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| | |
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| Meeting | CABINET |
| Time/Day/Date | 5.00 pm on Tuesday, 23 July 2024 |
| Location | Abbey Room, Stenson House, London Road, Coalville, LE67 3FN |
| Officer to contact | Democratic Services (01530 454512) |

AGENDA

| Item | Pages |
|---|----------------|
| 1. APOLOGIES FOR ABSENCE | |
| 2. DECLARATION OF INTERESTS | |
| Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest. | |
| 3. PUBLIC QUESTION AND ANSWER SESSION | |
| 4. MINUTES | |
| To confirm the minutes of the meeting held on 25 June 2024 | 3 - 6 |
| 5. PUBLIC SPACES PROTECTION ORDERS - CAR CRUISE | |
| The report of the Strategic Director of Communities Presented by the Communities and Climate Change Portfolio Holder | 7 - 24 |
| 6. COUNCIL DELIVERY PLAN - PERFORMANCE REPORT - QUARTER 1 2024/25 | |
| The report of the Chief Executive Presented by the Infrastructure Portfolio Holder | 25 - 42 |
| 7. PROTECTED CHARACTERISTICS FOR CARE LEAVERS | |
| The report of the Chief Executive Presented by the Infrastructure Portfolio Holder | 43 - 48 |

8. EXCLUSION OF PRESS AND PUBLIC

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

9. FACILITIES MANAGEMENT SYSTEM

The report of the Strategic Director of Place
Presented by the Housing, Property and Customer Services Portfolio Holder

49 - 58

10. ACQUISITIONS AND DISPOSALS

The report of the Strategic Director of Resources
Presented by the Housing, Property and Customer Services Portfolio Holder

59 - 64

Circulation:

Councillor R Blunt (Chair)
Councillor M B Wyatt (Deputy Chair)
Councillor T Gillard
Councillor K Merrie MBE
Councillor N J Rushton
Councillor A C Saffell
Councillor A C Woodman

MINUTES of a meeting of the CABINET held in the Abbey Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 25 JUNE 2024

Present: Councillor R Blunt (Chair)

Councillors M B Wyatt, A C Saffell and A C Woodman

In Attendance: Councillors J Legrys

Officers: Mrs A Thomas, Mr J Arnold, Miss E Warhurst, Mr P Stone, Mr T Devonshire and Mr P Wheatley

6. APOLOGIES FOR ABSENCE

Apologies were received from Councillor T Gillard, K Merrie and N Rushton.

7. DECLARATION OF INTERESTS

There were no interests declared.

8. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

9. MINUTES

The minutes of the meeting held on 21 May 2024 were considered.

It was moved by Councillor T Saffell, seconded by Councillor M Wyatt and

RESOLVED THAT:

The minutes of the meeting held on 21 May 2024 be confirmed as an accurate record of proceedings.

10. TRANSFORMATION DELIVERY PLAN

The Leader of the Council presented the report.

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

RESOLVED THAT:

1. The Transformation Delivery Plan be noted and approved.
2. The overall approach to transformation over the medium term to ensure the Council is financially sustainable be noted.
3. The projects identified for delivery in 2024/25 be noted.

Reason for decision: To enable Cabinet to consider the Transformation Delivery Plan and arrangements for Cabinet oversight of the Plan.

11. PRODUCTIVITY PLAN

The Leader of the Council presented the report. In addition, he addressed an email from an opposition Member received that afternoon, advising that the approach of the Council to the Productivity Plan was very similar to other local authorities in Leicestershire on content and member engagement, and that it was a requirement of Central Government

for the Council to produce one by 19 July 2024. Officers had tried to provide the information requested by the opposition Member, for the meeting, but given the time available this had not been possible. The Leader of the Council offered to work with the Director of Resources on a response to address the concerns raised and this would be provided after the meeting.

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

RESOLVED THAT:

1. The details of the Government's requirement to produce a productivity plan, as set out in Appendix one, be noted.
2. The Council's Productivity Plan, as set out in Appendix two, be noted.

Reason for decision: to ensure that the Council is complying with the Government's requirement to publish and submit a Productivity Plan by the deadline of 19 July 2024.

12. FREEPORT BUSINESS RATES RELIEF

The Leader of the Council presented the report.

A Member was supportive but said that he would ask further questions on the details of the project as it progressed.

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

RESOLVED THAT:

Subject to Council approving joining the EMF Company, Cabinet approves the Council's East Midlands Freeport Business Rates Relief Policy and delegates authority to the Strategic Director of Resources/S151 Officer to finalise the document.

Reason for decision: as part of the formal creation of the East Midlands Freeport the Council is required to have in place a Business Rates Relief Policy for eligible organisations outlining the eligibility criteria, operation and delivery of Business Rates Relief for East Midlands Freeport Tax Sites.

13. ENVIRONMENTAL HEALTH - FOOD SAFETY SERVICE DELIVERY PLAN 2024/5

The Communities and Climate Change Portfolio Holder presented the report.

A couple of Members commended the work done by Officers.

It was moved by Councillor M Wyatt, seconded by Councillor A Woodman and

RESOLVED THAT:

1. The Environmental Health Food Safety Service Delivery Plan 2024/25, as set out at Appendix 1, be approved.
2. The performance and achievements in 2023/24 be noted.

Reason for decision: to approve the content of the Food Safety Service Delivery Plan 2024/25 as required by the Food Standards Agency.

14. CORPORATE COMPLAINTS

The Housing, Property and Customer Services Portfolio Holder presented the report.

The Chair stressed the importance of Corporate Complaints and asked the Portfolio Holder how he would measure success in this area moving forwards.

The Portfolio Holder said that his key target would be for a decrease in the number of Ombudsman complaints which had been upheld to below a 50% upheld rate. A lot of money was also being invested in the Housing Service, which was the source of a significant percentage of complaints received.

It was moved by Councillor A Woodman, seconded by Councillor M Wyatt and

RESOLVED THAT:

1. The comments made by the Corporate Scrutiny Committee on 23 May 2024 be noted.
2. The details of the Annual Report 2023/24 be noted.
3. The Self-Assessment at Appendix 1 be reviewed and it be confirmed that Cabinet is in agreement that the Council is compliant.

Reason for decision: the Housing Ombudsman's Complaints Code requires the Council to report on complaints annually to the governing body.

15. SUPPLEMENTARY ESTIMATES, VIREMENTS AND CAPITAL APPROVALS

The Leader of the Council presented the report.

The Strategic Director of Resources advised the Cabinet on the technical details contained within the report and how they related to the Council's constitution. The majority of funding in reports related to grants received since the budget was set in February, though some would require additional funding from reserves.

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

RESOLVED THAT:

1. The decision made by the Head of Service and Section 151 Officer in respect of Supplementary Estimates detailed on Appendix 2 which are below £100k and are externally funded, be noted
2. The Supplementary Estimates detailed on Appendix 2 which are between £100k and £250k and are externally funded, be approved.
3. The Supplementary Estimates detailed on Appendix 2 which are above £250k and are externally funded, be recommended to Council for approval.
4. All Supplementary Estimates detailed on Appendix 2 which are Council funded, be approved.
5. The movement from the Development Pool to the Active Programme for the capital schemes detailed in Table 2 be approved.

Reason for decision: as required by the Council's Constitution.

16. EXCLUSION OF PRESS AND PUBLIC

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

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public

be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

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

17. HOUSING CONTRACTS

The Housing, Property and Customer Services Portfolio Holder presented the report.

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

RESOLVED THAT:

The recommendations contained within the report be approved.

Reason for decision: to comply with the Council's Contract Procedure Rules.

18. WHITWICK COURTYARD ROOF REPAIRS

The Housing, Property and Customer Services Portfolio Holder presented the report.

It was moved by Councillor A Woodman, seconded by Councillor T Saffell and

RESOLVED THAT:

The recommendations contained within the report be approved.

Reason for decision: To meet landlord obligations and to ensure that the premises can continue to be let to businesses.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.20 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 23 JULY 2024



| | | |
|--|--|---------------------------|
| Title of Report | PUBLIC SPACES PROTECTION ORDER (PSPO) - CAR CRUISERS | |
| Presented by | Councillor Michael Wyatt Community Services PH Briefed <input checked="" type="checkbox"/> | |
| Background Papers | <u>Anti-Social Behaviour, Crime and Policing Act 2014</u> | Public Report: Yes |
| | | Key Decision: No |
| Financial Implications | Officers will adopt the enforcement powers and administrative duties into their day to day working practices. Additional camera and signage to be funded from existing budget allocation. | |
| | Signed off by the Section 151 Officer: Yes | |
| Legal Implications | S.59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) allows Local Authorities to make Public Spaces Protection Orders (PSPOs) to address anti-social behaviour in a public place. The creation of PSPOs is not reserved to Council under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and therefore it is an executive function, which means that Cabinet is the appropriate body to consider this matter. Once made, the PSPO is enforceable by way of a Fixed Penalty Notice for first offences or for second offences and/or non-payment of FPNs, by way of prosecution. Enforcement decisions will be made in accordance with the Council's General Enforcement Policy. | |
| | Signed off by the Monitoring Officer: Yes | |
| Staffing and Corporate Implications | The PSPO will be managed within existing resources, in line with the Council's current enforcement policies. | |
| | Signed off by the Head of Paid Service: Yes | |
| Purpose of Report | To obtain member approval for a PSPO lasting for three years, to prevent car cruising in the Castle Donington areas as shown on the map detailed within Appendix 1. | |

| | |
|----------------------------|---|
| Reason for Decision | The affected areas have suffered significant nuisance from vehicles and people engaged in car cruising activities during the last eight years. An order will help to control anti-social behaviour caused by car cruising and associated activities which has a detrimental effect on the quality of life of those in the locality. |
| Recommendations | <p>THAT CABINET:</p> <p>1) APPROVES THE INTRODUCTION OF THE PUBLIC SPACES PROTECTION ORDER AS SET OUT WITHIN APPENDIX 1.</p> <p>2) DELEGATES AUTHORITY TO THE DIRECTOR OF COMMUNITIES TO VARY THE ORDER OR DISCHARGE THE ORDER AT ANY POINT DURING THE THREE YEAR PERIOD OF THE ORDER.</p> <p>3) APPROVES THE FINANCIAL LEVEL OF FIXED PENALTIES ISSUED BY THE COUNCIL FOR FAILING TO COMPLY WITH PSPO ORDERS AT £100, PAYABLE WITHIN 14 DAYS OF THE SERVICE OF THE FIXED PENALTY NOTICE, WITH NO OPTION FOR REDUCED RATE FOR EARLY REPAYMENT</p> <p>4) DELEGATES AUTHORITY TO THE DIRECTOR OF COMMUNITIES IN CONSULTATION WITH THE SECTION 151 OFFICER TO AMEND THE FINANCIAL LEVEL OF THE FIXED PENALTY FOR FAILING TO COMPLY WITH A PSPO.</p> |

1.0 BACKGROUND

1.1 Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) allows Local Authorities to make Public Spaces Protection Orders (PSPO) to address anti-social behaviour in a public place.

1.2 These orders allow local authorities to put controls in public places within the authority’s area if satisfied, on reasonable grounds that two conditions are met:

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

- 1.3 The Castle Donington relief road, which opened in 2020 supported industrial traffic bypassing the village of Castle Donington. It also supported the large industrial units created at Arundel Avenue including the large distribution centre of Marks and Spencer.
- 1.4 Since the creation of the relief road, there has been regular large and publicised (on social media sites) meetings of car enthusiasts who use this location to meet in the evenings and race along the new road from the main A50 roundabout. The events predominantly take place on Sunday evenings, however, this is variable. During 2024 reports of car cruises have been received on an almost weekly basis and as such the behaviour is persistent.
- 1.5 There have been identified anywhere between 10 and 100 vehicles at any one time within this location and around double the number of spectators due to many people travelling in vehicles together.
- 1.6 This behaviour causes a list of issues that have fallen to the Council and the police to manage. Including but not exclusively:
- Noise disturbances from loud engines and racing and from music from the vehicles.
 - Littering and damage to the roads and street furniture.
 - Blocking of public roads to race which has caused disruption to HGV's being able to access the business premises.
 - Dangerous driving and risk to other road users and members of the public using this area for its intended purposes.
- 1.7 Leicestershire Police has carried out numerous operations at this location and has been successful in issuing several fixed penalty notices under the Covid related legislation. However, this method is not deemed to be a sustainable or cost-effective solution.
- 1.8 In 2021, Cabinet granted a PSPO relating to car cruising activity within a defined area of Castle Donington. The order has had a positive impact on road safety and local communities. The PSPO ended on 14 June 2024. The defined area was smaller than the proposed PSPO which would apply to the whole of Castle Donington.
- 1.9 Since April 2024, car cruising reports to the police and public complaints have risen around the Castle Donington area, specifically Arundel Avenue and Diseworth Road.
- 1.10 Leicestershire Police continues to monitor compliance and collate evidence. The Community Safety team has issued warning letters and advice letters in relation to the previous PSPO.
- 1.11 Given the number and frequency of reports received relating to car cruising and the negative impact the behaviours are having on the community, it is considered reasonable to introduce a PSPO.

2.0 PROPOSED ORDER

2.1 A PSPO order allows for the Council to:

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

The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order:

- (a) to prevent the detrimental effect referred to in subsection (2) (see paragraph 1.2 above) from continuing, occurring or recurring, or
- (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence, or recurrence.

2.2 Given that car cruising incidents continue to occur, it is proposed to introduce a further PSPO. The extent of this is detailed at Appendix 1. The activities covered by the proposed PSPO are:

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

2.3 The area covered by the PSPO is detailed within the map at Appendix 1.

2.4 Once the PSPO is approved it will come into effect immediately. The order must be advertised on the Councils website and in prominent places within the designated area.

2.5 The order may not have effect for a period of more than three years, unless extended under section 60(2) of the Act. Before the time when the PSPO is due to expire the Council may extend the period for which it takes effect if it is satisfied there are reasonable grounds to do so. Any extension of the PSPO will be brought back before Cabinet in the same manner.

2.6 The Council has the power to vary the PSPO should it wish to either increase or reduce the restricted areas or by altering or removing a prohibition or by adding a new one. The PSPO may also be discharged by the Council at any point during the period or at the end of the PSPO if the grounds for making the PSPO no longer exist. It is recommended that delegation be given to the Director of Communities to vary or discharge the PSPO.

2.7 The Council has the power to amend the financial level of the fixed penalty. It is recommended that delegation be given to the Director of Communities in consultation with the Section 151 officer to amend the level of the fixed penalty.

3.0 ENFORCEMENT

- 3.1 The majority of patrols and monitoring will be carried out by Leicestershire Police, however, an Automatic Number Plate Recognition (ANPR) camera and Close-Circuit television (CCTV) camera funded and monitored by the Council has been installed which will mean the PSPO can be enforced without the physical presence of an officer.
- 3.2 The proposed PSPO will be enforced predominantly by use of warning letters and fixed penalty notices (FPNs) where someone is found to be in breach of the PSPO. However, the Council may decide to prosecute breaches or non-payment of a FPN. Cases will be considered in line with the Council's General Enforcement Policy..

4.0 CONSULTATION

- 4.1 The Act requires the Council to publish the proposal on its website and consult with the following:
- Chief Constable of Leicestershire Police
 - The Police and Crime Commissioner for Leicestershire
 - Whatever community representatives the Local Authority considers appropriate
 - The owner or occupier of the land within the restricted area
- 4.2 A public consultation process commenced on 3 May 2024 and ended on 1 June 2024. The consultation was posted on the Council's website. In addition, a targeted consultation was carried out contacting Leicestershire Police, the Office of the Police and Crime Commissioner for Leicestershire and Castle Donington Parish Council.
- 4.3 The consultation response was positive with 78 responses received in total. 91% of respondents said that they support the proposal to implement a PSPO to ban the anti-social use of vehicles within the defined area of Castle Donington. 90% said they considered car cruising to be either a big or very big problem in the area.
- 4.4 Leicestershire Police and Castle Donington Parish Council have confirmed by email their support for the proposed PSPO.
- 4.5 A consultation summary is included at Appendix 2.

5.0 IMPLEMENTATION PROCESS

- 5.1 Before the order is made, Castle Donington Parish Council and Leicestershire County Council must be notified. Both Castle Donington Parish Council and Leicestershire County Council have been notified of the proposed order.
- 5.2 Any challenge to the PSPO must be made to the High Court by an interested person within six weeks of the PSPO being made. An interested person is someone who lives in, regularly works in or visits the area covered by the PSPO. So only those directly affected by the restrictions have the right to challenge the PSPO.
- 5.3 Once a PSPO is approved it will come into effect immediately and must be advertised on the Council's website and signage placed in prominent places within the area shown at Appendix 1.

| Policies and other considerations, as appropriate | |
|--|---|
| Council Priorities: | Communities and housing |
| Policy Considerations: | Anti-social behaviour Policy |
| Safeguarding: | Not relevant |
| Equalities/Diversity: | Equality Impact Assessment completed |
| Customer Impact: | Enforcement of the PSPO will have a positive impact on residents and businesses located within the restricted area. |
| Economic and Social Impact: | Enforcement of the PSPO will have a positive impact on residents and businesses located within the restricted area. |
| Environment, Climate Change and Zero Carbon: | Reducing or eliminating car cruising will have a positive environmental impact. |
| Consultation/Community/Tenant Engagement: | Castle Donington Parish Council Leicestershire Police – NWL neighbourhood policing commander Office of Police and Crime Commissioner Public consultation via the Council's website, including social media presence. Castle Donington Schools |
| Risks: | Risks have been considered and none identified |
| Officer Contact | Paul Sanders Head of Community Services paul.sanders@nwleicestershire.gov.uk |

**Anti-social Behaviour,
Crime and Policing Act 2014
Part 4, Section 59**

**North West Leicestershire District Council
Public Spaces Protection Order 2024
Vehicle Related Anti-Social Behaviour**

This Order may be cited as **the North West Leicestershire District Council Public Spaces Protection Order Ref: PSPOCD:XXXX**

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

1. Duration

This Order shall come into operation on 24 July 2024 and shall have effect for a period of three (3) years thereafter, expiring on 23 July 2027 unless revoked, amended or extended by further orders under the Council’s statutory powers.

2. The Restricted Area

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

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

3. Persons to whom this Order applies

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

4. The Activity

The Activity is a Car Cruise (as defined in Schedule Three to this Order).

The Council is satisfied that the conditions set out in section 59 of the Act have been satisfied and that allowing a Car Cruise within the Restricted Area

NOT PROTECTIVELY MARKED

has a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is persistent or continuing in nature, is unreasonable and the effect of the Activity justifies the restrictions/prohibitions imposed.

5. Prohibitions

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

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

6. Offences

It is an offence for a person without reasonable excuse—

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

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

7. Fixed Penalty Notices

A constable or a person authorised by the Council may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to this Order.

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

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

8. Appeals

Any challenge to this Order must be made in the High Court by an interested person within six weeks of the Order being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. The grounds on which an interested person may apply to the High Court are:

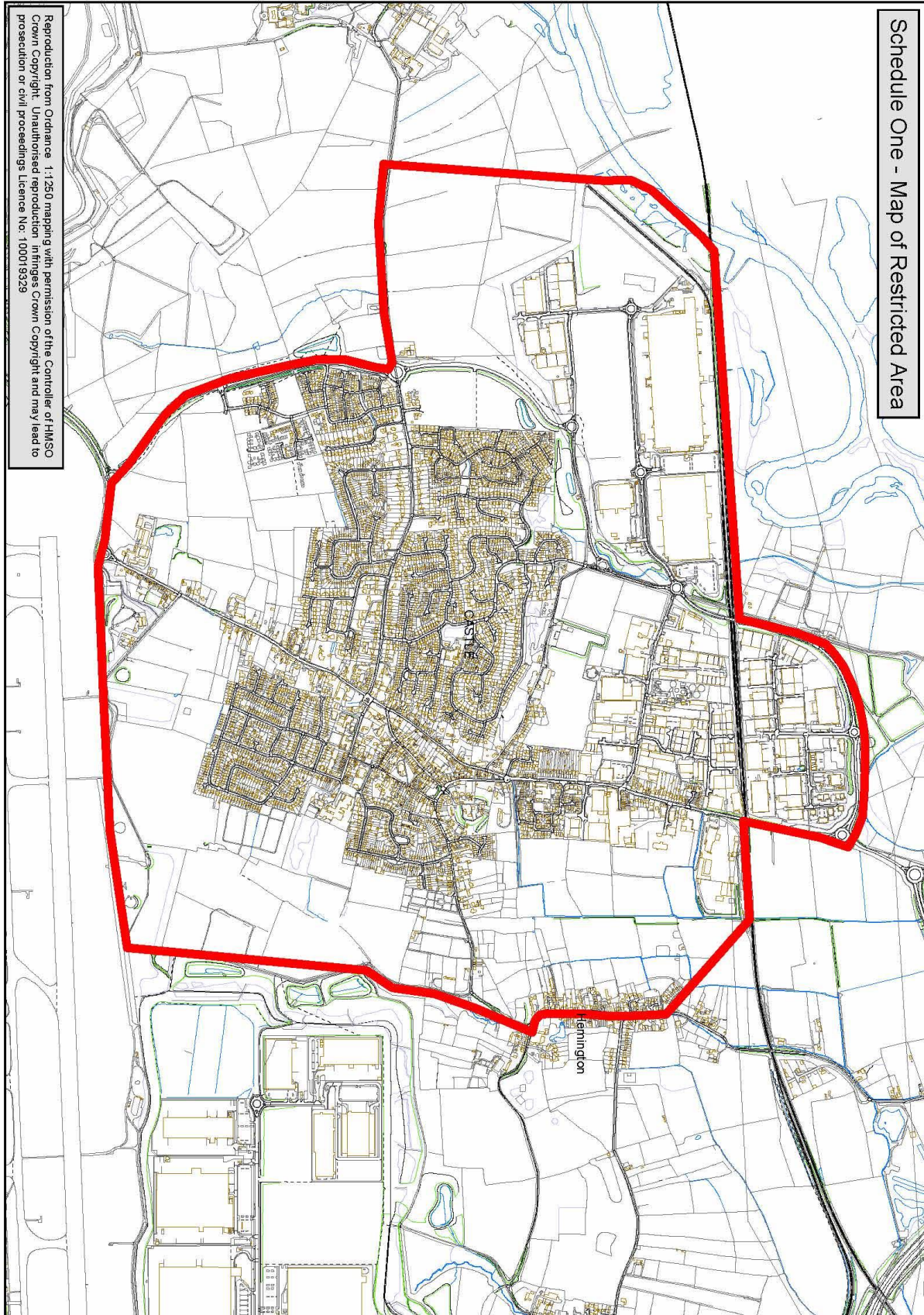
- a) That the Council did not have power to make the Order, or to include particular prohibitions or requirements imposed by the Order; or

- b) That the Council did not meet one of the requirements of Chapter 2 of Part 4 of the Act.

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

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

Schedule One – Map of Restricted Area



Schedule Two

The Restricted Area includes any part of any roads within the electoral wards of Castle Donington, North West Leicestershire as shown on the Map above. It includes the following roads and all roads in between them.

- Hilltop
- Diseworth Road
- Station Road
- Broad Brushes
- West Meadow Rise

It includes the following streets of Hemmington

- Hemmington Hill
- Main Street

Schedule Three – Definitions

In this Order:

Car Cruise means

1. a congregation of the drivers and/or passengers of two or more motor vehicles (including motor cycles and quad bikes) at any time during which any such driver and/or passenger performs any of the activities set out at paragraph 2 below, so as, by such conduct, to cause any of the following:
 - (i) excessive noise of any kind;
 - (ii) danger to other road users and pedestrians;
 - (iii) damage or risk of damage to any property;
 - (iv) litter;
 - (v) any nuisance to another person not participating in the ‘Car Cruise’

2. The activities referred to in paragraph 1, above, are:
 - (i) driving at excessive speed;
 - (ii) driving in convoy;
 - (iii) racing other motor vehicles (including motor cycles and quad bikes);
 - (iv) performing stunts in motor vehicles (including motor cycles and quad bikes) including but not limited to drifting, wheel spins, handbrake turns, wheelies ;
 - (v) sounding horns or playing radios;
 - (vi) dropping litter;
 - (vii) shouting or swearing at, abusing or threatening or otherwise intimidating another person.

Participating in a Car Cruise

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

Spectating at a Car Cruise

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

“Motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.

“Drifting” means driving in such a manner as to cause the rear of the vehicle to slide.

“Wheel spins” means using the accelerator to allow the wheels to spin while the car is stationary, producing noise and smoke; or accelerating at speed which causes the wheels to spin whilst failing to gain traction.

“Handbrake turn” using the handbrake to bring the vehicle to an abrupt stop whilst turning the vehicle.

“Wheelies” means a manoeuvre where any vehicle is driven for a period of time with wheels not in contact with the ground.

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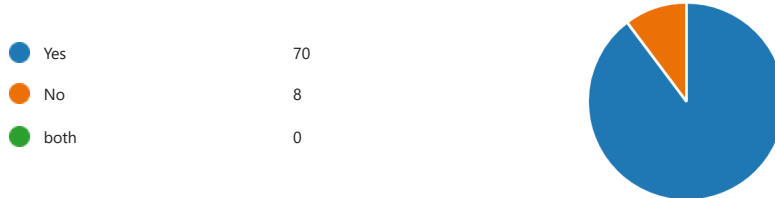
Consultation

78 Responses

00:28 Average time to complete

Closed Status

1. 1. Are you a Castle Donington resident or business?



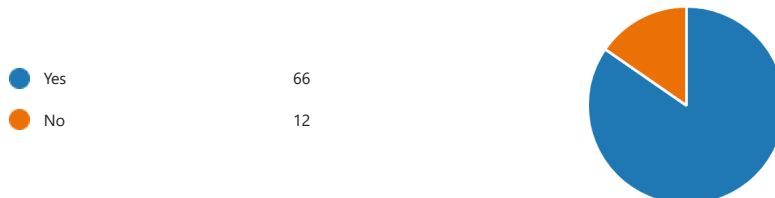
[Update](#)

90% of people answered **Yes** for this question, and the majority answered "**Yes**" for Question 2.

90% people answered "Yes" for question 1

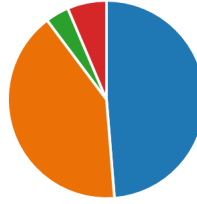
90% of them answered "Yes" for question 2

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



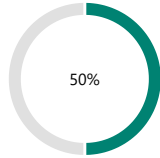
3. 1. How much of a problem do you think the anti-social use of vehicles is in Castle Donington?

| | |
|---|----|
| ● very big problem | 38 |
| ● big problem | 32 |
| ● not a very big problem | 3 |
| ● not a problem at all | 5 |
| ● don't know/not applicable | 0 |



[Update](#)

50% of people answered **very big problem** for this question, and the majority answered "Yes" for Question 2.

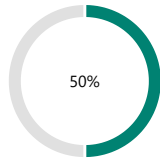


50% people answered "very big problem" for question 3



98% of them answered "Yes" for question 2

50% of people answered **very big problem** for this question, and the majority answered "Yes" for Question 4.



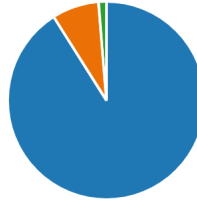
50% people answered "very big problem" for question 3



100% of them answered "Yes" for question 4

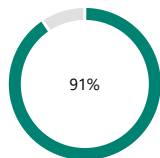
4. 1. Do you support the implementation of the Public Space Protection Order (PSPO) to ban the anti-social use of vehicles in Castle Donington?

| | |
|--|----|
| ● Yes | 71 |
| ● No | 6 |
| ● Maybe | 1 |



[Update](#)

91% of people answered **Yes** for this question, and the majority answered "Yes" for Question 2.

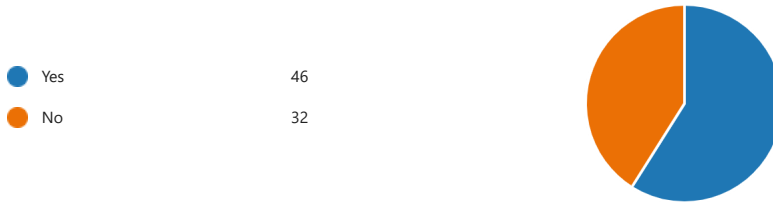


91% people answered "Yes" for question 4



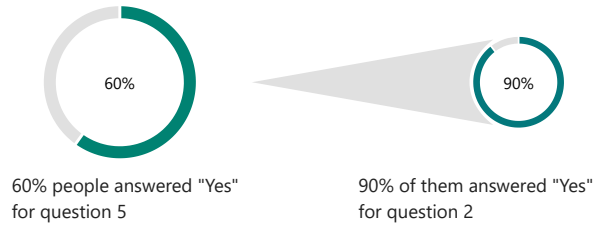
93% of them answered "Yes" for question 2

5. 1. Are you aware of the PSPO already in force in Castle Donington?

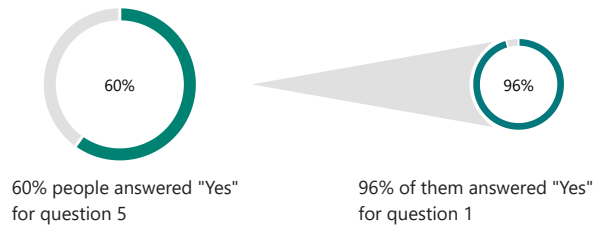


Update

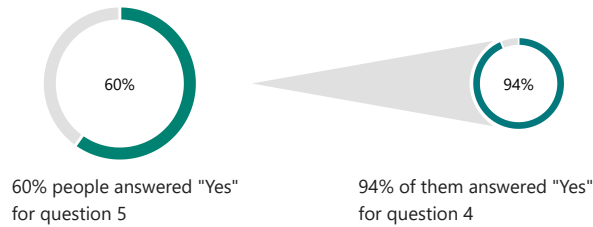
60% of people answered **Yes** for this question, and the majority answered "**Yes**" for Question 2.



60% of people answered **Yes** for this question, and the majority answered "**Yes**" for Question 1.



60% of people answered **Yes** for this question, and the majority answered "**Yes**" for Question 4.



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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY 23 JULY 2023



| | | |
|--|--|---------------------------|
| Title of Report | COUNCIL DELIVERY PLAN – PERFORMANCE REPORT – QUARTER 1 2024/25 | |
| Presented by | Councillor Keith Merrie MBE Infrastructure Portfolio Holder PH Briefed <input checked="" type="checkbox"/> | |
| Background Papers | Council Delivery Plan Council meeting held on 14 November 2023 | Public Report: Yes |
| | | Key Decision: Yes |
| Financial Implications | There are no financial implications arising from this report. | |
| | Signed off by the Section 151 Officer: Yes | |
| Legal Implications | None arising from the report | |
| | Signed off by the Monitoring Officer: Yes | |
| Staffing and Corporate Implications | The Council Delivery Plan (CDP) sets out the priorities for the Council for a five-year period so has significant corporate and staffing implications. | |
| | Signed off by the Head of Paid Service: Yes | |
| Purpose of Report | To report the performance of the Council during the first quarter of 2024/25 against the objectives and key performance indicators as detailed in the Council Delivery Plan as agreed by full Council on 14 November 2023. | |
| Reason for Decision | To make Members aware of the early progress of the Plan. | |
| Recommendations | THAT CABINET CONSIDERS THE MONITORING REPORT AND HIGHLIGHTS THE ELEMENTS MAKING POSITIVE PROGRESS AND THOSE WHERE THERE IS A NEED FOR EARLY INTERVENTION. | |

1.0 BACKGROUND

- 1.1 The Council prepared a new Council Delivery Plan during late 2023, and the Plan is scheduled to cover the lifetime of the Council administration for the period 2023/24 until a year beyond the next election in May 2027 (to ensure continuity in the aftermath of that election and to allow time for a new Plan to be developed). The Plan was developed with inputs from the Corporate Scrutiny Committee and the opposition groups and was agreed by Council at its meeting on 14 November 2023.
- 1.2 The Plan is being monitored in relation to the targets and a suite of performance indicators on a quarterly basis in line with the performance management framework. This involves quarterly reports to Cabinet, with the outcomes of the reports then shared with the Corporate Scrutiny Committee.
- 1.3 The Council is at an early stage in the Council Delivery Plan's life cycle, the Plan having only been adopted in November 2023. Accordingly, the reporting progress is inevitably going to be limited at this point in time. The reporting period for this report runs from 1 April 2024 to 30 June 2024.
- 1.4 The performance report for the previous quarterly period was presented to the Corporate Scrutiny Committee at its meeting on 23 May 2024. The following is an extract from the draft minutes of the Corporate Scrutiny Committee when the item was presented.

Item 7 - "PERFORMANCE MONITORING REPORT"

The Head of Human Resources and Organisational Development presented the report. A Member asked about the District Regeneration Framework. The Head of Property and Regeneration said that a report on the policy would be going to Community Scrutiny in June and Cabinet in August, and he would be happy to provide a further briefing for Members if required. Clarity was also provided on use of the links within the document to gain access to further KPI information. The Chair thanked Members for their comments, which would be presented to the Cabinet on 23 July.

These comments from the Corporate Scrutiny Committee have been included for Cabinet members consideration as this is the agreed process as set out in the Council's Performance Management Framework document as presented to full Council in November 2023 in conjunction with the Council Delivery Plan.

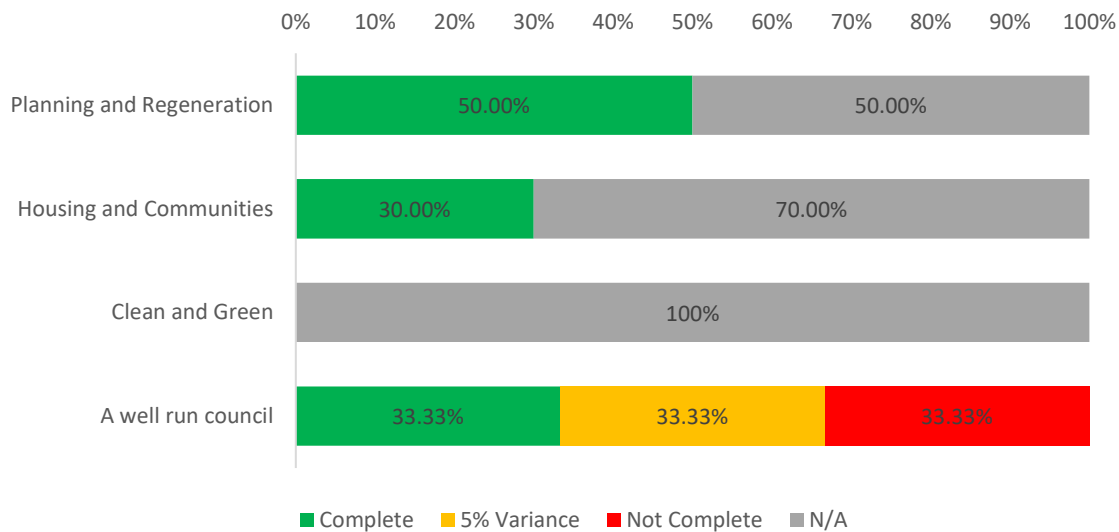
It should be noted that the dates provided to Corporate Scrutiny Committee above on the consideration of the district-wide Regeneration Framework were not met due to the calling of the General Election for 4 July.

2.0 PERFORMANCE REPORT

- 2.1 The Council Delivery Plan contains four key priority areas – notably "Planning and Regeneration, Housing and Communities, Clean and Green and A well run Council."
- 2.2 There are 18 Key Performance Indicators (KPIs) in the Plan. Six relate to Planning and Regeneration, Five to Housing and Community Services, four relate to Clean and Green and three relate to A Well-run Council.

The table below shows the performance in quarter 1 overall against each of the four priority areas. The table shows the priorities that have been completed, those that were within a 5% variance of being completed, those that are not completed and those that were not applicable (usually due to no data being available, or because they are scheduled for completion at a later stage of the plan.)

Our Priorities



2.3 Of the 18 Key Performance Indicators (KPI's) in the Council Delivery Plan: Six relate to Planning and Regeneration, three are on track and three are scheduled for completion at a later stage.

Five relate to Housing and Community Services – two are on track, three are scheduled for completion at a later stage.

Four KPI's relate to the clean and green objective, while progress is being made against all four, they are scheduled for completion at a later stage of the CDP.

Three relate to A Well-Run Council. One is not completed; one is within a 5% variance of completion, and one will be completed at a later stage of the Council Delivery Plan.

2.4 There have been a number of changes to the KPI's since the previous quarterly report:

2.5 Planning and Regeneration

In this area, three of the six indicators are on target – this compares with two on track, two within a five percent variance and two scheduled for completion at a later stage, in the previous quarter.

Performance has improved on the processing of all types of planning applications – with all three performance targets around Major, Minor and Other planning applications comfortably exceeding government targets.

The new local design guide has been subject to extensive consultation, a critical stage in its development.

A new enforcement plan is well advanced in its development and is scheduled to be adopted by the end of quarter 2 2024/25.

Positive progress continues to be made on the Coalville Regeneration framework in relation to Marlborough Square, the Marlborough Centre, Wolsey Road, and the Hermitage Recreation Ground Regeneration Projects.

Work continues to progress on the adoption of the local plan which is targeted for completion in 2026

2.6 Housing and Community Services

In the key priority area Housing and Community Services, one of the KPI's is on track, three are due for completion at a later stage and the final one is split into two distinct elements - one of which is on track, and the other is scheduled for completion at a later stage.

In relation to the provision of a high-quality housing service, a number of actions are in place including the investment of over £4m in catch up repairs, an initial restructuring of resources in the department to bring a greater focus on repairs and compliance and updating policies. All of these actions are being overseen by the cross-party Housing Improvement Board with an associated improvement plan. Work is continuing, but no further data is available at the current time.

All landlords of private rental tenants have been contacted to scope properties that may be non-compliant with the Minimum Energy Efficiency Standards (MEES) and enforcement interventions have been actioned, with the number of non-compliant properties reducing from forty-seven in Q4 to twenty-three in Q1. The Private sector Housing Charter development work will be progressed later in the year.

The target for food businesses meeting food safety standards was achieved in the quarter with 80.7% rated as very good against a target of 80%.

2.7 Clean and Green

In the key priority area "Clean and Green" four KPIs remain scheduled for completion at a later stage of the plan.

The review of the waste service is progressing according to plan with a presentation to members scheduled for early in quarter three and a formal decision being presented to Scrutiny and Cabinet later in the year.

Development and assessment work is underway to develop cost modelling for the Councils carbon neutral target across a number of Council teams.

The objective to increase the biodiversity of the district is at an early stage and no data is available at present.

The first draft of the Tree Management strategy has been produced and is currently out for consultation with key stakeholders.

2.8 Well run Council.

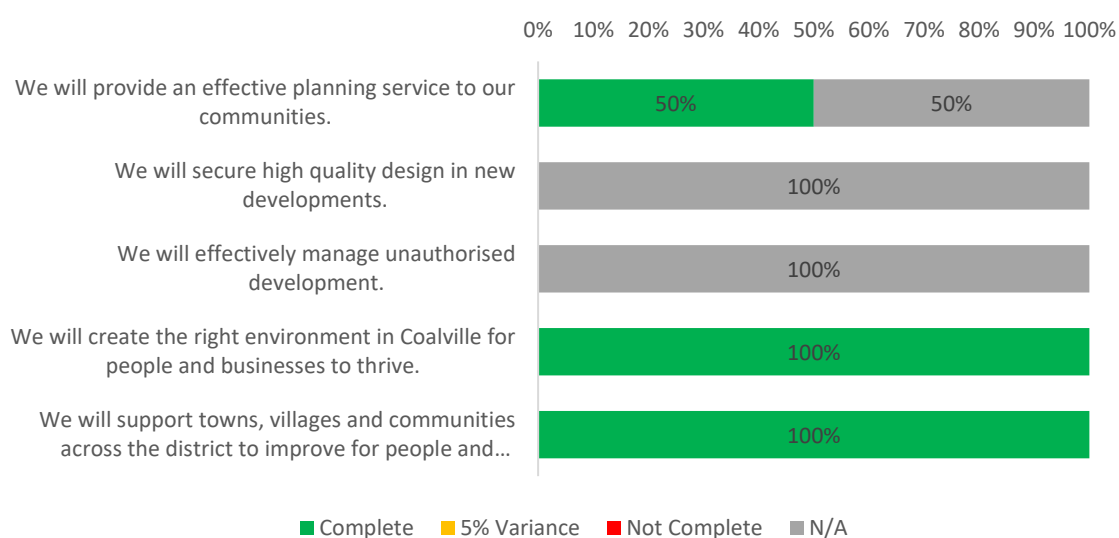
In the key priority area, "a Well-run Council" the performance has improved since the last quarter with one of the three KPI's now completed (this compares with one within a five percent variance and two due for completion in the previous quarter).

The complaints response targets have improved when compared to the previous quarter with 78% achieved at stage one and 70% at stage two. A complaints action plan is now in place with regular meetings with high volume service areas.

The Council published its Statement of Accounts for 2021/22 on 26 June 2024 and the plan is to publish the Statement of Accounts for 2022/23 during the second quarter. The Transformation Delivery Plan was approved by Cabinet in the quarter, and work has commenced to identify budget options for financial year 2025/26 to seek to identify further areas of possible savings to contribute to the budget gap.

The following four tables show the more detailed breakdown of the indicators as they relate to each of the priority areas using the same assessment scale in relation to percentage completed etc. For each of the priority areas more information is provided in the later stages of the report together with detailed commentary on the progress. The links in the table provide more detailed information if required.

Planning and Regeneration



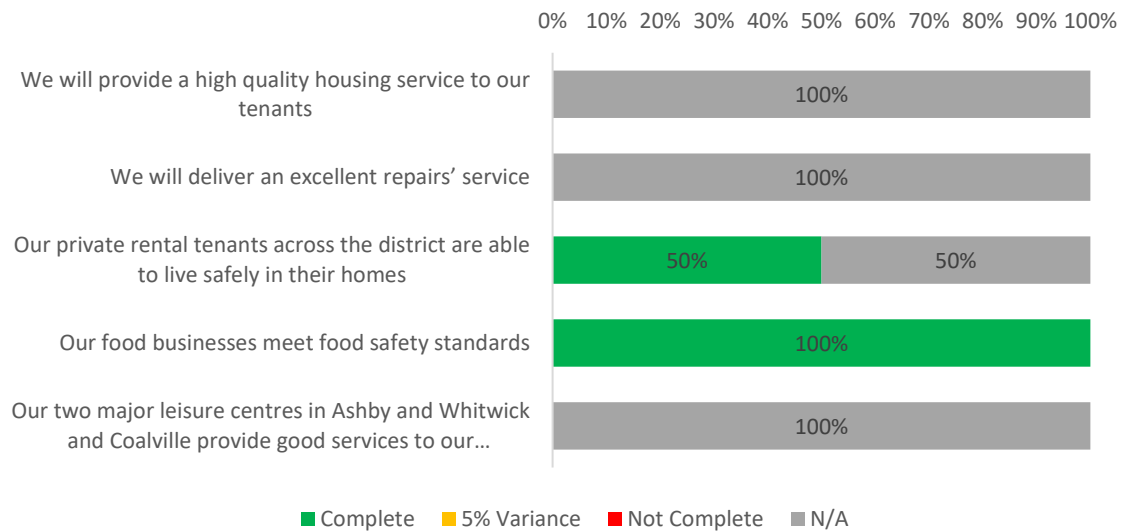
Planning and regeneration_ Overview of Performance in Percentage of KPI

| As a percentage of applicable KPIs | Complete | 5% Variance | Not Complete | N/A |
|---|----------|-------------|--------------|------|
| We will provide an effective planning service to our communities. (Split into two sections) | 50% | | | 50% |
| We will secure high quality design in new developments. | | | | 100% |
| We will effectively manage unauthorised development. | | | | 100% |
| We will create the right environment in Coalville for people and businesses to thrive. | 100% | | | |
| We will support towns, villages and communities across the district to improve for people and businesses. | 100% | | | |

Planning and regeneration_ Overview of Performance in KPI numbers

| As a number of applicable KPIs/KPI sections | Complete | 5% Variance | Not Complete | N/A |
|--|----------|-------------|--------------|-----|
| We will provide an effective planning service to our communities. (Split Across 2 KPIs 1. Adoption of a local plan by 2026 and 2. Timely determination of planning applications- Major, Minor and other) | 1 | | | 1 |
| We will secure high quality design in new developments. | | | | 1 |
| We will effectively manage unauthorised development. | | | | 1 |
| We will create the right environment in Coalville for people and businesses to thrive. | 1 | | | |
| We will support towns, villages and communities across the district to improve for people and businesses. | 1 | | | |

Housing and Communities



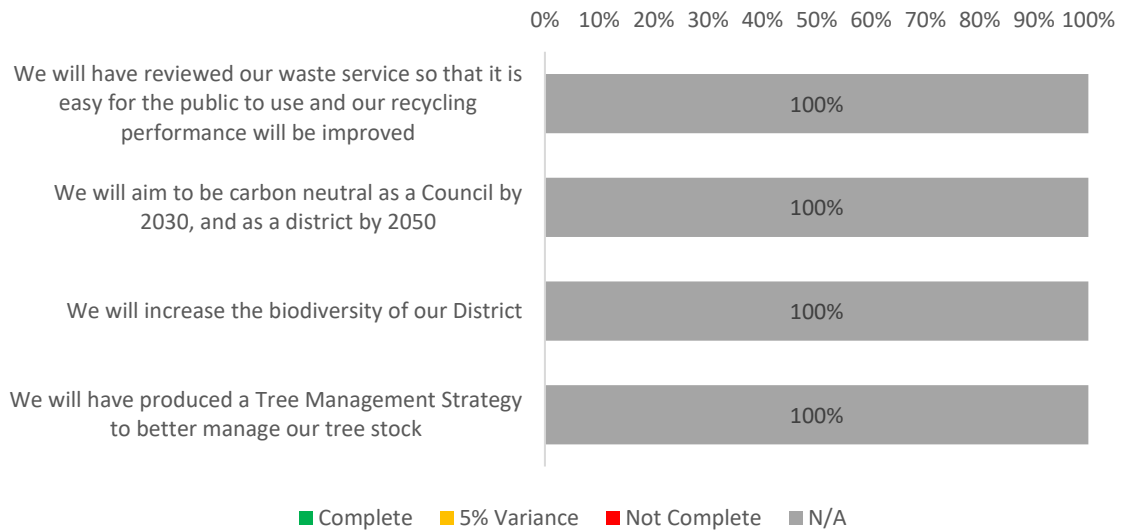
Housing and Communities- overview of Performance in Percentages of KPIs

| As a percentage of applicable KPIs | Complete | 5% Variance | Not Complete | N/A |
|--|-----------------|--------------------|---------------------|------------|
| We will provide a high-quality housing service to our tenants | | | | 100% |
| We will deliver an excellent repairs' service | | | | 100% |
| Our private rental tenants across the district are able to live safely in their homes | 50% | | | 50% |
| Our food businesses meet food safety standards | 100% | | | |
| Our two major leisure centres in Ashby and Whitwick and Coalville provide good services to our communities | | | | 100% |

Housing and Communities- overview of Performance in KPI numbers

| As a number of applicable KPIs/KPI sections | Complete | 5% Variance | Not Complete | N/A |
|---|-----------------|--------------------|---------------------|------------|
| We will provide a high-quality housing service to our tenants | | | | 1 |
| We will deliver an excellent repairs' service | | | | 1 |
| Our private rental tenants across the district are able to live safely in their homes (This KPI is split across two distinct Services- Private Landlord compliance with MEES standards which is dealt with Environmental protection Team and Private Landlord's charter which is dealt with by Housing) | 0.50 | | | 0.50 |
| Our food businesses meet food safety standards | 1 | | | |
| Our two major leisure centres in Ashby and Whitwick and Coalville provide good services to our communities | | | | 1 |

Clean and Green



Clean and Green- overview of Performance in Percentages of KPIs

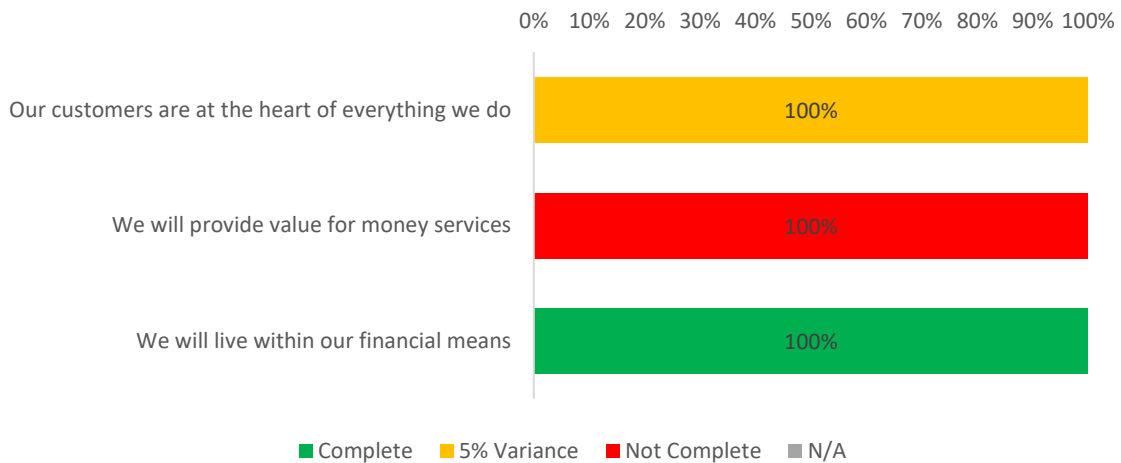
| As a percentage of applicable KPIs | Complete | 5% Variance | Not Complete | N/A |
|--|----------|-------------|--------------|------|
| We will have reviewed our waste service so that it is easy for the public to use, and our recycling performance will be improved | | | | 100% |
| We will aim to be carbon neutral as a Council by 2030, and as a district by 2050 | | | | 100% |
| We will increase the biodiversity of our District | | | | 100% |
| We will have produced a Tree Management Strategy to better manage our tree stock | | | | 100% |

Clean and Green- overview of Performance in number of KPIs

| As a number of applicable KPIs/KPI sections | Complete | 5% Variance | Not Complete | N/A |
|--|----------|-------------|--------------|-----|
| We will have reviewed our waste service so that it is easy for the public to use, and our recycling performance will be improved | | | | 1 |

| | |
|--|---|
| We will aim to be carbon neutral as a Council by 2030, and as a district by 2050 | 1 |
| We will increase the biodiversity of our District | 1 |
| We will have produced a Tree Management Strategy to better manage our tree stock | 1 |

A well-run Council.



Well Run Council- overview of Performance in Percentages of KPIs

| As a percentage of applicable KPIs | Complete | 5% Variance | Not Complete | N/A |
|--|----------|-------------|--------------|-----|
| Our customers are at the heart of everything we do | | 100% | | |
| We will provide value for money services | | | 100% | |
| We will live within our financial means | 100% | | | |


Well Run Council- overview of Performance in numbers of KPIs

| As a number of applicable KPIs/KPI sections | Complete | 5% Variance | Not Complete | N/A |
|--|----------|-------------|--------------|-----|
| Our customers are at the heart of everything we do | | 1 | | |
| We will provide value for money services | | | 1 | |
| We will live within our financial means | 1 | | | |

| Policies and other considerations, as appropriate | |
|--|--|
| Council Priorities: | This report measures progress against all of the new Council priorities |
| Policy Considerations: | Council Delivery Plan |
| Safeguarding: | No direct considerations |
| Equalities/Diversity: | No direct considerations, the Plan impacts across all of the district's communities. |
| Customer Impact: | The plan seeks to improve customer impacts and interactions with our many customers. An indicator around customer response times is included. |
| Economic and Social Impact: | The plan seeks to improve the economic and social impact of the Council's activities in the district. |
| Environment, Climate Change and Zero Carbon: | The plan contains the Council's commitments to a clean, green and zero carbon district. |
| Consultation/Community/Tenant Engagement: | No current or planned consultations. |
| Risks: | Consideration has been given to the corporate risk register when compiling the plan. |
| Officer Contact | <p>Mike Murphy Head of HR and OD Mike.murphy@nwleicestershire.gov.uk</p> <p>Allison Thomas Chief Executive Allison.thomas@nwleicestershire.gov.uk</p> |


| Priority | KPI reference | Key Aim | Q1 Progress | Target | Commentary | Head of Service | RAG rating |
|---|---------------|---|--|---|---|-------------------------------------|------------|
|  Planning and regeneration | 1 | We will adopt a local plan by 2026 | Responses to Reg 18 consultation being assessed. Initial report to Local Plan Committee 22 May 2024. | 2023-4 Submit local plan (Reg 18 consultation). 2024/5 Pre-submission consultation (Reg 19) Submission of local plan and examination. | Work is progressing on the delivery of the Local Plan with further reports being prepared for consideration by the Local plan Committee following consultation. | Head of Planning and Infrastructure | |
| | 2 | We will deal with your planning applications for major, minor and other developments by consistently meeting and exceeding the government's targets of 60%, 65% and 80% respectively. | 94% 82% 92% | Major- At least 60% of applications determined within 13 weeks. Minor- At least 65% of applications determined within 8 weeks. Other- At least 80% of applications determined within 8 weeks. | In Q1, the team has comfortably exceeded all three of the performance targets. | Head of Planning and Infrastructure | |
| | 3 | We will have developed a new local design guide, and new developments will comply with it. | Responses from a number of important stakeholders including LCC Highways, National Forest Company, Active Together (formerly | 2023-4 Develop a new Design Guide for North West Leicestershire adopting current best practice in accordance with the Governments National design guide. | Good progress is being made on the new local design guide and the initial feedback from stakeholders has been positive. | Head of Planning and Infrastructure | |


| | | | | | | | |
|--|---|--|--|---|--|-------------------------------------|--|
| | | | Leicester & Rutland Sport) and some selected developers on the draft document have been received and are being assessed before formal consultation later in the summer/autumn. | <p>Undertake public consultation on the new Design Guide for North West Leicestershire.</p> <p>2024/5 Adopt the new design guide for North West Leicestershire.</p> <p>New development complies with the requirements of the adopted design guide.</p> | | | |
| | 4 | We will effectively manage unauthorised development. | New Enforcement Plan in progress (see comments). | <p>Work begins in 2024/5. Adopt a new local enforcement plan by the end of Q2 24/25</p> <p>Monitor and measure response times against the targets set out in the adopted Local Enforcement Plan and report biannually to Planning Committee in Q3 and 4 24/25</p> | The new Enforcement Plan is currently at an advanced stage of being drafted and is on target to be adopted by the end of Q2. | Head of Planning and Infrastructure | |

| | | | | | | | |
|---|---|--|---|---|--|-----------------------------------|--|
|  Housing | 5 | We will have delivered our ambitious Coalville Regeneration Framework. | | Quarterly progress statement plus an additional Annual Framework review in Q4 | During Q1 project progress has been reported regularly to the Coalville Regeneration Board. Particular progress can be highlighted in respect of the Marlborough Square, Marlborough Centre, Wolsey Road, and Hermitage Recreation Ground regeneration projects. | Head Of Property and Regeneration | |
| | 6 | We will have developed a regeneration framework and will be on the way to supporting thriving towns, villages and communities across the district. | | Work begins in Q4 with the production of the NWL Regeneration Framework | The Districtwide Regeneration Framework has now been drafted and will be presented to Scrutiny Committee in August prior to community engagement and presentation to Cabinet. | Head Of Property and Regeneration | |
| | 7 | We will provide a high-quality housing service to our tenants. | 64% (awaiting out of 5 scoring from regulator) | 2023/4 First data publication 2024/5 Awaiting year 2 data and five-star rating to be published by regulator. | The data provided is the annual survey figure for 2023/4 which is the most up to date available. | Head of Housing | |

| | | | | | | | |
|--|---|--|--|--|--|---------------------|--|
| | 8 | We will deliver an excellent repairs' service. | 62% (awaiting out of 5 scoring from regulator) | 2023/4 First data publication 2024/5 Awaiting year 2 data and 5-star rating to be published by regulator. | The data provided is the annual survey figure for 2023/4 which is the most up to date available. | Head of Housing | |
| | 9 | Our private rental tenants across the district are able to live safely in their homes. | 100% landlords in Q1 were contacted within the target time period. | 100% of Landlords contacted within the specified time-period within the MEES policy for non-compliance. | All landlords were contacted within the specified time. The number of non-compliant properties following enforcement intervention in Q1 has reduced from 47 in Q4 to 23 in Q1. The baseline number in September 2023 was 118 non-compliant properties. | Head of Communities | |
| | | | | Creation of a Private Sector Housing Charter. | Private Housing Charter and Landlord charter in review to progress later in the year. | | |

| | | | | | | | |
|--|----|---|---|--|---|---------------------|--|
| | 10 | Our food businesses meet food safety standards. | 80.7% of all rated food establishments are rated as very good (rating of 5) | <p>2023/24 80% of food businesses having a hygiene rating of 5 (very good)</p> <p>0 rating – urgent improvement required. 1 rating – major improvement required. 2 rating – some improvement required. 3 rating – satisfactory 4 rating – good standard 5 rating – very good standard</p> | <p>Breakdown: 0 rating – 2 1 rating – 5 3 rating – 5 4 rating – 111 5 rating – 672</p> | Head of Communities | |
|--|----|---|---|--|---|---------------------|--|

| | | | | | | | |
|---|----|--|---|--|---|---------------------|--|
| | 11 | Our two major leisure centres in Ashby and Whitwick and Coalville provide good services to our communities. | No update due until Q3. | The leisure centres will be assessed independently against a national standard and achieve a 'good' or higher rating. (This will be provided annually in Q3) | No update due until Q3. | Head of Communities | |
|  Clean and Green | 12 | We will have reviewed our waste service so that it is easy for the public to use and our recycling performance will be improved. | No update to figure – published annually Q4. | 47% Recycling rate 2023/4 | Waste review progressing to programme. Q2 will see presentation to members of latest position. Q3 will see formal decision-making process through Scrutiny and Cabinet. | Head of Communities | |
| | 13 | We will aim to be carbon neutral as a Council by 2030, and as a district by 2050. | Now 15 EVs in fleet. Parks EV charging plans in place. Cost of net zero project now live. Solar | 2023/4 Development of assessment work and target setting | Work is continuing on developing cost modelling work and is reliant of production of property and housing | Head of Communities | |

| | | | | | | | |
|---|----|---|---|--|--|-------------------------------------|--|
| | | | Together scheme 3 launched. | | asset management plans which are being developed by the appropriate teams. | | |
| | 14 | We will increase the biodiversity of our District. | Planning applications requiring BNG still under consideration. | 10% Biodiversity Net Gain on large developments with planning permission | The planning applications that require BNG are still being considered by officers, so at present, there is no data to provide. | Head of Planning and Infrastructure | |
| | 15 | We will have produced a Tree Management Strategy to better manage our tree stock. | The first draft of the Tree Management Strategy has been completed and is out for consultation with internal stakeholders and external partners including the Woodland Trust, the National Forest, and Leicestershire and Rutland Wildlife Trust. | 2023/24 Cataloguing of Housing tree estate complete. | See Q1 data. | Head of Communities | |
|  | 16 | Our customers are at the heart of everything we do. | 76% overall both stages of complaints Stage 1- 78% Stage 2- 70% | 2024/25 80% of Complaints responded to on time by end of year. | An improvement on 2023/24 but still a way to go. Complaint action plan in place with regular comms, meetings with high volume services and some guidance on formulating an investigation and | Customer Services Team Manager | |

| | | | | | | | |
|--|----|---|--|------------------------------------|---|-----------------|--|
| | | | | | response being published soon. | | |
| | 17 | We will provide value for money services. | | Unqualified Opinion to be provided | The Council published its Statement of Accounts 2021/22 on 26 June 2024 and is working towards submitting the Statement of Accounts 2022/23 by the end of September 2024. | Head of Finance | |
| | 18 | We live within our means | | Zero funding gap | The Transformation Delivery Plan was approved by Cabinet on 25 June 2024 and will contribute towards closing the funding gap over the medium term. Work to identify budget options for the 2025/26 budget has already started. | Head of Finance | |

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 23 JULY 2024



| | | |
|--|---|---------------------------|
| Title of Report | PROTECTED CHARACTERISTICS FOR CARE LEAVERS | |
| Presented by | Councillor Keith Merrie MBE Infrastructure Portfolio Holder PH Briefed <input checked="" type="checkbox"/> | |
| Background Papers | The City of Westminster report | Public Report: Yes |
| | | Key Decision: No |
| Financial Implications | There are no financial implications arising from this report. | |
| | Signed off by the Section 151 Officer: Yes | |
| Legal Implications | <p>Whilst the Equality Act 2010 does not include care leavers within the legislation, there is nothing legally preventing the Council from affording individuals within this category the same protections and it is not unlawful to do so.</p> <p>However, it should be noted that in case of a conflicting impact between someone with any of the nine legally protected characteristics under the Equality Act 2010 and a care leaver, the statutory nine characteristics would prevail over a care leaver as required by law.</p> | |
| | Signed off by the Monitoring Officer: Yes | |
| Staffing and Corporate Implications | No staffing implications | |
| | Signed off by the Head of Paid Service: Yes | |
| Purpose of Report | The report endorses the proposal that individuals who fall into the category term of a 'care leaver' be afforded the same protections by the Equality Act 2010. | |
| Reason for Decision | The Council's aim is to move beyond simply fulfilling legal obligations in relation to equalities and its legislation, and to determine where more can be done to continue to fulfil the Council's duties under the Public Sector Equality Duty (PSED) as stipulated by the Equality Act 2010. | |
| Recommendations | THAT CABINET: 1) AGREES TO AFFORD CARE LEAVERS THE SAME PROTECTIONS AS THOSE GROUPS HAVING PROTECTION UNDER THE EQUALITY ACT 2010 INSOFAR AS THE LAW ALLOWS | |

| | |
|--|---|
| | <p>2) DELEGATES AUTHORITY TO THE CHIEF EXECUTIVE, AS HEAD OF PAID SERVICE, TO MAKE ANY NECESSARY CHANGES TO RELATED POLICIES TO RECOGNISE THE ABOVE NON-LEGAL DESIGNATION.</p> |
|--|---|

1.0 BACKGROUND

1.1 In October 2022, a commitment was made by many of the East Midlands Councils to support the Leicestershire Care Leavers Protocol, which supports individuals who have spent time under the care of a Local Authority. North West Leicestershire District Council committed to this protocol. A number of councils have since gone further by affording these individuals the same protections as groups recognised under the Equality Act 2010 albeit on a non-legal basis.

2.0 CARE LEAVER REPORT 2024

2.1 A care leaver is someone under the age of twenty-five who has been looked after by a Local Authority as a child. This report is proposing that individuals who fall into the category term of a ‘care leaver’ be afforded the same protections as other groups recognised by the Equality Act 2010. It is proposed that the Council adopts the term “care leaver” as a non-legal protected characteristic, so that in the future the current disadvantages and negative experiences that some care leavers face can be redressed and mitigated against.

2.2 According to Direct.Gov, a care leaver is an adult who spent time in care as a child (i.e., under the age of 18). Specifically, the legal definition of a care leaver, according to The Children (Leaving Care) Act 2000, is someone who has been in the care of the Local Authority for a period of 13 weeks or more spanning their 16th birthday. This care could have been approved by the state through a court order or on a voluntary basis. It encompasses various forms of care, such as foster care, residential care (including children’s homes), and other arrangements outside the immediate or extended family. The care might have been provided directly by the state (often through local authority social services departments) or by voluntary or private sector organisations. It also includes a wide range of accommodations, such as secure units, approved schools, and other institutions.

2.3 It is widely understood and increasingly researched that when an individual leaves the care system, this entails a lot of change and uncertainty for them. The Council is, therefore, committed to making this process a positive next step in that individual’s life. At present, Section 4 of the Equality Act 2010 provides the legal framework to protect the rights of individuals with the following nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy or maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

- 2.4 Local authorities have a unique responsibility to the children they look after and those who leave their care and this is highlighted within the statutory guidance 'Applying corporate parenting principles to looked-after children and care leavers'. The guidance ensures that in two tier authorities, district and county councils work closely together.
- 2.5 For example, although county councils exercise social services functions to this group of young people, district councils (which do not have social service functions) should consider how the principles apply when they are exercising their own functions in relation to looked-after children and care leavers. From this statement it can be assumed that North West Leicestershire District Council has a potential responsibility to care leavers, irrespective of whether the Council has a specific social care function. In this context local authorities can be referred to as being the 'corporate parent' of these children and young people and have a responsibility to act for children and young people as a parent would for their own child. North West Leicestershire District Council has considered the areas of its own responsibility and where it can support and enhance the care leaver experience during interactions with its services.
- 2.6 The Council has already committed to:

Housing:

Offering support and guidance to reduce homelessness, and there is an assurance that care leavers are treated as a priority.

Providing a range of support to help care leavers with their housing needs.

Work and Training:

Supporting care leavers to be able to get into work or training. The Council ensures that any care leaver registered with them at the recruitment stage, is notified of all job vacancies within the Council, and they are offered targeted human resources guidance and support when applying for a role.

Offering work experience placements and apprenticeships within the Council.

Guaranteeing job interviews for care leavers if they meet the minimum requirements for the job.

Sport and Physical Activity:

Providing opportunities within the community for care leavers to be active and working with Everyone Active to ensure that care leavers receive free access to facilities until they are twenty-five. This is applicable to both leisure centres within the district, namely Whitwick and Coalville Leisure Centre, and Hood Park Leisure Centre. The process is commenced by the care leaver team who often refer individuals to the Council's Health and Wellbeing Team, who will then risk stratify and check any barriers to exercise and discuss options with that individual.

Signposting care leavers to Health and Wellbeing programmes to meet their specific needs.

Claiming Benefits:

Offering support to claim the council tax care leaver discount.

Equality Impact Assessment Form (EIA):

Referencing care leavers in the Council's Equality Impact Assessment (EIA) form as a group that should be further considered when completing the form.

- 2.7 The above list outlines the steps the Council is already taking to support care leavers. Below are suggestions of how the Council could go further if care leavers are treated as having a protected characteristic in relation to Housing and other Council policy areas. These changes will be implemented as other policies and procedures are reviewed and updated by Heads of Service.

Work and Training:

Providing more guidance and training to managers as to what further support, they can offer a care leaver.

Sport and physical Activity:

Promoting this policy and the work of the Health and Wellbeing team in their activities and develop offers directed specifically at care leavers, as it is understood that referrals are currently low.

Housing:

The Department for Education 'Preventing Care Leaver Homeless' letter in May 2024 puts an expectation that local authorities will have preventing intentional homeless as an overriding priority for care leavers, given that parental support is absent and therefore homelessness would have far reaching consequences for those leaving care. Therefore, there will be a commitment from the Council to ensure that when joint housing protocols are developed, arrangements will be made for senior leader level sign off, for example Director or Head of Service, from both housing and children's services for any intentional homelessness decisions for care leavers.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report. If further support systems are put in place for care leavers in the future, then these may have some financial implications which would need to be considered at the time.

| Policies and other considerations, as appropriate | |
|--|--|
| Council Priorities: | <ul style="list-style-type: none"> - Communities and housing - A well-run council |
| Policy Considerations: | That the report and recommendations will need to be communicated in a way that makes it very clear that the Council is treating care leavers as a protected characteristic, however, this protection is not enshrined within the law. |
| Safeguarding: | None |
| Equalities/Diversity: | The Equality Act 2010 has been considered as part of this report. |
| Customer Impact: | N/A |
| Economic and Social Impact: | N/A |
| Environment, Climate Change and Zero Carbon: | N/A |
| Consultation/Community/Tenant Engagement: | Heads of services have been consulted on the impacts of the proposals across the Council. |
| Risks: | <p>As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily covered in any report put before elected Members for a decision or action.</p> <p>The Equality Act 2010 is intended to eliminate discrimination, victimisation, and harassment, and specifically references only nine legally protected characteristics of those groups or individuals that may be most at risk and thus be part of vulnerable groups. At present, the Equality Act 2010 does not include care leavers as a protected characteristic, and therefore there could be some risk that although the Council offers additional support and protections for this group, they may not be afforded those same protections under the law.</p> |
| Officer Contact | Mike Murphy Head of Human Resources and Organisational Development mike.murphy@nwleicestershire.gov.uk |

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Agenda Item 10.

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