

Date: 28 July 2010

To: Members of the Scrutiny Commission

Mr MR Lay (Chairman)
Mrs R Camamile (Vice-Chairman)
Mr PAS Hall (Vice-Chairman)
Mr JG Bannister
Mr PR Batty
Mr DM Gould
Mrs A Hall
Mr DW Inman

Mr CG Joyce
Mr C Ladkin
Mr K Morrell
Mr K Nichols
Mrs S Sprason
Mr BE Sutton
Ms BM Witherford

Copy to all other Members of the Council

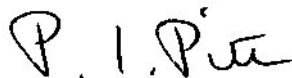
(other recipients for information)

Dear Councillor

There will be a meeting of the **SCRUTINY COMMISSION** in the Council Chamber, Council Offices, Hinckley on **THURSDAY, 5 AUGUST 2010** at **6.30pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. I. Pitt'.

Pat Pitt
Corporate Governance Officer

SCRUTINY COMMISSION - 5 AUGUST 2010

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS

RESOLVED 2. MINUTES

To confirm the minutes of the meeting held on 1 July 2010 attached marked 'SC20'.

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 AND PETITIONS

To hear any questions and to receive any petitions in accordance with Council Procedure Rules 10 and 11.

6. UPDATE ON MEMBERS' ICT

Report of the Deputy Chief Executive (Corporate Direction) attached marked 'SC21' (pages 1 - 4).

A maximum of 25 minutes has been allocated for this item.

7. COUNCIL OFFICES DEVELOPMENT

A verbal update and presentation will be provided.

A maximum of 30 minutes has been allocated for this item.

8. REDUCTION OF EMPTY HOMES AND SECOND HOMES DISCOUNT

Report of the Deputy Chief Executive (Corporate Direction) attached marked 'SC22' (pages 5 - 23).

A maximum of 5 minutes has been allocated for this item.

9. PRIMARY CARE TRUST (PCT) AND SECTION 106 CONTRIBUTIONS

Report of the Deputy Chief Executive, Corporate Direction attached marked 'SC23' (pages 24 - 27).

A maximum of 10 minutes has been allocated for this item.

RESOLVED 10. PLACE-BASED BUDGETING

Report of the Chief Executive and Deputy Chief Executive (Corporate Direction) attached marked 'SC24' (pages 28 - 33).

A maximum of 20 minutes has been allocated for this item.

RESOLVED 11. OVERVIEW & SCRUTINY WORK PROGRAMME 2010/11

To consider the work programme, attached marked 'SC25' (pages 34 - 45).

12. FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

Copy of the Forward Plan for July – October 2010 attached marked 'SC26' (pages 46 - 52).

13. MINUTES OF SELECT COMMITTEES AND WORKING GROUPS

For noting only:

(i) Finance & Audit Services Select Committee, 21 June 2010. Attached marked 'SC27' (pages 53 - 55);

(ii) Council Services Select Committee, 24 June 2010. Attached marked 'SC28' (pages 56 - 57).

14. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

To: All Members of the Scrutiny Commission with a copy of agenda to all other Members of the Council.

NOTE: AGENDA ITEMS AGAINST WHICH THE WORD "RESOLVED" APPEARS ARE MATTERS WHICH ARE DELEGATED TO THE COMMISSION FOR A DECISION. OTHER MATTERS ON THIS AGENDA WILL BE THE SUBJECT OF RECOMMENDATIONS TO COUNCIL.

HINCKLEY & BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

1 JULY 2010 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mrs R Camamile - Joint Vice-Chairman
Mr P Hall - Joint Vice-Chairman

Mr PR Batty, Mrs A Hall, Mr DW Inman, Mr K Morrell, Mr K Nichols, Mrs S Sprason, Mr BE Sutton and Mrs BM Witherford.

Officers in attendance: Mr S Atkinson, Mr S Coop, Miss L Horton, Mr D Moore, Miss R Owen, Mrs S Stacey and Mr S Wood.

Also in attendance: Representatives of sub Post Offices in the Borough.

113 **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Messrs Gould and Joyce.

114 **MINUTES (SC8)**

On the motion of Mr Nichols, seconded by Mrs Witherford it was

RESOLVED – the minutes of the meeting held on 20 May 2010 be confirmed and signed by the Chairman.

115 **DECLARATIONS OF INTEREST**

No interests were declared at this stage.

116 **RESTRUCTURING OF CUSTOMER PAYMENT OPTIONS (SC9)**

The Scrutiny Commission received a report which provided an update on the closure of the cash office and implementation of facilities to pay bills in cash at PayPoint outlets or by cash and debit cards at Post Offices.

Representatives of local sub post offices who were present at the meeting spoke in support of the ability to pay bills at the post office, stating that this would increase footfall and would be more convenient to those customers who already paid other bills by this method.

Concern was expressed with regard to the low number of Allpay outlets and post offices in rural villages, and this concern was acknowledged despite it being an improvement on current arrangements for payment which, other than by post or direct debit, would require residents coming to the cash office in Hinckley.

RESOLVED –

- (i) the report be endorsed;
- (ii) the use of PayPoint and payment at Post Offices be encouraged and publicised including poster campaigns;
- (iii) the introduction of Allpay into Community Houses and Credit Unions in the borough be considered;
- (iv) a report be brought back in six months.

117 DEVELOPER CONTRIBUTIONS (SC10)

Members were informed of the position in respect of the Section 106 contributions that had not been spent within the five year period and were at risk of being clawed back, and those that were beyond four years but not beyond five years. Discussion followed with regard to contributions to community health facilities, and Members were reminded that at the previous meeting an update to a future meeting had been requested from the Health Board.

RESOLVED – the report be noted.

118 PLANNING AND ENFORCEMENT APPEAL DECISIONS (SC11)

The Scrutiny Commission was informed of the Planning and Enforcement appeal determinations that had been made contrary to the decision of the Local Planning Authority.

A Member expressed disappointment with regard to an application on Coventry Road and concern with regard to related issues on the A5. In response Members were informed that there was an A5 working group with representatives from relevant agencies and an improvement plan was in place.

RESOLVED – the report be noted.

119 COALITION GOVERNMENT ANNOUNCEMENTS (SC12)

The Head of Planning presented a report which provided an update on information received from the Coalition Government including Regional Spatial Strategies, development in residential gardens and minimum densities. Some concern was expressed that removal of minimum densities and development in gardens would affect housing numbers, but it was acknowledged that it would help prevent over-development.

Mr Ladkin left the meeting at 7.49pm and returned at 8.52pm.

RESOLVED – the report be noted.

120 PERFORMANCE & RISK MANAGEMENT AND CITIZENS' PANEL SURVEY REPORTS (SC13, 14 & 15)

Three reports on Performance Management and Corporate Planning Framework, Risk Management Framework end of year report and the Consultation results – Citizens' Panel survey winter 2009/10 were taken together and a presentation provided to highlight the main points of these.

Mr Morrell left at 7.57pm and returned at 8.03pm, Mr Batty left at 8.03pm.

A Member reminded the Commission that at last year's work programming workshop, it had been suggested that the authority should be comparing performance with the single best performing authority. In response it was explained that as the 'best' fluctuate, it was more beneficial to compare with other 'excellent' authorities. It was suggested that the Council Services Select Committee could look at key areas of performance and compare themselves with the best in those areas.

The future of recycling was discussed and a Member had some suggestions about issues including disposal of food waste, and material used for manhole covers. It was agreed that the relevant Chief Officer would be invited to comment on these issues.

Concern was expressed with regard to low satisfaction of the website, but it was explained that this was partly due to low usage figures, and that a new website was being developed which would be more user friendly.

RESOLVED –

- (i) the reports be noted and progress made be endorsed;
- (ii) the Council Services Select Committee be requested to undertake work to compare key performance indicators with the best performing authorities;
- (iii) comment with regard to disposal of food waste and recycling be passed onto the relevant Chief Officer.

121 SCRUTINY REVIEW: REGISTERED SOCIAL LANDLORDS (SC16)

The Scrutiny Commission was provided with a report which set out recommendations made at the previous meeting in order to conclude the review of Registered Social Landlords (RSLs). In response to a Members' query it was explained that whilst the RSLs had no obligation to comply with the Commission's recommendations, they would be worded so as to insist on engagement with the authority.

RESOLVED – representatives of Midland Heart, Orbit and Waterloo Housing Group be thanked for their attendance and be RECOMMENDED to:

- (i) provide specific figures for the number of major adaptations provided along with the cost to this authority in disabled facilities grants and to enter into further discussions with the Borough Council in order to regulate this arrangement;
- (ii) provide evidence of work to prevent homelessness and to improve communication with the Borough Council on homelessness issues;
- (iii) work more closely with the Neighbourhood Action Teams (NATs);
- (iv) provide evidence to the Borough Council on accountability to tenants and ensure customer service standards and performance targets mirror those of the Borough Council;
- (v) enable and encourage direct contact with Elected members and to invite a Member (via officers) to sit on a partnership board to allow input into issues that concern residents of the Borough.

122 OVERVIEW AND SCRUTINY WORK PROGRAMME 2010/11 (SC17)

Members received Overview and Work Programme 2010/11 and were asked for any additions and suggestions for reviews in addition to those already agreed at this meeting. Suggestions were received as follows:

- Emergency Information Scheme;
- Use of money from Council Tax on second dwellings;
- Final agreement on Council Offices development;
- Progress update on Members' ICT;
- Public transport.

It was also requested that eligibility criteria in the Housing Allocations Policy be reviewed by the Council Services Select Committee.

RESOLVED –

- (i) the work programme be agreed with the addition of items agreed at this meeting;
- (ii) the abovementioned items be added into the work programme.

Mr Ladkin left the meeting at 8.40pm.

123 FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (SC18)

Members received the Forward Plan of Executive and Council decisions.

RESOLVED – the Forward Plan be noted.

124 MINUTES OF SELECT COMMITTEES

The minutes of the following meetings were received:

- (i) Council Services Select Committee, 13 May 2010 (SC19);
- (ii) Finance & Audit Services Select Committee, 24 May 2010 (SC20).

(The meeting closed at 8.41 pm)

SCRUTINY COMMISSION – 5 AUGUST

REPORT OF THE DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)

RE: MEMBER ICT

1. PURPOSE OF REPORT

- 1.1 To update Members on the progress of the Members ICT Project since August and to seek support to offer the IT electronic solution to all Councillors in advance of the 2011 election.

2. RECOMMENDATION

- 2.1 Members are recommended to
- (i) Note progress of the project since August 2009
 - (ii) Support the proposal to offer the Solution to Councillors, on request, in advance of the May 2011 election.
 - (iii) Endorse the previous resolution made by Council on 11th August 2009 for mandatory use of ICT as a complete solution for electronic delivery of information from the next local election in May 2011.

3. BACKGROUND TO THE REPORT

3.1 Background

In July 2009 Scrutiny Commission noted the progress of the Members ICT Project, recommended that Council give cross party commitment for electronic delivery of information to members following the next borough elections in 2011 and supported the on-going roll out to Leaders and Deputies. On 11 August 2009 Council supported these recommendations and noted plans for the future roll-out of the solution. This report provides Scrutiny Commission with an update of progress since August 2009, and makes recommendation to offer the solution to other Members in advance of the election in 2011.

3.2 Members' ICT Solution

Over the past three years Hinckley and Bosworth Borough Council have developed a Member ICT Solution to facilitate the electronic delivery of information. This solution is developed around a Members Portal showing a calendar of meetings, leading agendas, reports and minutes. All documents held within the Portal can be annotated, highlighted, or drawn upon (See Appendix A) to provide users with the opportunity to use the electronic media in the same way as you would normally a printed and posted copy.

The information can be accessed using Councillors own Email / Computer / Laptop using a secure Remote Access keyfob, or by using a Council provided Laptop / Netbook and Third Generation Network (3G) Card for access anywhere there is a mobile signal for the chosen network. The two options (developed through consultation with Councillors) provide flexibility and offer a degree of choice to enable individuals to select the best method that suits their arrangements.

3.3 Project Update

The solution has been further developed, following feedback from the pilots, over the last twelve months and now offers a stable easy to use solution that could be rolled out to all Councillors. In-house training will be offered to those Councillors requiring it. Recent hand over sessions, with Leaders and Deputies have gone well, and the technology has been adapted so that it can be accessed and used relatively easily by users with a wide range of IT experience.

The only issue that has caused some problems has been the coverage of the 3G Network across the Borough. The preferred supplier (Vodafone) offers the best coverage across the whole Borough, however, in some areas other suppliers are better and therefore would be required. This has resulted in a degree of trial and error to find the best supplier for each individual based on their home address, and may lead to the use of land lines where coverage is particularly poor.

There are currently 13 Councillors using the technology. The statistical returns show good usage once the connection issue and starter training has been delivered.

3.4 Continued Roll-Out

The solution offered through the Members ICT Project provides an easy to use method of delivering information electronically. Given that the solution can be rolled out in a consistent manner, and that it is the Councils resolution to commit to electronic delivery of information from May 2011, then it is the view of the Project Working Group that all Councillors should be offered the opportunity to use the technology before the election, giving nine months for the technology to bed in and for councillors to get used to the solution.

3.5 Costs

The cost of the solution has been kept to a minimum and reduced since the onset of the project and utilises. The solution uses technologies already available within the Council - the calendar, email, document annotations are extensions of current systems and delivered at no additional cost to the Authority. The remaining costs associated with the project are the cost of the equipment provided to each Councillor. These break down as follows

Option 1 – Councillors use their own equipment and Keyfob - £400 one off, £150 every three years (No hardware support offered by the Authority for this option)

Option 2 - Netbook - £700 one off, £15 per month, £150 every three years

Option 3 - Laptop - £900 one off, £15 per month, £150 every three years

4. FINANCIAL IMPLICATIONS (DB)

4.1 The direct financial implications of the cost of the project will depend upon the options taken. However, there is sufficient budget allocated to the project to

fund the roll out to all Councillors if necessary. The capital budget available to fund the members ICT project is £39,372 for 2010/11 and the ongoing revenue budget available is £10,780 for members ongoing ICT costs.

5. **LEGAL IMPLICATIONS**

5.1 None

6. **CORPORATE PLAN IMPLICATIONS**

6.1 This document Contributes to Strategic Objectives 2 and 5 of the Corporate Plan, and the ICT Strategy.

7. **CONSULTATION**

7.1 Not Applicable.

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/decision were identified from this assessment:

Management of Significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
None		

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

None

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: Paul Langham, ICT Manager ext 5995

Appendix A – Note taking example

SC PDF .pdf - Adobe Reader

File Edit View Document Tools Window Help

SCRUTINY COMMISSION - 1 JULY 2010


AGENDA

✓1. APOLOGIES AND SUBSTITUTIONS

RESOLVED ✓2. MINUTES

To confirm the minutes of the meeting held on 20 May 2010 attached marked 'SC8'.

✓3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

To be advised of any additional items of business which the Chairman decides  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.~~

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plangham Options
Tick off item as you would on paper.

Sticky Note 26/07/2010 13:28
plangham Options
Example of sticky note

Example of highlight and note via text box

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SCRUTINY COMMISSION – 5 AUGUST 2010

REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)

RE: REDUCTION OF EMPTY HOMES AND SECOND HOMES DISCOUNT

1. PURPOSE OF REPORT

- To inform and clarify the position with regard to the additional council tax income resulting from the decision made by Council in 2004 to remove the 50% discount on long term empty homes and to reduce the discount from 50% to 10% on second homes.
- To clarify whether there has been in existence an agreement between this Council and Leicestershire County Council (and other major precepts) to ring fence the additional income for the benefit of the borough of Hinckley and Bosworth.

2. RECOMMENDATION

- To note the findings set out in the report.

3. BACKGROUND TO THE REPORT

From 1 April 2004 this authority adopted the discretionary powers under Section 75 of the Local Government Act 2003 which enabled local authorities to remove the discounts on long term empty properties (100% of the charge becomes payable after 6 months) and reduce the discount to 10% for second homes (90% becomes payable as soon as the property becomes unoccupied). At this time only ourselves and North West Leicestershire had adopted the discretionary powers.

The rationale behind the changes introduced by Section 75 of the Local Government Act 2003 was to give an incentive to bring empty properties back into use and also not to provide a financial benefit to those owners who can afford second homes. The decision by Council to remove/reduce the discount was not driven by any actual benefit that the Council would receive from the additional income.

Appendix A to this report includes the two reports that went to Council on 20 January 2004 recommending it continue with the discounts and on 17 March 2004 (following Scrutiny's referral back to Council) recommending that the discounts be removed. You will note from the financial implications in both reports it clearly states that the additional income would be distributed to the major precepting Authorities in the normal way. Appendix B includes minutes of these Council meetings. Members should note that neither in the reports nor in the minutes is there any reference to an agreement with the major precepting Authorities to ring fence the additional income arising from the removal/reduction of the discount from empty properties and second homes in Hinckley and Bosworth.

As the decision was made to adopt the discretionary power after the tax base was set for the 2004/2005 financial year this authority was able to retain a proportion of the additional income raised. The remainder being distributed to the other precepting authorities in the usual ratios.

From 2005/2006 the council was unable to retain the additional income raised as reductions in discounts for empty homes and second homes were included in the calculation of the tax base.

The major precepting authorities were contacted in 2004 requesting that the additional income made available to them be ring fenced for the benefit of the Borough. Responses received suggest that whilst conversations had taken place no formal agreement was actually reached as not all authorities had chosen to reduce the discounts.

There is however on file an e-mail from the County Council dated 26th January 2005 which suggests that the County Council were prepared to place 50% of the additional income from HBBC and North West Leicestershire in a pool to support the Community Safety Programme Board in County based activity i.e. not Leicester or Rutland. I cannot find any evidence that this was actually followed up and agreed. I will pursue this further with the County Council.

Therefore, the proportionate increase in the amount of Council Tax collected has been distributed to the major precepting Authorities in the normal way. This Council has no legal right over the additional income distributed to the precepting authorities. This is confirmed by paragraph three of the e-mail from David McDonald of ODPM dated 30 June 2004 included as Appendix C.

It should however be noted that this Authority has increased its share of Council Tax income from the removal and reduction of the discounts as follows:-

	Second Homes £	LT Empty Property £	Total £
2004/05	3,000.00	29,000.00	32,000.00
2005/06	10,681.26	19,162.74	29,843.99
2006/07	10,971.59	22,920.45	33,892.05
2007/08	11,136.75	24,380.40	35,517.15
2008/09	11,186.74	28,626.79	39,813.52
2009/10	13,571.61	33,329.51	46,901.11
2010/11	12,144.88	28,543.71	40,688.59
	72,692.83	185,963.60	258,656.41

4. **FINANCIAL IMPLICATIONS**

As contained in the report

5. **LEGAL IMPLICATIONS (AB)**

Contained in the body of the report. The Council Tax collecting authority has no legal right to control any monies paid to any precepting authority.

6. **CORPORATE PLAN IMPLICATIONS**

None

7. **CONSULTATION**

Not required

8. **RISK IMPLICATIONS**

None.

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

This report is for information and clarification only and the Scrutiny Commission is not required to make a decision as a result of this report. The content of the report does not affect any particular community, Parish or group and has no impact on the environment.

11. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account: [if you require assistance in assessing these implications, please contact the person noted in parenthesis beside the item]

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Voluntary Sector (VAHB)

Background papers: Council Agenda 20 January 2004
Council Agenda 17 March 2004

Contact Officer: Sanjiv Kohli, Deputy Chief Executive (Corporate Direction) Ex
5607
Storme Coop, Revenues Manager Ext 5706

COUNCIL – 20TH JANUARY 2004REPORT OF HEAD OF FINANCE RE: LOCAL DISCRETION TO INTRODUCE
ADDITIONAL COUNCIL TAX DISCOUNTS AND EXEMPTIONS AND TO LEVY
INCREASED COUNCIL TAX ON SECOND HOMES AND LONG-TERM EMPTY HOMES

1. PURPOSE OF REPORT

To make Members aware of new discretions (introduced by Sections 75 & 76 of the Local Government Act 2003) which come into effect from 1st April 2004 i.e.

- a) To charge increased council tax on second homes and long-term empty homes.
- b) To introduce additional council tax discounts or exemptions.

2. RECOMMENDATION

- a) To continue the 50% discount on second homes and long-term empty homes as the financial benefit to Hinckley & Bosworth Borough Council of reducing the discount would be minimal and largely counteracted by the cost of administering the scheme and collecting the tax.
- b) As local authorities would bear the full cost of any new discounts or exemptions it is suggested that no additional discounts or exemptions should be introduced.

3. BACKGROUND TO THE REPORT

Currently owners of second homes (defined as furnished homes that are no-one's main residence) and long-term empty homes (defined as unfurnished homes that are no-one's sole or main residence and are not exempt from council tax) receive a 50% discount on their council tax bill.

Government concerns over the impact of large numbers of second homes and long-term empty homes within a locality

Second home owners can contribute strongly to certain sectors of rural communities, buying goods and services where demand may otherwise be weak. However, the prevalence of second homes can have an important impact on the local community. High demand for second homes affects property prices in some areas, driving local people out of the housing market. If properties are not occupied for much of the time this can reduce the demand for local services. In such areas, giving tax discounts to those generally able to afford full council tax may be perceived as unfair.

There are also concerns about the number of homes that have been empty for long periods. These properties can cause considerable blight to local communities and attract crime and anti-social behaviour. They deny homes to those in housing need and can be a drain on local resources (e.g. environmental health, policing). Empty homes also increase pressure for new house building on green fields. Government policy is to encourage owners to bring long-term empty homes into use. One of the ways it can do this is to increase the costs associated with owning an empty home through the council tax.

What are the main options?

With effect from 1st April 2004 the Government will allow local authorities to:

1. Reduce the council tax discount on second homes from 50% to a minimum 10% in all or part of their district. People required to live in job related accommodation provided by their employer or because of a legal requirement however will retain their 50% discount.

The regulations set out two classes of second homes and a different percentage discount (between 50% & 10%) could apply to each class:

Class A: Dwellings which are not the sole or main residence of an individual, which is furnished and the occupation of which is restricted by a planning condition preventing occupancy for a continuous period of at least 28 days.

Class B: Dwellings which are not the sole or main residence of an individual, which is furnished and the occupation of which is not restricted by a planning condition preventing occupancy for a continuous period of at least 28 days.

2. Remove or reduce the existing 50% discount for unfurnished long-term empty homes (Class C).
3. Grant additional relief in circumstances that are not already covered by the current national discounts and exemptions, in response to local factors (e.g. flooding) or on a case-by-case basis.

Options for using the additional council tax raised from ending or reducing discounts

The billing authority and any major precepting authorities such as Leicestershire County Council and Leicestershire Police Authority will retain any additional council tax raised from second homes locally.

The Government does not propose to reduce revenue support grant to reflect council's ability to raise more council tax because of any reduction in the second homes discount.

In connection with long-term empty properties, any increased revenue will not be retained locally but the extra resources will be kept by local government at a national level and redistributed. This is to ensure that decisions on changing the discount are taken on housing grounds and recognises that there may be places where applying full council tax on long term empty property may not be helpful to the local housing market.

Options for introducing additional exemptions or discounts

Initially the new legislation indicated that a new exemption or discount could apply to local issues (e.g. flooding). More recently, however, some authorities have suggested this new discretion could apply to pensioners or any group of people having difficulty in paying their council tax.

Members may be aware of articles in the media concerning certain Council's wishing to use this new discretion to 'peg back' any council tax increases for pensioners purely to the rate of inflation. Kent County Council, however, which had been spearheading the idea have now shelved any plans to discount pensioners following legal advice. James Gaudie QC, a leading local government lawyer has advised that groups such

as workers on low income, people with disabilities, and single parents could mount legal challenges if one specific group were offered a rebate.

Local authorities do have to bear the full cost of granting additional discounts. There is therefore a danger of subsidising one section of the local community at the expense of another. Also, it cannot necessarily be assumed that all pensioners are having difficulty in paying their charges. Those that are facing financial difficulties should be receiving benefit and ordinarily any increase in council tax is matched by a compensating increase in benefit.

4. **FINANCIAL IMPLICATIONS**

As stated above, any additional discounts or exemptions granted by the Borough Council would be funded by its council taxpayers. This means that the council tax of those who did not receive the reductions would have to be increased to pay for those who did.

If Council decided to introduce any additional discounts or exemptions on the total council tax bill, including County, Police and Parish elements, the full cost of these would have to be added to the Borough's element.

Revenue raised by reducing the second home discount can be retained locally. However, there are currently only 57 properties identified within this category & approximately 90% of the income received would be passed on to the County Council & Police Authority. The anticipated benefit to the local Council therefore would be less than £3k.

The additional revenue raised from long-term empty homes would not be retained locally and it is unclear what proportion would be distributed from the central pool. There are currently approximately 550 long-term empty properties within the Borough, the majority being in Band A or Band B. The estimated additional revenue to be passed on to Central Government would be approximately £289k.

Historically, it has been difficult collecting council tax on second homes and long-term empty homes resulting in a high cost in recovering the additional charge.

5. **LEGAL IMPLICATIONS**

Contained within the report.

6. **CABINET RECOMMENDATIONS/VIEWS**

Agree the recommendations.

Background Papers:	DTLR Council Tax Consultation Paper. Local Government Bill.
Contact Officer:	Graham Key, Ext 5620.
Portfolio Holder:	Councillor M O Bevins.

(1GK20j)
12.12.03

COUNCIL – 17th MARCH 2004

REPORT OF HEAD OF FINANCE RE: LOCAL DISCRETION TO INTRODUCE
ADDITIONAL COUNCIL TAX DISCOUNTS AND EXEMPTIONS AND TO LEVY
INCREASED COUNCIL TAX ON SECOND HOMES AND LONG-TERM EMPTY HOMES

1. PURPOSE OF REPORT

To make Members aware of new discretions (introduced by Sections 75 & 76 of the Local Government Act 2003) which come into effect from 1st April 2004 i.e.

- a) To charge increased council tax on second homes and long-term empty homes.
- b) To introduce additional council tax discounts or exemptions.

2. RECOMMENDATION

- a) To reduce the 50% discount on all second homes to the minimum 10% discount.
- b) To completely remove the 50% discount from all long-term empty homes.
- c) As Hinckley & Bosworth Borough Council would bear the full cost of any new discounts or exemptions that no additional discounts or exemptions should be introduced.

3. BACKGROUND TO THE REPORT

Currently owners of second homes (defined as furnished homes that are no-one's main residence) and long-term empty homes (defined as unfurnished homes that are no-one's sole or main residence and are not exempt from council tax) receive a 50% discount on their council tax bill.

Government concerns over the impact of large numbers of second homes and long-term empty homes within a locality

Second homeowners can contribute strongly to certain sectors of rural communities, buying goods and services where demand may otherwise be weak. However, the prevalence of second homes can have an important impact on the local community. High demand for second homes affects property prices in some areas, driving local people out of the housing market. If properties are not occupied for much of the time this can reduce the demand for local services. In such areas, giving tax discounts to those generally able to afford full council tax may be perceived as unfair.

There are also concerns about the number of homes that have been empty for long periods. These properties can cause considerable blight to local communities and attract crime and anti-social behaviour. They deny homes to those in housing need and can be a drain on local resources (e.g. environmental health, policing). Empty homes also increase pressure for new house building on green fields. Government policy is to encourage owners to bring long-term empty homes into use. One of the ways it can do this is to increase the costs associated with owning an empty home through the council tax.

What are the main options?

With effect from 1st April 2004 the Government will allow local authorities to:

- (1) **Reduce the council tax discount on second homes from 50% to a minimum 10% in all or part of their district.** People required to live in job related accommodation provided by their employer or because of a legal requirement however will retain their 50% discount.

The regulations set out two classes of second homes and a different percentage discount (between 50% & 10%) could apply to each class:

Class A: Dwellings, which are not the sole or main residence of an individual, which are furnished and the occupation of which is restricted by a planning condition preventing occupancy for a continuous period of at least 28 days.

Class B: Dwellings, which are not the sole or main residence of an individual, which are furnished and the occupation of which is not restricted by a planning condition preventing occupancy for a continuous period of at least 28 days.

- (2) **Remove or reduce the existing 50% discount for unfurnished long-term empty homes in all or part of the district (Class C).**
- (3) **Grant additional relief in circumstances that are not already covered by the current national discounts and exemptions,** in response to local factors (e.g. flooding) or on a case-by-case basis.

For information, the following classes of exempt dwellings already exist nationally and would not be affected by any of the new discretions outlined above (i.e. the exemption from council tax would still apply).

- Empty and substantially unfurnished dwellings where major works are required, underway or recently completed (valid for up to 12 months)
- Empty dwellings owned by charities
- Dwellings left empty and substantially unfurnished for up to 6 months
- Dwellings left empty by prisoners
- Dwellings left empty by patients in hospitals and care homes
- Unoccupied dwellings where the liable person is deceased
- Dwellings where occupation is prohibited by law
- Empty clergy dwellings
- Dwellings left empty by people receiving care
- Dwellings left empty by people providing care
- Dwellings left empty by students
- Repossessed dwellings
- Halls of residence
- Dwellings occupied only by students or school leavers
- Armed forces accommodation
- Visiting forces accommodation
- Dwellings left empty by bankrupts
- Empty caravan pitches and boat moorings
- Dwellings occupied by minors only
- Empty annexes which cannot be let separately
- Dwellings occupied only by persons who are severely mentally impaired
- Annexes occupied by dependent relatives

Options for using the additional council tax raised from ending or reducing discounts

The billing authority and any major precepting authorities, such as Leicestershire County Council, Leicestershire Police Authority and the Combined Fire Authority will retain any additional council tax raised from second homes locally.

The Government does not propose to reduce Revenue Support Grant to reflect council's ability to raise more council tax because of any reduction in the second homes discount.

In connection with long-term empty properties, any increased revenue will not be retained locally (other than for the 2004/05 financial year) but the extra resources will be kept by local government at a national level and redistributed. This is to ensure that decisions on changing the discount are taken on housing grounds and recognises that there may be places where applying full council tax on long term empty property may not be helpful to the local housing market.

Recent Government advice has indicated that for the 2004/05 financial year only local authorities (including major precepting authorities) would be entitled to keep the revenue received (in connection with long-term empty properties) during that year and there would be no adjustment to the Revenue Support Grant.

Options for introducing additional exemptions or discounts

Initially the new legislation indicated that a new exemption or discount could apply to local issues (e.g. flooding). More recently, however, some authorities have suggested this new discretion could apply to pensioners or any group of people having difficulty in paying their council tax.

Members may be aware of articles in the media concerning certain Council's wishing to use this new discretion to 'peg back' any council tax increases for pensioners purely to the rate of inflation. Kent County Council, however, which had been spearheading the idea, have now shelved any plans to discount pensioners following legal advice. James Gaudie QC, a leading local government lawyer, has advised that groups such as workers on low income, people with disabilities, and single parents could mount legal challenges if one specific group were offered a rebate.

Billing authorities, such as Hinckley & Bosworth Borough Council, do have to bear the full cost of granting additional discounts. There is therefore a danger of subsidising one section of the local community at the expense of another. Also, it cannot necessarily be assumed that all pensioners are having difficulty in paying their charges. Those that are facing financial difficulties should be receiving benefit and ordinarily any increase in council tax is matched by a compensating increase in benefit.

4. FINANCIAL IMPLICATIONS (MD)

As stated above, any additional discounts or exemptions granted by the Borough Council would be funded by its council taxpayers. This means that the council tax of those who did not receive the reductions would have to be increased to pay for those who did.

If Council decided to introduce any additional discounts or exemptions on the total council tax bill, including County, Police, Fire and Parish elements, the full cost of these would have to be added to the Borough's element.

Revenue raised by reducing the second home discount can be retained locally. However, there are currently only 57 properties identified within this category and approximately 90% of the income received would be passed on to the County Council, Police Authority and Fire Authority. The anticipated benefit to the local Council therefore would be less than £3k.

The additional revenue raised from long-term empty homes would only be retained locally for the 2004/05 financial year. There are currently approximately 550 long-term empty properties within the Borough. The estimated additional revenue to be retained by Hinckley & Bosworth Borough Council would be approximately £29k. Any surplus generated could not be taken into account for calculating the council tax until 2005/06. An additional amount of almost £260k would be distributed to our major precepting authorities.

For each financial year after 2004/05 any additional revenue received from long-term empty homes (approx £289k) would be passed on to Central Government. It is unclear what proportion would be distributed from the central pool.

We are advised by the Office of the Deputy Prime Minister that local authorities will not be penalised by a reduced Revenue Support Grant if they do not levy additional amounts on long-term empty homes.

Historically, it has been difficult collecting local taxes on second homes and long-term empty homes resulting in a high cost in recovering the additional charge.

Some of the reasons why owners have resisted a maximum charge on their unoccupied property in the past are as follows:

- They are not receiving the same amount of services compared to the occupied property
- They may be having difficulty in selling or letting
- They may be charged more for the unoccupied property compared to the occupied property as rebates or single person discounts cannot apply to the unoccupied property

It is anticipated that it would cost at least £3k per annum to recover additional charges on second homes and long-term empty homes.

A similar discretion existed between 1990 and 1993 when Council elected to levy a standard community charge (which was equivalent to 2 people occupying a property) on unoccupied properties. Owners strongly resisted this charge (which some considered excessive) and it became very difficult to collect.

5. COMPARISONS WITH OTHER BOROUGH COUNCILS IN LEICESTERSHIRE

Within Leicestershire only North West Leicester are adopting any changes and levying an increased charge on unoccupied properties.

Blaby, Harborough, Melton, Charnwood and Oadby & Wigston are all retaining the discount at 50%

6. LEGAL IMPLICATIONS

Contained within the report.

7. **CABINET RECOMMENDATIONS**

Cabinet agreed the recommendations.

Background Papers: DTLR Council Tax Consultation Paper
Local Government Bill

Contact Officer: Graham Key Ext 5620

Portfolio Holder: Councillor M O Bevins

(21C17m04)
jw 8.03.04

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
20TH JANUARY 2004 AT 6.30 P.M.

PRESENT: MR. J.E. STANLEY - MAYOR
 MR. B.H. EDWARDS - DEPUTY MAYOR

Mr. P.T. Andrews, Mr. M.O. Bevins, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. D.R. Bown, Mr. J.C. Bown, Mrs. R. Camamile, Mrs. C.M. Claridge, Mr. J.F. Collins, Mrs. M.A. Cook, Mrs. M.J. Crooks, Mr. W.J. Crooks, Mr. N.B.L. Davis, Mrs. D. Finney, Mr. R.J. Furniss, Mr. M.A. Hall, Mr. D.E. Hinton, Mr. K.A.J. Hunnybun, Mr. C.G. Joyce, Mr. M.R. Lay, Mr. K.W.P. Lynch, Mr. J.K. Martin, Mrs. M.L. Sherwin, Mrs. E.A. Spencer, Mr. D.W. Thorpe, Mr. K. Vessey, Mr. R. Ward and Mrs. R.W. Wright.

Officers in attendance: Mr. J. Corry, Mr. G.B. Gethin, Mr. G.S. Key, Ms. J. Penman, Mr. T.M. Prowse, Mr. M. Roffey, Mr. R.A. Sargent and R.M. Tobin.

Also in attendance were Mr. P. Cooper, Ms. J. Hurcombe and Mr. C. Millar (Comprehensive Performance Assessment Peer Review Team).

349 PRAYER

The Reverend M.B. Clarke offered prayer.

350 APOLOGIES

Apologies for absence were submitted from Mrs. M. Aldridge, Mr. R.D. Ellis and Ms. J.E. Price.

351 MINUTES (C52)

On the motion of Mr. Bevins, seconded by Mrs. Sherwin, it was

RESOLVED - the minutes of the meeting held on 9th December 2003 be confirmed and signed by the Mayor.

352 OTHER URGENT BUSINESS

The Mayor confirmed that, as previously notified to Members, he would take as an additional item of business a request for a special meeting of the Council. The reason given for the urgency was that it was not possible to submit the budget reports to this evening's meeting and the date now requested was crucial within the overall budget timetable.

353 DECLARATIONS OF INTEREST

No interests were declared at this stage.

354 COMMUNICATION

The Mayor announced that proceeds to date from his sponsored slim totalled £825 and that his charity appeal had raised in excess of £8,500.

355 ANNUAL AUDIT LETTER 2002/03 (C53)

Mr. P. Jones (District Auditor) and Ms. Y. Geen (Audit Manager) attended for the presentation of the annual audit letter for 2002/03.

The key messages were then conveyed and questions raised and, where appropriate, replies given by both audit staff and officers of the Council. These included the need for the Council to rethink its corporate decision making processes and take action to improve officer/Member working relationships and the understanding of respective roles. It was also noted that the District Auditor had concerns that the Council had not developed a robust project plan to ensure the town centre redevelopment project remained on track and that the Council needed to ensure that increasing delays to the contract did not have significant financial effects.

On the motion of Mr. Bevins, seconded by Mr. Thorpe, it was

RESOLVED - the contents of the audit letter be noted.

Mrs. Finney and Mr. Joyce left the meeting at 7.22 p.m.

356 COUNCIL TAX BASE (C54)

Consideration was given to the council tax base for 2004/05. On the motion of Mr. Bevins, seconded by Mrs. Claridge it was

RESOLVED -

- (i) the Council Tax base for the whole and parts of the area for the year 2004/2005 be approved;
- (ii) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 the amounts calculated by the Hinckley and Bosworth Borough Council as its tax base for the whole area for the year 2004/2005 shall be 35,094.16 and for the parts of the area listed below for the year 2004/2005 shall be:-

Special Expense Area: Hinckley & Barwell	12238.51
Parish of:	
Bagworth	746.65
Barlestone	763.34
Burbage	5514.45
Cadeby	94.22
Carlton	138.94
Desford	1400.50
Earl Shilton	2841.63
Groby	2616.19
Higham	256.77
Market Bosworth	831.86
Markfield	1660.73
Nailstone	200.20
Newbold Verdon	1013.33
Osbaston	102.09
Peckleton	454.77
Ratby	1336.90
Shackerstone	341.85
Sheepy	509.34
Stanton-under-Bardon	218.52
Stoke Golding	627.73
Sutton Cheney	216.53
Twycross	337.35
Witherley	631.76

; and

- (iii) the Council's Constitution be amended to allow the Head of Finance (Section 151 Officer) delegated authority to approve the council tax setting calculation for future years.

Mr. Joyce returned at 7.24 p.m.

357

ADDITIONAL COUNCIL TAX DISCOUNT AND EXEMPTIONS AND INCREASED COUNCIL TAX ON SECOND HOMES AND LONG TERM EMPTY HOMES (C55)

Members were advised of discretions available under sections 75 and 76 of the Local Government Act 2003 whereby from 1st April 2004

- (a) increased council tax could be charged on second homes and long term empty homes; and
- (b) additional council tax discounts or exemptions could be introduced.

It was moved by Mr. Bevins and seconded by Mrs. Sherwin that

- (1) the 50% discount on second homes and long term empty homes be continued as the financial benefit to the Council of reducing the discount would be minimal and largely counteracted by the cost of administering the scheme and collecting the tax; and
- (2) as local authorities would bear the full cost of any new discounts or exemptions no additional discounts or exemptions should be introduced.

Mrs. Finney returned at 7.25 p.m. and Mr. Lynch left at 7.28 p.m., returning at 7.30 p.m.

By way of amendment, it was moved by Mr. Andrews, seconded by Mrs. Crooks, voted upon and

RESOLVED - these proposals be referred to the Scrutiny Commission for consideration.

358 SUPPORTING PEOPLE INITIATIVE (C56)

In response to a call from the Office of the Deputy Prime Minister for increased involvement by elected members in the Supporting People Programme, there was a proposal to establish in Leicestershire an Elected Members' Reference Panel on which the Borough Council would have two representatives.

On the motion of Mr. Thorpe, seconded by Mrs. Claridge, it was

RESOLVED - the proposed Supporting People Elected Members Reference Panel be supported and two Councillors be selected to be this Council's representatives.

Nominations were then submitted and voted upon as follows:-

Mr. Thorpe (proposed by Mrs. Claridge and seconded by Mr. Bevins) - 19 votes.

Mr. Boothby (proposed by Mr. Thorpe and seconded by Mrs. Claridge) - 17 votes.

Mrs. Crooks (proposed by Mr. Lynch and seconded by Mr. Joyce) - 10 votes.

RESOLVED - Mr. Thorpe and Mr. Boothby be appointed as the Council's representatives on this Panel.

359 LICENSING COMMITTEE (C57)

Following the resignation of Mrs. Wright and on the motion of Mr. Bevins, seconded by Mr. Thorpe, it was

RESOLVED - Ms. Price be appointed a member of the Licensing Committee.

360 SPECIAL COUNCIL MEETING

At the request of the Director of Resources it was

RESOLVED -

- (i) on the motion of Mr. Bevins, seconded by Mr. Collins - a special meeting of the Council be held on Tuesday 3rd February 2004 for the purpose of receiving the 2004/05 budget reports; and
- (ii) on the motion of Mr. Lay, seconded by Mr. Furniss - the meeting commence at 6.00 p.m.

(The meeting closed at 7.54 p.m.)

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
17th MARCH 2004 AT 6.00 P.M.

PRESENT: MR. J.E. STANLEY - MAYOR
 MR. B.H. EDWARDS - DEPUTY MAYOR

Mrs. M. Aldridge, Mr. P.T. Andrews, Mr. M.O. Bevins, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. D.R. Bown, Mr. J.C. Bown, Mrs. R. Camamile, Mrs. C.M. Claridge, Mr. J.F. Collins, Mrs. M.A. Cook, Mr. N.B.L. Davis, Mr. R.D. Ellis, Mr. K.A.J. Hunnybun, Mr. C.G. Joyce, Mr. M.R. Lay, Mr. J.K. Martin, Mr. D.W. Thorpe, Mr. R. Ward and Mrs. R.W. Wright.

Officers in attendance: Mr. J. Corry, Mr. G.B. Gethin, Mr. G.S. Key, Ms. J. Penman and Mr. R.M. Tobin.

450 SILENT TRIBUTE

A minute's silence was observed in recognition of those killed and injured as a result of the recent bombing incidents in Madrid.

451 APOLOGIES

Apologies for absence were submitted on behalf of Mr. R.J. Furniss, Mr. M.A. Hall, Mr. D.E. Hinton, Mrs. M.L. Sherwin and Mrs. E.A. Spencer.

452 MINUTES (C73)

Mrs. Wright entered the meeting at 6.04 p.m.

It was moved by Mr. D.R. Bown and seconded by Mr. Boothby that the minutes of the meeting held on 2nd March 2004 be confirmed and signed by the Mayor. By way of amendment, Mrs. Camamile moved and Mrs. Aldridge seconded that minute number 435 be amended by the deletion of the name of Mr. Hunnybun. Upon being put to a vote, the amendment was declared carried. The substantive motion was then put to a vote and it was

RESOLVED - the minutes of the meeting held on 2nd March 2004, as now amended, be confirmed and signed by the Mayor.

453 DECLARATIONS OF INTEREST

No interests were declared at this stage.

454 COMMUNICATION

The Mayor announced that, so far, £10,980 had been contributed, and £3,000 promised, towards his charity appeal. He also informed Members of the pilot community bus scheme to be introduced from Peckleton.

Mrs. Cook entered the meeting at 6.07 p.m.

455 PETITION

In accordance with procedure rule 10.11, Mr. Bill presented a petition from residents of the lower Coventry Road and Waterside Park areas of Hinckley seeking the retention of the £70,000 derived from the Waterside Park development for the use of that immediate area only and agreement to meet the residents concerned to discuss the matter further.

456 LOCAL DISCRETION TO INTRODUCE ADDITIONAL COUNCIL TAX DISCOUNT AND EXEMPTIONS AND TO LEVY INCREASED COUNCIL TAX ON SECOND HOMES AND LONG TERM EMPTY HOMES (C74)

Further to minute number 426, consideration was again given to the discretion available under Sections 75 and 76 of the Local Government Act 2003 whereby, from 1st April 2004,

- a) increased council tax could be charged on second homes and long term empty homes; and
- b) additional council tax discounts or exemptions could be introduced.

On the motion of Mr. Bevins, seconded by Mr. Collins, it was

RESOLVED

- (i) the 50% discount on all second homes be reduced to the minimum 10% discount;
- (ii) the 50% discount from all long term empty homes be removed completely; and
- (iii) as the Council would bear the full cost of any new discounts or exemptions, no additional discounts or exemptions be introduced.

(The meeting closed at 6.11 p.m.)

Graham Key

From: David McDonald [David.McDonald@odpm.gsi.gov.uk]
 Sent: 30 June 2004 11:50
 To: Graham.Key@hinckley-bosworth.gov.uk
 Cc: Brian Entwistle
 Subject: RE: Second Homes and Long Term Empty Discounts

Graham

Apologies for the delay in replying to your e-mail.

As I explained in my previous e-mail, as your authority reduced the discounts after it set its tax base, the surplus will go into your authority's collection fund. You are correct in thinking that, all other things being equal, this will be distributed proportionately between the district and precepting authorities in 2005/06.

For the avoidance of doubt, I should also point out that authorities which changed the long term empty discount in 2004/05 will not keep any extra revenue for 2005/06 and onwards.

David

>>> Graham Key <Graham.Key@hinckley-bosworth.gov.uk> 06/30/04 08:45am
 >>>

David,

I have sent this email to both yourself & Brian Entwistle (when i found out you were on leave)& would be grateful for an emailed response at your earliest convenience.

Many thanks

Graham,

-----Original Message-----

From: Graham Key
 Sent: 17 June 2004 15:18
 To: 'David McDonald'
 Cc: Martin Donovan
 Subject: RE: Second Homes and Long Term Empty Discounts

David,

You very kindly assisted with an enquiry we had in March concerning a second home/long-term empty home issue & i would be very grateful for your assistance again.

Essentially, the Leader of this Council is stating that she has ODPM advice to the effect that all the extra income raised this year from reducing the discounts on second/long-term empty homes can be retained by the Borough Council.

My understanding is that this additional revenue would be collected by this Council but the majority redistributed to our major precepting Authorities i.e County Council, Police & Fire Authority. This would leave local retention at approx 10% as opposed to the 100% envisaged by the Leader.

A decision to reduce the discounts had been made after the Tax Base for 2004/05 had been set.

Clarification of this issue would be greatly appreciated.

Regards

Graham Key

Revenues Client Manager

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-----Original Message-----

From: David McDonald [mailto:David.McDonald@odpm.gsi.gov.uk]
Sent: 04 March 2004 10:41
To: graham.key@hinckley-bosworth.gov.uk
Subject: Second Homes and Long Term Empty Discounts

Graham

This is to confirm my advice of yesterday.
It is for individual authorities to make decisions on decisions. Authorities will not be penalised for not reducing the discounts. You said that your authority has already set its tax base and budget. If your authority now decides to reduce the discounts for 2004/05 the funds will be surplus and will go into your authority's collection fund. Further details are contained in Annex B of the attached Council Tax Information Letter which we sent out in December.
Please e-mail me if you require further information.
David

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SCRUTINY COMMISSION – 5 AUGUST 2010

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

RE: PRIMARY CARE TRUST (PCT) AND SECTION 106 CONTRIBUTIONS

1. **PURPOSE OF REPORT**

To inform members of the Scrutiny Commission of the position in respect of the PCT Section 106 contributions that have been collect but not spent.

2. **RECOMMENDATION**

That the report be noted

3. **BACKGROUND TO THE REPORT**

It was identified that the PCT were requesting funds via the S106 Contributions strategy but did not have the appropriate systems in place to deal with these funds once collected by HBBC.

This has resulted in HBBC holding funding to the value of £260,747.95 on behalf of the PCT. A number of meetings have been held to resolve this issue; table 3.1 is the outcome of these meetings and identifies areas where the funding can be utilised.

3.1 **PROPOSED USE OF S106 FUNDS**

Location	Planning ref	Available funds	Proposed usage	Funds to be utilised
Westfield Road Hinckley	06/00352/FUL	£2,296	Hill Street, Hinckley Conversion of new consulting room £8,643	
Rodney Close, Hinckley	05/01160/FUL	£2,755	Extend parking facilities £8,689	
Mansion Street, Hinckley	07/00648/FUL	3,214.00		
Factory Road, Hinckley	06/01404/FUL	£4,362		
		Total £12,627		Total £12,627
Ratby	05/00589/FUL	£2,755 Total £2,755	Ratby surgery - anti coag/ecg machine £2,614	Total £2,614

Burbage	07/00044/FUL 07/00574/FUL	£2,526 Total £2,526	Burbage Surgery Coag machine £863 Blood pressure monitors £7,271 ENT/dermatology equipment £914	Total £2,526
Earl Shilton	07/00641/FUL 06/00930/FUL 07/00495/FUL 06/01201/FUL 08/00056/FUL 04/00994/FUL 06/00926/FUL 06/01374/FUL	£3,139.07 £4,592 £8,725 £11,036 £47,986.40 Total £75,478.47	Earl Shilton Surgery ENT operating microscope £9,040 Additional telephone lines £592 ECG machine £1805 INR machine £1189 Couches £2129 Ear Syringe equipment £324 Patient auto check in system £4657.85 Pulse oxymeter £2356.34 Physiotherapy additional hours £2380 Phlebotomy additional hours £3226 Hinckley Hospital Equipment Oct 09 Day surgery operating trolley. Unable to undertake theatre activity £27,347.45 Slit Lamp £5,485.50	Total £60,531.50
Outlands Drive, Hinckley	05/00335/OUT	£106,272 Total £106,272	Spent on Ext to existing facility.	Total £106,272
Bagworth	04/00231/FUL superseded by 06/00078/FUL	£18,086 Total £18,086	lbstock Surgery Mini bus scheme £12,073	Total £12,073
Barwell	06/00384/OUT 07/00789/REM 07/01360/FUL	£7,169.48 £12,829.00 Total £19,998.48	Hinckley Hospital equipment purchases Vertical Bucky radiology £10,000 Light source for sigmoidoscope £1,200	Total £11,200
Newbold	07/00940/FUL	£9,000 Total £9,000		
Groby	06/00898/FUL	£14,005.00 Total £14,005		
		Overall total available £260,747.95		Overall total utilised £207,843.50

- 3.2 PCT – NHS Leicestershire County and Rutland are now meeting to decide on how they would like the funds shown in table 3.1 transferring over from HBBC. They have internal issues with cost centres and need to ensure that the funding once received is allocated to the correct area and not to a central pool.

Going forward funding will only be requested when there is a need due to the specific development. This will ensure that future receipt of funds can be dealt with quickly and efficiently and benefit the Borough in a timely fashion.

4. **FINANCIAL IMPLICATIONS [AB]**

- 4.1 The Council is currently holding Section 106 contributions relating to the Primary Care Trust (PCT) amounting to £260,747.95. It has been agreed that the Council will transfer £207,843.50 of this total to the PCT to help fund the agreed projects.

The remaining balance of £52,904.45 will then be released once agreement has been reached on how this is going to be utilised.

- 4.2 The Council will not be required to pay any interest in relation to these amounts that have been held.

5. **LEGAL IMPLICATIONS (AB)**

- 5.1 If any of the monies held on behalf of the PCT relate to a S106 agreement more than 5 years old it is likely that they will be subject to clawback by the developer who made the initial payment.

6. **CORPORATE PLAN IMPLICATIONS**

This document contributes to Strategic aim of the Corporate Plan ‘Safer and Healthier Borough’

7. **CONSULTATION**

None

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:

Risk	Mitigating actions	Owner
If monies are paid within the timescale but not used for the purpose identified or not used at all, then these may be clawed back by the developer/applicant.	Close monitoring of S106 database and working with the PCT to ensure procedure is implemented to transfer funds.	Simon Wood / Sally-ann Cooper

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

None

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: S106 Database & Circular 05/5

Contact Officer: Sally-ann Cooper ext 5654

SCRUTINY COMMISSION - 5 AUGUST 2010

REPORT OF CHIEF EXECUTIVE(CORPORATE DIRECTION)

RE: PLACE-BASED BUDGETING

1. PURPOSE OF REPORT

To outline for Members the concept of 'Place-Based Budgeting' as proposed by the Local Government Association, its potential impact on local authorities and the opportunities for Hinckley and Bosworth Borough Council. It is hoped that the contents will stimulate a positive debate.

2. RECOMMENDATIONS

- (i) That the Scrutiny Commission notes the impact of the emerging concept of 'Place-Based Budgeting'.
- (ii) That the Scrutiny Commission proposes actions which the Council might take to maximise the opportunities available from utilising this concept.

3. BACKGROUND

3.1 Members will have an awareness of the concept formerly known as 'Total Place', in which Leicestershire was one of the original pilots. In simple terms, 'Total Place' sought to aggregate the totality of spending on public services (not just local authorities) in a defined 'place', as a means of conducting further investigation into the effective use (or otherwise) of such funding in meeting local needs and statutory responsibilities. The basic premise was that by removing the 'silo' approach to the provision of public services and joining up the management, duplication and waste would be significantly reduced.

3.2 At a global level, the Total Place pilot in Leicestershire reached the following conclusions:

- * Within a total public services expenditure of over £6 billion pa, the cost of performance-reporting alone was £3.66 million and the cost of inspection £3.57 million.
- * 44 separate funding streams had a value of less than £1 million and each of those had its own administration and reporting.
- * The estimated costs to the public sector of dealing with alcohol misuse (one element of one of its pilot studies) were £89.3 million pa, compared with just £4.9 million on preventative work.

3.3 Clearly in the context of significant reductions in public expenditure and funding, contrasted with ever-increasing expectations from the public, an

approach based on 'Total Place' principles has a strong attraction. However, there has been no mention of this approach by the Coalition Government, despite the strong emphasis placed on 'localism' by CLG in particular and the all-party embrace in which the concept was enveloped prior to May 2010.

3.4 The LGA has sought to maintain the momentum of the concept by the publication of 'place-based' budgets: the future governance of local public services. ⁽¹⁾

3.5 Members are advised that, whilst the concept may carry some threats to District Council sovereignty and sustainability, if we approach the proposals in the most constructive manner, they carry significant opportunities for local engagement, responsiveness, efficiency and delivery, in which we can play a major role for the greater benefit of our communities.

4. **PLACE-BASED BUDGETS**

4.1 **The Concept**

Essentially, the concept is based on the following:

- * Commissioning responsibility for a set of local services should rest with a locally accountable governance body (most likely an amalgamation of different interests).
- * Delivery of services can be by public sector, non public sector or a combination of both - the decisions will be based on cost and performance in relation to local requirements.
- * The constitution of the governance body would be for local determination; it could be 'regional', sub-regional or even more local (though this latter is not mentioned in the LGA document). The decision would depend on the service/group of services involved and the economic/demographic circumstances of the 'place'.
- * The local body would be fully accountable for the budgets it holds.

4.2 It is envisaged that a reshaping of the public sector in this way (involving local authorities, police, health, probation and regional/national agencies such as: Regional Development Agency, Government Offices (whilst they still exist), DWP, Homes and Communities Agency and Highways Agency) will result in:

- * a move away from central command to more citizen-driven mechanism.
- * greater aggregation and simplification of the multitude of budgets and their administration.
- * greater devolution of managerial and political responsibility and decision-making.
- * greater transparency.
- * (most importantly) greater efficiency and value for money, not least by reducing duplication of overheads.

There is a powerful logic to these points, particularly the last one.

(1) 'Place-based budgets: the future governance of local public services' - LGA June 2010

4.3 The LGA proposes that cheaper service will be secured via:

- * administrative savings in regional and national government
- * shared services (such as citizen contact points, in which this Council is already playing a lead role in the Access to Services Total Place initiative in Leicestershire).
- * Asset rationalisation and reduced running costs - a major element in our relocation to the Southern Gateway site and integration with other organisations on that site, as well as our collaboration with North West Leicestershire and Harborough on Revenues and Benefits.

4.4 It is envisaged also that services will be more effective by being more targeted, more integrated (Revenues and Benefits/Legal Services/ICT), and reduce waste by what the LGA calls 'cutting out the middlemen' at regional and quango levels.

4.5 Devolving the governance will make local politicians (elected for this purpose) and local operational decision-makers/executors more accountable and make decisions in accordance with local circumstances.

4.6 In respect of service response, an integrated, whole public service approach to some of the more intractable local issues can be delivered: for example in relation to unemployment (in collaboration with Job Centre Plus); meeting the needs of young people not in Employment, Education or Training (NEET) by integrating local organisations' responses and activities; and creating innovative approaches to behaviour change (smoking, obesity, teenage pregnancy). For the often bewildered service user, moves towards a single point of contact (which we are already developing) must mean increased customer security, understanding and satisfaction.

4.7 Finally, looking at the totality of budgets devoted to specific services enables a shift towards prevention and early action (drugs/alcohol and reoffending), by removing the disincentive to invest when the innovating organisation is not the ultimate beneficiary. By developing and reinforcing the concept of a single 'corporate' body (or amalgamation of bodies) for the place, with a single budget, such arguments and approaches become more difficult to sustain.

5. **Potential Problems**

5.1 The major potential problem, perversely, is a reduction in local control. One of the models for implementation at a sub-regional level is based on the Multi-Area Agreement arrangements which in Leicester and Leicestershire are currently focussed on Leicester City. Whilst there is a District involvement, the concentration of activity currently has little relevance to most Districts in the county.

5.2 The Strategic Management arrangements in the county are now centred on the Public Services Board, in which the Districts are not represented. If this is the model adopted locally (and there is some movement in this direction), there could be a body which is making decisions on funding allocations and strategic service configurations, over which Districts by representation either

collectively or individually have no influence. It must be a prerequisite of any future management arrangements at both political and officer level that District Council interests are properly represented in order to reflect the local places which make up the totality of the wider place.

- 5.3 It will be important also to take into account other initiatives, such as Local Economic Partnerships, which central government is currently promoting, to ensure that these are based on rational and existing local economies, not on historic and irrelevant administrative boundaries.

6. **Opportunities**

- 6.1 Having pointed out some of the potential deficiencies, these are all surmountable, with goodwill and commitment from all those involved. What is important is that these proposals offer a significant opportunity to improve not only the financial efficiency of the services we all provide, but also (perhaps more importantly) public satisfaction - which must be at the heart of what we are here to do.

- 6.2 Potential opportunities will include:

- * the ability to utilise health-related funding as an investment which will have longer-term benefits to all parties, including health, police, probation, social care and housing.
- * a greater ability to reduce overall costs of asset use.
- * a greater integration of service teams (which we are already promoting via the office relocation), to include teams tasked with public-realm maintenance in its widest sense (eg grass-cutting/litter clearance), horizontal integration (Revenues and Benefits/Legal Services) and vertical integration (e.g. Housing/Social Care). In many cases the integration could be in more than one direction.

- 6.3 The proposal is to replace "accountability through multiple departmental funding streams, top down targets and regulation through multiple public bodies, with outward-facing accountability to local people through devolved governance made up of democratically elected local councillors".

As a concept, this is very simple and very compelling. If implemented with the positive and constructive engagement of all concerned, and for the reasons espoused in the LGA statement above, it has all the potential for being of great benefit for our customers. If this engagement is not present, or if other objectives are at its heart, the potential will not be maximised. The choice is ours.

7. **FINANCIAL IMPLICATIONS (SK)**

None arising directly from this report.

8. **LEGAL IMPLICATIONS (LH)**

None arising directly from this report. A legal framework already exists, but may need to be strengthened.

9. **CORPORATE PLAN IMPLICATIONS**

- * Cleaner and greener neighbourhoods
- * Thriving economy
- * Safer and healthier Borough
- * Strong and distinctive communities
- * Decent, well managed and affordable housing

10. **CONSULTATION**

This report is based on a proposal circulated amongst local authorities in England by the LGA.

11. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify 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
Not engaging with a process of place-based budgeting and service delivery (or something similar) resulting in efficiencies and effective services not being fully realised.	Continuing this Council's openness in consultation, dialogue and practical delivery of efficiencies - both alone and with other partners.	Chief Executive

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

In any development of these proposals for practical action locally, the Council's commitment to respond to its responsibilities for equality and the needs of rural communities must be monitored. A whole-place approach will enable a greater focus to be given to rural communities and the services available to them.

13. **CORPORATE IMPLICATIONS**

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

- * Community Safety implications - in particular Anti-Social Behaviour and Reassurance
 - * Environmental implications
 - * ICT implications
 - * Asset Management implications
 - * Human Resources implications
 - * Planning Implications
 - * Voluntary Sector
-

Background papers:

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



A Borough to be proud of

Hinckley & Bosworth
Borough Council

Overview and Scrutiny Work Programme 2010/2011

ISSUE 2010/03: AUGUST 2010

Welcome to Hinckley and Bosworth Borough Council's Overview and Scrutiny Work Programme, which sets out the work to be carried out by the Council's Scrutiny Commission during 2010/2011.

A structured, focussed and supported scrutiny process, which dovetails into the Council's wider democratic, performance and financial management processes, provides for an evidence based approach to challenging and developing the Council's long term vision and priorities and ensuring that the needs of the Borough's Citizens are met.

This is the sixth year that we have managed the work of scrutiny through a work programme. Following a review of progress in November 2005, it was proposed that future work programmes be configured into the following categories to better represent all the roles and responsibilities of the Overview and Scrutiny Function:

- **Scrutiny Topics** – This includes items of particular interest to overview and scrutiny that can be classified as 'scrutiny topics' to investigate in particular detail.
- **Performance Management Information** – Information provided by the council identifying current performance levels against performance indicators, progress with implementation of business delivery plans, best value reviews and service improvement projects. This is in accordance with the Council's Performance Management Framework.
- **Participation in Policy Development Issues** – These are issues being revised or introduced by the Council or other external organisations. The Overview and Scrutiny Function should be engaged in the development of such matters so that the decision-making body (Executive, Council or external organisation) are informed of all possible views before taking a decision / agreeing a new policy. This will need to be updated in the Council's Constitution.
- **Tracking of implementation with previous recommendations** – The scrutiny committee will review progress with the implementation of previously agreed recommendations.
- **Committee Management Issues** – These include the minutes of previous meetings, progress reports on actions, overview and scrutiny work programmes and development issues for the overview and scrutiny function.

The Work Programme ensures that Scrutiny's work is:

outcome focussed;
prioritised accordingly;
resourced properly; and
project planned properly.

The Work Programme has been designed to ensure it is a living document and it will be reviewed at each meeting of the Scrutiny Commission, and the Select Committees will also review their sections at each of their meetings, to ensure it remains focussed and relevant.

Councillor Matthew Lay
Chairman of Scrutiny Commission

SCRUTINY COMMISSION WORK PROGRAMME 2010/2011

1. Citizens' Panel Consultation Results

- Use the results of the survey improving Your Area as a Place to Live and Work to inform priorities and policy.
- Report on issues identified in the 2009 results of Council Priorities & Budget Spend.

2. Performance Improvement

- How the Council proactively manages performance to ensure that issues are addressed in a timely fashion and that there is continuous improvement; and
- Monitor the quarterly Performance Reports to Executive and the decisions they take.
- Risk Management.

3. Implementation of Rural Areas Review

- Annual progress report on implementation of outcomes.

4.

-

5.

6.

7. Community Safety Partnership

- Six-monthly report on progress of Partnership

8.

-

SCRUTINY COMMISSION

TIMETABLE

Scrutiny Commission - Thursday 5 August 2010						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	PCT & S106 Contributions	Recommendation of previous meeting	Satisfaction re use of S106 monies by the PCT	Safer & Healthier Borough	Deputy Chief Executive (Community Direction)	
	Members' ICT	To update Members on progress of project	Effective use of facilities and resources	Cleaner & greener neighbourhoods	ICT Manager / relevant Executive Member	
	Place-based budgeting	Request of Member	To debate opportunities	All Corporate Aims	Chief Executive / Deputy Chief Executive (Corporate Direction) / Leader / relevant Executive Member	
	Council Offices Development	Update on development and agreement	Ensure progress	All Corporate Aims	Deputy Chief Executive (Corporate Direction)	
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	

	Reduction of Empty Homes and Second Homes discount	Request of previous meeting	For information and clarification of position	Thriving economy	Deputy Chief Executive (Corporate Direction)	
Tracking of implementation with previous recommendations						
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 16 September 2010						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Review of Member Development	Scrutiny of activities	Ensure value for money training and development and assess progress towards achieving Member Development Charter	All Corporate Aims	Chief Officer (Corporate & Customer resources, Scrutiny & Ethical Standards) / Member Development Champions	
	Recycling / Disposal of food waste	Request of a Member	To receive an update on planned recycling initiatives and address Member's suggestion for dealing with food waste	Cleaner, greener neighbourhoods	Chief Officer (Business, Contract & Streetscene Services)	
	Emergency Information Scheme	Request of Member	Research Scheme and its use in the Borough	Safer & Healthier Borough	Chief Officer (Corporate & Customer resources, Scrutiny & Ethical Standards)	
	Scrutiny Review: Public Transport	To scope future review			Chief Officer (Corporate & Customer resources, Scrutiny & Ethical Standards)	

Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
Tracking of implementation with previous recommendations	Community Safety Partnership Review	6 monthly update	Reduction in crime and improved partnership working	Safer and Healthier Borough	Relevant Executive member / Chief Officer (Housing, Community Safety and Partnerships)	
	Update on review of winter gritting	Keep informed of progress of the County Council's review	Improved co-ordination of gritting services	Safer and Healthier Borough	Chief Officer (Business, Contract & Streetscene Services)	
	RSL review – update	Update on implementation of recommendations	Ensure high quality service provision across all social housing	Decent, well managed, affordable housing	Chief Officer (Housing, Community Safety and Partnerships)	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 28 October 2010						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics						
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
Tracking of implementation with previous recommendations						
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 9 December 2010						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics						
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
Tracking of implementation with previous recommendations						
Committee Management issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 20 January 2011						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Planning Appeal Decisions	6-monthly review	Ensure high performance of Planning Committee		Deputy Chief Executive (Community Direction)	
Performance Management Information	Budget???					
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
Tracking of implementation with previous recommendations	Developer Contributions update	Update progress since previous report (July 09)	Monitoring of section 106 contributions	Strong and distinctive communities	Executive Member for Planning / Director of Community and Planning Services	
	Restructuring of payment options	Update on implementation	Ensure adequate services for the community	Strong & Distinctive Communities / Thriving Economy	Deputy Chief Executive (Corporate Direction)	Consultation with users
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 10 March 2011						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics						
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
Tracking of implementation with previous recommendations	Community Safety Partnership Review	6-monthly update	Reduction in crime	Safer and Healthier Borough	Executive member for Community safety Deputy Chief Executive	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 14 April 2011						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics						
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Leader	
	Parish & Community Initiative Fund	Consider proposed distribution of funding	Recommendations to Executive	Strong & Distinctive Communities	Executive Member for Rural Areas / Deputy Chief Executive	
	Housing & Planning Delivery Grant	Review of allocation and unsuccessful projects	Improved service delivery resulting from grant	All Corporate Aims	Executive Member for Planning / Director of Community & Planning Services	
Tracking of implementation with previous recommendations	Rural areas review	Review progress against previous recommendations		Strong and distinctive communities	Executive Member for Rural Affairs	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		



Hinckley & Bosworth
Borough Council

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FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

AUGUST – NOVEMBER 2010

Hinckley & Bosworth Borough Council
Council Offices, Argents Mead
Hinckley, LE10 1BZ

HINCKLEY & BOSWORTH BOROUGH COUNCIL

INFORMATION ABOUT THE FORWARD PLAN

WHAT IS THE FORWARD PLAN?

The Forward Plan contains decisions which are due to be taken by Council, Executive or under delegated powers to individual Executive members or senior officers. Each plan covers a four month period and is updated monthly. The plan includes all decisions to be taken both “key decisions” (definition opposite) and non-key decisions.

WHAT INFORMATION IS CONTAINED IN THE FORWARD PLAN?

The Forward Plan details:

- The nature of the decision to be made and whether it is a key decision (definition opposite);
- The committee or individual who will take the decision;
- The date or period when the decision is to be taken;
- The stages which will be undertaken prior to the decision, both consultation and presentation to committees;
- The documents which will be presented to the decision maker(s);
- The author of the report.

You can view copies of the current Forward Plan on our web site (www.hinckley-bosworth.gov.uk) or alternatively at:

The Main Reception, Council Offices, Argents Mead, Hinckley

WHAT IS A KEY DECISION?

A key decision is an Executive decision which:

- involves expenditure (of reduction of income) of over £20,000 on any particular scheme/project;
- adopts a policy or strategy (which the Executive has the power to adopt);
- involves the adoption or amendment of the Scale of Fees and Charges;
- is one that affects the whole of the Borough and is one which the residents of Hinckley & Bosworth would normally expect to be notified or consulted; or
- involves a recommendation by the Executive to a Partnership organisation which will take the ultimate decision.

Decisions by the regulatory committees (ie Planning, Regulatory, Licensing and Standards) and Personnel Committee are never key decisions.

A copy of this Forward Plan can be downloaded from our website (www.hinckley-bosworth.gov.uk) or can be obtained by telephoning 01455 255879, sending a fax to 01455 635692 or emailing democraticsupport@hinckley-bosworth.gov.uk

RESPONSIBILITY FOR DECISIONS

Part 3 of the Council’s Constitution sets out which committee/individual has responsibility for taking decisions.

FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

1 AUGUST TO 30 NOVEMBER 2010

AUGUST 2010

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted (<i>Report Author</i>)
Strong Leader Plus consultation	Corporate Direction	Executive 4 August 2010			

SEPTEMBER 2010

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted (<i>Report Author</i>)
Tenant Consultation Feedback	Housing	Executive 8 September 2010			Committee Report (<i>Sharon Stacey</i>)
Masterplan Preferred Options	Planning	Executive 8 September 2010			Committee Report (<i>Simon Wood</i>)
Housing Strategy Review	Housing	Council 14 September 2010			Committee Report (<i>Sharon Stacey</i>)

OCTOBER 2010

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted (<i>Report Author</i>)
Review of Waste Collection Services	Business, Contracts & Streetscene Services	Executive 20 October 2010	Scrutiny Commission, 16 September	Trade Unions	Committee Report (<i>Michael Brymer</i>)
Flood Management Review	Environmental Services	Executive 20 October 2010			Committee Report (<i>Rob Parkinson</i>)
Leicestershire Waste Partnership Strategy	Business, Contracts & Streetscene Services	Council 26 October 2010			Committee Report & Strategy (<i>Michael Brymer</i>)

NOVEMBER 2010

No decisions to be taken.

To Be Programmed

Neighbourhood Wardens Enforcement Policy	Business, Contracts & Street Scene Services		Scrutiny Commission		Committee Report <i>(Caroline Roffey)</i>
Council House future options	Housing / Finance				Committee Report <i>(Sharon Stacey)</i>
Strong Leader Plus	Corporate Direction	Council December			Committee Report <i>(Louisa Horton)</i>
Statement of Licensing Policy (Licensing Act 2003)	Environmental Health	Council December	Licensing Committee		Committee Report <i>(Mark Brymer)</i>

DETAILS OF COUNCIL DECISION MAKERS

The table below details the Council's Service Areas and the Executive Member responsible for each with the Council Official responsible for service management.

AREA OF RESPONSIBILITY / SERVICE AREA	EXECUTIVE MEMBERS AND CHIEF OFFICERS	HEAD OF SERVICE CONTACT DETAILS
Strategic Leadership	Councillor SL Bray (Leader) Mr S Atkinson (Chief Executive)	Tel: 01455 255606 Fax: 01455 890229 Email: steve.atkinson@hinckley-bosworth.gov.uk
Community Direction (including Housing, Community Safety, Partnerships, Environmental Health, Planning & Cultural Services)	Councillor D Bill (Deputy Leader) (Community Safety) Councillor SL Bray (Leader) (Planning) Councillor DS Cope (Housing & Environmental Health) Councillor Ms Moore (Cultural Services) Mr B Cullen (Deputy Chief Executive, Community Direction)	Tel: 01455 255676 Fax: 01455 890229 Email: bill.cullen@hinckley-bosworth.gov.uk
Corporate Direction (including Corporate & Customer Resources, Scrutiny, Ethical Standards, Finance, ICT, Estates & Asset Management)	Councillor KWP Lynch (Finance, ICT & Asset Management) Councillor DO Wright (Corporate Services, Equalities) Mr S Kohli (Deputy Chief Executive, Corporate Direction)	Tel: 01455 255607 Fax: 01455 251172 Email: sanjiv.kohli@hinckley-bosworth.gov.uk
Business, contract & Streetscene Services (including Refuse Collection, Street Cleansing, Car Park Management, Housing repairs, Neighbourhood Wardens)	Councillor SL Bray (Leader) (Car Parks) Councillor DS Cope (Housing Repairs) Councillor WJ Crooks (Refuse and Recycling, Street Cleansing) Councillor Ms Moore (Green Spaces, Grounds Maintenance) Mr M Brymer (Head of Service)	Tel: 01455 255852 Fax: 01455 234590 Email: michael.brymer@hinckley-bosworth.gov.uk
Rural Issues (across all portfolios and including Village Centres)	Councillor WJ Crooks Mr B Cullen (Deputy Chief Executive, Community Direction)	Tel: 01455 255676 Fax: 01455 890229 Email: bill.cullen@hinckley-bosworth.gov.uk

Further clarification and representations about any item included in the Forward Plan can be made to the appropriate Executive Member and Head of Service either using the contact details above or in writing to: Hinckley and Bosworth Borough Council, Council Offices, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. Representations should be made before noon on the working day before the date on which the decision is to be taken.

DECISION MAKING ARRANGEMENTS

The views of local people are at the heart of decision making at Hinckley & Bosworth Borough Council, because major decisions are made by Councillors who are elected every four years by local people. Councillors work with the communities that they represent to ensure that local priorities are reflected in the work that the Council does.

The Council is made up of 34 Councillors representing 16 wards. If you want to know which Councillor(s) represents your area or you would like to contact your Councillor(s) concerning an issue, you will find contact details on our website (www.hinckley-bosworth.gov.uk) or alternatively you can contact the Council on 01455 238141.

The Council is committed to the principle of open government and everyone is welcome to attend meetings (except for confidential business) and to receive details of non-confidential items. Below are further details of the Council's democratic decision making arrangements.

The Council

The Council is responsible for setting the budget and the policy framework. Each year there is an Annual Meeting, which selects the Mayor and Deputy Mayor (who are the Chairman and Vice-Chairman of the Council) and decides the membership of the Scrutiny Commission and Regulatory Committees. There are six ordinary meetings of the Council per year, which make strategic, policy and major budget decisions. This Forward Plan details decisions to be taken by the Council over the next four months.

Executive Functions

Many day to day policy and operational decisions are taken by Executive, a group of seven Councillors comprising of the Leader, Deputy Leader and five Executive Members each responsible for an area of Council policy and activity. The Executive members and their responsibilities are detailed in the previous table.

Overview and Scrutiny Functions

Decisions of the Executive are subject to scrutiny by the Scrutiny Commission and two Select Committees, one responsible for Council Services and the other for Finance and Audit. The Scrutiny Commission and Select Committees also have a role in Policy development. In addition, Scrutiny Panels are established to oversee ad-hoc projects. The Council has a Panel which reviews ICT. The Scrutiny Commission publishes an Annual Report and a Work Programme; this is available on the Council's website (www.hinckley-bosworth.gov.uk/scrutiny) and from the Council on request.

Regulatory Functions

In addition the Council has established committees to deal with regulatory issues, these committees are Planning Committee, Licensing Committee, Regulatory Committee and the Standards Committee.

Further information about the Council's Decision Making Arrangements can be obtained from Democratic Services on 01455 255770.

HINCKLEY & BOSWORTH BOROUGH COUNCIL

FINANCE & AUDIT SERVICES SELECT COMMITTEE

21 JUNE 2010 AT 6.30 PM

PRESENT: Mr JG Bannister, Mr PR Batty, Mr MR Lay, Dr JR Moore, Mr K Morrell, Mr R Ward and Ms B Witherford.

Officers in attendance: Mr D Bunker, Mr M Dungey, Mr S Kohli, Mr A Long, Mr D Moore and Miss R Owen.

Chris Williams and Peter Wood of RSM Tenon were also in attendance.

65 **ELECTION OF CHAIRMAN**

In the absence of the Chairman, it was moved by Mr Lay, seconded by Mr Morrell and

RESOLVED – Mr Ward be appointed as Chairman for this meeting only.

66 **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Messrs Gould and Hall.

67 **DECLARATIONS OF INTEREST**

No interests were declared at this stage.

68 **MINUTES (FASC8)**

On the motion of Mr Lay, seconded by Mr Morrell, it was

RESOLVED – the minutes of the meeting held on 24 May 2010 be agreed.

69 **NETWORK SECURITY – INTERNAL AUDIT REPORT (FASC9)**

Before presenting the Internal Audit report on Network Security, Peter Wood informed the Committee that he would shortly be taking up a post within RSM Tenon in a different part of the UK, and took the opportunity to introduce Chris Williams who would continue to work with Hinckley & Bosworth Borough Council. Members thanked Peter for his work over the years and gave him their best wishes.

It was reported that the Network security audit was difficult as security issues were constantly changing. A Member expressed concern with regard to home working and data protection, and in response it was explained that there was an audit of each home working arrangement before home working was authorised. It was also stated that there was no local storage available on home working equipment, only network access.

70 FOLLOW UP OF PREVIOUS INTERNAL AUDIT RECOMMENDATIONS – INTERNAL AUDIT REPORT 2009/10 (FASC10)

The Select Committee received a report which reviewed progress made by the authority to implement previous internal audit recommendations. It was reported that the implementation rate was at 69%.

71 INTERNAL AUDIT ANNUAL REPORT 2009/10 (FASC11)

Mr Wood reported that all areas had a 'green light'. In response to a question about Housing Repairs Mr Wood suggested that Audit would keep a watching brief but that the current assurance level was 'adequate' which was an improvement.

With regard to major projects, concern was expressed about the lack of back-up strategies. In response it was stated that the majority of major projects were well managed but a contingency was necessary on others.

At this juncture, Peter Wood took the opportunity to update Members on the Audit Committee Self Assessment Checklist. He suggested that these should be discussed at a future meeting and that issues such as training should be considered. It was also suggested that Members may wish to meet with Audit briefly annually without officers present.

RESOLVED – the Self Assessment Checklist be added to the work programme for a future meeting.

72 RISK MANAGEMENT FRAMEWORK – END OF YEAR REPORT 2009/10 (FASC12)

The Select Committee was advised on progress to manage strategic and operational risks during 2009/10 and the development of the Council's risk management arrangements.

A Member expressed concern that the authority had failed to identify the risk of failing to focus on priorities and initiatives with regard to the LDF. In response it was explained that the risk highlighted was from the 2005 CPA regarding strategic planning and had been addressed and that the risk re the LDF and need to modify the approach due to the change in Government was a separate issue.

A lengthy discussion on the LDF followed and Members acknowledged the need to move quickly with any modifications. Members agreed to discuss outside of the meeting with the Leader of the Council and to consider drafting a motion.

73 OUTTURN 2009/10 (FASC13)

Members received a report which informed them of the financial outturn for 2009/10. Members agreed that they would like to see the HRA underspend used to catch up with housing repairs as there was concern that there was a long waiting list. It was agreed that a report on this would be brought back to a future meeting.

RESOLVED – the Outturn report be endorsed and RECOMMENDED for approval by Council.

74 STATEMENT OF ACCOUNTS 2009/10 (FASC14)

The Select Committee received the draft Statement of Accounts for 2009/10. It was noted that the external auditors would be commencing the audit of the accounts shortly.

RESOLVED – the Statement of Accounts be endorsed and RECOMMENDED for approval by Council.

75 ANNUAL GOVERNANCE STATEMENT 2009/10 (FASC15)

The Committee was presented with the Annual Corporate Governance Statement and it was explained that the satisfactory outcome in audit fed into the Statement. Members were reminded that in previous year the HRA had appeared in the report as a concern, but this year there were none in this section. Officers were congratulated for their hard work.

RESOLVED – the Governance Statement be endorsed and RECOMMENDED to Council for approval.

76 WORK PROGRAMME (FASC16)

Members gave consideration to the Select Committee's work programme for 2010/11.

RESOLVED – the report be noted with any additions agreed at this meeting.

77 DATE OF NEXT MEETING

It was noted that the next meeting was scheduled for 2 August 2010.

(The meeting closed at 7.50 pm)

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
COUNCIL SERVICES SELECT COMMITTEE

24 JUNE 2010 AT 6.30 PM

PRESENT: Mrs R Camamile (Chairman)

Mr J C Bown, Mrs J Richards, Mr B E Sutton, Mr R Ward and Ms B M Witherford

Officers in attendance: Mr D Moore and Mrs P I Pitt.

86 **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Mrs A Hall and Messrs K Morrell and A J Smith. Mr Ward substituted for Mr Morrell in accordance with Council Procedure Rule 4.3

87 **MINUTES (CSSC1)**

The minutes of the meeting held on 13 May 2010 were confirmed.

88 **DECLARATIONS OF INTEREST**

No interests were declared at this stage.

89 **PERFORMANCE MANAGEMENT AND CORPORATE PLANNING FRAMEWORK (CSSC2)**

Presented to Members was the Council's performance end of year position for 2009/10. The Corporate Performance Manager indicated a positive end of year position with good performance in comparison to other 'Excellent' Councils. 60% of indicators had improved compared to the end of year position for 2008/09 which was lower than previous years due to accelerated performance. The Council's current focus was to retain high performing indicators (recognising that the rate of improvement will slow down as performance improves). There were a few indicators which were below average. Despite a high level of public satisfaction with works to Hollycroft Park the improvements had failed to secure the Council Green Flag status, this having been awarded and then, due to a judging error, been withdrawn.

Discussion then arose regarding the processing of planning applications and consultation on these. Members were agreed on the need to improve the perceived perception of parish councils and the public. It was agreed that the Head of Planning be invited to the next scheduled Council Services Select

Committee meeting (29 July) to discuss planning issues generally and interaction and consultation on planning applications.

Amongst those indicators which had achieved high performance was the time taken to process housing/council tax benefits. Although this was carried out remotely by homeworkers it was emphasized that the public were not being "short changed" by applications being processed by this means.

The Corporate Performance Manager concluded by stating that those indicators which did not meet their targets were reviewed by the joint boards, which agreed appropriate action depending on finance and resources.

The following was agreed:-

1. those indicators achieving high levels of performance be noted;
2. the Head of Planning be invited to the 29 July meeting to address the issues now raised by Members.

90 COUNCIL SERVICES SELECT COMMITTEE - DRAFT WORK PROGRAMME 2010/11 (CSSC3)

In Members' consideration of the above it was suggested that in addition to the Head of Planning being invited to the 29 July meeting the work programme be revised as follows:-

29 July 2010 Programme for each key frontline service: Streetscene Services (refuse, recycling and street cleansing) and Greenspace, Groundcare and Neighbourhood Wardens (previously scheduled for 30 September).

30 September 2010 Electoral registration (previously scheduled for 29 July).

These revised arrangements were endorsed by Members.

91 DATE OF NEXT MEETING

Members were reminded that the next scheduled meeting was Thursday 29 July 2010.

(The meeting closed at 7.05 pm)