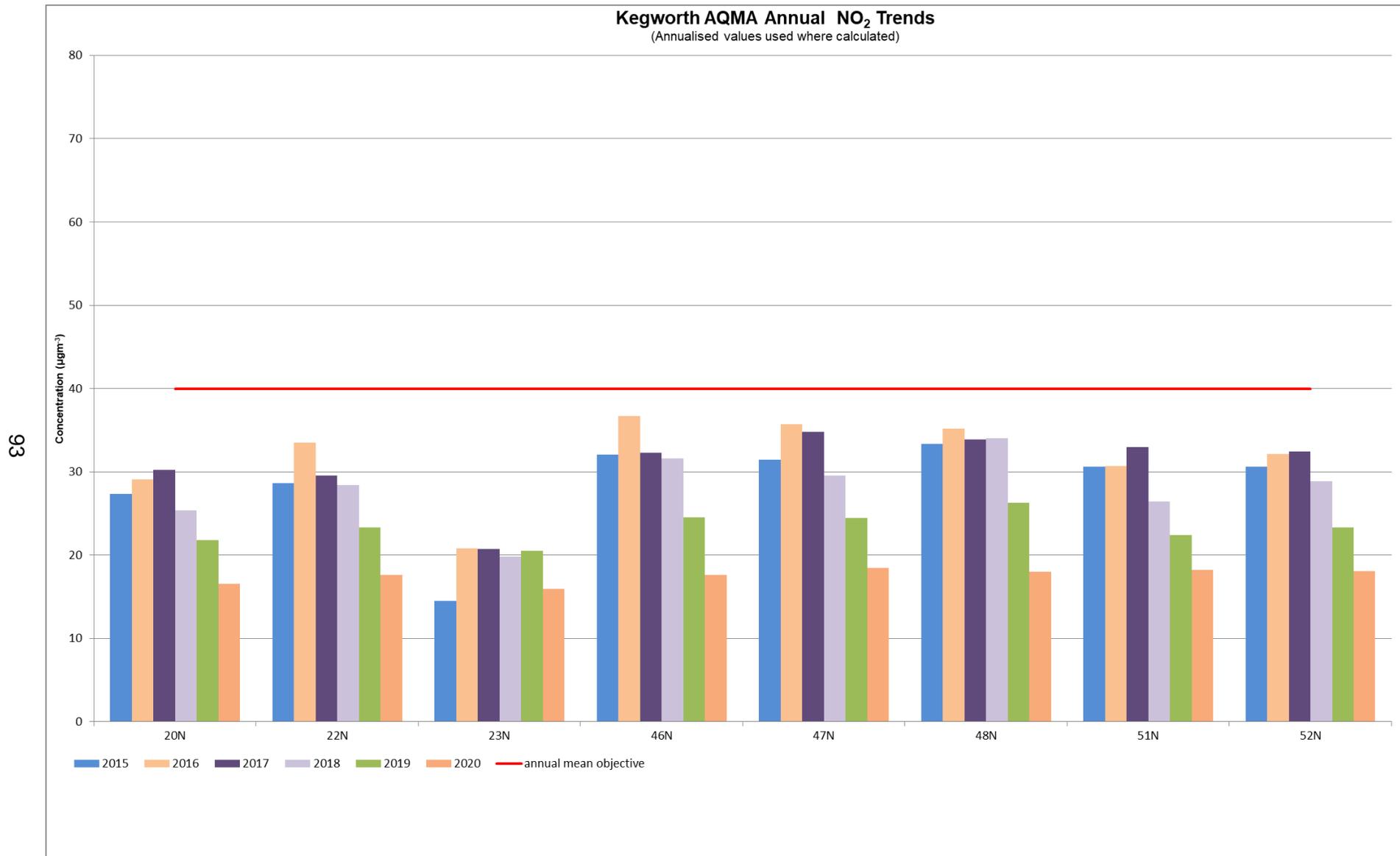
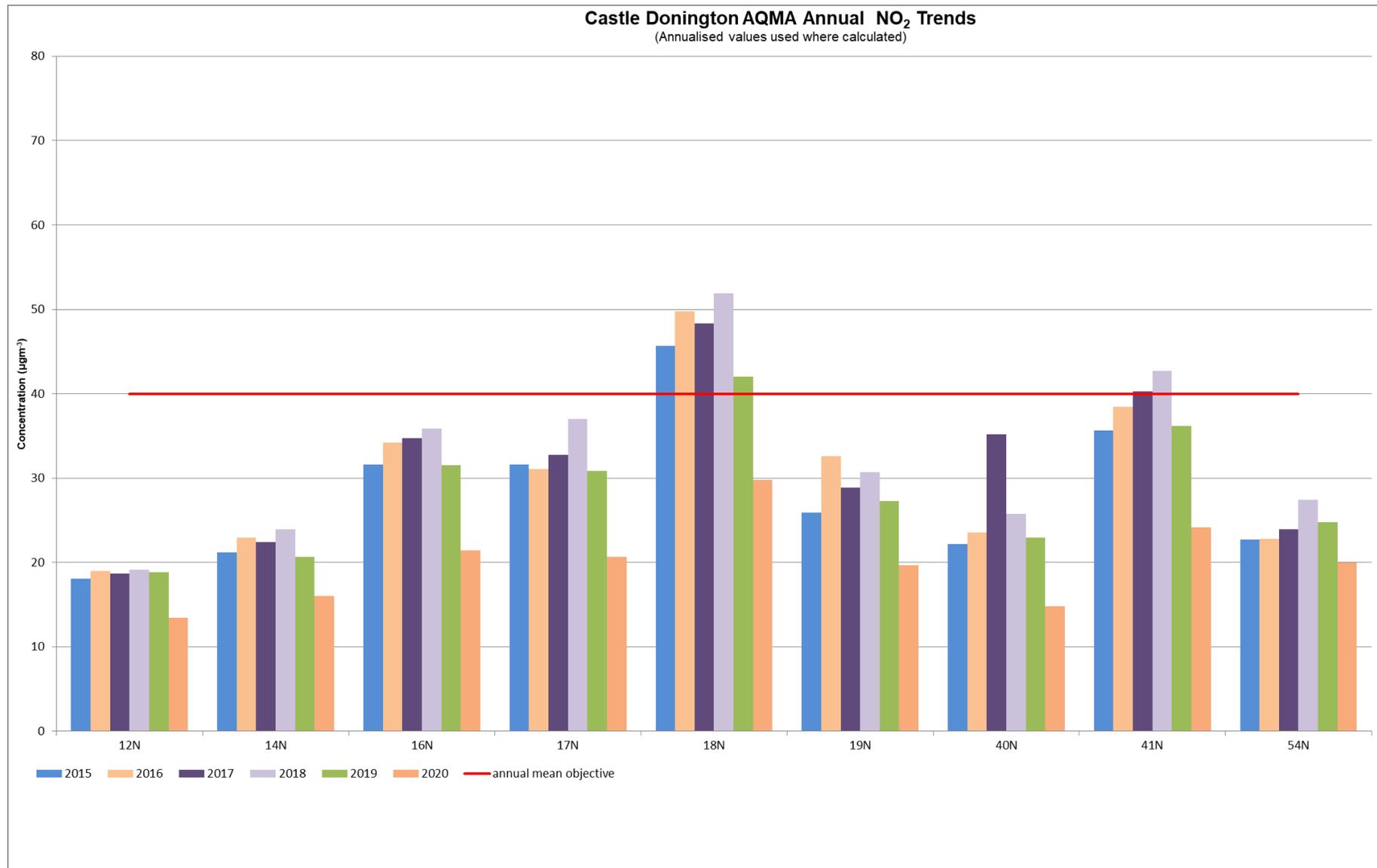


Figure A.2 – Castle Donington Trends in Annual Mean NO<sub>2</sub> Concentrations



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Figure A.3 – Coalville Trends in Annual Mean NO<sub>2</sub> Concentrations

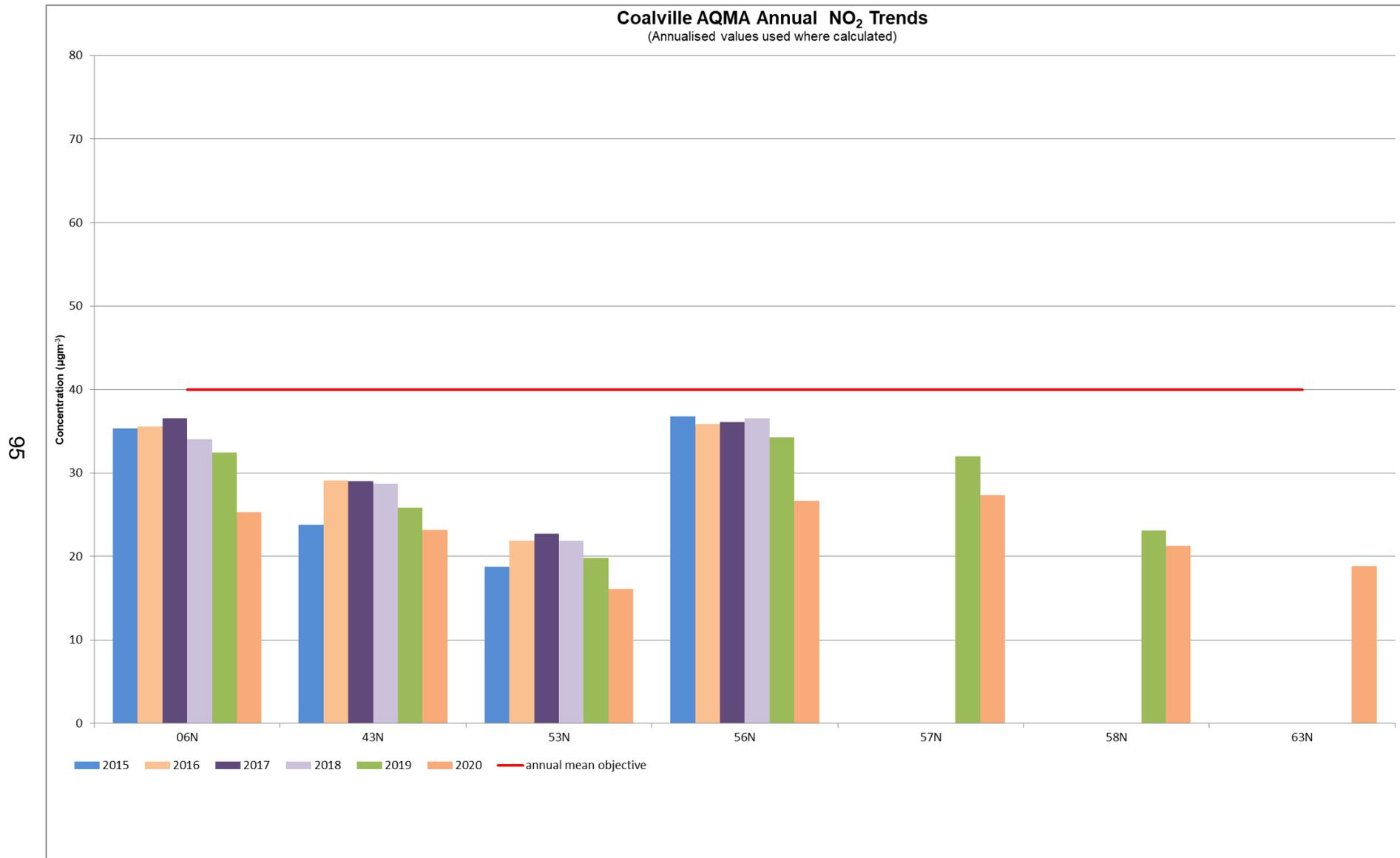


Figure A.4 – Copt Oak Trends in Annual Mean NO<sub>2</sub> Concentrations

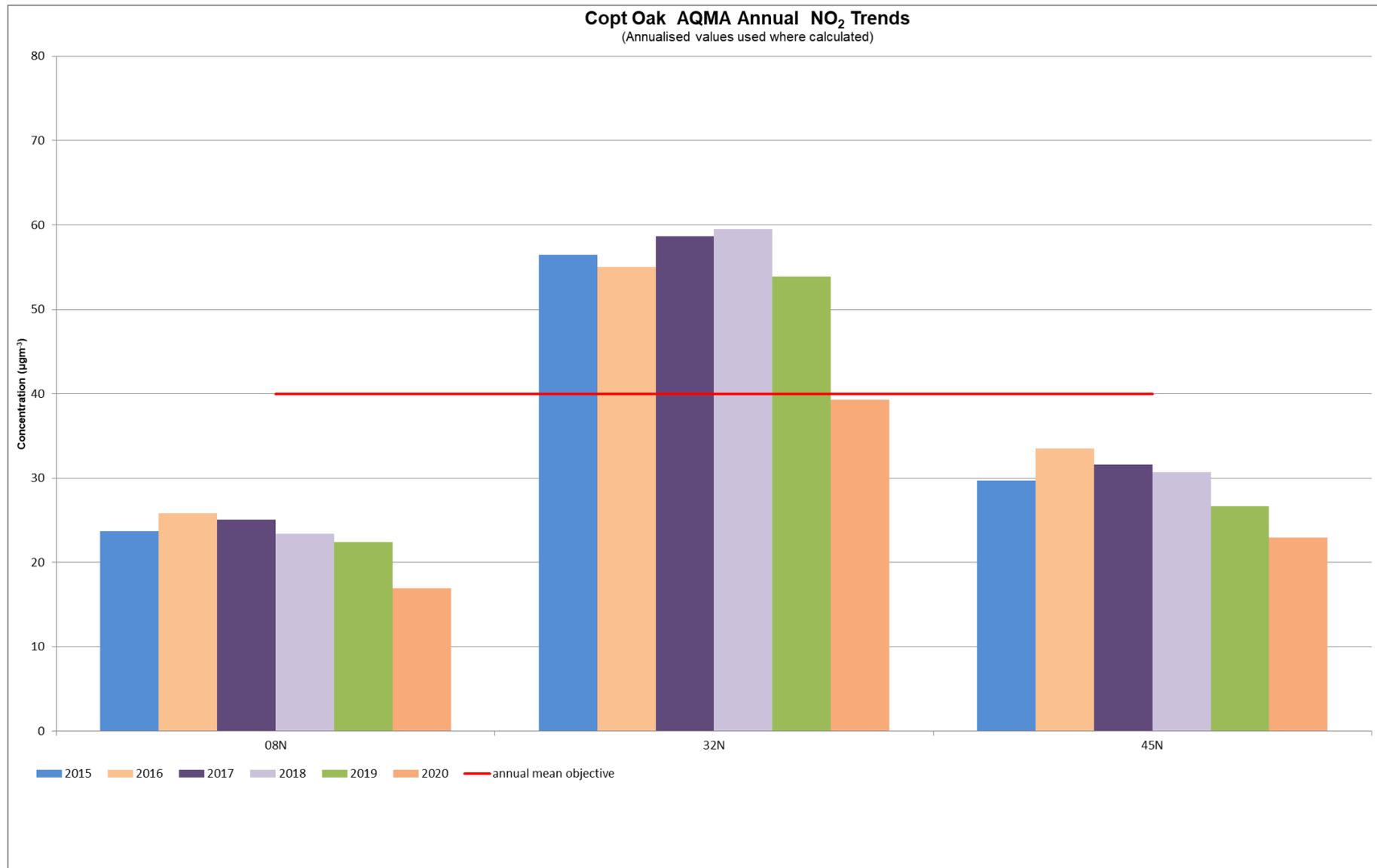
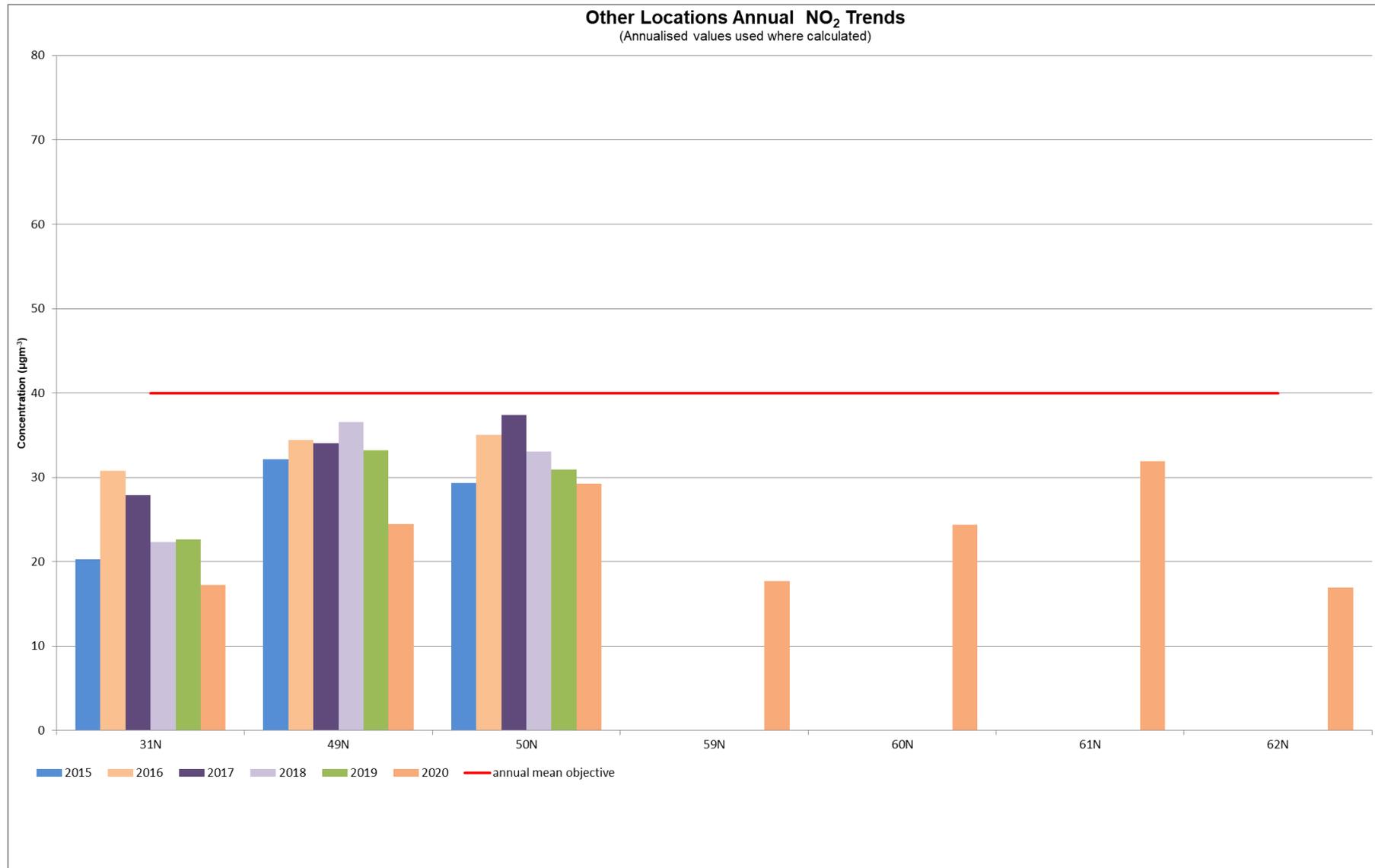


Figure A.5 – Other Locations Trends in Annual Mean NO<sub>2</sub> Concentrations



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## Appendix B: Full Monthly Diffusion Tube Results for 2020

Table B.1 – NO<sub>2</sub> 2020 Diffusion Tube Results (µg/m<sup>3</sup>)

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Easting)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (x.x)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
06N	443632	314026	41.7	34.3	25.4	21.5	25.3	25.8		29.9	21.9	37.4	29.1	42.9	30.8	25.3		
08N	448138	313012	24.9	24.3	17.4	14.4	13.4	14.1	16.4	16.0	31.6	22.2	28.9	24.0	20.6	16.9		
12N	444161	326355	19.9	17.1	12.2	14.0	9.0	4.3			21.3	17.9	27.2	23.8	16.4	13.4		
14N	444216	326788	21.2	17.6	14.5	14.3	13.7	16.2	12.4	15.9	39.8	19.9	25.1	23.6	19.6	16.1		
16N	444450	327233		28.6	23.5	20.3		26.6	24.4	20.3	23.5	29.1	30.7	31.7	26.2	21.5		
17N	444512	327335	35.9	28.1	22.1	21.5	16.8	21.4	21.2	22.5	24.1	28.8	32.4	27.8	25.2	20.7		
18N	444580	327411	55.0	44.9	34.0	32.9	27.7	38.2	30.6	21.0	22.9	36.9	52.0	40.4	36.3	29.8		
19N	444707	327603	34.3	22.1	19.5	18.9	16.0	20.4	16.6	22.6	24.1	22.5	35.6	34.1	24.0	19.7		
20N	448523	326885	26.7	25.2	15.0	12.5	13.8	14.2	16.9	15.0	35.6	20.4		25.9	20.2	16.5		
22N	448817	326621	30.8	28.7	18.3	12.6	15.3	13.7	18.7	17.3	21.6	24.6	31.8	23.3	21.5	17.6		
23N	448108	326305	27.6	19.9	15.1	10.5	12.7	12.9	15.0	14.4	16.9	25.6	31.7	28.7	19.5	16.0		
31N	440167	315264	29.7	23.2	17.3	14.1	17.4	17.8	16.3	18.9	19.6	20.7	32.2	23.7	21.0	17.2		
32N	448082	313100	62.5	56.0	20.8	30.6	36.4	51.6	47.9	53.9	32.3	63.6	65.6	51.7	47.9	39.3		
39N	446935	323744	24.6	22.0	17.5	9.3	13.7	15.6	20.0	16.5	32.4	11.6	28.3	25.5	19.8	16.3		
40N	444323	326975	29.1	19.4	16.9	16.4	13.3	13.1	13.2	17.1	18.7	23.2			18.1	14.8		
41N	444474	327171	40.8	32.9	25.9	21.5	23.4	30.3	26.0	28.6	23.5	30.0	34.5	32.9	29.4	24.1		
43N	443675	313642	29.3	24.8	22.2	21.9	17.7	23.1	18.7	25.5	60.5	25.6	35.7	34.4	28.3	23.2		

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Easting)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (x.x)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
45N	448119	312920	32.7	31.2	37.8	16.1	17.1	25.7	21.9	25.8	21.2	30.7	34.0	32.9	28.0	23.0		
46N	448724	326702	29.9	21.3	17.0	16.2	15.7	10.2	18.5	20.8	20.2	26.2	34.5	27.9	21.5	17.6		
47N	448639	326805	29.9	24.2	17.8	13.7	14.2	14.2	16.4	16.2	39.3	24.3	30.8	28.7	22.5	18.5		
48N	448792	326533	30.8	25.0	15.8	11.4	17.6	21.5	19.7	18.0	23.6	25.5	20.5	30.1	22.0	18.0		
49N	442578	312871	35.0	32.9	25.7	18.9	22.1	13.3	23.1	32.2	34.6	34.5	42.7	40.0	29.8	24.5		
50N	442562	312823	44.4	45.1	30.2	25.3	26.4	32.8	34.4	31.1	35.8	43.3	36.3	39.9	35.6	29.2		
51N	448361	326997	33.1	22.9	18.0	14.4	14.6	16.3	19.1	15.1	20.6	27.0	33.7	31.0	22.3	18.3		
52N	448436	326931	31.7	24.5	17.3	14.4	13.5	14.3	19.3	16.6	22.7	24.4	33.4	32.3	22.1	18.1		
53N	448436	326931	21.8	18.5	15.7	15.6	14.1	16.2	13.8	15.5	25.4	20.1	31.7	26.6	19.6	16.1		
54N	444331	327257	27.7	16.2	17.0	17.0		22.8	15.2	28.4	39.3	22.7	33.0	25.9	24.4	20.0		
56N	443649	314040	43.5	39.3	25.0	21.0	25.3	27.5	30.6	29.9	29.1	35.8	43.8	37.8	32.5	26.7		
57N	443630	314028	33.0	31.4	28.6	46.1	31.2	33.3	28.8	36.6	13.8	36.5	43.3	42.2	33.3	27.3		
58N	443634	313996	25.5	19.3	20.1	19.0	20.3	22.6	15.9	39.5	34.6	19.5	46.9	26.3	25.9	21.3		
59N	442754	317177				15.7	13.2	15.5	10.6	15.1	20.8		32.3	29.7	19.4	17.7		
60N	443366	316277				28.8	25.5	29.1	22.0	31.0	22.3	32.1	34.1	39.4	29.8	24.4		
61N	436194	316958					22.2	26.1	25.2	26.1	20.5	76.6		39.7	34.5	31.9		
62N	435587	317204				14.8	12.0		12.4	16.0	23.4	21.3	30.1		18.8	16.9		
63N	442800	314466				17.0	16.6	18.0	16.6	19.3	25.3	24.7	34.0	32.4	23.0	18.9		

All erroneous data has been removed from the NO<sub>2</sub> diffusion tube dataset presented in Table B.1.

Annualisation has been conducted where data capture is <75% and >33% in line with LAQM.TG16.

- Local bias adjustment factor used
- National bias adjustment factor used.
- Where applicable, data has been distance corrected for relevant exposure in the final column.
- North West Leicestershire District Council confirm that all 2020 diffusion tube data has been uploaded to the Diffusion Tube Data Entry System (confirm by selecting in box).

**Notes:**

Exceedances of the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **bold**.

NO<sub>2</sub> annual means exceeding 60µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

See Appendix C for details on bias adjustment and annualisation.

## **Appendix C: Supporting Technical Information / Air Quality Monitoring Data QA/QC**

### **New or Changed Sources Identified Within North West Leicestershire During 2020**

North West Leicestershire has not identified any new sources relating to air quality within the reporting year of 2020.

### **Additional Air Quality Works Undertaken by North West Leicestershire District Council During 2020**

The council commissioned Air Quality Consultants limited to undertake a review of the councils Air Quality work and write an AQAP. Refer to section 2.3 above for additional information.

### **QA/QC of Diffusion Tube Monitoring**

Within this section provide details relating to the following aspects of non-automatic (i.e. passive) monitoring using diffusion tubes:

- The supplier used for diffusion tubes within 2020 and the method of preparation, e.g. 20% TEA in water;
- Information on the diffusion tube supplier; any accreditation held, analysis procedure followed, participation in analysis schemes (e.g. AIR-PT) and most recent results, inclusion in the annual field inter-comparison exercise and associated result;
- If the diffusion tube supplier has been changed part way through the year (if so provide the previous two points for both suppliers);
- State whether or not the monitoring has been completed in adherence with the 2020 Diffusion Tube Monitoring Calendar, providing commentary of any divergences as necessary.

The additional subsections should be used to provide QA/QC details of the data processing methodologies applied to diffusion tube monitoring data, specifically in relation to annualisation, bias adjustment and fall-off-with-distance calculations.

January to March 2020 Diffusion tubes were supplied by Gradko using 50% TEA in acetone

April to December 2020 diffusion tubes were supplied by Socotec (Didcote) using 50% TEA in acetone

The diffusion tube monitoring calendar has been generally followed, however as a result of COVID-19 diffusion tube exposure during March and June was extended to 6 weeks and exposure during June and July has been shortened to 2 weeks.

### Diffusion Tube Annualisation

The Diffusion tube data processing tool identified 3 sites for annualisation. Results of the annualisation are presented in Table C.2

### Diffusion Tube Bias Adjustment Factors

The diffusion tube data presented within the 2021 ASR have been corrected for bias using an adjustment factor. Bias represents the overall tendency of the diffusion tubes to under or over-read relative to the reference chemiluminescence analyser. LAQM.TG16 provides guidance with regard to the application of a bias adjustment factor to correct diffusion tube monitoring. Triplicate co-location studies can be used to determine a local bias factor based on the comparison of diffusion tube results with data taken from NO<sub>x</sub>/NO<sub>2</sub> continuous analysers. Alternatively, the national database of diffusion tube co-location surveys provides bias factors for the relevant laboratory and preparation method.

North West Leicestershire District Council have applied a national bias adjustment factor of 0.82 to the 2020 monitoring data. A summary of bias adjustment factors used North West Leicestershire District Council over the past five years is presented in Table C.1.

**Table C.1 – Bias Adjustment Factor**

Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2020	National	03/21	0.82

<b>2019</b>	National	03/20	0.87
<b>2018</b>	National	03/19	0.92
<b>2017</b>	National	03/18	0.97
<b>2016</b>	National	03/17	1.01

### **NO<sub>2</sub> Fall-off with Distance from the Road**

Wherever possible, local authorities should ensure that monitoring locations are representative of exposure. However, where this is not possible, the NO<sub>2</sub> concentration at the nearest location relevant for exposure should be estimated using the Diffusion Tube Data Processing Tool/NO<sub>2</sub> fall-off with distance calculator available on the LAQM Support website. Where appropriate, non-automatic annual mean NO<sub>2</sub> concentrations corrected for distance are presented in Table B.1.

No diffusion tube NO<sub>2</sub> monitoring locations within North West Leicestershire required distance correction during 2020.

### **QA/QC of Automatic Monitoring**

North West Leicestershire District Council did not undertake any automatic monitoring during 2020.

**Table C.2 – Annualisation Summary (concentrations presented in  $\mu\text{g}/\text{m}^3$ )**

Site ID	Annualisation Factor Derby St Alkmund's Way	Annualisation Factor Leicester A594 Roadside	Annualisation Factor Leicester University	Annualisation Factor Nottingham Centre	Average Annualisation Factor	Raw Data Annual Mean	Annualised Annual Mean	Comments
59N	1.1485	1.0938	1.0911	1.1059	1.1098	19.4	21.6	
61N	1.1597	1.1098	1.1103	1.1338	1.1284	34.5	38.9	
62N	1.1484	1.0841	1.0492	1.0991	1.0952	18.8	20.6	

**Table C.3 – Local Bias Adjustment Calculation**

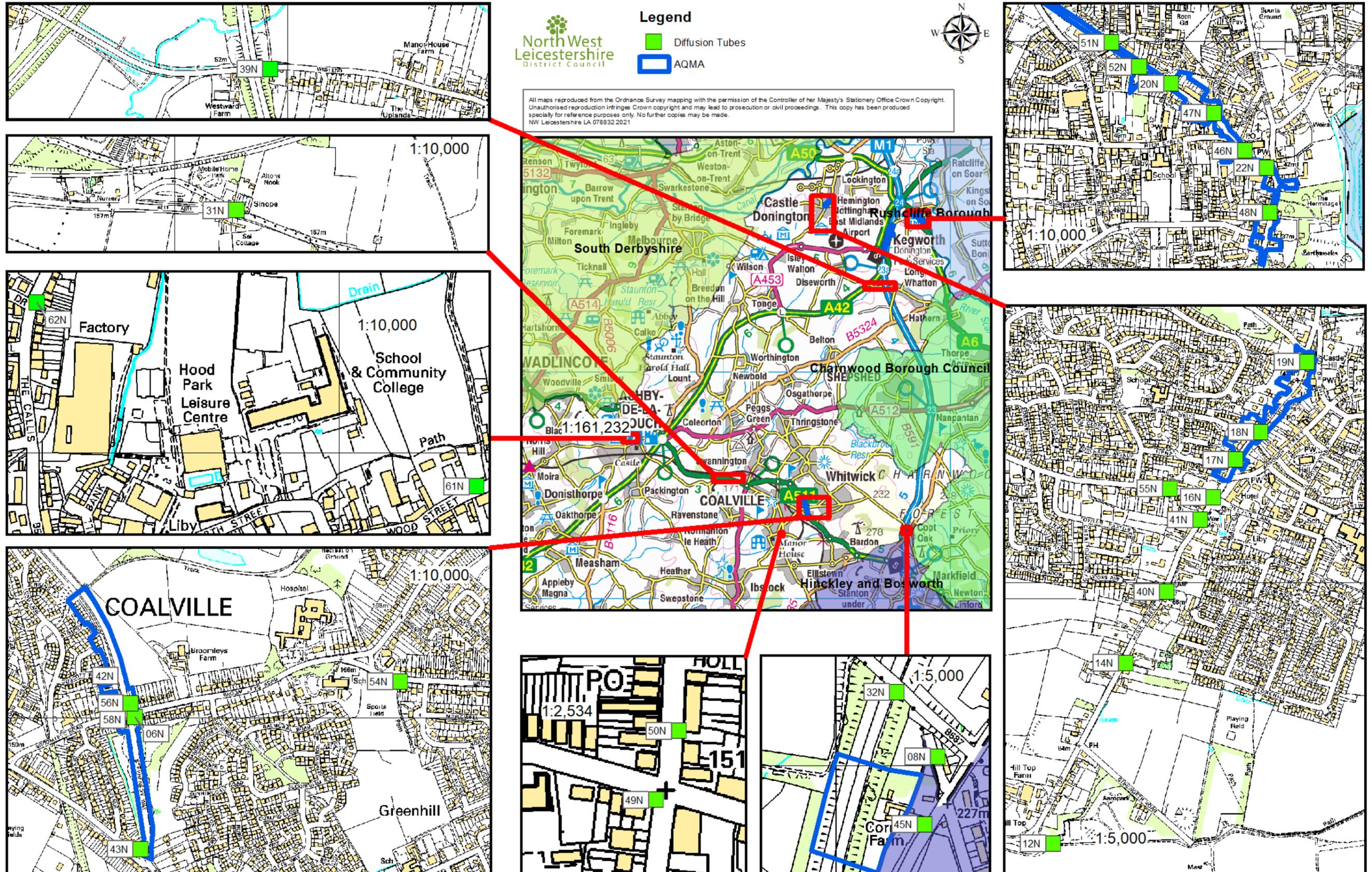
No local bias adjustment has been calculated

104 **Table C.4 – NO<sub>2</sub> Fall off With Distance Calculations (concentrations presented in  $\mu\text{g}/\text{m}^3$ )**

No fall off with distance calculations have been made

# Appendix D: Map(s) of Monitoring Locations and AQMAs

Figure D.1 – Map of Non-Automatic Monitoring Site



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## Appendix E: Summary of Air Quality Objectives in England

Table E.1 – Air Quality Objectives in England<sup>7</sup>

Pollutant	Air Quality Objective: Concentration	Air Quality Objective: Measured as
Nitrogen Dioxide (NO <sub>2</sub> )	200µg/m <sup>3</sup> not to be exceeded more than 18 times a year	1-hour mean
Nitrogen Dioxide (NO <sub>2</sub> )	40µg/m <sup>3</sup>	Annual mean
Particulate Matter (PM <sub>10</sub> )	50µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	24-hour mean
Particulate Matter (PM <sub>10</sub> )	40µg/m <sup>3</sup>	Annual mean
Sulphur Dioxide (SO <sub>2</sub> )	350µg/m <sup>3</sup> , not to be exceeded more than 24 times a year	1-hour mean
Sulphur Dioxide (SO <sub>2</sub> )	125µg/m <sup>3</sup> , not to be exceeded more than 3 times a year	24-hour mean
Sulphur Dioxide (SO <sub>2</sub> )	266µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	15-minute mean

<sup>7</sup> The units are in microgrammes of pollutant per cubic metre of air (µg/m<sup>3</sup>).

## Appendix F: Impact of COVID-19 upon LAQM

COVID-19 has had a significant impact on society. Inevitably, COVID-19 has also had an impact on the environment, with implications to air quality at local, regional and national scales.

COVID-19 has presented various challenges for Local Authorities with respect to undertaking their statutory LAQM duties in the 2021 reporting year. Recognising this, Defra provided various advice updates throughout 2020 to English authorities, particularly concerning the potential disruption to air quality monitoring programmes, implementation of Air Quality Action Plans (AQAPs) and LAQM statutory reporting requirements. Defra has also issued supplementary guidance for LAQM reporting in 2021 to assist local authorities in preparing their 2021 ASR. Where applicable, this advice has been followed.

Despite the challenges that the pandemic has given rise to, the events of 2020 have also provided Local Authorities with an opportunity to quantify the air quality impacts associated with wide-scale and extreme intervention, most notably in relation to emissions of air pollutants arising from road traffic. The vast majority (>95%) of AQMAs declared within the UK are related to road traffic emissions, where attainment of the annual mean objective for nitrogen dioxide (NO<sub>2</sub>) is considered unlikely. On 23rd March 2020, the UK Government released official guidance advising all members of public to stay at home, with work-related travel only permitted when absolutely necessary. During this initial national lockdown (and to a lesser extent other national and regional lockdowns that followed), marked reductions in vehicle traffic were observed; Department for Transport (DfT) data<sup>8</sup> suggests reductions in vehicle traffic of up to 70% were experienced across the UK by mid-April, relative to pre COVID-19 levels.

This reduction in travel in turn gave rise to a change of air pollutant emissions associated with road traffic, i.e. nitrous oxides (NO<sub>x</sub>), and exhaust and non-exhaust particulates (PM). The Air Quality Expert Group (AQEG)<sup>9</sup> has estimated that during the initial lockdown period in 2020, within urbanised areas of the UK reductions in NO<sub>2</sub> annual mean concentrations were between 20 and 30% relative to pre-pandemic levels, which represents an absolute reduction of between 10 to 20µg/m<sup>3</sup> if expressed relative to annual

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<sup>8</sup> Prime Minister's Office, COVID-19 briefing on the 31<sup>st</sup> of May 2020

<sup>9</sup> Air Quality Expert Group, Estimation of changes in air pollution emissions, concentrations and exposure during the COVID-19 outbreak in the UK, June 2020

mean averages. During this period, changes in PM<sub>2.5</sub> concentrations were less marked than those of NO<sub>2</sub>. PM<sub>2.5</sub> concentrations are affected by both local sources and the transport of pollution from wider regions, often from well beyond the UK. Through analysis of AURN monitoring data for 2018-2020, AQEG have detailed that PM<sub>2.5</sub> concentrations during the initial lockdown period are of the order 2 to 5µg/m<sup>3</sup> lower relative to those that would be expected under business-as-usual conditions.

As restrictions are gradually lifted, the challenge is to understand how these air quality improvements can benefit the long-term health of the population.

## **Impacts of COVID-19 on Air Quality within North West Leicestershire**

Annual mean reductions of NO<sub>2</sub> concentrations of between 20 and 35% were experienced at roadside diffusion tube monitoring sites during 2020 compared to the mean of 2015 - 2019 results. This equated to a 10 to 15% reduction in annual mean concentration relative to 2019. No monitoring sites within AQMA 1 have complied with the annual mean objective since declaration. The reduction in NO<sub>2</sub> experienced within 2020 has allowed the Council to provide an evidence base in relation to the annual mean objective being achievable.

## **Opportunities Presented by COVID-19 upon LAQM within North West Leicestershire**

No LAQM related opportunities have arisen as a consequence of COVID-19 within North West Leicestershire

## **Challenges and Constraints Imposed by COVID-19 upon LAQM within North West Leicestershire**

During 2020, due to staff not undertaking visits as a result of Covid restrictions, 2 monitoring periods were longer than the DEFRA calendar (March and June) and 2 were shorter than the DEFRA calendar (April and July). The length of exposure was still within acceptable ranges (2 weeks and 6 weeks of exposure) therefore there is a small to non impact caused.

**Table F 1 – Impact Matrix**

Category	Impact Rating: None	Impact Rating: Small	Impact Rating: Medium	Impact Rating: High
Passive Monitoring – Adherence to Changeover Dates	Defra diffusion tube exposure calendar adhered to	Tubes left out for two exposure periods	Tubes left out for three exposure periods	Tubes left out for more than three exposure periods

## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
ASR	Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges – Air quality screening tool produced by Highways England
EU	European Union
FDMS	Filter Dynamics Measurement System
LAQM	Local Air Quality Management
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO <sub>2</sub>	Sulphur Dioxide

## References

- Local Air Quality Management Technical Guidance LAQM.TG16. April 2021. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- Local Air Quality Management Policy Guidance LAQM.PG16. May 2016. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- COVID-19: SUPPLEMENTARY GUIDANCE Local Air Quality Management reporting in 2021 Date: April 2021 Version: 1.0

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>ENVIRONMENTAL HEALTH - FOOD SAFETY SERVICE PLAN 2021/22</b>	
<b>Presented by</b>	Councillor Andrew Woodman Community Services Portfolio Holder	
<b>Background Papers</b>	<a href="#">Food Standards Agency – Food Law Code of Practice (England) (Issue March 2021)</a>	<b>Public Report:</b> Yes
	<a href="#">Food Standards Agency – Food Law Practice Guidance (England) (Issue March 2021)</a>	<b>Key Decision:</b> Yes
<b>Financial Implications</b>	The draft service plan can be delivered within the allocated budget 2021/22.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	<p>When providing the Food Safety function, the council must have regard to the 'Framework Agreement on Official Feed and Food Controls by Local Authorities'.</p> <p>Chapter 1 paragraph 3 of the Framework Agreement on Official Feed and Food Controls by Local Authorities states "Authorities have the flexibility to decide locally whether or not service plans should be approved at Member level. To help to ensure local transparency and accountability, and to show their contribution to the authority's corporate plan, feed and food service plans and performance reviews should be approved at the relevant level established for that local authority, whether that is Member, Member forum, or suitably delegated senior officer level. Records should be kept to show that service plans have received appropriate approval."</p> <p>Chapter 2 paragraph 3.2 states "A performance review shall be carried out by the Authority at least once a year based on the service delivery plan, documented and submitted for approval to either the relevant member forum or, where approval and management of service delivery plans has been delegated to senior officers, to the relevant senior officer."</p> <p>This is not a function which appears in schedule 1 of the Local Authority (Functions and Responsibilities) (England) Regulations 2000, therefore, this is a Cabinet function. In the absence of a delegation within the Constitution, this function therefore remains a Council function.</p>	

	<b>Signed off by the Monitoring Officer:</b> Yes
<b>Staffing and Corporate Implications</b>	No staffing implications have been identified.
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes
<b>Purpose of Report</b>	To inform Members of the content of the Food Safety Service Plan 2021/22 and to report on performance against the 2020/21 Service Delivery Plan
<b>Reason for Decision</b>	To approve the content of the Food Safety Service Plan 2021/22 as required by the Food Standards Agency.
<b>Recommendations</b>	<p><b>(1) THAT THE ENVIRONMENTAL HEALTH FOOD SAFETY SERVICE PLAN 2021/22 APPENDED TO THIS REPORT BE APPROVED</b></p> <p><b>(2) THAT THE PERFORMANCE AND ACHIEVEMENTS IN 2020/21 BE NOTED</b></p>

## 1.0 INTRODUCTION

- 1.1 The Food Safety function is delivered by the Environmental Health team. When providing the Food Safety function, the council must have regard to the 'Framework Agreement on Official Feed and Food Controls by Local Authorities' ("the Framework Agreement") which sets out the standards agreed with the Food Standards Agency.
- 1.2 The Framework Agreement requires each food safety service to document and implement a Food Safety Service Plan ("Service Plan") in accordance with the Codes of Practice. In addition, a documented performance review of the plan is required to be carried out at least once a year. The Framework Agreement requires the Service Plan, together with the performance review to be submitted for member approval to ensure local transparency and accountability.
- 1.3 The Environmental Health Food Safety Service Plan 2021/22 is attached at Appendix 1. Paragraphs 3 and 4 below detail a summary of the activity planned in 2021/22. Paragraph 5 provides a summary of the successes from 2020/21.

## 2.0 LINKS TO COUNCIL PRIORITIES AND OUTCOMES

- 2.1 The work of the food safety service links to two of the Council priorities, *Support for businesses* and *Our communities are safe, healthy, and connected*.

*Support for businesses:* The provision of regulatory advice and guidance provides a business with the confidence to grow. For example: Regulatory advice can result in a business saving money by avoiding gold plated compliance; By seeking advice from a regulator before opening or expanding, a business can avoid spending money in areas which fail to comply with the law; Regulatory advice provides a business with reassurance and peace of mind; Regulatory advice is free, avoiding a business the cost of appointing a private sector consultant; Regulatory advice from a local government officer is viewed by business as 'straight from the horse's mouth', and can be relied upon.

*Our communities are safe, healthy, and connected:* The work of the service helps ensure our residents and visitors have safe and healthy places to work, eat and enjoy.

### **3.0 MAIN FOCUS OF THE 2021/22 PLAN**

- A programme of 824 food safety interventions consisting of inspection, auditing, and sampling. Priority will be given to new food premises awaiting their first food hygiene inspection and known high risk establishments (Risk category A and B). (Paragraph 4.1.1 of Service Plan).
- A programme of food safety inspections/coaching visits targeting a selection of non-compliant food establishments (Paragraph 4.1.2 of Service Plan);
- The provision of support to HMS Host UK Limited under a Primary Authority Partnership (Paragraph 4.3);
- Investigation of food and food premises complaints (Paragraph 4.2), and all outbreaks and incidents of food related illnesses (Paragraph 4.6);
- The provision of information and advice on food safety to businesses and customers (Paragraph 4.4);
- A coordinated food, water, and environmental sampling programme (Paragraph 4.5);
- The issuing of export certificates (Paragraph 4.8);
- To operate the inspection facility at East Midlands Airport (Paragraph 4.9). Prior to 1 October 2021, all products of animal origin and certain foods not of animal origin arriving at East Midlands Airport from a country outside the European Union will be inspected. From 1 October 2021 new checks will be introduced on certain foodstuffs from the European Union. Catch certificates for fish and fishery products entering the EU via East Midlands Airport will be issued;
- To support businesses in their recovery from the Covid-19 pandemic by providing advice and guidance relating to complying with the easing of restrictions;
- To promote the National Food Hygiene Rating Scheme for food establishments within the district. Food establishments will be encouraged to display their rating; (Paragraph 4.11)

### **4.0 PERFORMANCE INDICATORS AND TARGETS 2021/22**

- 4.1 The food industry is regulated by a range of legislation that aims to keep our food safe. Officers' work with food businesses is focussed on helping them comply with food safety legislation and offering support and advice. This is seen as a critical area of our work by central government and the compliance levels of food establishments in the district are monitored and used as a measure of how our work impacts on business safety.
- 4.2 Following an inspection, an establishment is awarded a food hygiene rating ranging from 0 to 5, 0 being urgent improvement necessary, 3 being generally satisfactory and 5 being very good standards.
- 4.3 The hygiene ratings of food businesses fluctuate throughout the year with some businesses receiving an improved rating and others declining in standards. A target has been set to reduce the number of food businesses with a hygiene rating of 0,1 or 2 to 15.

### **5.0 PERFORMANCE AGAINST 2020/21 SERVICE PLAN**

- 5.1 Impact of Covid-19 on inspection programme

The Environmental Health Officers and Food Safety Officer responsible for delivering the food safety service plan have been heavily involved in the response to Covid-19. During the lockdown many of the businesses scheduled for inspections were forced to close. The focus of resource at this time was given to monitoring the business closures and responding to concerns raised by members of the public. As we move through the steps of the Government's roadmap to easing restrictions the team experience a high demand from business owners requesting guidance on how to re-open safely. The food safety team provide support to businesses by guiding them to make their premises covid-secure.

The impact of Covid-19 on the food inspection programme meant that on 31 March 2021, 448 planned food interventions were outstanding. Additional, temporary resource will be used to recover from the inspection backlog.

## 5.2 Successes

Despite the significant impact of Covid-19, the number of establishments requiring improvement (rated 0,1 and 2) decreased from 20 to 16 during 2020/21. This success was achieved through the provision of advice and guidance given to business owners by Environmental Health Officers.

On 1 April 2021 there were 738 registered food businesses within our district, within the scope of the national food hygiene rating scheme. 722 of the 738 (97.8%) food businesses have a hygiene rating of 3, 4 or 5 (satisfactory standards or better). The profile of the food establishments by hygiene rating is as follows:

Food Hygiene Rating	Number of food establishments
0 – Urgent improvement necessary	0
1 – Major improvement necessary	10
2 – Improvement necessary	6
3 – Generally satisfactory	22
4 – Good	91
5 – Very Good	609

All the priority activities identified by the Food Standards Agency were delivered, namely: checks carried out at East Midlands airport border control post; response to food incidents and outbreaks; inspections at approved food premises; response to complaints; enforcement actions and follow up visits.

87% of high-risk food establishments (risk category A and B detailed within the food hygiene rating system) received a food hygiene inspection.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Support for businesses and helping people into local jobs.</li> <li>- Our communities are safe, healthy, and connected.</li> </ul>
Policy Considerations:	No council policy considerations
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	The work programme will ensure that food produced and consumed in NWL is safe
Economic and Social Impact:	Advice provided to businesses will support the economic recovery from Covid-19
Environment and Climate Change:	No impact
Consultation/Community Engagement:	None required
Risks:	No significant risks identified
Officer Contact	Paul Sanders Head of Community Services <a href="mailto:paul.sanders@nwleicestershire.gov.uk">paul.sanders@nwleicestershire.gov.uk</a>

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**FOOD SAFETY  
ENVIRONMENTAL HEALTH  
SERVICE PLAN 2021-22**



As Required by the Food Standards Agency

# **FOOD SAFETY SERVICE PLAN 2021-2022**

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## FOOD SAFETY SERVICE PLAN 2021-2022

### 1. INTRODUCTION

This service plan has been produced in accordance with the Framework Agreement on Official Feed and Food Controls by Local Authorities.

This plan provides the basis on which the authority will be monitored and audited by the Food Standards Agency.

### 2. AIM AND OBJECTIVES OF SERVICE

#### 2.1 Aim

To protect public health in North West Leicestershire and ensure that the food imported, prepared, stored, sold, and consumed in the district is safe to eat, through enforcement and education.

#### 2.2 Objectives

- To undertake quality programmed interventions of food establishments (in land and point of entry) in line with their risk rating and intervention policy.
- To undertake an alternative enforcement strategy in low-risk premises.
- To investigate all reports of food poisoning in line with service standards and take appropriate action.
- To investigate all service requests in line with service standards and inform complainants of outcomes and the reason for the outcomes.
- To undertake a programme of food sampling to demonstrate the importance of good hygiene and to check food safety systems are working.
- To further develop Primary Authority partnerships
- To maintain an accurate database.
- To undertake a programme of education aimed at the public and businesses.
- To undertake surveillance, inspection, and sampling of imported foods.

#### 2.3 Strategic Aims

The work of the food safety team makes an important contribution to the Council's priorities 'Support for Businesses and 'Our Communities are safe, healthy and well connected'.

#### 2.4 Performance Indicators

Indicator	Annual Target 21/22
Number of food establishments with a hygiene rating of 0, 1 or 2 (non-compliant) using the national food hygiene rating scheme	15
Proportion of programmed food inspections completed at food establishments rated risk category A and B	100%

#### 2.5 Service Standards

All service users can expect and will receive an efficient and professional response.

Officers will identify themselves by name in all dealings with service users.

Officers will always carry identification cards and authorisations.

Service users will be informed of the name and telephone number of the officer who is responsible for their need.

All service requests will be responded to; however, anonymous requests may not be dealt with.

The following initial response times to service requests can be expected by service users:-

### **Immediate**

Vermin in food premises.  
Food poisoning outbreak.  
Case of suspected food poisoning.  
Mouldy food complaint.  
Situations likely to result in an imminent risk to health.

### **Within 24 hours**

Collection of a food complaint.  
Inspection of imported food at East Midlands Airport  
IUU – catch certificates.  
Certificate of Inspection – Organic imports

### **Within 3 days**

Food Hygiene Rating Scheme – appeal application  
Food Hygiene Rating Scheme – Re-score visit application  
Food Hygiene Rating Scheme – Right to Reply request  
Imported food enquiries – request for advice  
All other food hygiene related complaints.

### **Within 5 days**

Confirmed cases of all other food related illness or communicable disease.

Following a food hygiene intervention food business operators will receive a report of visit at the end of the inspection. If a letter is required it will be received within 14 days. The letter will contain details of how to make representations to the Environmental Health Safety Team Leader or Environmental Health Team Manager.

All enforcement action will be taken in accordance with the Council's Enforcement Policy.

### **3. BACKGROUND**

#### **3.1 Profile of the Authority**

North West Leicestershire District Council services an estimated population of 93,468 covering an area of 27,933 hectares. It is a predominately rural district with 2 main urban areas, Coalville, and Ashby de la Zouch.

#### **3.2 Organisational Structure**

##### **3.2.1 Democratic Structure**

The Council is composed of 38 Councillors elected every four years. All Councillors meet as the full Council. Meetings of the Council are normally open to the public. Councillors decide the Council's overall policies and set the budget each year. The Council will appoint a Leader, two Scrutiny Committees, regulatory bodies, an Audit and Governance Committee and other statutory, advisory, and consultative bodies.

The Cabinet is responsible for most day-to-day decisions and comprises the Leader and his appointed Portfolio Holders. The Cabinet must make decisions which are in line with the Council's budget and policy framework.

The Scrutiny Committees may make recommendations which advise the Cabinet and the Council on its policies, budget and service delivery as well as monitoring the decisions of the Cabinet.

##### **3.2.2 Food Safety Team Structure**

The Food Safety Team sits within the Environmental Health Safety Team which forms part of the Community Services Team. The team is managed by the Environmental Health Team Manager. In addition, the following staff contribute to the food safety service:

Environmental Health Safety Team Leader  
Environmental Health Officers (3 FTE)  
Primary Authority Officer (1 Part time)  
2 Food Safety Officers

In addition, there is 1 Business Support Officer and 1 Business Support Assistant who support the work of the Food Safety Team.

The team submits any samples for microbiological analysis to the Public Health Laboratory Colindale, London, and all other samples for analysis to the County Public Analyst (Wolverhampton Scientific Services and ALS).

Eville & Jones Ltd provide the Official Veterinary Surgeon at the border inspection post at East Midlands Airport. The Lead Official Veterinary Surgeon (OVS) is Patrik Vazan and Veterinary Manager is Rafael Pedregosa.

### 3.3 Description and Scope of Service

Proactive	Reactive
Programmed inspections Programmed surveillance visits Food sampling (including imported foods) Water sampling Primary Authority Partnerships Flight manifest checks (imported food) Advice / Coaching	Food hygiene complaints Food complaints Food poisoning investigations/outbreaks Food alerts / Incidents Advice / Coaching Food Import enquiries Catch certificates Organic Certificates Export certificates New Business enquiries / Business Support Inspections of products of animal origin and high risk foods of non-animal origin at the border control post

### 3.4 Demands on the Service

The food safety service is based at the Council Offices situated in Coalville. The hours of opening are 8.45 – 5.00 Monday, Tuesday, Wednesday, Friday and 9.30am – 5.00 Thursday. Officers from the Food Team work outside normal office hours as the need arises.

The border control post situated at East Midlands Airport is manned on a reactive basis, as and when the service is required. The OVS is available to carry out checks 3 days a week.

- 3.4.1 There are 1004 food establishments known to the team in the district. These comprise of:

41	Manufacturers
26	Distribution / Importer / Exporter
187	Retailers
750	Caterers

Of these there are 3 meat products and 1 dairy product manufacturers which have been approved as required by EC Regulation 853/2004.

- 3.4.2 East Midlands Airport is within the district. The border control post at East Midlands Airport (EMA) is managed by the Environmental Health Team. The officers of the food safety team are responsible for checks of all fishery products from third countries and the EU entering the UK via the border control post at EMA. The OVS inspects all other products of animal origin entering the UK via the border control post. The officers of the food safety team are responsible for checking all 'high risk' foods not of animal origin from a third country and the EU entering the UK via the border control post at EMA.
- 3.4.3 All food establishments are categorised according to their intervention frequency in accordance with the Statutory Food Law Code of Practice.

On 1 April 2021, the profile of premises within the district was:

<b>Category</b>	<b>Number</b>	<b>Intervention Frequency</b>
A (high risk)	0	At least every 6 months
B (high risk)	22	At least every 12 months
C (medium risk)	104	At least every 18 months
D (medium risk)	393	At least every 2 years
E (low risk)	350	A programme of alternative enforcement strategies at least every 3 years
Unrated	135	
Total registered food establishments	1004	
Outside of programme (importers non-food)	13	Every 3 months (questionnaire)

**Note:** Category E premises must be subject to an alternative enforcement strategy or intervention, at least once during any three-year period.

All transit sheds and importers not currently importing foodstuff will be contacted every 3 months.

The number of businesses owned by ethnic minorities whose first language is not English has no significant impact on the service.

### 3.5 Enforcement Policy

Officers within the Food Team consider the principles of good enforcement set out in the Regulators' Code. The Council's general enforcement policy and specific food control enforcement policy incorporates the content of the Regulators' Code.

## 4. SERVICE DELIVERY 2021/2022

### 4.1 Food Establishment Interventions

#### 4.1.1 Programmed Interventions

Council Policy: "that all food establishment interventions will be carried out in accordance with the Statutory Food Law Code of Practice and internal procedure: PN1.0 Food Interventions. Interventions will take place unannounced wherever possible."

The complete intervention programme for 2021/2022 is as follows:

<b>Risk Category</b>	<b>Inspections due 2021/2022</b>	<b>Carried forward from 2020/21 programme</b>	<b>Total Programmed 2021/2022</b>
A	0	0	0
B	18	4	22
C	42	28	70
D	154	159	313
E	110	122	232
Unrated	0	135	135
Importers (non-food)	52	0	52
<b>Total</b>	<b>376</b>	<b>448</b>	<b>824</b>

Priority will be given to establishments within risk category A, B, unrated and non-broadly compliant\* C and D. It is estimated that 30% of establishments will receive one or more revisits. In addition to the above programme, all new food establishments will receive an initial inspection.

\*NOTE: A 'broadly complaint' establishment is one that has an intervention rating score of not more than 10 points under each of the following parts of Annex 5, Part 2: level of (Current) Compliance, hygiene, and level of (Current) Compliance – Structure and Part 3: Confidence in Management.

The Food Standards Agency has published the; 'E.coli 0157 Control of Cross Contamination' guide providing critical information for food business operators and enforcement authorities. The guide aims to increase recognition of the threat of *E.coli* and identifies the need to have stringent measures in place to prevent transmission. It sets out controls in circumstances where food may be contaminated and is handled in the same establishment as ready-to-eat food. Given that very serious outbreaks and fatalities have been associated with this organism all food businesses will be made aware of the risks and will receive advice on the most effective ways of preventing infection.

#### Intervention Policy

Category	Planned Intervention
A (non-compliant) B (non-compliant) C (non-compliant) D (non-compliant)	Full/Partial inspection/audit Full/Partial inspection/audit Full/Partial inspection/audit Full/Partial inspection/audit monitoring / verification / official sampling or education/advice/ coaching
A (compliant) B (compliant) C (compliant)	Full/Partial inspection/audit Full/Partial inspection/audit Full/Partial inspection/audit Or
D (compliant)	Monitoring / verification / official sampling Full/Partial inspection/audit monitoring / verification / official sampling or education/advice/ coaching
E (compliant) Unrated	Self-assessment questionnaire Full/Partial inspection/audit
Non-food ETSF / Importers	Telephone questionnaire Liaison with UKBF

#### 4.1.2 High Risk Intervention Programme

A selection of non-compliant food establishments rated as either 0, 1 or 2 under the Food Hygiene Rating Scheme will be selected. Each establishment will receive interventions which may include full and partial inspections, coaching sessions, food safety management advice, mentoring from a compliant business and verification visits. Interventions will continue until such time that the Inspector considers the food establishment to be 'broadly compliant' with food hygiene law. At this point

interventions will cease. Each establishment will then receive their programmed full or partial inspection to determine if they have maintained their broadly compliant standard. Each establishment will be offered a chargeable re-rating inspection. Consideration will be given to the service of hygiene improvement notices where a business fails to secure improvements following structured, regular support and guidance.

The success of the project will be evaluated by the number of establishments that improving their food hygiene rating from 0,1 or 2 to at least a 3.

#### 4.1.3 **Better Business for All - Earned Recognition Scheme**

The service will follow an earned recognition scheme when targeting resource to food hygiene controls large public gatherings. Those mobile food vendors that have a Food Hygiene Risk Rating score of 3 or above on the national food hygiene rating scheme will not receive an intervention unless the registering authority requests that an intervention is made. The objective of this approach is to reduce unnecessary regulatory burden on compliant businesses.

#### 4.1.4 **Inspection of aircraft**

Aircraft are included within the definition of premises. The Food Law Code of Practice states that primary consideration should be given to the origin of the food on board, including water and other drinks, and the transport to, and loading of, the aircraft. An audit of the sampling programme for the water on board aircraft will be undertaken.

#### 4.1.5 **Specialised Processes**

The manufacture of meat and dairy products, in-flight catering, the inspection of third country imports of products of animal origin, the production of carbonated drinks and the production of crisps and snacks are all specialist areas of work undertaken within North West Leicestershire. The current post holders within the Food Safety Team hold adequate expertise within these specialist areas of work. When devising the departmental training needs, maintaining adequate knowledge in these areas of work is a priority.

Donington Park is situated within North West Leicestershire. A number of international sporting and musical events are held at the park. Officer time will be spent assisting with the planning of large events. This work will include the partial inspection of a proportion of food establishments trading at these events. Where water provision involves a temporary installation, work to ensure water safety will be undertaken. The event programme is likely to be impacted by the Covid-19 pandemic during 2021.

A street trading consent scheme operates within North West Leicestershire. All mobile food establishments and static units trading within the District hold a 'consent' under the scheme.

#### 4.2 **Food Complaints**

Council Policy: **“that all food complaints received are investigated in accordance with the Statutory Food Law Code of Practice and internal procedure note PN7.0: Food Complaints.”**

Based on previous year's figures it is estimated that the team will receive in the range of 20 food complaints.

#### 4.2.1 Food Hygiene Service Requests

Council Policy: **“that the Food Safety Team undertake unprogrammed visits as a result of a complaint about the standards of hygiene at a food establishment, a new establishment opening, new management taking over or due to a request by another agency”** e.g., Defra, Ofsted.

This will include most service requests received by the food team regarding standards of hygiene e.g., including complaints about:-

- cleanliness in premises
- drainage defects
- pest problems
- service requests for inspections by other statutory bodies, e.g., Ofsted, Animal Health
- service requests for guidance from new owners of food establishments

These interventions do not form part of the programmed interventions.

Based on previous year's figures it is estimated that the number of service requests received relating to standards of hygiene will be approximately 30.

#### 4.3 Primary Authority

Council Policy: **“to have regard to the Primary Authority Scheme”**.

Council Policy: **“to have regard to the information (national inspection plans and approved assured advice) provided on the Primary Authority website before undertaking an intervention at an establishment with a Primary Authority.”**

The Council has a Primary Authority partnership with HMS Host UK Limited.

Based on previous year's figures it is estimated that the team will receive in the range of 5 - 10 originating authority complaints from other local authorities.

#### 4.4 Support and Advice to Business (including import enquiries)

Council Policy: **“to provide advice to both established and new food establishments”**.

The Leicester and Leicestershire Regulatory Services Partnership and Better Business for All (BBfA) Steering Group was established in 2011. The overriding objective of the Partnership and the BBfA programme is to improve engagement with local businesses and provide them with advice and guidance to assist in reducing the burden of regulation on business.

In 2021/22 the following food safety support is available to businesses:

Inspection – An officer will provide advice to every business during a routine food hygiene inspection.

Coaching - If requested by a Food Business Operator a one-to-one coaching session will be undertaken to assist them in complying with the law.

High Risk Establishment Enhanced Support Project – A selection of non-compliant businesses will receive an enhanced level of support to assist them in becoming compliant. It is hoped that by increasing the level of support and advice to non-compliant businesses, the number of businesses ‘broadly compliant’ with food hygiene legislation will increase. The additional support will only be available to those businesses which demonstrate a willingness to improve and maintain hygiene standards.

Food safety advice is available on the Council’s website. Advice is also available on the food standards agency website.

Any business requesting advice and guidance in other areas of regulation or non-regulatory support will be signposted to the LLEP Business Gateway advice line or website.

#### 4.5 **Sampling Programme**

##### 4.5.1 **Food Sampling**

Council Policy: **“to take part in National and Local Food Sampling Programme.”**  
The food items which form part of this programme are selected by the Leicester and Leicestershire Food Best Practice Group based on known or potential problem areas. All samples are taken in accordance with the Statutory Food Law Code of Practice. The programme is detailed at Appendix 1.

In addition to the sampling programme food samples may be submitted for examination as part of a programmed intervention, complaint, infectious disease investigation or imported food surveillance.

Using sampling as an Official Control intervention is highlighted in the Statutory Food Law Code of Practice. Some samples may be sent to the Public Analyst for analysis. The authority is charged for this service.

The number of samples that can be submitted for examination free of charge is allocated by the Public Health Laboratory Service (PHLS).

##### 4.5.2 **Water Sampling (Commercial Premises & Aircraft)**

Council Policy: **“that routine sampling of mains water is not undertaken.”**

However, sampling of mains water may take place as a result of a complaint or concern.

Council Policy: “to audit the sampling and monitoring programme in place to ensure the quality of water on-board aircraft at East Midlands Airport.

##### 4.5.3 **Private Water Supplies**

The district has the following private water supplies and distribution systems in its area:

	Large	Small	Single domestic
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Private Water Supplies	4	2	11
Distribution Systems	2		

The Authority has a statutory duty to risk assess private water supplies within its district and then conduct a sampling program based upon the risk assessment.

#### **Sampling Programme 2021/22**

The 4 large supplies will be sampled twice during the year

2 small supplies will be sampled every 5 years. None of the small supplies will be sampled during 2021/22

Single domestic supplies will not routinely be sampled but sampling can be carried out on request

Private Distribution Systems will be sampled based on the outcome of the risk assessment

#### **4.6 Infectious Disease Control**

Council Policy: **“to investigate all food borne diseases.”**

The team receives notifications from Public Health England relating to residents/visitors within the district suffering from a notifiable infectious disease. The team may also receive informal notifications of suspected food poisoning from members of the public. Non-food related infectious diseases are investigated based on advice from the Consultant for Communicable Disease Control (CCDC).

Based on previous year’s figures it is estimated that the team will receive in the range of 110-120 formal or informal notifications of food related infectious diseases.

#### **4.7 National Food Safety Incidents**

Council Policy: **“to deal with food alerts in accordance with the Statutory Food Law Code of Practice.**

The Food Standards Agency issues a ‘Product Withdrawal Information Notice’ or a ‘Product Recall Information Notice’ to let local authorities and consumers know about problems associated with food. In some cases, a ‘Food Alert for Action’ is issued. This provides local authorities with details of specific action to be taken.

The team receives food alerts via EHC net messaging system and the FSA Enforcement mailbox. Food Alerts: Alerts ‘For Action’ are referred for the urgent attention of the Environmental Health Team Manager or Environmental Health Safety Team Leader.

Based on previous year’s figures the section is likely to receive less than 10 alerts for action.

#### **4.8 Food Export Health Certificates**

Health certificates are issued to food businesses who wish to export foodstuff to the EU or rest of the world. They are provided to help local exporters meet the food safety requirements. The team check that the business is registered with us and that we are satisfied with the food hygiene standards before issuing the certificate.

Based on previous year's figures the team is likely to issue approximately 100 export certificates.

#### **4.9 Imported Foods at Point of entry**

##### **4.9.1 Border Control Post (BCP) – Products of animal origin**

The service manages and operates the border control post at East Midlands Airport (EMA). The BCP is subject to audits and verification visits by Animal Health, an Agency of Defra. These currently take place twice a year.

All products of animal origin arriving at EMA from the rest of the world (non-EU) must be inspected at the border control post. A staged approach to the introduction of checks on EU imports is planned in 2021. Officers from the Food Safety Team have responsibility for inspecting all fishery products and an Official Veterinary Surgeon (OVS) has been appointed by the authority to inspect all other products of animal origin.

##### **4.9.2 Catch certificates (Fish and Fishery Products)**

On 1<sup>st</sup> January 2010, an EU regulation came into force to combat illegal, unreported, and unregulated fisheries. The regulation requires a catch certificate for all imports and landings of fish and fish products into the EU by third countries.

The service issue catch certificates for fish and fishery products entering GB from the EU, EEA, and rest of the world via East Midlands Airport.

Based on previous year's figures the team is likely to issue approximately 250 catch (exemption) certificates.

##### **4.9.3 Border Control Post (BCP) – High risk foods not of animal origin**

In 2014 the Food Standards Agency granted a DPE/DPI status to East Midlands airport for all ambient stable products listed within Commission Regulation (EU) No 996/2012, No 91/2013 and No 1152/2009.

All high-risk foods of non-animal origin arriving at EMA from the rest of the world (non-EU) must be inspected at the border control post. A risk-based approach to the introduction of checks on EU imports is planned in 2021.

Based on previous year's figures the team is likely to process less than 10 consignments.

##### **4.9.4 Surveillance**

A risk-based programme of surveillance will be carried out. This will involve officers carrying out checks of flight manifests and visits to transit sheds. Sampling of foodstuffs found may be undertaken.

Each of the importers / ETSF and transit shed operators that do not currently handle foodstuffs will be contacted every 3 months.

Due to the flight schedule the monitoring of 'live' manifests must be undertaken outside normal office hours. In addition, some manifests checked will not be 'live'.

They will be viewed after the freight has left the airport. The checking of such manifests provides a useful auditing tool.

#### 4.9.5 **Sampling**

A sampling programme will be carried out, being informed by the national monitoring plan and local intelligence and information.

#### 4.9.6 **Liaison/Management of Port Health**

In 2008 a multi-agency East Midlands Airport Port Health Group was established. Membership of this group includes Public Health England, North West Leicestershire DC, Leicestershire and Rutland Primary Care Trust, East Midlands Airport and UK Border Force.

Council Policy: **“To contribute to the delivery of the multi-agency Port Health Group at East Midlands Airport.”**

A representative from the Environmental Health will attend meetings of this group.

Regular communication with Border Force is in place.

#### 4.10 **Other non-official control interventions**

Council Policy: **“to raise the awareness of the public to the potential causes of food poisoning.”** Throughout the year articles will be published in the local press and on the Council, web pages regarding food safety matters.

##### Food Poisoning in the Home

Once again, we will be communicating the key messages as suggested by the Food Standards Agency during national food safety week.

##### Effective hand washing

To raise the awareness of the importance of hand washing in preventing the spread of disease such as covid-19 the hand washing machine with ultraviolet light will be offered to workplaces, schools, and child nurseries around the district.

#### 4.11 **Food Hygiene Rating Scheme**

North West Leicestershire District Council operates the national Food Hygiene Rating Scheme (FHRS). The scheme provides consumers with information regarding the hygiene standards identified in food establishments at the time of the last intervention.

The data is managed by the Environmental Health Safety Team Leader on an ongoing basis and a data upload carried out a minimum of every 13 days.

The profile of the scheme will be maintained through the issue of press releases and social media messages with compliance standards at businesses being recognised by issuing certificates/stickers.

#### 4.12 **Licensing/Consents**

The team is consulted prior to the issue of premises licences (new and variations) under the Licensing Act 2003. All take-away premises and food mobiles trading

between 11.00 p.m. and 5.00 a.m. require licensing under the Act. The Safety Team will respond to any new applications and variation applications received and make representations if there are public safety or public nuisance concerns.

Officer time will be spent assisting with the planning of large events such as the Timber festival and the 80s 90s music festival.

The team is consulted prior to the issue of new consents and existing non-compliant traders under the Street Trading Scheme. All mobile food establishments and static units trading within the District hold a 'consent' under the scheme.

#### **4.13 Liaison with Other Organisations and Internal Communication**

A member of the Environmental Health Service is represented on the following groups/meetings:

##### **External/Multi-agency Groups:**

- Leicestershire and Rutland CIEH Food Best Practice Group
- Association of Port Health Authorities Liaison Groups (Border Inspection Post, Airports, Environmental Health & Hygiene)
- East Midlands Airport multi-agency Port Health Group
- Leicestershire CIEH Environmental Health Managers Group
- Public Health England Liaison Group
- Idox Uniform User Group
- NWL Safety Advisory Group
- Download event planning meetings
- Donington Park event planning meetings
- Cattows Farm event planning meetings
- Better Business for All Partnership – Task & Finish Groups
- UK Border Force liaison meetings
- East Midlands airport – Cargo Development

##### **Internal Groups:**

- Safety Team Meeting
- Monthly 121's/Performance meetings
- NWLDC Idox user group

## **5. RESOURCES**

### **5.1 Financial Allocation**

The budget for the provision of the food safety service is £339,555. The general expenses incurred by the service such as training, salaries and administrative costs are budgeted for as part of the budget for Environmental Health.

### **5.2 Staffing Allocation**

It is the Council's policy to authorise officers appropriately in accordance with their qualifications and experience having regard to the Statutory Food Law Code of Practice. All officers have been authorised in accordance with the internal procedure PN 5.0: Authorisation of Officers.

The nominated lead officer for food safety is the Environmental Health Safety Team Leader.

### 5.2.1 The details of the staffing levels in the section are as follows:

Environmental Health Team Manager – The post holder is an Environmental Health Officer with responsibility for the food hygiene, health and safety, Port Health, Pest Control, Animal Welfare, and licensing functions of the Council. The post holder is authorised under the Food Safety and Hygiene (England) Regulations 2013. Food related work = 0.4 FTE (Non-operational)

Environmental Health Team Leader – The post holder supervises the operational work of the Team and undertakes food safety work. The post holder is fully authorised under the Food Safety and Hygiene (England) Regulations 2013. Food related work = 0.7 FTE (Imported foods= 0.05FTE)

Environmental Health Officer – The post holder undertakes food safety work and carries out duties under the Health and Safety at Work etc. Act 1974. The post holder is fully authorised under the Food Safety and Hygiene (England) Regulations 2013. Food related work = 0.7 FTE (Imported foods= 0.05FTE)

Food Safety Officer / Environmental Health Officer (Career Graded) – The post holder undertakes food safety work and carries out duties under the Health and Safety at Work etc. Act 1974. The postholder's food safety enforcement powers are restricted by authorisation to non-official controls only. Food related work = 0.7 FTE (Imported foods= 0.05FTE)

Environmental Health Officer (Part time) – The post holder undertakes food safety work and carries out duties under the Health and Safety at Work etc. Act 1974. The post holder is fully authorised under the Food Safety and Hygiene (England) Regulations 2013. Food related work = 0.2 FTE (Imported foods= 0.05FTE)

Environmental Health Officer (Part time – 18.125 hours) –The post holder undertakes food safety work and carries out duties under the Health and Safety at Work etc. Act 1974. The post holder is fully authorised under the Food Safety and Hygiene (England) Regulations 2013. Food related work = 0.4 FTE (Imported foods= 0.05FTE)

Primary Authority Officer (Part time – 18.125 hours) The post holder undertakes the Primary Authority role, working with HMS Host UK Limited

Food Safety Officer – The post holder undertakes food safety work and carries out limited duties supporting an appointed inspector under the Health and Safety at Work etc. Act 1974. The postholder's food safety enforcement powers are restricted by authorisation. Food related work = 0.9 FTE (Imported foods= 0.05FTE)

Food Safety Officer (1.0 FTE) – The post is currently vacant.

There is 1 Business Support Officer and 1 Business Support Assistant providing support to the food safety section. Food related work = 0.1 FTE and 0.1 FTE

### 5.3 Staff Development/Training

The Environmental Health Team has embraced the principles of the Best Employee Experience (B.E.E) Project. The individual Performance and Development Reflection meetings are a key element of North West Leicestershire District Council's aim to support its employees by providing them with the development and learning required. Additional training requirements will be identified during the appraisal process and

will form a training plan for the team. Officers from the team will be given training which will consider any changes in legislation or guidance as and when required.

**NOTE:** Each Food Officer is required by the Statutory Food Law Code of Practice to do a minimum of 10 hours core training.

## **6. QUALITY ASSESSMENT / INTERNAL MONITORING**

6.1 A performance management system is in place within the Environmental Health Team to assess the quality of the service provided and the performance against agreed standards and how this information is communicated.

The system involves:

- The Environmental Health Team Manager (EHTM) and Environmental Health Team Leader (EHTL) monitoring the team performance against the SDP on a monthly basis.
- 1 Accompanied inspection and 1 Reality check will be carried out for each Authorised Officer each year by the Environmental Health Team Leader.
- Additional detailed checks to assess the adequacy of the post inspection paperwork will be carried out by the EHTL monthly and the check will be on a minimum of two inspections each month.
- Every year the EHTM will check 1 inspection carried out by the EHTL.
- All statutory notices will be checked by the EHTL or in their absence the EHTM before service.
- The EHTL will check the notice log monthly to ensure all outstanding notices have been checked off.
- Monitoring of service requests will be carried out by EHTL. A minimum of 1 service request will be checked every month.
- The EHTM will receive all completed customer satisfaction forms and will reply to any questionnaires requesting a response. Any adverse comments will be reacted to appropriately.
- The EHTM will receive a review of the questionnaires each quarter.
- The EHTL will check the sampling log every quarter to ensure its completeness and accuracy and to ensure that appropriate follow action has been taken.

When undertaking the above checks will be made to ensure the Code of Practice and internal procedures are being complied with.

Internal procedures have been and will continue to be developed in consultation with the Leicester & Leicestershire Food Best Practice Group to ensure consistency across the County.

## **7. COMMUNICATION**

## 7.1 Communication within the Team

- 7.1.1 Every month the EHTM meets with the Head of Community Services.
- 7.1.2 Every month the EHTM meets with the EHTL to discuss any issues and the previous month's performance. In addition, on-going issues are discussed as and when they arise.
- 7.1.3 Each month the EHTL meets with the officers individually to discuss performance.
- 7.1.4 Each month officers are given a summary of their previous month's performance.
- 7.1.5 At least every quarter there is a team meeting where specific issues are discussed with the Food Team.

## 8. REVIEW 2020/2021

### 8.1 Review against the Service Plan

The figures detailed below relate to data retrieved from the premises database on April 1<sup>st</sup> 2021.

#### 8.1.1 Programmed Inspections (Inland)

The number of premises and their risk ratings is changeable throughout the year. The number of inspections not carried out by the end of March 2021 is used to determine the percentage of those inspections completed.

100% of highest risk interventions were achieved (Category A)  
87% of high-risk food establishments were inspected (Category A and B)  
58% of the planned inspection programme was achieved – (Risk categories A, B, C, D and unrated)

Risk Category	Total inspections programmed 2020/21	Inspections remaining due at end of year	% of due inspections achieved
A	2 (1 establishment)	0	100
B	29	4	86
C	105	28	73
D	195	159	18
E	127	122	4
<b>Total</b>	<b>458</b>	<b>313</b>	<b>32</b>

#### Unrated food establishments

On 1 April 2020 48 food establishments remained unrated, awaiting their first inspection.

During 20/21 we received an additional 145 new registrations, totalling 187.

42 food establishments were inspected and received a rating; 20 establishments ceased trading.

135 establishments remain unrated on 31 March 2021.

#### 8.1.2 Support Programme – Business Growth

A programme of support targeting food businesses showing potential to grow was suspended because of the covid-19 pandemic. The resource planned to deliver this programme was utilised to respond to requests for assistance and guidance from businesses either wanting to reopen safely after a period of lockdown or were seeking assurance that their planned mitigations were safe.

### 8.1.3 Food Hygiene Service Requests

	2016/17	2017/18	2018/19	2019/20	2020/21
Food Hygiene Service Requests including drainage	19	13	61	73	36
Regarding problems with pests and rubbish	3	3	4	4	3
Total	22	16	65	77	39

### 8.1.4 Food Complaints

	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021
Foreign bodies in food	4	2	13	8	13
Mouldy/Quality foods	1	3	2	0	7
Chemical issues	1	0	1	1	5
Labelling of food	1	0	2	2	0
Allergy related	NA	NA	NA	4	0
Total	7	5	18	15	25

### 8.1.5 Advice to Businesses

The Safety Team and Customer Contact Centre gave advice over the telephone to customers. Detailed figures for this work are not recorded.

	2016/17	2017/18	2018/19	2019/20	2020/21
Requests for food safety advice	12	19	45	49	135 (incl. covid)

### 8.1.6 Sampling

	2016/17	2017/18	2018/19	2019/20	2020/21
Food Samples - Total	43	1	10	17	6
Food Samples - unsatisfactory (number)	17	0	1	3	0
Environmental Samples - Total	8	34	9	5	0
Environmental Samples - unsatisfactory (number)	4	10	7	3	0
Private Water Supply Samples - Total	21	17	25	7	8
Private Water Supply Samples - % unsatisfactory	28% (6)	35% (6)	60% (15)	43% (3)	2
Large Public Event Samples - Total	42	0	13	27	0
Large Public Event - %	2% (1)	0	0	0	0

unsatisfactory					
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### 8.1.7 Infectious Disease

	2016/17	2017/18	2018/19	2019/20	2020/21
Reported suspected food poisoning cases	15	4	37	49	17
Infectious Disease notifications	117	115	69	NA	NA
Most common disease and number	Campylo bacter - 79	Campylo bacter - 83	Campylo bacter - 36	NA	NA

### 8.1.8 Responding to National & Serious Localised Food Safety Incidents

If there is a problem with a food product that means it should not be sold, then it might be 'recalled' (when the product is taken off the shelves or customers are asked to return the product). If the problem presents a serious risk to public health the Food Standards Agency issues a 'Food Alert for Action' requiring all local authorities to take direct action. The Environmental Health – Food Safety Team responds to all alerts for action.

### 8.1.9 Border Control Post (POAO)

Year	Enquiries received	Catch (exemption) Certificates Issued	Total consignments CHED	Fish (EHO)	Other products (OVS)	Total Rejected	% Rejected
2005/06	N/A	N/A	86	28	58	18	21
2006/07	107	N/A	149	76	73	21	14
2007/08	112	N/A	129	41	88	53	41
2008/09	147	N/A	172	31	141	107	62
2009/10	126	N/A	161	20	141	83	52
2010/11	184	255	154	13	141	62	40
2011/12	113	246	84	15	69	33	39
2012/13	65	251	67	6	61	22	33
2013/14	41	258	68	8	60	9	13
2014/15	55	256	71	16	55	6	9
2015/16	40	249	52	8	44	6	11
2016/17	28	254	52	1	51	7	13
2017/18	23	255	68	11	57	28	41
2018/19	61	251	33	3	30	12	40
2019/20	89	242	41	5	36	27	66
2020/21	54	242	39	11	28	15	38

### 8.1.10 Imported High-Risk Foods of Non- Animal Origin

In 2014 the Food Standards Agency granted DPE/DPI status to East Midlands for a for all ambient stable products listed within Commission Regulation (EU) No 996/2012, No 91/2013 and No 1152/2009.

In 2014 an EHO visited those businesses thought to be handling imported foodstuffs. An inspection was carried out and a risk rating of the premises undertaken. These premises have since formed part of the inspection programme.

Each of the 13 importers that has confirmed they do not currently handle foodstuffs were contacted every 3 months for surveillance purposes. Any premises identified as handling imported foodstuffs will receive an inspection.

#### **Programmed Quarterly Checks of Non-food importers**

Number of premises	Number of quarterly checks programmed	Number of checks carried out	% of planned checks carried out
13	52	52	100%

#### **Border Control Post**

	Number of consignments presented	Product description	Number cleared
2016/17	3	Pistachio nuts	3
2017/18	23	Tea – China (21), dried grapes – Turkey (2)	23
2018/19	7	Tea - China	7
2019/20	1	Tea – China	1
2020/21	11	Kenyan beans Tea - China	11

#### **8.1.11 Surveillance of flight manifests**

A risk-based programme of surveillance was carried out in 2020/21 to identify any foodstuffs subject to import controls. The flight manifests checked, focussing on flights direct from or transiting through 3rd Countries. Three carriers and were targeted.

#### **8.1.12 Food Export Health Certificates**

	Number of export certificates issued	Number of customers
2016/17	98	1
2017/18	210	4
2018/19	122	5
2019/20	37	4
2020/21	20	4

#### **8.1.13 Import of Organic Foodstuffs**

	Number of certificates of inspection issued
2020/21	44

#### **8.1.14 Liaison with Other Organisations**

During 2020/21 the following liaison took place:-

Leicestershire & Rutland CIEH Food Best Practice Group / Technical Sub-Committee: Quarterly meetings. The Environmental Health Team Leader attended the quarterly meetings

East Midlands Airport Multi-Agency Port health Meeting: This group did not meet.

Leicestershire CIEH Environmental Health Managers Group: The Environmental Health Team Manager attended the weekly meetings.

Leicestershire Better Business for All Steering Group / Partnership: The Environmental Health Team Manager attended the quarterly meetings.

Health Protection Agency Liaison Group: The Environmental Health Team Leader attended all the scheduled meetings.

East Midlands Airport – EU Exit Border Planning Group – The Environmental Health Team Manager attended the meetings.

#### 8.1.15 Education & Awareness Initiatives (Other Non-Official Controls Interventions)

##### **Low risk food establishments – Risk Category E**

Food establishments that are low risk to consumers are categorised as risk category E. Low risk establishments do not form a part of the inspection programme. However, a programme of alternative enforcement strategies must be in place with each establishment receiving an intervention at least once during any three-year period.

An intervention was planned to take place at each of the 127 establishments categorised as low risk. However due to the impact that Covid-19 had on our ability to complete the intervention programme only 5 of the low-risk establishments received an intervention. This work will be carried forward to 2021/22.

##### **National Food Hygiene Rating Scheme**

The food hygiene rating scheme was promoted using press releases and social media (Twitter).

#### 8.2 Staffing Allocation

Vacancies were carried during 2020/21. 1 full-time EHO and 1 full-time Food Safety Officer were appointed during 2020/21. For much of the year EHO resource was deployed to carry out covid-19 related work including responding requests for advice, complaints and outbreaks and proactive compliance monitoring.

#### 8.3 Food Hygiene training Undertaken by Staff

All staff participated in a programme of continuous professional development as required by the Chartered Institute of Environmental Health. Training needs were identified through an appraisal process called BEE Reflection scheme.

#### 8.4 Enforcement Actions Taken

Hygiene Improvement Notices were served	0
Prohibition related notices	0
Seizure of food notices	0

Detention / Remedial Action Notices	0
Enforcement Notices (Regulation 20) under The Trade and Related Animal Product Regulations – Fail Veterinary checks at BIP	15
Enforcement Notices (Regulation 32(6)) under The Trade and Related Animal Product Regulations – Introduced in breach of regulations	0
Regulation 32 Notices under Official Feed and Food Controls (England) Regulations	0
Cautions for offences under food hygiene legislation	0
Conviction for offences under food hygiene legislation	0
Prohibition of Person from managing a food business	0

### 8.5 Performance Outcomes

As a result of the work undertaken by the service, standards of hygiene and safety at many food establishments within North West Leicestershire improved.

All food establishments that received an inspection have been rated using the National Food Hygiene Rating Scheme.

The number of establishments requiring improvement (rated 0,1 and 2) decreased from 20 to 16 during 2020/21.

87% of high-risk food establishments (risk category A and B) received a food hygiene inspection.

All the priority activities identified by the Food Standards Agency were delivered, namely: checks carried out at East Midlands airport border control post; response to food incidents and outbreaks; inspections at approved food premises; response to complaints; enforcement actions and follow up visits.

### 8.6 Issues for 2021/22

- Building on the successes of the previous programmes, to undertake an enhanced support programme targeting several the non-compliant food establishments.
- To recover the food inspection backlog from 2020/21 arising because of the Covid-19 pandemic
- To implement new import checks on controlled products arriving from the EU through East Midlands airport
- To provide co-ordinated support with the Business Focus team targeting food establishments showing the potential to grow
- To manage the safe reopening of HMS Host premises throughout the UK through the Primary Authority role.

## 9. IMPACT OF COVID-19

- The covid-19 pandemic has had a significant impact the ability to carry out the food hygiene inspection programme at food establishments.
- The pandemic has accelerated the introduction of agile working using Microsoft surface pro devices.
- The pandemic resulted in many businesses having to close for a significant period. Environmental Health Officers have been used to monitor compliance

with the business closure regulations by ensuring that all businesses prohibited from trading were closed.

- As businesses began to re-open many required advice and support on what they could do to comply with covid-19 government guidance such as social distancing measures. EHOs have provided businesses with this support.
- The government ceased the programmed inspection of businesses during much of 2020. The focus of the work was reactive, responding to concerns reported to us, monitoring compliance with business restriction regulations and remotely monitoring standards at those businesses previously non-compliant with food hygiene law.

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>PUBLIC SPACES PROTECTION ORDER (PSPO) CASTLE DONINGTON 'CAR CRUISE'</b>	
<b>Presented by</b>	Councillor Andrew Woodman Community Services Portfolio Holder	
<b>Background Papers</b>	<a href="#"><u>Anti-Social Behaviour, Crime and Policing Act 2014</u></a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	To enable authorised staff to enforce the PSPO, required signage will be funded by the Community Safety Partnership budget and CCTV and ANPR camera will be funded by the Community Safety Partnership budget.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	Without the PSPO in force the Council has no legal enforcement powers to deal with the drivers of motor vehicles and spectators within the identified areas that commit anti-social behaviour and crime by the use of vehicles in such a way and the resultant impact on the community.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	To enable authorised staff to enforce the PSPO.	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	<p><b>For Cabinet to agree to the introduction of a PSPO prohibiting:</b></p> <ul style="list-style-type: none"> <li>a) Any person participating in a Car Cruise</li> <li>b) Any person congregating for the purpose of being a spectator at a Car Cruise; and</li> <li>c) Any person allowing a vehicle, for which they are the registered keeper, to be used in a Car Cruise within a specified area within Castle Donington.</li> </ul> <p>Definitions and details of the order are set out within the PSPO document within Appendix 1.</p>	
<b>Reason for Decision</b>	To put in place a PSPO which restricts the anti-social use of vehicles.	
<b>Recommendations</b>	<p><b>THAT CABINET:</b></p> <p><b>1) APPROVES THE INTRODUCTION OF THE PUBLIC SPACES PROTECTION ORDER AS SET OUT WITHIN APPENDIX 1.</b></p>	

	<b>2) AGREES TO DELEGATE THE RENEWAL OF ANY FUTURE PSPO'S THAT DO NOT REQUIRE ANY AMENDMENTS FOLLOWING CONSULTATION, TO THE STRATEGIC DIRECTOR OF PLACE</b>
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## 1.0 BACKGROUND

1.1 In 2014 the Government introduced legislation called the Anti-Social Behaviour, Crime and Policing Act ("the Act"). The Act created Public Spaces Protection Orders (PSPOs).

1.2 PSPOs are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. Local authorities may make a PSPO within the authority's area if satisfied, on reasonable grounds that two conditions are met:

- (1) The first condition is that—
  - (a) activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - (b) it is likely that activities will be carried out in a public place within that area and that they will have such an effect.
- (2) The second condition is that the effect, or likely effect, of the activities—
  - (a) is, or is likely to be, of a persistent or continuing nature,
  - (b) is, or is likely to be, such as to make the activities unreasonable, and
  - (c) justifies the restrictions imposed by the notice.

1.3 The proposed PSPO relates to an area in Castle Donington which was created by the construction of a new road which supported the industrial traffic getting around the village of Castle Donington without the need to drive through the village. It also supports the large industrial units created down at Arundale Avenue including the large distribution centre of Marks and Spencer.

1.4 Since the creation of this road there has been regular large and publicised (on social media sites) meetings of car enthusiasts who have taken to using this location to meet in the evenings and race along the new road from the main A50 roundabout. The events usually take place predominantly on Sunday evenings however this is variable.

1.5 Anywhere between 10 and 100 vehicles have been identified at any one time within this location and around double the number of spectators due to many people travelling in vehicles together.

1.6 The behaviour causes a list of issues that have fallen to the Council and the police to manage, including but not exclusive to:

- Noise disturbances from loud engines and racing and from music from the vehicles.
- Littering and damage to the roads and street furniture.
- Blocking of public roads to race which has caused disruption to HGV's being able to access the business premises.
- Dangerous driving and risk to other road users and members of the public using this area for its intended purposes.

1.4 The police have carried out numerous operations at this location and were successful in issuing several fixed penalty notices under the Covid Breach Legislation however this method isn't deemed sustainable or cost effective.

## **2.0 PROPOSED ORDER**

2.1 The Proposed order is attached within Appendix 1.

## **3.0 POWER TO MAKE THE ORDER / RESTRICTIONS**

3.1 A PSPO can:-

- (a) prohibit specified things being done in the restricted area,
- (b) require specified things to be done by persons carrying on specified activities in that area, or
- (c) do both of those things.

However, prohibitions or requirements can only be imposed if they are reasonable to impose in order—

- (a) to prevent the detrimental effect from continuing, occurring or recurring, or
- (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence, or recurrence.

## **4.0 DURATION OF ORDER**

4.1 A PSPO may not have effect for a period of more than 3 years, unless extended under section 60 of the Act. Any extension cannot be for more than 3 years. Before the time when a PSPO is due to expire the local authority may extend the period for which it takes effect if it is satisfied on reasonable grounds that doing so is necessary to prevent (a) occurrence or recurrence after that time of the activities identified in the order, or (b) an increase in the frequency or seriousness of those activities after that time. Any extension of the order will be brought back before Cabinet in the same manner.

## **5.0 VARIATION / DISCHARGE OF THE ORDER**

5.1 A Local authority has the power to vary a PSPO should it wish to either increase or reduce the restricted area or by altering or removing a prohibition or requirement or by adding a new one. A PSPO may also be discharged by the local authority should it wish at any point during the period of the PSPO.

## **6.0 CONVICTIONS / ENFORCEMENT OF THE ORDER**

6.1 It is an offence for a person without reasonable excuse—

- (a) to do anything that the person is prohibited from doing by a PSPO, or
- (b) to fail to comply with a requirement to which the person is subject under a PSPO.

However, A constable or a person authorised by the local authority may issue a fixed penalty notice (FPN) to anyone he or she has reason to believe has committed an offence in relation to a PSPO. A FPN is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

The proposed PSPO will be managed predominantly by use of FPNs. However, where required (e.g. where the seriousness of the offending requires) there may be a need for perpetrators to be taken to Court for a breach. It will also be necessary to take persons that fail to pay the FPN to Court. This will be managed between the authorised officers and the Council's legal team.

6.2 Management and enforcement of the proposed PSPO will predominantly be completed with support of the local policing unit, however, there has also been agreement for the installation of an Automatic Number Plate Recognition (ANPR) camera and CCTV camera to be installed restricted area which will mean the PSPO can be enforced without the physical presence of officers.

## **7.0 CONSULTATION**

7.1 The Act requires the Council to publish the proposed PSPO on its website and consult with the following:

- Chief Constable of Leicestershire Police;
- The Police and Crime Commissioner for Leicestershire;
- whatever community representatives the Council thinks it appropriate to consult; and
- the owner or occupier of land within the restricted area.

The Chief Constable of Leicestershire Police and the PCC for Leicestershire were provided with a personal copy. Copies were also provided to Castle Donington Parish Council and Leicestershire County Council. Copies were also posted on the areas affected and a public consultation was run on the Council's website.

## **8.0 CONSULTATION RESULTS**

8.1 The PCC and the CC had no comment to make on the proposed order and were happy with its presentation at Cabinet.

8.2 The consultation was run publicly on the Consultation Hub on the Council's website. The consultation response was positive with 189 responses received in total.

- 8.2 There were 5 questions within the consultation with each having a free text box available to capture the qualitative responses.
- 8.3 The Final question was “Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in castle Donington?” The overall response to this was 94.71% were in support. Of the 5.29% that answered no to this question, the free text box responses have been reviewed and of which none were deemed admissible enough for us to reconsider the application to cabinet.
- 8.4 A full copy of the report is included marked Appendix 2.

If the proposed PSPO is approved by Cabinet, the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 require the Council to publish the order as made on its website and cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as the Council considers sufficient to draw the attention of any member of the public using that place to the order and the effect of the order—. The cost of the signs will be funded by the Community Safety Partnership budget.

## **9.0 Recommendation**

Considering the statements from the police, complaints received from the public, the videos taken from social media as well as the results from the public consultation, it is considered that the two conditions required for a local authority to make a PSPO (as set out at 1.2 above) are met. It is also considered that the prohibitions within the proposed PSPO are reasonable to prevent the detrimental effect car cruising is having on the quality of life of those in the locality.

It is therefore recommended that Cabinet approves the introduction of the PSPO as set out within Appendix 1.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	- Our communities are safe, healthy and connected
Policy Considerations:	None identified.
Safeguarding:	Consulted with Safeguarding team, no identified concerns.
Equalities/Diversity:	Consulted with Equalities Officer, no identified concerns, EHRIA completed and filed.
Customer Impact:	None identified.
Economic and Social Impact:	Positive impacts on both.
Environment and Climate Change:	Positive impacts on both.
Consultation/Community Engagement:	Consulted with:- Castle Donington Parish Council Leicestershire Police LPU commander Office of Police and Crime Commissioner Public consultation via NWLDC website, including social media presence.
Risks:	Risks have been considered and none identified.
Officer Contact	Paul Sanders Head of Community Services Paul.Sanders@nwleicestershire.gov.uk

**North West Leicestershire District Council  
Anti-social Behaviour,  
Crime and Policing Act 2014  
Part 4, Section 59**

**North West Leicestershire  
Proposed Public Spaces Protection Order 2021  
Vehicle Related Anti-Social Behaviour**

This Order may be cited as **the North West Leicestershire Public Spaces Protection Order Ref: xxxxxx:2021**

This Order is made by North West Leicestershire District Council (“the Council”) in exercise of its powers under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”)

**1. Duration**

This Order shall come into operation on **xx/xx/2021** and shall have effect for a period of three (3) years thereafter, expiring on **xx/xx/xxxx** unless revoked, amended or extended by further orders under North West Leicestershire District Council’s (“the Council”) statutory powers.

**2. The Restricted Area**

The land in relation to which this Order applies (“the Restricted Area”) is that land in the area of North West Leicestershire District Council which is:

- a) Delineated and shown in black on the map at Schedule one to this Order;  
and
- b) Listed as one of the roads in Schedule two to this Order.

**3. Persons to whom this Order applies**

This Order applies to all persons within the Restricted Area at all times of the night and day.

**4. The Activity**

The Council is satisfied that the conditions set out in section 59 of the Act have been satisfied and that allowing a Car Cruise (as defined in Schedule 3 to this Order) within the Restricted Area (“the Activity”) has a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is, or is likely, to be persistent or

continuing in nature and is, or is likely, to be such as to make the Activity unreasonable and the effect of the Activity justifies the restrictions imposed.

## 5. Prohibitions

In pursuance of section 59 of the Act, the Council therefore prohibits the following within the Restricted Area:

- a) Any person participating in a Car Cruise (the Activity);
- b) Any person congregating for the purpose of being a spectator at a Car Cruise; and
- c) Any person allowing a vehicle, for which they are the registered keeper, to be used in a Car Cruise.

## 6. Offences

It is an offence for a person without reasonable excuse—

- a) to do anything that the person is prohibited from doing by this Order, or
- b) to fail to comply with a requirement to which the person is subject under this Order.

A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## 7. Fixed Penalty Notices

A constable or a person authorised by the Council may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to Order. This may, upon evidence from CCTV and/or ANPR, be sent to the registered keeper of the vehicle.

A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.

Failure to pay a fixed penalty notice may lead to prosecution.

## 8. Appeals

Any challenge to this Order must be made in the High Court by an interested person within six weeks of the Order being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. The grounds on which an interested person may apply to the High Court are Any such interested person may apply to the High Court within 6 weeks from the date on which this Order on the grounds that; interested persons can challenge the validity of this order on two grounds:

NOT PROTECTIVELY MARKED

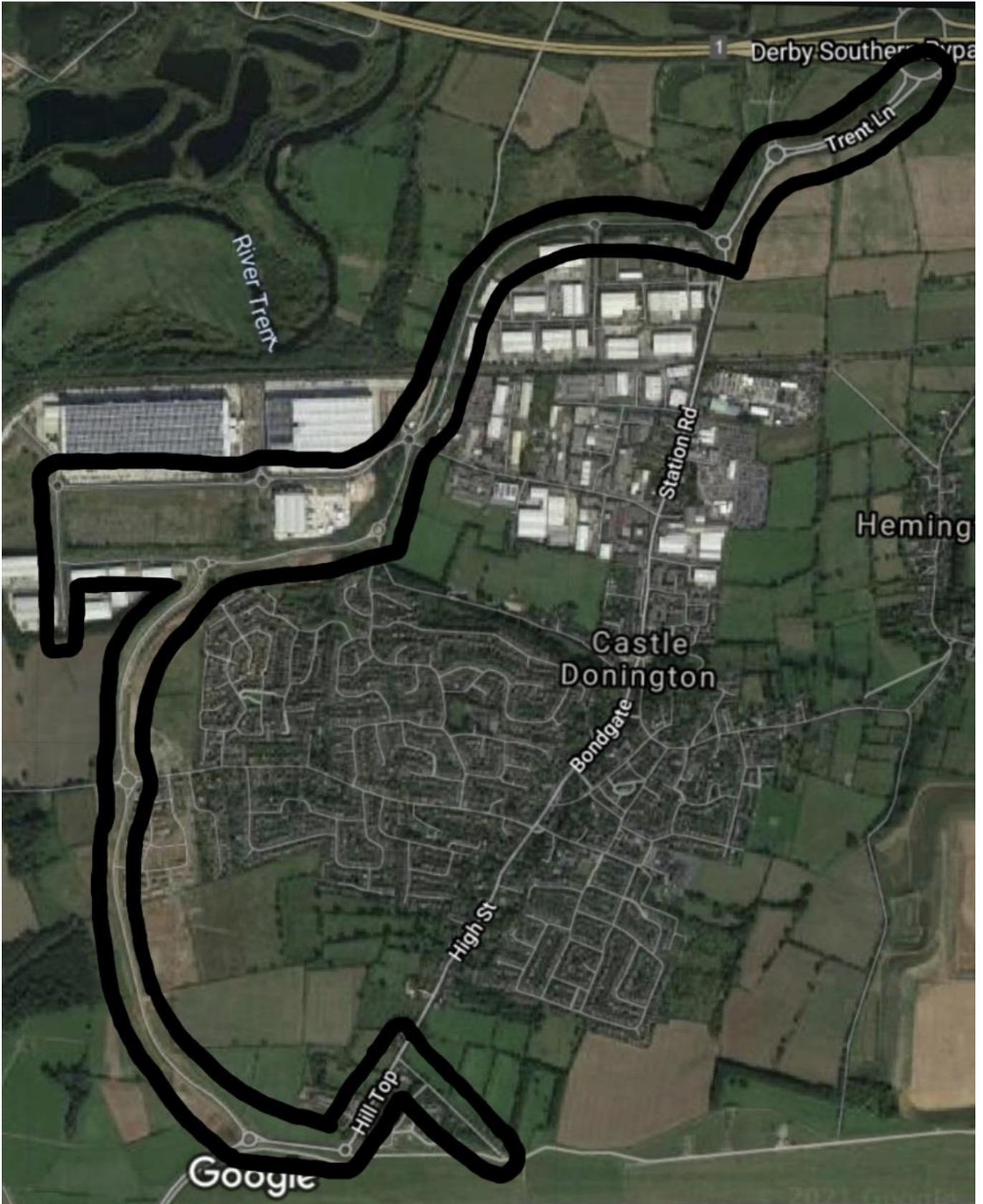
- a) That the Council did not have power to make the Order, or to include particular prohibitions or requirements imposed by the Order; or
- b) That the Council did not meet one of the requirements of Chapter 2 of Part 4 of the Act.

The right to challenge also exists where an Order is varied by The Council.

When such an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or totality. The High Court also has the power to uphold the Order, quash the Order or vary the Order.

The Common Seal of North West Leicestershire District Council was affixed in the presence of XXX

Schedule One – Map of Restricted Area



**Schedule Two – Roads included in the Restricted Area** The Restricted Area includes any part of the following roads within the area of Castle Donington, North West Leicestershire:

Sawley Junction  
Trent Lane  
Station Road  
Broad Rushes  
Arundel Avenue  
West Meadow Rise  
Short Lane  
Western Relief Road  
Hill Top  
Diseworth Road

### **Schedule Three – Definitions**

In this Order;

#### **Car Cruise**

1. “Car Cruise” means a congregation of the drivers and/or passengers of 2 or more motor vehicles (including motor cycles and quad bikes) at any time within the Restricted Area during which any such driver and/or passenger performs any of the activities set out at paragraph 2 below, so as, by such conduct, to cause any of the following:
  - (i) excessive noise of any kind;
  - (ii) danger to other road users and pedestrians;
  - (iii) damage or risk of damage to any property;
  - (iv) litter;
  - (v) any nuisance to another person not participating in the ‘Car Cruise’
2. The activities referred to in paragraph 1, above, are:
  - (i) driving at excessive speed;
  - (ii) driving in convoy;
  - (iii) racing other motor vehicles (including motor cycles and quad bikes);
  - (iv) performing stunts in motor vehicles (including motor cycles and quad bikes) including but not limited to drifting, wheel spins, handbrake turns, wheelies ;

## NOT PROTECTIVELY MARKED

- (v) sounding horns or playing radios;
- (vi) dropping litter;
- (vii) shouting or swearing at, abusing or threatening or otherwise intimidating another person.

### **Participating in a Car- Cruise**

3. A person participates in a Car Cruise when he is the driver of, or passenger in a vehicle, to which paragraphs 1 and 2 above apply and the term "participating in a Car Cruise" shall be interpreted accordingly.

### **Spectating at a Car Cruise**

4. A person is a spectator at a Car Cruising event if he or she is within the Restricted Area for the purpose of observing Car Cruising.

### **Definitions**

5. "Motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads.
6. "Drifting" means driving in such a manner as to cause the rear of the vehicle to slide
7. "Wheel spins" means using the accelerator to allow the wheels to spin while the car is stationary, producing noise and smoke; or accelerating at speed which causes the wheels to spin whilst failing to gain traction
8. "Handbrake turn" using the handbrake to bring the vehicle to an abrupt stop whilst turning the vehicle.
9. "Wheelies" means a manoeuvre where any vehicle is driven for a period of time with wheels not in contact with the ground

## Public Space Protection Order (PSPO) Castle Donington, Consultation Feedback – 2021: Summary report

This report was created on Monday 22 February 2021 at 10:30 and includes **189** responses.

The consultation ran from 01/02/2021 to 21/02/2021.

### Contents

Question 1: Are you a Castle Donington resident, work in or have a business in Castle Donington?	1
Are you a Castle Donington resident, work in or have a business in Castle Donington?	1
Which town/city do you live in?	1
Question 2: Have you ever experienced or been affected by anti-social use of vehicles in Castle Donington in the last 12 months?	1
Have you ever experienced or been affected by anti-social use of vehicles in Castle Donington in the last 12 months?	1
Please explain how you have been affected?	2
Question 3: How much of a problem do you think the anti-social use of vehicles is in Castle Donington?	2
How much of a problem do you think the anti-social use of vehicles is in Castle Donington	2
Question 4: How much does the anti-social use of vehicles have an impact on you?	2
How much does the anti-social use of vehicles have an impact on you?	2
Any other comments	2
Question 5: Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in Castle Donington?	3
Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in Castle Donington?	3
Please state your reason/s why	3

### Question 1: Are you a Castle Donington resident, work in or have a business in Castle Donington?

#### *Are you a Castle Donington resident, work in or have a business in Castle Donington?*



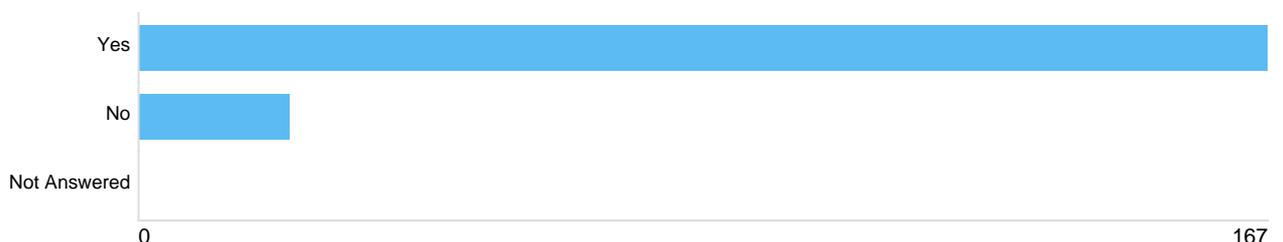
Option	Total	Percent
Yes	187	98.94%
No	2	1.06%
Not Answered	0	0.00%

#### *Which town/city do you live in?*

There were **189** responses to this part of the question.

### Question 2: Have you ever experienced or been affected by anti-social use of vehicles in Castle Donington in the last 12 months?

#### *Have you ever experienced or been affected by anti-social use of vehicles in Castle Donington in the last 12 months?*



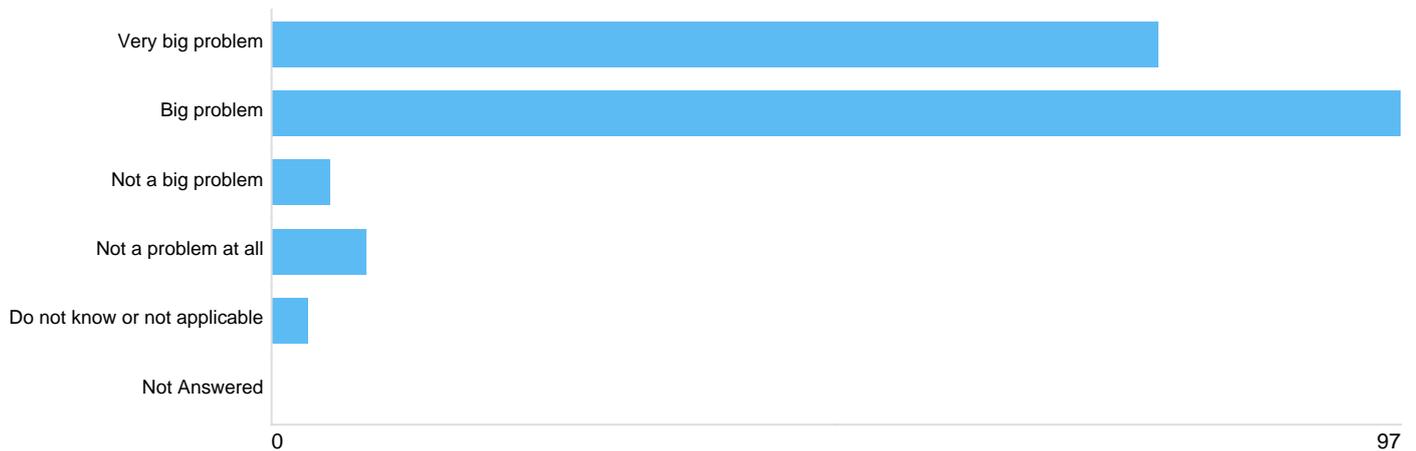
Option	Total	Percent
Yes	167	88.36%
No	22	11.64%
Not Answered	0	0.00%

**Please explain how you have been affected?**

There were **189** responses to this part of the question.

**Question 3: How much of a problem do you think the anti-social use of vehicles is in Castle Donington?**

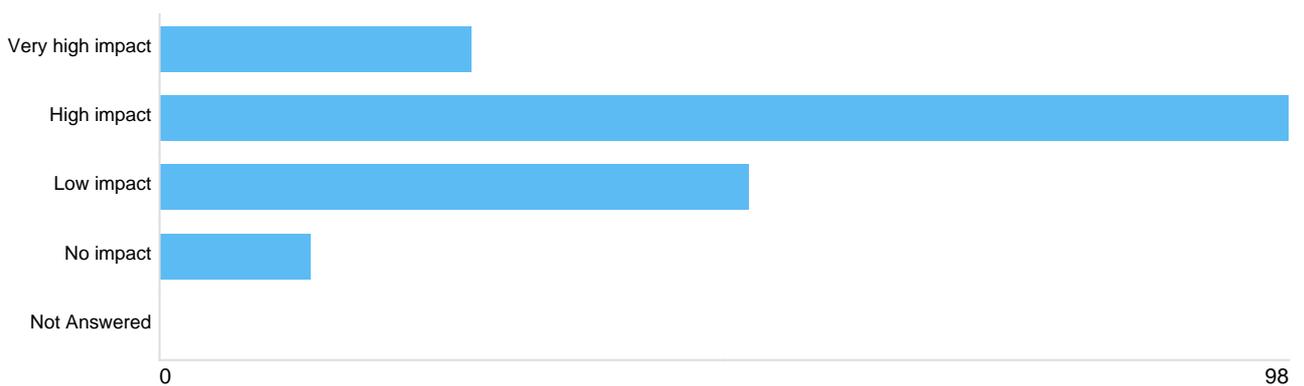
*How much of a problem do you think the anti-social use of vehicles is in Castle Donington*



Option	Total	Percent
Very big problem	76	40.21%
Big problem	97	51.32%
Not a big problem	5	2.65%
Not a problem at all	8	4.23%
Do not know or not applicable	3	1.59%
Not Answered	0	0.00%

**Question 4: How much does the anti-social use of vehicles have an impact on you?**

*How much does the anti-social use of vehicles have an impact on you?*



Option	Total	Percent
Very high impact	27	14.29%
High impact	98	51.85%
Low impact	51	26.98%
No impact	13	6.88%
Not Answered	0	0.00%

**Any other comments**

There were **189** responses to this part of the question.

**Question 5: Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in Castle Donington?**

*Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in Castle Donington?*



Option	Total	Percent
Yes	179	94.71%
No	10	5.29%
Not Answered	0	0.00%

***Please state your reason/s why***

There were **189** responses to this part of the question.

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY</b>	
<b>Presented by</b>	Councillor Andrew Woodman Community Services Portfolio Holder	
<b>Background Papers</b>	<a href="#">Agenda and minutes of the Coalville Special Expenses Working Party on 20 April 2021.</a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	As set out in the Coalville Special Expenses Finance Update, Capital Projects Update and Air Quality reports presented to the Coalville Special Expenses Working Party on 20 April 2021.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	Legal advice on Special Expenses spending was given on the proposals before their submission to the Coalville Special Expenses Working Party and Cabinet.	
	<b>Signed off by the Deputy Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	There are no staffing or corporate implications arising from the proposals.	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To share the minutes of the Coalville Special Expenses Working Party from 20 April 2021, and present the recommendations to Cabinet arising from that meeting.	
<b>Reason for Decision</b>	So that the recommendations of the Coalville Special Expenses Working Party can be considered.	
<b>Recommendations</b>	<b>THAT CABINET NOTES THE MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY AT APPENDIX 1, AND APPROVES THE RECOMMENDATIONS DETAILED WITHIN THE MINUTES AND SUMMARISED AT PARAGRAPH 3.0</b>	

**1.0 BACKGROUND**

- 1.1 The Coalville Special Expenses Working Party consists of all ward members from the Coalville Special Expenses Area and meets as often as is required to meet business demands, which is usually quarterly.

- 1.2 As the Working Party reports directly to Cabinet, all recommendations made are to be sent to the first available Cabinet meeting for final approval.

## **2.0 TERMS OF REFERENCE**

- 2.1 To consider budget and financial issues which either solely or predominantly affect the Coalville Special Expenses Area and to make recommendations to Cabinet.
- 2.2 To receive reports and examine possible project options on which recommendations will be made to Cabinet.

## **3.0 RECOMMENDATIONS TO CABINET FROM THE MEETING ON 20 APRIL 2021**

### **3.1 Coalville Special Expenses Finance Update**

- 3.1.1 That the comments on reviewing future years' budgets and funding detailed within the minutes be provided to Cabinet

### **3.2 Events Update**

- 3.2.1 There were no recommendations to Cabinet.

### **3.3 Update on Newmarket and Traders**

- 3.3.1 There were no recommendations to Cabinet.

### **3.4 Capital Projects Update**

- 3.4.1 That comments on the Coalville Park play equipment detailed within the minutes be provided to Cabinet.
- 3.4.2 Cabinet be requested to support a bid to the Bardon Community Fund for £2500 to cover the installation of solar panels at Scotlands Bowls Pavilion.

### **3.5 Air Quality**

- 3.5.1 Cabinet be recommended at their June meeting that the pm 2.5 air quality monitoring equipment is purchased and monitoring is undertaken by means of a blend of the two options set out in the report utilising two zephyr units over the course of twelve months.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Supporting Coalville to be a more vibrant, family-friendly town</li> <li>- Developing a clean and green district</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	Taken into consideration in drafting of reports to CSEWP.
Safeguarding:	Taken into consideration in drafting of reports to CSEWP.
Equalities/Diversity:	Taken into consideration in drafting of reports to CSEWP.
Customer Impact:	The reports and proposals presented to CSEWP in the Events Update, Update on Newmarket and Traders, and Capital Projects Update all have positive impacts on a variety of customers.
Economic and Social Impact:	The reports and proposals in all reports presented to CSEWP will have positive economic and social impacts.
Environment and Climate Change:	Proposals within the Capital Projects Update and the Air Quality reports will have positive environmental and climate change impacts.
Consultation/Community Engagement:	Coalville Special Expenses Working Party – 20 April 2021
Risks:	None identified.
Officer Contact	Paul Sanders Head of Community Services <a href="mailto:Paul.Sanders@nwleicestershire.gov.uk">Paul.Sanders@nwleicestershire.gov.uk</a>

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MINUTES of a meeting of the COALVILLE SPECIAL EXPENSES WORKING PARTY held in the Remote Meeting using Microsoft Teams on TUESDAY, 20 APRIL 2021

Present: Councillor M B Wyatt (Chairman)

Councillors A J Bridgen, E G C Allman, A S Black, D Everitt, M French, J Geary, J Legrys and J Windram

In Attendance: Councillor A Woodman

Officers: Mr J Knight, Mrs W May, Mr T Delaney, Mr D Bates, K Hiller, C Lambert, Ms C Proudfoot and Mrs M Scott and C Beattie.

## **22. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **23. DECLARATIONS OF INTEREST**

Councillor M Wyatt declared a non-pecuniary interest in item 5 – Events Update, and item 7 – Capital Projects Update, due to association with the Broom Leys Allotment Society.

Councillor J Geary declared non-pecuniary interests in all items as a director of the Springboard Centre, founder member of Mantle Community Arts and supporter of Coalville Town Football Club should any matters relating to them arise at the meeting.

Councillor J Legrys declared a non-pecuniary interest in item 5 – Events Update as a volunteer presenter at Hermitage FM, and a non-pecuniary interest in item 7 – Capital Projects Update, due to his observing role with the local group Friends of Coalville Park.

## **24. MINUTES OF THE PREVIOUS MEETING**

Consideration was given to the minutes of the meeting held on 15 December 2020. It was noted that reference to the planting of trees in the Coalville area in the minutes of item 19 – Capital Projects Update, should be amended to specifically reference Bardon Road.

It was moved by Councillor J Geary, seconded by Councillor M Wyatt and

RESOLVED THAT

The minutes of the meeting held on 15 December 2020 be confirmed as an accurate record of the proceedings, subject to the inclusion of 'and specifically at Bardon Road' being added to the minutes under item 19.

## **25. COALVILLE SPECIAL EXPENSES FINANCE UPDATE**

Dan Bates, Head of Finance, presented the report, which informed the Working Party of the 2020/21 Period 11 actuals and forecast outturn for the year. The report also presented the 2021/22 budgets and indicative increases in the Coalville Special Expense precept that might be required in future years based on current expenditure.

In response to Members' questions, it was explained that, based on the agreed 2021/22 budgets, a 13% increase in the Coalville Special Expense Precept would be required each year for five years in order to maintain a balanced budget and the recommended 10% level of reserves. It was also explained that if the originally proposed 8.5% increase in the

Coalville Special Expense precept for 2021/22 budget had been implemented, there would have been a reduced pressure due to an increase in the base income.

Following officers' recommendation for the Working Party to consider reviewing expenditure and income in order to mitigate against the need for future precept increases, it was agreed that it would be beneficial to establish a Sub-Group for this purpose. Suggested areas for review included the Special Expense funded Mobile Vehicles Activated Signs and future replacement of play area equipment due to changes in children's needs and habits.

It was moved by Councillor M Wyatt, seconded by Councillor J Geary and

RESOLVED THAT

The Coalville Special Expenses Working Party:

- 1) Notes the 2020/21 Period 11 actuals and the forecast outturn for the year.
- 2) Notes the 2021/22 budgets and forecasted balances for 2022/23 to 2025/26.
- 3) Provides its comments to Cabinet on reviewing future years' budgets and funding.
- 4) Agrees to establish a Sub-Group to undertake a review and provide further comments on future years' budgets and funding. With membership and meetings dates to be confirmed outside of the meeting.

## 26. EVENTS UPDATE

Wendy May, Cultural Services Team Manager, presented the report, which updated Members on the proposed 2021/22 events and projects funded within the Coalville Special Expenses Area.

In response to questions from Members, it was clarified that the proposed Coalville Festival of Leisure 2021 was not currently on the event programme or budgeted because it was not yet formally agreed and would be provided by an external events company that had directly approached the Council. It was later explained that this new event would help mitigate against the cancellation of the Music and Picnic in the Park event in June due to COVID-19 regulations. During discussion, support was also expressed for the proposal to theme the 2022 Music and Picnic in the Park event on the Queen's Platinum Jubilee and for the date of the event to coincide with the extended 2-5 June bank holiday weekend in 2022.

It was moved by Councillor M Wyatt, seconded by Councillor J Geary, and

RESOLVED THAT

The Working Party notes

- 1) The progress update on 2021/22 events
- 2) The opportunity for the 2022/23 event programme to include the Queen's Platinum Jubilee Celebrations
- 3) The update for Christmas light installation procurement
- 4) The update for Needham's Walk artwork

- 5) The progress update for 2020/21 Coalville Special Expenses Community Grant Scheme

## **27. UPDATE ON NEWMARKET AND TRADERS**

Paul Sanders, Head of Community Services, presented the report alongside Claire Lambert, Commercial Facilities Officer. The report updated Members on the progress of the construction works at Newmarket, the relation to Marlborough Square, and on the support currently being provided to traders within the current COVID-19 situation and the transition to Newmarket.

During the discussion several concerns were raised by Members on behalf of traders regarding the support available to help with the transition to Newmarket and on the communications to members on the project. In response, officers agreed to contact Members to ascertain which traders had expressed concerns in order for contact to be made and concerns addressed.

It was also agreed that officers would arrange for Members to be able to visit Newmarket subject to the next easing of COVID-19 regulations going ahead on May 17.

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

RESOLVED THAT

The Working Party note the contents of the report.

## **28. CAPITAL PROJECTS UPDATE**

Jason Knight, Leisure Services Team Manager, presented the report which updated Members with regard to capital projects within the Coalville Special Expenses Area.

Members were also invited to comment on proposals for the installation of play equipment at Coalville Park in order to feed into Cabinet's decision making process for progressing the project. It was noted that the report addressed concerns previously raised by Members of potential increased maintenance costs and that this was welcomed. Support was given to the project by a Member and no further comments were received.

Discussion by Members centred on various areas identified in the report, including the ongoing anti-social behaviour problems at Coalville Park, the recent successes with the Lillehammer Drive project, the tree works and planned site visit at London Road Cemetery, and the update on proposals for tree plantings on Bardon Road. During discussion of the Coalville in Bloom project, it was suggested that consideration be given to extending the scheme onto Belvoir Road. The Chair highlighted that this could be considered as part of the improvements to Marlborough Square.

It was explained to Members during the discussion that the feasibility study of installing wind turbines at Scotlands Bowls Pavilion, requested at a previous meeting, had found the installation of wind turbines to be unsuitable due to the length of a payback period. It was suggested by Members that external funding from Bardon Aggregates be sought in order to help mitigate against costs for the Council in installing these sustainable energy sources.

It was moved by Councillor M Wyatt, seconded by Councillor E Allman, and

RESOLVED THAT

The Working Party:

- 1) Notes the progress update on the 2021/22 capital projects.
- 2) Feeds back comments on the Coalville Park play equipment project for consideration by Cabinet as part of the decision making process for progressing the project.
- 3) Requests Cabinet to support a bid to the Bardon Community Fund for £2500 to cover the installation of solar panels at Scotlands Bowls Pavilion.

## **29. AIR QUALITY**

Paul Sanders, Head of Community Services, presented the report alongside Clare Beattie from Air Quality Consultants. The report set out options for the council to invest in additional air quality monitoring equipment within the Coalville Special Expenses Area, and invited the Working Party to recommend an option for Cabinet to pursue.

During discussion, it was clarified that contrary to the report there had in fact been a financial contribution of £4,500 from the Bardon Community Fund without a contribution from Broom Leys Allotment Society. In response to questions from Members it was explained that the proposed monitoring equipment could be moved and re-installed at different locations during the monitoring period with ease due to their small weight and durability.

It was agreed during discussions that it would be beneficial to utilise a blended approach of the two options in the report and purchase two Zephyr units to undertake monitoring over the course of twelve months with a single report to be produced for each unit at the end of the period. This would enable comparative data to be gained over the course of a year whilst also increasing the flexibility to monitor several different locations.

It was moved by Councillor M Wyatt, seconded by Councillor J Geary and

RESOLVED THAT

- 1) The Working Party notes the monitoring options and costed plan.
- 2) Cabinet be recommended at their June meeting that the pm2.5 air quality monitoring equipment is purchased and monitoring is undertaken by means of a blend of the two options set out in the report utilising two zephyr units over the course of twelve months.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.35 pm

<b>Title of Report</b>	<b>PAID PLANNING PRE-APPLICATION ADVICE SERVICE</b>	
<b>Presented by</b>	Councillor Richard Blunt Leader of the Council	
<b>Background Papers</b>	1. <a href="#">Local Government Act 2003</a> 2. <a href="#">Planning and Compulsory Purchase Act 2004</a> 3. <a href="#">The Killian Pretty Review “Planning Applications – A Faster and More Responsive Service”</a> 4. <a href="#">General Power for Best Value Authorities to Charge for Discretionary Services – Guidance on the Power in the Local Government Act</a> 5. <a href="#">Government’s Planning Practice Guidance</a>	<b>Public Report:</b> Yes  <b>Key Decision:</b> Yes
<b>Financial Implications</b>	Proposals would result in additional revenue streams as set out in the main report below. It is anticipated that the scheme will bring in revenue streams in excess of £50,000 per annum. However, as this is a new charging proposal, take-up will be monitored in order to assess additional incomes for budgeting purposes.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	Section 93 of the Local Government Act 2003 enables authorities to charge for discretionary services that ‘ <i>the authority is authorised, but not required, by an enactment to provide</i> ’ such as pre-application advice, provided that it is on a not-for-profit basis. The Council’s legal advisor has confirmed that the introduction of pre-application charges is a cabinet decision.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	No immediate staffing implications but the additional revenue streams would enable the Planning and Development Team to increase resources as necessary once the level of revenue is more fully understood.	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To outline a proposal for the introduction of a formalised paid pre-application advice service, including charging for the advice given to applicants.	
<b>Reason for Decision</b>	To introduce a formalised pre-planning application advice service for minor applications and amend the procedure and charging schedule for major applications.	
<b>Recommendations</b>	<b>THAT CABINET:</b>  1. <b>AGREE TO THE INTRODUCTION OF AND CHARGING STRUCTURE FOR FORMAL PAID PRE- PLANNING APPLICATION ADVICE SERVICE FOR MINOR PRE-APPLICATIONS FROM 1<sup>st</sup> JULY 2021;</b> 2. <b>AGREE TO THE AMENDED PROCEDURE AND UPDATED CHARGING STRUCTURE FOR FORMAL PAID PRE-PLANNING APPLICATION ADVICE SERVICE FOR MAJOR PRE-APPLICATIONS FROM 1<sup>st</sup> JULY 2021; AND</b> 3. <b>DELEGATE AUTHORITY TO THE STRATEGIC DIRECTOR OF</b>	

	<b>PLACE, IN CONSULTATION WITH THE PLANNING AND INFRASTRUCTURE PORTFOLIO HOLDER, TO REVIEW THE SCHEME AND THE CHARGING STRUCTURE ON AN ANNUAL BASIS AND IMPLEMENT CHANGES IN LINE WITH THE CORPORATE APPROACH TO FEES AND CHARGES.</b>
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## **1. BACKGROUND TO PRE-APPLICATION ADVICE CHARGING**

- 1.1 The possibility of pre-application charging first emerged in the Local Government Act 2003. This formally allowed local authorities to charge discretionary fees for planning functions for which no fee is currently prescribed. The Planning and Compulsory Purchase Act 2004 extended the powers to charge fees for local planning authority activities. Under this Act the power to charge is no longer tied to planning applications. Fees can become chargeable in respect of any function of the Local Planning Authority (LPA), or anything else done by them that relates to such a function but only the cost of the service can be charged for.
- 1.2 The Killian Pretty Review “Planning Applications – A Faster and More Responsive Service” November 2008 looked at the development management process and one of the recommendations was that pre application discussions were vital as a way of improving the quality of applications and avoiding later delays. The Review advocated a formal pre application service for all major applications. It also encouraged Local Authorities to issue a statement or Code of Practice setting out the opportunities for pre-application discussions and the service standards the Local Authority would use.
- 1.3 The Government acknowledges that Councils can charge for this type of discretionary service on a not-for-profit basis and the Government’s Planning Practice Guidance states that:  
  
*“Where charges are made they must not exceed the cost of providing the service. It is important that any charging does not discourage appropriate pre-application discussions. In this context local planning authorities need to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process”*
- 1.4 Charging for all types of pre-application advice is widespread and an accepted approach to gain access to discretionary professional advice.
- 1.5 The main reason given by Local Authorities for the charges is that, as part of a formal pre-application advice service, it provides a set standard for this discretionary service, and ensures that the cost of providing advice does not fall as a general cost to council tax payers.
- 1.6 There are currently no national rules on the level of charges but as set out within the Planning Practice Guidance, the income raised must not exceed the cost of providing the service. As set out below, the proposed charges will not exceed the cost of providing the service.
- 1.7 The introduction of pre-application charging has been discussed already at two Planning Cross Party Working Group meetings (27 November 2020 and 5 March 2021) and has broad cross party support.

## **2. PRE-APPLICATION ADVICE AT NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

- 2.1 Pre-application advice usually involves developers seeking specialist advice from the Local Planning Authority and other statutory and non-statutory consultees as part of the process for preparing a planning application. Developers want to know about the potential

constraints on a specific site, the planning policy considerations/compliance and the type of information that would need to accompany a planning application.

2.2 In most cases developers/applicants will engage with the planning department in the first instance and then with any other relevant bodies i.e. the County Highway Authority, County Ecologist, Environment Agency etc.

2.3 Government Practice Guidance recognises the role of a pre-application advice service as it can offer:

*“significant potential to improve the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.”*

2.4 North West Leicestershire District Council currently welcomes and actively encourages informal pre-application discussion before those proposing development submit an application for planning permission. Such advice is intended to streamline the planning process and remove delays by informing would be applicants of the issues associated with a development project. It also provides an opportunity to outline the Council’s expectations and the provision of informal without prejudice opinion of the likelihood of success at the formal planning stage.

2.5 In order that this Authority can provide this discretionary service to a consistent and high standard, it is considered that there now needs to be a more formalised approach taken including setting a service standard and developing a procedure so that the service is transparent and well understood. In this way charging for the service can also then be introduced so that the substantial cost of providing this service can be recovered from those proposing development and not fall as a general cost to the council taxpayer. The current statutory planning fees do not cover pre-application advice.

### **3.0 CURRENT MINOR PRE-APPLICATION ADVICE**

3.1 Despite the pressures that the planning department have been experiencing over recent years officers have continued to offer a free pre-application advice service for minor enquiries, in connection with planning applications to be determined by this Authority.

3.2 At the present time North West Leicestershire District Council only charges for pre-application advice on major planning applications. This means all applications, including householders, advertisements and residential schemes of up to nine dwellings are free.

3.3 In 2019 North West Leicestershire received a total of 438 pre-application advice requests. Of these 438 requests, only 20 were for major pre-application advice requests meaning the remaining 418 requests were dealt with free of charge.

3.4 Most authorities around the country, including most within Leicestershire, charge for pre-application advice on a range of other development types. With the exception of Blaby District Council, North West Leicestershire are the only other of the seven District and Borough Council’s in Leicestershire that do not charge for pre-application advice on minor and householder enquiries.

3.5 There is increasing pressure on local authorities to be self-financing and an emphasis for service areas to become commercially minded together with more of an understanding of customer needs has led to this proposal being put forward. Indeed, the Council is committed to a journey towards self sufficiency from a financial perspective.

3.6 Whilst the provision of a pre-application advice service is deemed to be important, this is a resource intensive service to provide this level of response without any charge that impacts on the team’s ability to deal with planning applications more efficiently.

3.7 Introducing a fee for the service, to include all development types will provide not only a greater revenue income for the Council, and also ensure that a quality service is being provided in terms of meeting timeframes and providing a clear indication of whether the

proposal is likely to gain planning permission or not, what the key issues are for consideration and what would need to be submitted with any planning application.

#### **4.0 CURRENT MAJOR PRE-APPLICATION ADVICE**

- 4.1 The provision of pre-application advice, particularly on significant and major schemes can be time consuming and involve a complex assessment.
- 4.2 The Council introduced a major pre-application service, including charging schedule on 1 April 2010 and both the procedure and fees have not been reviewed since that time.
- 4.3 The Council's current service is divided into two sections - Stage 1 of the major pre-application advice service is free and also includes a meeting at the Council Office, with Stage 2 which follows is the only part that is subject to a fee. This is not an approach undertaken by other Leicestershire Authorities, who charge from the beginning.
- 4.4 The current charging regime sets out the following fees for Stage 2 of the process only (as Stage 1 is currently free):

	<b>RESIDENTIAL</b>	<b>COMMERCIAL</b>	<b>PRE-APPLICATION ADVICE FEE (INC VAT)</b>
<b>STRATEGIC PROPOSAL</b>	50 dwellings or more	10,000 + sq m floor space	£3400.00
<b>MAJOR PROPOSAL</b>	10-50 dwellings	1,000 – 9,999 sq m floor space	£1800.00

- 4.5 In 2019 of the 20 major pre-application requests, 12 had the initial free Stage 1 advice and only a further eight progressed through to the further Stage 2, where a fee is applicable. In 2019 of the eight that paid, five paid £1,800 and three paid £3,400, generating an income of £19,200.
- 4.6 The way the existing major pre-application charging regime is set up means that in effect this is still partially free and it is considered that North West Leicestershire should introduce paid pre-application advice charging from the off-set.

#### **5.0 PROPOSED FEE STRUCTURE AND CHARGES**

##### ***Minors***

- 5.1 As the Council is embarking on a journey towards self-sufficiency, it is considered that North West Leicestershire should introduce pre-application advice charging for minor schemes.
- 5.2 The precise level of charge, has been assessed in relation to the time undertaken to process the enquiry, review relevant planning history and constraints and provide a written response.
- 5.3 It is clear that any fee structure needs to be simple to understand, operate and administer and be transparent to its users.
- 5.4 The appropriate fee is charged in relation to the scheme and the level of service offered and has been benchmarked against other Leicestershire Authorities. The charges will not exceed the cost of providing the service.
- 5.5 On this basis, the precise level of charge, commensurate to the nature of the development is set out below:-

Proposal for Minor Pre-Application Charges (all charges include VAT)

	<b>Written Response</b>	<b>An additional maximum 1 hour meeting (currently to be undertaken virtually), only where the written response has also been paid for</b>
<b>Certificates of Lawful Use – Existing and Proposed</b>	£70	N/A
<b>Advertisements</b>	£75	N/A
<b>Householder</b>	£90	N/A
<b>Change of Use</b>	£190	£ 120 hourly rate
<b>1-2 dwellings</b>	£225	£ 120 hourly rate
<b>3-4 dwellings</b>	£460	£ 120 hourly rate
<b>5-9 dwellings</b>	£900	£ 120 hourly rate
<b>Other developments creating floorspace of less than 500 sq metres (measured externally)</b>	£360	£ 120 hourly rate
<b>Other Developments creating floorspace of between 500 sq metres and up and including 999 square metres (measured externally)</b>	£720	£ 120 hourly rate
<b>All Other Development not falling within any of the categories (variation of conditions/car park and road and certificates).</b>	£145	£ 120 hourly rate
<b>Where a development proposal falls within one or more category, the higher fee will apply.</b>		

***Majors***

5.6 As set out above, in terms of charges for major pre-application advice requests, these procedures were last reviewed in 2010.

The Council's current charging is based upon:-

- Strategic Proposal £3,400 and
- Major Proposals £1,800

5.7 Based upon the increase from March 2010 to January 2021, based upon the Retail Price Index (RPI) the charges would be increased to the following amounts:-

- Strategic Proposal £4,538.47 and

- Major Proposals £2,402.72

5.8 It is therefore considered that the charges should be increased to reflect the RPI and be charged at £4,500 and £2,400, respectively. These charges have been included at the Stage 2 written stage, and it is considered that an initial Stage 1 should be charged at 50% of this price. It is proposed that meetings be charged at 20% of the respective written stages.

5.9 The proposed precise level of charge, commensurate to the level of service offered is provided below:-

	<b>Stage 1A - Overview Written Response</b>	<b>Stage 1 B– Overview Written Response and 1 hour Meeting</b>	<b>Stage 2C – Detailed Written Response</b>	<b>Stage 2D – Detailed Written Response and 1.5 hour Meeting</b>
<b>Major Residential 10-49 dwellings</b>	£1,200 (inc VAT)	£1,440 (inc VAT)	£2,400 (inc VAT)	£2,880 (inc VAT)
<b>Strategic Residential 50 + dwellings</b>	£2,250 (inc VAT)	£2,700 (inc VAT)	£4,500 (inc VAT)	£5,400 (inc VAT)
<b>Major Floor Area 1,000 sqm – 9,999 sqm (measured externally)</b>	£1,200 (inc VAT)	£1,440 (inc VAT)	£2,400 (inc VAT)	£2,880 (inc VAT)
<b>Strategic Floor Area 10,000 sqm + (measured externally)</b>	£2,250 (inc VAT)	£2,700 (inc VAT)	£4,500 (inc VAT)	£5,400 (inc VAT)
<b>Development of 1 hectare or more</b>	£1,200 (inc VAT)	£1,440 (inc VAT)	£2,400 (inc VAT)	£2,880 (inc VAT)
<b>all Other Development not falling within any of the categories i.e. solar farm</b>				
Where a development falls within more than one category, the higher fee will apply.				
If any further additional meetings, beyond those set out above are required after the Stage 2D then this will be charged at the following rates (and restricted to a 1.5 hour meeting)				
Residential 10-49 dwellings = £480				
Residential 50 + dwellings = £900				
All other development = £480				
Floor Area 1,000 sqm – 9,999 sqm = £480				
Floor Area 10,000 sqm + = £900				

## 6.0 PROPOSED PROCEDURES AND SERVICE STANDARD

- 6.1 It is important for the Council to be clear about setting service standards and to ensure that users of the service are clear. A list of these are provided in appendix 1.
- 6.2 The Council will provide free pre-application advice to a number of enquiries. The enquiries that would be excluded from the charge schedule would be limited to:- enquiries relating to Listed Buildings; works to trees; telecommunications; requests from a Parish or Town Council for their own development; where the development is for the direct benefit of a registered disabled person and planning discussions in relation to enforcement investigations. The Council will continue to deal with the 'Do I need planning permission' as a free service and they will not be the subject of this paid service.
- 6.3 It is recommended that a pre-application advice guidance note and the pre-application advice process is updated, added to the website and circulated to local developers and agents.

#### ***Procedures for Minor Pre-Application Enquiries***

- 6.4 Officers will aim to provide a written response (and a meeting as necessary) within 28 days of receipt of payment and the pre-application request. The meeting is to be undertaken virtually at this time, and at the Council Offices in all other scenarios. A site meeting will only be undertaken at the request of officers or in exceptional circumstances.
- 6.5 The written advice will include, where appropriate:-
- An overview of relevant planning history
  - A list of relevant policies
  - A list of site constraints
  - A list of relevant consultees
  - A list of information required to accompany the planning application
  - An assessment on the principle of development
  - An assessment on layout, design and impact upon residential amenity where the enquiry includes sufficient information in order for this to be assessed. Input from the Council's Urban Design Officer where necessary and suggestions and options to improve layout, design and impact upon residential amenity, where this is possible.
  - Where impacts upon heritage assets and trees is considered to be relevant, an assessment from the Council's Conservation Officer and Tree Officer.
  - A list of other relevant material considerations, which are not covered above and contact details of relevant consultees
  - An officer's professional opinion on whether the scheme as presented is likely to receive a favourable recommendation.

#### ***Procedures for Major Pre-Application Enquiries***

- 6.6 The amended procedure is set out below:-

##### **Stage 1 (Overview)**

It is intended that Stage 1 remains generally the same in terms of the level of advice to be provided i.e. an overview of the potential issues and an opinion on the principle of development only, with the exception of now introducing a fee for this. There is also the option for a meeting with the case officer, in addition to the written advice, to be charged at an additional 20% of the written advice fee.

- Stage 1A Overview Written Response.
- Stage 1B Overview Written Response and Meeting

6.7 Stage 1A Overview Written Response will include, where appropriate:-

- An overview of relevant planning history
- A list of relevant policies
- A list of relevant consultees
- A list of information required to accompany the planning application
- An assessment on the principle of development
- The relevant material considerations and contact details of relevant consultees
- An officer's professional opinion on whether the principle of development is acceptable.
- A maximum 1 hour meeting with the case officer to discuss the elements set out above.

6.8 Stage 1B Overview Written Response and Meeting will include all of those matters listed above as part of a maximum 1 hour meeting with the case officer.

6.9 The meeting is to be undertaken virtually at this time, and at the Council Offices in all other scenarios. A site meeting will only be undertaken at the request of officers or in exceptional circumstances.

#### Stage 2 (Detailed)

6.10 It is intended that Stage 2 remains the same in terms of the level of advice to be provided, as currently operates, but again this is split between the option of just a written response, or a written responses and a meeting with the case officer, and also the Urban Design Officer, Housing Officer, Tree Officer and Conservation Officer, if necessary.

- Stage 2C Written Response
- Stage 2D Meeting and Written Response

6.11 Stage 2C Detailed Written Response will include, where appropriate:-

- An overview of relevant planning history
- A list of relevant policies
- A list of site constraints
- A list of relevant consultees
- An assessment on the principle of development
- Where applicable, an assessment on layout, design and impact upon residential amenity where the enquiry includes sufficient information in order for this to be assessed. Input from the Council's Urban Design Officer and suggestions and options to improve layout, design and impact upon residential amenity, where this is possible.
- Where applicable, consideration of housing mix and tenure, where the enquiry includes sufficient information in order for this to be assessed. Input from the Council's Housing Officer and suggestions and options to improve the housing mix, where this is possible.
- Where applicable, consideration of the impacts upon heritage assets, where the enquiry includes sufficient information in order for this to be assessed. Input from the Council's

Conservation Officer and suggestions and options to improve the impacts, where this is possible.

- Where applicable, consideration of the impacts upon protected trees, where the enquiry includes sufficient information in order for this to be assessed. Input from the Council's Tree Officer and suggestions and options to improve the impacts, where this is possible.
- The relevant other material considerations, which are not covered above and contact details of relevant consultees
- An officer's professional opinion on whether the scheme as presented is likely to receive a favourable recommendation.

6.12 Stage 2D Detailed Written Response and Meeting will include all of those matters listed above as part of a maximum 1.5 hour meeting with the case officer.

6.13 The customer can decide whether to opt directly for Stage 1 or Stage 2. If the customer opts for Stage 1 and then decides to afterwards to also progress to Stage 2, only the difference between the fees, would be applicable.

6.14 With this process and the introduction of lower Stage 1 fees, this should still encourage customers to opt for Stage 1 first, to discuss the principle of development, which may negate the need to progress the scheme any further, and avoiding the customer paying the full, higher Stage 2 fee.

6.15 In terms of options and fees, three examples are provided below:-

- Example 1 – a customer submits a scheme for 10-49 dwellings through Stage 1A (Overview Written Response) paying £1,200. It is clear from the overview that the principle of development would not be acceptable and therefore the Council has benefitted from an additional £1,200 in comparison to the existing process, and the customer benefits from not having to pay the higher fee to find that the principle of development was not acceptable.
- Example 2 - a customer submits a scheme for 10-49 dwellings through Stage 1A (Overview Written Response) paying £1,200. The principle of development is deemed by the case officer to be acceptable and they wish for more detailed advice in terms of layout, design etc. and would like to progress through to Stage 2A therefore only paying an additional £1,200, (to total £2,400) for the difference between the two stages.
- Example 3 - a customer submits a scheme for 10-49 dwellings directly to Stage 2A (missing out Stage 1A) and pays the fee of £2,400 from the off-set to discuss the principle of development *and* detailed matters.

## **7.0 OTHER MATTERS**

7.1 It is also proposed to review the pre-application charging schedule on an annual basis and to adjust those fees where appropriate, to reflect the quality of the service and resources provided.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>• Supporting Coalville to be a more vibrant, family-friendly town</li> <li>• Our communities are safe, healthy and connected</li> <li>• Local people live in high quality, affordable homes</li> <li>• Supporting businesses and helping people into local jobs</li> <li>• Developing a clean and green District</li> </ul>
Policy Considerations:	None Identified
Safeguarding:	None Identified
Equalities/Diversity:	None identified. This service will be accessible to all customers.
Customer Impact:	Customer will still be able to access the same service but will now be subject to formal procedures and service standards.
Economic and Social Impact:	Additional revenue streams are expected from an economic perspective.
Environment and Climate Change:	None identified
Consultation/Community Engagement:	Discussed at the Planning Cross Parking Working Group meetings of 27 November 2020 and 5 March 2021. Local agents and developers will be notified.
Risks:	<p>There is a risk that the introduction of a more formalised pre-application process will put more pressure on the planning department in providing pre-application advice responses. However there are already timescales associated with pre-application advice responses and the introduction of further revenue could help develop and grow the team accordingly in the future.</p> <p>Some customers may not wish to pay the cost of the pre-application charge resulting in the submission of sub-standard applications which subsequently take longer to process impacting on performance.</p>
Officer Contact	Chris Elston Head of Planning and Infrastructure <a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>

## APPENDIX 1 - PROPOSED PROCEDURES AND SERVICE STANDARD

- We will acknowledge receipt of requests within 3 working days
- We will advise you if your request is invalid, explaining the reasons why and allowing you time to submit any missing information. If a fee has been submitted for advice without all of the necessary information and the information is not received within 20 working days following a request, the fee will be returned with £30 deducted for administration costs.
- We will provide a written response (and meeting as necessary) within 28 days of a valid request
- Meetings will usually be undertaken virtually and at the Council Offices in all other scenarios. A site meeting will not normally be necessary but may be arranged at the discretion of officers
- Any views or opinions expressed are given in good faith, based on existing planning policies and standards, and without prejudice to the formal consideration of any future planning application which will be the subject of public consultation and may ultimately be decided by the Council's Planning Committee;
- It follows that officers cannot give any guarantees about the final formal decision that will be made on any future planning application. However, the advice note will be referred to in any report, subject to the proviso that circumstances and information may change, and so alter the position;
- Reduced weight may need to be given to the content of the Council's pre-application advice for schemes which are submitted where a period of one or more years has passed after the advice being issued;
- Any advice given in relation to planning history of the site, planning constraints or statutory designations does not constitute a formal response under the provisions of the Local Land Charges.

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>RIVER MEASE DEVELOPER CONTRIBUTION EXPENDITURE FOR CONTRACTORS COSTS ASSOCIATED WITH A SCHEME NEAR MEASHAM</b>	
<b>Presented by</b>	Councillor Richard Blunt Leader of the Council	
<b>Background Papers</b>		<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	Up to £250,000 of Section 106 developer contributions to be authorised for groundworks contractor costs to deliver a large phosphate mitigation scheme in accordance with the Developer Contribution Strategy. This expenditure is available from Section 106 contributions secured by the Council and has been approved by the River Mease Programme Board.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	Contributions have been secured through Section 106 Agreements in accordance with the Councils approved Developer Contribution Strategy.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None identified	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To request Cabinet delegate authority to the Strategic Director of Place to award the Groundworks contract on receipt and evaluation of the tender submissions.	
<b>Reason for Decision</b>	The level of expenditure for the contract exceeds the authority level in the scheme of delegation.	
<b>Recommendations</b>	<b>THAT CABINET DELEGATES AUTHORITY TO AWARD THE GROUNDWORKS CONTRACT TO THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE PLANNING AND INFRASTRUCTURE PORTFOLIO HOLDER AND SECTION 151 OFFICER.</b>	

## **1.0 BACKGROUND**

- 1.1 The Developer Contribution Strategy (DCS) was set up in 2012 as a requirement of the Water Quality Management Plan for the River Mease Special Area of Conservation (SAC). The DCS requires contributions to be made for every development which contributes additional wastewater via mains sewerage treatment discharge into the River Mease SAC. The fund is then used for projects which reduce the amount of phosphate in the River Mease as mitigation to the development.
- 1.2 The overall cost for the delivery of all phosphate removal measures identified in DCS1 was calculated to be £640,000 and for DCS 2 it was £840,000. The Council has currently collected approximately £600,000 through Section 106 agreement contributions. Trent Rivers Trust (TRT) were contracted in 2019 to deliver these mitigation schemes using the DCS funds to deliver the actions identified in DCS1 and DCS2. In that time TRT have developed a number of schemes within the catchment with some delivery taking place from 2020 with phosphate reductions starting to be made.
- 1.3 A large sediment trapping scheme has been developed near Measham which has the capacity to collect high levels of phosphate to be removed from the catchment as an appropriate DCS mitigation. The scheme is proposed to be delivered between July and September 2021, the timing is dictated by the fish breeding season as in channel works are restricted in these periods. The scheme will require 10-12 weeks for delivery working to specific methods to avoid negative impacts on the SAC.
- 1.4 The scheme has been approved by the River Mease Programme Board whose members include Natural England, Environment Agency, Severn Trent Water, the local planning authorities from North West Leicestershire, South Derbyshire, and Lichfield District Councils, as well as Trent Rivers Trust.
- 1.5 The large scheme will be a flagship scheme for the DCS. It will be one of the larger schemes to be delivered and will achieve delivery and conservation objectives for the DCS, the River Mease Water Quality Management Plan (WQMP). The WQMP is the strategy set out under the Habitats Directive to reduce phosphate levels within the River Mease, and is what led to the development of the DCS.

## **2.0 PROCUREMENT AND FINANCIAL IMPLICATIONS**

- 2.1 A Public Contracts Regulations 2015 and Councils Contract Procedure Rules compliant tender is underway to appoint a groundworks contractor to deliver the scheme between July and September 2021. The estimated fees to be submitted in the tenders is in the region of £150,000 - £250,000. This is a contract value which exceeds officer delegations within the constitution.
- 2.2 Tenders were submitted at the end of May and are currently being evaluated. Due to the tight timescale working delivery around the ecology restrictions, delegated authority to the Strategic Director of Place is sought in consultation with the Portfolio Holder and Section 151 officer to award the contract to the winning tenderer so that delivery can commence in July 2021.
- 2.3 The expenditure is from the Developer Contribution Fund that is collected from developers specifically to fund mitigation projects of this nature.

### 3.0 NEXT STEPS

- 3.1 If Cabinet agree the expenditure for this mitigation scheme, tenders will be evaluated and the winning contract awarded subject to the agreement of the Strategic Director of Place, Planning and Infrastructure Portfolio Holder and Section 151 Officer.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Our communities are safe, healthy and connected</li> <li>- Local people live in high quality, affordable homes</li> <li>- Supporting businesses and helping people into local jobs</li> <li>- Developing a clean and green district</li> </ul>
Policy Considerations:	<p>Contract Procurement Rules within the Councils Constitution</p> <p>Conservation of Habitats and Species Regulations</p> <p>Developer Contribution Schemes (DCS1 and DCS2)</p>
Safeguarding:	None identified
Equalities/Diversity:	None identified
Customer Impact:	None identified
Economic and Social Impact:	None identified
Environment and Climate Change:	<p>Phosphate reductions leading to improvements in water quality of River Mease SAC; an objective of the DCS, Water Quality Management Plan, Water Framework Directive and River Mease Restoration Plan.</p> <p>Biodiversity benefits from habitat creation and restoration of the watercourse and the floodplain wetland.</p> <p>Increased resilience of the river to deal with impacts of Climate Change.</p> <p>The scheme will increase flood storage on the site through increased floodplain connection, with potential minor flood alleviation affects downstream in Measham.</p>
Consultation/Community Engagement:	<p>Consultation with Environment Agency, Natural England, Local Planning Authorities, Lead Local Flood Authorities, and Local Landowners has taken place and all parties and stakeholders are supportive of the scheme. The scheme has the approval of the River Mease Programme Board.</p>

Risks:	If this scheme does not progress, there is the possibility that the Council will be criticised for securing S106 contributions to allow new development to proceed without delivering on the required mitigation measures to meet the River Mease SAC conservation objectives.
Officer Contact	Chris Elston Head of Planning and Infrastructure <a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>AWARDING OF MHCLG ROUGH SLEEPER INITIATIVE FUNDING</b>	
<b>Presented by</b>	Councillor Roger Bayliss Housing and Customer Services Portfolio Holder	
<b>Background Papers</b>	<a href="#"><u>Cabinet Report “Award of MHCLG Rapid Rehousing Funding.” 14<sup>th</sup> January 2020</u></a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	This decision relates to the award of grant funding from Central Government for pre-determined projects received by NWLDC on behalf of all Borough/Districts Councils and Rutland, for services to be delivered by partner agencies. The funding is subject to grant conditions attached by MHCLG to ensure that spend is against projects pre-agreed with the Ministry.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	The Councils Contract Procedure Rules provide decisions to award contracts over threshold must be made by Cabinet unless delegated by Cabinet. Legal Services will assist in the drafting of any Grant Agreements being made to Delivery Partners.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	Funding includes a post hosted by NWLDC. The Job has been evaluated through the usual process and recruitment will follow the corporate approach	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To delegate the authority to award Grant Agreements off all values to partner agencies of monies received under the Rapid Rough Sleeper Initiative Programmes to the Head of Housing and Property in consultation with the Portfolio holder.	
<b>Reason for Decision</b>	The grant payments requires expenditure in excess of officer delegated limits	
<b>Recommendations</b>	<b>CABINET DELEGATES TO THE HEAD OF HOUSING IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR HOUSNG AND CUSTOMER SERVICES:</b> 1) <b>AUTHORITY TO AWARD GRANTS AND ENTER INTO ASSOCIATED FUNDING AGREEMENTS IN</b>	

	<p><b>RELATION TO FUNDING RECEIVED UNDER THE ROUGH SLEEPERS INITIATIVE FOR THE YEAR 2021/22; AND</b></p> <p><b>2) AUTHORITY TO AWARD GRANTS AND ENTER INTO ASSOCIATED FUNDING AGREEMENTS IN RELATION TO FUNDING RECEIVED UNDER FUTURE ROUGH SLEEPERS INITIATIVE, ROUGH SLEEPER FUNDING AND/OR ASSOCIATED OR SUCCESSOR FUNDING PROGRAMMES.</b></p>
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**1.0 BACKGROUND**

- 1.1 The Ministry for Housing, Communities and Local Government (MHCLG) have been offering Grants Schemes to Local Authorities to help assist rough sleepers and those at risk of rough sleeping. Since 2019 North West Leicestershire has fulfilled the role of lead authority in relation to a number of bids for funding relating to a sub-regional partnership of the Leicestershire Districts and Rutland County Council.
- 1.2 In 2019/2020 the scheme was called the Rapid Rehousing Pathway programme and 2020/21 and 2021/22 the scheme was called the Rough Sleeper Initiative (RSI). As lead authority NWLDC has successfully bid and been awarded grants under these schemes.
- 1.3 As with previous years, the 2021/22 bid was developed through a co-production model alongside specialist advisors from the MHCLG and the funding relates to specific interventions and projects agreed with them. As such there is an expectation that the funding will be passed on to those delivery partners that committed to deliver the interventions from the successful bid.
- 1.4 Although successful the specific amounts of funding awarded has not yet been circulated. Based on previous years this is expected to be in excess of £100,000.00.

**2.0 FUTURE FUNDING**

- 2.1 Despite being consistent over the last 3 years, funding opportunities have previously presented as one off's.
- 2.2 It is anticipated based on communications from MHCLG that rough sleeper funding will become an ongoing programme with any future funding awards made under the RSI or its successor programmes will be subject to a similar co-production model and so delivery partners who will be end point recipients of the funding will have been effectively pre-agreed with MHCLG.
- 2.3 Due to the value of annual funding, each time a bid has been successful a report has been presented to Cabinet seeking approval to enter into Grant Agreements with associated partners to spend the grant monies in accordance with the BID and terms of MHCLG's Grant Agreement with NWLDC. On each occasion Cabinet has approved this spend as proposed.
- 2.4 Given the direction of the funding programme, it is requested that Cabinet delegate authority to enter into Grant Agreements with the necessary delivery partners to the Head of Housing in consultation with the Portfolio Holder for Housing and Customer Services in respect of both the 2021/22 award and future funding awarded on a similar basis. This will ensure future projects are mobilised in a timely manner.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Insert relevant Council Priorities: <ul style="list-style-type: none"> <li>- Local people live in high quality, affordable homes</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	None identified
Safeguarding:	All partners in receipt of funding will be required to demonstrate adequate safeguarding arrangement
Equalities/Diversity:	None identified
Customer Impact:	The funding will support the delivery of services to some of our most excluded customers
Economic and Social Impact:	The funding will support a countywide rough sleeper pathway which is concerned with supporting the holistic needs of clients and mitigating the wider impacts of rough sleeping
Environment and Climate Change:	None identified
Consultation/Community Engagement:	The bid submission was developed in consultation with a number of key partners working within the homelessness field across the County
Risks:	None identified
Officer Contact	David Scruton Housing Strategy and Systems Team Manager <a href="mailto:david.scruton@nwleicestershire.gov.uk">david.scruton@nwleicestershire.gov.uk</a>

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<b>Title of Report</b>	<b>RENEWAL OF MICROSOFT ENTERPRISE SOFTWARE LICENCE AGREEMENT</b>	
<b>Presented by</b>	Councillor Roger Bayliss Portfolio Holder for Housing and Customer Services	
<b>Background Papers</b>	N/A	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	As set out in the report.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	A legally compliant procurement has been undertaken. The value of the contract exceeds officer delegations and so Cabinet authorisation is required to enter into the agreement.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	No direct staffing implications – ensuring we have a safe and secure IT service is fundamental to the safe running of the council.	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	The report requests that Cabinet authorises the renewal of the Microsoft Enterprise Software Licence agreement as the budget exceeds £250,000 over the life of the agreement.	
<b>Reason for Decision</b>	<ol style="list-style-type: none"> <li>1. To ensure Members are aware of the renewal cost of the Microsoft Enterprise Software Licence Agreement.</li> <li>2. The renewal costs takes the contract value above the £250,000 threshold which requires Cabinet approval.</li> <li>3. To authorise the renewal of Microsoft Software Licences Agreement, to ensure the authority stays appropriately licenced and meets the organisation's needs.</li> </ol>	
<b>Recommendations</b>	<b>THAT CABINET AUTHORISES THE AWARD OF A 3 YEAR CONTRACT TO PHEONIX IT SERVICES AT A VALUE OF £380,744.00 FOR MICROSOFT ENTERPRISE SOFTWARE LICENCES.</b>	

## **1.0 BACKGROUND**

- 1.1 The Council currently has a three-year Microsoft Licence Software Agreement with supplier, Phoenix IT Services. The licence agreement covers the use of all Microsoft applications across the authority and appropriately licences all users for the use of Microsoft Office 365 applications suite.
- 1.2 The current terms come to an end on the 31 July 2021. A new agreement needs to be entered into for a further 3 years so that the Council is legally licenced for the use Microsoft software across the authority.

## **2.0 PROCUREMENT**

- 2.1 A procurement process, compliant with the Public Contracts Regulations and the Council's own Contract Procedure Rules, for the new contract has been conducted by the Council's IT Manager in conjunction with the Procurement Officer. The Supplier has been sourced using Crown Commercial Services (CCS)-Cloud 12 Framework. The framework permits direct award providing you use their e-marketplace catalogue tools to identify potential suppliers. We used e-marketplace filters and search terms from our specification of requirements to narrow down the suppliers. This resulted in a single supplier's catalogue offer, Phoenix Software Ltd, in being the most suited to our requirements.
- 2.2 The Council has worked with Phoenix IT Services for the past 12 years. Phoenix IT services has consistently provided excellent service levels. As well as providing our Microsoft and non-Microsoft licences, Phoenix also provide consultancy and support services which we have used on several occasions. We looked at other providers on the framework as part of the procurement framework and Phoenix were chosen as they provided a full support service and added value.
- 2.3 A direct award to Phoenix has been chosen for continuity as there is no technical, monetary, or financial reason, to move to another licence provider. Moving to a different supplier, would incur higher costs and we would lose out on the value-added services, as well as time and resource to setup a new licencing structure. The service we receive from Phoenix IT services is excellent as described in section 2.2 above.

## **3.0 FINANCIAL COSTS**

- 3.1 The current terms come to an end on the 31 July 2021. The Council wishes to enter into a new agreement for 3 years.
- 3.2 The cost of the current Microsoft Enterprise Licence Agreement over 3 years was £337,000. During this time, we have purchased additional licences for audio conferencing bridge (due to Covid and remote working) as well as Skype for business licences, totalling £6,500.
- 3.3 The cost of the new agreement is £380,744 over the next 3 years which has been budgeted for in the ICT revenue budget for upcoming years. This includes a 12% increase in overall licencing costs from Microsoft. This legally licences the authority for its use of all Microsoft applications across the authority.

#### 4.0 TIMELINE

Number	Step	Date(s) and time (if applicable)
1	Governance Approvals completed	31/04/2021
2	Contract finalisation completed	31/06/2021
3	Contract start date	01/08/2021

Policies and other considerations, as appropriate	
Council Priorities:	Insert relevant Council Priorities:  - Our communities are safe, healthy, and connected
Policy Considerations:	N/A
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	We need to secure reliable services to support suite of customer applications.
Economic and Social Impact:	N/A
Environment and Climate Change:	N/A
Consultation/Community Engagement:	N/A
Risks:	Fine or prosecution if the Microsoft Enterprise Software Licence Agreement is not renewed. Council would not be entitled to use any Microsoft software, which would prevent the business from functioning.
Officer Contact	Sam Outama IT MANAGER Sam.outama@nwleicestershire.gov.uk



## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>TREASURY MANAGEMENT STEWARDSHIP REPORT 2020/21</b>	
<b>Presented by</b>	Councillor Nick Rushton Corporate Portfolio Holder	
<b>Background Papers</b>	<p><a href="#">Capital Strategy 2020/21</a> – Council 25 February 2020</p> <p><a href="#">Treasury Management Strategy Statement 2020/21 and Prudential Indicators 2020/21 to 2022/23</a> – Council 25 February 2020</p> <p><a href="#">Investment Strategy – Service and Commercial 2020/21</a> – Council 25 February 2020</p> <p><a href="#">Budget and Council Tax 2019/20</a> – Council 25 February 2020</p> <p><a href="#">Treasury Management Activity Report April 2020 to December 2020</a> – Audit and Governance 17 March 2020</p>	<p><b>Public Report:</b> Yes</p> <p><b>Key Decision:</b> No</p>
<b>Financial Implications</b>	<p>A total of £204k in investment interest was earned on balances. This is mainly split between the General Fund £116k, Housing Revenue Account £67k and S106 Fund 22k.</p> <p>Annual principal repayment of £1.1m was paid on two PWLB loans for the Housing Revenue Account.</p> <p>In addition, interest on loans of £2.7m was paid on external debt, of which £2.2m was for the Housing Revenue Account and £400k for the General Fund.</p> <p>Over £35m in various COVID grants were received by the Council which provided additional cashflow from the time of grant receipt to the point of disbursement.</p> <p>The above has an impact on the financial resources available to the Council.</p> <p><b>Signed off by the Section 151 Officer:</b> Yes</p>	

<b>Legal Implications</b>	Bringing this report to cabinet complies with the councils legal obligation under the Local Government Act 2003 <b>Signed off by the Monitoring Officer: Yes</b>
<b>Staffing and Corporate Implications</b>	None <b>Signed off by the Head of Paid Service: Yes</b>
<b>Purpose of Report</b>	To inform Cabinet of the Council's Treasury Management activity undertaken for the financial year 2020/21.
<b>Reason for Decision</b>	Informing Cabinet of the Council's Treasury Management activity is a statutory requirement.
<b>Recommendations</b>	<b>THAT CABINET APPROVE THIS REPORT.</b>

## 1.0 BACKGROUND

- 1.1 Treasury Management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the code"), which requires local authorities to produce Prudential Indicators and a Treasury Management Strategy Statement annually on the likely financing and Investment activity.
- 1.2 This report fulfils the council's legal obligation under the Local Government Act 2003, to have regard to both the CIPFA Code and the Ministry of Housing, Communities and Local Government (MHCLG) Investment Guidance.
- 1.3 In 2020/21, council approved its Capital Strategy (included in the Budget and Council Tax report) and Treasury Management Strategy Statement, including the Borrowing Strategy, Debt Rescheduling Strategy, Annual Investment Policy and Strategy, Interest Apportionment Policy, Prudential Indicators and Annual Minimum Revenue Position Statement in its meeting on 25 February 2020.
- 1.4 Investing or borrowing activities expose the council to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risks are therefore central to the council's treasury management strategy.

## 2.0 THE U.K. ECONOMY AND OTHER FACTORS.

- 2.1 An economic update and Interest rate forecast has been provided by our Treasury Advisers (Arlingclose Ltd) and summarised below. A full update can be found at Appendix A.
  - The medium-term global economic outlook has improved with the rollout of vaccination programmes, of which the UK remains at the forefront. The Roadmap out of Lockdown has bolstered expectations through March.
  - The ONS Q4 2020 growth was higher than expected at 1%, leaving the UK economy 8% smaller than Q4 2019. January GDP fell by 2.9%, but less than Bank of England expectations. Unemployment had risen to 5.1% in the three months to December.
  - Support packages such as the Coronavirus Job Retention Scheme were extended in the Government's Budget, reducing the downside risks facing the UK economy. However, the extension of furlough will not totally mitigate an inevitable rise in unemployment when costs start to be shared with employers.
  - While restrictive measures are likely to continue in the UK until most of the population is vaccinated by the second half of 2021, the end of the strict lockdowns in Q2 will prompt a sharp increase in GDP. Meanwhile, inflation is set to rise quickly back to

target due to weaker base effects as the pandemic hit in 2020. This will be partly offset by the extensions to VAT reductions and the freezing of various duties.

- There remain risks to the more positive narrative that has developed since the turn of the year. This is especially apparent in the Eurozone, where virus cases are once again on the rise due to the slow vaccine rollout, and recent issues in both the UK and Eurozone with vaccine supply.
- The uncertain outlook will maintain pressure on central banks to maintain loose monetary conditions for the foreseeable future. Bank Rate is unlikely to change despite developing market expectations.
- Longer term yields have risen sharply, albeit remaining at low levels. US stimulus and the relaxation of restrictions has boosted global growth and inflation expectations, raising expectations of monetary tightening.
- Upward movement in gilt yields could continue in the short term due to market momentum and rising CPI rates, but this is likely to taper once inflation fears recede as the effect of weak base effects subsides.

### 3.0 THE COUNCIL'S TREASURY POSITION.

3.1 The council's current strategy is to use internal borrowing to reduce risk and keep interest costs low. The treasury management change over the financial year is shown below.

	Balance at 01/04/2020 £m	Net Movement £m	Balance at 31/03/2021 £m
Long term borrowing - HRA	£71.70	−£1.20	£70.50
Long term borrowing – General Fund	£8.40	£0.00	£8.40
Other long-term liabilities - HBBC	£0.10	£0.00	£0.10
<b>Total Borrowing</b>	<b>£80.20</b>	<b>−£1.20</b>	<b>£79.00</b>
Long term investments – greater than 1 year	£3.00	−£3.00	£0.00
Short term investments – less than 1 year	£39.70	−£0.90	£38.80
Pooled funds and externally managed investments*	£8.00	£3.50	£11.50
<b>Total Investments</b>	<b>£50.70</b>	<b>−£0.40</b>	<b>£50.30</b>
<b>Net debt</b>	<b>£29.50</b>	<b>−£0.80</b>	<b>£28.70</b>

\*Represents investments held in Money Market Funds

3.2 The annual repayments on two PWLB annuity loans taken out as part of the self-financing system of Council Housing in 2011/2012, are shown in the Net Movement column.

3.3 In 2020/21, the capacity for investment has decreased by £0.4m. This can be affected by various factors including: reduced income, contributions to/from reserves, setting aside expenditure to repay borrowing (MRP), fortuitous expenditure, Section106 disbursements.

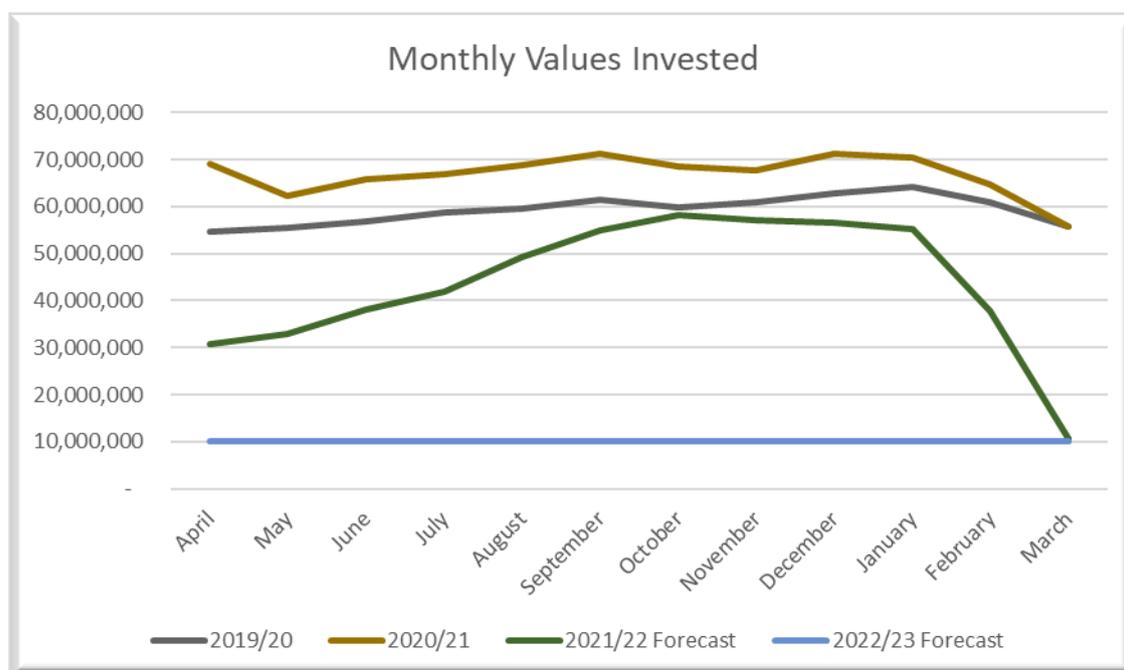
3.4 In 2020/21, some of the highlights that have impacted on the capacity are:

- HRA
  - Council House RTB sales +£2.4m
  - Council Houses Non RTB sales +£166k
  - Purchase of new Council Houses +£2.7m
  - Expenditure on New Builds -£435k (8 units completed)
  - Property purchased for demolition as part of new build development -£139k
  - RTB discount previously given returned to the Council +£19.6k
- General Fund
  - Sale of Vehicles +£21k
  - Purchase of new vehicles -£173k

- MRP £715k
- Capital Programmes slippages: General Fund +£13.1m (largely attributable from the New Leisure Centre Project +£8.7m) and Housing Revenue Account for +£2.36m
- Prepayment into the Pension Fund -£3.1m
- COVID-19 financial impact
  - Income & expenditure variances due to COVID-19 General Fund -£940k
  - Timing difference between receipt and disbursement of COVID-19 grants +£35m

3.5 The pattern of cash held and subsequently invested per month is shown in the chart below, illustrating the cash flow trends throughout the year. The delay in implementation of Capital programmes will provide additional scope for short term investments in 2021/22.

3.6 The chart below also shows the forecast position for 2021/22 and 2022/23. This reflects lower levels of cash available in the next two years since it is planned that internal borrowing will be used to fund Capital programmes along with the effect of the expected maturity of Housing Revenue Account's £13m PWLB loans in 2021/22. The repayment of £1m Cornwall Bond147 is also due in 2022/23.



#### 4.0 BORROWING ACTIVITY.

4.1 The council's Borrowing Strategy 2020/21 incorporates a prudent and pragmatic approach to borrowing to minimise borrowing costs without compromising the longer-term stability of the portfolio, consistent with the council's Prudential Indicators.

4.2 No loans matured in 2020/21 that required replacement.

4.3 The Borrowing Strategy identified that borrowing would not be required until 2021/22 and the council has not undertaken any new long-term borrowing during the year. Annual principal repayment of £1.1m and interest payments totalling £2.68m were made in respect of existing debt. Members should note that a significant proportion of the HRA self-financing debt was taken out on a maturity basis and therefore whilst interest is paid, the principal repayment of the loan is not made. The Council has the funds set aside within HRA reserves for the first two maturity loan redemptions in 2021/22 of £3m and £10m, should it decide to repay the loans rather than refinance.

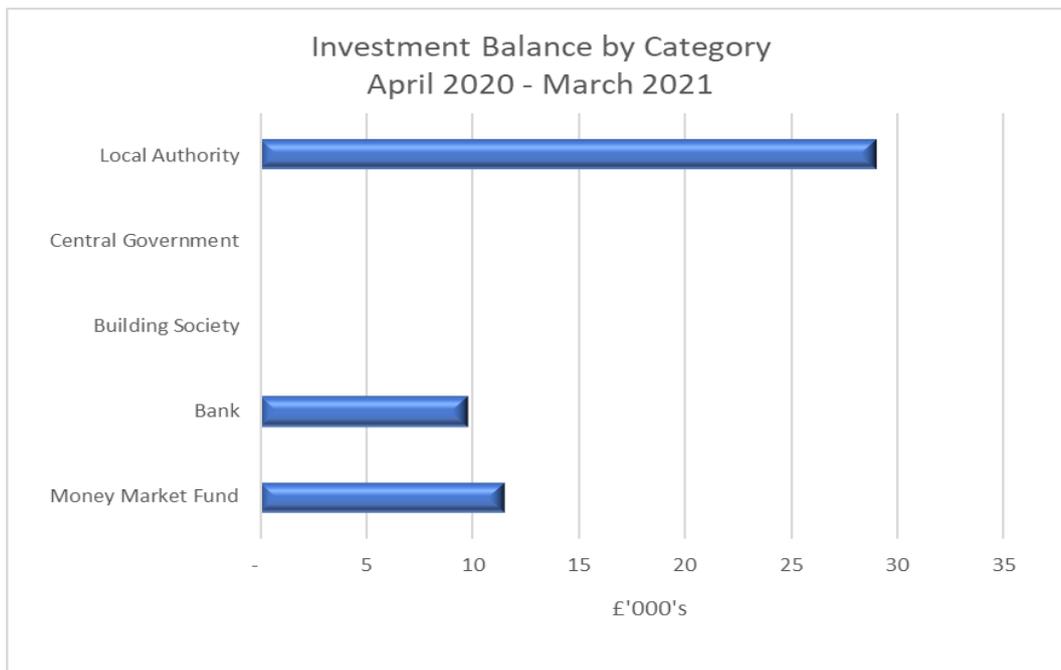
- 4.4 The council's cash flow remained positive and did not require and temporary loans during the year.
- 4.5 The council had approximately £9m of internal debt at 31 March 2021. This is the cumulative value of internal cash balances used to finance new capital expenditure instead of financing through unsupported borrowing. This is currently judged to be the most cost-effective means of funding the capital programme.
- 4.6 The estimated Minimum Revenue Provision (MRP) is intended to ensure that the capital financing debt is paid off over the longer term. The MRP charge made to General Fund revenue account for 2020/21 is £715k.
- 4.7 The Housing Revenue Account is not required to make MRP charges. However, the council classes the principal repayments made in respect of the two PWLB annuity loans taken out as part of the housing self-financing in 2011/12, as MRP. In 2020/21, this repayment was £1.1m (as per 4.3 above).

## **5.0 DEBT RESCHEDULING ACTIVITY.**

- 5.1 The council's Debt Rescheduling Strategy 2020/21, established a flexible approach where the rationale for rescheduling could be one or more of the following:
- Savings in interest costs with minimal risk.
  - Balancing the volatility profile (i.e. the ratio of fixed to variable rate debt) of the debt portfolio.
  - Amending the profile of maturing debt to reduce any inherent refinancing risks.
- 5.2 No opportunities for debt rescheduling were identified which conformed to the above rationale. Accordingly, the council has undertaken no debt rescheduling activity during the year.
- 5.3 The council's portfolio of thirteen loans - ten PWLB loans and three market loans continue to be monitored for debt rescheduling opportunities.

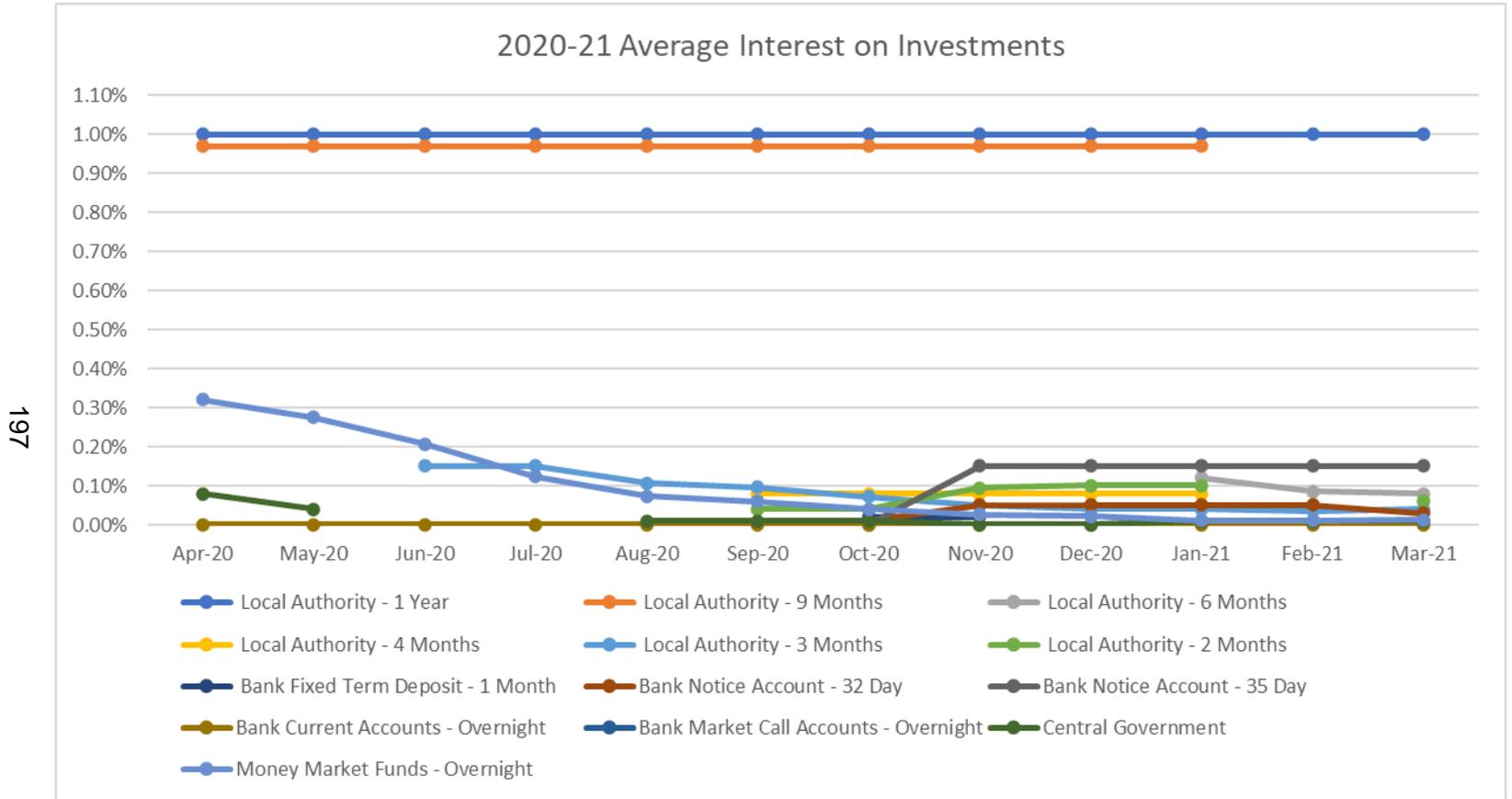
## **6.0 TREASURY MANAGEMENT INVESTMENT ACTIVITY.**

- 6.1 The main objective of the council's Investment Policy and Strategy 2020/21 is to invest its surplus funds prudently.
- 6.2 The council's investment priorities (S.L.Y.) are:
- **S**ecurity of the invested capital;
  - sufficient **L**iquidity to permit investments; and,
  - **O**ptimum **Y**ield which is commensurate with security and liquidity.
- 6.3 To lower the inherent investment risk, the council has minimised the use of banks and increased the use of other Local Authorities as investment counterparties. A range of lengths of investment, from overnight investments to short and long fixed term, from 32 days to 1 year, are currently utilised to ensure that the principles of security, liquidity and yield are followed. The table below shows the range of counterparties used by the council and the values invested at 31 March 2021.

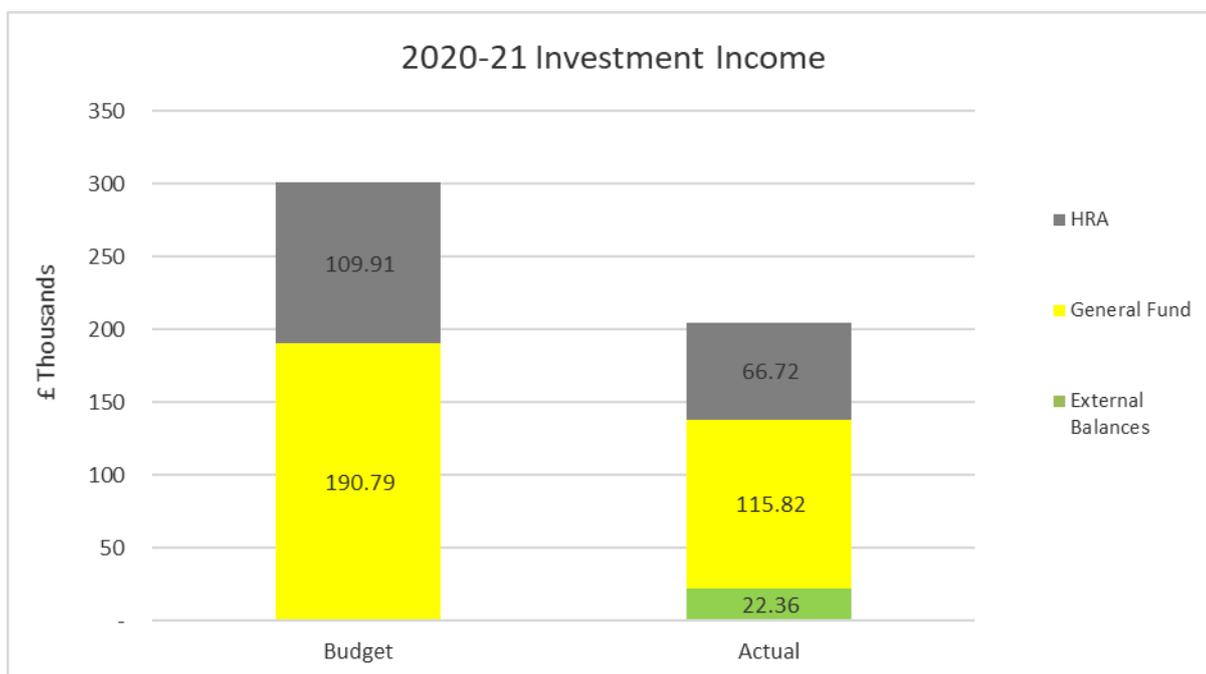


- 6.4 The counterparties that the council currently use all meet the criteria set out in the Treasury Management Strategy Statement 2020/21 and are monitored by the Treasury Management Advisors. A detailed list of the counterparties used and amounts currently invested can be seen in Appendix B.
- 6.5 Inter-Local Authority lending accounted for 58% of investments placed during the year. The Council's investments are made with reference to the Council's cash flow forecast, the outlook for the UK Bank Rate, money market rates, the economic outlook and advice from the Council's treasury adviser.
- 6.6 The Council exercises due diligence by assessing the organisation's financial stability. This is achieved by reviewing their credit status, most recent audited financial statements, auditor's report, budget report and current news which is financial in nature. All decisions are signed off the by the Section 151 Officer or the Deputy Section 151 Officer.
- 6.7 The average rate of return on the council's investment balances for the year was 0.30%. For comparison purposes, the benchmark return (average 7-day London Interbank Bid Rate or LIBID rate) on 31 March 2020 was 0.06% and the average 7-day London Interbank Offered Rate (LIBOR) rate was 0.06%. This shows that we are achieving a good rate of return against benchmark.
- 6.8 Paragraph 6.6 above explains that the current average rate of return of 0.30% has been achieved. This was an under performance from the budgeted interest of 0.83%, which was mainly due to the COVID-19 impact on the financial market. It resulted to the interest income of £181k for the year - £119k below the budget of £300k.
- 6.9 The COVID-19 pandemic hugely impacted the financial market and investment opportunities during the year. With the exception of two forward deals made prior to the national lockdown in March 2020, interest rates on in-year investments ranged between 0% and 0.40%. This is reflected of the decision made by the Bank of England to cut the interest rate to as low as 0.10% and has remained at this level for the whole financial year.

Graph 1 - Average interest rate on in year investments and the movement of interest rates over the year.



- 6.10 The council budgeted to achieve £300,700 of income from its investment activity in 2020/21 of which £190,800 is applied to General Fund and £109,900 to Housing Revenue Account. Investment activity for the year achieved £204,892 in interest.
- 6.11 Of the income achieved, an element is applied to balances held on external income. This external income largely represents balances from S106 contributions that have not yet been spent. The amount to be applied is £21,825. This is not budgeted for as S106 contributions are only achieved when specific conditions are met and are anticipated to be spent.
- 6.12 The remaining balance of £182,537 is apportioned between the General Fund which will receive £115,817; and Housing Revenue Account which will receive £66,720.
- 6.13 The budgeted and projected levels of investment income is represented in the table below.



- 6.13 There were two breaches of investment limits in the year reported to Audit and Governance committee in October 2020.
  1. The COVID-19 support grants received from the central government were deposited in short term call accounts and money market funds as the council was required to disburse this to local businesses as soon as possible. Individual account limits on money market funds were maintained, but the aggregate money market limit of £20m as per TMSS was breached by an amount of £2m. This occurred on April 1 when the grants were received and was resolved on April 9 when grants were paid out to businesses. The Head of Finance and S151 officer was made aware of this in advance prior to the initial receipt of the grants. This was closely monitored through a weekly update on the council's Cashflow and investments.
  2. The £5m limit on the Lloyds day-to-day banking account was breached by £1.2m on 1 July 2020. This occurred as a result of £5.7m in Council Tax, Business Rates and Rent being received on this date. As the funds were required the next day to make payments to preceptors (Fire, Police and Leicestershire County Council) and the money market funds were already at their approved limits. The Finance Team Manager and Deputy S151 Officer in the absence of the Head of Finance, approved the breach of the TMSS and to leave the funds in the Lloyds account overnight.

## 7.0 NON-TREASURY INVESTMENT ACTIVITY

- 7.1 The definition of investments in CIPFA’s revised Treasury Management Code now covers all the financial assets of the Authority as well as other non-financial assets which the Authority holds primarily for financial return. This is replicated in MHCLG’s Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.
- 7.2 The following list represents the council’s current investments in this area.

Property or Type	Value at 31 Mar 2021	Reason held
Industrial Units	£6.5m	To support the local economy and to generate profits to supplement council expenditure
Markets	£1.5m	Any profit supplements council expenditure
Land	£4.8m	Future economic benefit

- 7.3 More detailed information can be found in the “Investment Strategy – Service and Commercial” which was presented to Council on 25 February 2020.
- 7.4 In November 2019, Cabinet approved a new Corporate Asset Management Strategy, which set out a framework from which to manage our corporate property assets for the next five years. This strategy commits to reviewing the financial performance of our commercial assets as a priority, and an external review identified an average yield of 7.88% across our portfolio. Lower yielding assets are planned to be reviewed as part of the Council’s Journey to Self Sufficiency (J2SS) programme to assess whether they can managed in a different way to increase overall portfolio yield. The work on the J2SS programme was halted in 2020/21 in reaction to the demands of the COVID-19 pandemic.

## 8.0 SUMMARY

- 8.1 For the financial year 2020/21, the council can confirm that it has complied with its Prudential Indicators, which were approved as part of the council’s Treasury Management Strategy Statement.
- 8.2 The council can confirm that during the financial year, other than the breach of prescribed limit detailed in paragraph 6.13, it has complied with its Treasury Management Practices.

Policies and other considerations, as appropriate	
Council Priorities:	Value for Money
Policy Considerations:	Treasury Management Strategy Statement
Safeguarding:	Not Applicable
Equalities/Diversity:	Not Applicable
Customer Impact:	Not Applicable
Economic and Social Impact:	Not Applicable

Environment and Climate Change:	Not Applicable
Consultation/Community Engagement:	Not Applicable
Risks:	Borrowing and investment both carry an element of risk. This risk is mitigated through the adoption of the Treasury and Investment Strategies, compliance with the CIPFA code of Treasury Management and the retention of Treasury Management Advisors (Arlingclose) to proffer expert advice.
Officer Contact	Dan Bates Head of Finance and Section 151 Officer <a href="mailto:dan.bates@nwleicestershire.gov.uk">dan.bates@nwleicestershire.gov.uk</a>

### Economic information provided by Treasury Management Advisors

#### External Context *(based on data as at 24/03/21)*

#### **Economic commentary**

**Economic background:** The coronavirus pandemic dominated 2020/21, leading to almost the entire planet being in some form of lockdown during the year. The start of the financial year saw many central banks cutting interest rates as lockdowns caused economic activity to grind to a halt. The Bank of England cut Bank Rate to 0.1% and the UK government provided a range of fiscal stimulus measures, the size of which has not been seen in peacetime.

Some good news came in December 2020 as two COVID-19 vaccines were given approval by the UK Medicines and Healthcare products Regulatory Agency (MHRA). The UK vaccine rollout started in earliest with the focus on getting those most at risk from the virus vaccinated first and to date some 28 million people have had their first dose.

A Brexit trade deal was agreed with only days to spare before the 11pm 31<sup>st</sup> December 2020 deadline having been agreed with the European Union (EU) on Christmas Eve.

The Bank of England (BoE) held Bank Rate at 0.1% throughout the year but extended its Quantitative Easing programme by £150 billion to £895 billion at its November 2020 meeting. In its March 2021 interest rate announcement, the BoE noted that while GDP would remain low in the near-term due to COVID-19 lockdown restrictions, the easing of these measures means growth is expected to recover strongly later in the year. Inflation is forecast to increase in the near-term and while the economic outlook has improved there are downside risks to the forecast, including from unemployment which is still predicted to rise when the furlough scheme is eventually withdrawn.

Government initiatives supported the economy and the Chancellor announced in the 2021 Budget a further extension to the furlough (Coronavirus Job Retention) scheme until September 2021. Access to support grants was also widened, enabling more self-employed people to be eligible for government help. Since March 2020, the government schemes have help protect more than 11 million jobs.

After contracting sharply in Q2 (Apr-Jun) 2020 by 19.8%, growth in Q3 and Q4 bounced back by 15.5% and 1.0% respectively. The main sectors of production, construction, and services all increased in output in Q4, rising by 1.8%, 4.6% and 0.6% respectively. The easing of some lockdown measures in the last quarter of the calendar year enabled construction output to continue, albeit at a much slower pace than the 41.7% rise in the prior quarter. When released, figures for Q1 (Jan-Mar) 2021 are expected to show a decline given the national lockdown.

Inflation has remained low all year and the latest figures showed the annual headline rate of UK Consumer Price Inflation (CPI) fell to 0.4% year/year in February, below expectations (0.8%) and still well below the Bank of England's 2% target. The ONS' preferred measure of

CPIH which includes owner-occupied housing was 0.7% year/year (1.0% expected). The weaker-than-expected readings were exacerbated by downward price pressures from the latest lockdown with the main upward impact coming from car fuel prices.

Despite the furlough scheme supporting many jobs throughout the year, unemployment still rose. Labour market data showed that in the three months to January 2021 the unemployment rate was 5.0%, down slightly from the previous month but higher than the 3.9% recorded for the same period 12 months ago. Wages rose 4.8% for total pay in nominal terms (4.2% for regular pay) and was up 3.9% in real terms (3.4% for regular pay). The employment rate fell to 75.0% from 75.2% in the previous quarter. Unemployment is still expected to increase once the various government job support schemes come to an end, but with the extensions announced in the Budget likely to help with longer-term employment, the BoE is now predicting unemployment to peak at around 6-6.5%, rather than the 7.5% it had forecast previously.

After collapsing at an annualised rate of 31.4% in Q2, the US economy rebounded by 33.4% in Q3 and then a further 4.1% in Q4. The US recovery has been fuelled by three major pandemic relief stimulus packages totalling over \$5 trillion. The Federal Reserve cut its main interest rate to between 0% and 0.25% in March 2020 in response to the pandemic and it has remained at the same level since.

The European Central Bank maintained its base rate at 0% and deposit rate at -0.5% but in December 2020 increased the size of its asset purchase scheme to €1.85 trillion and extended it until March 2022.

**Financial markets:** Monetary and fiscal stimulus helped provide support for equity markets which rose over the period, with the Dow Jones beating its pre-crisis peak on the back of outperformance by a small number of technology stocks. The FTSE indices performed reasonably well during the period April to November, before being buoyed in December by both the vaccine approval and Brexit deal, which helped give a boost to both the more internationally focused FTSE 100 and the more UK-focused FTSE 250, however they remain lower than their pre-pandemic levels.

Ultra-low interest rates prevailed throughout most of the period, with yields generally falling between April and December 2020. From early in 2021 the improved economic outlook due to the new various stimulus packages (particularly in the US), together with the approval and successful rollout of vaccines, caused government bonds to sell off sharply on the back of expected higher inflation, pushing yields higher more quickly than had been anticipated.

The 5-year UK benchmark gilt yield began the financial year at 0.184% before declining to -0.033% at the end of 2020 and then rising strongly to the current level of 0.33%. Over the same period the 10-year gilt yield fell from 0.314% to 0.192% before rising to 0.764% currently. The 20-year declined slightly from 0.696% to 0.681% before increasing to the current level of 1.265%.

1-month, 3-month and 12-month SONIA bid rates averaged 0.01%, 0.11% and 0.24% respectively over the financial year.

The yield on 2-year US treasuries is currently 0.1452%, up from 0.121% at the beginning of January but down from 0.206% at the start of the financial year. For 10-year treasuries the current yield is 1.647%, up from both the beginning of 2021 (0.913%) and the start of the financial year (0.583%).

German bund yields remain negative across most maturities.

**Credit Review:** After spiking in March 2020, credit default swap spreads declined over the remaining period of the year to broadly pre-pandemic levels. The gap in spreads between UK ringfenced and non-ringfenced entities remained, albeit Santander UK is still an outlier compared to the other ringfenced/retail banks. At the end of the period Santander UK was trading the highest at 59bps and Standard Chartered the lowest at 29bps. The other ringfenced banks were trading between 30 and 32bps while Nationwide Building Society was 40bps.

Credit rating actions to the period ending December 2020 have been covered in previous outturn reports, however in the last quarter of the financial year S&P upgraded Clydesdale Bank to A- and revised Barclay's outlook to stable (from negative) while Moody's downgraded HSBC's Baseline Credit Assessment to baa3.

The vaccine approval and subsequent rollout programme are both credit positive for the financial services sector in general, but there remains much uncertainty around the extent of the losses banks and building societies will suffer due to the economic slowdown which has resulted due to pandemic-related lockdowns and restrictions. The institutions on Arlingclose's counterparty list and recommended duration remain under constant review, but at the end of the period no changes had been made to the names on the list or the recommended maximum duration of 35 days

## APPENDIX B

### Counterparties and Investment Summary as at 31/03/2021

Counterparty	Length	From	To	Amount	Rate
Blackrock MMF	Overnight	31/03/2021	01/04/2021	2,000,000.00	0.0001%
Aberdeen Asset Management MMF	Overnight	31/03/2021	01/04/2021	2,500,000.00	0.0100%
Federated Investors MMF	Overnight	31/03/2021	01/04/2021	3,000,000.00	0.0100%
CCLA MMF	Overnight	31/03/2021	01/04/2021	4,000,000.00	0.0459%
Lloyds Main	Overnight	31/03/2021	01/04/2021	2,778,414.98	0.0000%
Bank of Scotland	Overnight	31/03/2021	01/04/2021	1,000,000.00	0.0000%
Lloyds Market Call Account	Overnight	31/03/2021	01/04/2021	2,000,000.00	0.0100%
Lloyds Notice Account	32	31/03/2021	02/05/2021	2,000,000.00	0.0300%
Santander Notice Account	35	31/03/2021	05/05/2021	2,000,000.00	0.0150%
Walsall Metropolitan Borough Council	364	09/04/2020	08/04/2021	5,000,000.00	1.0000%
Watford Borough Council	184	29/03/2021	29/09/2021	5,000,000.00	0.0700%
Surrey Heath Borough Council	181	17/02/2021	17/08/2021	4,000,000.00	0.0500%
Epping Forest District Council	176	25/01/2021	20/07/2021	5,000,000.00	0.1200%
Monmouthshire County Council	91	05/01/2021	06/04/2021	5,000,000.00	0.0500%
Sedgemoor District Council	60	08/03/2021	07/05/2021	5,000,000.00	0.0600%
<b>Total</b>				<b>50,278,414.98</b>	

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>EXEMPTIONS FROM THE CONTRACT PROCEDURE RULES MADE IN Q4</b>	
<b>Presented by</b>	Councillor Nicholas Rushton Corporate Portfolio Holder	
<b>Background Papers</b>	<a href="#">Procurement Policy note (PPN 01 20)</a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> No
<b>Financial Implications</b>	Contracts being entered into within current budgets.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	An exemption is being made from the Councils Contract Procedure Rules and the Public Contracts Regulations 2015. Legal and procurement advice has been sought in the preparation of this report.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None identified.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To report to Cabinet exemptions given to the Contract Procedure Rules by Statutory Officers in Q4 20/21	
<b>Reason for Decision</b>	To note the exemptions as required by the Constitution	
<b>Recommendations</b>	<b>CABINET NOTES THE EXEMPTIONS MADE BY STATUTORY OFFICERS TO THE CONTRACT PROCEDURE RULES in Q4 20/21</b>	

**1.0 BACKGROUND**

- 1.1** When procuring any new contract the Councils Contract Procedure Rules set out how this should be done. Where a contract is £25,000 or more a competitive tender is required.
- 1.2** There are circumstances when a competitive tender is not possible or practical. If the circumstances fall under one of the following titles the Statutory Officers, in agreement, have the ability to exempt the procurement from the CPRs, allowing for a direct award to the contractor of choice:
- 1.2.1** Only one supplier is available for technical or artistic reasons; and
- 1.2.2** Extreme urgency exists for unforeseen reasons which are not attributable to the Council and the various time limits cannot be met.

1.3 Each time an exemption is sought a comprehensive report is needed to document why this procurement falls under one of the titles. An exemption report is compiled and approval sought from statutory officers. All approvals are then reported to cabinet on a quarterly basis.

## 2.0 COVID 19

2.1 The Covid 19 pandemic has required rapid response decisions and implementation of contracts at short notice. Government have issued Procurement Policy Note (PPN 01 20) to remind Councils that the use of PCR2015 Regulation 32 permits the award of contracts without competition in unforeseen emergencies and our own CPR's (3.1.1b) reflect this. Actions that could be considered to compliantly expedite the procurement process are as follows;

- direct award due to extreme urgency;
- direct award due to absence of competition or protection of exclusive rights;
- call off from an existing framework agreement or dynamic purchasing system;
- call for competition using a standard procedure with accelerated timescales;
- extending or modifying a contract during its term.

### Recommended procedure

- If the contract value is under 25K then this can be approved by Head of Service – An officer decision record should be completed
- If the contract is over 25k. In the first instance contact procurement for advice who will advise the most appropriate route to procure, and all the above options will be considered.
- Where direct award is made without competition an exemption form must be completed and signed
- Where accelerated timescales are required for a competition, contact procurement for advice
- Where a contract extension or modification is required, in the first instance contact procurement for advice who will advise the most appropriate route to procure, and all the above options will be considered.
- **Note: All exemption forms have to be signed off by Head of Paid Service, S151 Officer and Monitoring Officer (or any of their deputies).**

## 3.0 EXEMPTION MADE IN Q4 20/21

3.1 In quarter 4 2020/2021 one exemption was made by Statutory Officers. This was to award a six month extension of the Councils contract with Totalmobile, the Councils financial management system.

3.2 The exemption was made on the basis that only one supplier was available for technical or artistic reasons.

3.3 This is the second extension as an 18 month extension was granted in September 2020. The council has now procured a new financial management system however implementation is taking longer than expected and therefore an additional 6 months with the previous supplier was required to coincide with the revised go live date of the Councils new financial management system. The Council's financial management system is critical to the effective functioning of the council.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Insert relevant Council Priorities: <ul style="list-style-type: none"> <li>- Supporting Coalville to be a more vibrant, family-friendly town</li> <li>- Support for businesses and helping people into local jobs</li> <li>- Developing a clean and green district</li> <li>- Local people live in high quality, affordable homes</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	List any relevant policies
Safeguarding:	Detail any safeguarding considerations made.
Equalities/Diversity:	Detail any equalities/diversity considerations made.
Customer Impact:	Detail any impact the decision will have on customers
Economic and Social Impact:	Detail any economic or social impact as a result of the decision.
Environment and Climate Change:	Detail any environment and climate change impact as a result of the decision.
Consultation/Community Engagement:	Detail any consultation/community engagement undertaken prior to the decision.
Risks:	As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily covered in any report put before elected Members for a decision or action.
Officer Contact	Insert details of the lead officer in the following format:  Eg: Elizabeth Warhurst Head of Legal and Commercial Services <a href="mailto:elizabeth.warhurst@nwleicestershire.gov.uk">elizabeth.warhurst@nwleicestershire.gov.uk</a>

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## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 8 JUNE 2021



<b>Title of Report</b>	<b>ASHBY BUSINESS IMPROVEMENT DISTRICT</b>	
<b>Presented by</b>	Councillor Tony Gillard Business and Regeneration Portfolio Holder	
<b>Background Papers</b>	None	<b>Public Report:</b> Yes
		<b>Key Decision:</b> Yes
<b>Financial Implications</b>	<p>The Ashby Business Improvement District (BID) proposals have a number of financial implications for the council which are set out in this report.</p> <p>If the Ashby BID is approved at ballot then NWLDC will become the collecting authority for the additional levy. This will have both staff resource issues for the Leicestershire Revenues &amp; Benefits Partnership and software and licence costs.</p> <p>A recommendation of this report is request an allocation of up to £20,000 from the existing Growth Plan Earmarked Reserve to meet the estimated licensing costs of the BID module, alongside the administrative costs of the Partnership to collect process the levy billing and collection.</p> <p>If the Ashby BID is approved at the ballot, as a levy payer, the council will be liable for an estimated £1,124 per annum for the lifetime of the BID.</p>	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	<p>Should the Ashby BID ballot be successful and the BID is formed, the responsibility for billing, collection and any subsequent enforcement will be on the local authority under the Business Improvement Districts (England) Regulations 2004.</p> <p>The Councils legal department are overseeing the drafting of an Operating Agreement between the BID and the Local Authority that sets out both parties' roles and responsibilities throughout the lifetime of the BID.</p>	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	<p>Leicestershire Revenues and Benefits Partnership – The Revenues and Benefits Partnership will be responsible for the management of billing and collection of the BID Levy.</p> <p>Finance - The Council finance team will be required to undertake the accounting procedures and monitoring as set out within the Operating Agreement.</p>	

	<p>Democratic Services - The undertaking of the Ashby BID ballot has been outsourced to a third party and therefore no staffing implications for Democratic Services in relation to the Ashby BID.</p> <p>Ashby BID will be managed by a Company Limited by Guarantee with Directors elected from businesses who are members. As a levy payer to the BID, NWLDC will have a choice on whether to become members of this Company.</p> <p><b>Signed off by the Head of Paid Service: Yes</b></p>
<p><b>Purpose of Report</b></p>	<p>To inform Cabinet of the Ashby Business Improvement District and implications for the Council.</p>
<p><b>Reason for Decision</b></p>	<p>To seek support from Cabinet for the Ashby BID and, should the BID be approved, approve financial contributions towards the Ashby BID as set out in this report.</p>
<p><b>Recommendations</b></p>	<ol style="list-style-type: none"> <li>1. <b>REVIEW THE ASHBY BID PROPOSALS SET OUT IN THIS REPORT.</b></li> <li>2. <b>DELEGATE AUTHORITY TO THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE BUSINESS AND REGENERATION PORTFOLIO HOLDER TO MAKE 5 VOTES IN FAVOUR OF THE ASHBY BID AT THE JULY BALLOT, SUBJECT TO SATISFACTORY PROPOSALS SET OUT IN THE FINAL ASHBY BID BUSINESS PLAN.</b></li> <li>3. <b>SUBJECT TO THE ASHBY BID BEING APPROVED AT THE BALLOT, APPROVES THE ALLOCATION OF UP TO £20,000 FROM THE EXISTING GROWTH PLAN RESERVE TO FUND THE ESTIMATED COSTS ASSOCIATED WITH BILLING AND COLLECTION OF THE BID LEVY.</b></li> <li>4. <b>SUBJECT TO THE ASHBY BID BEING APPROVED AT THE BALLOT, CONFIRMS THE ALLOCATION OF £1,124 PER ANNUM (SUBJECT TO REASONABLE INCREASES YEAR ON YEAR TO RECIPROCATE INCREASES TO BUSINESS RATES) TO FUND THE LEVY OBLIGATIONS ON NWLDC OWNED ASSETS.</b></li> <li>5. <b>RECOMMENDS THAT, IN THE EVENT OF A SUCCESSFUL BALLOT, THE FULL COUNCIL APPROVES THE PROPOSAL FOR THE COUNCIL TO JOIN THE ASHBY BID COMPANY AND PARTICIPATE IN THE INCORPORATION OF IT</b></li> </ol>

	<p><b>6. RECOMMENDS THAT, IN THE EVENT OF A SUCCESSFUL BALLOT, THE FULL COUNCIL APPROVES THE ENTERING INTO OF A MEMBERS AGREEMENT, ARTICLES OF ASSOCIATION AND ASSOCIATED DOCUMENTS WITH HE BID COMPANY AND DELEGATES AUTHORITY FOR NEGOTIATING AND AGREEING THE FINAL MEMBERS AGREEMENT, ARTILCES OF ASSOCIATION AND ASSOCIATED DOCUMENTS TO THE DIRECTOR OF PLACE IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR BUSINESS AND REGNERATION</b></p> <p><b>7. NOTES THE POWER DELEGATED WITHIN THE CONSTITUTION TO THE CHIEF EXECUTIVE TO APPOINT A REPRESENTATIVE OF THE COUNCIL TO THE ASHBY BID COMPANY BOARD OF DIRECTORS</b></p>
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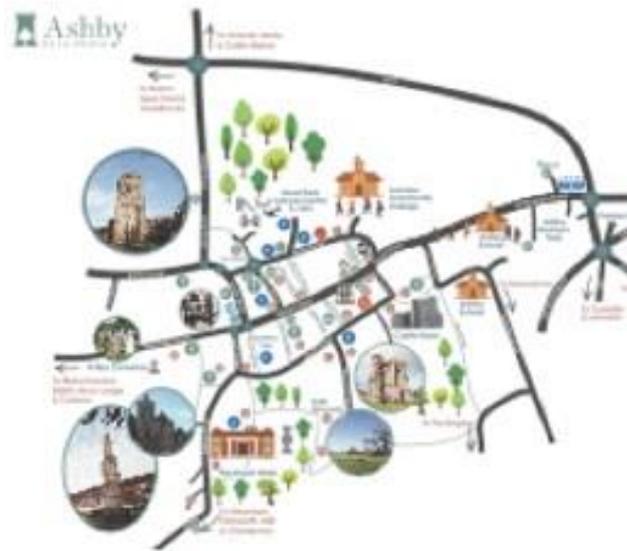
## **1.0 BACKGROUND**

- 1.1 On 8 April 2021, North West Leicestershire District Council Officers were invited to meet with a consortium of Ashby businesses and The Mosaic Partnership to discuss their proposals for a Business Improvement District (BID) for Ashby de la Zouch. The Mosaic Partnership, based in Staunton Harold, are a consultancy who specialise in the development of BIDs and have supported over 100 places to develop successful BIDs.
- 1.2 BIDs were first introduced in England and Wales through the Local Government Act 2003. A BID is a defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the area.
- 1.3 In the BID area businesses get together, decide what improvements they want to make in their town, how they will manage these improvements and what it will cost them. These proposals form a Business Plan for the BID area which act as a manifesto for the creation of the BID. Levy paying businesses within the BID area are then asked to vote for or against the formation of the BID.
- 1.4 The Levy charged onto businesses creates a sum of money to manage and deliver projects identified within the business plan to improve the trading environment and ultimately increase trade for those businesses who are paying for the improvements through the levy.
- 1.5 BIDs can only fund and deliver additional projects and services over and above those already provided by public bodies.
- 1.6 BIDs lasts for a maximum of five years and must be able to demonstrate how it benefit the businesses paying the levy. Once the term is completed the BID will automatically cease. If the BID wants to continue its activities it must hold a new ballot.
- 1.7 There are successful BIDs already in operation within the Leicestershire Market Towns of Hinckley, Loughborough and Melton.

## 2.0 ASHBY BID PROPOSALS

- 2.1 The Ashby Town Centres Traders group (ATCT) have been contemplating an Ashby BID and in October 2019 made a BID feasibility study presentation to the group's membership. However, the development of the Ashby BID was put on hold in March 2020 due to the coronavirus pandemic
- 2.2 In January 2021 the ATCT recommenced the BID proposals and developed the Draft Ashby BID Business Plan. – Draft attached as Appendix 1.
- 2.3 The Ashby BID Business Plan sets out proposals to create a defined BID area that includes all of the town centre and stretches north along Smisby Road to Ivanhoe Business Park and eastwards along Nottingham Road incorporating the edge of centre retail at Resolution Road, Coalfields Way and Lountside.

Map.1



- 2.4 The proposed BID area includes over 300 businesses and the BID Business Plan proposes to charge a 2% levy to eligible businesses. A 2% levy will generate an estimated £175,000 per annum projects set out within the plan.
- 2.5 The Ashby BID Business Plan projects are broken down into four key theme areas:
  - Project 1 – Marketing, Promotions & Events
  - Project 2 – Welcoming & Safe
  - Project 3 – Getting Around
  - Project 4 – Business Support
- 2.6 If the Ashby BID is approved, the BID team will set up a not for profit company limited by guarantee to oversee the project.
- 2.7 The current timetable for the Ashby BID proposes the BID pre-ballot campaign commencing in mid-May 2021 and running through until the end of June 2021. The BID ballot papers will be issued on 1 July 2021 with the ballot taking place on 29 July 2021.

2.8 The Ashby BID proposals have a number of impacts on North West Leicestershire District Council. The local authority will be responsible for managing the BID ballot process, manage the billing and the collection of the levy and also contribute to BID as a business rate payer. These responsibilities are summarised later in this report.

### **3.0 ECONOMIC DEVELOPMENT CASE**

3.1 Proposed Ashby BID activities as set out in the Business Plan will support the retail recovery and the reopening of the high streets post Covid 19 and contribute to the objectives within the Economic Growth Plan to ensure that our market towns and local centres are hubs of social and commercial activity and that sustained investment and renewal of our towns will ensure they prosper and meet the needs of current and future businesses, residents and visitors.

3.2 The Leicestershire Market Towns Study noted that some of Ashby strengths as a market town are that it is rich in heritage assets and a strong sense of community engagement, spirit and pride in the town.

3.3 The Market Towns Study also went on to highlight a number of opportunities for the town of which many can be actioned through the BID. Opportunities such as:

- Make more of the heritage tourism offer and supporting tourism infrastructure.
- Develop further the evening economy to encourage extended visitor stays.
- To improve business participation and support of towns activities.
- To establish Ashby as a place to do business and expand the business community that already exist in the town.

3.4 The ATCT anticipate that the benefits of the bid over the five year life will help the town recover from challenges of the Coronavirus pandemic, promote the town and the towns offer to encourage more people to visit and spend, make it easier for people to move into and around the town, reducing business costs and give Ashby businesses the support they need to flourish.

### **4.0 BID BALLOT PROCESS**

4.1 North West Leicestershire District Council will be responsible for managing the BID ballot process. It has been agreed that, for transparency, the ballot process will be outsourced.

4.2 Civica Election Services have been appointed by direct award, in consultation with the Head of Economic Development and Regeneration, to project manage Ashby BID ballot and have been authorised to work with ATCT and the Mosaic Partnership to oversee the process.

4.3 The ballot papers will be issued to eligible levy contributors within the Ashby BID area on 1 July 2021, 28 days before the day of the ballot on 29 July 2021. It is expected that the declaration of ballot results will take place on 30 July 2021.

4.4 North West Leicestershire District Council, as a potential levy payer, will be requested to cast five votes in the ballot, one for each levy eligible asset the council own. The Council qualify as a levy payer due to the national non-domestic rates (NNDR - also known as Business Rates) liability on the Council owned car parks in Ashby and also the public conveniences on Derby Road.

## **5.0 LEVY BILLING AND COLLECTION**

- 5.1 Should the Ashby BID ballot be successful and the BID is formed, the responsibility for billing, collection and any subsequent enforcement will be on the local authority. For North West Leicestershire District Council this role is, and will be, undertaken by the Leicestershire Revenues & Benefits Partnership based at Hinckley.
- 5.2 Officers are working with the Leicestershire Revenues & Benefits Partnership and the Mosaic Partnership (on behalf of the Ashby BID) to explore options for how best to manage and undertake the BID levy billing and collection. A recommendation of this report is request an allocation of up to £20,000 to meet the estimated start-up costs of billing and collection. Should the costs of options for billing and collection exceed £20,000 then officers will return to Cabinet to present further clarity on these costs and make amended recommendations.
- 5.3 In addition, the billing and levy collection will likely incur additional capacity costs for the Leicestershire Revenues & Benefits Partnership to manage this process. It is possible, and expected, that the Council will re-charge the BID for these costs in accordance with the Industry Criteria and Guidance Notes (published by British BIDs annually on behalf of the British Retail Consortium, the British Council of Shopping Centres, the Federation of Small Businesses and the Inter Bank Rating Forum).

## **6.0 LEGAL IMPLICATIONS**

- 6.1 The legislative framework behind the creation and running of BIDs is The Business Improvement Districts (England) Regulations 2004.
- 6.2 Proposing a Bid - Regulation 3 provides that a BID can be set up by the local authority, a non-domestic ratepayer or a person or company whose purpose is to develop the BID area, or that has an interest in the land in the area. In setting out their proposal they shall ask the relevant billing authority (in this case NWLDC) to put the proposals to ballot. The requirements of a compliant BID proposal are set out at schedule 1 of the regulations and must include:
  - (a) the services to be provided, the name of the BID and the type of body of the BID;
  - (b) the existing baseline services;
  - (c) the geographical area;
  - (d) non-domestic ratepayers in the area, how the BID levy is to be calculated, how costs in developing the BID and ballot are to be recovered;
  - (e) class of non-domestic ratepayer and any relief to apply;
  - (f) how the BID may be altered;
  - (g) duration; and
  - (h) commencement of BID.
- 6.3 Type of BID body - The legislation does not require establishment of a BID body before taking forward a BID proposal however best practice suggests a formal structure ahead of ballot.
- 6.4 The BID body can be a private company or partnership. The proposal for Ashby BID is a not-for-profit company limited by guarantee, which is the most common type. A BID could be developed by a local authority but this is unusual and is not the proposal being put forward here.
- 6.5 A company limited by guarantee has the advantages of:

- Any profits being put back into the company
  - The limited liability of individual members
  - Individual members being protected by compliance with the constitution of the company
- 6.6 Holding a Ballot - Regulation 5 provides that where the relevant billing authority receives a notice in writing to hold a ballot it shall instruct the Ballot Holder to do so. For the purposes of this the ballot holder is the returning officer for elections of the authority, the Chief Executive of NWLDC. There is not a discretion where the requirements of the legislation have been met.
- 6.7 Form of Ballot - The ballot holder may appoint another to undertake the discharge of their functions, in these circumstances the third party Civica. Regulation 7 and Schedule 2 sets out the rules for ballots including time frames, procedures and declaring of results. Regulation 20 provides that expenditure incurred in holding the ballot shall be paid by the billing authority.
- 6.8 Power to Veto - Regulation 12 gives the relevant authority to power to veto the BID proposal in limited circumstances. These are if it:
- a) conflicts with any existing local authority policy; or
  - b) Is likely to incur a disproportionate burden on particular person/business.
- 6.9 Whilst the power to veto is not time restricted, ideally any circumstances likely to render grounds for veto should be identified before the ballot process. Currently nothing has been identified that would give the Council grounds to veto.
- 6.10 Notification of Ballot Outcome - As soon as reasonably practicable after the ballot the ballot holder should arrange for public notice to be given of the outcome of the ballot. A successful vote is one that has a simple majority both in votes cast and in the rateable value of votes cast.
- 6.11 Collection of the levy following a successful ballot - Regulation 15 sets out that the relevant billing authority shall impose, administer, collect, recover and apply the BID levy. There is no discretion in this regard. The BID company and the authority shall enter into an Operating Agreement which sets out how this shall be done. The authority are able to charge a reasonable fee for this service. The recommended industry standard is a maximum charge of 3% of the annual level income (a charge of £5250 for an annual income of £175,000). Schedule 4 of the regulations sets out how the authority should serve demand notices.
- 6.12 Collection of the levy shall continue for the duration of the BID period.
- 6.13 A formal arrangement has been drafted that sets out the relationship and responsibilities between the Ashby BID Company and North West Leicestershire District Council. The purpose of the Bid operating Agreement is to:
- set out the commencement and term of the Agreement
  - establish the procedure for setting the BID Levy;
  - establish the Councils accounting responsibilities in relation to the BID revenue account
  - confirm the basis upon which the Council will be responsible for collecting the BID Levy;

- set out the enforcement mechanisms for collection of the BID Levy;
- set out the procedures for accounting and transference of the BID Levy;
- provide for the monitoring and review of the collection of the BID Levy;
- confirm the manner in which the Council expenses incurred in collecting the BID Levy shall be paid.

## 7.0 FINANCIAL IMPLICATIONS

- 7.1 Under delegated powers to the Chief Executive Officer the Council have committed £5,000 from an existing Growth Plan Reserve to support the development of the Ashby BID. Of this contribution £2,340 has been committed to appoint Civica Election Services to prepare and undertake the Ashby BID ballot. The remainder of this contribution has been allocated to fund the production and printing of the Ashby BID Action Plan.
- 7.2 If the Ashby BID proposals are voted in at the Ballot, and if the Levy calculation remain at 2% as set out in the Business Plan, North West Leicestershire District Council will be liable for an annual levy contribution of £1,124 per annum. This is presented in the table below.

Table 1.

Property	2017 Rateable Value	Maximum annual levy
Car Park – North Street	£18,500	£370
Car Park – Hood Park	£10,250	£205
Car Park – Library	£13,000	£260
Car Park – South Street	£11,250	£225
Public Convinces – Derby Road	£3,200	£64
<b>Total maximum annual levy contribution</b>		<b>£1,124</b>

- 7.3 As outlined in 5.2 and within the report recommendations, an estimated cost of up to £20,000 will be required to cover the costs associated with the licensing of software and the billing and collection of the Ashby BID levy.

## 8.0 VAT

- 8.1 The BID company set up after a successful ballot is not eligible to reclaim VAT. Nor is VAT chargeable through the levy.
- 8.2 If the levy collects £175k in a year and the Council transferred £175k to the BID Company, whatever they spent it on would be subject to VAT. This means that they could only spend £145k because the rest would be VAT. Instead HMRC have advised that if the levy collects £175k the Council should transfer to the BID Company £210k and the Council could reclaim the £35k VAT.

## 9.0 JOINING THE BID COMPANY

- 9.1 All BID levy payers will be invited to join the Bid Company which will be limited by Guarantee. This includes any Levy payers who voted against the Bid in the ballot. Whilst it is not compulsory, it is common place for the Local Authority to become a member of the BID Company which is limited by guarantee.

- 9.2 The decision to become a member of an outside organisation of this nature is a matter reserved to Council under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- 9.3 A report will be taken to full Council on the 22<sup>th</sup> June 2021 to seek to approval to join the company in anticipation of the ballot being successful. Also to request a delegation to officer level for the ability to negotiate and enter in Articles of Association. This will enable swift action in joining the BID Company in September if the ballot is successful.
- 9.4 Cabinet is asked to support the recommendation to join the Company if the opportunity arises and delegate subsequent decision making to officer level.

#### **10.0 Appointment of a representative to the Board of the BID Company**

- 10.1 Whether we join the company as a member or not, the BID Business Plan has identified that they wish to invite a representative of the Council to join the Board of Directors. It is expected the board will have up of 12 Directors made up of representatives of levy paying businesses and a representative of Ashby Town Council.
- 10.2 The ability to appoint representatives to outside bodies is a Council function delegated within the constitution to the Chief Executive.
- 10.3 Cabinet is asked to support the appointment of a representative of the Council to the Ashby BID Company Board of Directors by the Chief Executive, under the delegated power within the constitution.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Support for businesses and helping people into local jobs</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	<p><b>Local Plan Policy Ec8</b> – The Council will support retail and main town centre development of Ashby de la Zouch</p> <p><b>Economic Growth Plan Challenge 2</b> - Develop the work of the Ashby project to maximise private and public investment into our market towns and continue to support and develop our centres to be vibrant hubs for their communities, businesses and visitors</p> <p><b>Economic Recovery Plan Chapter 8</b> - Supporting retail recovery and the reopening of the high streets post Covid 19</p>
Safeguarding:	No safeguarding considerations made.
Equalities/Diversity:	No equalities or diversity considerations made.
Customer Impact:	If the BID is approved at ballot, businesses with the BID area will have opportunity to access and engage in new initiatives to help support economic development and regeneration of the town.
Economic and Social Impact:	If the Ashby BID is approved at ballot all eligible businesses will be required to contribute a financial levy to fund the work of the BID. The draft Ashby BID Business Plan setting out the aims and outcomes of the bid is attached to this report as appendix 1.
Environment and Climate Change:	No environment and climate change impact as a result of the decision.
Consultation/Community Engagement:	No consultation or community engagement has been led by the Council. The Ashby BID team began the ballot campaign in May 2021.
Risks:	No risks identified.
Officer Contact	Barrie Walford Economic Development Manager <a href="mailto:barrie.walford@nwleicestershire.gov.uk">barrie.walford@nwleicestershire.gov.uk</a>

## ASHBY BID BUSINESS PLAN 2021 – 2026

**PLEASE NOTE: The Business Plan will be fully designed and will need supported images & testimonials**

### FOREWORD

Ashby De La Zouch lies at the heart of the National Forest. A historic market town with a population of approximately 13,000, it sits in a pleasant corner of North West Leicestershire offering a range of urban and rural amenities.

The town provides a unique offer in many ways, with it being at the centre of one of the boldest environmental projects over the last 25 years and its desire to be a 'Forest Town' and its heritage, perhaps best represented by the Castle. It combines a town centre that comprises of a permanent market, a range of high street and independent businesses offering shopping, food and drink. Alongside this you also have a museum, small theatre and library as well as an active business, local and public sector community which ensures that there are a range of exciting events from the traditional Ashby Statutes to the glamorous Ashby FABulous event.

Winning awards for its marketing and being nominated for the GB High Street Award showed a growing sense of confidence in the town and increased investment. Subsequent to that there was the onset of the COVID pandemic which has presented huge challenges and has seen further shift in both the retail offer and consumer behaviour.

As we head out of the lockdown, we believe Ashby can emerge stronger. We have so much to offer. But the town's businesses need a plan to boost the place, for the benefit of all those who live, work and visit our place.

Strength comes from working together and partnership. This BID is a form of cooperative that will benefit us all. The BID will re-invest in the priorities that matter, appreciating the loyalty and pride of local people whilst attracting new visitors and investment. The business plan has been crafted to capture the essence of Ashby and address issues that businesses have told us need attention. We need to drive footfall into our shops, restaurants, bars and attractions – both in the centre and further.

We know the challenges and also about the opportunities it can bring and we want to make Ashby a success story. Please support our journey by reading this business plan and then by voting for our own BID, to establish prosperity for Ashby's future.

### The Ashby BID Task Group

**The BID will allow us all to keep Ashby the lively market town it should be! We are stronger together!**

**Helen Cormack, Owner, Goose**

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**CONTENTS (To Be inserted when designed)**

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## **INTRODUCTION & SUMMARY**

Ashby faces many of the typical challenges that similar locations endure; local and regional competition for market share and visitors, access and infrastructure issues, modernising and attracting investment, engagement with local residential and business communities and of course organisational and funding stability.

This year we have seen the unprecedented challenges caused by a global pandemic. Having actively responded to the immediate issues, it is against this backdrop that there is a desire to continue to recover and evolve and lay down strong foundations to help that which is why we would like to see a BID happen.

Business groups such as Ashby Traders have had a great deal of success with committed individuals from businesses and partners such as the District and Town Councils but both its organisational ability and finances will always be limited because of the voluntary nature. A BID is a means by which to professionalise the management of our town, make sure everybody contributes and benefits and develop and deliver projects properly.

You have told us what you want to achieve with a BID in Ashby:

- Help recover from the challenges wrought by the pandemic.
- Increase the footfall
- Promote our offer to encourage people to visit and spend
- Reinvigorate the events calendar so that it would be more beneficial to businesses.
- Develop initiatives to support easy and attractive access in and around the town.
- Ensure the reputation of the town as a welcoming and safe place for shoppers, visitors all those who do business there
- Reduce duplication, decrease business costs, and help support and promote towns businesses.

Ashby BID will help to develop our strengths and our being able to:

- Invest over £1m
- Raise our profile further
- Carry out exciting projects and events to drive loyalty, footfall and spend
- Make sure we are a welcoming, friendly and safe place
- Make it easier for people to move into and around the town
- Give businesses the support they need to flourish by driving down business costs whilst being a powerful voice.

This is your opportunity to see Ashby realise its potential through a Business Improvement District (BID) with over £1m investment over 5 years to shape the future. Over 300 BIDs have been set up in the UK already, all investing in their local priorities. Nearby this includes Melton, Loughborough, Hinckley & Leicester.

**A vote for the Ashby bid makes perfect sense. For a cost, less than the daily coffee run, businesses will gain so much. Being BID will enable us to unlock funding, that would not otherwise be available. Funding that will enable promotions and events to really put Ashby de la Zouch on the map. Let's have a BID and be proud of our wonderful market town.**

**Alison Smith MBE, Owner, School of Sewing and Sew Wardrobe**

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## **BUSINESS IMPROVEMENT DISTRICTS EXPLAINED**

### WHAT ARE BIDs?

BIDs are an arrangement whereby businesses get together, decide what improvements they want to make in their town, how they will manage these and what it will cost them. This all goes into a business plan which is voted on by all those who would have to pay. The BID lasts for a maximum of five years and must be able to demonstrate how it benefits the businesses that have funded it. BIDs deliver additional projects and services over and above those already provided by public bodies.

### WHY DO BUSINESSES SUPPORT BIDs?

A BID is a mechanism which allows businesses to raise a sum of money to manage and deliver projects that they have identified and believe will improve their trading environment, ultimately increasing trade for those businesses who are paying for the improvements.

### WHO PAYS FOR A BID?

Once projects and services have been agreed by businesses along with how they are going to be delivered and managed, they are costed and set out in a business plan. The cost to each business is worked out on a pro rata basis. 'This is called the 'BID LEVY'. An independent and formal vote then takes place on the agreed projects and services and if the majority vote is YES then ALL eligible businesses within the BID area HAVE to pay. The BID levy is normally paid by the occupiers of a property. In addition, BIDs can draw in other voluntary funding, grants and 'in kind' contributions to supplement the BID levy.

### HOW DOES AN AREA BECOME A BID?

Normally a 'BID Task Group' is set up which is responsible for putting together a business plan setting out the projects it aims to deliver on behalf of the businesses in the BID area. This is based on a detailed consultation process with businesses. The business plan will include the projects, cost, delivery guarantees, performance indicators and the management structure. A confidential postal vote is held with all the businesses that would pay the BID levy getting a vote. To become a BID a majority of those that vote must be in favour by number and rateable value. A successful BID then has a mandate for a maximum of 5 years after which the BID would need to seek a re-ballot.

### HOW IS A BID MONITORED?

Like any good business plan, specific key performance indicators (KPIs) are set and performance is monitored against the KPIs by the BID board. The BID Company is answerable to the businesses that pay the BID levy and will be required to monitor and inform its members on its progress towards the agreed KPIs.

### DOES THIS MEAN THE LOCAL AUTHORITY WILL STOP DELIVERING SERVICES?

No. BID money can only be used to carry out projects/services ADDITIONAL to those that public services have to provide. Prior to the BID business plan being produced, the current services being delivered by all public agencies including the Local Authority and Police are set out in Baseline Statements. Baseline Statements for the following areas are available for the Ashby BID.

- Cleansing & Maintenance
- Festivals & Events
- Leisure
- Car Parking
- Public Conveniences
- Landscaping & Planting

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- Tourism
- CCTV
- Police

The BID company can agree to provide additional resources to deliver a higher level of service over and above the benchmarked level if this is what businesses have identified they want.

We are in full support of the Ashby BID as it will help with the economic regeneration of the town. It will help retain and create new jobs for the community, support tourism, enhance our event offering and further develop award schemes such as Green Flag & Purple Flag. A successful BID is an ideal vehicle to attract further investment to the town centre.

**Stuart Benson, Town Centre Manager, Ashby de la Zouch Town Council**

## **ASHBY BID IN NUMBERS.....**

**The following will be illustrated as a graphic:**

### **Graphic 1 – BID Facts**

**300+ businesses**  
**£12m total RV**  
**15+ Sectors**  
**Over £200,000+ pa Levy Raised**  
**Over £1m invested during the five year life of the BID**

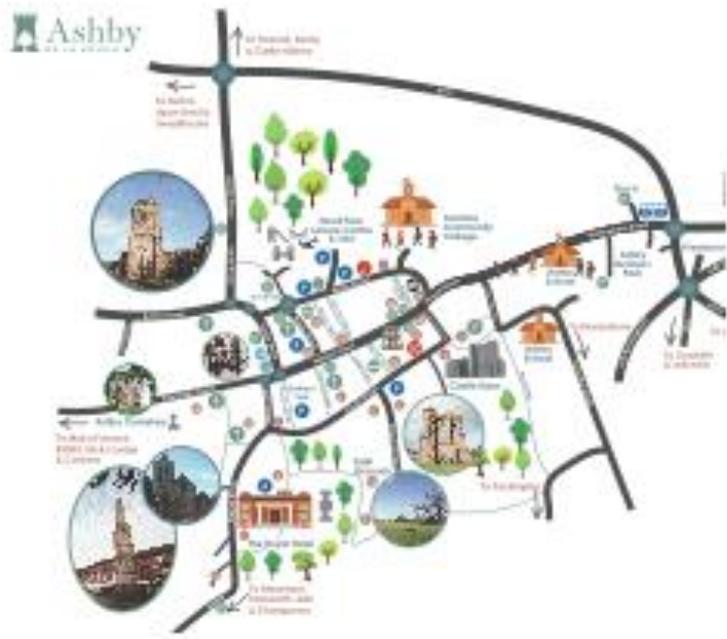
### **Graphic 2 – Key Project Areas**

**Marketing, Promotion & Events – 51%**  
**Welcoming & Safe – 13%**  
**Getting Around – 17%**  
**Business Support – 6%**  
**Overheads – 13%**

I am excited to be involved in the BID initiative as I know it will culminate in attracting investment, drive footfall, enable new ideas to thrive and build on our already vibrant day and night time economy both now and in the future. Most importantly this is a chance for us to have our own voice as a community and to have a say in how our funds our spent.

**Kate Adcock Zamani, Zamanis**

**THE BID AREA**



**List of Streets**

- Bakery Court
- Bath Street
- Brook Street
- Brookside
- Burton Road
- Charter Point Way
- Coalfield Way
- Coxons Mews
- Dents Road
- Derby Road
- Elford Street
- Excelsior Road
- Ivanhoe Park Way
- Kilwardby Street
- Leicester Road
- Lountside
- Lower Church Street
- Market Street
- Mill Lane Mews
- Norman Court
- North Street
- Nottingham Road
- Resolution Road
- Rushtons Yard
- Smisby Road
- Smithy Road
- South Street
- Station Road
- The Callis
- The Green
- Wood Street

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## **LISTENING TO YOU**

The BID Task Group have been talking with businesses to understand how the town can be developed in order to address business concerns, interests and priorities. This valuable information has been collected through a number of channels:

- October 2019 - BID Feasibility Study presentation to businesses.
- January 2020 – Survey & Factsheet to businesses
- March to November 2020 – UK hit by the Coronavirus Pandemic and subsequently the country goes into lockdown
- January 2021 – Recommence BID Work with Ashby Traders Group
- February 2021 – Draft Business Plan produced
- March- April 2021 - BID Business Engagement
- May 2021 – Final Business Plan
- June 2021 – Ballot Campaign
- July 2021 – BID Ballot

## **WHAT'S NEXT?**

Businesses within the BID area will receive a ballot paper by post. The vote to establish a BID for Ashby is then formally open. From this date businesses can complete and return their ballot papers to Civica Election Services, the independent agents acting on behalf of North West Leicestershire District Council's Returning Officer. The following outlines the Ballot timetable

Ballot Notice - To be sent by 17 June 2021

Despatch of Ballot Papers – 01 July 2021

Close of Postal Ballot – 29 July 2021

Formal Declaration of Ballot Result – 30 July 2021

## **ASHBY PROJECTS**

### **Marketing Promotion & Events**

#### **Say 'YES' to a Ashby BID and we will:**

- Continue to develop and expand our logo and brand encouraging use by businesses and stakeholders
- Develop seasonal/event led marketing and promotional campaigns that will include local and regional marketing to promote the Town and BID businesses. This will include conventional and online platforms.
- Development of a 'Reward Card' Scheme as a customer care tool and to encourage loyalty
- Develop comprehensive website and social media platforms to showcase the complete Ashby experience, promote offers and be an effective way of communicating with customers and engaging with businesses.
- Further support our existing events calendar through marketing & financial help where appropriate. Beyond this we will develop key new events. This will include:
  - Ashby Soapbox
  - Ashby Open Air Cinema
  - Pancake Day
  - Medieval Ashby

Ashby is already host to a number of events that run throughout the year. Becoming a BID town will introduce more funding to help grow existing events and introduce new ones, bringing greater footfall, increased spend and stronger community ties to our lovely little market town.

**Emma Clark, BID Lead, Ashby Town Centre Traders**

### **Welcoming & Safe**

#### **Say 'YES' to a Ashby BID and we will**

- Make Radiolink FREE for businesses and improve take up and coverage
- Further develop the Purple Flag Initiative through events and marketing.
- Support the expansion of seasonal decorations and lighting
- Expand Floral Displays scheme

### **Insert Business Testimonial (The White Hart)**

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## Getting Around

### Say 'YES' to a Ashby BID and we will

- Develop seasonal/event based free/discounted car parking initiatives.
- Investigate seasonal Park & Ride service.
- Investigate viability of 'Hopper Bus' scheme to encourage Industrial Estate/Business Park trade and for events

## Business Support

### Say 'YES' to a Ashby BID and we will

- Developed centralised procurement for services such as trade waste, recycling, insurance and the like to ensure reduced costs for businesses. Independent businesses in Salisbury, for instance, saved between £200-£1600 pa on centralise trade waste management initiative
- Be an influential lobbying and advocacy group, working on behalf of the businesses to ensure that your views are fully represented. This will include elements such influencing policy with Councils, representation on local and regional economic partnerships and industry bodies as well as national place management bodies such as The BID Foundation and The High Streets Taskforce which have been instrumental in developing post Covid support and will be leading on recovery support and funds
- Work to ensure that Post COVID, Ashby is in a position with a plan and a partnership to secure stimulus funding to help businesses and the town recover.
- Provide regular intelligence and information about the business environment by publishing updates so that you are kept aware of the information and opportunities that may impact your business.
- Develop the profile and quality of independent businesses in Ashby from dedicated promotional activities for existing businesses to providing financial incentives and location support to expand or locate to Ashby.

I really support the BID initiative as it will bring the bring the town closer together, help to make Ashby even more attractive to visitors, and preserve Ashby's economy as a thriving small desirable market town.

**Simon Pellecchia, Owner, Fitness Republic**

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**BID LEVY WHAT WILL YOU PAY?**

BIDs are funded by the eligible businesses included in the BID area – defined on page XX

If businesses vote ‘yes’ for the Ashby BID, the levy will raise approximately £214,000 per annum for five years. With additional income, this equates to over £1m to deliver improvements that will directly benefit you. If the BID vote is successful, all eligible businesses will pay a levy of 2% of the rateable value of the business per annum. Small businesses, with a rateable value of less than £2,500, will be exempt from paying.

The table below gives an example of what the BID levy could be for your business.

Rateable Value	Maximum Annual Levy	Maximum Daily Equivalent Cost
£2,500	Minimum Levy Amount £100	£0.27p
£5,000	£100	£0.27p
£10,000	£200	£0.55p
£25,000	£500	£1.37
£50,000	£1000	£2.74
£100,000	£2000	£5.48
£200,000	£4,000	£10.96

Businesses pay an annual amount, collected once a year. This income is then used year-by-year over the 5 year lifetime of the BID to carry out the projects defined in this business plan. BIDs are funded by the businesses within the BID boundary.

**ADDITIONAL INCOME**

BIDs across the UK on average generate 15% in additional income through their lifetime. Ashby BID will endeavour to do this through sponsorship, grant funding and other income generating activities.

**VOLUNTARY/INVESTOR MEMBERSHIP**

A voluntary/investor contribution can be made by businesses that are exempt such as those that have a rateable value under £2,500 and those outside the BID area. This will entitle them to all the agreed projects and services outlined in this business plan as well as full rights as members in the management and governance of the BID company. Details and eligibility will be set by the Board.

**INCOME & EXPENDITURE FORECAST**

	2021/22	2022/23	2023/24	2024/25	2025/26	Totals
<b>Income</b>						
BID Levy	£214,000	£214,000	£214,000	£214,000	£214,000	£1,070,000
Additonal Incomce	£20,000	£20,000	£20,000	£20,000	£20,000	£100,000
<b>Total Income</b>	<b>£234,000</b>	<b>£234,000</b>	<b>£234,000</b>	<b>£234,000</b>	<b>£234,000</b>	<b>£1,170,000</b>
<b>Expenditure</b>						
Marketing, Promotion & Events	£120,000	£120,000	£120,000	£120,000	£120,000	£600,000
Welcoming & Safe	£30,000	£30,000	£30,000	£30,000	£30,000	£150,000
Getting Around	£40,000	£20,000	£20,000	£20,000	£20,000	£20,000
Business Support	£14,000	£14,000	£14,000	£14,000	£14,000	£70,000
<b>Sub Total</b>	<b>£204,000</b>	<b>£184,000</b>	<b>£184,000</b>	<b>£184,000</b>	<b>£184,000</b>	<b>£940,000</b>
<b>Overheads</b>						
Staff	£25,000	£25,000	£25,000	£25,000	£25,000	£125,000
Office/ IT	£1,000	£1,000	£1,000	£1,000	£1,000	£5,000
Insurance	£500	£500	£500	£500	£500	£2,500
Levy Collection Cost	£3,000	£3,000	£3,000	£3,000	£3,000	£15,000
Professional Fees	£500	£500	£500	£500	£500	£2,500
<b>Sub Total</b>	<b>£30,000</b>	<b>£30,000</b>	<b>£30,000</b>	<b>£30,000</b>	<b>£30,000</b>	<b>£150,000</b>
<b>Total Costs</b>	<b>£234,000</b>	<b>£214,000</b>	<b>£214,000</b>	<b>£214,000</b>	<b>£214,000</b>	<b>£1,090,000</b>

- **A BID Company of this size and spend will require staffing to develop/deliver projects and ensure successful implementation. This may be on a permanent basis or contracted.**

**\*\* Office cost will be minimal or gratis**

**\*\*\* We will work to minimise the levy collection cost further**

“The successful events that have been put on in Ashby over the years have helped to increase footfall and trade for our town. The BID will provide further funding and structure to ensure these events continue, making Ashby more visible and will help bring both the community and businesses alike closer together”.

**Matthew Rice, Partner, Timms Solicitor**

## **BID GOVERNANCE AND MANAGEMENT**

If the BID ballot is successful, an independent, not-for-profit company, limited by guarantee, will govern the BID. The board will have up to 12 directors made up of representatives of levy paying businesses or equivalent financial contributors. Additional non-levy paying members may be co-opted, as required.

The board will serve voluntarily (without payment) and will be composed to reflect the make-up of the BID area in business sectoral terms. The board of directors will be directly accountable to BID levy payers for:

- Effective delivery of the projects and services as set out in the BID business plan.
- Upholding and promoting the BID's vision and objectives.

Board elections will be held where any levy paying business or equivalent financial contributor will be eligible to stand as a BID board director. Nominated representatives from public sector will be invited to the board meetings.

All levy payers will have a stake in the BID company. They will control what the BID funds are spent on and can hold the BID company accountable throughout the duration of the five years.

The BID company will not be able to make a profit and any surplus must be spent on projects and services agreed by levy payers and the board of directors.

In Year 1, the BID Task Group who have been involved with the development of the BID will form the interim board to allow for continuity as much as is possible. Elections will then take place to establish the board from year 2 onwards.

Any levy payer or voluntary contributor can stand to be elected onto the board during this process. Board positions are laid out below (up to 12 in total): REMEMBER THE ASHBY BID IS DEVELOPED, MANAGED AND CONTROLLED BY YOU, THE BUSINESSES

- 4 Retail
- 2 Office
- 2 Food & Drink
- 1 Entertainment & Leisure
- 2 Public Sector
- 1 Voluntary contributor/ Investor member

**I support initiatives that help our community recover, grow and thrive. The BID will give customers a reason to visit the town and trade with our businesses. It will give outsiders a reason to travel to our historic market own. Eat, Drink, Shop Ashby**  
**Dean O Shea, Senior Team Leader, UW**

## **MEASURING RESULTS**

Ashby BID and its board will keep levy payers up to date on all the projects that the BID will implement over the 5 year term in a variety of ways. It will demonstrate that it is delivering against its objectives. The board will set the key performance indicators (KPIs) and criteria upon which to measure the BID's performance. Examples of the criteria the BID will use include:

- Footfall figures
- Spend Levels
- Rental levels
- Car parking usage
- Public transport usage
- Crime Statistics
- New business activity
- Annual surveys
- Business feedback
- Consumer feedback
- Media coverage
- Website/social media interactions.

Performance measurement will be carried out at regular intervals and the results will be reported back to levy payers through the following channels:

1. Annual meetings
2. Group liaison forums and briefings
3. Direct communications (for example: e-bulletins, newsletters and face-to-face meetings)

## **BID LEVY AND BALLOT RULES**

1. The BID Regulations of 2004, approved by the Government, sets out a regulatory framework within which BIDs have to operate, including the way in which the levy is charged and collected, and how the ballot is conducted.
2. The BID levy rate will be fixed for the full term of the BID (five years) and will not be subject to inflation or alterations.
3. The BID levy will be applied to all businesses within the defined area with a rateable value of or exceeding £2,500, provided they are listed on the Non-Domestic rates list as provided by North West Leicestershire District Council for the 'Chargeable Date', set annually.
4. There will be a minimum levy payment of £100 and a maximum levy payment of £23,000 per hereditament
5. The following will be exempt from paying the levy:
  - Organisations with a rateable value below £2,500.
  - Non-retail charities with no trading income, arm or facilities and are predominantly volunteer based. Non-profit making organisations with an entirely subscription and volunteer-based set up.
  - Businesses that fall in the following sectors – industrial, manufacturing, storage, and workshop.
6. New businesses will be charged from the point of occupation based upon the rateable value at the time they enter the rating list.
7. If a business ratepayer occupies the premises for less than one year, the levy paid will be on a daily basis.
8. BID Levy payment will revert to the property owner or the registered business ratepayer of vacant properties. Those undergoing refurbishment or being demolished will be liable to pay the BID levy.
9. The BID levy will not be affected by the small business rate relief scheme, exemptions, reliefs or discount periods in the non-domestic rate regulations prevailing at the time.
10. VAT will not be charged on the BID levy.
11. The levy rate or boundary area cannot be increased without a full alteration ballot. However, if the BID company wishes to decrease the levy rate during the period, it will do so through a consultation, which will, as a minimum, require it to write to all existing BID levy payers. If more than 25% object in writing, then this course of action will not proceed.
12. The billing body is authorised to collect the BID levy on behalf of the BID company.
13. Collection and enforcement regulations will be in line with those applied to nondomestic business rates, with the BID company board of directors responsible for any debt write-off.

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14. The BID funding will be kept in a separate BID revenue account by North West Leicestershire District Council and transferred to the BID company.

15. BID projects, costs and timescales may be altered by the BID board of directors, provided they remain in line with the overall BID objectives.

16. The BID board of directors will meet at least six times a year. Every levy paying business and equivalent financial contributor will be eligible to be a member of the BID company. Company members can vote at annual meetings.

17. The BID company will produce a set of annual accounts made available to all company members.

18. The BID will last for five years. At the end of the five years, a ballot must be held if businesses wish the BID to continue.

### **THE POSTAL BALLOT**

All eligible businesses have the opportunity to vote.

The ballot will be conducted through an independent, confidential postal vote by Civica Election Services, on behalf of North West Leicestershire District Council, which is the responsible body as determined by the BID Regulations of 2004.

Each eligible business ratepayer will have one vote in respect of each hereditament within the BID area, provided they are listed on the National Non-Domestic Rates List for the defined area as provided by North West Leicestershire District Council

A proxy vote is available, and details will be sent out by Civica Election Services. Ballot papers will be sent out to the appropriate person/ organisation from 01 July 2021 to be returned no later than 5pm on 29 July 2021.

For the BID to go ahead, two conditions must be met:

- More than 50% of businesses that vote must vote in favour.
- The businesses that vote 'YES' must represent more than 50% of the total rateable value of all votes cast.

The results of the ballot will be declared on the 30 July 2021.

Under the BID Regulations of 2004, if the BID is approved at ballot by businesses, all those eligible, regardless of how or if they voted, will be legally obliged to pay the annual levy amount.

### **WHY VOTE YES FOR A BID IN ASHBY?**

The Ashby BID presents an opportunity for businesses to move the town forward, to stop talking about what could be achieved and to start delivering a plan which is backed with funding. The plan is focused on the projects which you, the businesses, have asked to be prioritised and which will deliver a return on your investment.

Post COVID-19, the town must respond to the economic impact by marketing Ashby and delivering a great experience for visitors. Implementing the Business Plan will assist this and with other investment make Ashby a great place to visit and do business.

Together we can embrace the opportunity for greater input, influence, control and self-determination, by providing a new energy and sustainable funding stream to make this happen.

**By coming together as a business community, we can achieve so much more. A BID will bridge the gap between town centre businesses and those that are in the industrial estates. The BID will also help to fight any future unprecedented situations, like the pandemic, together as a collective group.**  
**Sharon Keevins, MD, Kangaroo UK**

## **YOUR BID TEAM**

The Ashby BID has been guided to this point by a Task Group, of local business people, champions and Stakeholders who are passionate about the future success of the town:

### **Ashby BID Task Group**

**Insert Names & Business**

### **Key Stakeholders**

Ashby Town Council  
North West Leicestershire District Council  
Leicestershire County Council  
Police

**To find out more about the Ashby BID contact:**

Mo Aswat, Project Director at [mo@themosaicpartnership.co.uk](mailto:mo@themosaicpartnership.co.uk)

You can also visit the Ashby BID website XXXX



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