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

Time/Date 6.30 pm on TUESDAY, 6 SEPTEMBER 2022
Location Council Chamber, Council Offices, Coalville
Officer to contact Democratic Services (01530 454512)



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Chief Executive

AGENDA

Item	Pages
PRAYERS	
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
3. CHAIRMAN'S ANNOUNCEMENTS	
4. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
Members are reminded that under paragraph 11.1 of part 4 of the Constitution, questions can be asked of the Leader and Cabinet Members without notice about any matter contained in any address. Questions shall be limited to five minutes in total for each announcement.	
5. QUESTION AND ANSWER SESSION	
To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Commercial Services.	

Item		Pages
6.	QUESTIONS FROM COUNCILLORS	
	To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the Chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Commercial Services.	
7.	MOTIONS	
	To consider any motions on notice under procedure rule no. 12.	
8.	PETITIONS	
	To receive petitions in accordance with the Council's Petition Scheme.	
9.	MINUTES	
	To confirm the minutes of the meeting of the Council held on 10 May 2022.	3 - 10
10.	LEICESTER & LEICESTERSHIRE STATEMENT OF COMMON GROUND ON HOUSING AND EMPLOYMENT NEED (JUNE 2022)	
	Report of the Strategic Director	11 - 48
11.	CAPITAL PROGRAMME UPDATE	
	Report of the Head of Finance/Section 151 Officer	49 - 60
12.	ANNUAL SCRUTINY REPORT 2021/22	
	Report of the Strategic Directors	61 - 74

MINUTES of a meeting of the ANNUAL COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 10 MAY 2022

Present: Councillor V Richichi (Chairman)

Councillors R Boam, E G C Allman, R Ashman, R D Bayliss, C C Benfield, D Bigby, A S Black, R Blunt, J Bridges, R Canny, J Clarke, T Eynon, M French, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, B Harrison-Rushton, M D Hay, G Houlst, J Houlst, R Johnson, J Legrys, K Merrie MBE, R L Morris, N J Rushton, A C Saffell, C A Sewell, S Sheahan, J G Simmons, N Smith, J Windram, A C Woodman and M B Wyatt

Officers: Mrs J Davidson, Mr M Walker, Mr J Arnold, Mr A Barton, Miss E Warhurst, Mrs M Long and Mrs C Hammond

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Everitt and A Bridgen.

It was agreed that the council would send a letter of support to Councillor Everitt who was grieving the loss of his wife, who sadly passed away a few days ago following a battle with cancer.

2. DECLARATION OF INTERESTS

There were no interests declared.

3. APPOINTMENT OF CHAIRMAN

Councillor V Richichi said a few words regarding his year as Chairman. He thanked Councillor R Boam for supporting him as deputy; Judith Peace, for managing his diary, and all members for supporting him in his role. He advised that he had raised £4,006 for the Ukrainian Appeal in less than 6 weeks; and over the past year he had raised approximately £8,000 for Mountain Rescue and the RNLI.

Nominations were sought for the Chairman for the ensuing municipal year.

It was moved by Councillor R Blunt that Councillor R Boam be appointed as Chairman of the Council for 2022/23.

The motion was seconded by Councillor R Ashman and upon being put to the vote it was

RESOLVED THAT:

Councillor R Boam be appointed Chairman of the Council for 2022/23.

Councillor R Boam remained in the Chair and signed the Declaration of Acceptance of Office.

Councillor Boam thanked Members for electing him as Chairman.

4. APPOINTMENT OF DEPUTY CHAIRMAN

It was moved by Councillor R Blunt that Councillor J Bridges be appointed as Deputy Chairman of the Council for 2022/23.

The motion was seconded by Councillor R Ashman and upon being put to the vote it was subsequently

RESOLVED THAT:

Councillor J Bridges be appointed as Deputy Chairman of the Council for 2022/23.

Councillor J Bridges received the Deputy Chairman's chains and signed the Declaration of Acceptance of Office. He thanked members for electing him as Deputy Chairman and advised that he would support the Chairman as needed throughout the year.

5. APPOINTMENT OF LEADER

It was moved by Councillor T Gillard that Councillor R Blunt be appointed as Leader of the Council for 2022/23.

The motion was seconded by Councillor N Rushton and upon being put to the vote it was subsequently

RESOLVED THAT:

Councillor R Blunt be appointed as the Leader of the Council for 2022/23.

Councillor R Blunt thanked members for electing him to the role for the 16th year and promised he would do the very best he could in the year ahead.

6. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the officers in attendance who were observing the proceedings as part of the Leadership Development Programme.

He then asked members to join him in remembering past councillor Clifford Stanley, who sadly passed away in March. Clifford was a Labour district councillor for the Greenhill ward between 1991 and 2003 and he was also chairman of this council in 1997/98 and a county councillor for the Greenhill division. Members observed a minute's silence in his memory and advised that he would be very sorely missed.

The Chairman then presented to Councillors R Blunt, J Geary and T Saffell who had served as members of this Council for 21 years, a scroll in recognition of their long service.

The Chairman announced his chosen charity as Hospice Hope currently based in Griffydham.

7. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

The Leader of the Council, Councillor R Blunt announced the appointments and delegations of executive functions for the forthcoming municipal year as follows:

Leader – Councillor Richard Blunt

Deputy Leader and Infrastructure portfolio – Councillor Robert Ashman

Planning portfolio – Councillor Keith Merrie

Community Services portfolio – Councillor Andrew Woodman

Corporate portfolio – Councillor Nick Rushton

Housing, Property and Customer Services portfolio – Councillor Roger Bayliss

Business and Regeneration portfolio – Councillor Tony Gillard

As in previous years the Executive responsibilities were to be delegated to the Cabinet to take decisions collectively.

The Leader was also pleased to announce the achievement of the Council being awarded the Investors in People silver standard accreditation, which was deemed an amazing achievement considering the backdrop of recent difficulties associated with the pandemic.

The Leader referenced a report which was due to be considered later in the meeting regarding the recruitment of the new Chief Executive and welcomed Joanna Davidson, Interim Chief Executive, to her first meeting of Council.

It was further announced that Blackfordby Parish Council had recently elected to have a Neighbourhood Plan, which is an important part of the planning system and brings a distinct local voice to the planning process. This plan will now form part of the Development Plan and the policies will need to be considered by planning officers in conjunction with the Local Plan.

The Leader advised that the Homes for Ukraine was proving successful in that just under fifty sponsor offers had been received and of these nine were now occupied by refugees. The majority of the home checks were being conducted within a few days and he conveyed his thanks to the Environmental Protection team for leading on this work.

In response to a question regarding progress on the provision of a cinema in Coalville, the Leader reported that discussions were ongoing but the information was highly commercially sensitive.

The Housing, Property and Customer Services Portfolio Holder, Councillor R Bayliss, announced that in 2012, following the council's decision to become a self-financing Housing authority, the HRA debt stood at £79m.

The borrowing comprised a number of loans, some on a repayment basis and some interest-only, or maturity, loans. Councillor Bayliss was happy to announce that on March 28th the council repaid £13m of maturity loans on schedule. This saves the HRA £312 per annum in interest charges and is now available to the current and future HRA budgets.

Repayment of the remaining £53m is on schedule and due to be complete by 2042.

He also announced that later this month, the Council Tax energy rebate should be paid to all council tax payers in bands A to D who currently pay by direct debit. Following this, details will be provided to all those who do not pay by direct debit setting out how they may claim; and details will be provided for those who fall outside the current scheme where discretionary payments can be applied for.

Councillor Bayliss also announced that this was the last meeting being attended by Chris Lambert, Head of Housing who would be retiring on Friday 13 May 2022. Members conveyed their thanks and gratitude to Mr Lambert for his service and professionalism.

8. QUESTION AND ANSWER SESSION

There were no questions received.

9. QUESTIONS FROM COUNCILLORS

There were no questions received.

10. MOTIONS

A motion was received from Councillor T Eynon. It was noted that the wording had been changed from that which was published on the agenda. Copies of the revised motion were set out in the additional papers.

Councillor Eynon presented the motion and thanked members across the Chamber for supporting and strengthening the motion which she hoped would see this matter given the priority and attention it deserves.

The motion was seconded by Councillor Bayliss.

The motion received full support from across the Chamber and a lengthy debate ensued.

The motion was put to the vote and was subsequently **RESOLVED THAT:**

“This Council notes the work to date on reducing fuel poverty in our area but acknowledges that thousands of households are estimated to be in fuel poverty and more can be done to end fuel poverty by 2030.

This Council resolves:

1. To request that Community Scrutiny Committee review the work which the Council is doing to minimise fuel poverty in North West Leicestershire by 2030. This will include the work being done on the following:
 - a. continuous improvement in the energy efficiency of Council housing stock
 - b. partnership working to improve the energy efficiency standards in housing association stock
 - c. enforcement of existing regulations on energy efficiency and property standards in the private rented sector
 - d. reviewing the outcomes achieved by the 2017 Statement of Intent, eligibility criteria and access to Energy Company Obligation funding via the Local Authority Flexibility arrangements
 - e. leveraging in funds to improve the energy efficiency standards of all housing
 - f. making private tenants' aware of their rights to Minimum Energy Efficiency Standards and help under the Government's ECO scheme
 - g. providing accessible information, advice and guidance in a variety of formats to those most in need
 - h. maximising the incomes of low-income households through the efficient delivery of Council-administered benefits, sensitive recovery of debt and the provision of advice and support
 - i. working in partnership with other agencies and voluntary and community groups to implement and monitor delivery of the Strategy
 - j. how the Council reports on progress on these areas of work

To consider whether this Council can support the work of the End Fuel Poverty Coalition.

11. PETITIONS

No petitions were received.

12. MINUTES

Consideration was given to the minutes of the meeting held on 24 February 2022.

It was moved by Councillor R Boam, seconded by Councillor J Bridges and

RESOLVED THAT:

The minutes of the meeting held on 24 February 2022 be approved and signed by the Chairman as a correct record.

13. APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS

Councillor T Gillard presented the report to members. The details of all the nominations were set out in the additional papers.

It was noted that there were two nominations for the Chair and Deputy Chair of both the Community and the Corporate Scrutiny Committees and the votes on these was taken separately.

For the role of Chair of the Community Scrutiny Committee, nominations were received from Councillors T Eynon and J Hoult.

For the role of Chair of the Corporate Scrutiny Committee, nominations were received from Councillors D Bigby and N Smith.

For the role of Deputy Chair of the Community Scrutiny Committee, nominations were received from Councillors T Eynon and R Morris.

For the role of Deputy Chair of the Corporate Scrutiny Committee, nominations were received from Councillors D Bigby and V Richichi.

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

RESOLVED THAT:

- a) The appointments to the Committees and Groups as set out in the additional papers be agreed.
- b) Councillor J Hoult be appointed as Chair of the Community Scrutiny Committee
- c) Councillor R Morris be appointed as Deputy Chair of the Community Scrutiny Committee
- d) Councillor N Smith be appointed as Chair of the Corporate Scrutiny Committee
- e) Councillor V Richichi be appointed as Deputy Chair of the Corporate Scrutiny Committee
- f) The remaining Chairs and Deputy Chairs of the Committees and Groups as set out in the additional papers be agreed.

14. APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES

Councillor T Gillard presented the report to members. The details of all the nominations were set out in the additional papers.

It was noted that there were two nominations for the Alderman Newton Education Foundation and the vote on this was taken separately.

A question was asked on the role of PATROL, as referred to in the additional papers. It was reported that Parking and Traffic Regulations Outside London is a new body which deals with appeals to parking enforcement issues dealt with at the County Council; and they were seeking a district representative to that body.

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

RESOLVED THAT:

- a) That Councillor J Clarke be appointed to the Alderman Newton Education Foundation.
- b) The representatives, as listed in the additional papers, be appointed to serve on the remaining Community Bodies.

15. SCHEDULE OF MEETINGS 2022/23

Councillor R Ashman presented the report to members.

A question was asked on why the February council meeting was held on a Thursday. It was explained that this was to accommodate the budget meeting of the county council from which the council tax is calculated. It was asked whether this could be moved to a Wednesday to avoid a clash with parish council meetings and it was agreed that this would be looked at for next year's timetable.

A plea was made to all committee chairs to ensure they give as much notice as possible when a meeting is changed or cancelled.

It was moved by Councillor R Ashman, seconded by Councillor T Gillard and by affirmation of the meeting it was

RESOLVED THAT:

The schedule of meetings for 2022/23 be approved.

16. EAST MIDLANDS FREEPORT UPDATE

Councillor R Ashman presented the report to members.

During the debate, a number of impassioned comments were made including concerns about the implications of the proposal and what it meant for the district. Some felt that the creation of the Freeport Company was happening too soon, with no regard to the impact on the local infrastructure. However, some felt that it was preferable to be involved; to be on the inside looking out rather than on the outside looking in; but asked that they be kept fully informed and that every effort be made to keep an element of control, in order to influence future decisions.

It was moved by Councillor R Ashman, seconded by Councillor K Merrie and

RESOLVED THAT: Council

- a) Notes the progress of the EMF Project and the recommendations of Cabinet from its meeting on 26 April 2022;
- b) Approves the Council joining the EMF company and participating in the incorporation of it;
- c) Approves, in principle, to the council entering into the members' agreement and delegates authority for agreeing the final form of the members' agreement, articles of association and any other documents/agreements required to facilitate incorporation of the company, to the chief executive, in consultation with the portfolio holder.

17. FUTURE EXTERNAL AUDIT ARRANGEMENTS

Councillor N J Rushton presented the report to members.

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

RESOLVED THAT:

The decision made to accept Public Sector Audit Appointments' (PSAA) invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

18. MEMBER CONDUCT ANNUAL REPORT

Councillor R Ashman presented the report and invited the Chair of the Audit and Governance Committee, Councillor S Gillard, to say a few words.

Councillor S Gillard referred to the complaints set out in the report and the manner with which they had been dealt, adding that they were able to be dealt with informally. He thanked the members of the Audit and Governance Committee for their work on the new Code of Conduct.

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

RESOLVED THAT:

The Member Annual Conduct Report 2021/22 be endorsed.

19. EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor R Boam, seconded by Councillor L Gillard and

RESOLVED THAT:

The press and public be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information.

Members were reminded that they must have regard to the public interest test and must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available.

20. APPOINTMENT OF CHIEF EXECUTIVE

Councillor R Blunt presented the report to members.

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

RESOLVED THAT COUNCIL:

- a) Approves the recommendation of the Appointments Panel to appoint Allison Thomas to the post of Chief Executive;
- b) Confirms the designation of the post of Chief Executive as the Head of Paid Service, Returning Officer and Electoral Registration Officer.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.20 pm

COUNCIL – TUESDAY, 6 SEPTEMBER 2022

Title of Report	LEICESTER & LEICESTERSHIRE STATEMENT OF COMMON GROUND ON HOUSING & EMPLOYMENT NEED (JUNE 2022)	
Presented by	Councillor Keith Merrie Planning Portfolio Holder	
Background Papers	Report to Local Plan Committee 25 May 2022 NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL (nwleics.gov.uk) National Planning Policy Framework National Planning Practice Guidance Statement of Common Ground (2021) Statement of Common Ground (2022) Housing and Economic Needs Assessment (April 2022) Housing and Economic Needs Assessment – Housing distribution Housing and Economic Needs Assessment – Employment distribution Statement of Common Ground – Sustainability Appraisal NWLDC SHELAA 2019	Public Report: Yes
		Key Decision: Yes
Financial Implications	The cost of preparing the statement of Common Ground and the supporting evidence is met by all of the Leicester and Leicestershire authorities making agreed contributions. This Council's contribution is met from within existing budgets.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Under the Duty to Cooperate the Council is under an obligation to work with other local planning authorities “ <i>constructively, actively and on an on-going basis</i> ” to address strategic planning matters. The Statement of Common Ground helps to address this requirement.	
	Signed off by the Monitoring Officer: Yes	

Staffing and Corporate Implications	None identified
	Signed off by the Head of Paid Service: Yes
Purpose of Report	To consider and agree the Council's response to a Statement of Common Ground which has been prepared covering Leicester and Leicestershire to deal with the issues of unmet housing and employment needs from Leicester City.
Recommendations	THAT COUNCIL APPROVES THE SIGNING OF THE LEICESTER AND LEICESTERSHIRE STATEMENT OF COMMON GROUND RELATING TO HOUSING AND EMPLOYMENT LAND NEEDS, APRIL 2022.

1.0 BACKGROUND

- 1.1 Local Planning Authorities are required as part of the preparation of local plans to identify sufficient sites to meet its future development needs. Where an authority is not able to accommodate all of its needs then national policy requires that any unmet need be accommodated elsewhere within the respective Housing Market Area (HMA) or Functional Economic Market Area (FEMA). North West Leicestershire sits within the Leicester and Leicestershire HMA/FEMA.
- 1.2 The Leicestershire authorities have known since February 2017 that Leicester City does not have sufficient land available to accommodate its housing and employment land needs in full.
- 1.3 All local planning authorities are under an obligation under the Duty to Cooperate to “*cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries*” (National Planning Policy Framework (2021), paragraph 24). To demonstrate such cooperation, the NPPF requires authorities to “*prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these*”.
- 1.4 In addition to addressing the Duty to Cooperate, National Policy requires as part of the test of ‘soundness’ that an authority’s local plan be:

“... informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development...”

... based on effective joint working on cross-boundary strategic matters [e.g. unmet need] that have been dealt with rather than deferred, as evidenced by the statement of common ground...” [emphasis added]
- 1.5 Assisting Leicester City Council to meet its unmet need is a key ‘cross boundary strategic matter’ which requires joint working, and therefore a key element of the Duty to Cooperate. If an authority is not able to comply with the Duty to Cooperate or the Tests of Soundness, then it cannot get a Local Plan in place.
- 1.6 To address the issue of how the unmet need from Leicester City can be accommodated within the HMA/FEMA, all of the Leicester and Leicestershire authorities have been working together under the auspices of the Member Advisory Group (MAG) to prepare a Statement of Common Ground (SoCG). MAG does not have decision making powers. Therefore, when it met on 28 April 2022 it agreed that the SoCG should be considered by each of the Leicester and Leicestershire authorities through their own governance procedures.
- 1.7 The SoCG and supporting papers were published in May 2022. However, following publication an error was identified in respect of the employment land assessment which had used an incorrect plot ratio (the means by which floorspace requirements are converted to land requirements). Therefore, the SoCG and supporting papers were temporarily withdrawn to

enable this issue to be addressed. The effect of correcting the ratio was to increase the land requirements (although not the floorspace). However, the unmet employment need from Leicester City is still able to be accommodated in Charnwood Borough and so no changes were made to the proposed approach set out in the SoCG.

- 1.8 The purpose of this report is to consider the SOCG and whether the Council should agree to sign it. The SoCG can be viewed from this [link](#).
- 1.9 It is important to note that whilst the Levelling Up and Regeneration Bill, introduced to Parliament on 11 May 2022, proposes a number of reforms to the planning system, including potentially repealing the 'Duty to Cooperate', these are only proposals and could be subject to significant change before achieving Royal Assent and becoming law. Therefore, at this time the SoCG has to be considered on its merits. The implications of any legislative change would need to be considered at a later date.
- 1.9 The SOCG has been considered at the meetings of the Local Plan Committee on 25 May 2022 and Cabinet on 19 June 2022. The discussion at Local Plan Committee can be viewed from this [link](#). The discussion at Cabinet can be viewed from this [link](#).

2 THE UNMET HOUSING AND EMPLOYMENT NEEDS

- 2.1 Leicester City Council declared that it was unable to meet all its identified housing needs within the boundaries of the City in January 2017, although the level of unmet need was not quantified at that time.
- 2.2 It was not until December 2019 that the Leicester and Leicestershire authorities were made aware of the potential scale of unmet need. At that time, Leicester's Draft Local Plan consultation indicated a potential unmet need of 7,742 homes and 23 Hectares of employment land (B2 General Industrial and B8 Small Warehousing Units less than 9,000 sq.m) 2019 to 2036. The unmet housing needs increased slightly to 7,813 dwellings by the time the draft Local Plan was considered by the City Council (see [link](#) to City Council report).
- 2.3 At this point, officers from all of the Leicestershire authorities began work to consider how this unmet need could be redistributed. At the same time, the Strategic Planning Group commissioned an independent review of the City Council's evidence regarding land availability. This concluded that the evidence was robust (subject to some additional work being undertaken, including preparing a new Strategic Housing Land Availability Assessment (SHLAA) (which is being done)) and appeared to satisfy Government policy and guidance. The independent report together with a paper produced by the City Council on housing capacity and an extract from the notes of MAG from 15 July 2020 are attached at Appendix A of this report. MAG also agreed to progress a Sustainability Appraisal (of potential options for how the unmet need might be redistributed) based on an unmet need of 7,750 dwellings and 23 hectares of employment land.
- 2.4 An officer group developed a range of options for how the initial unmet need might be accommodated. These were in the process of being tested when in December 2020 the Government published a new standard method for calculating housing need. As a result of the changes, Leicester's housing need increased by 35%, adding a further 9,712 homes to their need between 2020 and 2036 (i.e., an additional 607 homes per year).
- 2.5 Government Guidance was that it expected this increase "*to be met by the cities and urban centres themselves, rather than the surrounding areas, unless it would conflict with national policy and legal obligations.*" [emphasis added] (Planning Practice Guidance – Housing and Economic Needs Assessment Paragraph: 035 Reference ID: 2a-035-20201216). However, Government policy also requires local plans to be 'deliverable', which includes issues of viability which has been an issue in the City due to land values.
- 2.6 The City Council has continued to assess the potential for accommodating its growth within the already tightly defined City boundaries whilst balancing this against other consideration

such as the need to retain and protect key assets such as open spaces and heritage features whilst also being viable. This includes updating their Strategic Housing Employment Land Availability Assessment (SHELAA) and Brownfield Land Register and undertaking Character Area and Tall Buildings assessment work to help establish the potential capacity within different parts of the City.

- 2.7 Taking account of the most recent affordability ratios, as required as part of the standard method, the City's total need for the period 2020-36 is 39,421. When compared to a supply of 20,720 homes, this leaves an unmet need of 18,700 homes to be accommodated in the Leicestershire Districts/Boroughs. The unmet employment need remains at 23 Hectares.
- 2.8 The SoCG is, therefore, based on a 'working assumption' of Leicester's unmet need being 18,700 homes and 23 Hectares of employment land. It is important to note that Members are not being asked to agree what Leicester's unmet need is. This will inevitably evolve over time (e.g. as housing need changes or Leicester's housing supply evolves through their Local Plan examination). Indeed, it will only be following the Examination of the City Local Plan that the level of unmet need will be confirmed. However, it is not appropriate to wait for this to be completed as there is a need to progress other Local Plans across the HMA. If the unmet need changes significantly following the Examination in future the SoCG will need to be reviewed and updated as appropriate with further reports to members as required.

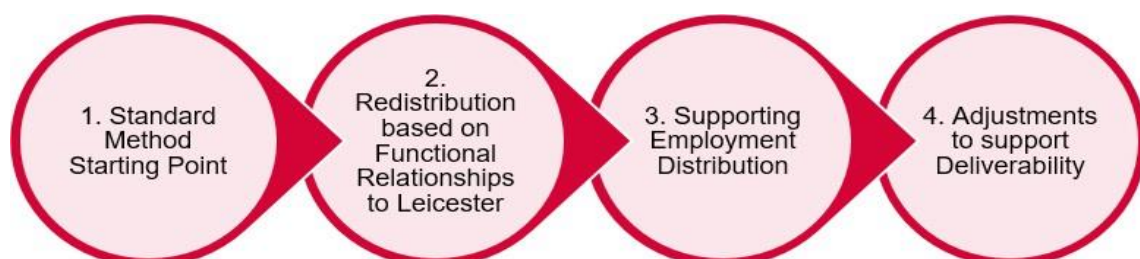
3 EVIDENCE INFORMING THE STATEMENT OF COMMON GROUND

- 3.1 The SoCG has been informed by two key pieces of evidence

- A Housing and Economic Needs Assessment (HENA) of the HMA/FEMA and
- Sustainability Appraisal of options for how the unmet needs might be redistributed.

Housing and Economic Needs Assessment

- 3.2 The HENA is the first comprehensive Leicester and Leicestershire study on housing needs since that undertaken in 2017 which informed the housing and employment land provision of this Council's adopted Local Plan. The HENA main report can be viewed from the link included at the front of this report. It considers a range of issues including:
- Housing, demographic and economic dynamics;
 - Potential future development needs;
 - The need for different types of homes, including affordable homes and those of different groups (e.g. older persons households, wheelchair user housing)
- 3.3 The HENA also includes two distribution papers, one for housing and one for employment, which provide an evidence base to the issue of the redistribution of unmet needs from Leicester City. These can be viewed from this [link](#).
- 3.4 The HENA Housing Distribution Paper proposes an approach to how the unmet housing needs from Leicester City could be redistributed across the HMA.
- 3.5 The paper identifies the following steps in assessing the distribution of homes/unmet housing need across Leicester and Leicestershire:



3.6 Each of these steps is considered below along with commentary as to what this means for North West Leicestershire.

1. The approach treats the government's standard method for calculating housing need as a minimum level of provision for the Leicestershire Districts/Boroughs, as individual local plans would be expected (in line with the NPPF) to meet their own need.

The standard method results in a local housing need figure for North West Leicestershire of 372 dwellings per annum (2022 based).

2. The next step is to consider the functional relationship of each District/Borough with the City, taking account of migration and commuting relationships between the authorities. This generates an initial distribution of unmet need.

For North West Leicestershire, this sees only a small upwards adjustment of 52 dwellings per annum reflecting the fact that there is no common boundary with the City. This is the second smallest of all authorities (Melton being less at 29 dwellings per annum). In contrast, both Blaby and Charnwood see increases of about 300 dwellings per annum and Hinckley and Bosworth and Harborough about 100 dwellings.

3. Adjustments are then made to this distribution to align with the spatial distribution of future employment growth over the period to 2036, to promote a balance in the delivery of jobs and homes at a local level and limit the need to travel. This seeks to locate houses close to where job opportunities arise to provide additional labour where it is needed.

This results in an increase for North West Leicestershire of 182 dwellings per annum (this is discussed below at paragraph 5.10).

The final consideration relates to the deliverability of the distribution of development. This reviews the findings from the above steps, taking into account where authorities are already planning for higher growth or where there are land supply constraints which might restrict the scale of development which can be accommodated. It then considers the comparative rate of housing growth implied in different areas and makes adjustments to the distribution to support the deliverability of the distribution proposed, and to ensure that all authorities are contributing proportionally (having regard to their local housing markets) to the unmet need. The report notes that when looking at the annual growth in housing stock (referred to as Compound Annual Growth Rate (CAGR), there are very few authorities across the East and West Midlands which have sustained growth rates of more than 1.4% over a 15 or more- year period. The paper, therefore, proposes limiting stock growth for each authority at no more than 1.4%. In doing so it seeks to avoid over-concentrating development in specific areas which could result in localised market capacity issues which inhibit the delivery of overall housing need. This final stage also has regard to the existing balance between jobs and homes in an area and whether higher housing provision might help to improve this balance.

For North West Leicestershire this sees a further increase of 80 dwellings per annum. Hinckley and Bosworth sees a similar increase (85) and Blaby a smaller increase of 32 dwellings. Conversely, Charnwood's figure decreases by 211 dwellings per annum. The increase for North West Leicestershire (1.3%) is slightly less than the maximum suggested and is slightly above the achieved for 2001-20 (1.2%) but well below that achieved for the period 2013-20 (1.7%).

- 3.7 As outlined above, different factors drive the distribution of housing growth for different authorities. For most authorities it is their functional relationship with the City that is the main consideration driving the level of housing provision. For North West Leicestershire this only accounts for 16.5% of the increase over and above the outcome from the standard method. For North West Leicestershire it is the economic factors that drive the increase. This is consistent with the requirement in the adopted Local Plan which was informed by a previous HENA in 2017. Furthermore, the paper also notes the recent Freeport designation and concludes that *“The potential for a concentration of employment growth in the north of NW Leicestershire District close to the Airport and Castle Donington is a relevant factor in considering the distribution of development”*.
- 3.8 These economic factors account for 58% of the upward adjustment over and above the standard method for North West Leicestershire. Even if there was not an unmet need in Leicester City to be addressed, this is an issue which would need to be addressed as part of the Local Plan and so a significant increase over and above the outcome from standard method would be required anyway. A failure to make such adjustment would lead to an increase in commuting into the District and so conflict with the aim of achieving a more sustainable pattern of development to help address climate change related issues, a key Council priority.
- 3.9 The final element of the increase relates to stock growth which accounts for 25.5% of the increase. In view of recent growth rates experienced in the District the suggested stock growth rate appears to be reasonable.
- 3.10 This process results in a potential distribution of housing provision across Leicester and Leicestershire over the period to 2036 as set out below. As can be seen the level of growth in the district would be similar to that in Blaby, Harborough and Hinckley and Bosworth, but still significantly less than both the City and Charnwood.

Table 1 – potential distribution of housing and comparison of housing stock growth per annum.

Authority	Housing Provision 2020-36	Annual Average Housing Provision	Stock Growth
Leicester	20,720	1,295	0.9%
Blaby	10,985	687	1.4%
Charnwood	19,025	1,189	1.4%
Harborough	10,515	657	1.4%
Hinckley and Bosworth	10,542	659	1.2%
Melton	4,800	300	1.2%
NW Leicestershire	10,976	686	1.3%
Oadby and Wigston	3,840	240	1.0%
L&L Total	91,404	5,713	1.2%

- 3.11 In terms of employment, the paper concludes that Charnwood is best able to suitably meet Leicester’s unmet need of 23 Hectares to 2036. This reflects the existing over supply of employment land compared to the Borough’s own needs; combined with the availability of

employment sites and land which is close to the City and can contribute to delivering employment land which can service the needs of Leicester-based companies to 2036.

Sustainability Appraisal

- 3.12 Sustainability Appraisal is a key tool used in the process of preparing a local plan to assess the environmental, social and economic effects of different options and policies. There is no formal requirement for a Sustainability Appraisal to be undertaken when considering the issue of unmet need, but by doing so it helps to make the SoCG more robust. A copy of the full Sustainability Appraisal report can be viewed from this [link](#).
- 3.13 In respect of housing, five spatial options were developed for how growth could be distributed across Leicester and Leicestershire:
- Local Plan Roll forward
 - Spread (equal share)
 - Focus on strategic sites
 - Near Leicester Area
 - HENA distribution
- 3.14 The findings in the Sustainability Appraisal demonstrate the different distribution options perform fairly similarly, with each having strengths and weaknesses. However, relatively speaking, the HENA distribution option (as outlined above at Table 1) performs as well or better than the alternatives for most sustainability topics.
- 3.15 This serves to provide confidence that following the recommendations of the HENA would be an appropriate approach to take to meeting unmet housing needs from Leicester (and there are no clear indications that suggest a different approach should be taken in the SoCG).
- 3.16 In respect of employment, four options were developed:
- Local Plan Roll forward
 - Strategic sites
 - Near Leicester focus
 - HENA distribution
- 3.17 The outcome from the SA is broadly supportive of the HENA distribution option which has limited negative effects whilst being positive in terms of both housing and employment.

4 THE STATEMENT OF COMMON GROUND

- 4.1 Having regard to the outcome from the HENA distribution papers and the Sustainability Appraisal conclusions on the distribution they propose, the SoCG proposes that housing be distributed as set out in Table 1 above.
- 4.2 Table 3 of the SoCG shows how the annual unmet need of 1,169 dwellings per annum from the City is apportioned between the individual districts and boroughs. This shows that North West Leicestershire's element of this equates to 314 dwellings. On the face of it, this might appear to be very high, bearing in mind that North West Leicestershire does not share common boundary with Leicester City. However, it is important to recognise that the apportionment, as outlined above in paragraphs 3.6 to 3.10 has had regard to a wider range of factors than just proximity to the City, to arrive at a balanced distribution that reflects economic circumstances and seeks to ensure a deliverable pattern of development.
- 4.3 In terms of employment land, again the SoCG proposes (Table 4) a redistribution based on the separate Employment land distribution paper (see paragraph 5.13 above).

- 4.4 Section 4 of the SoCG notes that Hinckley and Bosworth Borough Council (HBBC) do not agree to all aspects of the HENA Housing Distribution Paper methodology. The approach suggested by HBBC would mean that there was an unmet need of the original unmet need.
- 4.5 This issue has been subject to discussion at officer level. It is your officer's view that having a residual unmet need is unacceptable and it is not possible to see how the approach advocated by HBBC could work in practice. It would also represent a risk to any local plans as it could be argued that the authorities have collectively failed to discharge the Duty to Cooperate. Basically, the issue needs to be addressed now.
- 4.6 The outcome of the discussions is that the other authorities do not agree with HBBC and consider the apportionment to be justified by the evidence.

5 SHOULD THE COUNCIL SUPPORT THE STATEMENT OF COMMON GROUND?

- 5.1 Officers are of the view that proposed distribution set out in the SoCG is based on a robust methodology for redistributing Leicester's unmet housing and employment need to the Leicestershire Districts/Boroughs.
- 5.2 National policy is quite clear that when setting a housing requirement in a Local Plan that the outcome from the standard method is only the starting point and that it is necessary to have regard to a range of factors. In this respect the proposed distribution in the SoCG has had regard to the functional relationship between each authority and the City. However, as already noted, it has had regard to other factors including an alignment between jobs and homes within each authority. This has resulted in a significant uplift to the figure for North West Leicestershire. Had the Housing Distribution paper not considered the issue of an uplift for economic purposes, this is something the Council would still need to do as part of the Local Plan review and would, having regard recent and projected jobs growth, almost certainly result in a higher figure than the standard method plus the figure for the functional relationship with the City.
- 5.3 The HENA option has been tested alongside other reasonable alternatives through the Sustainability Appraisal. This process found the HENA housing distribution option performs as well or better than the alternatives for most sustainability topics, and there are no clear indications that suggest a different approach should be taken in the SoCG. The employment options appraisal is also broadly supportive of the HENA option.
- 5.4 The amount of housing growth for the District in the SoCG (686 dwellings each year) is significantly more than that in the adopted Local Plan (481 dwellings each year), although its comparable to that for Blaby (687), Harborough (657) and Hinckley (659) and well below that for the City and Charnwood.
- 5.5 Whilst the figure is significantly above the outcome from the standard method (372 dwellings), it is within the range of potential housing requirements recently consulted upon as part of the Local Plan review as this had a figure up to 730 dwellings per annum. It is also worth noting that previous changes to the standard method proposed by the government in 2020, but which were not taken forward, would have resulted in a starting figure for North West Leicestershire of 1,153 dwellings. The figure included in the SoCG is well below this.
- 5.6 As noted previously, the Council is required to demonstrate as part of the Local Plan review that it has complied with the Duty to Cooperate. If this Council decided not to support the outcome from the SoCG, then this would represent a significant risk to the Local Plan review. This is because whilst it could demonstrate that it has cooperated on preparing the SoCG, it would also be necessary to demonstrate as to why it was not appropriate to agree the SoCG. For the reasons outlined above it is considered that the process and methodology followed is robust.
- 5.7 The Council's SHELAA identifies a potential supply significantly in excess of the total requirement of 10,976 for the period covered by the SoCG (2020-36) (i.e. 686 x 16 years). The Local Plan is currently proposed to go to 2039 (i.e. an additional three years beyond the

SoCG) but as the issue of growth in the City is likely to become more constrained through time, it would be reasonable to plan for this higher figure for the whole plan period (13,034 dwellings for 2020-39).

- 5.8 The deliverability of such a number is an issue to be assessed through the Local Plan review process. and if it was proven that it could not be delivered then it would be necessary to declare an unmet need which would have to be addressed through a further SoCG (and the same applies to all of the other authorities). However, at this time on the basis of available evidence there is nothing to show that this is the case and therefore, it is considered that there would not be any reasonable reason to not agree the SoCG.

Policies and other considerations, as appropriate	
Council Priorities:	Local people live in high quality, affordable homes
Policy Considerations:	None identified
Safeguarding:	There are no implications directly arising from this report.
Equalities/Diversity:	There are no implications directly arising from this report.
Customer Impact:	There are no implications directly arising from this report.
Economic and Social Impact:	The outcome of the Statement of Common Ground will be addressed as part of the Local Plan review
Environment and Climate Change:	The outcome of the Statement of Common Ground will be addressed as part of the Local Plan review
Consultation/Community Engagement:	The Statement of Common Ground has been the subject of direct engagement with all of the Leicester and Leicestershire authorities. The outcome of the Statement of Common Ground will be considered as part of the Local Plan review which will be subject to consultation with the community and wider stakeholders.
Risks:	Not agreeing the Statement of Common Ground would represent a significant risk to the Local Plan review.
Officer Contact	Ian Nelson Planning Policy and Land Charges Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk

Housing Capacity Paper February 2020

1. Introduction

The Strategic Growth Plan (SGP) (2018) provides the framework for housing delivery in the Leicester and Leicestershire Housing Market Area (HMA). Across the HMA, it identifies a need for 96,580 dwellings for the period 2011-2031, increasing to a need for 117,900 dwellings for the period 2011-2036. For the period 2031-2050, the SGP identifies a need for 90,516 dwellings. These figures were based upon the joint Housing and Economic Development Needs Assessment undertaken in 2017. In broad terms, the SGP agreed the principle of accommodation of unmet City housing needs up to 2031, and up to around two thirds of the City's whole supply 2031-2050, on the basis that the City Council seeks to minimise unmet need through the preparation and adoption of this Draft Plan, and that this work can be evidenced as being robust and in line with Government policy requirements. Redistribution would need to be subject to the necessary Statements of Common Ground, but progress has already been made as shown in Appendix C which sets out the current state of play with regard to existing and emerging Local Plans across the HMA.

Local plans are now required to comply with the revised NPPF (published 2019) and calculate the housing requirement based on standard methodology. HMA wide housing need based on standard methodology in 2019 was 82,739 homes over a period of 17 years from 2019-36¹.

This Paper focuses on the work undertaken (Regulation 18 Plan) and planned (Regulation 19 Plan) on the capacity of Leicester to deliver housing growth during the period covered by the consultation draft Local Plan (2020), which is 2019-2036. This is a 17 years plan period.

2. Housing Requirement

The housing requirement in the consultation draft Local Plan has been calculated using the Government's standard methodology. The requirement so calculated is for 1,712 dwellings per annum. Projected across the 17 years plan period the total requirement is therefore for 29,104 dwellings between 2019 and 2036.

¹ Appendix C: Working supply table 2019-36 for the HMA

The draft Local Plan has the Local Housing Need based on 2019 as base year. This will be revised and revisited with 2020 as the base year before the Reg 19 consultation in order to be in compliance with Government guidance.

In addition, the Reg 19 consultation Plan will need to address:

- uncertainties over the Government's new standard methodology and latest update of component national statistics;
- the scale and extent of housing sites introduced and withdrawn as a result of the City Council's response to the Reg 18 Consultation;
- responses to the Character Assessment and Tall Buildings work the subject of the Reg 18 Consultation;
- revisions resulting from delivery dialogue with site promoters (trajectory in particular);
- the content and consequences of the City's Local Housing Needs Assessment currently in preparation but not subject of this consultation, particularly the implications of inclusion of those aspiring to buy and the outcome of the Government's 'First Homes' Consultation, and new student housing demand and supply projections; and
- progress in scoping and agreeing a Statement of Common Ground on the scale and distribution of housing needs across the HMA.

In the light of the above uncertainties the City council has adopted a proportionate approach to supply and capacity work at this Reg 18 Plan stage.

The City Council welcomes the prospect of constructive advice via this Planning Advisory Service (PAS) led review process which might to help shape the scope and content of future work commissions to address any issues of soundness, and give HMA partners the necessary re-assurance they require to support the Plan through Examination in Public and towards adoption.

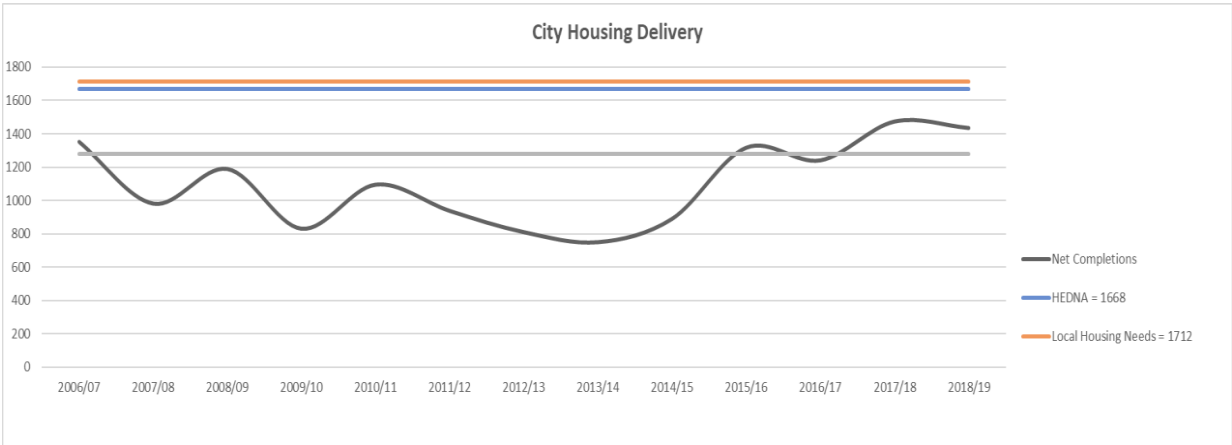
3. Historic Housing Delivery Performance

Figure 1 below (also attached in Appendix A) shows the City's net housing completions for period 2006/07 to 2018/19. Also shown on Figure 1 are: the Leicester Core Strategy (2014) target of 1,280 dwellings per annum; the Leicester & Leicestershire Housing and Economic Development Needs Assessment (HEDNA) (2017) City target of 1,692² dwellings per annum; and the 'Local Housing Needs' standard methodology requirement of 1,712 dwellings per annum.

² This is the HEDNA target for Leicester to 2031. The HEDNA target for the City to 2036 is 1,668 dwellings per annum.

The net completions line shows that housing delivery slowed substantially at the time of the global financial crisis and that performance has fluctuated over the years that followed. Only in recent years has the net completions line returned to pre-crisis levels above the Core Strategy target. Even now, it remains below the HEDNA target and standard methodology requirement

Figure 1: Leicester City Net Completions (all accommodation types) and Housing Requirements 2006/07-2018/19

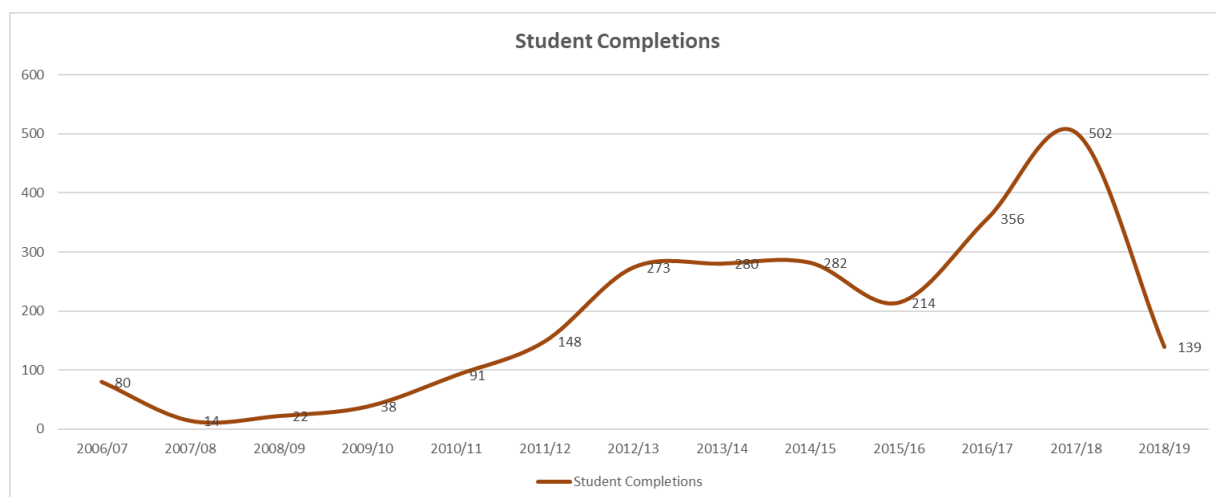


In recent years developments of purpose-built student accommodation, typically comprising self-contained studio flats or cluster flats, has made a significant contribution to the City’s net housing completions. Figure 2 below shows the number of student housing units³ completed in the City for period 2006/07 to 2018/19.

The net completions line shows a particularly pronounced increase in student development in recent years, followed by a sudden drop in 2018/19. The Housing Needs Assessment currently under preparation will consider future demand for further student development in the City and this will inform work to progress the Local Plan towards Reg 19 consultation.

Figure 2: Leicester City Net Completions (student accommodation) 2006/07-2018/19

³ From 2018/19 each self-contained student studio flat is counted as 1 dwelling. Shared student flats and other forms of communal accommodation for students are counted on a ratio of 2.5 bedrooms = 1 dwelling.



4. Sources of Supply 2019-2036

Table 1 below shows the sources of new housing supply for the consultation draft Local Plan (2020) plan period.

Table 1: Leicester City Sources of New Housing Supply 2019-2036

Source	Number of Dwellings
Commitments	9,827
Windfall Allowance	2,550
Draft Local Plan Allocations – Non Strategic	1,486
Draft Local Plan Allocations - Strategic	2,594
Draft Local Plan – Central Development Area	4,905
Total Sources of Supply 2019-2036	21,362
Requirement (standard method) for plan period	29,104
Balance	-7,742

Commitments

The **9,827** committed dwellings are derived from sites with full planning permission⁴ (3893 dwellings, 1,121 student dwellings and 258 older people's dwellings⁵) and sites with outline planning permission (4,555 dwellings).

⁴ For the purposes of this Paper, full planning permission includes development permitted through 'prior approval' consents.

⁵ From 2018/19 each self-contained older people's flat is counted as 1 dwelling. Communal accommodation for older people is counted on a ratio of 2.0 bedrooms = 1 dwelling.

Of these commitments, 3,347 dwellings (including 744 student dwellings) with full planning permission and 1,868 dwellings with outline planning permission are within the Central Development Area (CDA). The combined committed 5,215 dwellings within the CDA represents 53% of the total committed dwellings.

Windfall

An allowance of 150 dwellings per annum is made for windfall development for the duration of the draft Local Plan period. Over the 17 years plan period this totals **2,550** dwellings.

Table 2 below shows completions on small⁶ sites for the period 2009-2019. The average completions achieved for this period is 182 dwellings per annum.

Table 2: Leicester City Completions on Small Sites 2009/10-2018/19

Year	Number of Dwellings
2009/10	216
2010/11	211
2011/12	100
2012/13	123
2013/14	132
2014/15	72
2015/16	202
2016/17	214
2017/18	313
2018/19	236
Total	1,819
Average	182

Officers will review the 150 dwellings per annum allowance for windfall development as part of work to progress the Local Plan towards Reg 19 consultation. Factors that we plan to take into account include:

- the scope for permitted changes of use (such as office to residential particularly in the City Centre) to continue to deliver dwellings; the scope for new permitted development (such as the mooted 'right to height' relaxations) to unlock new sources of supply;
- the implications of new draft Local Plan policies subject to their likely confirmation (for example tall buildings, density, space standards and conversion of houses to flats) on windfall capacity; and

⁶ Small sites here means those capable of accommodating fewer than 10 dwellings, and includes those delivered through the conversion/change of use of existing buildings as well as through new build

- the potential future spatial distribution of windfall development (between the Central Development Area and the rest of the City).

Officers would welcome views on whether there are other factors that should be taken into account. Also welcome would be exemplars of recent post 2019 NPPF compliant studies or assessments completed in similar city authorities where methodologies applied could be reviewed to inform work the City is currently planning to undertake in the coming months.

Draft Local Plan Allocations – Non-Strategic

The draft Local Plan proposes 74 non-strategic site allocations. Of these, 64 are proposed either solely for housing, or for a mix of uses that includes housing. The combined housing capacity of the non-strategic site allocations is estimated as **1,486** dwellings.

The approach applied to the estimation of housing capacity on individual sites is explained in the Sites Methodology document.

The non-strategic site allocations and sites methodology evidence base documents can be viewed via the Council's consultation portal:

<https://consultations.leicester.gov.uk/sec/local-plan-2019-2036>

Officers will review the non-strategic site allocations as part of work to progress the Local Plan towards Reg 19 consultation.

This will include:

- the densities used to estimate housing capacity;
- the deliverability of sites having regard to evidence of viability and any site-specific infrastructure and open space/ecology mitigation requirements;
- the need to deliver different types of housing as will be evidenced by the Housing Needs Assessment currently under preparation;
- the need to retain green space as will be evidenced by a review of existing open space standards and supply;
- Reg 18 consultation responses;
- and the availability (and suitably) of any new sites that may come to light in the intervening period.

Draft Local Plan Allocations – Strategic Sites

The draft Local Plan identifies six strategic development opportunities (made up from 9 individual sites). Of these, five strategic development opportunities (made up from 7 individual sites) are proposed either solely for housing or for a mix of uses that includes

housing. The combined housing capacity of the strategic development opportunities is estimated as **2,594** dwellings.

The approach applied to the estimation of housing capacity on individual sites is explained in the Sites Methodology document.

The strategic site allocations and sites methodology evidence base documents can be viewed via the Council's consultation portal:

<https://consultations.leicester.gov.uk/sec/local-plan-2019-2036>

Again, officers will review the strategic site allocations as part of work to progress the Local Plan towards Reg 19 consultation. In addition to the matters for consideration listed under non-strategic sites (above), officers will have regard to evidence prepared by site promoters that demonstrates the deliverability and illustrates the masterplanning of these strategic opportunities.

Central Development Area (CDA)

The draft Local Plan proposes a new Central Development Area (CDA) designation, which includes the City Centre, the housing capacity of the CDA over the plan period is estimated as **4,905** dwellings. The capacity of the CDA has been estimated from a number of site typologies as shown in Table 3 below:

Table 3: Leicester CDA New Housing Supply by Source 2019-2036

Site Typology	Number of Dwellings
Pre-application discussions ongoing (confidential)	667
Current planning application	1,162
Recent ⁷ planning permission	1,317
Officers' urban capacity assessment	1,759
Total	4,905

Officers will review their assessment of the sources of supply set out at Table 3 as part of work to progress the Local Plan towards Reg 19 consultation. In particular, officers' urban capacity assessment will need to take into account some of the factors pertinent to the review of policy (tall building/character area), responses to Call for Sites and windfall development referred to above and Reg 18 consultation responses.

The draft Local Plan defines a number of character areas (and leaves residual remaining areas) within the CDA. The character areas include: Belgrave Gateway;

⁷ Post 31st March 2019, to avoid double-counting the supply captured in 'Commitments'.

Leicester Royal Infirmary and De Montfort University; Mansfield Street; New Walk; Old Town; St. George's; St. Margaret's; Wharf Street; Abbey Meadows; University of Leicester; Railway Station; and Waterside.

Figure 3: Central Development Area Character Areas

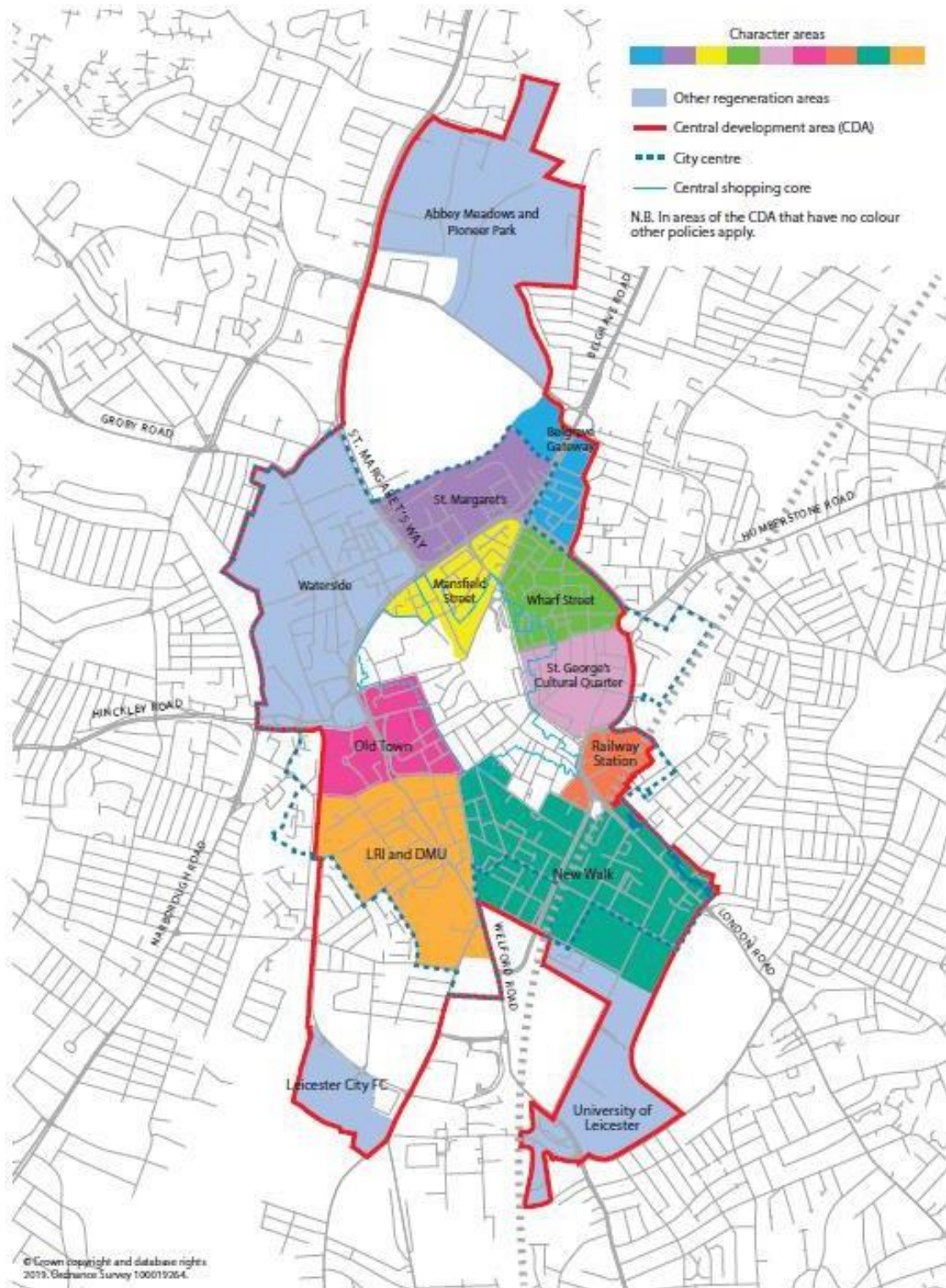


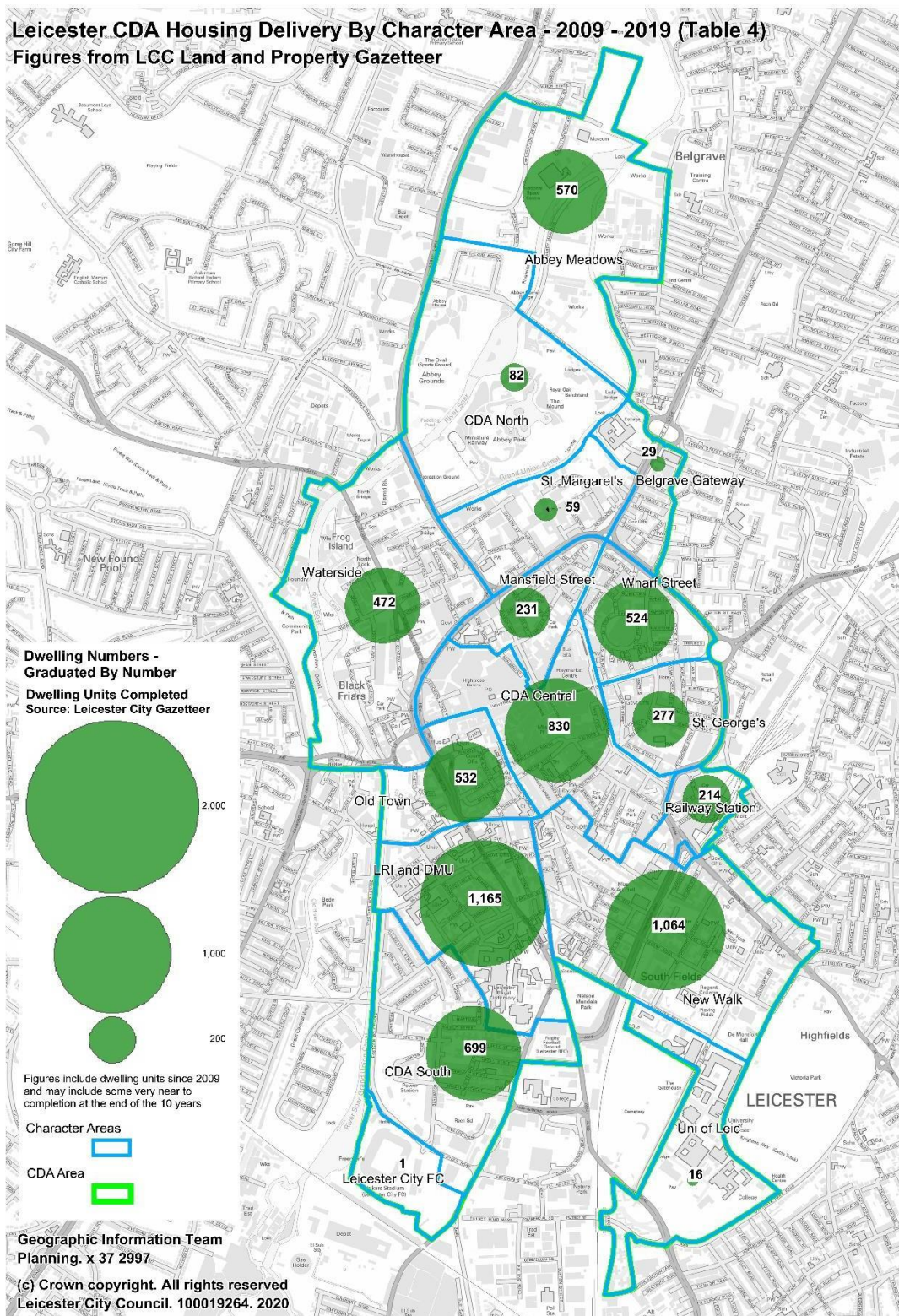
Table 4 below and Figure 4 below show the City Council has enjoyed substantial success in promoting delivery in the CDA in recent years. Stalled sites have been pushed to delivery through pro-active regeneration activity including large scale CPO promotion in the Waterside in particular. As a result, commitments and supply have been fed into the officer assessment of capacity and deliverability work. However, the extent of future supply of this nature is considered to be more constrained than that secured in the current plan period as shown below.

Table 4: Leicester CDA Housing Delivery by Character Area 2009-2019

CDA Area	Number of Dwellings
Belgrave Gateway	29
Leicester Royal Infirmary and De Montfort University	1,165
Mansfield Street	231
New Walk	1,064
Old Town	532
St. George's	277
St. Margaret's	59
Wharf Street	524
Abbey Meadows	570
University of Leicester	16
Railway Station	214
Waterside	472
Remaining Areas	1,611
Total	6,764

Source: Historic data, Leicester City Council (Local Land and Property Gazetteer – dwellings built since 2009 – may include some very nearing completion at the end of the period)

Figure 4 Leicester CDA Housing Delivery by Character Area 2009-2019



However the CDA does not comprise an inexhaustible supply of developable land, and the capacity of some of the character areas, such as the Leicester Royal Infirmary and De Montfort University, New Walk and the Old Town, are considered to have peaked in the preceding ten year period with limited future potential when other commitments and constraints, as shown in the Character Appraisals, are considered.

Table 5 and Figure 5 below show the officer assessment of the future supply potential of the Character Areas. This is made up of the sources of supply listed at Table 3 above. The Council will be contacting landowners of sites the subject of officers' urban capacity assessment during the course of the forthcoming Reg 18 consultation. The Council will share its assessment of the capacity of sites within the CDA for the purposes of the PAS assessment but has chosen not to make this information public for the purposes of the PAS presentation pending the aforementioned dialogue with site owners.

Table 5: Leicester CDA New Housing Supply by Character Area 2019-2036

CDA Area	Number of Dwellings
Belgrave Gateway	23
Leicester Royal Infirmary and De Montfort University	299
Mansfield Street	668
New Walk	243
Old Town	118
St. George's	252
St. Margaret's	286
Wharf Street	636
Abbey Meadows	161
University of Leicester	480
Railway Station	0
Waterside	1,029
Remaining Areas	710
Total	4,905

The Council intends to refine the CDA capacity assessments as set out above following the Reg 18 consultation.

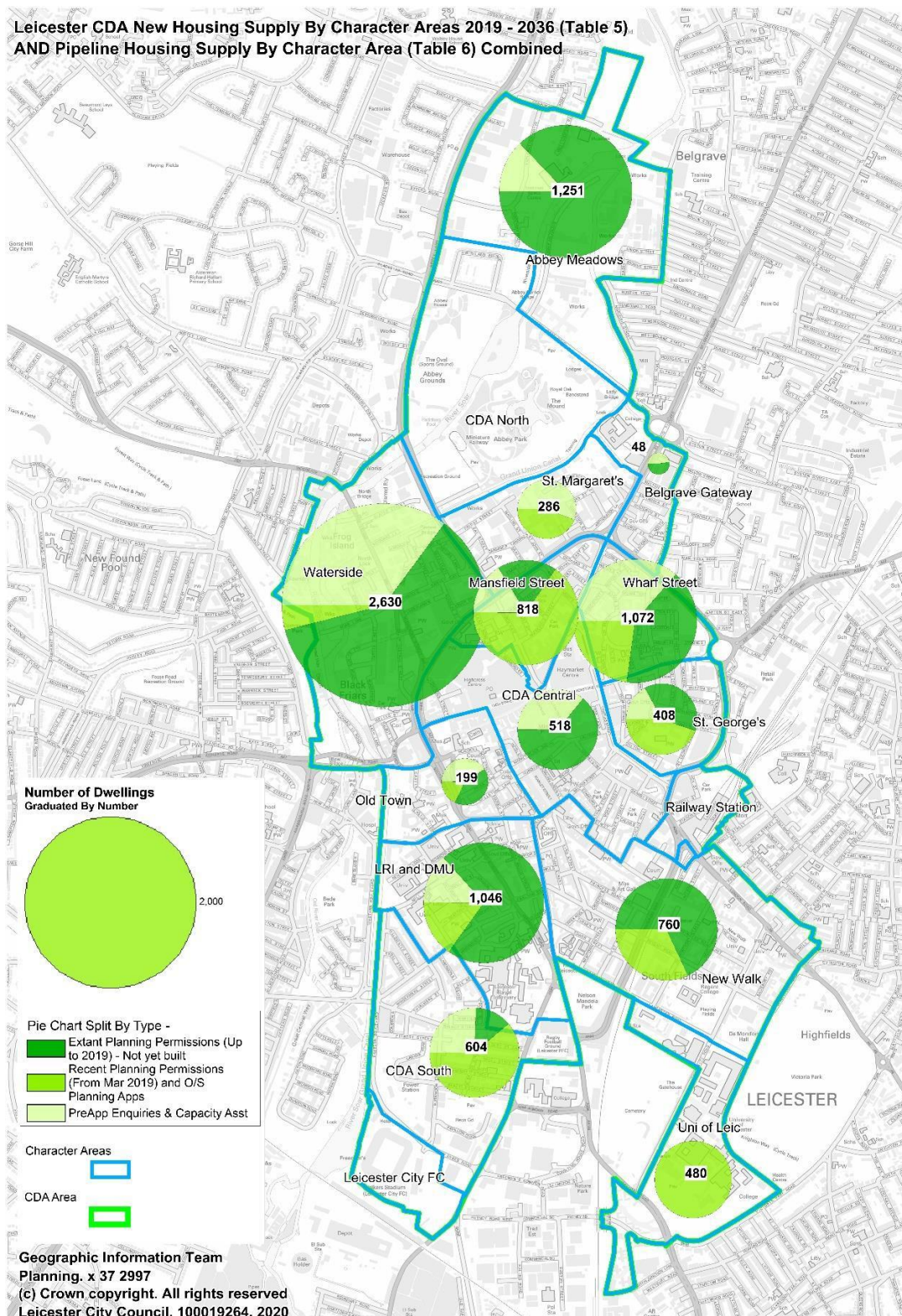
Table 6 and Figure 5 show the **pipeline capacity** of the CDA by Character Area. It should be noted that part of this capacity is already captured in the form of commitments as part of the housing supply (as shown in Table 1) for the Plan period.

Table 6: Leicester CDA Pipeline Housing Supply by Character Area as at 31st March 2019

CDA Area	Number of Dwellings
Belgrave Gateway	25
Leicester Royal Infirmary and De Montfort University	747
Mansfield Street	150
New Walk	517
Old Town	81
St. George's	156
St. Margaret's	0
Wharf Street	436
Abbey Meadows	1,090
University of Leicester	0
Railway Station	0
Waterside	1,601
Remaining Areas	412
Total	5,215

Figure 5 below shows the pipeline supply from March 2019 onwards and the housing supply from 2019-36 in each Character Area. (excludes some units nearing completion)

Figure 5: Housing supply by character areas from 2019-36 (Tables 5 & 6)



5. Initial Trajectory

Appendix B shows an initial trajectory of housing delivery for the draft Local Plan period 2019-2036. It provides an initial balance of projected housing delivery for each year over the plan period relative to Leicester's annual housing requirement which again will be refined further as the Plan and dialogue with site promoters is progressed.

Commitments: Sites with full planning permission have been assessed as deliverable within the first five years and the total has been attributed in equal portions to each of the constituent years for this stage. Sites with outline planning permission have been assessed as deliverable within years 6-11 and, again, the total has been attributed in equal portions to each of the constituent years. This will be further revised as part of the overall deliverability / developability information update recognising the need for more considered assessment of outline consents.

Windfall: As noted above, an allowance of 150 dwellings per annum is made for windfall development.

Draft Local Plan Allocations: The trajectory is founded on officers' initial informal assessment of the likely deliverability timescale of sites and, as such, should be treated with as preliminary at this stage.

Central Development Area: the deliverability of CDA sites has been assessed in five year tranches and, for the purposes of this draft Local Plan trajectory, the total for each five year tranche has been attributed in equal portions to each of the constituent years. Again, therefore, the trajectory should be treated as preliminary at this stage.

Officers will review the initial housing trajectory as part of work to progress the Local Plan towards Reg 19 consultation. Of particular relevance will be engagement with the development industry and site promoters as part of the Reg 18 consultation, and evidence of viability and any site-specific infrastructure requirements.

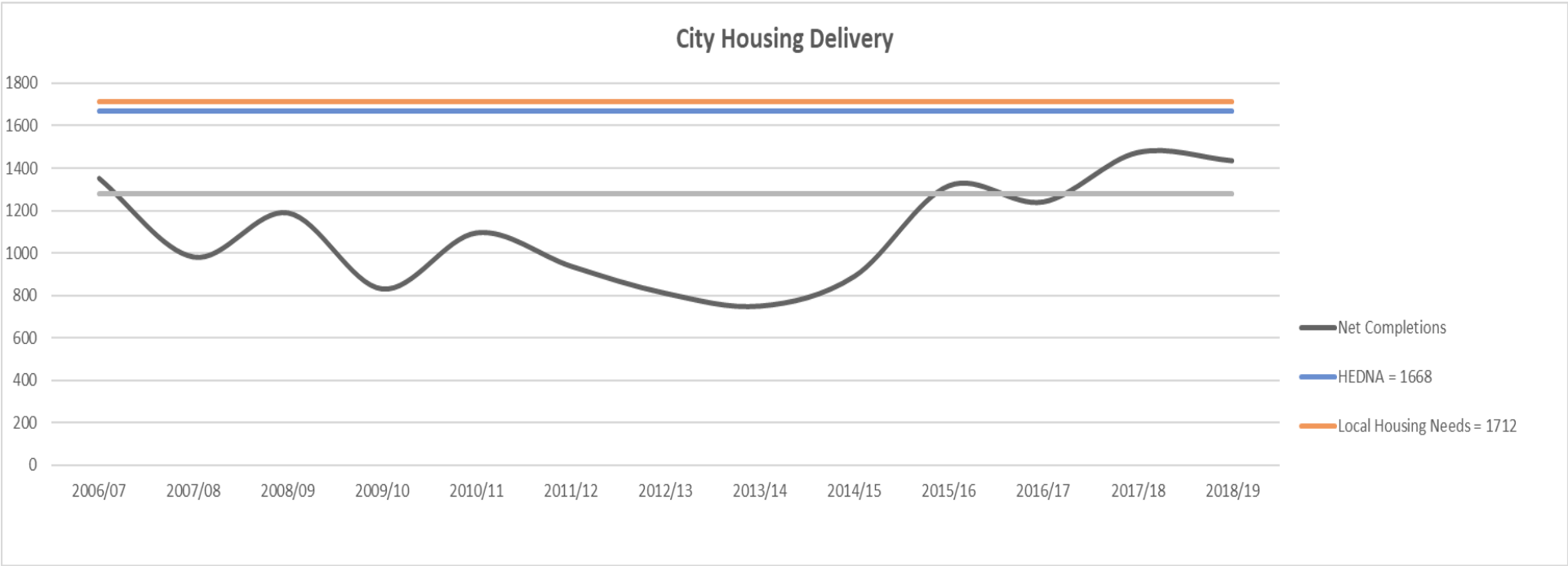
6. Post 2036 Capacity

Officers' urban capacity assessment of the CDA has identified longer term potential for continued housing delivery post-2036. This is estimated as **3,233** dwellings. Windfall development may also contribute to post-2036 housing delivery within the CDA.

Beyond the CDA, it is anticipated that windfall development will continue to make a modest contribution to housing delivery post-2036.

The City Council is looking forward to refining and developing this future longer-term picture through SGP dialogue and the required 5 yearly Local Plan review processes.

APPENDIX A:



Appendix B:

Leicester Draft Local Plan Initial Housing Delivery Trajectory 2019-2036

	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	totals
Draft Local Plan Allocati	0	0	26	106	135	320	460	421	421	481	429	321	327	304	193	94	42	4080
Windfall	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	2550
CDA	529	529	529	529	530	154	154	154	154	153	298	298	298	298	298	0	0	4905
Commitments	1054	1054	1054	1054	1056	911	911	911	911	911	0	0	0	0	0	0	0	9827
Total supply	1733	1733	1759	1839	1871	1535	1675	1636	1636	1695	877	769	775	752	641	244	192	21362
Requirement	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	1712	29104
Balance	21	21	47	127	159	-177	-37	-76	-76	-17	-835	-943	-937	-960	-1071	-1468	-1520	-7742

APPENDIX C: HMA WORKING TABLE SHOWING PLAN PROGRESS

2019 - 2036													
	Standard Methodology												
Authority	(A) Annual Requirement 2019-36	(B) Total requirement 2019-36 (A x 17)	(c) Commitments projected for delivery 2019- 36	(D) Emerging commitment s projected for delivery 2019-36	(E) Allocations in adopted Local Plan projected for delivery 2019-36	(F) Allowance for small site or windfall 2019-36	(G) Emerging allocations in a draft plan projected for delivery 2019-36	(H) Projected total delivery to 2036 (C+D+E+F+G)	(I) Shortfall/over provision (H - B)		(J) Estimated SHLAA Capacity (less commitments, allocations and windfall)	(K) Total Theoretical Capacity 2019- 36 (H + J)	(L) Shortfall/over provision (K - B)
Blaby	339	5,763	5,151	163	878	480	0	6,672	909		15003	21,675	15,912
Charnwood	1,082	18,394	10,451	23	1,990	1,120	0	13,584	-4,810		20,733	34,317	15,923
Harborough	542	9,214	3,972	92	5,526	640	0	10,230	1,016		8,975	19,205	9,991
Hinckley & Bosworth	457	7,769	2,229	1,720	185	938	0	5,072	-2,697		30,114	35,186	27,417
Leicester City	1,712	29,104	5,272	4,555	0	2,550	8,985	21,362	-7,742		0	21,362	-7,742
Melton	201	3,417	2,288	79	3,886	358	0	6,611	3,194		2531	9,142	5,725
NW Leics	379	6,443	7,736	39	1,317	560	0	9,652	3,209		13707	23,359	16,916
Oadby & Wigston	155	2,635	753	38	1,449	159	0	2,399	-236		0	2,399	-236
HMA total	4,867	82,739	37,852	6,709	15,231	6,805	8,985	75,582	-7,157		91,063	166,645	83,906



planning advisory service

**REPORT TO THE LEICESTER & LEICESTERSHIRE
AUTHORITIES IN RESPECT OF
THE LEICESTER CITY HOUSING CAPACITY REVIEW**

Report by Intelligent Plans and Examinations (IPE) Ltd

Author: Laura Graham BSc MA MRTPI

14 April 2020

1.Introduction

- 1.1 Intelligent Plans & Examinations (IPE) has been commissioned by the Planning Advisory Service (PAS) to provide advice to the Leicester & Leicestershire authorities in relation to the Leicester Housing Capacity Review.

2. Background and Context

- 2.1 The National Planning Policy Guidance (NPPG) sets out the method for assessing housing and economic land availability. It states that the assessment needs to identify all (my emphasis) sites and broad locations.....in order to provide a complete audit of available land. I have considered the 2017 Strategic Housing and Economic Land Availability Assessment (SHELAA) and the other documents you have supplied against the assessment stages set out in the NPPG. For the avoidance of any doubt, my comments are based on the information available to me, primarily the information available via the City Council's website, at the time of writing this report.

3. Stage 1 - Determine assessment area and site size

- 3.1 The assessment area is the administrative area of the City, which complies with the NPPG guidance. The guidance suggests that the assessment should consider all sites and broad locations capable of delivering 5 or more dwellings or economic development on sites of 0.25 hectares (or 500sq m floorspace) and above, but states that alternatives can be used. Leicester has used a larger site size of 10 dwellings as this is what has been previously done and taking into account resources available. I comment again on this under Stage 3 below.
- 3.2 The NPPG requires a desktop review of existing information as well as a call for sites, and expects a proactive approach to be taken to identify as wide a range of sites and broad locations for development as possible. A wide range of types of site and potential data sources is listed in the table in paragraph ID: 3-011-20190722. Paragraph ID 3-010-20190722 states that: 'Identified sites, which have particular constraints (such as Green belt), need to be included in the assessment for the sake of comprehensiveness but with the constraints set out clearly'.
- 3.3 Information on the Leicester City website comprises the SHELAA & Five Year Land Supply Update 2017, which does not list individual sites; and the Leicester SHELAA Summary of Sites 2017, which appears to be a list of about 147 sites which are considered deliverable and developable; and a methodology paper which broadly sets out the requirements of National Policy and Guidance, with some (limited) commentary on how this will be applied in Leicester. The updated methodology paper (2020) states that an updated Stage 1 assessment comprises 418 available sites, but I have not, to date, seen any evidence which would appear to comprise a full Stage 1 identification of sites and broad locations which would meet the guidance in the NPPG. Without this, you may be vulnerable to criticism that you haven't provided a robust evidence base in accordance with the NPPG methodology.
- 3.4 Paragraph 31 of the National Planning Policy Framework (NPPF) requires policies to be underpinned by relevant and up-to-date evidence. 'Up-to-date' is not defined but a recently published advice note by PAS¹ states (at page 7) that evidence base documents, especially those relating to development needs and land availability, that date from two or more years before the submission date may be at risk of having been overtaken by events, particularly as they may rely on data that is even older. There is a significant risk, therefore, that the 2017 SHELAA may be considered out of date,

¹ View at: <https://www.local.gov.uk/pas/pas-topics/evidence-plan-making-focus-upon-proportionality-february-2020>

even though some limited updating has taken place such as removing sites where development has completed.

- 3.5 I note, from the Housing Capacity Paper (February 2020), that Leicester intend to do further work on housing capacity before reaching Regulation 19 consultation and I would strongly advise that Leicester consider a comprehensive update of the 2017 SHELAA evidence base, to avoid potential criticism that this aspect of the evidence base is out-of-date. In addition, it would be helpful if the methodology paper could be expanded to describe in more detail how the exercise was undertaken, for example which of the sources of evidence set out in NPPG were used to identify sites.
- 3.6 The site size threshold used is 10 dwellings, twice the size of the recommended threshold in the NPPG. Leicester have explained that this is because it is the size used in the past, and taking into account resources available it was felt to be a pragmatic approach to continue in the same way. The NPPG does allow for a different size threshold to be used, so long as it can be justified. In all the circumstances, I think it unlikely that an Inspector would criticise this relatively minor departure from the NPPG but it does have a consequential impact on the role of windfall sites (see below), which are an inherently less reliable source of new housing, and I note that in the updated methodology paper 2020 it is intended to use a threshold of 5 dwellings which will bring the assessment fully into line with the NPPG.

4. Stage 2 - Site/broad location assessment

- 4.1 The NPPG indicates that there may be some sites which, when taking into account national policy and designations, can be discounted before Stage 2 (the site/broad location assessment). The explanation in the 2017 HELAA methodology paper regarding sites that were excluded before the Stage 2 assessment was undertaken (Appendix A) seems reasonable and, in my view, accords with the NPPG advice.
- 4.2 The current brief I am working to does not allow sufficient time for me to assess each of the sites individually. Such a task would require site visits to most, possibly all, sites. My comments are therefore of a generalised nature, to prompt you to consider elements of the approach.

Approach to green wedge policy

- 4.3 I note that a number of sites have been rejected, with conflict with green wedge policy cited as a substantive reason for rejection. I recognise that green wedges are a local planning designation that has been used in Leicester and Leicestershire for some considerable time. The Green Wedge Review identifies four purposes for Green Wedges, namely:
- Preventing the merging of settlements
 - Guiding Development Form (which seems to relate closely to the first function)
 - Providing a Green Lung into urban communities
 - Acting as a recreational resource
- 4.4 The NPPF at paragraph 170 onwards offers strong support for a range of measures to conserve and enhance the natural environment and at paragraph 174 onwards for protecting biodiversity and geodiversity, including wildlife corridors and ecological networks. Furthermore, paragraph 91 of the NPPF supports policies for the provision of green infrastructure, and paragraphs 96 onwards stress the importance of access to a network of high quality open spaces and opportunities for sport and physical activity. My view is that it would strengthen the justification for retaining green wedges if the purposes were to be brought more into line with those factors supported by the NPPF and less emphasis was given to preventing the merging of settlements. I am not

suggesting this purpose should be disregarded, but it may be better expressed in terms of protecting the character of settlements, rather than preventing merging. I think such an approach would be easier to defend at examination.

- 4.5 The Methodology Paper sets out how the development potential of sites has been calculated. Gross to Net development ratios have been used, which vary according to site size, and densities applied to the net site size. This methodology has been agreed by the Leicestershire authorities, and is likely to be appropriate for small and medium sized sites but may be criticised when applied to 'strategic' sites. Such sites are likely to be more vulnerable to site specific requirements for infrastructure and/or requirements for service providers e.g. education. For example, a large site may be the only opportunity to provide a secondary school or health care facility to serve a wider area. Such demands may reduce the number of houses that can be delivered. This issue can be overcome by carrying out a basic masterplanning exercise. This would not need to be the kind of detailed masterplan that would inform a planning application but should be detailed enough to inform a site-specific calculation of development potential. I recognise that there are resource implications in carrying out a basic masterplanning exercise, but as there is a limited number of strategic allocations it should not be an overwhelming task and would significantly strengthen the evidence base in a critical area.

Central Development Area/Character Areas

- 4.6 Paragraph 122 of NPPF requires planning policies and decisions to support development that makes efficient use of land, taking into account various factors including: the scope to promote sustainable modes of travel; and the desirability of maintaining an area's prevailing character and setting. Paragraph 123 goes on to say that where there is a shortage of land for meeting identified housing need, (as is the case for Leicester City), it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. To this end, the draft Leicester City Local Plan (LP), Policy Ho05 sets density requirements of 50 dwellings per hectare (dph) or more for new dwellings in the proposed Central Development Area (CDA), and a minimum of 30 dph elsewhere. Establishing minimum densities is encouraged in NPPF, because it allows for a design-led approach to deliver higher densities, where appropriate, through the development of tall buildings for example.
- 4.7 As well as defining the CDA, which includes the City Centre, the draft Local Plan also defines a number of Character Areas (CA). Policies in the draft plan, including CDA02 and CDA03 give further guidance on the kind of development that will be permitted in the CAs, although detailed requirements seem to be delegated to Supplementary Planning Guidance (SPG). CDA02 states that 'New buildings and extensions to existing buildings will be expected to be built to a height no higher than the identified proposed building height except in areas which have been identified with potential for tall development'. However, as far as I can ascertain, the areas with potential for tall development are not identified in the draft Plan. There is a significant amount of information in the separate document 'Tall development in Leicester', and the separate character area documents (presumably early drafts of the intended SPG) but it is quite hard to understand how this information will be used in a development management setting prior to the adoption of SPG.
- 4.8 There is a risk that the draft Plan will be criticised for a lack of clarity on this point and a failure to ensure the efficient use of land. I note that Leicester City intend to review the assessment of housing supply in the CDA and designated Character Areas in the light of the results of the Reg18 consultation, and discussion with landowners. At this stage, my view is that the general approach to assessing housing capacity in the CDA is in conformity with the requirements of NPPF, but without more detailed information on the individual sites which form part of the officers' assessments it is difficult to make

any comment on how robust that assessment may be. Paragraph 123 of NPPF indicates that, where there is a shortage of land for meeting identified housing needs, policies to optimise the use of land and meet as much of the identified need as possible 'will be tested robustly at examination' (my emphasis). It is likely that some representors, particularly those with land interests in the CDA will seek to demonstrate that higher densities than those anticipated can be achieved, although those observations can probably be countered by a clear explanation that the use of minimum densities does not preclude schemes proposing higher densities providing they can be demonstrated to be acceptable in other ways, for example impact on heritage assets. However, other representors, notably those with land interests outside the central area, may seek to suggest that the estimate of housing supply in the central area is unrealistically high, to support an argument that land elsewhere should be released for development. Officers will therefore wish to make sure that the evidence base supporting the assessment is both transparent and robust, and able to withstand the level of scrutiny that is likely to occur at the examination.

5. Stage 3 - Windfall assessment

- 5.1 Windfall sites are expected to contribute about 12% of the total supply over the Plan period. The evidence of delivery on small sites since 2009/10 averages 182 dwellings per annum (dpa). On this basis, the choice of 150dpa seems reasonable, and I note Leicester are intending to review this once they have received the Regulation 18 consultation responses. It's very sensible to review this figure, bearing in mind the factors they mention including the likely scope for office to residential permitted development and the implications of new draft Local Plan policies. If these factors indicate that a discounted rate would be justified, they may wish to adjust the figure down from 150dpa. In addition, the change to the threshold from 10 to 5 dwellings will require an adjustment to the annual rate that can be justified. Given the generally less predictable nature of windfall development, it may also be important to consider adding some indication in the draft Local Plan of the action that would be taken if windfall developments did not achieve the anticipated rate over a consecutive period of years, leading to a shortfall of overall housing delivery. Such action could include revisiting the SHELAA and bringing forward a partial review of the Local Plan to address the problem.

6. Stage 4 – Assessment review

- 6.1 The work to date indicates that Leicester City will be unable to meet locally identified housing and employment land needs. This is unsurprising given the physical and other constraints of the City's administrative area. On the basis of information available so far, the unmet need appears to be about 7,700 dwellings. Leicester have been working with the other authorities in the Leicester and Leicestershire Housing Market Area (HMA) to establish how this unmet need can be met elsewhere in the HMA. I will be providing advice on the process of preparing and content of Statement(s) of Common Ground (SCG) in due course.
- 6.2 The evidence indicates that there is also an unmet need for employment land of about 23 hectares. This will also need to be addressed through a SCG.

7. Stage 5 – Final evidence base

- 7.1 As I indicate above, the list of sites compiled at Stage 1 of the assessment should be published as the NPPG requires 'a list of all sites or broad locations considered, cross-referenced to their locations on maps'.

8. Example of recent studies in a similar city authority

- 8.1 Oxford City is a useful example of work carried out by a City in a similar position to that of Leicester City. Like Leicester, Oxford is unable to meet its housing need within its own boundaries. The Local Plan examination is not yet completed (main modifications consultation is currently underway) but the Inspectors' interim conclusions are available via the Oxford City Council website.²
- 8.2 These conclusions support the Council's housing requirement, which is based on a housing capacity study. It appears that the figure was updated by the Council during the course of the examination and a higher figure than that given in the submission draft Plan was proposed, by the Council, as a modification, and this has been accepted by the Inspectors. (Nb: The Inspectors' letter makes reference to the Council's statement for Matter 4, it should read Matter 2.) You may wish to note, in particular, the seventh paragraph in the Inspectors' letter which commences: *We discussed in the hearings the need for the Council to maximise opportunities to deliver housing..... That discussion led to the Council proposing modifications including adding minimum housing numbers to site allocations.*
- 8.3 However, the Inspectors' overall conclusion is that these changes will assist in introducing flexibility but will not make a significant difference to the scale of the City's unmet housing need. The City Council's housing capacity assessment was reviewed twice by independent consultants who undertook a more extensive site by site review than I have been able to do. It's not entirely clear, but the rationale for this seems to have been a need to satisfy other authorities that the level of unmet housing need was correct. In the case of Leicester City, there appears to have been a greater level of cooperation amongst the authorities in the HMA, including agreeing a standard methodology for carrying out SHELAA's across the HMA. Hopefully that should result in a greater degree of acceptance of the calculated unmet housing need, and avoid the need for further scrutiny.

9. Conclusions

- 9.1 As I indicate above, there is a real risk that the 2017 SHELAA may be considered to be out-of-date if you do not undertake an exercise to update the base data, including consideration of any new sites that may come forward through the Regulation 18 consultation. Subject to this, and the other points I raise above, including the need to publish the full list of sites considered at Stage 1 of the SHELAA, and to undertake some basic masterplanning of the strategic allocations, I consider that the SHELAA is a robust piece of work which appears to comply with Government policy and guidance.

Laura Graham
April 2020

² View at:
https://www.oxford.gov.uk/info/20286/local_plan_examination/1312/local_plan_2016-36_examination_library

**Strategic Growth Plan Members’
Advisory Group**

NOTES OF MEETING held on 15 July 2020.

Virtual meeting held using Microsoft Teams

Attendance:

Cllr Trevor Pendleton

Cllr Terry Richardson

Norman Proudfoot (NP)

Cat Hartley (CH)

Cllr Richard Bailey

Eileen Mallon (EM)

Cllr Phil King

Cllr David Bill

Matthew Bowers (MB)

Sir Peter Soulsby

Grant Butterworth (GB)

Ann Carruthers (AC)

Simon Lawrence (SL)

Cllr Joe Orson

Chris Elston (CE)

Cllr John Boyce

Stephen Hinds (SH)

Rob Thornhill (RT)

Nicola Sworowski (NS)

Stephen Barker (SB)

Laura Graham (LG)

Sharon Wiggins (SW)

Leicestershire County Council (Chair)

Blaby District Council (Vice Chair)

Chair of Strategic Planning Group

Blaby District Council

Charnwood Borough Council

Charnwood Borough Council

Harborough District Council

Hinckley & Bosworth Borough Council

Hinckley & Bosworth Borough Council

Leicester City Council

Leicester City Council

Leicestershire County Council (Highways)

Leicestershire County Council (Growth Unit)

Melton Borough Council

North West Leicestershire District Council

Oadby and Wigston Borough Council

Oadby and Wigston Borough Council

Joint Strategic Planning Manager for L&L

Planning Advisory Service (PAS)

Planning Advisory Service (PAS)

Intelligent Plans and Examinations (IPe)

Support to the Joint Strategic Planning Manager

ITEM		LEAD/ ACTION
3	<p><i>Item 3.2 PAS Sense check of Leicester's housing capacity</i></p> <p>RT confirmed Laura Graham had joined the call.</p> <p>RT explained the work had been carried out by a former Planning Inspector with over 20 years of experience dealing with complex Local Plan Examinations, including in areas with unmet need. Unmet need is relatively recent issue for L&L, but it is common in other areas across the country. The process of identifying land available for development is long established in planning policy and guidance, and it is important to bear in mind that the test of an authorities development capacity is a planning one.</p> <p>The next steps for dealing with Leicester's unmet need, includes progressing work on a Sustainability Appraisal.</p> <p>Cllr Richardson asked how crucial are the points made relating to the Strategic Housing and Employment Land Availability Assessment (SHELAA)? We are already seeing the impact of COVID-19 on offices for example and there could be less student accommodation required in the future.</p>	

	<p>GB advised the City are planning to revise and update their SHELAA after their (Draft Local Plan Regulation 18) consultation (due to take place Autumn 2020). They will also look at retail going forward, and short, medium and long-term trends for employment. He referred to the Tall Building information the City Council has produced which may generate conversations during the consultation.</p> <p>Cllr King suggested the City should consider dropping down to a five unit threshold for sites in SHELAA, as every small site helps. Noting communities in Harborough District have been unhappy with development over the last 20 years and with planned future growth over next 20 years.</p> <p>Cllr Pendleton noted the 5,000 vacant dwellings figure for the City within the context of the 7,750 dwelling unmet need figure. GB responded that the vacant dwellings are already in the supply and it is the need figure which the City is having to respond to in its emerging Local Plan.</p> <p>Cllr Bill noted high number of cases for COVID-19 in the City and the potential impact of a local lockdown, which could impact the reputation of the City. This could have an impact on housing demand and will need to be considered.</p> <p>Cllr Pendleton referred to the top down nature of housing figures and need to take them into account.</p> <p>Cllr Orton referred to the action across the L&L HMA which already shows co-operation.</p> <p>GB advised the COVID-19 pandemic may support open space provision but could work against higher density and noted pre-application discussions and planning applications numbers are increasing. Also noted the time and effort and compulsory purchase orders being used to bring vacant homes back into use in the City.</p> <p>Cllr Boyce noted it is quite right for the City to be under pressure to deliver new homes, but they are going to have an unmet need at some point, and this is why the SGP is so important.</p> <p>MAG agreed to progress the Sustainability Appraisal based on an unmet need of 7,750 dwellings and 23 Hectares of employment land.</p>	
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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 6 SEPTEMBER 2022



Title of Report	CAPITAL PROGRAMME UPDATE	
Presented by	Councillor Nick Rushton Corporate Portfolio Holder	
Background Papers	Budget and Council Tax 2022/23 – Council 24 February 2022 Air Quality Capital Grant Funding (DEFRA) – Cabinet 19 July 2022 Zero Carbon Roadmap Update – Cabinet 19 July 2022 Award of Three Year Contract for the Supply of Bins and Recycling Containers – Cabinet 19 July 2022 Corporate Accommodation – Cabinet 27 July 2021	Public Report: Yes
Financial Implications	The financial implications for the capital programme are detailed in section 4.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	This report ensures compliance with the Council's constitution	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications		
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To allow the Council to approve changes to the 2022/23 Capital Programme budgets that were previously approved by Council in February 2022.	
Recommendations	COUNCIL IS RECOMMENDED TO APPROVE THE REVISED GENERAL FUND AND HOUSING REVENUE ACCOUNT (HRA) CAPITAL PROGRAMMES AS DOCUMENTED IN APPENDICES A AND B	

1.0 BACKGROUND

- 1.1 In February 2022, the Council approved the capital budgets for the 2022/23 financial year. The report below details the recommended amendments for approval to both the General Fund and HRA capital programmes.

2.0 GENERAL FUND CAPITAL PROGRAMME

- 2.1 The General Fund approved capital programme for 2022/23 is £10.8 million and £6.5 million was carried over from 2021/22 for ongoing projects. The revised capital programme is documented in Appendix A and detailed below is the proposed changes to the programme which equate to an additional £1.1 million.

2.2 Air Quality

On 19 July, Cabinet was presented with a report in relation to a grant awarded to the Council by the Department for Environment, Food and Rural Affairs (DEFRA) to support the delivery of the Air Quality Delivery Plan. The value of the grant awarded was £27,240 of which £6,000 is a revenue grant and £21,240 is capital.

- 2.3 As per the Council's constitution, capital expenditure can only be incurred where it is in the capital programme. Approval by Council of the capital programme shall be a prerequisite for the commencement of a project and to enter into a contract. Due to the tight deadline for the bid application, there was insufficient time to go through the Council's governance process. Following advice from the Deputy S151 Officer and Deputy Monitoring Officer, a decision was made, due to the value of the expenditure and to avoid the risk of losing the funding, to apply for the grant, commit to the capital expenditure and retrospectively seek approval from Council to add the project into the capital programme.

2.4 Zero Carbon

An update on the Zero Carbon Roadmap was presented to Corporate Scrutiny on 8 June and Cabinet on 19 July. As part of the update, the proposed spend of the Zero Carbon Reserve for year 3 was set out. Included within the proposals was two capital requests:

- £75,000 for LED lighting in public car park; and
- £50,000 for electrical charging point installations.

Further information is available in the Cabinet report, the link is above within the background papers. Council was requested to approve these additions to the capital programme.

2.5 Supply of Bins and Recycling Containers

The Council has undertaken a procurement process for the supply of bins and recycling containers. The value of the contract is up to £800,000 which includes for the provision of food waste containers (£220,000) and a three-year supply of wheeled bins and recycling containers (£580,000). At its meeting on the 19 July, Cabinet approved the award of the contract subject to Council approval of the £580,000 addition to the capital programme. The approval of the £220,000 will be subject to a separate report, once a decision has been made to roll out food waste across the District.

2.6 Corporate Accommodation

In July 2021, Cabinet agreed to proposed changes to the HQ Office accommodation and changes to the capital programme were approved by Council in November 2021. During the detailed scoping of the works required to Stenson House, plant that is life

extinct required replacing whilst the buildings works are being undertaken. This work was originally scheduled for 2027/28 onwards. The Section 151 Officer has approved under Section B9(d) of the Financial Procedure Rules to pull forward programmed expenditure of £600,000 to 2022/23 as it is prudent and efficient to undertake these works now.

- 2.7 Part of the scheme (£215,000) can be funded from unsupported capital borrowing replacing the original requirement to fund this element from an ear marked reserve (EMR). This allows the reserve to be transferred to the Self Sufficiency Reserve and the expenditure to be charged to the General Fund over the life of the asset.

2.8 UK Shared Prosperity Investment Plan (UKSPF)

In July, Cabinet approved the submission of the North West Leicestershire (NWL) UKSPF Investment Plan to the Department for Levelling Up, Housing and communities. The Council will receive a provisional allocation of £2.4 million funding (of which £1.5 million is capital) over three financial years (2022/23, 2023/23 and 2024/25), subject to the approval of the Investment Plan. As per the Council's constitution, capital expenditure can only be incurred where it is in the capital programme. Approval by Council of the capital programme shall be a prerequisite for the commencement of a project and enter into a contract. Therefore, £1,521,750 has been added to the Council's capital programme for delivery of the NWL UKSPF Investment Plan for approval.

2.9 Finance System

Similar to paragraph 2.7, the finance system was due to be funded via an existing EMR, however, the scheme can be funded by unsupported capital borrowing. Therefore, the budget has been adjusted by £100,000 to reflect this.

3.0 HOUSING REVENUE ACCOUNT (HRA) CAPITAL PROGRAMME

- 3.1 The HRA approved capital programme for 2022/23 is £15 million and £9.5 million was carried over from 2021/22 for ongoing projects. The revised capital programme is documented in Appendix B. There is only one change to report with no financial impact.

3.2 Acquisition of Sites

A virement has been approved by the Deputy S151 Officer to move £600,000 from the Phase 6 Western Avenue budget to Acquisitions of Sites budget. This is to increase the capital budget available to purchase land available for development.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The capital financial impacts to the General Fund of the changes in Section 2 of the report above are detailed in the table below:

Financial Implications Table	Current Year Budget	Impact of Proposals	Forecast		
	2022/23		2023/24	2024/25	2025/26
	£000	£000	£000	£000	£000
Capital Investment					
Costs	10,845,299	1,355,240	3,721,470	2,291,810	1,455,310
Funded by		Grant and unsupported borrowing.	Grant and unsupported borrowing.		

4.2 There are no capital financial implications to the Housing Revenue Account.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green District - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	<p>Zero Carbon Roadmap and Action Plan Local Plan</p> <p>Local authorities are required to provide waste and recycling collections under the Environmental Protection Act 1990 and Environment Act 2021</p> <p>The Refuse and Recycling Collections Policy details what bins and recycling containers the council provides to residents.</p> <p>EU Contract Procedure Rules</p> <p>North West Leicestershire District Council Constitution – 4.7 Contract Procedure Rules</p> <p>Corporate Disposals Policy will be followed in disposing of any asset.</p> <p>Procurement & Contracts policy will also be followed in any procurement processes.</p>
Safeguarding:	Refer to Cabinet reports detailed in background papers
Equalities/Diversity:	<p>Zero Carbon: An impact assessment will need to be carried out as part of each project's business case.</p> <p>Accommodation: The new spaces created will be accessible to all users from a DDA perspective and will incorporate the required technology for those with hearing aids /supportive hardware etc. EIA has been completed as part of Business Case and ongoing as appropriate.</p>
Customer Impact:	<p>Air Quality: The project will positively engage with the public and raise awareness.</p> <p>Zero Carbon: Communities, council tax payers and businesses in the district will be engaged on the roll out of the programme.</p> <p>Supply of Bins: Customers are provided with</p>

	<p>suitable waste and recycling containers allowing them to conveniently recycle and dispose of waste generated in a domestic setting.</p> <p>The UKSPF Investment Plan sets out a series of actions that will support residents and businesses.</p>
Economic and Social Impact:	<p>Zero Carbon: This will be a key aspect of each business case to assess not only the financial impact of intervention but the wider benefits.</p> <p>The UKSPF Investment Plan sets out a series of actions that will support residents and businesses</p>
Environment and Climate Change:	<p>Air Quality: The project seeks to have a positive effect on the environment and climate by reducing emissions of PM2.5 and behaviour change amongst the public that burn solid fuel and this has been captured in the Zero Carbon agenda for NWL.</p> <p>Zero Carbon: The adoption of the Zero Carbon Roadmap and associated Action Plan sets out the council's future approach to addressing the climate emergency.</p> <p>Supply of Bins: Providing suitable bins and recycling containers, actively encouraging residents to recycle as much of their waste as possible. This supports the council's Recycle More plan and the Zero Carbon Policy and Roadmap.</p> <p>The UKSPF Investment Plan sets out a series of actions that contributes to achieving the council's Zero Carbon Roadmap.</p>
Consultation/Community/Tenant Engagement:	<p>Air Quality: Public awareness campaign and resident surveys in solid fuel burning locations. Communication Strategy in place for the campaign.</p> <p>Zero Carbon: Communities and businesses will be engaged on the roll out of the programme</p> <p>UKSPF: Officers will undertake an engagement exercise with stakeholders to help further shape and define the projects to be delivered through the NWL UKSPF Investment Plan.</p>
Risks:	<p>Air Quality: Identification and management of any risks have formed part of the project plan for the bid to DEFRA.</p> <p>Zero Carbon: Risk Management will be a central consideration of each action's business case. Affordability will be a central concern as will the</p>

	<p>availability of technology that can deliver the required low emission solution. There are undoubtedly mixed perceptions of climate change across the various stakeholders and communities of the district that manifest into a spectrum of views that the council will need to navigate in the implementation of the action plan, the prioritisation of resources required as well as messages to communities.</p> <p>Supply of Bins: Risks will be managed as part of the contract monitoring carried out by officers.</p> <p>Each of the projects and interventions through the UKSPF Investment Plan will be subject to independent risk assessments.</p>
Officer Contact	<p>Anna Crouch Finance Team Manager & Deputy S151 Officer anna.crouch@nwleicestershire.gov.uk</p>

General Fund Capital Programme 2022-23 to 2026-27

	2021/22 Carry Forward	2022/23 Approved Budget	2022/23 Changes	2022/23 Total Budget	2023/24 Indicative	2024/25 Indicative	2025/26 Indicative	2026/27 Indicative	Funding Source
Coalville Regeneration Projects									
Marlborough Square	1,623,091	853,417		2,476,508					Unsupported Borrowing
Marlborough Centre Purchase and Renovation		3,667,172		3,667,172					
Accommodation Project	223,141	3,142,662	815,000	4,180,803	25,000				
Leisure Project - New Leisure Centre, Coalville	1,156,640								
Coalville Regeneration Framework	8,235	646,583		654,818	500,000	500,000	500,000		Grant
UK Shared Prosperity Investment Plan Programme			197,000	197,000	515,250	809,500			
Total Coalville Regeneration Projects	3,011,107	8,309,834	1,012,000	11,176,301	1,040,250	1,309,500	500,000	-	
Systems/ICT Schemes									
Finance System / Review	-	40,000	100,000	140,000					Unsupported Borrowing
Server and storage additional capacity				-	70,000				
WI-FI Replacement		48,000		48,000					
LAN Switches replacement		40,000		40,000					
Firewall Security Replacement				-		70,000			
Laptop Replacements		78,000		78,000	69,000	49,000	92,000	49,000	
Windows Server Professional services migration		50,000		50,000					
Total Systems/ICT Schemes	-	256,000	100,000	356,000	139,000	119,000	92,000	49,000	
Fleet Replacement and Infrastructure Programme									
Trucks	1,760,000			1,760,000	840,000				Unsupported Borrowing, Grants and Capital Receipts
Large commercial 4x4s		41,225		41,225	41,225				
Small Vans	24,115	48,230		72,345	48,230				
Medium Vans	232,714	964,105		1,196,819	132,980				
Large Vans		269,475		269,475	269,475				
Cars	94,689			94,689					
Specialist Vehicles	178,001			178,001	285,000				
Electrical vehicle charging point installations	46,931	187,100	50,000	284,031	2,000				
Total Fleet Replacement and Infrastructure Programme	2,336,450	1,510,135	50,000	3,896,585	1,618,910	-	-	-	

	2021/22 Carry Forward	2022/23 Approved Budget	2022/23 Changes	2022/23 Total Budget	2023/24 Indicative	2024/25 Indicative	2025/26 Indicative	2026/27 Indicative	Funding Source
Other Capital Schemes									
Air Quality			21,240	21,240					Grant
Disabled Facility Grants		670,310		670,310	670,310	670,310	670,310	670,310	
Appleby Magna Caravan Site - redevelopment -other	535,218			535,218					Unsupported Borrowing and Reserves
Bins and Recycling Containers			97,000		193,000	193,000	193,000	193,000	
Breedon on the Hill Gate	19,600			19,600					
Car Park - High Street, Ibstock - Remove and Renew Gullies									
CCTV Replacement		77,000		77,000					
Council Offices - (Stenson House) External works	5,000								
Cropston Drive - Renovation of Changing Rooms	20,000			20,000					
District Car Parks - LED Lighting Replacement	25,000		75,000	100,000					
Driver ID Fobs and Tachograph Download	11,035			11,035					
Linden Way Depot - Welfare Facilities	1,175			1,175					
Market Hall -Demolish and make good	75,000			75,000					
Market Street Car Park - Resurfacing									
Market Street Car Park - Resurfacing	12,000			12,000					
Memorial Clock Tower	30,000								
Moirs Furnace - Masonry & Drainage/Upgrades to Furnace and Bridge & further remedial works	280,000								
New Garage Roof at Coalville Park	5,596			5,596					
New Market Provision	11,234			11,234					
The Courtyard - renew rainwater goods/door	25,000			25,000					
UPS/Generator related					60,000				
Vehicle Weighbridges		22,020		22,020					
Whitwick Business Centre - Solar Panels	40,000			40,000					
Whitwick Business Centre - Upgrade CCTV	10,000								
Total Other Capital Schemes	1,105,858	769,330	193,240	1,646,428	923,310	863,310	863,310	863,310	
TOTAL GENERAL FUND CAPITAL PROGRAMME	6,453,415	10,845,299	1,355,240	17,075,314	3,721,470	2,291,810	1,455,310	912,310	

Housing Revenue Account (HRA) Capital Programme 2022-23 to 2026-27

	2021/22 Carry Forward	2022/23 Approved Budget	2022/23 Changes	2022/23 Total Budget	2023/24 Indicative	2024/25 Indicative	2025/26 Indicative	2026/27 Indicative	Funding Source
2019-2024 Housing Improvement Programme									
Home Improvement Programme	3,073,000	4,500,000		7,573,000	4,500,000	4,500,000	4,500,000	4,500,000	Revenue & Reserves
Total 2019-2024 Housing Improvement Programme	3,073,000	4,500,000	-	7,573,000	4,500,000	4,500,000	4,500,000	4,500,000	
New Build and Supply									
Phase 3 - Cropston Drive				-					Capital Receipts, S106 Contributions, Revenue & Borrowing
Phase 4 - Queensway	899,917	67,308		967,225				-	
Phase 4 - Howe Road	154,767	668,058		822,825	14,775				
Phase 4 - Cedar Grove	308,333	16,717		325,050	30,375				
Phase 4 - The Oaks, Whitwick		645,082		645,082	4,950				
Phase 5 - Woulds Court	1,453,750	663,334		2,117,084	645,082	17,836			
Phase 6 - Western Avenue		604,012	- 600,000	4,012	1,990,001	40,980			
Phase 7 - TBC					2,057,321	36,793			
Phase 8 - TBC						1,648,589	22,792		
Phase 9 - TBC							1,698,047	23,475	
Acquisition of sites	452,250	300,000	600,000	1,352,250				1,773,168	
S106 purchase - Osgathrope	395,500								
S106 purchase - Ravenstone	1,072,800								
S106 purchase - Newbold Colorton									
Total New Build and Supply	4,737,317	2,964,511	-	6,233,528	4,742,504	1,744,198	1,720,839	1,796,643	
Estates Improvements									
Mobility Scooter Stores	100,000			100,000					Revenue & Reserves
Off Street Parking	46,334	400,000		446,334	281,333				
Footpaths & Unadopted Roads	50,000	50,000		100,000	50,000	50,000	50,000	50,000	
Garage Demolition & Replacement	59,000	60,000		119,000	60,000	60,000	60,000	60,000	
Place-shaping pilot	250,000			250,000					
Estates Projects - Other	197,000	200,000		397,000	200,000	200,000	200,000	200,000	
Total Estates Improvements	702,334	710,000	-	1,412,334	591,333	310,000	310,000	310,000	

Compliance

	2021/22	2022/23	2022/23	2022/23	2023/24	2024/25	2025/26	2026/27	Funding Source
	Carry Forward	Approved Budget	Changes	Total Budget	Indicative	Indicative	Indicative	Indicative	
Fire Risk Assessment Remedial Works	531,000	130,000		661,000	87,000	87,000	87,000	87,000	Revenue & Reserves
Total Compliance	531,000	130,000	-	661,000	87,000	87,000	87,000	87,000	
Major Aids and Adaptations									
Major Aids and Adaptations		300,000		300,000	300,000	300,000	300,000	300,000	Revenue & Reserves
Total Major Aids and Adaptations	-	300,000	-	300,000	300,000	300,000	300,000	300,000	
Zero Carbon Programmme									
Zero Carbon		4,100,000		4,100,000	4,100,000	4,100,000	4,100,000	4,100,000	Revenue, Reserves & Grants
Total Zero Carbon Programmme	-	4,100,000	-	4,100,000	4,100,000	4,100,000	4,100,000	4,100,000	

	2021/22	2022/23	2022/23	2022/23	2023/24	2024/25	2025/26	2026/27	Funding Source
	Carry Forward	Approved Budget	Changes	Total Budget	Indicative	Indicative	Indicative	Indicative	
Supported Housing Programme									
Speech Module	230,000	30,000		260,000					Revenue & Reserves
Electrical upgrades		200,000		200,000					
Large Roof Replacement		300,000		300,000					
Sheltered Housing Improvements	50,000	600,000		650,000					
Total Supported Housing Programme	280,000	1,130,000	-	1,410,000	-	-	-	-	
Active Housing Managment									
Capital Works - Voids	144,000	350,000		494,000	350,000	350,000	350,000	350,000	Revenue & Reserves
Total Active Housing Managment	144,000	350,000	-	494,000	350,000	350,000	350,000	350,000	
Capital Salaries									
Capital Salaries		844,830		844,830	844,830	844,830	844,830	844,830	Revenue & Reserves
Total Capital Salaries	-	844,830	-	844,830	844,830	844,830	844,830	844,830	
TOTAL HRA CAPITAL PROGRAMME	9,467,651	15,029,341	-	23,028,692	15,515,667	12,236,028	12,212,669	12,288,473	

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 6 SEPTEMBER 2022



Title of Report	ANNUAL SCRUTINY REPORT 2021/22	
Presented by	Councillor Robert Ashman Deputy Leader	
Background Papers	Minutes of the meetings of the Corporate Scrutiny Committee on 8 June and the Community Scrutiny Committee on 29 June 2022	Public Report: Yes
Financial Implications	None identified for 2021/22. Costs depend on whether any outsourcing is required when undertaking Task and Finish work.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	None identified	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	Resources are referred to in the body of the report but there are no major staffing or corporate implications.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	It was requested as part of the improvements to the scrutiny processes that an annual report be presented to Council setting out the work of the Scrutiny Committee over the preceding twelve-month period.	
Recommendations	THAT THE ANNUAL SCRUTINY REPORT BE RECEIVED AND NOTED.	

1.0 BACKGROUND

- 1.1 A corporate peer review which was undertaken in 2019 prompted the establishment of a Cross Party Scrutiny Working Group which was tasked with looking at improving the scrutiny process. The Working Group recommended a number of actions, one of which was that an annual report be submitted to Council which sets out the work of both the Scrutiny Committees over the preceding twelve-month period.
- 1.2 The Annual Scrutiny report for 2021/22 is attached at Appendix 1.
- 1.3 Both the Community Scrutiny Committee and the Corporate Scrutiny Committee have been given the opportunity of making comment and suggesting changes to the report before being reported to Council.
- 1.4 Both Committees welcomed the report with members advising that they were pleased to receive a clear report on what scrutiny was achieving; and the commencement of the Scrutiny Work Programming Group was acknowledged. It was felt that the scrutiny function was now moving in the right direction.

Policies and other considerations, as appropriate	
Council Priorities:	All
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	No issues identified
Customer Impact:	No issues identified
Economic and Social Impact:	No issues identified
Environment and Climate Change:	No issues identified
Consultation/Community/Tenant Engagement:	This report was considered by both the Corporate and Community Scrutiny Committee before being submitted to Council.
Risks:	No issues identified
Officer Contact	<p>Andy Barton Strategic Director of Housing & Customer Services Andy.barton@nwleicestershire.gov.uk</p> <p>James Arnold Strategic Director of Place James.arnold@nwleicestershire.gov.uk</p>



North West Leicestershire District Council

SCRUTINY ANNUAL REPORT 2021-2022

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1. Foreword

“As the Chairs of the Community and the Corporate Scrutiny Committees, we are pleased to present this Annual Report for the 2021/22 municipal year. This report provides a summary of the work undertaken by both Committees during this period and provides an opportunity to reflect on this work. Whilst the past year has been another challenging period for the Council due to the ongoing covid pandemic, we feel that both Committees continued to constructively play their part in terms of scrutinising performance and contributing to key council policies and decisions.

We look forward to working with the new Chief Executive and will continue to work closely with the Council’s senior managers and staff to ensure that it is a productive year ahead; and we would like to offer our thanks and appreciation to the officers and Members who support both the Committees”.



Councillor Russell Boam
Chairman, Corporate Scrutiny Committee



Councillor Jim Hoults
Chairman, Community Scrutiny Committee

2. Membership

Corporate Scrutiny Committee

Councillor Russell Boam (Chairman)
Councillor B Harrison-Rushton (Deputy Chair)
Councillor Elliott Allman
Councillor Dave Bigby
Councillor Alexander Bridgen
Councillor Gill Hoults
Councillor Tony Saffell
Councillor Sean Sheahan
Councillor Nigel Smith
Councillor Michael Wyatt
Councillor Carl Benfield (Substitute)
Councillor David Everitt (Substitute)
Councillor Marie French (Substitute)
Councillor Stuart Gillard (Substitute)
Councillor Russell Johnson (Substitute)
Councillor Virge Richichi (Substitute)
Councillor John Bridges (Substitute)
Councillor Rachel Canny (Substitute)
Councillor Dr Terri Eynon (Substitute)
Councillor Louise Gillard (Substitute)
Councillor Dan Harrison (Substitute)
Councillor Michael Hay (Substitute)
Councillor Jenny Simmons (Substitute)
Councillor Jake Windram (Substitute)

Community Scrutiny Committee

Councillor Jim Hoults (Chairman)
Councillor Ray Morris (Deputy Chairman)
Councillor Carl Benfield
Councillor Alexander Bridgen
Councillor Dr Terri Eynon
Councillor John Geary
Councillor Michael Hay
Councillor Gill Hoults
Councillor Jenny Simmons
Councillor Michael Wyatt
Councillor Dave Bigby (Substitute)
Councillor Angela Black (Substitute)
Councillor John Clarke (Substitute)
Councillor Tony Saffell (Substitute)
Councillor Carol Sewell (Substitute)
Councillor Rachel Canny (Substitute)
Councillor Marie French (Substitute)
Councillor Louise Gillard (Substitute)
Councillor Stuart Gillard (Substitute)
Councillor John Legrys (Substitute)
Councillor Sean Sheahan (Substitute)

3. Introduction

North West Leicestershire District Council adopts the Cabinet system to operate its decision making and there are two Scrutiny Committees comprising non-Cabinet members – the Corporate Scrutiny Committee and the Community Scrutiny Committee. Below is a non-exhaustive list of their respective areas of responsibility. Each Committee may receive reports and comment on matters of policy or items of business of a reasonably similar nature to those listed.

Corporate Scrutiny Committee

Asset Management
Estates and property
Review of Constitution
Communications
Customer Services
Finance
Human Resources
Equalities
ICT
Legal Services
Revenue and Benefits
Shared Services

Community Scrutiny Committee

Business/Economy
Planning and Building Control
Tourism
Partnerships
Community Safety
Leisure
Health and Wellbeing
Waste Services
Stronger Safer Communities
Environmental Health
Licensing
Environmental Protection
Statutory crime and disorder committee
Strategic Housing – Housing Strategy
Housing Management
Economic Development
Regeneration

Scrutiny is central to the Council's decision-making process and has two main roles.

- (1) The development and review of policies for a wide range of subjects and services.
- (2) The critical examination of the Council's performance and effectiveness of its decisions.

The Scrutiny Committees look into areas of local concern; they recommend improvements the Council can make to ensure quality of life is improved for all. The main tasks of the Committees are:

- **Performance Monitoring** – The Council has to meet corporate priorities set out in the Council Delivery Plan and report against those indicators. Scrutiny can examine any aspect of the Council's performance, including services that it delivers through partnerships with other organisations.
- **Holding the Cabinet to Account** - Decisions made by the Cabinet but not yet put into practice can be reviewed by the Scrutiny Committees and challenged.
- **Policy review and development** - Scrutiny can propose new policies or review existing policies and recommend changes to the Cabinet.
- **External Scrutiny** - Any issue directly affecting the residents of North West Leicestershire can be scrutinised by the Committees, including services provided by another organisation.

It is through demonstrating the value and impact that effective scrutiny can have in supporting councils and other organisations to deliver better, more cost-effective services, that scrutiny is a valued element of local democracy.

4. The Committee's Resources

Support to the Committees is provided by the two Strategic Directors who offer sound and practical advice on subject matters and help the Committees manage their respective work programmes with regular dialogue with the Chairmen of the two Scrutiny Committees.

Administrative support is provided by Democratic Services under the direction of the Democratic Services Team Manager.

Legal advice is provided by Legal Services under the direction of the Monitoring Officer.

The Centre for Governance and Scrutiny (CfGS) is regarded as a focal reference point for professional advice and training; and East Midlands Councils has offered support, as required, to assist with Task and Finish Groups.

The Committee does not have its own dedicated budget and its work is funded from the Democratic Services budget.

5. The Work of Scrutiny

Scrutiny work is Councillor led. In addition to Councillors leading on which subjects they wish to consider in depth through Task and Finish Groups, they also set their own work programme which is populated with topics selected from the Cabinet's Forward Plan, matters relating to the Council's priorities and challenges, and issues of importance to local residents.

Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be addressed through the appropriate service unit, Ward Councillor, or the Portfolio Holder responsible for the issue.

Scrutiny does not deal with individual complaints as these should be addressed through the Council's Complaints Procedure.

The Council's Constitution sets out the rights of Scrutiny Committee Members to 'call in' a Cabinet decision if they feel it has not been made in accordance with decision-making principles set out in Article 12 of the Constitution. The Monitoring Officer is able to support and advise any members wishing to call in an item.

The 'call in' procedure may result in the convening of a special meeting to consider the matter unless the next programmed meeting falls within the deadlines set in the Council's Constitution. The 'call in' process has not been initiated during the past 12 months.

6. Scrutiny Cross- Party Working Group

A Cross-Party Working Group was established in 2020 to deliver the outcomes of the corporate peer review. Whilst the Cross Party Working Group is not be a decision-making body, the group is tasked with:

- Monitoring the progress of the project against the agreed action plan.
- Acting as 'critical friends' providing feedback and comments throughout the project.
- Acting as 'champions' for the successful delivery of the project within their respective groups by ensuring that the progress of the project was regularly reported back to all group members.
- Making recommendations to appropriate decision-making bodies based on the consensus of the Group.

Its membership comprises

- Councillor Robert Ashman, Deputy Leader
- Councillor Dan Harrison, Conservative
- Councillor Nigel Smith, Conservative
- Councillor Terri Eynon, Labour
- Councillor Sean Sheahan, Labour
- Councillor Tony Saffell, Independent

At its meeting on 26 October 2021, the Scrutiny Cross Party Working Group made a recommendation to establish a Scrutiny Work Programming Group to include the Chairs of the Scrutiny Committees, the Directors and members of the opposition. This recommendation was agreed by both the Corporate Scrutiny Committee and the Community Scrutiny Committee at the meetings held on 5 January and 9 February 2022 respectively.

7. The Scrutiny Work Programming Group

The Terms of Reference are as follows:-

Lead Officers	Strategic Directors
Terms of Reference	<ul style="list-style-type: none"> • Consider requests for inclusion on the work programmes of each Scrutiny Committee; • Consider whether there are other ways of receiving information; • Consult with members of Scrutiny Committees, Senior Officers, Cabinet Members for horizon scanning on policy development; • Look at the corporate priorities, Council Delivery Plan and Cabinet Forward plan and identify key issues/topics for investigation/inquiry • Consider events and decisions in the Council's calendar which could require an input/consultation via Scrutiny • Review any follow up work required after previous scrutiny
Membership	Membership to comprise the chairs of the two scrutiny committees and an opposition scrutiny committee member from each group.
Meetings	The Work Programming Group will meet approximately every 2 months (6 meetings a year)

It was agreed that Scrutiny Work Programming Group would run for a year. This would allow time to determine whether a more formal arrangement, such as a Scrutiny Commission, would likely be an effective addition to the process.

8. Scrutiny Principles

The following principles-based approach for identifying and managing the scrutiny work plan have been agreed.

Identify Issues for consideration by Scrutiny

- Consulting with members of Scrutiny Committees, senior officers, Cabinet members – horizon scanning on policy development
- Looking at the corporate priorities, Council Delivery Plan and Cabinet Forward plan – identify key issues/topics for investigation/inquiry
- Considering events and decisions in the Council's calendar which could require an input/consultation via scrutiny – eg budget setting, CDP development
- Considering requests from members – eg via another forum or scoping report submitted
- Evaluating the Council's performance – eg quarterly reports, end of year reports, reviewing success of a particular scheme or initiative
- Reviewing any follow up work required after previous scrutiny work

Prioritise the potential list of scrutiny topics based on factors including

- the resources required to deliver it (from members, offices and financially)
- the value and level of impact which could be achieved
- link to the council's priorities
- whether it is a regular recurring item which requires consideration before Cabinet/Council approval
- consideration of the guidance for selecting scrutiny topics

Scope and plan

- Decide which scrutiny topics/work will be done each year
- Add to the work programme for each year to ensure manageable agendas for each meeting
- Consider allowing some scrutiny time for ad hoc requests which arise mid-year
- Ensure that items on the work programme are clearly scoped, with clear objectives for the committee and officers (use scoping form where possible)

Recommend (if appropriate) based on the following

- Being specific about the recommendations
- Ensure that they are evidence based and realistic
- Focus on measurable outcomes (where appropriate)
- Address a specific person or group
- Be realistic about any financing requirements
- Develop in partnership with the executive, council officers and partners

Respond – Cabinet should respond to recommendations made by Scrutiny within 2 months. The response should be:

- A commitment to deliver the measure within the timescale set out
- A commitment to be held to account on that delivery in 6 months or year's time
- Where it is not proposed that a recommendation be accepted, the provision of substantive reasons as to why not
- Can be given by way of Cabinet report/meeting considering the recommendations

Review and evaluate

- Regularly review progress and evaluate outcomes eg at Directors/Chairs meetings
- Produce an annual report which demonstrates the work the Committees have done and their impact

Topics are suitable for Scrutiny when	Topics are not suitable for Scrutiny when
Scrutiny could have an impact and add value	The issue is already being addressed elsewhere and change is imminent
The topic is of high local importance and reflects the concerns of local people	The topic would be better addressed elsewhere (and will be referred there)
The resources are available that would be required to conduct the review – staff and budget	Scrutiny involvement would have limited or no impact on outcomes
It avoids duplication of work elsewhere	The topic would be sub-judice or prejudicial to the council's interests
The issue is one that the committee can realistically influence	The topic is too broad to make a review realistic
The issue is related to an area where the council or one of its partners is not performing well	New legislation or guidance relating to the topic is expected in the next year

9. The Scrutiny Year

Over the 12 meetings which the Scrutiny Committees held during 2021-22, several different topics were scrutinised, as shown in the table below:

Item	Considered by	Action of the Committee	Outcome
Community Grants Annual Report	Community Scrutiny Committee on 19 May 2020	Listened to representatives from the Citizens Advice Bureau and Age UK and asked questions around the content and criteria.	Helped shape the format of future reports and gain a better understanding of the grant criteria.
Zero Carbon	Corporate Scrutiny Committee on 9 June 2021	Received an update on the progress made so far on the Council's zero carbon aims and raised a number of questions and issues for Cabinet to consider.	Urged Local Plan Committee to seriously consider what could be done to impose good targets for the Carbon Footprint on new houses built in the district.
Corporate Accommodation	Corporate Scrutiny Committee on 9 June 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Gained a better understanding of the issues regarding the accommodation and sought assurances that customer services would not be adversely affected.
Community Hub	Corporate Scrutiny Committee on 9 June 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Gave examples of where improvements could be made to the customer experience.
Council Delivery Plan Review	Corporate Scrutiny Committee on 9 June 2021	Considered the draft Plan and asked questions around the content and format.	Helped shape the format and content of future reports.
Disposal of Land Holding	Community Scrutiny Committee on 22 July 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Cabinet considered the issues raised as part of this confidential report before making its final decision

Marlborough Centre	Community Scrutiny Committee on 22 July 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Cabinet considered the issues raised as part of this confidential report before making its final decision
Fleet Management Strategy	Corporate Scrutiny Committee on 1 September 2021	Commented on the proposals which included the purchase of electric vehicles to replace diesel; the options for replacement diesel; and the future potential location of the Waste and Parks depots.	Helped to gain an understanding of hydrogen technology; the costs associated with electric charging and the lifecycle of a battery.
Special Expenses Policy	Corporate Scrutiny Committee on 1 September 2021	Commented on the draft policy which aimed to formalise the Council's current position on special expenses.	Supported the views of the Coalville Special Expenses Working Party
Recovery of Leisure Centres	Corporate Scrutiny Committee on 1 September 2021	Received a presentation on the recovery of the leisure centres during the Covid-19 pandemic.	Gained an understanding of the issues faced by the Leisure Centres during the pandemic.
Draft Housing Strategy	Community Scrutiny Committee on 26 October 2021	Commented on the draft strategy	Helped to understand how information was gathered to inform the future needs of housing and asked that Right to Buy, being the most affordable way of getting on the housing ladder be included in the Strategy.
Medium Term Financial Plan	Corporate Scrutiny Committee on 10 November 2021	Noted the changes to assumptions that drive the MTFP and questioned some of the thinking behind it.	The Committee now has a better understanding of the issues which drive the MTFP.
Shop Front Scheme	Community Scrutiny Committee on 24 November 2021	Considered the proposals and submitted a number of questions and issues	Requested that all businesses be encouraged to take pride in the whole unit, not just the initial shop front.
Zero Litter Strategy	Community Scrutiny Committee on 24 November 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Sought assurances that the provision of more cameras would be a priority. Asked that the Government be lobbied on the promised litter picking incentives and deposit scheme.

NWLDC Cycling and Walking Strategy	Community Scrutiny Committee on 24 November 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Sought a more user-friendly document with more ambition and with speedier action. As a result, officers agreed to look at clarifying several details within the strategy including population and housing numbers, confidence levels, HS2, PCT assumptions and other ambitious figures presented.
Budget Proposals 2022/23	Corporate Scrutiny Committee on 8 December 2021 and 5 January 2022	Commented on the budgetary proposals to be taken forward as part of the developing 2022/23 budget.	Comments were considered by Cabinet and Council when formulating and agreeing the budget.
Customer Services Strategy	Corporate Scrutiny Committee on 8 December 2021	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Sought assurances that the systems used for self-serve were accessible on all user platforms so as not to put obstacles in people's way that could deter them from using the service.
NWL Visitor Economy Plan	Corporate Scrutiny Committee on 5 January 2022	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision and its opposition to the closing of Ashby Tourist Information Centre	Asked that more work be done on attracting tourists to the area.
Flood Management in NWL	Community Scrutiny Committee on 9 February 2022	Received a presentation and made a number of comments.	Gained a better understanding of flood management in the district and suggested an annual report.
Empty Homes Policy	Community Scrutiny Committee on 9 February 2022	Commented on the draft policy.	Suggested that the service could revisit a Council run grant scheme to help get homes in use again
Economic Growth Plan	Community Scrutiny Committee on 9 February 2022	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Encouraged more work to be done around climate challenges and engagement with developers about the efficiencies of their buildings from the outset and then work with existing employers to see how they could improve the efficiency of their sites and premises.

Marlborough Square Public Realm	Community Scrutiny Committee on 9 February 2022	Considered the proposals and submitted a number of questions and issues for Cabinet to consider ahead of its final decision	Officers reflected on the comments made in respect of making the area more pedestrian.
Housing Asset Management Plan	Corporate Scrutiny Committee on 9 March 2022	Commented on the draft plan.	Ensured that the Plan was changed to make reference to the installation of electric vehicle charging points in council housing areas.
Coalville Regeneration Framework	Community Scrutiny 6 April 2022	Provided comments and observations to inform the final version.	The Committee asserted its hopes that by the year 2035, all of the authority's licenced taxis would be electric in order to comply with Zero Carbon objectives.

10. Task and Finish Groups

The Scrutiny Committees can set up special working parties called Task and Finish Groups when they need to undertake a detailed, in-depth investigation into a particular issue. The work is undertaken by a small group of councillors appointed from the membership of the Scrutiny Committee.

During 2020/21 Scrutiny Members established the following Task and Finish Group: -

Housing Strategy

The Group was tasked with looking at if and how NWLDC can influence an increase in the supply of affordable housing in the district and was asked to make recommendations to Cabinet to this effect.

The membership was: -

- Cllr E Allman
- Cllr T Eynon
- Cllr K Merrie
- Cllr S Sheahan
- Cllr N Smith
- Cllr M Wyatt

The Group held four meetings between the period of 14 April 2021 and 18 August 2021 and considered a range of reports and presentations as part of their work to review the targets for affordable housing provision in the district.

The concluding report to the Task and Finish Group was used at the Group's final meeting on 18 August 2021 to inform the debate which resulted in the Group's final recommendations being agreed by the Community Scrutiny Committee at its meeting on 26 October 2021 and subsequently supported, subject to an amendment, by Cabinet at its meeting on 9 November 2021.

11. Looking Ahead to 2022-2023

The year ahead will see the Corporate Scrutiny Committees being chaired by a different member and we therefore welcome Councillor Nigel Smith.

The Scrutiny Committees will continue to grow and develop in their role of holding the authority's decision makers to account. The key priority for the year ahead will be the establishment of the Scrutiny Work Programming Group which could act as a pre-cursor for the establishment of a Scrutiny Commission, subject to its success or otherwise. This will be against a backdrop of a change in leadership with the introduction of a new Chief Executive.

12. Members' Attendance Record

Corporate Scrutiny Committee

Attendance	9 June 2021	1 Sept 2021	10 Nov 2021	8 Dec 2021	5 Jan 2022	9 Mar 2022	%
Russell Boam	Y	Y	Y	N	Y	Y	83%
Bertie Harrison-Rushton	N	N	Y	N	N	N	17%
Elliott Allman	Y	Y	N	Y	N	N	50%
Dave Bigby	Y	Y	Y	Y	Y	Y	100%
Alexander Bridgen	Y	Y	Y	Y	Y	N	83%
Gill Hoult	Y	Y	Y	Y	Y	Y	100%
Tony Saffell	N	Y	Y	Y	Y	N	67%
Sean Sheahan	Y	Y	Y	Y	Y	Y	100%
Nigel Smith	Y	N	Y	N	Y	N	50%
Michael Wyatt	N	N	Y	Y	N	Y	50%

Community Scrutiny Committee

Attendance	19 May 2021	22 Jul 2021	26 Oct 2021	24 Nov 2021	9 Feb 2022	6 April 2022	%
Jim Hoult	Y	N	Y	Y	Y	Y	83%
Ray Morris **	N/A	N/A	Y	Y	Y	N	75%
Carl Benfield	N	Y	Y	Y	Y	N	67%
Alexander Bridgen	Y	N	N	Y	N	N	33%
Dr Terri Eynon	Y	Y	Y	Y	Y	Y	100%
John Geary	Y	Y	Y	Y	Y	Y	100%
Michael Hay	Y	Y	Y	Y	Y	Y	100%
Gill Hoult	Y	N	Y	Y	Y	N	67%
Jenny Simmons	Y	Y	Y	Y	Y	Y	100%
Michael Wyatt	N	Y	Y	N	Y	Y	67%

** Appointed to the Committee on 7 September 2021

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