

# Public Document Pack

**Steve Atkinson** MA(Oxon) MBA FIoD FRSA  
Chief Executive

Date: 03 September 2013



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

To: **Members of the Executive**

Mr SL Bray (Chairman)  
Mr DC Bill MBE (Vice-Chairman)  
Mr DS Cope  
Mr WJ Crooks

Mr DM Gould  
Mr KWP Lynch  
Mr MT Mullaney  
Ms BM Witherford

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

There will be a meeting of the **EXECUTIVE** in the Hinckley Hub, Rugby Road, Hinckley, LE10 0FR on **WEDNESDAY, 11 SEPTEMBER 2013 at 6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'Helen Rishworth'.

Helen Rishworth  
Communications & Democratic Accountability Officer

## EXECUTIVE - 11 SEPTEMBER 2013

### A G E N D A

1. APOLOGIES
2. MINUTES (Pages 1 - 4)  
To confirm the minutes of the meeting held on 10 July 2013.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES  
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST  
To receive verbally from Members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS  
To hear any questions in accordance with Council Procedure Rule 10.
6. PROCUREMENT STRATEGY (Pages 5 - 28)  
Report of the Deputy Chief Executive (Corporate Direction) attached.
7. REQUEST FOR SUPPLEMENTARY INCOME BUDGET FOR INCREASED TRADE WASTE INCOME (Pages 29 - 30)  
Report of the Deputy Chief Executive (Community Direction) attached.
8. REQUEST FOR SUPPLEMENTARY INCOME BUDGET FOR INCREASED RECYCLING CREDIT INCOME (Pages 31 - 32)  
Report of the Deputy Chief Executive (Community Direction) attached.
9. RE-ADOPTION OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 (Pages 33 - 36)  
Report of the Deputy Chief Executive (Community Direction) attached.
10. SCRAP METAL DEALERS ACT 2013 (Pages 37 - 50)  
Report of the Deputy Chief Executive (Community Direction) attached.
11. GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (Pages 51 - 56)  
Report of the Deputy Chief Executive (Community Direction).
12. HINCKLEY AND BOSWORTH RENEWABLE ENERGY CAPACITY STUDY (Pages 57 - 66)  
Report of the Deputy Chief Executive (Community Direction).
13. STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (Pages 67 - 70)  
Report of the Deputy Chief Executive (Community Direction) attached.

14. DEVELOPMENT CONTROL CONSULTANCY SUPPORT - BUDGET PROVISION (Pages 71 - 74)  
Report of the Deputy Chief Executive (Community Direction) attached.
15. MEMBERS' ALLOWANCES (Pages 75 - 84)  
Report of the Chief Executive attached.
16. ISSUES ARISING FROM OVERVIEW AND SCRUTINY  
(If any)
17. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

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# Agenda Item 2

## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### EXECUTIVE

10 JULY 2013 AT 6.30 PM

PRESENT: Mr SL Bray - Chairman  
Mr DC Bill MBE – Vice-Chairman  
Mr DS Cope, Mr WJ Crooks, Mr DM Gould, Mr MT Mullaney and Ms BM Witherford

Members in attendance: Councillors Mr PR Batty, Mr R Mayne, Mr JS Moore and Mr K Morrell

Officers in attendance: Steve Atkinson, Bill Cullen, Edwina Grant, Rebecca Owen, Rob Parkinson, Helen Rishworth and Sally Smith

#### 63 APOLOGIES

Apologies were submitted on behalf of Councillor Lynch.

#### 64 MINUTES

On the motion of Councillor Bray, seconded by Councillor Bill, it was

RESOLVED – the minutes of the meeting held on 5 June be approved and signed by the Chairman.

#### 65 DECLARATIONS OF INTEREST

No interests were declared at this stage.

#### 66 MALLORY PARK NOISE CONTROL

The Executive received a report which provided the background to the issue of noise control at Mallory Park and also outlined the current position in order to reach a resolution. In presenting the report, the Chief Executive referred to the unique position of the venue in the village compared to other tracks around the country, the wish of the residents for the circuit to be a 'good neighbour' without the track having to close, the value of Mallory Park as a tourist venue and the duties placed upon the council with regard to protecting members of the public and their right to a quality of life.

It was reported that the management of Mallory Park had made a suggestion – a "best offer" – which had been put to the residents of the village for consultation. There was a high 52% response rate, and the majority did not accept the proposals (yet most also confirmed that they did not wish the track to close). Officers felt that to continue negotiations could lengthen the process which would not be fair on residents, yet considered that the matter could still be resolved amicably to the satisfaction of all parties.

During discussion, the following points were raised:

- Members were supportive of Mallory Park and did not wish it to close;
- Representations had been received from a few residents who felt that to enforce the 1985 notice would be too harsh. In response officers explained that this was the only statutory notice in place, therefore the only one that could be enforced;

- The Local Government Ombudsman's report into the matter was unlikely to be favourable towards the Council due to the length of time taken for the Council to investigate and enforce;
- A Member suggested procuring independent arbitration, but officers felt that this could only be successful if all parties were committed to it, and Members indicated they would not have been happy to delay action being taken further to allow for arbitration which wasn't guaranteed to be successful;
- Local industry, innovation and engineering should be supported, but not at the cost of residents' quality of life.

In concluding the debate it was explained that the action proposed was for historic breaches, and progress was required to be able to move forward. It was felt that the thriving business should be supported, but at acceptable noise levels, which was a difficult balance but it was felt that it was possible to achieve it.

The Leader of the Council thanked attendees for taking the time to express their views in the consultation and for attending the meeting.

It was moved by Councillor Gould, seconded by Councillor Bill and

RESOLVED –

- (i) the proposal from MPML/BARC, circulated to residents of Kirkby Mallory on 15 May 2013 be not supported;
- (ii) the current court case be pursued vigorously by the Officers of the Council on the terms of the 1985 Notice;
- (iii) subsequent to the successful conclusion of that case, the 1985 Notice be subject to continuing enforcement, but under the interpretation now understood by the Council, with the Council seeking an immediate injunction should there be further breaches identified;
- (iv) this position remains unless and until noise attenuation measures are introduced by MPML/BARC, with the necessary planning permissions, to reduce the noise and activity levels experienced by residents to the levels set out in the 1985 Notice as understood since January 2013;
- (v) MPML/BARC be encouraged to consider the practical potential and community benefits of significantly reducing the extent of the 'hairpin' element of the track.

67 EMPLOYMENT LAND AND PREMISES REVIEW

The Executive gave consideration to the Employment Land and Premises Study to be used to inform the Site Allocations and Development Management Policies DPD. At this juncture Cllr Cope declared for the purpose of openness and transparency that his employer, Sparkenhoe, was named in the report.

During discussion, the following points were raised:

- A member was pleased to see the site of Nailstone Colliery included in the report;
- It was suggested that the hosiery factory site in Barlestone should be removed;
- A site in Newbold Verdon which was currently being considered for conversion to starter units should be designated an employment site.

In response to the points raised, Members were informed that the hosiery factory site was a designated housing site, and that officers would report back on the Newbold Verdon and Barlestone sites. Following questions regarding categorisation of sites, it was explained that 'A' was high quality industrial, 'B' was fit for purpose but could be mixed/split use, and C was a lower quality employment area, which could also have alternative uses if proposed. It was agreed to send Members a copy of the complex pro-forma to assist with their understanding of the process.

It was moved by Councillor Bray, seconded by Councillor Bill, and

RESOLVED – the Study be approved.

68 RURAL AREAS REVIEW

Members received the rural areas review 2012/13 which detailed services in the Borough's rural areas. Reference was made to the following:

- The Food Producers Guide;
- The Parish & Community Initiative Fund which had been maintained at £100,000 per year and had been of particular benefit to play areas in the rural areas;
- Parish Councils having benefited from the New Homes Bonus.

On the motion of Councillor Crooks, seconded by Councillor Bray it was

RESOLVED –

- (i) the report be noted and variety of services and activities provided in the rural areas be endorsed;
- (ii) a summary of the Rural Areas Review be send to all Members and to Parish Councils.

69 VCS HUB

A report was presented which outlined key progress in the establishment of a locality based Hinckley & Bosworth Voluntary and Community Sector (VCS) Hub, Forum and Commissioning Board. The importance of volunteers was highlighted and on the motion of Councillor Bill, seconded by Councillor Crooks, it was

RESOLVED – the progress on the formation of the Voluntary and Community Sector Hub for the Borough be noted and welcomed.

70 ENVIRONMENTAL HEALTH COMMERCIAL SERVICES ENFORCEMENT SERVICE DELIVERY PLAN 2013/14

Members received the Environmental Health Commercial Services Enforcement Service Delivery Plan 2013-14. The achievements were highlighted, particularly in light of the time taken up during the year with testing for horsemeat. The team were thanked for their hard work. It was moved by Councillor Gould, seconded by Councillor Bray, and

RESOLVED – the report be endorsed.

(The Meeting closed at 7.25 pm)

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CHAIRMAN

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## EXECUTIVE BRIEFING – 22 AUGUST 2013

### REPORT TITLE REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)

### WARDS AFFECTED: ALL

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Hinckley & Bosworth  
Borough Council

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#### 1. PURPOSE OF REPORT

The purpose of this report is to present the new Procurement Strategy to members for their comment and consideration and to seek their endorsement of its objectives.

#### 2. RECOMMENDATION

Members are asked to

- (i) endorse the Strategy.

]

#### 3. BACKGROUND TO THE REPORT

3.1 The previous Corporate Procurement Strategy had been in place since 2010 and the Improvement Plan arising from it was delivered between 2010 and 2012.

3.2 This year, we have taken the opportunity to completely refresh the strategy.

3.3 The new strategy builds upon the good work from the previous period and addresses changes in legislation including the Community Right to Challenge (arising from the Localism Act 2011) and The Public Services (Social Value) Act 2012. It also expressly references our approach to Strategic Commissioning and includes the Council's revised aims of the Corporate Plan.

#### 4. FINANCIAL IMPLICATIONS (KB)

There are none arising directly from this report.

#### 5. LEGAL IMPLICATIONS (AB)

The legal implications are contained in the body of the Corporate Procurement Strategy.

#### 6. CORPORATE PLAN IMPLICATIONS

The Corporate Procurement Strategy document positively contributes to all of our strategic aims.

#### 7. CONSULTATION

#### 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

Implementation of the Procurement Strategy will assist in the Council's ambitions to maintain "achieving" status of the Equalities Framework for Local Government.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: None

Contact Officer: Julie Kenny, 5985

Executive Member: Councillor Keith Lynch



Hinckley & Bosworth  
Borough Council

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# Corporate Procurement Strategy

2013 - 2016

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## **CONTENTS**

<b>1</b>	<b>INTRODUCTION AND BACKGROUND</b>	<b>Page 3</b>
	1.1 Foreword	
	1.2 Background	
	1.3 Purpose of the Strategy	
	1.4 Objectives	
	1.5 Benefits	
	1.6 Definitions	
	1.7 Strategic Commissioning	
	1.8 Community Right to Challenge	
<b>2</b>	<b>ROUTINE PROCUREMENT</b>	<b>Page 8</b>
	2.1 General Principles	
	2.2 Purchasing Guidelines	
	2.3 Consortia and Joint Arrangements	
	2.4 E-Procurement	
<b>3</b>	<b>HIGH VALUE / STRATEGIC PROCUREMENT</b>	<b>Page 9</b>
	3.1 General Principles	
	3.2 Legal Framework	
	3.3 Tender Evaluation	
	3.4 Design and Construction Contracts	
	3.5 Partnership Working	
	3.6 Project Management	
	3.7 Contract Management	
	3.8 Transformation Programme of Service Review	
<b>4</b>	<b>LEADERSHIP AND RESPONSIBILITY</b>	<b>Page 12</b>
	4.1 Internal Roles	
	4.2 Training and Development	
	4.3 People Strategy	
	4.4 External Roles	
<b>5</b>	<b>RISK MANAGEMENT</b>	<b>Page 14</b>
	5.1 Applying Risk Management Principles	
	5.2 Insurance	
	5.3 Health and Safety	
<b>6</b>	<b>EMPLOYMENT MATTERS</b>	<b>Page 15</b>
	6.1 Employee Consultation	
	6.2 Transfer of Employees	
<b>7</b>	<b>SOCIAL VALUE</b>	<b>Page 16</b>
	7.1 Sustainability	
	7.2 Green Procurement	
	7.3 Local Regeneration	
<b>8</b>	<b>EQUALITIES IN PROCUREMENT</b>	<b>Page 19</b>
<b>9</b>	<b>REVIEW</b>	<b>Page 20</b>

## 1. INTRODUCTION AND BACKGROUND

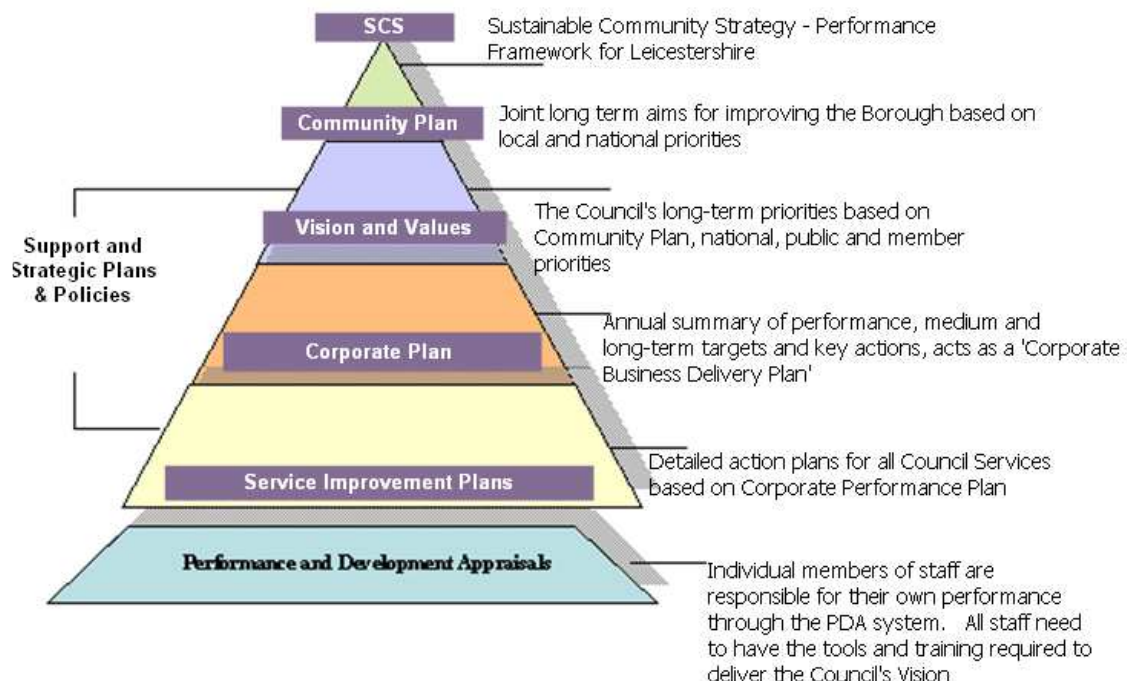
### 1.1 Foreword

1.1.1 Procurement is recognised as being a major factor in delivering what the Council wants to achieve on behalf of local people through its strategic objectives. The way we choose to use our spending power is a strategic decision and needs to be treated as such. This document sets out how we aim to do this set within the local context, in particular the Council's Corporate Plan, and the County's Sustainable Community Strategy.

1.1.2 The Council's Vision is to make Hinckley & Bosworth "A Borough to be proud of". Our Aims are:

- Creating a vibrant place to work and live
- Empowering communities
- Supporting individuals
- Providing value for money and pro-active services

1.1.3 The Council uses different plans and strategies at all levels of the organisation to plan and monitor the achievement of its aims. The framework is represented by the diagram set out below, and a simple explanation is given for each element.



1.1.4 During 2013 / 2014 the Council is budgeted to spend more than £10m on the procurement of goods, works and services. Recognising that HBBC is a "lean" authority, it is vital that we obtain best value from this expenditure, thereby releasing the maximum amount of resources to deliver key front line services.

1.1.5 As HBBC needs to achieve overall value for money services for its citizens, there is commitment from members and senior managers alike to the overall procurement agenda.

## **1.2 Background**

- 1.2.1 The Byatt report “Delivering Better Services for Citizens” of 2003 noted that “good procurement can raise the quality of services for citizens, by buying goods, works and services that better meet their needs”.
- 1.2.2 The Government issued the National Procurement Strategy (NPS) in October 2003 together with a series of key milestones to be achieved over a 3-year period. HBBC achieved all relevant milestones through delivery of its first Procurement Strategy, together with its action plan.
- 1.2.3 This Procurement Strategy builds upon the foundations laid by the first Strategy and incorporates the Council’s emerging priorities and challenges, including approach to Strategic Commissioning and the Community Right to Challenge.
- 1.2.4 To support us in this agenda, the Council works closely with East Midlands Councils which is meant to help us and our partners to deliver better services by supporting our efforts to become efficient, innovative and more engaged with our citizens.
- 1.2.5 Hinckley and Bosworth Borough Council is not a high spending authority. It has a low tax base and low Council Tax level. It therefore finds itself in a difficult position of retaining a low level of Council tax and maintaining a prudent level of balances and reserves whilst facing increased costs and pressures of new and improving services.
- 1.2.6 Therefore being a lean Authority, it is vital that the Council focuses on procurement as a major opportunity to alleviate budget pressures. The HM treasury spending review (Gershon review), in 2004, set an expectation for procurement to deliver savings in cost efficiencies and cost reductions in goods and services procured. This is a continuing theme for procurement.
- 1.2.8 HBBC has a Procurement Manager (Chief Officer (Finance, Resources & Housing Repairs) who is responsible for development and implementation of this Strategy. Routine procurement continues to be devolved to service areas but within a more controlled environment. This leaves capacity for the procurement expertise to be directed at the more complex and strategic projects.

## **1.3 Purpose of the Strategy**

- 1.3.1 This document aims to provide a framework for the full range of procurement activity carried out across the Council and ensure that procurement planning reflects the Council’s financial standards and strategic objectives. It also sets out the Council’s Efficiency Strategy and how it will continue to deliver the savings required.
- 1.3.2 This Strategy does not set out to be a Procurement Manual. A Procurement Toolkit has been separately compiled for officers’ use. This is available on the Council’s Intranet.
- 1.3.3 Procurement activity is subject to scrutiny from both internal and external challenge. It is a factor in annual Audit Plans.

## **1.4 Objectives**

1.4.1 The objectives of this Strategy are as follows:

- to continue to evaluate and improve current procurement practices to achieve better value for money and ensure customer / client needs are met;
- to ensure procurement best practice is highlighted and used consistently throughout the Council;
- to align procurement activities with other strategies adopted by the Council and to ensure that corporate objectives are addressed;
- to ensure that current and future procurement activities are planned, monitored and reviewed effectively;
- to encourage growth in the local economy through effective engagement with local businesses;
- to develop a more sustainable environment and community;
- to identify opportunities for working with others, both in the public and private sectors, in order to widen the scope for maximising purchasing power and identifying innovation.
- to ensure that our approach to procurement sits well within the context of Local Area Agreements, the regional Community Strategy, Strategic Commissioning and the Community Right to Challenge.

## **1.5 Benefits**

1.5.1 In taking this Strategy forward, the Council can expect to realise the following benefits:-

- Improved value for money;
- More efficient procurement;
- Collective understanding of expectations amongst officers and members;
- Improvements in procurement outcomes;
- Effective partnerships to be developed with suppliers / service providers;
- Improved risk management;
- Promotion of social benefits and equality of opportunity for service users, service providers and staff;
- Improved project planning and management;
- Integration with and contribution to Council's overall objectives and business delivery plans;
- Sustainable local business community.
- Reduce negative impacts on the environment

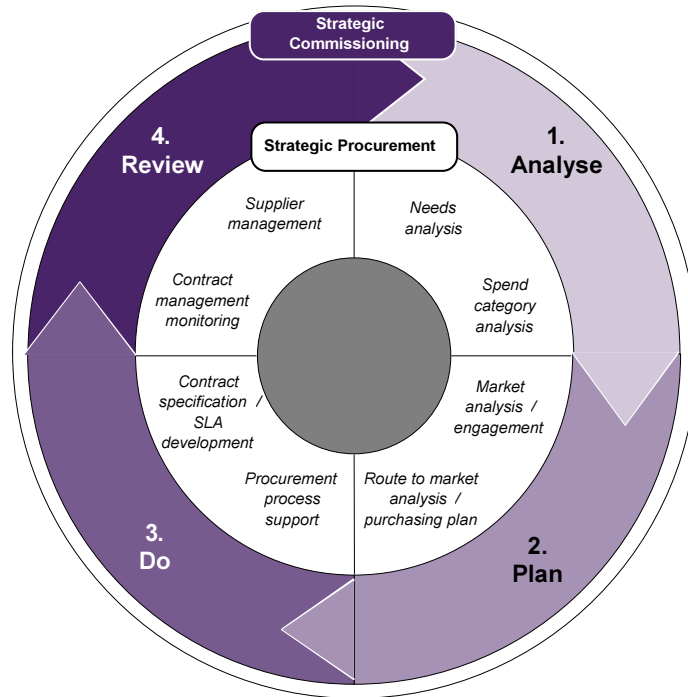
## 1.6 Definitions

- 1.6.1 Procurement is defined as “*the process of acquiring goods, works and services, covering both acquisition from third parties and from in-house providers. The process spans the **whole cycle** from identification of need, through to the end of a services contract or the end of a useful life of an asset.*” This Strategy further defines procurement in two categories:-
- A. **Routine Procurement** – this sets out the processes supporting routine / low cost and risk purchasing and procurement and ways of developing / improving the effectiveness of these activities.
  - B. **High Value / Strategic Procurement** – This is where procurement is planned for specific projects and needs to take account of specific issues e.g. options appraisals, tendering requirements and legislation, contract management and monitoring.
- 1.6.2 Although some aspects of good practice will be common to both types of activity, the support required and the processes adopted will differ and this has been taken account of in developing this Procurement Strategy.
- 1.6.3 Value for Money is principally defined as “*the optimum combination of whole life costs and benefits to meet the customers’ requirements*”.

## 1.7 Strategic Commissioning

- 1.7.1 HBBC, along with its Leicestershire partners will endeavour to take a strategic commissioning approach to delivering services. The Leicestershire Together Board has agreed a particular approach and has developed a Handbook for all partners to use, along with a supporting team.
- 1.7.2 There are many definitions of strategic commissioning but essentially it is: “The process of identifying strategic outcomes in relation to assessed user needs, and designing and securing appropriate services to deliver these outcomes”
- Commissioning involves:
- An **evidence based** analysis of the needs of users
  - Deciding the services that best deliver against those needs from **across the market** (private, public and voluntary)
  - Acquiring the best services and making sure they are successful through **ongoing monitoring and review**
- 1.7.3 There is clearly a strong link between strategic commissioning and strategic procurement. They both incorporate the whole cycle of how public services are delivered in a value for money way.
- 1.7.4 The four stages of Strategic Commissioning as defined by Leicestershire Together are illustrated in the diagram overleaf:





## 1.8 **Community Right to Challenge**

1.8.1 The Localism Act 2011 was intended to hand power to local communities, enabling them to take more control locally. One of the rights given to local communities through this legislation is The Right to Challenge which enables local communities (through a relevant body) to challenge and shape how services are delivered in their locality and importantly, seek to deliver these services.

1.8.2 The Right to Challenge therefore enables eligible groups to express an interest in running a local authority service:

- It gives them the extra time they need to be able to compete fairly in an open procurement exercise
- It provides a way of opening up public service delivery to groups and organisations other than those in the public and private sector.

1.8.3 HBBC must consider expressions of interest and, where we accept them, run a procurement exercise for the service which anyone can compete in. So, rather than a 'right to run' a public service, it is a 'right to compete' in a procurement exercise.

1.8.4 The following groups are all eligible to express an interest in bidding to run a particular HBBC service:

- a voluntary or community body;
- a body of persons or a trust which is established for charitable purposes only;
- a parish council;
- two or more employees of the relevant authority; or;
- any other person or body specified by the Secretary of State by regulations.

- 1.8.5 Expressions of interest can be submitted at any time, however if there is already a contract or agreement in place for provision of a service, the expression of interest won't be considered until the appropriate time when the current contract is due to expire.
- 1.8.6 An expression of interest must be in writing and must include
- Information about the financial resources of the 'relevant body' submitting the expression of interest, and if proposing to deliver as part of a consortium or using a sub-contractor, information about the financial resources of each member of the consortium or each sub-contractor;
  - Evidence that demonstrates that by the time of any procurement exercise the 'relevant body' will be capable of providing or assisting in providing the relevant service (or evidence that each member of the consortium or each sub-contractor will be able to do so);
  - Information about the relevant service sufficient to identify it and the geographical area to which the expression of interest relates;
  - Information about the outcomes to be achieved, in particular how it will promote or improve the social, economic or environmental well-being of the relevant authority's area, and how it will meet the needs of the service users
- 1.8.7 HBBC will need to be prepared for such expressions of interest. This will clearly involve having an open dialogue with relevant bodies, seeking to deliver more positive social outcomes through its services, which links to its obligations under the Public Services (Social Value) Act 2012.

## **2 ROUTINE PROCUREMENT**

### **2.1 General Principles**

- 2.1.1 Procurement of low value items by individual managers accounts for a significant proportion of the Council's expenditure when aggregated across the whole range of Council services. Whilst flexibility needs to be maintained to ensure that managers can respond to their own requirements, there needs to be sufficient co-ordination and control to allow good practices to be shared, benefits to be accrued from economies of scale, and targets and improvement to be identified and achieved.
- 2.1.2 The focus for routine procurement needs to be on outcomes i.e. meeting the Council's objectives, ensuring customer needs are satisfied, and achieving value for money.
- 2.1.3 Whilst routine procurement will remain devolved to individual departments, wherever possible, any contract requirement of the Council should therefore be aggregated and procured on a corporate basis.

### **2.2 Purchasing Guidelines**

- 2.2.1 In terms of routine procurement, the Council's purchasing guidelines are currently contained within the Finance and Contract Procedure Rules which are both available on the Intranet.

- 2.2.2 The Finance and Contract Procedure Rules need to be reviewed annually to ensure that they continue to reflect good procurement practice and provide appropriate safeguards for the Council in any purchasing activity undertaken.
- 2.2.3 A detailed Procurement Toolkit has also been developed and this forms the basis of simple guides to best practice. These guides are for all Council employees involved in procurement at any level and are available on the Intranet.
- 2.2.4 Training is also offered to any staff involved in procurement and all members. This is delivered typically on a quarterly basis as a minimum.

### **2.3 Consortia and Joint Arrangements**

- 2.3.1 The opportunities identified within this Strategy become more powerful when shared with other local authorities, agencies and private sector partners to identify areas of common interest. There are a number of local authorities that have joined together to share expertise, realise administrative efficiencies, and economies of scale for mutual benefit.
- 2.3.2 HBBC has already recognised the benefits of joint working and will utilise consortia arrangements (Eastern Shires Purchasing Organisation (ESPO), Government Procurement Service (GPS) etc.) where they offer a value for money solution. This will be evaluated upon both a cashable and a non cashable basis, i.e. where there are potential process savings as well as “cost per unit” savings.

### **2.4 E-procurement**

- 2.4.1 E-procurement is more than simply automating the purchase order and invoice payment process. It is about using the technology available to improve efficiency and effectiveness of the whole supply chain.
- 2.4.2 The Council implemented an e-procurement system in 2007 which is now well embedded. We will seek to take advantage of all developments to this system to further reduce transaction costs and processing time.
- 2.4.3 The Council also implemented an e-tendering system in 2012 which will be used for all of the Council’s tenders. We will continue to identify and implement technology developments to make procurement processes as efficient as possible.

## **3. HIGH VALUE / STRATEGIC PROCUREMENT**

### **3.1 General Principles**

- 3.1.1 Procurements that fall within this category of procurement, tend to carry far higher risks if the project is not completed successfully e.g. a construction contract or the tendering for the provision of a key service. Strong support and guidance, therefore, needs to be in place.

## **3.2 Legal Framework**

- 3.2.1 High Value projects are more likely to be subject to European Union (EU) procurement regulations and lack of compliance with the legal requirements can open the Council to costly legal appeal. All decisions must be transparent, objective and auditable. The EU processes specify different routes according to the type of procurement undertaken and the Council must provide clear support on the legal framework identifying as necessary how specialist legal advice can be obtained.
- 3.2.2 It is crucial that the Procurement Manager is involved in all strategic procurement projects, to ensure best practice is applied and to provide guidance and support. Managers who undertake such projects should be suitably trained.

## **3.3 Tender Evaluation**

- 3.3.1 The Council will utilise appropriate selection criteria to be applied when awarding contracts. Criteria to take into account may include:
- price, including whole life cost;
  - quality;
  - plans for service improvements;
  - empathy with the Council's objectives and core values;
  - skills;
  - investment;
  - impact on employees innovation;
  - shared risk / reward;
  - staffing issues including TUPE arrangements;
  - environmental issues;
  - equality considerations;
  - health and safety issues.

## **3.4 Design and Construction Contracts**

- 3.4.1 The Council will ensure its construction and design processes take account of the key elements of the Government's Guide on 'Rethinking Construction in Local Government' (Egan Report).

## **3.5 Partnership Working**

- 3.5.1 Partnering is more about the approach undertaken than a specific method of procurement. The Council is committed to working with public, private and voluntary sector organisations to develop co-operative procurement arrangements and develop supplier effectiveness. Exploring further opportunities to work in partnership and achieve benefit from sharing resources, skills and expertise, will evidence this commitment.
- 3.5.2 Partnering is a term widely used within both the public and private sectors but although it has no commonly agreed definition it can generally be defined as *"A relationship between two (or more) organisations, which commit to working together to achieve their own and each other's objectives."*

- 3.5.3 The aim of partnering is for clients and service providers to work together to achieve best value for all parties by adopting a flexible and motivated approach unrestrained by artificial barriers and in a non-confrontational manner. The partnership must be underpinned with a formal contract, processes and procedures document in which the ethos of the partnership is captured.
- 3.5.4 Partnering principles will be applied to individual projects whenever possible and appropriate.

### **3.6 Project Management**

- 3.6.1 Procurement undertaken in this category needs to be managed to formal project management principles, with responsibilities clearly outlined and plans must be in place setting targets, milestones, timescales and resources required for successful completion. HBBC has adopted Prince 2 as its chosen methodology, with application of the principles varying depending upon the size and nature of the procurement.

### **3.7 Contract Management**

- 3.7.1 Project management principles apply not only to tendering processes but also to the performance of the contract once in place to ensure the desired outcomes are achieved and the Council's objectives are continually being met.
- 3.7.2 Wherever possible, challenging performance indicators (PIs) should be incorporated into contracts as a tool for managing performance, and to drive continuous improvement.
- 3.7.3 In terms of information provided by our contractors, it is vital that this is provided in a timely and accurate manner and that we are clear with the contractor about their responsibilities for data quality and how we will be checking the information they provide.
- 3.7.4 Where applicable the Council require a contractor to adopt our Data Quality Policy and / or enter into an Information Exchange Agreement.
- 3.7.5 The Council will also, where appropriate, check the information it holds with customers, partners and / or service users, in order to keep its information accurate.
- 3.7.6 The Council will seek to develop contract management tools, utilising appropriate technologies. A Contract Management Guide is available on the Intranet as part of the Procurement Toolkit.

### **3.8 Transformation Programme of Service Review**

- 3.8.1 The Council has a Programme of Transformation, with a Manager tasked with its delivery. As part of this programme, services and strategically critical procurements may be reviewed.
- 3.8.2 In particular, services will be reviewed where:
- There is a need to improve performance on a shared or local priority.

- We are unclear whether a service is still required or whether its contribution is as effective as it could be.
- There is a clear and proven case for a new service or a different way of providing an existing service.
- There is evidence that the costs of a service are significantly out of line with comparable services in other authorities.
- There is a clear opportunity to work with other authorities to deliver common services.

3.8.3 This review will look at new and innovative ways of delivery, rather than repeating without challenge current practices. It will include researching all available delivery options in the market, including working with others and current best practice. We will also engage other organisations to learn from their good and bad experiences.

3.8.4 A transparent options appraisal exercise will be undertaken and will include the following areas for review::

- Cost;
- Service quality;
- Risk;
- Deliverability;
- Timescales;
- Funding;
- Practicality;
- Legal / Statutory requirements.

3.8.5 The options appraisal will as a minimum consider the following alternative delivery options:

- In-house provision
- Use of consortium framework contract
- Collaborative contract
- Shared Service
- Private Sector
- Voluntary Sector
- Social Enterprise
- Local Authority Company
- Joint Venture Company
- Partnering Contract
- Design, Build, Operate and Manage Contract
- Concession or Franchise
- A combination of the above

## **4 Leadership and Responsibility**

### **4.1 Internal Roles**

4.1.1 Currently members of staff in all of the Council's service areas carry out procurement. A Procurement Manager is in post and acts as an advisory / support resource. The Procurement Manager is also responsible for developing and reviewing the Corporate Procurement Strategy and

framework, and developing, maintaining and monitoring relevant systems, procedures and standards to ensure that corporate requirements and strategic objectives are met.

4.1.2 The Council's Managers are responsible for ensuring the Strategy is and all associated systems, procedures (including Financial Procedure Rules) are adhered to within their respective teams.

4.1.3 Clearly, HBBC will not be able to realise the full potential of procurement to improve public services without commitment from the top. The Executive Member for Finance will act as the lead on the Procurement Strategy for members.

## **4.2 Training and Development**

4.2.1 As already identified, a substantial amount of procurement carried out within the Council is not managed or undertaken by purchasing professionals and therefore, the skills required need to be properly identified and met. This will include project and contract management skills referred to earlier as well as competency in appraising suppliers, carrying out negotiations and risk management.

4.2.2 Training is delivered by the Procurement Manager on a quarterly basis and more specialist training is to be sought by the Procurement Manager as and when required.

## **4.3 People Strategy**

4.3.1 All actions arising from this Procurement Strategy will be developed alongside the principles of the Council's Human Resources People Strategy.

## **4.4 External Roles**

4.4.1 The Council intends to engage fully with all sources of external support to enable delivery of this Strategy. Such sources include:

- East Midlands Councils (Regional Improvement & Efficiency Partnership)
- Leicestershire & Rutland Procurement Forum
- District Councils Network
- Other peer authorities

4.4.2 The Council needs to engage with its partners as much as possible to ensure we receive maximum support to implement the Strategy and Action Plan. We will also proactively seek out opportunities for collaboration and shared services.

4.4.3 HBBC has already engaged in this process and is working particularly with other Leicestershire authorities on a number of initiatives including:

- Revenues and Benefits
- Procurement of Virtual Mailroom Services
- Procurement of Leisure Services

## **5 RISK MANAGEMENT**

### **5.1 Applying Risk Management Principles**

- 5.1.1 All procurement should be subject to the identification and quantification of risk prior to contract formalisation so that risk is retained or transferred to the party who can manage the risk the most effectively. This analysis should be completed in line with the Council's Risk Management Strategy which defines the Council's agreed treatment methods of different levels of risk (risk appetite). A project risk register is to be maintained for major projects in accordance with the Risk Management Strategy.
- 5.1.2 There are many different types of risk that may exist and a tactical approach is required to ensure at least key risks are considered. At HBBC a RISK TACTICAL approach is taken to ensure key risk categories are considered. Key considerations for each risk category are provided in the Risk Management Strategy. Key risk categories are:
- Reputation
  - In Partnership
  - Support politically
  - Key staff and Management
  - Third Party Dependencies
  - Assets
  - Capital and Revenue
  - Technological
  - Impact on Environment, Customers, social / economic issues
  - Continuity
  - Advantage/Opportunity
  - Legal/Regulatory
- 5.1.3 Risks and procurement 'Lessons Learned' identified will be recorded in project / service risk registers with the necessary actions required to manage the risk.
- 5.1.4 Risk identification and assessment is also incorporated into the Service Improvement Planning process. Procurement risks should be considered as part of the Service Improvement Planning process. New or unplanned procurement activity will need to be added to service risk registers following formalisation of Service Improvement Plans.
- 5.1.5 The benefits and opportunities that may arise will need to be analysed in order to balance such opportunities against the risks. This will ensure that all aspects of the procurement are properly weighted against each other.
- 5.1.6 Reporting on the ongoing management of identified risks is carried out as part of the Council's Performance Management reporting arrangements.

### **5.2 Insurance**



- 5.2.1 When contracting with third parties it is important to ensure that they have adequate provisions to deal with any unforeseen events. There are liabilities associated with the supply of goods or services that should be retained and insured by the supplier. As a **minimum**, any contracting third party with the Council should have the following liability insurance provision:

Public Liability Insurance

A minimum indemnity limit of **£5M** for any single event or series of events arising from the same cause.

Products Liability Insurance

A minimum indemnity limit of **£5M** for any single event or series of events arising from the same cause.

Employers Liability Insurance

A minimum indemnity limit of **£10M** for any single event or series of events arising from the same cause.

Professional Indemnity Insurance

A minimum indemnity limit of **£2M** in the aggregate for all claims made in any 12 month period of insurance.

- 5.2.2 Where a provider doesn't hold the levels of insurance as indicated above, the Council's Procurement Manager should be consulted and a risk assessment undertaken to determine the level of insurance appropriate for the contract being procured.

**5.3 Health and Safety**

- 5.3.1 As part of the risk identification process, health and safety considerations must be included. This relates both to ensuring the Council's Health and Safety policies and procedures are met, particularly in the supply of services, and also ensuring that items purchased meet appropriate Health and Safety requirements / standards.

**6 EMPLOYMENT MATTERS**

**6.1 Employee Consultation**

- 6.1.1 Staff will be consulted during procurement projects at all times and from the earliest opportunity and a consultation timetable will be agreed at the outset and adhered to throughout.
- 6.1.2 The views of staff on such matters will be ascertained and considered fully.
- 6.1.3 Where procurement affects staff, staff representatives will be kept informed and invited onto the relevant Project Teams and evaluation panels as

appropriate. Wherever possible, employment considerations will be built into procurement processes and contracts.

- 6.1.4 The Council is seeking to adopt the principles of a Living Wage Accredited Employer and will also consider full accreditation over the life of this strategy. Such accreditation would result in all agencies and sub-contractors that meet certain criteria being required to pay all staff on Council contracts the Living wage as a minimum.

## **6.2 Transfer of Employees**

- 6.2.1 Where outsourcing is an option, this will be done with certain and consistent application of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).
- 6.2.2 There will be no transfer to any other organisation unless the Council is satisfied that the prospective employer is sound. The Council will not award contracts to organisations with poor track records in areas such as employment conditions. This extends to issues of equality such as sex, race, sexual orientation etc.
- 6.2.3 Where there is TUPE transfer, the Council will provide bidders with accurate and timely information on all relevant matters. Bidders will be expected to demonstrate that they understand and can manage their obligations under TUPE, with no detriment to the terms and conditions of transferred employees in connection with the transfer.
- 6.2.4 Contractors selected to provide services to the Council and to take on former staff should also have the policies that ensure good communication and consultation with the workforce on key issues following a transfer.
- 6.2.5 The Council will also seek to provide protection of the pension rights of transferring staff. The authority will expect employers to either seek admitted body status (where eligible) to the Local Government Pension Scheme or to offer membership of an alternative scheme that is certified as being broadly comparable. Negotiations to resolve the issue of pensions shall take place at an early stage in the process and shall be open and transparent.

## **7 SOCIAL VALUE**

### **7.1 Sustainability**

- 7.1.1 Sustainable development means that economic growth, social cohesion and environmental protection must go hand in hand.
- 7.1.2 The UK Government Sustainable Development Strategy (2005) highlighted the need to ensure that the £125 billion spend in the public sector is utilised sustainably and responsibly.
- 7.1.3 The Public Services (Social Value) act 2012 places a requirement on the public sector to consider the economic, environmental and social benefits of

their approaches to procurement **before** the process starts. They also have to consider whether they should consult on these issues.

7.1.3 All procurement shall therefore have due regard to the principles of sustainability. Environmental and social issues shall be considered at all stages of the procurement cycle, including:

- Defining the need;
- Evaluating options;
- Design and specification;
- Supplier selection;
- Tender evaluation;
- Post-contract management;
- Supplier development;

7.1.4 At the outset, the business case in each procurement project must address sustainability issues and identify whether there is scope to improve the environmental, economic and social impacts of the proposed contract. This should also include an assessment of the voluntary and social sectors ability to access the opportunity.

7.1.5 The Procurement Toolkit includes guidance as to how these factors can be included at each stage.

## **7.2 Green Procurement**

7.2.1 The environmental impacts of procuring goods and services are deep and wide ranging. The key principles to consider are “reduce, reuse, recycle and rethink” – including thinking about whole life costs (noting in particular the cost of disposal).

7.2.2 The council adopted an Environmental (Waste Reduction Policy) Purchasing Policy in March 2010. This strategy will deliver on all of the objectives contained within the Policy.

7.2.3 The early consideration of green issues with an emphasis on whole life costing may result in a differing requirement providing better value for money. HBBC will seek to use specific tools at each key stage to assess environmental impacts, specifically invitations to tender and pre qualification questionnaires should include a requirement for potential suppliers to identify the environmental impacts of their organisations products and how they propose to minimise them. This will allow a wider consideration of the issues during which the evaluation of tenders, and may result in new ideas.

7.2.4 Questions which can be asked of major suppliers tendering for large contracts (on a risk basis) may include:

- Does the organisation have an environmental policy?
- Does the organisation have an environmental management system in place? For example, do they hold accreditation for EMAS (Eco-Management & Audit Scheme) and / or ISO14001?
- Has the organisation compiled an environmental effects register?
- Does the organisation have an environmental action plan to reduce adverse impact on the environment?

- Does the organisation have any unspent prosecution in relation to environmental legislation?
  - Identify the environmental impact of the provision of your supply/service.
- 7.2.5 The answers to the above questions can be used to consider both the environmental risk and profile risk (concerned with perceptions of those outside of the Council on what the Council ‘should be doing’). The Council’s own documents and procedures, e.g. the Environmental Policy and Environmental Effects Register will be used as benchmarks for scoring the suppliers’ responses.
- 7.2.6 Wider costs and issues (e.g. reducing the potential for long term pollution in the local community) should be considered at the specification of requirements stage. In addition, whole-life costs\* provides the means of determining if it is cost effective to invest in a more expensive product initially to reduce costs in the long run. The environmental impacts in each stage of a product or service’s lifecycle need to be taken into account.
- 7.2.7 Suppliers should also be required as part of the tender process, to explain how their offer will meet or exceed the specification in regard to materials used in manufacture, reduction of energy used during manufacture. Disposal etc. for goods and the use of energy and water, generation of waste, pollution and protection of the natural environment etc. for works and services.
- 7.2.8 The Council has developed a Green Purchasing Guide that provides guidance to staff on how they can help to conserve energy and resources, and reduce waste and pollution through purchasing decisions.
- 7.2.9 The Council is recognised as being a “Fairtrade Borough”. Consideration should be given to Fairtrade and general ethical procurement in all its procurement decisions.

### **7.3 Local Regeneration**

- 7.3.1 The Council recognises that as a major buyer of goods and services, the decisions it takes in awarding contracts can have an effect on the local economy and local communities. The Council needs to balance this within the legislative framework, particularly in regard to the non-discrimination and competition requirements.
- 7.3.2 In response, the Council is committed to maximise the regeneration impacts of its procurement decisions.

To help it achieve this, the Council will need to take a number of steps, including:

- Completing an analysis of the Council’s current spending patterns, which identifies how much we are spending locally, particularly in regard to small to medium enterprises (SMEs);

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\* Whole life costs can be defined as the total resources required for putting together, equipping, maintaining and operating a purchase such as a piece of equipment, vehicle or building. It is made up of the costs to develop, acquire, own, operate and, preferably, re-deploy or, less preferably, dispose of the equipment or property when no longer required for the purpose for which it was purchased.

- Paying our local suppliers within 10 days;
- Using the Source Leicestershire website to advertise business opportunities at all levels up to and over European Threshold values;
- Promoting the availability of our services through attendance at local business organisations' meetings such as Business Link Leicestershire / Hinckley Business Assoc / Earl Shilton Business Forum;
- Continuing to work closely with the Town Centre Partnership and the Business Improvement District (BID).

7.3.3 The Council recognises that local suppliers and indeed any SMEs are not able to compete for *every* contract opportunity. HBBC therefore needs to develop an approach to encouraging tenderers for large contracts to consider how they might work with the local supply chain to increase the local economic impact of the contract.

7.3.4 Whilst seeking to encourage growth in the local economy, the Council aims to encourage a mixed range of suppliers to compete for its contracts to help develop a varied and competitive marketplace. HBBC recognises that smaller suppliers and those in the voluntary and community sectors can often have innovative solutions to requirements. HBBC will identify any gaps in the supply base and strive to increase provision from currently under represented areas, including BME and women owned businesses.

## **8 EQUALITIES IN PROCUREMENT**

8.1 HBBC is committed to equalities in all its activities. Any contractor / organisation working for and on behalf of the Council, or any organisation receiving grants from the Council, will need to demonstrate its compliance with all current legislation as an employer. The legislation includes:

- Equality Act 2010
- Human Rights Act 1998
- Maternity and Parental Leave etc. and the Paternity and Adoption Leave (Amendment) Regulations 2008
- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations 2002

8.2 At the start of a tendering exercise, the Council should undertake an analysis of the effects on equality. Any findings from this analysis including any consultation results, should be factored into the procurement process. This will ensure that the Council complies with the general and specific equality duties under the legislation.

8.3 The contractor / organisation must ensure that all individuals or organisations providing, receiving or benefiting from the service are treated fairly and without discrimination, either directly or indirectly. The contractor/organisation shall not discriminate either on grounds of race, skin colour, nationality, ethnic or national origin, gender, sexual orientation, marital status, disability, age, religious belief or class, education or health.

- 8.4 At the pre-qualification stage the authority will seek information as to the general competence, track record, details of criminal offences and acts of grave misconduct in relation to equalities legislation. Contractors may be excluded from the tendering exercise if they have been convicted of a criminal offence or have committed an act of grave misconduct, and have not put appropriate measures in place to prevent a reoccurrence.
- 8.5 The following may be added as clauses in tender documents for contracts (on a risk basis):
- It is a priority of the Council's policy to use whatever opportunities are allowed by law to ensure that contractors and their agents accept a commitment to equalities;
  - The contractor and any sub contractor employed by the contractor shall adopt policies to comply with all legislation as detailed above;
  - The contractor is required to ensure that information and services are fully accessible to all sections of the community and that resources are targeted to ensure that best value is provided;
  - The contractor is required to make every effort to consult, involve and encourage the participation of local communities;
  - The contractor will undertake to build a workforce that reflects the diversity of its communities at all levels wherever possible;
  - In the event of any finding of unlawful discrimination being made against the contractor or any sub contractor employed by the contractor, during the contract period, by any court or employment tribunal, or of any adverse finding in any formal investigation by the Equalities and Human Rights Commission over the same period, the contractor shall inform the Council of this finding and shall take appropriate steps to prevent repetition of the unlawful discrimination;
  - The contractor shall provide such information as the Council may reasonably request for the purpose of assessing the contractor's compliance with the above conditions including, if requested, examples of any instructions, recruitment advertising or other literature, and detail of monitoring applicants and employees;
  - The Council will monitor performance in this area as part of Contract Management. Non-compliance will be treated as a serious breach of contract and may result in this contract being terminated and/or the contractor not being permitted to tender for future contracts.
- 8.6 The Council has an Equalities in Procurement Guide available on the Intranet as part of the Toolkit, which provides further information.

## **9. REVIEW**

9.1 This strategy will be subject to annual reviews.

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**EXECUTIVE – 11 SEPTEMBER 2013**

**REQUEST FOR SUPPLEMENTARY INCOME BUDGET FOR  
INCREASED TRADE WASTE INCOME  
REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY  
DIRECTION)**



Hinckley & Bosworth  
Borough Council

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**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

To advise Executive of the increase in trade waste collection income, and to seek Executive's approval to have a supplementary income budget of £30,000 approved.

2. **RECOMMENDATION**

That Executive approves the provision of a supplementary income budget of £30,000 for trade waste collection income.

3. **BACKGROUND TO THE REPORT**

The Council commenced a trade waste collection service in 2011. The service now has 171 registered customers. Following a successful promotion of the service earlier this year, this service is now forecasting an income of £63,000 against a budgeted income of £33,000.

4. **FINANCIAL IMPLICATIONS [PE]**

Taking into account, the previous years income levels (2012/13 £61,346), together with a successful marketing campaign earlier this year and combined with our current income levels, from a finance point of view, we are comfortable with the forecast addition income levels and believe that forecast to be prudent.

We therefore request that these additional funds to be added to General fund balances to be used at the discretion of Council

5. **LEGAL IMPLICATIONS [AB]**

Section 45 of the Environmental Protection Act 1990 allows the Council to charge a reasonable fee for the collection of non household waste including commercial waste.

6. **CORPORATE PLAN IMPLICATIONS**

The trade waste collection service contributes to the cleaner greener neighbourhood's outcome.

7. **CONSULTATION**

No consultation undertaken for this report.

8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Introduction of changes in disposal fees would require a supplementary expenditure budget.	Currently no indication of changes this year. A supplementary request would be made if necessary.	Caroline Roffey

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

Trade waste collections are available across the Borough.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

Contact Officer: Caroline Roffey / Darren Moore

Executive Member: Councillor Bill Crooks

**EXECUTIVE – 11 SEPTEMBER 2013**

**REQUEST FOR SUPPLEMENTARY INCOME BUDGET FOR  
INCREASED RECYCLING CREDIT INCOME  
REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY  
DIRECTION)**



Hinckley & Bosworth  
Borough Council

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**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

To advise Executive of the increase in income from recycling credits, and to seek Executives agreement to have a supplementary income budget of £40,000 approved.

2. **RECOMMENDATION**

That Executive approve the provision on a supplementary income budget of £40,000 for recycling credit income.

3. **BACKGROUND TO THE REPORT**

The Council receives recycling credits from Leicestershire County Council for each tonne of recycling generated. These payments are made to reflect the reduction in cost to the County Council in landfill disposal costs. Due to improvements in the recycling services in recent years, recycling has increased and the forecast income for 2013/14 is £975,000 against a budgeted income of £933,500.

This forecast is based upon weights of recycling collected last year, and recycling rates can vary dependent on resident's participation and the weather (a wet summer would result in more green waste being generated).

4. **FINANCIAL IMPLICATIONS [PE]**

Taking into account, the previous year's income levels (2012/13 £992,900), together with a rate increase from £47.10 in 2012/13 to £48.51 per tonne of waste for 2013/14, combined with our current income levels, from a finance point of view, we are comfortable with the forecast addition income levels and believe that forecast to be prudent.

We therefore request that these additional funds to be added to General fund balances to be used at the discretion of Council.

5. **LEGAL IMPLICATIONS (AB)**

Recycling credits are paid under the terms of S52(1) of the Environmental Protection Act 1990, which provides that a Waste Disposal Authority (the County) shall make payments for waste retained for recycling to the Waste Collection Authority (HBBC) based on cost saved in not being required to dispose of the retained material.

6. **CORPORATE PLAN IMPLICATIONS**

The trade waste collection service contributes to the cleaner greener neighbourhood's outcome.

7. **CONSULTATION**

No consultation undertaken for this report.

## 8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Recycling rates reduce during the remainder of the year.	A supplementary request would be made if necessary.	Caroline Roffey

## 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

Recycling collections are available across the Borough via kerb side collections and bring sites.

## 10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: None

Contact Officer: Caroline Roffey / Darren Moore  
Executive Member: Councillor Bill Crooks

**EXECUTIVE 11 SEPTEMBER 2013**

**RE-ADOPTION OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

**WARDS AFFECTED: ALL WARDS**

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Hinckley & Bosworth  
Borough Council

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1. **PURPOSE OF REPORT**

- 1.1 The report provides details of a proposal to readopt the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 within the Borough of Hinckley & Bosworth.

2. **RECOMMENDATION**

- 2.1 That the Executive approves the Principal Licensing Officer be authorised to provide notice, in accordance with section 45 of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), of the Council's intention to pass a resolution to adopt the provisions of Part II of the 1976 Act in relation to the Council's administrative area.

3. **BACKGROUND TO THE REPORT**

- 3.1 Part II of the Local Government (Miscellaneous Provisions) Act 1976 contains provisions in relation to the licensing of private hire and hackney carriage vehicles, drivers and operators. The legislation contains provisions which allow local authorities to control the operation and use of private hire and hackney carriage vehicles and to protect the public by ensuring that vehicles are fit for use as licensed vehicles and drivers are 'fit and proper' to act as such if the provisions of Part II of the 1976 Act have been adopted by the Council.
- 3.2 Recent case law has seen decisions to prosecute for offences under Part II challenged successfully because a Council could not demonstrate, some 35 years after the event, that it had given the appropriate notices in its adoption of Part II. The paperwork was simply not available. There is a general awareness that these challenges have taken place and in order to have a recent and robust position which would not be challengeable it is suggested that it would be beneficial to re-adopt the resolution for the purpose of clarity for the future and to ensure certainty in any enforcement action taken under the legislation. The function of adopting Part II of the 1976 Act is, by virtue of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) a function of the Executive.
- 3.3 It is therefore proposed that the Committee recommend to the Executive that authority be given for the provision of notice, in accordance with section 45 of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), of the Council's intention to re-adopt the provisions of Part II of the 1976 Act. In accordance with statutory requirements, as outlined in section 5 below, notice will consist of the publication of a notice of intention in local newspapers for

two consecutive weeks and service of the notice on the Town and Parish Councils within the Borough.

4. FINANCIAL IMPLICATIONS [PE]

- 4.1 There will be a cost implication relating to the publication of the statutory notices which will be met by existing budgets.

5. LEGAL IMPLICATIONS [ MR]

- 5.1 Section 45(2) of the 1976 Act provides that if the Town Police Clauses Act 1847 is in force in the area of a district council, the council may resolve that the provisions Part II of the 1976 Act (other than section 45), are to apply to the relevant area; and if the council do so resolve those provisions shall come into force in the relevant area on the day specified in that behalf in the resolution (which must not be before the expiration of the period of one month beginning with the day on which the resolution is passed). "The relevant area" for these purposes means: (a) if the Act of 1847 is in force throughout the area of the council, that area; and (b) if the Act of 1847 is in force for part only of the area of the council that part of that area. The 1847 Act is in force throughout the entire area of Hinckley & Bosworth Borough Council.

- 5.2 Section 45(3) provides that a council shall not pass a resolution adopting Part II of the 1976 Act unless it has (a) published a notice of intention to pass the resolution in a local newspaper circulating in the area for two consecutive weeks; and (b) served a copy of the notice, not later than the date on which it is first published in the newspaper, on each Parish or community council within the area to be affected.

6. CORPORATE PLAN IMPLICATIONS [RP]

- 6.1 Will help improve the control of hackney carriage and private hire trade within the Borough and thereby contribute towards the Council aims of creating a safe vibrant place to work and live.

7. CONSULTATION [MB]

- 7.1 Public Notices will be placed in a local newspaper for two consecutive weeks and all Town and Parish Councils will be served with a copy of the notice.

8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant Risks		
Risk Description	Mitigating actions	Owner
Reputation, Legal, Regulatory	It is suggested that re-adoption of the legislation, in accordance with section 45 of the 1976 Act, will ensure certainty in any enforcement action.	Mark Brymer

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS [RP]**

9.1 No implications as enforcement work in respect of Taxi Licensing are carried out consistently with reference to adopted policies and procedures across the whole Borough.

10. **CORPORATE IMPLICATIONS**

10.1 Will help ensure Taxi Licensing standards within the Borough and thereby contribute towards the Council aims of Creating a vibrant place to work and live, supporting individuals and providing value for money and pro active services

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: Local Government (Miscellaneous Provisions) Act 1976

Contact Officer: Mark Brymer ext 5645  
 Executive Member: Councillor David Gould

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**EXECUTIVE 11 SEPTEMBER 2013**

**SCRAP METAL DEALERS ACT 2013**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**



**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

- 1.1 To inform members of the licensing requirements of the Scrap Metal Dealers Act 2013 and to seek approval for the scheme of delegation and licensing fees.

2. **RECOMMENDATION**

- 2.1 The Executive are asked to consider the report on the implementation of the Scrap Metal Dealers Act 2013 and to approve the following recommendations:
- (a) the charges of £ 280 for a new licence and £ 180 for a variation of licence are introduced as shown at Appendix 2.
  - (b) that all contested applications are considered by a Licensing Panel made up of three members of the Licensing Regulatory Committee;
  - (c) that both the designations of Authorised Officers under the Act, as set out in paragraph 3.25, and the Scheme of Delegation as set out at Appendix 1 be recommended for approval by the Council.

3. **BACKGROUND TO THE REPORT**

- 3.1 The increased value of metal has caused a growing problem of metal thefts in the whole of the U.K. The Home Office has estimated that there were 80,000-100,000 reported metal theft offences in 2010/11 alone and is costing the economy up to an estimated £260 million per year. A wide range of sectors have been hit including national transport, electricity and telephone links, street furniture, memorials, commercial and residential building including churches and schools.
- 3.2 In 2012 the government brought in some initial steps to prohibit cash payments for scrap metal, amend Police powers of entry into unregistered scrap metal sites; and increase the existing financial penalties for offences under the Scrap Metal Dealers Act 1964. These changes were contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- 3.3 The Local Government Association, along with a range of other bodies – pressed the government further to reform the regulation of scrap metal dealers. The result was the Scrap Metal Dealers Act 2013, delivering much needed reform of the scrap metal sector. The 2013 Act will provide effective and proportionate regulation of the sector, creating a more robust, local

authority run, licensing regime that will support legitimate dealers yet provide the powers to effectively tackle unscrupulous operators.

- 3.4 The 2013 Act will allow the Council to decide who should and should not be licensed, allowing us to refuse a licence upon application or to revoke a licence at any time if we are not satisfied that the applicant is a suitable person to carry on business as a Scrap Metal Dealer. The act also creates closure powers for unscrupulous dealers who operate without a licence. It extends the record keeping requirements placed upon scrap metal dealers and requires the verification of the people Scrap Metal Dealers are transacting with. The act will integrate the separate regulation for motor salvage operators with the scrap metal sector and bring to an end the cash exemption given to some collectors under the 1964 Act.
- 3.5 Finally, the 2013 Act creates a fee raising power, to allow local authorities to recover the costs stemming from administering and seeking compliance with the regime.
- 3.6 In order for anyone to carry on business as a scrap metal dealer they must obtain a licence. The licence will be valid for three years and trading without a licence is a criminal offence.

There are two types of licence specified in the Act:

- Site licence  
All the sites where a licensee carries on business as a scrap metal dealer have to be identified, and a site manager has to be named for each site. This licence allows the licensee to transport scrap metal to and from those sites from any local authority area.
  - Collector's licence  
This allows the licensee to operate as a collector in the area of the issuing local authority. It does not allow the collector to operate in any other local authority area, so a separate licence has to be obtained from each council the collector wishes to operate in. The licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.
- 3.7 It should be noted that a dealer can only hold one type of licence in any one local authority area. They have to decide whether they are going to have a site or a mobile licence in any one area. They cannot hold both a site and mobile collector's licence from the same council.

#### **Timetable for transition to new regime**

- 3.8 The licensing regime created by the Scrap Metal Dealers Act 2013 will commence on 1 October 2013. In order to provide time for councils to process applications without existing businesses being in a position where they cannot operate, the Home Office is implementing a transition process.
- 3.9 The transition arrangements will be implemented by a commencement order which will be made in August 2013. This order will allow councils to set a licence fee for applications from 1 September. It will also specify that the

remaining sections in the Act commence on 1 October, apart from the majority of criminal offences and enforcement-related provisions, which will come into force on 1 December. The exception to this will be the ban on using cash to pay for scrap metal which will also come into force on 1 October. Any dealer currently registered under the 1964 Scrap Metal Dealers Act, or a motor salvage operator already registered under the 2001 Vehicles (Crime) Act, will be deemed to have a licence under the 2013 Act until the council grants a licence or sends the dealer notice of its decision to refuse the licence, provided they submit an application on or before the 15 October. If they do not submit an application their deemed licence will lapse on 16 October. If they wish to trade in the future they would then need to submit an application, but would not be able to legally trade until a licence had been granted.

- 3.10 While their application is being considered by the council, these dealers will be able to operate as if they have a licence. No date will be specified in the regulations setting out when councils will have to have made a decision on applications made between 1 and 15 October. It is recommended that decisions on whether to grant or refuse a licence to previously registered dealers are made before 1 December 2013. Dealers will therefore be able to continue to trade without disruption during the transition period without fear of being prosecuted for operating illegally. While an actual transitional licence need not be issued, sending the dealer an acknowledgement that the application has been received on or before 15 October 2013 will enable a dealer to satisfy the police that during this period they were legally able to operate.
- 3.11 Where an applicant is not registered under the Scrap Metal Dealers Act 1964 or the Vehicles (Crime) Act 2001 before 1 October then they will not be able to trade legally after 1 October until a licence has been issued. Full enforcement of the provisions in the 2013 Act will commence from 1 December 2013.

The transition timeline is:

- The Commencement Order will be made in August.
- This will allow local authorities to set a licence fee from 1 September.
- The main provisions of the Act commence on 1 October including the offence of buying scrap metal for cash.
- Dealers and motor salvage operators registered immediately before 1 October will be deemed to have a licence under the Act from 1 October.
- Provided the dealer submits an application for a licence on or before 15 October their deemed licence will last until the council either issues them with a licence or gives them notice of the decision to refuse them a licence, although they will be able to continue trading pending an appeal against the decision not to grant a licence.
- Where a dealer submits an application on or before 15 October but does not supply all the required information with the application form then the deemed licence remains in effect after 15 October.
- Where a dealer with a deemed licence fails to submit an application on or before 15 October the deemed licence will lapse on 16 October.

- Other scrap metal dealers, not previously registered, will be able to apply for a licence from 1 October but will have to wait until a licence is granted before they can legally trade.
  - Local authorities will complete suitability checks on applicants and decide whether to issue licences. It is recommended that decisions on whether to grant or refuse a licence to previously registered dealers are made before 1 December.
  - All other enforcement provisions within the Act commence on 1 December.
- 3.12 There are two implications for councils arising from this transitional timetable. We need to be in a position to accept applications for licences from 1 October. To do that we will have had to have agreed the fees to charge applicants no later than the end of September.

### **Application fees**

- 3.13 Any application must be accompanied by a fee. The fee is set by the local authority having had regard to guidance issued by the Home Office.
- 3.14 In setting our fees we have had regard to the requirements of the European Union Services Directive and any licensing case law, of which the recent case in the Court of Appeal of *Hemming v Westminster City Council* is especially relevant.

In calculating our fees we have taken into account:

- all the activity required with processing and granting a licence such as considering applications and assessing the suitability of the applicant
  - staff costs associated with supporting the service,
  - support provided by other parts of the council to the licensing team such as legal services and any other associated recharges,
  - the cost of providing advice and guidance to applicants on what will be a new process
  - carrying out inspections and ensuring compliance with the law
  - training for staff and councillors in the requirements of the new legislation
  - costs associated with consulting other agencies and bodies when considering if an applicant is a suitable person
  - making and reviewing any policies in relation to the operation of the new licensing regime
  - issuing the licence
  - Invoicing costs
  - any officer time spent providing information for inclusion in the register of dealers.
- 3.15 These costs are likely to differ over the period from the initial grant of a licence through to the renewal of the licence three years later, which suggests that we will need to reassess the fees on a regular basis.
- 3.16 Not mentioned in the list immediately above, but a potentially significant cost, will be holding hearings to consider whether to grant a licence or whether to revoke or vary a licence. As the cost for these will be spread across licence fees as a whole, an estimate will have to be made when setting the fees of

how many potential hearings there might be. Given the likely number of applicants is very difficult to assess it would be sensible to increase the number of hearings in any estimate rather than decreasing them. However once at the end of the first year of operation of the licensing system it would be sensible to review how many hearings there had actually been and revise the fees accordingly.

- 3.17 In assessing the costs of any hearings where the applicant makes oral representations to the local authority, councils will have to have regard to:
- the cost of communicating with the applicant and any representatives they have
  - how much it costs to prepare and issue the notice setting out what the council proposes to do as required by paragraph 7(1) in Schedule 1
  - what costs are incurred in preparing the report to the Committee
  - the cost of printing and sending out the agendas, legal services costs and any legal advice the committee needs
  - officer costs associated with actually running the hearing.
- 3.18 When looking at enforcement costs we have to bear in mind that they must be based on the principles of good regulation, and they have to be set in an open and transparent way. An important point arising out of the *Hemming v Westminster* case is that the fees cannot be used to pay for enforcement action against unlicensed dealers (particularly collectors) or as an economic deterrent or to raise funds. The limitation placed by the EU Services Directive around enforcement means that councils cannot recover the cost of issuing closure notices to unlicensed dealers and applying for closure orders from the magistrates' court.
- 3.19 A further consideration is that councils cannot demand a fee where that has not been determined. In the case of *Hemming* there were a number of years where in effect the fee was carried over from the previous year without being considered in detail by a committee or the council. This point highlights the importance of regularly reviewing the fees and also making sure that when committees come to determine fees they have all the relevant information before them, otherwise they could be subject to legal challenge.
- 3.20 Appendix 2 shows the fee breakdown associated with the licensing of scrap metal dealers.

### **Objections to Licence Applications**

- 3.21 The Police may object to a licence application where they believe that the applicant is not a suitable person. The local authority, having considered the Police objections and having considered all other information must decide whether they will issue a licence. If the local authority is minded not to issue a licence they must allow the applicant the right to make either oral or written representations.
- 3.22 In order to ensure that the application process is open and transparent it is proposed that all representations are heard by a 'Licensing Panel' which would be made up of three members from Licensing Regulatory Committee. It is anticipated that the hearings would be managed in a similar way to

Licensing Act hearings, where Members hear representations from all parties involved before making a decision.

- 3.23 There is a right of appeal to the Magistrate's Court against the decision to refuse a licence application, to include a condition within the licence, to revoke the licence or to vary the licence

### **Delegation of Functions**

- 3.24 There are various requirements under the Act that will require timely and clear decisions.
- 3.25 Set out at Appendix 1 is a proposed scheme of delegation for functions under the Act.

The Act allows both the police and local authority officers to enforce the provisions of the legislation. It is proposed that the following designation of officers is authorised under the Act:

Principal Licensing Officer  
Licensing & Compliance Officer  
Environmental Health Officers  
Environmental Health Technical Officers  
Chief Officer (Environmental Health)  
Environmental Health Manager (Commercial)

## **4. FINANCIAL IMPLICATIONS [IB]**

- 4.1 The proposed charge for a new licence is £280. The proposed charge for a variation to the licence is £180. The charges are based on latest budget in the current financial year and allow for recovering direct and indirect costs associated with the service. A cost breakdown is attached in Appendix 2.

There are at least fourteen existing business that will need to apply for the licence. The estimated income from these businesses is £3,920.

The charge will be included within the Council's Scale Fees and Charges.

- 4.2 Costs for running the service will be met from existing budgets.

## **5. LEGAL IMPLICATIONS [MR]**

- 5.1 The legal implications of the Act for the Council are set out comprehensively in the report.

## **6. CORPORATE PLAN IMPLICATIONS [RP]**

- 6.1 Will help improve control of the scrap metal industry within the Borough and thereby contribute towards the Council aims of creating a vibrant place to work and live.

7. **CONSULTATION [MB]**

7.1 All Licensed Scrap Metal Dealers and Motor Salvage Operators within the borough have been written to and informed of the changes to the legislation and have also been visited by the Licensing Officer and the Police.

8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Reputation, Legal, Regulatory	The Council follows the Home Office guidance in implementing the Act and fee setting.	Mark Brymer
Knowledge and skills of staff	Ensure adequate training given to enforcement staff	Mark Brymer

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

An equality impact assessment has not been conducted as this is primary legislation and applies nationally and there are no implications locally as enforcement work in respect of scrap metal will be carried out consistently on the basis of risk for all premises across the whole Borough.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications - Environmental implications
- ICT implications - Asset Management implications
- Human Resources implications - Planning Implications - Voluntary Sector

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Background papers: Scrap Metal Dealers Act 2013,  
Get in on the Act – LGA Briefing  
Home Office Guidance

Contact Officer: Mark Brymer ext 5645  
Executive Member: Councillor David Gould

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Appendix 1

**Scheme of Delegation of Functions under the Scrap Metal Dealers Act 2013**

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Licensing Regulatory Committee</b>	<b>Hearing Panel</b>	<b>Officers</b>
Determination of fees	X	√	X	X
Application for Site licence or Collectors licence	X	X	If a relevant representation is made	If no relevant representation is made
Application to vary site licence	X	X	If a relevant representation is made	If no relevant representation is made
Application to revoke site licence or collectors licence	X	√	All cases	In conjunction with the Committee Chairman if the matter is urgent
The inclusion of conditions on a licence	X	X	X	√
Issue of a Closure Notice	X	X	X	√
Cancellation of a Closure Notice	X	X	X	√
Application for a Magistrates Closure Order	X	X	X	In conjunction with legal services

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## New Scrap Metal Licence Application

Application Procedures	Time	Service hourly rate	Cost
Pre-application discussion	0.33	44.66	14.74
Check Application Form	0.25	44.66	11.17
Back office check	0.09	44.66	4.02
Chase up any outstanding information	0.19	44.66	8.49
Create record on CAPs	0.2	44.66	8.93
Process Payment	0.18	44.66	8.04
Amends CAPs	0.17	44.66	7.59
Applicant Suitable - Grant or Referral to Committee	0.5	44.66	22.33
Licence and Printing	0.085	44.66	3.80
Update Register	0.08	44.66	3.57
Postage	0.04	44.66	1.79
Scanning to DMS	0.17	44.66	7.59
Invoice Administration	0.17	42.53	7.23
<b>Sub Total</b>	<b>2.46</b>		<b>109.28</b>

Compliance Officer Visit			
One hour per visit one visit per year	3	44.66	133.98
Update CAPs	0.5	44.66	22.33
Pre check admin	0.33	44.66	14.74
<b>Sub Total</b>	<b>3.83</b>		<b>171.05</b>

<b>Total Cost</b>			<b>280.33</b>
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Appendix 2

Re compliance visits we will have to finalise the amount of visits per year that we intend to make and bear in mind that the licence is valid for 3 years

## Variation of Scrap Metal Licence

### New Application

<b>Application Check</b>	<b>Time</b>	<b>Service hourly rate £</b>
Pre-application discussion	0.19	44.66
Check Application Form	0.25	44.66
Back office check	0.08	44.66
Chase up any outstanding information	0.17	44.66
Create record on CAPs	0.17	44.66
Process Payment	0.17	44.66
Amends CAPs	0.17	44.66
Licence and Printing	0.085	44.66
Postage	0.085	44.66
Scanning to DMS	0.17	44.66
Licensing Officer Grant or Referral to Committee	0.5	44.66
Invoice Administration	0.17	42.53
<b>Sub Total</b>		

### Compliance Officer Visit

Time per visit	1	44.66
Update CAPs	0.5	44.66
Pre check admin	0.33	44.66
<b>Sub Total</b>		

### Total Cost

Appendix 2



<b>Cost</b>
8.49
11.17
3.57
7.59
7.59
7.59
7.59
3.80
3.80
7.59
22.33
7.23
<b>98.34</b>

44.66
22.33
14.74
<b>81.73</b>

<b>180.06</b>
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**EXECUTIVE – 11 SEPTEMBER 2013**

**REPORT TITLE: GYPSY AND TRAVELLER ACCOMMODATION  
ASSESSMENT  
REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY  
DIRECTION)**



**WARDS AFFECTED: ALLWARDS**

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1. **PURPOSE OF REPORT**

- To inform Executive members of the Hinckley and Bosworth Gypsy and Traveller Accommodation Assessment (A copy of the assessment is available upon request from the report author).
- To adopt the Assessment as the evidence base for Gypsy and Traveller needs within the Borough.

2. **RECOMMENDATION**

- I. That the Gypsy and Traveller Accommodation Assessment is adopted as the evidence base in determining the need requirement within the Borough, and agree to the recommendations contained within the assessment.

3. **BACKGROUND TO THE REPORT**

In 2007 Birmingham University carried out a Gypsy and Traveller Accommodations Assessment (GTAA) on behalf of the 7 districts in Leicestershire, Leicester City Council and Rutland County Council. The results of this Assessment formed the evidence base for Development Plan Documents, including Hinckley and Bosworth Borough Council's Core Strategy, which was adopted in 2009.

Policy 18 of the Core Strategy sets out the requirement for Gypsy, Traveller and Travelling Showpeople in the Borough. It set a target for 42 residential pitches in the Borough, 6 to be for socially rented pitches, 5 transit pitches and a further 3 plots for Travelling Showpeople up to 2017. For the period 2017 to the end of the plan period of 2026 a growth rate per annum was set out for household formation.

In 2012 Government repealed previous Gypsy and Traveller guidance, replacing it with the document "Planning Policy for Traveller Sites", which placed a requirement on local planning authorities to set targets for the pitch requirement for Gypsies, Travellers, and Travelling Showpeople for permanent and transit site accommodation. The guidance no longer set out a specific methodology for carrying out such an assessment, except that it should use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions. It also incorporates the need for a local authority to have a 5 year land supply of pitches for Gypsies and Travellers.

Given the length of time since the original study was commissioned, the revised guidance for Gypsy and Traveller sites, and the revocation of the Regional Plan and the targets, Hinckley and Bosworth Borough Council decided to commission a new Gypsy and Traveller Accommodation Assessment. At the time that the Assessment was commissioned in 2012, there were 67 permanent pitches, 8 transit pitches and 8 Travelling Showpeople plots in the Borough. All of this provision was privately owned.

4. **GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2012**

The work for the Assessment comprised two linked, but separate pieces of work:

- An assessment of need up to 2027 (over a 15 year period);
- The ability of the Borough to meet the identified need.

Opinion Research Services (ORS) carried out the first part of the Assessment, whilst Peter Brett Associates (PBA) undertook the second task once the assessment of need was completed.

### **Methodology**

ORS use a methodology based upon surveying all of the Gypsy, Traveller and Travelling Showpeople population in the research area. This includes:

- People in permanent pitches;
- People in temporary pitches;
- People in unauthorised encampments or on authorised developments (although at the time of surveying there were no such residents in the Borough)
- People living in bricks and mortar who would like to return to living on a pitch
- Households from elsewhere who are resident in the research area.

From this, ORS can project future need by looking at the emerging population, household formation, overcrowded households and the wishes and aspirations of the survey group.

PBA then surveyed current sites to provide a sequential approach to meeting those needs. This sequence was approached in the following order of precedence:

- Capacity on existing sites either through unused pitches or through the intensification of the sites within their existing boundary;
- The ability for existing sites to be extended into the surrounding land within the ownership of the residents to meet the future need;
- If these two approaches failed to find enough pitches to meet identified need, PBA would look to assess identified new sites for their ability to meet the requirements of the future need.

### **Findings**

#### **Needs Assessment**

The need identified for the first part of the study showed the following need for permanent pitches for Gypsy and Traveller accommodation:

Time period	For population growth	Permanent pitches for sites with temporary permission	Total
2012 – 2017	9	10	19
2017- 2022	10	0	10
2022 – 2027	11	0	11
<b>Total</b>	<b>30</b>	<b>10</b>	<b>40</b>

The survey showed that these pitches should all be for private ownership. There is no requirement for affordable pitches or for transit sites or emergency stopping places. This requirement is significantly lower than the 42 pitch target set within the Core Strategy Policy 18 which was only up to 2017 when this study identifies a 40 pitch need requirement up to 2027.

For Travelling Showpeople, it is projected that a further 7 pitches will be needed to meet the natural population growth on Carousel Park.

#### **Site Assessment**

Sites with the potential to meet the identified need were assessed by PBA as follows:



Site name	Settlement	No of additional pitches
Oak View Mobile Home	Barlestone	1
Travellers Rest	Bagworth	2
Costalot Stables, Barlestone Road	Bagworth	6**
Finney's Hill, Heath Road	Bagworth	7
The Paddock, Watling Street	Hinckley	4***
Land off Stoke Lane	Higham on the Hill	3
White Stables caravan Park, Copt Oak Road	Markfield	7*
Total		30

\* Site has gained planning permission for 4 additional pitches out of this total.

\*\* Existing planning permission for 6 pitches are currently undeveloped.

\*\*\* Existing planning permission for 4 pitches are currently undeveloped.

This leaves a shortfall of 10 pitches to meet the projected need. However, in June 2013 planning permission was granted subject to S.106 agreement for 10 permanent pitches on a site adjacent to Dalebrook Farm in Earl Shilton.

For Travelling Showpeople, the capacity is as follows:

Site Name	Settlement	No of additional plots
Land opposite Carousel Park	Barwell	7

The Assessment also suggests that a sequential approach is applied for any ad hoc planning applications which may come forward outside of the identified need. Policy 18 of the Core Strategy gives a criteria based approach to the assessment of sites, and will be used for the determination of any such planning applications which may be received in the future.

## 5 FINANCIAL IMPLICATIONS [DMe]

There are no financial implications arising directly from this report. However there was £40,000 base budget available for Gypsy and Travellers need and we have spent £27,000 and there is £13,000 unspent budget available if further costs do arise in the future.

## 6 LEGAL IMPLICATIONS [MR]

6.1 The government's current planning policy for traveller sites came into force in March 2012, it must be taken into account in the preparation of development plans and is a material consideration in planning decisions

6.2 The government's overarching aim is to ensure fair and equal treatment for travellers and to help achieve this its aims in respect of traveller sites include;

- a) that LPAs should make their own assessment of need for the purposes of planning
- b) to encourage planning for sites over a reasonable timescale
- c) to promote more private traveller site provision
- d) to increase the number of traveller sites in appropriate locations with planning permission to address under provision and maintain an appropriate level of supply
- e) to reduce tensions between settled and traveller communities in plan making and planning decisions

6.3 In assembling the evidence base necessary to support their planning approach LPAs should:

a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups)

b) cooperate with travellers their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up to date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of the development plan working collaboratively with neighbouring LPAs

c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and to make planning decisions

## 7 CORPORATE PLAN IMPLICATIONS

The adoption of the evidence base will help to meet the corporate aim of “decent, well managed and affordable housing” by providing the evidence to identify the need and the possible options to meet that need up to 2027.

## 8 CONSULTATION

Consultation has taken place with the Gypsy, Traveller and Travelling Showpeople population in preparing the Assessment of the pitch requirements, and in the capacity of the existing sites to be intensified or extended.

## 9 RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Dependence on an out of date evidence base may jeopardise the robustness of the planning authorities decisions	Adoption of the 2012 Gypsy and Traveller Accommodation Assessment	Valerie Bunting
Need to identify a 5 year land supply for Gypsy, Traveller and Travelling Showpeople pitches	Adoption of the evidence base and monitoring to ensure planning applications come forward in a timely manner.	Valerie Bunting
Duty to cooperate obligation is likely to be triggered by neighbouring authorities claiming inability to meet their need within their own boundaries.	Undertaking meeting with relevant parties as and when required. Consider if the authority is able to physically assist to meet the identified unmet need.	Sally Smith

## 10 KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

The adoption of the evidence base is to identify the needs of a community group within the Borough, and to ensure that there is capacity to meet that identified need.

## 11 CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: Gypsy and Traveller Accommodation Needs Study 2012

Contact Officer: Valerie Bunting x5612  
Executive Member: Stuart Bray

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**EXECUTIVE – 11 SEPTEMBER 2013**

**HINCKLEY AND BOSWORTH RENEWABLE ENERGY CAPACITY STUDY**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

- 1.1 To seek approval of the Hinckley and Bosworth Renewable Energy Capacity Study which will be used to inform the Site Allocations and Development Management Policies DPD and the Earl Shilton and Barwell Area Action Plan (AAP).
- 1.2 Due to the size of the study, copies are available in the Member's Room and electronic copies can be supplied by the author of this report upon request.

2. **RECOMMENDATION**

- 2.1 That Executive approve the study to be used as part of the evidence base for the Local Plan.

3. **BACKGROUND TO THE REPORT**

- 3.1 The UK has a binding target to meet 15% of its energy requirements from renewable sources by 2020 with the delivery of this target supported by the UK Renewable Energy Strategy (2009).
- 3.2 Core Strategy Spatial Objective 12: Climate Change and Resource Efficiency seeks to minimise the impacts of climate change by increasing the use of renewable energy technologies and minimising pollution, including greenhouse gas emissions.
- 3.3 The National Planning Policy Framework (NPPF) emphasises the role of local planning authorities in assisting in the increased use and supply of renewable and low carbon energy. It explains that all communities have a responsibility to help increase the supply of green energy and states that planning authorities should:
  - Have a positive strategy for renewables;
  - Design policies to maximise renewables;
  - Identify suitable areas for renewable sources;
  - Support community-led initiatives for renewables; and,
  - Identify opportunities where development can draw its energy from renewable supply systems.
- 3.4 In July 2013 Central Government released '*Planning Practice Guidance for Renewable and Low Carbon Energy*'. This document provides advice on the planning issues associated with the development of renewable energy and explains what local planning authorities should do to plan for it. It states that when drawing up a Local Plan local planning authorities should first consider what the local potential is for renewable and low carbon energy generation. In considering that potential, the matters local planning authorities should think about include:
  - The range of technologies that could be accommodated and the policies needed to encourage their development in the right places;

- The costs of many renewable energy technologies are falling, potentially increasing their attractiveness and the number of proposals;
- Different technologies have different impacts and the impacts can vary by place;
- The UK has legal commitments to cut greenhouse gases and meet increased energy demand from renewable sources. Whilst local authorities should design their policies to maximise renewable and low carbon energy development, there is no quota which the Local Plan has to deliver.

3.5 It is important to note that although the practice guidance was issued after the completion of the Renewable Energy Capacity Study, it complies completely with the guidance and advice contained within it. The study will provide the background evidence to support the development of the aims highlighted in the NPPF and practice guidance, help the Borough Council contribute to the UK's binding renewable energy target and realise Core Strategy Spatial Objective 12.

#### 4. SCRUTINY COMMISSION

4.1 The Renewable Energy Capacity Study was considered at the Scrutiny Commission meeting on 29 August 2013. The Commission endorsed the report and raised the following:

1. Consideration should be given to the potential for developing a positive policy relating to where renewable energy generation should and shouldn't take place;
2. Consideration should be given to the positive promotion of different energy generation types in appropriate areas;
3. Reference to the word 'approximately' should be removed from the report when describing the number of wind turbines that would be required to generate the recommended renewable energy target in the study;
4. The summary of existing renewable energy developments within Hinckley and Bosworth Borough should be included as an appendix; and,
5. Discussions should be had with other Leicestershire authorities to understand the renewable energy generation targets they are working towards.

4.2 It was discussed at the meeting that matters 1 and 2 would be explored through the process of generating a renewable energy policy for inclusion within the upcoming Site Allocations and Development Management Policies document. Points 3 and 4 have been reflected in this report and point 5 will be pursued with colleagues at other authorities.

#### 5. METHODOLOGY

5.1 The key objectives of the study were to:

- Assess the technical and deployable potential for renewable and low carbon energy within the Borough.
- Identify and map key opportunity areas for renewable and low carbon developments including detailed heat mapping and anchor points
- Develop a Borough specific renewable energy generation target.
- Provide guidance on the incorporation of findings into a development management policy on renewable energy developments.
- Provide guidance on a framework to monitor the uptake of large and small-scale renewable and low carbon developments within the Borough.

5.2 The study builds upon the findings of the one undertaken at the regional level 'Low Carbon Energy Opportunities and Heat Mapping for Local Planning Areas across the East Midlands'. It has refined the figures used for the regional level study to ensure they are locally specific to the Borough.

5.3 The study focuses on renewable electricity and heat technologies, including commercial scale renewables, microgeneration (on-site) and building-integrated renewables. A summary of the technologies covered by the study is provided in appendix A. It should be noted that energy consumption arising from the use of transport within the Borough is outside the scope of the study.

5.4 The study was split into the following chapters:

- Technical resource potential for renewable energy – This provided an estimate of the amount of renewable energy that could be delivered in the area based on a number of assumptions regarding the amount of resource and space.
- Technical resource potential for district heating – This identified locations thought to have the most potential for district heating and define areas or clusters of buildings worthy of more detailed feasibility studies for district heating.
- Landscape sensitivity assessment – This is an assessment of the sensitivity of the Borough's landscape to large, medium and small-scale wind energy turbines.
- Assessment of deployable potential and setting a target – The evidence base was then used to inform an assessment of 'deployable potential' and set a locally derived renewable energy target over the plan period to 2026.

## 6. KEY FINDINGS

### Existing Energy Profile

6.1 The Borough consumed 1,509 GWh of energy across the domestic, industrial/commercial, land use, land use change and forestry sectors in 2010 which equates to approximately 492,000 tonnes of CO<sub>2</sub>. The Borough produced 5.26 Mw of energy from renewables in 2010 which accounts for approximately 1% of the energy consumed in the Borough. Appendix B highlights the borough's renewable energy provision as of March 2013 and Appendix C identifies the provision in other Leicestershire authorities at March 2013.

### Technical Potential for Renewables

6.2 The technical potential is an estimate of the total amount of renewable energy that could be delivered in the area based on a number of assumptions regarding the amount of resource and space. It, however, doesn't take account of wider constraints.

6.3 The study identified the technologies with the greatest technical resource for electricity generation were wind, solar PV and heat pumps. For heat generation it was solar thermal, energy crops and waste.

### Technical Potential for District Heating

6.4 District heating schemes supply heat from a central source directly to homes and businesses through a network of pipes carrying hot water. This means that individual homes and businesses do not need to generate their own heat on site.

6.5 The study identified three areas suitable for further, more detailed investigation, Hinckley, Barwell and Earl Shilton. All other areas in the Borough have a heat demand too low for a district heating scheme.

6.6 These three areas are only likely to be marginal in terms of suitability for district heating as most systems are found in more densely populated urban areas.

6.7 This also rules out the Sustainable Urban Extensions for the possible introduction of district heating as the proposed densities of these schemes are not likely to

significantly exceed those already found in the urban area. Therefore they will not have adequate heat densities for the viable introduction of a district heating scheme.

#### Wind Energy Landscape Sensitivity Analysis

- 6.8 The landscape areas assessed through this study are based upon the landscape character areas within the Hinckley & Bosworth Landscape Character Assessment (2006).
- 6.9 The study assessed the sensitivity of the Borough's landscape to large (80-135m to blade tip), medium (40m-80m to blade tip) and small-scale (15m-40m to blade tip) wind energy turbines.
- 6.10 The assessment concluded that generally the landscape in Hinckley and Bosworth is particularly sensitive to the upper range of the larger scale turbines. There is generally lower sensitivity to small-scale turbines across the study area.
- 6.11 A summary of the sensitivity ratings of the Landscape Character Areas can be found in appendix C.

#### Assessment of Deployable Potential and Setting a Target

- 6.12 The deployable potential identifies what renewable energy developments could realistically be achieved and delivered within the Borough when taking into account other constraints and available fuel source.
- 6.13 This deployable potential has been utilised to define a realistic 'recommended target potential' for renewable energy deployment within the Borough. The recommended target for renewable energy deployment is established as 7.2% of the Borough's energy consumption (based on 2010 levels) to be produced from renewables by 2020 and 14% by 2026.
- 6.14 Appendix A highlights the indicative mix of the most effective and appropriate technologies which provide the most realistic deployable opportunities specific to the available natural resources in the Borough. Appendix A identifies the potential power output of the various technologies including wind power. The stated figures for wind power equate to 4 large scale turbines, 12-13 medium scale turbines and 12 small scale turbines up to 2026. It must be noted that these are not prescriptions but an indicative guide to enable the authority to attain the 14% realistic renewable energy target by 2026.

### 7 NEXT STAGE

- 7.1 The study concludes that the proposed targets are achievable but will rely on the Borough Council adopting suitably conducive policies to facilitate their achievement and positive and proactive action from developers, other public sector organisations and local communities.
- 7.2 Subject to agreement of the findings and recommendations of the study, officers intend to use the conclusions to inform the preparation of the Local Plan (2006-2026) including the Site Allocations and Development Management Policies DPD.

### 8. FINANCIAL IMPLICATIONS [DMe]

- 8.1 The cost of carrying out this study is funded from the LDF reserve and the balance on the LDF reserve at 31<sup>st</sup> March 2013 is £479,631.

### 9. LEGAL IMPLICATIONS (AB)



9.1 None raised directly by this report

## 10. CORPORATE PLAN IMPLICATIONS

10.1 This report relates to a technical assessment of the potential for renewable energy provision to contribute towards local and national renewable energy generation targets over the development plan period to 2026. It is therefore of relevance to the delivery of the following aims of the Corporate Plan:

- Cleaner & greener neighbourhoods

## 11. CONSULTATION

11.1 The study will be used as an evidence base to inform the preparation of the Pre-Submission version of the Site Allocations and Development Management Policies document. Evidence bases are not subject to public consultation but the study will be published alongside the other evidence bases to the document which is due to be published for a 6-week consultation period towards the end of 2013.

11.2 Whilst the study will not be subject to consultation itself, the consultants consulted with a range of relevant bodies and agencies to inform the data sources and assumptions and ensure the assessment reflected the local characteristics of Hinckley and Bosworth. The consultees included:

- Natural England;
- Renewable energy developers;
- Local community energy associations;
- Leicestershire County Council (minerals and waste);
- Wind turbine manufacturers;
- Environment Agency; and
- Bradgate Landfill Gas Manager.

11.3 Furthermore, the Renewable Energy Task and Finish Group comprising a number of Borough Councillors assisted and agreed the initial consultant's brief to inform the study's production. In addition they have had input into the contents, findings and recommendations of the study and composition of the draft Delivering Renewable Energy and Low Carbon Development policy.

## 12. RISK IMPLICATIONS

12.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

12.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

12.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to publish the Study would result in the Borough Council having no evidence to support the Delivering	Publication of the Study.	Andy Killip

Renewable Energy and Low Carbon Development Policy.		
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13. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

This document forms part of the evidence base for the Site Allocations and Development Management Policies section of the Local Plan (2006-26) which addresses the needs of both urban and rural areas equally and offers options in accordance with the spatial strategy of the Core Strategy.

14. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: Renewable Energy Capacity Study

Contact Officer: Andy Killip – ext. 5732

Executive Member: Councillor Stuart Bray

**Appendix A**  
**Indicative Renewable Energy Technology Table**

Technology	Technology Type	Power Output Mega Watt (Mw)	
Wind	Large Scale* 80-135m	8.3	<b>Total for Wind 26.21 Mw</b>
	Medium Scale 40-80m	11.66	
	Small Scale 15-40m	6	
	Micro Scale <6kw	0.25	
Biomass	Woodfuel (Heat)	7.2	<b>Total for Biomass 7.2 Mw</b>
Energy Crops	Energy Crops (Heat)	2.44	<b>Total for Energy Crops 2.44 Mw</b>
Wet Organic Waste	Heat	0.96	<b>Total for Wet Organic Waste 1.76 Mw</b>
	Electricity	0.80	
Solar	Solar Arrays	6.14	<b>Total for Solar 15.03 Mw</b>
	Solar Voltaics	7.48	
	Solar Thermal	1.41	
Heat Pumps	Ground and Air	23.12	<b>Total for Heat Pumps 23.71 Mw</b>
	Water source	0.59	
Agricultural Arisings	Heat	0.47	<b>Total for Agricultural Arisings 0.47 Mw</b>
Hydro	Electricity	0.03	<b>Total for Hydro 0.03 Mw</b>
Landfill gas	Electricity	0.71	<b>Total for Landfill Gas 0.71 Mw</b>
* The lower end of the larger turbine size is considered more suitable in landscape sensitivity terms.			<b>Overall Total 77.56 Mw</b>

## Appendix B

### Summary of Existing Renewable Energy Developments within Hinckley and Bosworth (March 2013)

Technology	No. of Developments	Installed Capacity (MW)
Large, medium or small scale Wind	0	0
Micro Scale Wind*	3	0.024
Biomass	0	0
MSW	0	0
Landfill	1	2.64
Solar PV	644	2.6
Solar PV Array	0	0
Solar thermal	unknown	unknown
Hydro	0	0
Micro CHP	0	0
<b>TOTAL</b>	<b>625</b>	<b>5.264</b>

## Appendix C

### Summary of Existing Renewable Energy Developments within Leicestershire (March 2013)

Technology	Blaby		Charnwood		Harborough		Melton		NW Leicestershire		Oadby & Wigston		Rutland	
	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)	No of Developments	Installed Capacity (MW)
Commercial Wind	0	0	4	14.05	4	44.3	3	28.4	2	1.28	0	0	0	0
Micro Scale Wind	1	0.006	3	0.22	11	0.129	1	0.05	2	0.033	0	0	3	0.013
Biomass	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MSW	0	0	1	21	0	0	0	0	0	0	0	0	0	0
Landfill	3	9.44	3	6.58	1	2.3	0	0	2	3.07	0	0	0	0
Solar PV	475	1,674	899	3,501	624	2,532	462	1,882	530	1,989	311	1,073	356	1,470
Solar PV Array	0	0	1	32	0	0	1	4.8	0	0	0	0	0	0
Hydro	0	0	0	0	0	0	0	0	1	0.3	0	0	0	0
Micro CHP	0	0	0	0	0	0	0	0	1	0.02	0	0	0	0
<b>TOTAL</b>	<b>479</b>	<b>11.12</b>	<b>911</b>	<b>77.351</b>	<b>640</b>	<b>49.261</b>	<b>467</b>	<b>35.132</b>	<b>538</b>	<b>6.692</b>	<b>311</b>	<b>1.073</b>	<b>359</b>	<b>1.483</b>

**Appendix D**  
**Summary of Sensitivity Ratings for Landscape Character Areas**

<b>Landscape Character Area</b>	<b>Small scale wind turbines (25-40m)</b>	<b>Medium scale wind turbines (40-80m)</b>	<b>Large scale wind turbines (80-135m)</b>
<b>A: Charnwood Fringe Character Area</b>	Low-moderate	Moderate	Moderate-high
<b>B: Forest Hills Character Area</b>	Low	Low-moderate	Moderate
<b>C: Market Bosworth Parkland Character Area</b>	Low-moderate	Moderate	Moderate-high
<b>D: Desford Vales Character Area</b>	Low	Moderate	Moderate-high
<b>E: Stoke Golding Vales Character Area</b>	Low-moderate	Moderate	Moderate-high
<b>F: Hinckley, Barwell and Burbage Fringe Character Area</b>	Low	Low-moderate	Moderate
<b>G: Fen Lanes Character Area</b>	Low	Low-moderate	Moderate
<b>H: Upper Mease Character Area</b>	Low	Low-moderate	Moderate
<b>I: Gosport Parkland Character Area</b>	Low-moderate	Moderate	Moderate-high
<b>J: Upper Sence Character Area</b>	Low-moderate	Moderate	Moderate-high

**EXECUTIVE – 11 SEPTEMBER 2013**

**STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**



Hinckley & Bosworth  
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**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

- 1.1 To seek approval of the Hinckley and Bosworth Strategic Housing Land Availability Assessment Review 2013 which will be used as evidence to inform the Site Allocations and Development Management Policies DPD.
- 1.2 Due to the size of the Review copies are available from the author of this report upon request.

2. **RECOMMENDATION**

- 2.1 That the Executive note the findings of the Review and approves it to be used as part of the evidence base for the pre-submission version of the Site Allocations and Development Management Policies DPD.

3. **BACKGROUND TO THE REPORT**

**Purpose of the Strategic Housing Land Availability Assessment (SHLAA)**

- 3.1 Local planning authorities should have a clear understanding of housing needs in their area. Paragraph 159 of the National Planning Policy Framework (DCLG, March 2012) states that local planning authorities should “prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period”. The completion of a SHLAA should enable local planning authorities to:

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements; and
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.

- 3.2 The Hinckley and Bosworth SHLAA Review 2013 provides background evidence on the potential supply of housing within the Borough to underpin and inform its Local Plan for the period to 2026. The 2013 Review comprehensively assesses and updates the existing SHLAA Review which dates from autumn 2010. The 2013 Review continues to utilise a joint methodology comprising authorities in the Leicester and Leicestershire Housing Market Area first devised in 2007 and utilised for all subsequent SHLAA's.

**Findings of the Review**

- 3.3 The 2013 SHLAA Review has provided a number of core outputs:
- It identifies sites with potential for housing comprising a list of sites, cross-referenced to maps showing locations and boundaries;
  - It assesses the potential quantity of housing that could be delivered on each identified site;

- It identifies constraints on the delivery of identified sites; and
  - It provides an assessment of the deliverability of each identified site to determine when a site is realistically expected to be developed. Sites are categorised as being developable and deliverable within 0-5 years, developable within 6-10 years or 11+ years, or non-developable if there are constraints to delivery that cannot be overcome.
- 3.4 Over 800 sites have been assessed within the Review. A quantity of approximately 17,000 dwellings on developable sites has been identified which far exceeds the Core Strategy housing requirement of 9,000 dwellings up to 2026. Sites that are identified as deliverable are included within the five-year housing land supply of specific deliverable sites, which is a requirement of paragraph 47 of the National Planning Policy Framework.
- 3.5 The Review will form a critical part of the evidence base for the Site Allocations and Development Management Policies DPD. The DPD will allocate the most appropriate developable sites for housing development to meet Core Strategy housing requirements for relevant settlements within the Borough, as evidenced by the Review.
- 3.6 The Council will seek to update the SHLAA annually as part of the Authority Monitoring Report (AMR) process. This will support the updating of the housing trajectory and the five-year supply of specific deliverable sites.
4. FINANCIAL IMPLICATIONS [KB]
- 4.1 This study has been carried out as part of existing budgets. In terms of wider financial implications, new development in the Borough will generate additional New Homes Bonus payable at 80% of the average Band D for Council Tax for the property for a period of 6 years. An additional £350 is payable for those homes deemed affordable. A revised trajectory of this funding will be produced following approval of the relevant documents.
5. LEGAL IMPLICATIONS [AB]
- 5.1 Contained in the body of the report
6. CORPORATE PLAN IMPLICATIONS
- 6.1 The report relates to the following Corporate Aim:
- Decent, well managed and affordable housing
7. CONSULTATION
- 7.1 Approximately 70 new or amended site submissions were received and included within the Review. Site submitters included members of the public, landowners, developers and planning agents.
- 7.2 Comments in regards to highways and ecology issues on all new submitted sites included in the Review were obtained from Leicestershire County Council. The Planning Policy and Regeneration Team undertook a consultation with all new site submitters to seek comments on the assessment of their site within the Review. Consultation with submitters where details in regards of their site had been amended was undertaken if appropriate.
8. RISK IMPLICATIONS



- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to publish the Review would result in a lack of evidence for informing housing allocations in the Site Allocations and Development Management Policies DPD	Publication of the Review	Paul Grundy
Failure to publish the Review would result in a lack of compliance with Central Government Policy (Paragraph 159 of the National Planning Policy Framework identifies the requirement of local planning authorities to produce a SHLAA)	Publication of the Review	Paul Grundy

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

- 9.1 This document forms part of the evidence base for the Site Allocations and Development Management Policies section of the Local Plan (2006-2026) which addresses the needs of both urban and rural areas equally and offers options in accordance with the spatial strategy of the Core Strategy.

10. **CORPORATE IMPLICATIONS**

- 10.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
  - Environmental implications
  - ICT implications
  - Asset Management implications
  - Human Resources implications
  - Planning Implications
  - Voluntary Sector

Background papers: Strategic Housing Land Availability Assessment Review 2013

Contact Officer: Paul Grundy – ext. 5671

Executive Member: Councillor Stuart Bray

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**EXECUTIVE - 11 SEPTEMBER 2013**

**DEVELOPMENT CONTROL CONSULTANCY SUPPORT – BUDGET PROVISION**

**REPORT OF DEPUTY CHIEF EXECUTIVE – COMMUNITY DIRECTION**



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1. **PURPOSE OF REPORT**

To seek agreement for the provision of a supplementary budget to fund support to process planning applications.

2. **RECOMMENDATION**

1. That Executive approves the provision of a supplementary budget of £40,000 to fund consultancy support for the processing of planning applications.

3. **BACKGROUND TO THE REPORT**

Issues have been raised by Planning Officers in respect of workload and discussions have been held between the Deputy Chief Executive (Community Direction), the Development Control Manager, Principal Planning Officers and Planning Officers to understand the issues and identify an interim solution to assist with the high number of planning applications and appeals within the team at the moment.

Earlier this year the team had a vacant post and an officer on maternity leave. Whilst the maternity cover post was being covered the covering officer was dealing with only householder applications and not the whole range of applications the post holder would normally deal with. This has resulted in more complex applications being spread amongst the team who are dealing with a higher number of complex applications than they would normally be.

The Development Control Manager and Principal Planning Officers, who directly manage the team, have to deal with some of the major applications, such as MIRA and the Bus Station at the same time as providing interim cover for the vacant Head of Planning post. This is having a significant impact on their ability to offer support, advice and management to the team as well as delaying allocations of applications and signing of decision notices. This will have implications for performance.

The officer on maternity leave returned in May on reduced hours due to the need to take leave. However the maternity cover ended upon her return. The post holder has now returned to full working hours.

A new officer was appointed to the vacant post on 25<sup>th</sup> March. The new officer has a mixed caseload but will obviously need time to settle in.

Two consultants were appointed in March as follows:-

- The first to process householder applications only at a cost of £60 per application
- The second to process major and complex applications at a daily rate of £250 working 3 days per week.

The consultant processing householder applications was only with the authority until June, since which time the householder applications have been redistributed to the employed planning officers.

The first month, March 2013, was financed utilising salary savings. Since then the consultants have been financed from the earmarked LDF reserve of £20,000 which was approved by SLB in June 2012. The total supplementary budget requested is £40,000 to fund the costs of the consultants.

Planning application numbers are still high with officers each having a caseload of over 30 applications of various complexities and there are currently 19 lodged planning appeals. Furthermore, the recently introduced paid pre-application service increases officer workload further.

It is anticipated that application numbers will continue for the foreseeable future and due to the number of contentious housing schemes it is further anticipated that appeal numbers will continue to rise.

4. FINANCIAL IMPLICATIONS (DMe)

A supplementary budget of £40,000 is required to fund the cost of consultants.

The balance of this reserve as at 31/03/2013 was £479,631. During 2013/2014 expenditure of £90,000 has been funded from the reserve to finance Barwell SUE and Site Allocations studies and a further £20,000 was approved by SLB in June 2013 to fund the costs of the consultants noted above. Taking into account approved carry forwards of £131,760, the balance on the reserve at present is £237,871. This is deemed sufficient for future costs identified in the MTFS.

If the £40,000 supplementary is approved the balance on the LDF reserve would be £217,871 (on the basis that £20,000 has already been funded). The LDF reserve is an earmarked reserve allocated to the implementation of the Local Plan and therefore use of this reserve for this purpose is deemed appropriate.

5. LEGAL IMPLICATIONS (EC)

Any legal implications there may be are contained within the body of the report.

6. CORPORATE PLAN IMPLICATIONS

This will contribute to all the aims of the Corporate Plan

7. CONSULTATION

None

8. RISK IMPLICATIONS

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
The Development Control Section is under significant pressure through the submission of an exceptional number of planning applications and appeals. The lack of sufficient officers, and the ability to effectively manage the team, will limit the ability to deal with these effectively and ensure the quality of decision making in conjunction with maintaining performance targets.	Ensure adequate resources are available	TM

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

Potential Impact on local area if issues are not properly considered and addressed.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: None

Contact Officer: Tracy Miller ext 5809  
Executive Member: Councillor Stuart Bray

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## EXECUTIVE - 11 SEPTEMBER 2013

### MEMBERS' ALLOWANCES REPORT OF CHIEF EXECUTIVE

#### WARDS AFFECTED: ALL



Hinckley & Bosworth  
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#### 1. PURPOSE OF REPORT

- 1.1 To provide Members with the report of the Independent Panel on Members' Allowances and to advise of the recommendations from the Scrutiny Commission (29 August 2013), endorsed by the Executive (11 September 2013).

#### 2. RECOMMENDATION

That the Council:

- i) acknowledges the recommendations for increases in Members' Allowances;
- ii) cannot accept the recommendations, with the exception of those relating to the positions of Mayor and Deputy Mayor, in the current circumstances.

#### 3. BACKGROUND TO THE REPORT

- 3.1 Attached to this covering report (at Appendix 1) is the paper presented to the Scrutiny Commission, which has appended to it (at Appendix 2) the report and recommendations of the Independent Panel convened to review Members' Allowances within this Council. The final report of that Panel, comprising two former independent members of the Standards Committee and a business representative, was produced in October 2012 and had been the subject of much debate and concern at senior Member level thereafter. In the event, the Scrutiny Commission was asked to give non-political consideration of the issue and provide advice to the Council.
- 3.2 The Scrutiny Commission gave the matter full and very careful consideration on 29 August, the outcome of which was a strong consensus, across all groups, that, whilst Members accepted the findings of the Independent Panel in respect of the very low allowances paid to Members of this Council, as compared with other Districts locally and with other comparators across the county, they could not accept the implementation of those recommendations.
- 3.3 The Scrutiny Commission Members felt strongly that, in the current climate, where the Council's employees had had no pay increase for some years and had been offered only 1% for 2013/14; where the number of jobs was reducing across public and private sectors; and where 'real' incomes were reducing as part of welfare reforms, they could not accept such significant increases and agreed to recommend that position to the Council.

- 3.4 There were two exceptions to the recommendation not to accept any increases in Allowances: Because of the exceptional amount of time commitment from both the Mayor and Deputy Mayor, along with the acknowledged personal financial expense, the Scrutiny Commission recommended that their allowances be increased in line with the recommendation in the report of the Independent Panel.
- 3.5 The Scrutiny Commission asked also that the wider public be made aware of the recommendations and that the report had been prepared by people wholly independent of the Council. The Commission asked also that its recommendation for refusal of the Allowance increases be endorsed by full Council.
- 3.6 The Executive met on 11 September to consider these recommendations from the Scrutiny Commission and gave its full endorsement and support to them.

#### 4. **FINANCIAL IMPLICATIONS [SK]**

The increase in the Allowances paid to the Mayor and Deputy Mayor, as recommended in the Independent Panel report, will cost an additional £2,804.24 in a full year.

#### 5. **LEGAL IMPLICATIONS [LH]**

There are none arising directly from this report.

#### 6. **CORPORATE PLAN IMPLICATIONS**

In preparing and considering this report, the following implications are relevant:

- \* Providing value for money and proactive services

In addition, I have taken into account the Council's 'Value' of 'Equality and Fair Treatment for All'.

#### 7. **CONSULTATION**

Consultation has taken place initially with the senior Members (two Group Leaders, two Group Deputies and the Chair of Scrutiny Commission). Reference to the Scrutiny Commission and Executive were the next steps in that process. The Independent Remuneration Panel has been consulted.

#### 8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.



The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Members of this Council not receiving a fair and reasonable allowance for their work, with the potential for them to be considerably out of pocket, thus reducing the 'pool' for future candidates for these important public representative roles.	Council to give consideration to the recommendations of the Independent Panel	Chief Executive
Open and transparent discussion does not take place and/or 'political' points being made, thus avoiding proper discussion of the matter.	Consideration takes place initially in the 'non-political' setting of the Scrutiny Commission	Chair of Scrutiny Commission and Chief Executive

9. **KNOWING YOUR COMMUNITY - EQUALITY AND RURAL IMPLICATIONS**

The decision does not propose a change to a service or a new or revised policy. In terms of implications on the community, the implications will not affect any particularly group adversely.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector
- 

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Background papers: Comparisons with other councils (as requested by Chief Executive)

Contact officer: Steve Atkinson, Chief Executive (ext 5606)

Executive Member: Cllr Bron Witherford

**SCRUTINY COMMISSION - 29 AUGUST 2013**

**REPORT OF CHIEF EXECUTIVE RE MEMBERS' ALLOWANCES**

**WARDS AFFECTED: ALL**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

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1. **PURPOSE OF REPORT**

To advise Members of the provenance and findings/recommendations of an Independent Panel convened to consider Allowances paid to Members of this Council and to seek views on potential action [eg to seek Members' views / seek approval/inform Members]

2. **RECOMMENDATION**

That the Scrutiny Commission:

- \* considers the detail in the report of the Independent Panel;
- \* makes comment on amendments to the report and recommendations of the Independent Panel;
- \* advises the Council on the most appropriate means of progressing the report of the Independent Panel.

3. **BACKGROUND TO THE REPORT**

- 3.1 Member Allowances within Hinckley and Bosworth Borough Council have remained unchanged since 2005. The most recent review was in 2007, but at that point and since, Members have resolved not to accept any increase, as this was largely in line with the position faced by employees of the Council.
- 3.2 In the intervening period, many other councils have reviewed their level of Allowances, mainly upward, resulting in the Allowances paid at this Council falling behind - from a level which was already very much at the lower end of the scale. Most recently also, the national pay negotiations for employees have resulted in a 1% increase for 2013/14.
- 3.3 Late in 2011, the Group of Senior Members (Group Leaders, Deputies and the Chair of Scrutiny Commission) at one of their regular meetings, at the instigation of the Conservative Group Leader, asked the Chief Executive to undertake research into the comparative position with other similar councils, with a view to informing further consideration of the position at Hinckley and Bosworth. All concerned supported this initiative (24 February 2012).
- 3.4 As a result of this work, it being clear that the level of Allowances was amongst the lowest, the Group agreed that an Independent Panel be convened to consider what might be the appropriate level of Allowances in the circumstances faced by the Council and the work it was undertaking.
- 3.5 The report of the Independent Panel (including its membership) is attached as Appendix A. In my view, it is self explanatory.

3.6 The Senior Members decided at the time the report was completed (October 2012), that the time was not appropriate for its wider consideration. However, the point has now been reached when the matter needs to be given that wider consideration by Members and the Scrutiny Commission is the appropriate body to conduct that consideration in a non-political environment.

3.7 Accordingly, the Commission is asked to consider the attached report of the Independent Panel and:

- \* comment on the recommendations and the background;
- \* provide advice to the Council as to whether some or all of the recommendations be formally considered by the Council; or
- \* advise the Council that the report be acknowledged but taken no further;
- \* provide any other advice to the Council.

#### 4. **FINANCIAL IMPLICATIONS [SK]**

The additional cost of the proposed increase in the allowances is £48,779.39 per annum. A provision has been made in the base budget for 2013/14 of this amount.

#### 5. **LEGAL IMPLICATIONS [LH]**

There are none arising directly from this report.

#### 6. **CORPORATE PLAN IMPLICATIONS**

In preparing and considering this report, the following implications are relevant:

- Providing value for money and proactive services

In addition, I have taken into account the Council's 'Value' of 'Equality and Fair Treatment for all'.

#### 7. **CONSULTATION**

Consultation has taken place initially with the senior Members (two Group Leaders, two group Deputies and the Chair of Scrutiny Commission). Reference to the Scrutiny Commission is the next step in that process. The Independent Remuneration Panel has been consulted.

#### 8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion, based on the information available, that the significant risks associated with this decision/project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report/decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Members of this Council not receiving a fair and reasonable allowance for their work, with the potential for them to be considerably out of pocket, thus reducing the 'pool' for future candidates for these important public representative roles.	Council to give consideration to the recommendations of the Independent Panel	Chief Executive
Open and transparent discussion does not take place and/or 'political' points being made, thus avoiding proper discussion of the matter.	Consideration takes place initially in the 'non-political' setting of the Scrutiny Commission	Chair of Scrutiny Commission and Chief Executive

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

This decision does not propose a change to a service or a new or revised policy. In terms of implications on the community, the implications will not affect any particular group adversely.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

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Background papers: Comparisons with other councils (on request from the Chief Executive)

Contact Officer: Steve Atkinson, Chief Executive (ext 5606)

Executive Member: Councillor Bron Witherford

**Hinckley and Bosworth Borough Council**  
**Independent Remuneration Panel**

1. A meeting of an Independent Remuneration Panel for Members' Allowances for Hinckley and Bosworth Borough Council was held on Friday 12 October 2012. The members of the Panel were selected on the basis that two had been independent members of the Council's Standards Committee, immediately prior to new statutory arrangements introduced earlier in 2012. The third member was selected, as a representative of local business interests.
2. The purpose of the meeting was to consider whether, in view of the present financial/economic circumstances, the information circulated regarding comparisons with other District Councils in Leicestershire and elsewhere in the country and the timing of the last review (2005, revised in 2007), the current allowances paid to Members of Hinckley and Bosworth Borough Council should be changed.
3. The members of the Panel were:
 

Gordon Stokes	(Former independent member of Standards Committee)
Mick Claricoates	(Former independent member of Standards Committee)
Terry Spall	(MIRA - Business Representative)

The meeting was supported by the Chief Executive and the Chief Officer for Corporate and Customer Services, Scrutiny and Ethical Standards/Monitoring Officer.

4. The Panel appreciated the information provided to them and asked questions relating to a number of issues, including:

- Relative workloads
- Current priorities/responsibilities and changes since 2005
- Time commitments of councillors
- 'Voluntary' nature of the work of councillors
- Pay awards to employees since 2007
- Any financial 'cap' on any proposals the Panel might make
- Other allowances (mileage/childcare)

5. After a wide-ranging discussion, the Panel asked that the following comments/recommendations be put confidentially to the Cross-Party Liaison Group as its 'interim' report. The Panel did consider the potential for a 'range' for each allowance, but on balance considered that a single point in each case would be more appropriate for Members' consideration.

6. Comments/considerations

- i) After five years of 'no-change' in the level of allowances beginning prior to the economic downturn and, taking into the account the levels now paid by other comparable councils, particularly other Districts in Leicestershire, the Panel was unanimously of the view that the levels now paid for Councillors at Hinckley and Bosworth Borough Council were too low and well below any 'average' for similar Councils in England.

- ii) The recommendations of the Panel (below and attached) would bring the levels of allowances at Hinckley and Bosworth Borough Council more in line with, but still below, other Boroughs and Districts.
- iii) The Panel was aware also of the significant increased in responsibility transferred to Councils under the Localism Act, along with the greater emphasis/expectations from successive Governments over the period on increased 'local leadership' and local accountability from elected Members (for example, in Planning, Finance, Housing delivery and Welfare).
- iv) The Panel recognized that the improvement in the standing of the Council had continued since 2008, with the ratings of the Citizens' Panel continuing on an upward trend. The Panel considered that this reflected the ongoing efforts of elected Members, which should be recognized.
- v) Comparisons with the position of employees over the same period should take into account incremental payments and regradings due to changes in responsibility/reorganisations, which had not been available to elected Members.
- vi) The Cross Party Liaison Group should consider:
  - a) The potential for different levels of allowance to be made to different Members of the Executive, depending on the levels of responsibility (for example Finance and Housing).
  - b) The potential for the Chairman of Planning Committee to be paid an allowance in excess of that for the Licensing and Regulatory Committee's Chairman and the Chairman of Scrutiny Commission.

## 7. **Recommendations**

- i) that the **Basic Allowance** be increased from £3,275 to £4,000 per annum.
- ii) that the **Special Responsibility Allowances** be increased to the levels set out in the attached Appendix (a).
- iii) that the **allowances for the Mayor/Deputy Mayor** be increased, as follows:
 

Mayor	- from £7,197.60 to £8,000
Deputy Mayor	- from £ 998.16 to £3,000
- iv) that the travel allowances be aligned to HMRC rates - 45p per mile up to 8,500 miles per year.
- v) that future increases in the general level of Allowances be tied to those received by the Chief Executive
- vi) that the Council Leader and the Chief Executive should jointly review changes to the responsibilities and workload of those positions carrying 'special responsibility', along with the level of the respective allowances.

8. **Financial Implications**

If the recommendations above are approved by Council then this will require an additional budget provision of £48,779.39 as follows:

<b>Role</b>	<b>Current (£)</b>	<b>Proposed (£)</b>		<b>Budget Impact</b>
Basic *34 members	3,275.00	4,000.00	34	24,650.00
Mayor	7,197.60	8,000.00	1	802.40
Deputy Mayor	998.16	3,000.00	1	2,001.84
Leader of Council	7,640.00	10,000.00	1	2,360.00
Members of Executive	4,095.00	5,500.00	8	11,240.00
Opposition Leader(s)	2,455.00	3,500.00	1	1,045.00
Licensing and Regulatory Committees (Single Chairman)	2,455.00	3,500.00	1	1,045.00
Planning Committee Chairman *1	2,455.00	3,500.00	1	1,045.00
Scrutiny Commission Chairman	2,455.00	3,500.00	1	1,045.00
Appeals Committee Chairman	1,644.95	2,500.00	1	855.05
Ethical Governance and Personnel - Committee Chairman	1,644.95	2,500.00	1	855.05
Finance, Audit and Performance - Committee Chairman *2	1,664.95	3,500.00	1	1,835.05

**Special Responsibility Allowances**

<b>Role</b>	<b>Current (£)</b>	<b>Proposed (£)</b>
Leader of Council	7,640	10,000
Members of Executive	4,095	5,500
Opposition Leader(s)	2,455	3,500
Licensing and Regulatory Committees (Single Chairman)	2,455	3,500
Planning Committee Chairman	2,455	3,500 * <sup>1</sup>
Scrutiny Commission Chairman	2,455	3,500
Appeals Committee Chairman	1,644.95	2,500
Ethical Governance and Personnel Committee Chairman	1,644.95	2,500
Finance, Audit and Performance Committee Chairman	1,664.95	3,500 * <sup>2</sup>

\*<sup>1</sup> See also reference in covering report to this role/allowance

\*<sup>2</sup> Because of increasing financial burdens and responsibilities

Steve Atkinson  
Chief Executive

29 October 2012