

**Steve Atkinson** MA(Oxon) • MBA • MIOD • FRSA  
*Chief Executive*

**Date: 1 December 2010**



**Hinckley & Bosworth  
 Borough Council**

*A Borough to be proud of*

**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, 9 DECEMBER 2010** at **6.30pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

**Pat Pitt**  
 Corporate Governance Officer

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SCRUTINY COMMISSION - 9 DECEMBER 2010

AGENDA

1. APOLOGIES AND SUBSTITUTIONS

RESOLVED 2. MINUTES

To confirm the minutes of the meeting held on 28 October 2010 attached marked 'SC48'.

3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

4. DECLARATIONS OF INTEREST

To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. QUESTIONS

To hear any questions in accordance with Council Procedure Rule 10.

6. ATKINS BUILDING PROJECT UPDATE

Report of the Deputy Chief Executive (Corporate Direction) attached marked 'SC49' (pages 1 - 5).

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

7. GREENFIELDS DEVELOPMENT UPDATE

Report of the Deputy Chief Executive (Corporate Direction) attached marked 'SC50' (pages 6 - 8).

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

8. TOWN CENTRE MASTERPLAN UPDATE

Report of the Deputy Chief Executive (Community Direction) attached marked 'SC51' (pages 9 - 16).

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

9. NEIGHBOURHOOD WARDENS ENFORCEMENT POLICY

Report of the Chief Officer, Business, Contract & Street Scene Services attached marked 'SC52' (pages 17 - 47).

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

10. COMPREHENSIVE SPENDING REVIEW

A verbal update by the Deputy Chief Executive (Corporate Direction). Members are asked to refer to the briefing note sent out recently by the Deputy Chief Executive (Corporate Direction) in relation to this matter.

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

11. MOTION TO COUNCIL 30 SEPTEMBER 2010

Report of the Chief Executive attached marked 'SC53' (pages 48 – 52).

RESOLVED 12. OVERVIEW & SCRUTINY WORK PROGRAMME 2010/11

To consider the work programme, attached marked 'SC54' (pages 53 - 68).

13. FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

Copy of the Forward Plan for December 2010 – March 2011 attached marked 'SC55' (pages 69 - 75).

14. MINUTES OF SELECT COMMITTEES AND WORKING GROUPS

For noting only:

- (i) Scrutiny Environment Group, 9 June 2010. Attached marked 'SC56' (pages 76 – 78);
- (ii) Finance & Audit Services Select Committee, 8 November 2010. Attached marked 'SC57' (pages 79 - 81);
- (ii) Scrutiny Transport Review working group (including terms of reference), 16 November 2010. Attached marked 'SC58' (pages 82 - 84).

15. 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**

**28 OCTOBER 2010 AT 6.30 PM**

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

Mr JG Bannister, Mr PR Batty, Mr DM Gould, Mrs A Hall, Mr DW Inman, Mr K Nichols, Mrs S Sprason, Mr BE Sutton and Ms BM Witherford.

Officers in attendance: Mr S Atkinson, Mr Michael Brymer, Mr M Evans, Mr S Kohli, Mr P Langham, Miss R Owen, Mrs S Stacey and Ms J Sturley.

**277 APOLOGIES AND SUBSTITUTIONS**

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

**278 MINUTES (SC39)**

On the motion of Mrs Camamile, seconded by Mr Sutton, it was

**RESOLVED** – the minutes of the meeting held on 16 September 2010 be confirmed and signed by the Chairman.

**279 DECLARATIONS OF INTEREST**

No interests were declared at this stage.

**280 UPDATE ON WINTER GRITTING REVIEW (SC40)**

Members were provided with an update on the joint plans for winter gritting arrangements within the Borough of Hinckley and Bosworth for the financial year 2010/11.

It was explained that if there was availability amongst internal teams, HBBC would act as agent for the service, but responsibility for gritting would remain with Leicestershire County Council. It was believed that the county council would be meeting with parish council representatives to prioritise routes, and Members asked to see the list of these, but those Members who were also parish councillors expressed concern that the meetings had not taken place. It was requested that the county council be formally requested to hold these meetings as soon as possible, which the Chief Executive agreed to do.

**RESOLVED –**

- (i) a list of prioritised gritting routes be provided to Members;
- (ii) concerns with regard to the delay in contacting parish councils be communicated to Leicestershire County Council.

**281 COMMUNITY SAFETY PARTNERSHIP (SC41)**

The Scrutiny Commission was updated on the performance of the Community Safety Partnership, and current challenges and successes. It was noted that there had been an overall reduction in crime and several successful antisocial behaviour interventions had been carried out.

Current challenges included dealing with the usual pre-Christmas increase in burglary and theft, increasing public satisfaction, and the possible decrease or end of the area based grant and police funding. Successes of the partnership were highlighted as the reduction in crime and antisocial behaviour, the publication of antisocial behaviour minimum standards within the set timescales, improving internal procedures for dealing with antisocial behaviour, the continuation of the multi-agency action group (Joint Action Group), the forthcoming campaigns, the new communications strategy, youth projects and sessions in schools.

A Member stated that representatives of the partnership attended his local community safety forum, and suggested that other local forums may wish to extend an invitation. The Chief Officer (Housing, Community Safety & Partnerships) agreed to discuss this suggestion with the Executive Board.

In response to a Member's question, it was stated that the possible impact of budget cuts on local service and in particular PCSOs was not known.

**282 HANSOM CAB / TANTIVY STAGECOACH UPDATED (SC42)**

Further to a request of the Chairman and Vice-Chairmen, a report was provided which advised Members of the current condition of the Hansom Cab and Tantivy Stagecoach which were kept at the Hinckley Island Hotel. It was reported that whilst the current accommodation was in need of some repairs, the vehicles were in good condition and had deteriorated very little since the previous inspection.

Members discussed a few options for re-siting the vehicles but felt that they could not discuss properly without knowing possible costs of moving, restoration and providing a suitable building. These details were requested for circulation. However it was also noted that the current location was suitable and should not be changed at this time.

Mr Nichols left the meeting at 7.51pm.

**283 WEST LEICESTERSHIRE AND NORTHERN WARWICKSHIRE CROSS-BORDER DELIVERY PARTNERSHIP (SC43)**

The Scrutiny Commission received a report which informed Members of a proposal that had been submitted to Government in respect of a partnership for the development and delivery of cross-border enterprise activity covering the areas of Hinckley & Bosworth, Nuneaton & Bedworth and North Warwickshire. It was reported that notification had now been received that of the 56 proposals for Local Enterprise Partnerships, 24 had been agreed, including Leicester & Leicestershire and Coventry & Warwickshire. A letter had also been received acknowledging and welcoming the proposal for a cross-border delivery partnership and offering support in developing plans for this.

Members were very supportive of a cross-border partnership and the opportunity to break down barriers with neighbouring authorities in the West Midlands.

Mr Nichols returned to the meeting at 7.58pm.

**284 MEMBERS' ICT**

The Scrutiny Commission was informed of the discussion held by members of the Executive on 19 August in response to the Commission's recommendation for the future of the Members' ICT project. It was reported that the Executive felt that the project be allowed to continue and the decision for future roll-out of IT equipment be revisited at the first Council meeting after May 2011.

**285 OVERVIEW AND SCRUTINY WORK PROGRAMME 2010/11 (SC44)**

Members received the Work Programme for 2010/11. An update was provided on the two working groups that were currently being set up, and additional members were requested for the Public Transport working group. It was agreed that the timetable for the review would be added into the work programme after the first meeting of the working group. Reports on the Atkins development, Greenfields and the Comprehensive Spending Review were also agreed for the following meeting.

**RESOLVED** – the work programme be agreed with the abovementioned inclusions.

**286 FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (SC45)**

Members received the Forward Plan of Executive and Council decisions.

**RESOLVED** – the Forward Plan be noted.

287 MINUTES OF SELECT COMMITTEES AND WORKING GROUPS

The minutes of the following meetings were received:

- (i) Finance & Audit Services Select Committee, 20 September 2010 (SC46);
- (ii) Council Services Select Committee, 30 September 2010 (SC47).

(The meeting closed at 8.07 pm)

**SCRUTINY COMMISSION – 9 DECEMBER 2010**

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

**RE: ATKINS BUILDING PROJECT UPDATE**

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**1.0 PURPOSE OF REPORT**

To provide Scrutiny Commission with an up date on the current tenancy and related financial position of the Atkins Building Project in comparison to the predictions made by the original business case produced by Greenborough and the projections in the Councils Medium Term Financial Strategy.

**2.0 RECOMMENDATIONS**

2.1 That the Scrutiny Commission notes the report

**3.0 DEVELOPMENT**

The Atkins Building is an iconic former hosiery factory, which has been regenerated into a mixed use scheme providing over 34,000 square feet of space (net) and offers the following types of accommodation:

- Creative Studios
- Art Gallery
- Educational Facility
- Meeting Room Space
- Serviced Offices
- Open Plan Offices

**4.0 OCCUPANCY**

Since taking its first tenant in August 2010 the building has proved to be popular.

The following tenants are currently in occupation or set to go in shortly:

- Creative Studios – Creative Hinckley – Fully Let
- Serviced Offices – Fully Let
- Café – Fully Let
- Gallery – Creative Hinckley expected to sign lease 2/2011
- Educational Facility – Creative Hinckley expected to sign lease 04/2011
- Shared Revenues and Benefits Partnership – 04/2011
- Traffic Wardens – Basement Workshop – Fully Let

To date Atkins has provided high quality office and studio space for 5 new businesses and provides opportunities for this to increase during 2011.



The tenancies together with the annual rent are summarised in the table below.

*Chart. Current Accommodation*

<b>Tenant</b>	<b>Room</b>	<b>Rent</b>	<b>Commencement Date</b>
Creative Hinckley Leicestershire County Council	G 1A F1A	£10,997 £31,507	02/08/2010 18/10/2010
Café Impressions	G B2	£5,500	27/09/2010
Abrahamson Foster	F16	£2,172	30/09/2010
Acorn Processes	F17	£3,692	04/08/2010
Bailey Punshon	F18	£4,367	01/09/2010
One Roof Financial	F19	£2,532	01/11/2010
Source Internet Design	F20	£4,518	16/08/2010
PF Plant	F21	£3,703	23/08/2010
One Roof Financial	F22	£2,669	11/10/2010
Car Parks Department Shared Revenues and Benefits	LG01 FB2	£1,900 £51,012	26/10/2010 08/11/2010
<b>TOTAL</b>		<b>£117,519</b>	

## **5.0 FINANCIAL PROJECTIONS**

Within the Medium Term Financial Strategy (MTFS) the following projections have been made:

2010 – 2011 - £315,142 (£42,848 without Council accommodation)  
 2011 – 2012 - £449,535 (£152,777 without Council accommodation)

The MTFS Income includes projected rent that the Council would have incurred if HBBC were tenants in the building and taking the proposed 14,000 square feet. The adjusted MTFS figures to allow for non occupation of HBBC are:

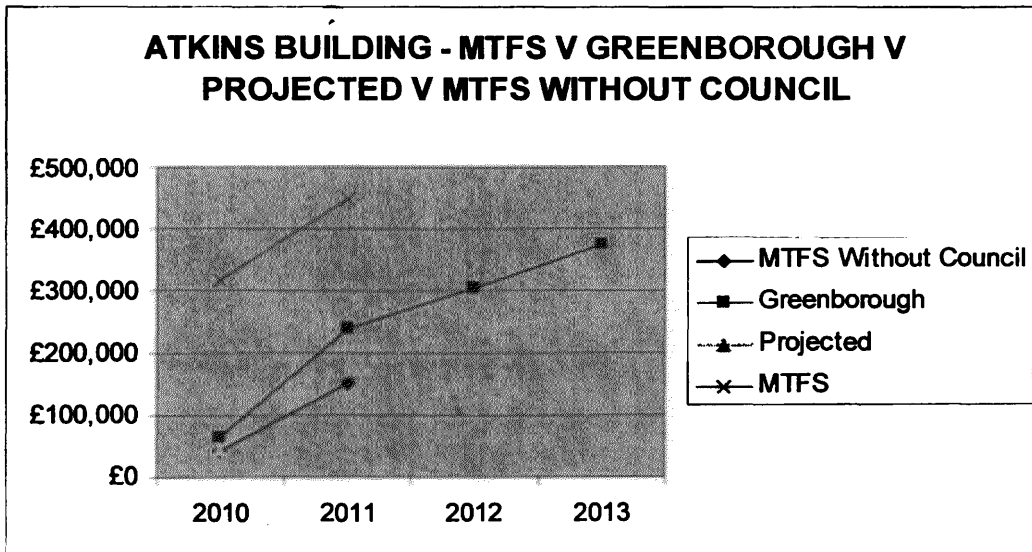
2010 – 2011- £42,848  
 2011 – 2012 - £152,777

The current indications are that we will achieve the following income from lettings:

2010 – 2011 - £43,771  
 2011 – 2012 - £174,205

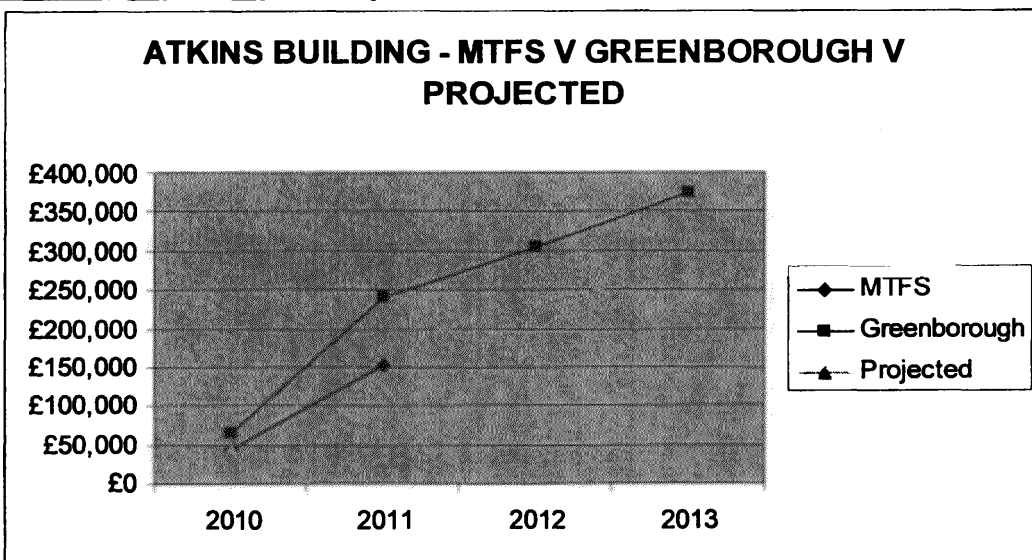
The projections for Greenborough include a service charge set at £4.77 when in reality this will be £2.40 per square feet.

**Chart. Projected Incomes – MTFS Vs Greenborough Vs Current Projections**



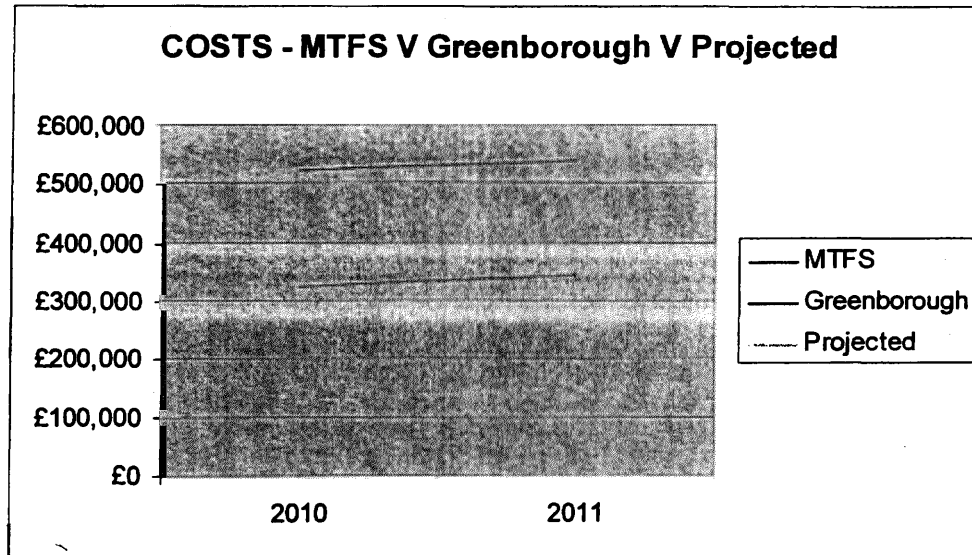
When the cost of occupying the Atkins Building is deducted and the service charge for Greenborough bought in line with the existing one charged, a more accurate chart is gained.

**Chart. Projected Incomes – MTFS Vs Greenborough Vs Current Projections – All with equal service charge and MTFS with Council occupation taken out**



When looking at costs projected to be incurred, savings have been forecast over both the MTFS and Greenborough Report.

Chart. Atkins Building Running Costs – MTFS Vs Greenborough Vs Projected



## **6.0 ATKINS BUILDING WAITING LIST**

The office and creative studio space within the Atkins Building has proved to be a great success and these smaller units are fully let. A waiting list of potential tenants has been formulated and currently contains 6 businesses who are seeking space ranging from 150 square feet through to 300 square feet. These alone would bring in extra revenue of £23,000 through rental and service charge receipts.

The top floor of the building is currently void and could potentially be re-developed to house these and other potential tenants. It is suggested that circa 3000sqft of space is developed on the top floor at a cost of £50,000 to provide additional office / studio accommodation and allow the Atkins brand to grow. The anticipated annual income from this space would be circa £40,000pa when fully let

## **7.0 ATKINS OPERATIONALLY**

The Atkins Building is currently staffed by the Commercial Estates Manager, Business Centre Advisor and a newly created role being a Business Centre Facilities Officer. This latter role has been introduced earlier than planned due to demand for services within the building (A requirement of Leicestershire County Council) and the Councils decision not to temporarily relocate to Atkins. The position covers the following roles: Looking after reception desk (call answering and providing a concierge service), providing an on site security presence and completing general caretaking duties. The buildings opening hours are 8:30am until 17:30pm Monday – Friday. LCC also provide a similar role to extend the cover into the weekend allowing the Atkins Building to be used for wedding services. Weddings are planned to take place within the building from January 2011

## **8.0 FINANCIAL IMPLICATIONS (IB)**

The table below summaries the financial position based on the projections mention in section 5. After allowing for the additional costs to stay in Argents

Mead there will be cumulative savings of £72,655 by March 2012. This is slightly lower than the £85,000 reported to Council on 29<sup>th</sup> June 2010. The revised income projections in section 5 assume approximately 6,000 square feet on the top floor will not be let until January 2013. Based on this very prudent forecast it is hoped target of £85,000 can still be met if not exceeded.

	yr 10/11 £	yr11/12 £
<b>Income</b>		
MTFS	(315,142)	(449,535)
Latest Estimate	(42,848)	(152,777)
	<u>272,294</u>	<u>296,758</u>
<b>Costs</b>		
MTFS	536,848	560,617
Latest Estimate	101,530	89,778
	<u>(435,318)</u>	<u>(470,839)</u>
<b>MTFS (saving)/cost</b>	<b>(163,024)</b>	<b>(174,081)</b>
<b>Additional Cost to stay in Argents Mead</b>	<b>7,580</b>	<b>256,870</b>
<b>Net (saving) / cost</b>	<b>(155,444)</b>	<b>82,789</b>
<b>cumulative saving</b>		<b>(72,655)</b>

#### **9.0 LEGAL IMPLICATIONS (AB)**

None raised directly by this report.

#### **10.0 CORPORATE PLAN IMPLICATIONS**

None identified arising directly from the report.

#### **11.0 CONSULTATION**

None identified arising directly from the report.

#### **12.0 RISK IMPLICATIONS**

Risks have been considered as a part of regular highlight reports with this project.

#### **13.0 KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

None identified arising directly from the report.

Contact Officer:	Malcolm Evans, Estates and Asset Manager	Ext. 5614
	Shaun Curtis, Commercial Estates Manager	Ext. 5742
	Ilyas Bham, Group Accountant	Ext. 5924
	Deputy Chief Executive (Corporate Direction)	Ext. 5607

**SCRUTINY COMMISSION – 9 DECEMBER 2010**

**REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)**  
**RE: GREENFIELDS DEVELOPMENT UPDATE**

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**1. PURPOSE OF REPORT**

To inform Scrutiny Commission of the current tenancy and financial position of the Greenfields Development Project in comparison to the predictions made in the Council's Medium Term Financial Strategy.

**2. RECOMMENDATIONS**

That the Scrutiny Commission notes the report

**3. DEVELOPMENT**

The Business Park features 18 industrial units (Use class B2, General Industrial) with sizes ranging from 1,000 to 3,000 square feet. Total floor space on the estate equates to over 40,000 square feet.

Within the industrial estate, a BREEAM (BRE Environmental Assessment Method) rating of Very Good has been achieved for the nursery units, whilst the hybrid units on the estate have achieved an excellent rating This rating has been aided by various green technologies such as:

- Sedum Roofing
- Permeable Paving
- Cedar Clad Units
- Wind Turbines

**4. OCCUPANCY**

Completion on the units was granted to the contractor on the 27<sup>th</sup> September 2010 and as of October 25<sup>th</sup> 2010 the estate was ready for occupation.

Three of the tenants, taking up a total of 6,250 square feet of space will be moved in within the next fortnight with 23,410 square feet expected to be let before the end of the financial year (Commitments received to date are for 17,250 square feet)

Chart. Current Tenant Enquiries

Tenant	Unit	Sq Ft	Rent	Comm Date
MWM Designs	1&2	2,250	£12,875	22/10/2010
EEC	14	3,000	£16,500	18/10/2010
MLA Logistics	10	1,500	£8,625	01/12/2010
PRB Drainage	19	2,500	£13,750	01/01/2011
PRB Drainage	21	3,000	£16,500	01/01/2011
Paul Kendall	11	1,250	£6,875	06/12/2010
Graphics To Go	12	1,250	£6,875	01/01/2011
Lean Plastics	16	3,000	£16,500	01/01/2011
Lean Plastics	17	2,000	£11,000	01/02/2011
Apex Windows	3	1,000	£6,000	13/12/2010
Darktop	23	3,000	£16,500	TBC
<b>Total</b>		<b>23,750</b>	<b>£132,000</b>	

**5. FINANCIAL PROJECTIONS**

Within the Medium Term Financial Strategy (MTFS) the following income projections have been made:

2010 – 2011 - £68,750

2011 – 2012 - £153,005

The current projections indicate that we will achieve the following lettings:

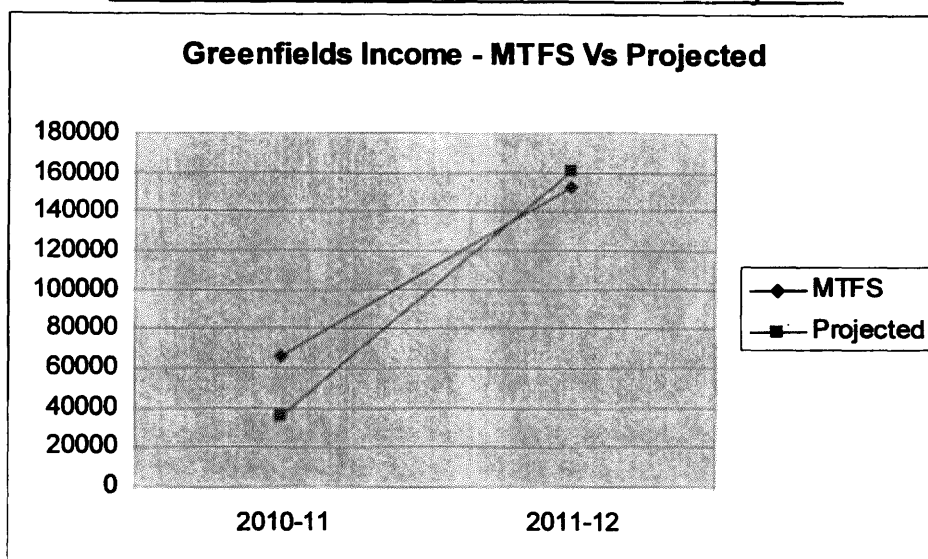
2010 – 2011 - £36,770

2011 – 2012 - £161,078

The reduction in projected income of £31,980 in this financial year has arisen through funding changes, where initially EMDA were keen to have the site completed in 3 separate phases, with the first phase to be finished in April 2010 (with the first lettings taking place in May 2010). This schedule was amended to take advantage of the financial savings from entering into a design and build contract which was not phased.. The site was actually completed in late September 2010. Initial enquiries and lettings have been positive and projections for 2011-2012 will deliver a surplus over the projections included in the MTFS.

Marketing of the estate will look to address the potential shortfall this year, with To Let boards to be situated around the estate and on the Wheatfield Way Frontage. The Greenfield's website is now available online [www.greenfields.org.uk](http://www.greenfields.org.uk) and provides the viewer with up to date information on unit availability, size, cost and location along with detail of the projects development and green credentials. Publicity generated from the Greenfields Opening Ceremony and Borough Bulletin has also increased awareness and interest in the development.

Chart. Income at Greenfields – MTFS Vs Projected



**7. FINANCIAL IMPLICATIONS (IB)**

Current Year (2010/11) – Although the deficit of £31,980 in the current year is of concern it has been allowed for as a pressure within the current years corporate budget monitoring process. The pressure will therefore be managed from existing budgets.

Next Year (2011/12) – The additional £8,000 income will allowed for as part of the budget setting process.

**8. LEGAL IMPLICATIONS (AB)**

None raised directly by this report.

**9. CORPORATE PLAN IMPLICATIONS**

None identified arising directly from the report.

**10. CONSULTATION**

None identified arising directly from the report.

**11. RISK IMPLICATIONS**

Risks have been considered as a part of regular highlight reports with this project.

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

None identified arising directly from the report.

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Contact Officer: Malcolm Evans, Estates and Asset Manager Ext. 5614  
Shaun Curtis, Commercial Estates Manager Ext. 5742

Deputy Chief Executive (Corporate Direction) Ext. 5607

**SCRUTINY COMMISSION – 9 DECEMBER 2010**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**  
**RE: TOWN CENTRE MASTERPLAN UPDATE**

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**1. PURPOSE OF REPORT**

The purpose of this report is to update members on the regeneration activity on the 9 development sites as identified within the Hinckley Town Centre Area Action Plan.

**2. RECOMMENDATION**

Members are requested to:

- (i) endorse the updates
- (ii) take into consideration the financial issues and the staffing resource impact the finance issues will cause commencing April 2011.

**3. BACKGROUND TO THE REPORT**

8 development sites were first identified in the Hinckley Town Centre Renaissance Masterplan in 2006 and have since been taken forward as part of the Hinckley Town Centre Area Action Plan-Proposed Submission Document June 2010, along with the inclusion of a 9<sup>th</sup> site-the College in London Road.

**3.2 The 9 sites are:**

- Stockwell Head/Concordia Theatre
- Atkins Factory
- Britannia Centre/Castle St
- Land North of Mount Rd
- Leisure Centre
- Rugby Rd/Hawley Rd
- Railway Station, Southfield Rd
- Bus Station, Brunel Rd
- North Warwickshire and Hinckley College

**3.3** Enabling work on the sites has so far been funded through a range of sources: Hinckley and Bosworth Borough Council, EMDA (3 year funding programme 'Town Centre Regeneration Support Project' ending in March 2011) and Prospect Leicestershire.

**4. REGENERATION SITES UPDATE**

**4.1 Stockwell Head/Concordia Theatre**

Informal private discussions between the Council and some key property owners are ongoing. A full title search of the overall site has been completed. A feasibility study is being carried out with the County Council to establish the



feasibility of a new multi-storey car park being developed on the site. This is based on a 180 space car park (Note: To assist scheme viability, the Town Centre Area Action Plan's public car parking requirement for the site has now reduced the previous 300 spaces proposed down to 180 spaces).

The aim is to follow this up with private discussions with all owners to assess future intentions and maximising possible development options.

Planning status: No application received.

#### 4.2 Atkins Factory

This Grade II listed building has been refurbished to its former glory, following the threat of demolition. Official handover to HBBC was on 14<sup>th</sup> July 2010. The mixed-use centre provides studio space for creative professionals to nurture their new-start businesses in an innovative community which provides business support and gallery space in which to exhibit their work. The not for profit organisation 'Creative Hinckley' manages the creative space which has already been sub-let to various creative enterprises from within the borough such as a jeweller, photographer, textile designer and artists. It also hosts educational events within the building. Elsewhere the building provides general serviced office space, with meeting rooms, and a cafe facility. Two Hinckley and Bosworth Borough Council (HBBC) posts from the Estate's Team are now in place full time on site and are overseeing the general running of the building along with lettings. In Atkins there will be 2-300 workers in the building when fully let. A website has been created to assist with marketing: [www.atkinsbuilding.co.uk](http://www.atkinsbuilding.co.uk)

Advice from the Conservation Officer enabled us to retain original features throughout the project. The architectural character is further substantiated by the letting of space within the building to Leicestershire County Council for its Hinckley Registration Office and Ceremony room.

The development by HBBC, through ownership of the site, has enabled North Warwickshire and Hinckley College (NWHC) to create a fit for purpose, modern college adjacent to Atkins which will focus solely on creative courses. It is hoped that the two buildings will work together and form a creative synergy and positive working relationships between creative professionals and students. This opportunity secured £10m of Learning Skills Council (LSC) funding for the town and safeguarded 94 jobs from their former site. The college recently celebrated a landmark stage when a golden bolt was put in place on the structure. The site is still on track to complete for September 2011. Regular updates of build stages can be seen at: <http://www.nwhc.ac.uk/aboutus/hinckleynewbuild>

Now complete it is hoped that Atkins will be a catalyst for economic regeneration within the surrounding area in terms of increased footfall, but also the refurbishment of several nearby listed buildings back to their full potential.

The official opening was held at Atkins on 28<sup>th</sup> September. 500 people attended, many of whom were former workers at Atkins. The Principal of NWHC was one of the speakers at the event. The event also showcased the

De Montfort University MA exhibition which was held in the gallery space. Due to its recent completion this project has featured in several local press articles.

Following its completion HBBC submitted the project for the national Local Government Chronicle Awards. It has been shortlisted under the category of 'Economic Development and Regeneration'. Winners will be announced in March 2011. The project was also a finalist in the 'Regeneration Project of the year' category at the ProCon Leicestershire Awards 2010.

Planning status: Permitted/Complete

Application number: 09/00142/LBC and 09/00141/DEEM

#### 4.3 Britannia Centre

Discussions are ongoing with the landowners and developer of this site.

Planning status: No application received.

#### 4.4 Land North of Mount Rd-also known as Argents Mead

The Council is focusing on the aspiration of the early development of the southern parts of this area to bring about the regeneration of a key town centre site. There is a requirement to retain and enhance Argents Mead as a public town centre park and Memorial Gardens, to create good links within the site and to the wider area as well as the need to retain elements of employment uses together with a retirement village development concept.

Formal project governance arrangements are now in place for this project. The Board and Project Team meet on a monthly basis.

Initial masterplanning concepts were recently completed by MCA Architects (retained by Prospect Leicestershire). Initial indications are that there is demand for a new retirement village in this location; and a new retail scheme at the site's northern perimeter (to link with the prime Castle Street shopping area).

The architects S & P were then retained by the council to work up three specific masterplan options for the site.

A public consultation strategy and programme was developed and the options by S&P formed the basis of the public exhibition on 26<sup>th</sup> and 27<sup>th</sup> November 2010. An exhibition trailer was the base for the event on Castle Street and was well attended. The exhibition was then on display in Argents Mead Council offices for a further week. The consultation period is open until 12<sup>th</sup> December with the public being asked which elements of the options they prefer. The consultation will also introduce the option to create a large retail unit on the corner of Castle St and Church Walk in an attempt to attract a national retailer who often require larger floor plates.

Comments and feedback on the consultation will be formally reported back to the council in January. The council aims to then market its development site later in 2011 having regard to the findings of the consultation exercise.

This masterplanning work also includes concepts for similar linked developments on the adjoining private Vicarage and Hinckley Hospital sites,

both of which are potentially coming forward independently for development over the next few years.

Positive discussions have been held with the PCT regarding un-locking the development potential of the adjoining Hinckley Hospital site. Similar successful discussions with St Marys Church have also been held regarding the Vicarage site. The aim here is to plan and achieve the most beneficial and linked regeneration of all three party's sites.

Planning status: No application received

#### 4.5 Leisure Centre

An alternative site has been identified for a new Leisure Centre as part of a sporting hub on the A47, however, following the economic downturn no further progress has been made in the short term.

The existing leisure centre has been refurbished until the facility moves.

Planning status: No application received

#### 4.6 Rugby Rd/Hawley Rd

Permission has been obtained for the development of this site but construction has yet to commence. As the location for the new Council offices a timetable for completion has been set at early 2012.

Planning status: Permitted (Full)  
Application number: 09/00810/FUL  
10/00847/FUL

#### 4.7 Railway Station, Southfield Rd

Council representatives have met with Eastern Trains (the Station operator) to establish property ownerships to progress further options for work in respect of the station and its approach area.

Work is underway to consider linkages with the nearby Southern Gateway (former Fludes factory) development site, and the nearby proposals for the major redevelopment of the former major Sketchley site as per their recent planning application.

The Council is also in discussions with the Sparkenhoe Business Innovation Centre, where that building is at the end of its life, and the operation is no longer sustainable. The favoured option is to see them relocate to the Richards Roberts factory site (via a land-swap and new development), to safeguard the current 45 businesses in that centre.

The County Council highways department were keen to be involved at an early stage and have joined the main masterplanning project group to advise on key fundamental highway capacity and design issues. Prospect Leicestershire are providing advice on how best to engage Network rail and the station operator.

Planning status: No application received.

#### **4.8 Bus Station, Brunel Rd-also known as The Crescent**

HBBC are continuing to work with its development partner The Tin Hat Regeneration Partnership (comprising Wilson Bowden and Ashcroft Estates). The outline planning application has now been submitted and is awaiting determination. The application reference number is 10/00743/OUT and can be viewed online. In summary the application covers:

*Outline application including access, layout and scale, for the erection of a mixed-use development comprising retail (A1-A3 uses), leisure (D2 uses) and offices (B1A uses), together with all associated infrastructure and plane, public realm, landscaping and servicing. Works to include the provision of a part undercroft/part surface public car parking area and a new bus station.*

Marketing of the site is ongoing and they are in discussion with several retailers. The official website is: [www.thecrescenthinckley.co.uk](http://www.thecrescenthinckley.co.uk) Strutt & Parker (details can be found at: <http://search.struttandparker.com/property/display/84969>) have been appointed to market the scheme

Planning status: Pending Decision (Outline)  
Application number: 10/00743/OUT

#### **4.9 North Warwickshire and Hinckley College.**

Outline permission for residential development was granted for this site in October 2010. The application showed an indicative residential capacity of 157 dwellings for the site.

Planning status: Permitted (Outline)  
Application number: 10/00505/OUT

#### **4.10 Marketing**

In addition to the site specific work above, HBBC are in the process of marketing this regeneration activity to parties of interest. It is designing in-house an Inward Investment Prospectus with the aim of using it regionally and nationally to attract retailers, developers (both commercial and residential) and investors to the area. The project has worked closely with Hinckley BID and Town Centre Management. Prospect Leicestershire were also involved initially and have offered to host a link on their website to attract further publicity. It is hoped that the document will be published in the New Year and an official launch (in the Atkins building) will be organised to introduce local agents and businesses to the marketing material. The completed document will also be placed on HBBC's website and there is an aspiration to disseminate the document to a wider geographical audience via advertising as well as at national and regional trade shows. This project is being financed by the EMDA Town Centre Regeneration Support project.

#### **4.11 Future work**

With the demise of EMDA and the recent reduction in development staff at Prospect Leicestershire there will be a redistribution of funding on a national rather than regional basis. Other funding streams will commence, however available funding generally is expected to be minimal.

All monies remaining in the 3 year EMDA allocation must be spent by the end of March 2011. The Regeneration Team is currently considering the detailed expenditure of the remainder of this money. Accordingly, after the end of March 2011 there will be no external budget for marketing or additional resources such as the full time Regeneration Officer, which ends in March 2011 or consultancy (currently 2 days a week). There is a risk that there won't be the skills or capacity in-house to take forward the above sites and that there could be disruption to the delivery of the projects.

#### **5. FINANCIAL IMPLICATIONS [DB]**

The Town Centre Regeneration Masterplan is a long term process centring on initially 8 sites and following the development of the Atkins Site, 9 sites. It was intended that in the main the sites would be developed by the private sector with the Council facilitating development. The Atkins site was redeveloped by the Council in conjunction with the East Midlands Development Agency and North Warwickshire and Hinckley College and the capital project was delivered on time and to budget.

An application was made in 2008 to the LSEP (latterly emda) for grant aid to provide support to the regeneration process. This application was successful and the Council was awarded £215,500 (subject to a £70,000 contribution from the Council) ending in March 2011.

This funding has supported the development of the Atkins Site, preparatory work on the Bus Station Site and Argents Mead. However the funding ends in March 2011 and in the current climate it is unlikely that further external funding will be found for this work. No budgetary provision has been made in future years for this work.

The Council's ongoing Capital Programme is dependant on the generation of capital receipts from the sale of surplus assets, the successful disposal of Argents Mead along with other Council owned sites is key to the achievement of this objective.

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

None raised directly by this report

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

The projects have a synergy with the Corporate Plan's aim of 'achieving a thriving economy' and the planned outcome of 'regeneration of the Borough and engaging local businesses to provide a vibrant economy'.

#### **7. CONSULTATION**

Quarterly meetings are being held with the new cross-party and wider stakeholder group 'Town Centre Regeneration Steering Group' to update them on progress.

The Planning Policy team and Development Control team are involved in all of the projects from the initial stages and so are fully briefed on these projects

and are also aware of the resources they may be requested to input in future at particular stages.

Both the Argents Mead project and The Crescent project have regular meetings at officer level and board level to inform internal officers.

A public consultation for Argents Mead took place on Friday 26<sup>th</sup> and 27<sup>th</sup> November. The event was publicised in the Leicester Mercury, Hinckley Times, Borough Bulletin, HBBC website, 3 adjacent wards including the 2 primary schools were leafleted and posters were put up around the Mead. The options were also presented prior to the event to various stakeholders including the Town Centre Regeneration Steering Group, Town Centre Partnership and stakeholders onsite including St Mary's Church. The consultation period ends on 12<sup>th</sup> December and the results will be fed back formally to the council in January. Feedback to the public is anticipated to be in the new year.

## 8. RISK IMPLICATIONS

<b>Management of significant (Net Red) Risks</b>		
<b>Risk Description</b>	<b>Mitigating actions</b>	<b>Owner</b>
<ul style="list-style-type: none"> <li>• <i>Loss of key staff-due to end of 3 year emda funding programme.</i></li> </ul>	<i>Reconsider budget and resources.</i>	<i>Simon Wood/Judith Sturley</i>
<ul style="list-style-type: none"> <li>• <i>Additional consultant costs required.</i></li> </ul>	<i>Reconsider budget</i>	<i>Simon Wood/Judith Sturley</i>
<ul style="list-style-type: none"> <li>• <i>Anticipated restrictions on local government funding of regeneration opportunities could limit scope for redevelopment of future investment.</i></li> </ul>	<i>Ensure the Council has a sound knowledge of both the restrictions and opportunities. Officers to keep up to date with any new funding opportunities.</i>	<i>Simon Wood/Judith Sturley</i>

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

Public consultation is embedded in the delivery of the Town Centre Area Action Plan sites. Consultations that have taken place are described above.

Rural implications-not relevant.

## 10. 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  
None as a direct consequence of this report.
- Environmental implications  
None as a direct consequence of this report.
- ICT implications

- None as a direct consequence of this report.
  - Asset Management implications  
None as a direct consequence of this report.
  - Human Resources implications  
*Staff resource issues as above, under finance and risk.:*
  - Planning Implications  
*Planning Control and Policy involvement at all relevant stages of the AAP site development.*
  - Voluntary Sector  
None as a direct consequence of this report.
- 

Background papers: None.

Contact Officer: Judith Sturley, Senior Economic Regeneration Officer, ext. 5855

**SCRUTINY COMMISSION – 9 DECEMBER 2010**

**REPORT OF CHIEF OFFICER, BUSINESS, CONTRACT & STREET SCENE SERVICES**

**RE: NEIGHBOURHOOD WARDENS ENFORCEMENT POLICY**

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**1. PURPOSE OF REPORT**

To seek Members' endorsement for the new enforcement policy and procedures for the Neighbourhood Wardens.

**2. RECOMMENDATION**

That the Scrutiny commission endorses the:

- (i) Adoption of the Environmental Enforcement policy and procedures.
- (ii) Delegation of authority to the Public Space Manager and Chief Officer: Business, Contract and Street Scene Services to make amendments as necessary to the enforcement procedures to keep up to date with best practice and deal with emerging environmental crimes in a timely manner.

**3. BACKGROUND TO THE REPORT**

- 3.1 Since the introduction of the Clean Neighbourhoods and Environment Act, and the creation of the Neighbourhood Wardens in 2005, there have been many changes in best practice for tackling environmental crime. This policy and procedures sets out a consistent and up to date approach which reflects public opinion on environmental crime.
- 3.2 To develop the policy and procedures, a Borough wide consultation was undertaken to determine residents opinions on levels of fine, approaches which should be taken and levels of fixed penalties which should be applied. The results from this, along with current best practice from Keep Britain Tidy Group have been used to develop these documents.
- 3.3 The policy also includes a section on equalities which determines how offenders from different sections of our community will be treated should they commit an offence.
- 3.4 Significant changes in procedures include:-
  - The use of intelligence to identify and target hot spots for environmental crime.
  - The use of incident notices issued as a warning for environmental crime.
  - The use of Street Litter Control notices to target premises which generate litter.
  - The use of littering FPN's for small scale fly tips.



- The use of Duty of care inspections to reduce fly tipping incidents.
- The use of devolved powers from the DVLA to remove untaxed vehicles from the highway.
- The introduction of a robust approach to contamination of green waste bins, and for refuse bins left out on the highway.
- Cross department working with planning enforcement on land of detriment to the amenity of an area.

4. **FINANCIAL IMPLICATIONS [TO]**

None other than contained in the body of the report.

5. **LEGAL IMPLICATIONS [PB]**

None other than contained within the body of the Report

6. **CORPORATE PLAN IMPLICATIONS**

This policy and procedure will improve our delivery of the cleaner, greener neighbourhoods priority within the Corporate Plan.

7. **CONSULTATION**

291 residents responded to a Borough wide consultation and the results were used to develop this policy. This included previous users of the service, parish councils, people from different equalities groups e.g. people with disabilities, older people and ethnic minorities. In addition, relevant officers within HBBC have been consulted including environmental health officers, legal and planning enforcement.

This consultation established acceptable levels of fines to the public, and the responses the public considered appropriate for the Council to undertake when different crimes are undertaken. The consultation results are referred to throughout the enforcement procedures. Following the drafting of the policy and procedures, these were again put back out to consultation by members of the public before being finalised for adoption.

By basing the policy and procedures around public opinion, the Neighbourhood Wardens will now be operating in line with public opinion.

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.

No significant risks were identified from this assessment:

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

Hot spotting for environmental crimes will ensure Neighbourhood Wardens resources are targeted to the areas with the greatest incidence of environmental crime. They will also focus resources to the priorities set by the public.

An equalities impact assessment has been developed for this policy, and an equalities section included to ensure the needs of vulnerable people are fully considered when enforcement action is taken.

10. **CORPORATE IMPLICATIONS**

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

- Community Safety implications – Neighbourhood wardens will work with community safety officers where relevant on enforcement issues.
- Environmental implications – this will provide a robust and consistent approach to reducing environmental crime
- ICT implications - none
- Asset Management implications - none
- Human Resources implications - none
- Planning Implications - joint working on section 215 issues
- Voluntary Sector - work will continue with voluntary groups to tackle environmental crime

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Background papers: Neighbourhood Wardens Environmental Enforcement Policy  
Neighbourhood Wardens Environmental Enforcement  
Procedures

Contact Officer: Caroline Roffey, Public Spaces Manager x5782



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

## **Neighbourhood Wardens**

## **ENFORCEMENT POLICY**

**December 2010**

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## **Introduction**

The condition of our street has an enormous effect on the local community and how we feel about our environment. An area which is littered, covered in dog fouling and daubed with graffiti and fly posters can appear run down and at worst unsafe to be in. This can have a detrimental effect on residents and visitors to the areas, local businesses and community cohesion.

Hinckley and Bosworth Borough Council is committed to improving the street scene environment through a series of measures including

- High quality street cleansing services
- Education of residents and communities through signage, advice and campaigns
- The efficient and effective use of enforcement powers where required.

This document sets out what residents, business and others within this Borough can expect from Hinckley & Bosworth Borough Council's enforcement officers in relation to environmental crime. It commits the Council to good enforcement policies and procedures. It lays down the generalised policy of the Council based on the principles of good enforcement in the Statutory Code of Practice for Regulators (Regulators Compliance Code April 2008) produced by the Department for Business Enterprise & Regulatory Reform and supplemented by additional statements of enforcement policy of service units within the Council.

The Council takes into account advice contained in the Code for Crown Prosecutors, and endeavours to ensure that it supplements the advice outlined in specific enforcement guidance from other sources, including the Keep Britain Tidy group.

The primary function of central and local government enforcement work is to protect the public, the environment and groups such as consumers and workers. At the same time, carrying out enforcement functions in an equitable, practical and consistent manner helps to promote a thriving national and local economy. Hinckley & Bosworth Borough Council is committed to these aims and to maintaining a fair and safe trading environment.

The effectiveness of legislation in protecting residents, consumers or sectors in society depends crucially on the compliance by those regulated. We recognise that most residents and businesses want to comply with the law. We will, therefore, take care to help residents and businesses and others meet their legal obligations without unnecessary expense, while only intervening where there is a clear case for protection. All citizens will reap the benefits of this policy through better information, choice and safety.

There are many instances where the enforcement responsibilities of the authority are shared by, or complementary to, those of other agencies. Where these shared responsibilities exist, we will endeavour to set up, or join, liaison groups or working parties to ensure cost effective and efficient service delivery. Where situations occur in which shared enforcement with other agencies is appropriate, then a full exchange of information between those agencies will be implemented.

Hinckley & Bosworth Borough Council has therefore adopted the central and local government Concordat on Good Enforcement. Included in the term 'enforcement' are advisory visits and assisting with compliance as well as formal enforcement action. By adopting the Concordat we commit ourselves to policies and procedures which contribute to best value, and will provide information to show that we are observing them.

## **General Enforcement Policy**

### **Introduction**

Where enforcement action is necessary, officers of the Council will take appropriate action dependent upon the seriousness of the breach of the law. Decisions on the course of action to be undertaken will take into account the principles of good enforcement as set out in the Enforcement Concordat namely:

### **Standards**

The Council will consult with businesses, residents and other interested parties on the development of clear standards which set out levels of service and performance those residents, businesses and visitors to the Borough can expect to receive.

### **Openness**

The Council will provide information and advice in plain language on the rules that we apply. We will disseminate it as widely as possible. We will be open about how we set about our work including any charges we set, consulting with businesses, voluntary sectors, other organisations and residents of the Borough. We will discuss general issues, specific compliance factors or problems with anyone experiencing difficulties.

### **Helpfulness**

The Council believes that prevention is better than cure and that our role therefore involves actively working with residents, visitors and businesses to advise on and assist with compliance.

The Council will provide a courteous and efficient service. Our staff will identify themselves by name. We will provide a contact point and telephone number for future dealings with the Council. We will encourage all those who have dealings with us to ask us for advice and information.

### **Complaints about Service**

The Council will provide well publicised, effective and timely complaints procedures which are easily accessible to all who have dealings with us. If disputes cannot be resolved we will explain rights of complaint or appeal giving details of the process and timescale involved.

## Proportionality

The Council will make compliance as straightforward as possible by ensuring that any action we require is proportionate to the risks. As far as the law allows we will take account of the circumstances of the case and the attitude of the individual when considering action.

We will take particular care to work with small business, community and voluntary groups and individual residents so that they can meet their legal obligations without unnecessary expense where applicable.

## Consistency

The Council will carry out its duties in a fair, equitable and consistent manner.

Officers are expected to exercise judgment in individual cases, but we will have arrangements in place to promote consistency, including effective liaison with other authorities locally, countywide and nationally.

In regard to the Regulators Compliance Code, the Council will take account of:

### **Economic Progress**

- The Council will consider the impact regulatory interventions may have on economic progress. We will only adopt a particular approach if the benefits justify the costs.
- The Council will make reasonable attempts to ensure that the burdens of our interventions fall fairly and proportionately on small businesses by giving consideration to their size.
- This Council will allow for reasonable variations to standards to meet local priorities.

### **Risk Assessment**

- The Council will ensure that the allocation of our regulatory efforts and resources are targeted where they would be most effective.
- Risk assessment will inform all aspects of our approach to regulatory activity and be based on all available relevant and good quality data. This will include street cleansing reports, the results of inspections and patrols by Council staff and parish councils, previous enforcement activity.

### **Advice and Guidance**

- The Council will ensure all regulatory requirements as well as changes to those requirements are promptly communicated to residents and relevant businesses.
- The Council will provide general information, signage, advice and guidance to make it easier for residents and businesses to understand and meet their regulatory obligations.
- The Council will provide targeted and practical advice that meets the needs of residents and businesses.



- When offering compliance advice the Council will distinguish between statutory requirements and advice and guidance aimed at improvements above the minimum standards.
- The Council will provide appropriate means to ensure that businesses can reasonably seek advice from us without triggering enforcement action.
- When providing information the Council will use plain language and if required provide information in a format to meet local need e.g. other language / format.
- Communications will always include contact details for further advice and clarification.

### **Inspection and Other Visits**

- Inspections should only take place in line with risk assessment or where we are acting on other intelligence. In general these will not be random in nature although they may be linked to a targeted campaign.
- The Council will focus our greatest inspection effort where risk assessment shows that both:
  - a compliance breach would pose a serious risk to a regulatory outcome, and
  - there is a high likelihood of non-compliance.
  - there is a high likelihood of detriment to the local environment and quality of life of local residents
- The Council will give positive feedback to encourage and reinforce good practice. The Council will share information about good practice amongst other businesses and other regulators.
- The Council will make arrangements with other regulators for collaboration to minimise the burdens on business through data sharing and wherever possible joint or co-ordinated inspections.

### **Information Requirements**

- When asking for data from businesses the Council will have consideration of the costs and the benefits to the business.
- The Council will ensure information requests are kept to a minimum and only data which is absolutely required is requested.

### **Compliance and Enforcement actions**

- When considering taking enforcement action the Council will discuss the circumstances with those suspected of the breach and take these into consideration when deciding the best approach. This does not apply where immediate action is required.
- The Council will give clear reasons for any formal enforcement action to the person or entity against whom the action is being taken at the time the action is taken. These reasons should be confirmed in writing. Procedures for appeals and complaints should also be provided at the time of enforcement action
- The Council will ensure that we interpret and apply legal requirements and our enforcement policy consistently and fairly. The council will monitor enforcement activity to ensure staff act consistently and fairly in applying enforcement sanctions

## **Accountability**

- The Council will create effective consultation with residents to ensure our policy reflects public concern for environmental crime
- The Council will provide courteous and efficient services to businesses
- The council will ensure all its enforcement staff are properly trained and have the necessary skills to undertake their duties professionally
- The council will publicise its complaints procedure.

## **Neighbourhood Wardens Enforcement Policy**

### **(1) Agreement on co-operation between District councils in Leicestershire**

A memorandum of understanding was signed by all the Leicestershire District Councils in July 2009. This memorandum acknowledges that environmental crime, particularly fly tipping, does not recognise administrative boundaries and that for authorities to deal with it effectively inter authority co-operation is necessary. It sets out the principle of mutual assistance and the exchange and sharing of information necessary to tackle environmental crime.

### **(2) Scope of the document**

This document applies to the Business, Contract and Street Scene Services enforcement functions which are primarily delivered by the Neighbourhood Wardens Service.

### **(3) Hinckley & Bosworth Borough Council - General Neighbourhood Wardens Enforcement Policy**

This policy builds upon the principles of good enforcement set out in the Council's General Enforcement Policy Statement in relation to environmental and street scene crime.

#### **General Neighbourhood Wardens Enforcement Policy Statement**

This Council is committed to improving the street scene environment to create a "Borough to be proud of" through education, training and enforcement. Ideally education through effective and targeted campaigns will lead to a reduction in environmental crime. However where legislative breaches occur the council will apply appropriate legal sanctions.

The effectiveness of enforcement activity will be monitored through indicators such as NI 195, NI196, number of fixed penalty notices (FPN's) issued and paid, number of complaints / incidents, number of campaigns and residents satisfaction with our services. Where a geographical area is targeted then the quality of the environment will be monitored.

This enforcement policy deals with the various enforcement tools available to tackle the following environmental crimes:-

- Litter
- Graffiti
- Dog fouling and related dog offences
- Waste receptacle offences
- Unauthorised distribution of printed matter (Leaflet distribution)
- Removal of unauthorised signs on the highway (fly posting)
- Waste transfer / licensing offences
- Abandoned vehicles
- Fly tipping
- Unsightly premises and land
- Removal of untaxed vehicles

Only suitably trained officers will be employed by the Council on environmental enforcement activities. Suitably trained officers employed through partnership arrangements may be authorised to undertake enforcement on behalf of the Borough Council. Examples could include Civil Enforcement Officers, Parish Council Clerks and staff, PCSO's etc.

Officers will be fully familiar with, and abide by, the policy when making enforcement decisions. Any departure from the policy will be exceptional, capable of justification and be fully considered by senior managers within the Business, Contract and Street Scene Services before the decision is taken, unless it is considered there is significant risk to the public in delaying the decision.

The policy shall be reviewed regularly or in the light of new legislation or guidance with any developments incorporated.

### Complaints Policy

We are committed to providing ready access to those wishing to appeal or complain about enforcement action, in accordance with the Council's corporate complaints procedure. However, areas where there is a formal right of appeal or a legal remedy must be resolved through the legal process.

Should anyone wish to complain, initially contact should be made with the Head of Service. This may be by person, telephone, writing or e-mail. If not satisfied with the response at this stage, a written complaint should be made to the head of Business, Contract and Street scene Services who will carry out a further investigation. If still unhappy at this stage, the Chief Executive should be asked to arrange for an independent review of the case.

At this point all the stages of the Council's Complaints Procedure will have been initiated and will have resolved the problem satisfactorily. If still dissatisfied the complainant can approach the Local Government Ombudsman for adjudication.

## **(4) Authorisation**

### Purpose

The purpose of this section is to state the Council's constitutional framework with respect to:-

- (a) Designating the officers who may authorise a prosecution under the Environmental Protection Act 1990, the Cleaner Neighbourhoods and Environment Act 2005, Anti-Social Behaviour Act 2003, Control of Pollution (amendment) Act 1989, the Dogs (Fouling of Land) Act 1996, the Refuse Disposal (Amenity) Act 1978 and the Town and Country Planning Act 1990.
- (b) Identifying the limits of powers delegated to Neighbourhood Wardens and other environmental enforcement officers.
- (c) Identifying the competencies necessary for Neighbourhood wardens and Environmental Enforcement Officers to be authorised to undertake enforcement action.

### Authorisations

Authorisation to prosecute in individual cases will be in accordance with the Council's current Constitution.

Enforcement action under the Cleaner Neighbourhoods and Environment Act (2005), or related legislation will be initiated by qualified, experienced and competent Enforcement Officers without further reference to Elected Members.

### The Delegation Framework

- (a) Where, through upholding the principles outlined in the policy document, a prosecution is necessary, the following officers may authorise such action:-

Head of Service – Chief Officer, Business, Street Scene and Contract Services, after consultation with the Chief Officer Corporate Services.

- (b) The following designated Officers will also be consulted as part of the prosecution decision making process:-

Public Space Manager,

Other officers may be consulted in addition to external advisors / experts where appropriate.

- (c) The designated Officers who are responsible for authorising a prosecution will be aware of the limits of their delegated powers by reference to the Councils Constitution, Statutory Codes of Practice and any other forms of guidance, including the principles set out in this policy.

- (d) Only officers who have been authorised by the Council to issue fixed penalty notices and incident notices will do so. This may be based on the evidence of another officer who the council considers to be competent to convey the facts in relation to the incident honestly, accurately and competently
- (e) The Council may authorise persons who are not direct employees of the Council to issue fixed penalty notices on behalf of the Council, where they are considered responsible and competent and have been suitably trained. This could include contract staff, civil enforcement officers, parish council employees and those employed by other public bodies.

### Training

The Council will provide appropriate initial and updated training to Neighbourhood wardens and others authorised to undertake environmental enforcement as is deemed necessary to enable them to carry out their duties efficiently and effectively. This will include the following:

- (a) Minimum update training of 5 hours per year for continual professional training.
- (b) Minimum of 10 hours revision training for authorised officers returning to environmental enforcement.
- (c) Minimum of three months monitoring of newly qualified or appointed Officers or Officers returning to environmental enforcement duties after an absence of more than 3 years.

In most instances, action other than fixed penalty notices will be instigated by Neighbourhood Wardens and other managers within Business, Contract and Street Scene Services. Action under section 215 of the Town and Country Planning act 1990 will be instigated by Planning Enforcement Officers.

In addition all officers must remain fully conversant with this policy and the standard responses for different types of environmental crimes.

## **(5) Enforcement Options**

### Purpose

The purpose of this section is to state the authority's policy with respect to:

- (a) Achieving and maintaining consistency of approach in deciding on enforcement action concerning environmental crime.
- (b) Ensuring commitment to an approach in all enforcement decisions that is fair and balanced and based on common standards to protect the public.

- (c) Ensuring enforcement actions have the support of residents in the Borough and reflect what they deem to be fair and proportionate.

### Enforcement Options

Enforcement options available, after consideration of all relevant information and evidence are:-

- (a) Take no action
- (b) Take informal action
- (c) Issue fixed penalty notices and incident notices, litter control notices, section 215 notices etc.
- (d) Prosecution

### The Policy

Authorised officers will, wherever possible seek to remedy non-compliance by a graduated approach to enforcement. When necessary, the option to issue FPN's should be considered. Authorised officers should consider these options before commencing any other enforcement action.

The policy of this Council is as follows:-

- (a) No Action

Where an intervention or investigation reveals full compliance with the relevant Legislation / Codes of Practice, no further action is required. The results of the investigation will be recorded in the premises file.

- (b) Informal Action

Informal action to secure compliance with legislation may be given in the form of:-

- (i) Verbal Advice
- (ii) Written advice
- (iii) Written warnings

In deciding to take informal enforcement action many criteria will be considered, including:-

- (i) Whether the act or omission is serious enough to warrant formal action.

- (ii) Whether past history indicates that informal action can be expected to achieve full compliance.
- (iii) Whether officers' confidence in the management of the issue is high.
- (i) Whether the consequences of non-compliance will pose a significant risk to public health or safety or to the environment.
- (v) Whether, even when some of the above criteria are not met, there may be circumstances in which informal action will be more effective than a formal approach.
- (vi) The availability of a due diligence defence (acting with reasonable care).

Following an inspection / incident the Enforcement Officer will discuss the matter with the resident / business / offender. If necessary this discussion will be confirmed in writing. The matters discussed and any verbal advice given typically will:-

- (i) Outline the regulations being contravened.
- (ii) Contain all the information necessary to understand what work (if any) is required and why it is necessary.
- (iii) Clearly indicate measures which are recommendations of good practice and which are legal requirements.
- (iv) Indicate the time allowed for meeting any legal requirements.

Revisits to premises following an investigation will be made where significant contraventions regulations and/or poor practices are found.

(c) Formal action

(i) Fixed Penalty Notice

Fixed penalty notices (FPN's), where legislation allow them, provide a simple and effective method of dealing with low level crimes for both the Council and the offender. They will normally be offered initially as an opportunity to discharge offences that would otherwise be taken to court.

FPN's will not be issued unless the Council has sufficient evidence available to pursue the offence through the courts and where the offender fails to pay the FPN fine the Council will normally take the offender to court for the original offence or for non payment of the FPN. Consultation for this policy revealed 89% of residents were supportive of the council taking people to court that do not pay their FPN's.

FPN's for certain offences can only be issued by officers working for the Borough Council. In these instances, others authorised to act on behalf of the Council will need to issue an incident notice. These will then be passed to the Neighbourhood Wardens who will determine whether to proceed with issuing a fixed penalty notice of prosecution in line with this policy.

Levels of payment for FPN's will be set through the Councils fees and charges annually. A reduced fee will apply if early payment is made to encourage prompt payment by offenders.

Exceptions to the use of FPN's will apply for more serious offences such as fly tipping and in relation to repeat offenders where the payment of earlier FPN's has not deterred them from reoffending. In these cases prosecution will normally occur.

**(ii) Incident notices**

Incident notices are now recommended by Keep Britain Tidy Group as an effective method of highlighting minor breaches of the Clean Neighbourhoods and Environment Act 2005 with the general public. These can be issued by Officers not employed by the Borough Council and followed up by suitably authorised enforcement officers who will determine if it is appropriate to issue and FPN.

These are an effective method of highlighting inappropriate behaviour, tracking offenders where they are initially given a caution for a first offence, and increasing the number of people able to deliver enforcement on the street. Such notices could for example be used by an enforcement officer not employed by the Borough Council to alert residents to inappropriate behaviour.

**(iii) Section 215 (Town and Country Planning Act 1990) Improvement Notices**

The use of Section 215 Notices will, in general, be related to unsightly premises and land. They will only be used where land is to the detriment of the amenity of the area. Planning Enforcement Officers will lead on the issuing of such notices with supporting evidence and direct contact with the offenders being provided by the Neighbourhood Wardens. Where there is a risk to public health or safety the matter will be referred to Building Control or Environmental Health officers who will follow their relevant enforcement codes.

The authorised officer must have reason to believe that an informal approach will not be successful before proceeding with



## Section 215 notices.

The authorised Officer will also discuss with the premises owner what has to be done and will consider all the options available.

Consideration for an extension of time to comply with a section 215 Notice will be viewed favourably if the premises owner has a genuine reason for requesting one. When deciding on a request for an extension the following will be taken into account:-

- (i) The risk to public health associated with the fault if an extension was granted;
- (ii) The reason for the request;
- (iii) The remedy involved;
- (iv) The past record of co-operation of the premises owner;
- (v) Any temporary action which the premises owner proposes to take to remedy the defect.

The premises owner will be advised at the time of service of the section 215 notice that any request for an extension of the time limit should be made in writing before the expiry date of the notice.

Once the request for an extension of time has been considered the premises owner will be advised, in writing, as to whether the request was adjudged reasonable or otherwise. The reasons for that decision will be explained and any new time limits reconfirmed.

Failure to comply with a Section 215 notice will, in general, result in legal proceedings being instigated.

We will notify other appropriate bodies of any Section 215 Notice served and its outcome where necessary. This will include any other appropriate enforcement authorities.

- (iv) **Other remedial notices**  
Where necessary the Council will make full use of other notices such as Refuse Disposal Act 1978 notices for abandoned vehicles and refuse; notice to remove graffiti, notice to remove fly posting, litter clearance notices etc. These will be directed at sites / properties where other measures are inappropriate or have previously failed to bring about an improvement.
- (e) **Prosecution**

This will be used where necessary when other means of enforcement are not appropriate or have proved ineffective.

**(6) Prosecution Criteria**

**Purpose**

This section details the Council's criteria on which a decision is made whether to prosecute.

**Prosecutions**

The Council always has the discretion of whether or not to prosecute for an offence. The decision to prosecute is a very significant one and is not taken lightly and is based on the circumstances of each case laid out in the policy below.

**The Policy**

A breach of law will not automatically result in legal proceedings. The circumstances which are likely to warrant prosecution may be characterised by one or more of the following criteria:-

- (a) There is a flagrant breach of law such that public health, safety or well being is put at risk, there is a risk of negative environmental impact, or there is a serious offence under clean neighbourhood's legislation.
- (b) A failure by the offender to correct an identified offence having been given a reasonable opportunity to do so.
- (c) A failure to comply in full or part with a section 215 Notice
- (d) There is a history of similar offences
- (e) A fixed penalty notice has previously been issued for a similar offence, or payment of a FPN has not been made.

Before a prosecution proceeds, the enforcement officer will need to be satisfied that the case is in the public interest and is supported by sufficient relevant evidence which is:-

- (a) Admissible
- (b) Substantial
- (c) Reliable

The guidance contained in Section 40 and the Code for Crown Prosecutors will be followed and all the following factors taken into account:-

- (a) The seriousness of the alleged offence.
- (b) The previous history of the party concerned.
- (c) The likelihood that a defence of due diligence (acting with reasonable care) can be established.
- (d) Whether important witnesses are willing and able to co-operate.
- (e) Willingness of the party to prevent the problem recurring.
- (f) Whether prosecution would be of public benefit.
- (g) Whether a Simple Caution, FPN or other notice might be more appropriate.
- (h) Any explanation offered by the party concerned.

In addition to the above criteria authorised Officers will have regard to the Statutory Code of Practice for Regulators

Investigation and decision making will not be unduly prolonged or delayed. It will be in accordance with principles laid out in the:

- (i) Human Rights Act 1998
- (ii) Police and Criminal Evidence Act 1984
- (iii) Regulation of Investigatory Powers Act 2000

We will keep witnesses, complainants or other parties informed as to the progress of the case.

Once we have decided to prosecute, we will refer the matter to the Chief Officer Corporate Services who is authorised to appoint Solicitors to institute legal proceedings on the Council's behalf. Case reports will be submitted.

The Officer principally involved in the case will attend court in person even when a guilty plea has been lodged, so they can give further evidence, should the court require it and note any mitigating evidence submitted.

#### Post Prosecution

Following a successful prosecution, the Council will:-

- (a) Notify any relevant authority of the conviction in sufficient detail for other authorities to make use of the intelligence.
- (b) Notify other appropriate enforcement authorities.

- (c) With respect to complaints, notify the complainant of the outcome of the case.

**7. Equalities**

The Borough Council is committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:

- Age
- Gender or transgender identity
- Race, colour, nationality, national or ethnic origin, being a traveller or Gypsy
- Disability, including people with a hearing impairment, people with a visual impairment, people with learning disability, people with a mental illness, and people living with HIV and AIDS
- Religious belief or non-belief, or other beliefs
- Marital status, family circumstances, or caring responsibilities
- Sexual orientation
- Income, employment status or housing circumstances
- Membership or non-membership of trade unions, or involvement in trade union activity
- Offending Status
- Any other ground that cannot be shown to be justified

Therefore when determining what enforcement action (if any) should be undertaken, Officers will assess if there are any circumstances which may affect the individual or business concerned from complying with the legislation. If such issues are identified then options for enforcement will be assessed to ensure the Council is not discriminating against any individual. All necessary measures to ensure people are treated equally will be introduced where necessary e.g. use of language translation, sign language interpretation, support for people with learning difficulties etc.

An equalities impact assessment has been completed for this policy during its development to ensure equalities issues have been considered.

Specific legislation exempts guide dogs from dog fouling enforcement. If such a case were identified officers would work with the dog owner to try to address the problems.

In line with current DEFRA guidance FPN's will not be issued to anyone under 16 years of age for a first offence. Instead, an incident notice will be issued and advice and guidance will be provided by the Neighbourhood Wardens. For second and subsequent offences, an incident notice will be issued and dependent upon the circumstances a FPN may be issued if it is felt that this is the best way to change the offenders behaviour. This decision will be made after consultation with the offenders family. If necessary an Antisocial Behaviour Contract will be developed in conjunction with Community Safety Officers.

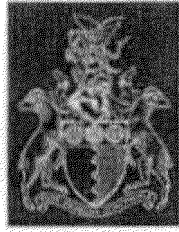
Where a disabled person has committed an offence, if it is reasonable to establish a link between the disability and the offending behaviour, the

decision to issue a FPN will be reviewed.

**(8) Relevant Documents**

- 1) Criminal Damage Act 1971
- 2) Refuse Disposal (Amenity) Act 1978
- 3) Control of Pollution (Amendment) Act 1989
- 4) Environment protection Act 1990
- 5) Town and Country Planning Act 1990
- 6) The Dogs (fouling of land) Act 1996
- 7) Anti Social Behaviour Act 2003
- 8) Cleaner Neighbourhoods and Environment Act 2005

[cr/green spaces oct10/neighbourhood wardens/enforcement/policy](#)



**Hinckley & Bosworth  
Borough Council**

*A Borough to be proud of*

## **Neighbourhood Wardens**

# **ENVIRONMENTAL ENFORCEMENT PROCEDURES**

**December 2010**

The Neighbourhood Wardens contribute to the Councils Corporate objective of "Clean Neighbourhoods for everyone". To do this they employ 2 main strategies:-

1. To act directly to clean up the streets
2. To change the behaviour of offenders to prevent incidents which detract from the amenity or public health of neighbourhoods.

Where necessary they also carry out enforcement to support the delivery of other council objectives e.g. contamination of recycling bins.

Consultation for the development of these procedures has revealed the public supports the use of different types of approach for different offences.

However, enforcement is one of the tools available to the neighbourhood wardens to reduce incidents of environmental crime and improve the street scene within the Borough. It is also essential to have public support for the measures undertaken by the council to improve the street scene environment. Therefore, this policy has been developed with public consultation, and to utilize the many non enforcement tools available to the Neighbourhood wardens and the Council to achieve cleaner streets.

The standard responses set out below will be regularly reviewed and updated by the Neighbourhood Wardens team to ensure they reflect current best practice and what has the greatest effect for delivering our corporate aims within our Borough.

#### 1. Priority

The public consultation has established clear priorities for tackling environmental crime and the Neighbourhood wardens will allocate their resources according to the public's priorities as follows:-

1. Dog fouling
2. Litter
3. Fly tipping
4. Graffiti
5. Abandoned vehicles
6. Fly posting
7. Leaflets given out on the street
8. Wheelie bin offences

i.e. those which are a higher priority will be afforded greater resource to resolve.

#### 2. Education

Consultation revealed 97% of residents in favour of the neighbourhood wardens working with local residents and schools to raise awareness.

The Neighbourhood Wardens, and other Borough Council enforcement

officers will therefore organise the following:-

- A minimum of 2 campaigns a year to maximise awareness of how people should behave to protect the environment. Where possible these will be planned to coincide with national campaigns from the Keep Britain Tidy Group.
- Regular press releases and articles in the Borough Bulletin raising awareness of environmental crime and individuals and businesses responsibilities in this respect.
- Maximise use of signage to deter littering, dog fouling etc
- Maximise publicity from enforcement activity to raise awareness of the penalties associated with such conduct
- Visits to schools in hot spot areas to educate children about acceptable behaviour
- Joint work with community safety team to increase awareness of environmental crime in schools
- Where evidence suggests offences are being committed by particular groups, a particular area or a particular premise then education will be targeted to these areas.
- Maximise publicity of successful prosecutions to ensure public are aware of their responsibilities and the penalties of non compliance.

**a. Capacity**

The neighbourhood wardens will actively seek partnerships with other partners to increase our capacity to undertake enforcement activity and other activities to meet the Councils corporate aim of clean streets.

Such partnerships could include other Borough Councils and HBBC services, the Civil Enforcement Officers, PCSO's, neighbourhood watch groups, Parish Councils and other community groups.

**b. Communication**

The Neighbourhood Wardens will seek to maximise public awareness about their role and the actions they undertake. Full use will be made of the local media and the council's website to raise awareness of current priorities and how residents can report offenders.

**c. Standard procedures**

The following procedures / strategies will be employed to tackle these issues. These will be updated on a regular basis to ensure we are up to date with best practice and to tie into national campaigns and guidance:-

**Dog fouling**

Consultation results for the development of this policy showed most residents in favour of using FPN's for dog fouling offences, setting the FPN at £80, and using CCTV to catch offenders. Therefore the following approach will typically be used:-

1. Hot spots for dog fouling will be identified through complaints received feedback from street cleansing and grounds maintenance staff and parish council staff, and NI195 (street cleanliness) inspections.
2. Pavement stencils and signage will be installed to warn of penalties for



- dog fouling.
3. Where appropriate letters will be sent to local residents asking for their co-operation in bringing about a reduction in dog fouling. This will include collection of intelligence from local residents to identify perpetrators.
  4. Where necessary the installation of additional dog bins will be considered or the utilisation of litter bins for dog waste (subject to budget restrictions for HBBC land and for referral to land owners if not Borough Council land).
  5. Neighbourhood wardens and other enforcement staff will visit the site every day for the next 3 working days to try to catch offenders. Where offenders are caught a FPN will be issued immediately
  6. Neighbourhood wardens will monitor the site for a further 2 weeks to establish if there has been a reduction in dog fouling.
  7. If no reduction after 2 weeks, the use of CCTV will be considered to catch offenders. More prolonged and sustained monitoring of the site will also be deployed.
  8. FPN's will be issued from the evidence of witnesses where the evidence is robust and a conviction would be likely should prosecution prove necessary.
  9. When an incident of dog fouling is observed in the course of normal duties then an FPN will be issued on every occasion.
  10. A dog control order for the borough will be introduced to give wider powers to tackle this problem.
  11. Litter clearance notices will be used where complaints are received about animal fouling on private land / property.

### **Litter**

Consultation results for the development of this policy showed residents are more in favour of educating and giving offenders a chance for their first offence. However opinion is divided with 44% supporting an on the spot fine. The highest priority from residents as part of the 2009 consultation was to provide clean neighbourhoods for everyone and this included prosecuting people who drop litter etc. The use of CCTV to catch offenders was supported but at a lower level than for other offences. The following approach will therefore be applied:-

1. Hot spots for littering will be identified through complaints received, feedback from street cleansing and grounds maintenance staff and parish council staff, and NI195 (street cleanliness) inspections.
2. Neighbourhood wardens will visit site initially to advise residents of potential fines for littering.
3. Signage stating litter being monitored will be installed.
4. On subsequent visits, FPNs will be issued where an offence is committed.
5. Monitoring and enforcement will continue at least once every 2 days for 2 weeks or until the problem abates.
6. If no reduction after 2 weeks the use of CCTV will be considered to catch offenders.
7. If appropriate local schools and other organisations will be targeted with information to try to reduce the problem. This may include press

- releases, posters, litter picks by children etc.
8. Where litter is identified to be from a particular source, evidence will be initially gathered, then a warning letter sent, then a Street Litter Control Notice will be issued. The notice is to work in partnership to reduce litter in the area. Where this is not complied with an FPN will be issued.
  9. Where a littering offence is observed in the course of normal duties then an incident notice will be issued for first offences. FPPN's will be issued for subsequent offences.
  10. Offenders who litter from vehicles often do so in a neighbourhood which is not their own. Therefore an FPN will be issued in every case. Registration details will be taken and FPN's issued where it is not possible to speak to the offender.

### **Fly tipping**

Consultation revealed the public strongly support the use of CCTV to catch fly tipping offenders.

Therefore the following approach will be followed

1. Fly tipping incidents will be monitored. Neighbourhood Wardens will seek to establish hot spots and patterns in fly tipping behaviour in order to target offenders.
2. All fly tips will be investigated to try to establish the source. Where any evidence is found, it will be fully investigated and where appropriate the offender will be prosecuted.
3. FPN's for littering will be issued for minor fly tips (single items or up to an equivalent of 6 black bags of domestic rubbish). All more serious offences, and repeat offenders will be prosecuted
4. Where evidence identifies an individual who claim not to be responsible, they will be requested to give a witness statement identifying who is responsible. Failure to do this will result in an FPN for littering being issued or prosecution.
5. Signs will be placed at hot spots to inform residents / visitors that offenders will be prosecuted and CCTV may be in operation.
6. Where hot spots are identified, CCTV will be deployed to catch offenders.
7. Duty of care inspections will be made by appropriate enforcement officers to establish premises have correct procedures for dealing with trade waste.
8. Where a particular type of waste is fly tipped then appropriate premises will be visited for duty of care inspections for trade waste. For example if tree cuttings are found repeatedly, then local tree surgeons and landscape gardeners will be targeted, tyre fitters would be visited if tyres were found etc. Waste transfer notes will be requested and FPN's issued if records are not accurate or businesses have failed to take responsibility for the correct disposal of their trade waste.
9. Where appropriate the Neighbourhood wardens will join with other appropriate agencies such as the environment agency to target high priority premises. This could include stop and search measures, vehicle seizures etc by the appropriate authority.
10. Site waste management plans will be requested from larger

construction sites where fly tipping has occurred in the vicinity. Where this is not provided a FPN will be issued in line with the site waste management plan regulations 2008. The level of this FPN will be £300

### **Graffiti**

Consultation established that the public support on the spot fines and prosecution for this type of offence. As such incidents of graffiti will be dealt with as follows:-

1. Hot spots for graffiti will be identified through site visits by the Neighbourhood Wardens, complaints for the public, reports from staff, and results from NI195 (street cleansing) inspections.
2. Offensive graffiti will be removed within 24 hours regardless of its location i.e. private property or public land. Property owners will be charged for this removal.
3. All other graffiti will be removed within 5 working days if on HBBC land or property.
4. Where graffiti is on private land or property, 28 days notice to remove graffiti will be issued to the person responsible for the property. This notice is given under the Anti Social Behaviour Act 2003.
5. Graffiti will be photographed and frequently seen tags will be referred to the community safety team who will work with local schools and the police to identify offenders.
6. FPN's will be issued for all offences.
7. Alternative measures will be used in particular hot spots e.g. graffiti walls (subject to funding being available).
8. As an incentive to deter further incidents of graffiti and to assist the owners of private property which is repeatedly targeted, the Borough Council will develop a service where graffiti on private property will be removed free of charge for 1 incident providing the area is immediately treated with anti graffiti paint to ensure ease of removal by the property owner in the future. The Borough Council will offer a service to apply this anti graffiti paint which will be provided on a cost basis.

### **Abandoned vehicles**

1. Reports of abandoned vehicles will be investigated within 24 hours (1 working day).
2. Officers will determine if the vehicle is abandoned through DVLA registration checks, locality of keeper relative to vehicle, state of vehicle, length of time in place etc.
3. Burnt out and dangerous vehicles will be removed within 24 hours.
4. If the vehicle appears to be abandoned, a notice of the councils intention to remove is attached to each vehicle. This notice will require removal within 7 days if on public land, 15 on private land. Failure to remove the vehicle will result in the Council removing and scrapping the vehicle.
5. Vehicles will be removed within 24 hours of the end of the notice period.
6. Where a registered keeper is known and has failed to remove their vehicle they will be charged a removal cost which is within the fees and charges.

7. To develop a more effective service the Neighbourhood Wardens have been authorised by the DVLA to remove untaxed vehicles from the highway. The DVLA wheel clamping and removal powers instructions will be followed.

### **Fly posting**

Consultation revealed 48% of the public thought the council should educate offenders and 42% thought we should issue on the spot fines to offenders.

Therefore the following approach will be used in relation to reducing incidents of fly posting.

1. All fly posters will be removed immediately they are seen or within 5 working days of being reported
2. All fly posters will be investigated and warning letters issued where possible advising offenders of further action which will be taken
3. Where repeated incidents occur, a FPN will be issued for each individual poster removed. NB this is not per event but per fly poster.
4. Where signs are permanently fixed, the person responsible for erecting the signs will be given notice to remove their signs. If after 28 days these are not removed then the council will remove these signs and make a charge for each sign removed. The charge will be published in the council's annual scale of fees and charges.
5. Where signs are fixed to private property the owner will be consulted. If required the Neighbourhood wardens will take appropriate enforcement action against the fly poster. Removal costs remain the responsibility of the property owner. If required Town and Country planning (control of advertisement) regulations 1992 and defacement removal notices will be used to fore land owners to remove fly posting.

### **Unauthorised distribution of printed matter**

1. FPN's will be issued for all offences witnessed.
2. Warning letters will be sent where an offence has been committed but not witnessed.
3. Where printed matter continues to be distributed an FPN will be issued even if the distribution has not been witnessed.

### **Offences in relation to waste receptacles**

Consultation established that the public support (74%) for issuing on the spot fines for all incidents where bins had been left out on the streets causing an obstruction.

Therefore the general approach shall be:-

1. The Neighbourhood Wardens will respond to complaints from residents. These complaints will be assessed by the contact centre staff to establish if an offence has occurred e.g. a bin stored within a residents front garden does not constitute an offence, or if the resident requires assistance with their bin (assisted collection service).
2. Where a complaint needs further action, initially a letter shall be sent to properties in the vicinity of the complaint advising of the obstruction being caused and requesting their cooperation in resolving this issue
3. 2 further letters will be sent in response to complaints advising the

Neighbourhood Wardens will issue FPN's if bins are not stored correctly

4. If residents have failed to respond, at the time the 3<sup>rd</sup> letter is issued, Neighbourhood Wardens will visit the street 1 day after bin collections and determine the extent of the problem. They will seek to speak to all residents concerned and advise them that action will be taken if they do not store their bin within their property. Help and advice will be given at this time if appropriate. Surplus bins will be removed at this time if they are identified
5. The Neighbourhood Wardens will visit this street for the following 2 weeks and issue FPN's for any bins left out after the collection day
6. If residents still persist in leaving their bins out then bins will be removed.

In addition the Council incurs penalties where green waste is contaminated by non compostable waste. In an effort to maintain and improve our recycling rate the Neighbourhood Wardens will take the following action where a contaminated bin is found:-

1. If contamination is identified at the point of collection then the bin will not be emptied and a warning sticker attached to the bin by the refuse crews. A letter will also be sent to the property giving details of future enforcement action.
2. If contamination is discovered at the composting site then the contaminated items will be examined and where it can be traced a warning letter will be sent to that property outlining the problem
3. Bins at previously contaminating properties will be checked by refuse crews prior to emptying. No collection will be made if contamination is detected. A section 46 notice (EPA 1990) will be served.
4. If a third incident of contamination occurs then a FPN will be issued.
5. If a fourth incident occurs then bins will be removed.
6. Bins will not normally be returned but this decision is at the discretion of the Refuse and Recycling Service Managers.

NB Bins known to be contaminated will not be emptied.

In relation to residents failing to use waste receptacles appropriately, causing accumulations of rubbish on the property these will be referred to the Refuse or Environmental Health Service who will use Section 46 EPA, and Section 4 Prevention of damage by pests act 1949 to instruct residents on how to deal with their household waste. Section 47 EPA will be used for cases of trade waste.

#### **Section 215 notices**

1. Sites for action will be prioritised within the council's current priority neighbourhoods, where complaints have been received from the public and where they are in a prominent location and detrimental to larger numbers of residents.
2. A joint working group of Neighbourhood Wardens, Planning Enforcement Officers, housing and legal officers will meet every 6 week to assess sites and agree actions
3. This working group will determine best practice guidance based on its

first 6 months of operation.

### **Nuisance Parking matters**

FPN's can be issued where 2 or more vehicles are parked within 500m of each other by the same seller, merely in order to be sold.

1. At the initial visit, owners will be verbally requested to remove vehicles.
2. If after 48 hours this request has not been complied with then a FPN will be issued. NB once a verbal request has been issued to an owner this will apply to all vehicles owned by that individual / company.
3. Where necessary the Neighbourhood Wardens will work with LCC highways and trading standards department to ensure nuisance vehicles are removed.

When applying these procedures the Neighbourhood Wardens will have due regard to the enforcement policy.

Where offences are observed by partners who are not HBBC employees and therefore not authorised to issue FPN's on the full array of environmental offences, Incident notices will be issued. A decision will then be made by the Neighbourhood Warden if a FPN should be issued.

**SCRUTINY COMMISSION - 9 DECEMBER 2010**

**REPORT OF CHIEF EXECUTIVE RE: MOTION TO COUNCIL - 30 SEPTEMBER 2010**

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**1. PURPOSE OF REPORT**

To summarise for Members the actions taken and responses to Cllr Richards' Motion to Council on 30 September 2010.

**2. RECOMMENDATION**

That the Scrutiny Commission notes the actions taken.

**3. BACKGROUND/UPDATE**

3.1 Cllr Richards' Motion to Council on 30 September 2010 received unanimous support. The Motion is attached at Appendix A, for reference, along with the comments of the Leader of the Council, Cllr Bray.

3.2 Subsequent to the meeting, I wrote to all Councillors individually and e-mailed all our staff to ask for your and their support in taking whatever steps possible to act as "champions" in raising awareness of the issue and reducing the impact/availability of sexualised content and images.

3.3 Following a meeting shortly afterwards with Cllrs Richards and Ward, I wrote to the other six District Chief Executives in the county and to the Director of Children's Service at Leicestershire County Council, copies of these letters are attached at Appendices B and C.

3.4 The Director of Children's Services confirmed that he had passed the letter to the Cabinet Lead Member for consideration and I had responses from the District Chief Executives confirming that they would pursue the matter. I will get an update at the next meeting of District Chief Executives at our meeting on 9 December and advise Members at this evening's meeting.

**4. FINANCIAL IMPLICATIONS (DB)**

There are none arising from the report.

**5. LEGAL IMPLICATIONS (AB)**

There are none arising from the report.

**6. CORPORATE PLAN IMPLICATIONS**

Any actions taken in furtherance of Cllr Richards' Motion will impact positively on the Council's achievement of a Safer and Healthier Borough.

7. **CONSULTATION**

Information has been circulated to all Members and staff of this Council, as well as to the other six District Chief Executives in Leicestershire and the Director of Children's Services at Leicestershire County Council.

8. **RISK IMPLICATIONS**

No significant risks arising from this activity.

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

The impact of the outcomes from this report will be across all areas of the Borough.

10. **CORPORATE IMPLICATIONS**

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

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

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Background papers: Motion to Council - 30 September 2010 - Cllr J Richards  
(attached)

Contact officer: Steve Atkinson, 01455 255606



**Motion from Cllr J. Richards:**

There is growing evidence suggesting that the proliferation and accessibility of sexualised content may be jeopardising the mental and physical well-being of young people in the UK and that this sexualisation of children has further serious cultural and social implications.

The indiscriminate availability of sexualised images via the Internet, email accounts and mobile phones together with the messages sent out by the marketing of some children's toys, computer games and clothing indicate a wider culture of confusion within society about these matters.

As Hinckley & Bosworth works to support the Every Child Matters Agenda this Council moves that in partnership with Government and other appropriate agencies there should be national campaigns of education and awareness directed at this issue in order to assist parents in combating the associated problems.

**Comments on Cllr Richard's motion by Cllr Stuart Bray**

The world is moving at a fast pace with childhood being slowly eroded, children and young people developing and becoming more adult like at a much younger age. It is a double-edged sword with the developments in technology and unfortunately along with the many benefits many negative influences.

As a District Council we are working within the Every Child Matters framework and have taken many steps forward in terms of safeguarding children and young people. There is a consistent safeguarding policy and procedures which give good practice guidance to all HBBC employees, including a procedure being developed on internet and social networking site usage. There has also been a roll-out of training which will be delivered to all employees by the end of this year along with regular updates.

As part of the Leicestershire Children's Safeguarding Board there has been an appointment of a dedicated project manager for the Child Sexual Exploitation Project. Alongside these developments there are a number of other activities and projects that are focusing on re capturing childhood, such as the play strategy, National Play Day and the Charter for Play which is to be adopted.

The Family information Service also has many useful tips and support/guidance for parents who may be concerned.

HBBC supports this motion.

Please ask for Steve Atkinson  
Direct dial 01455 255606  
Direct fax  
Email [steve.atkinson@hinckley-bosworth.gov.uk](mailto:steve.atkinson@hinckley-bosworth.gov.uk)  
Your ref  
Our ref SA/ SD  
Date 15 October 2010

To: District Chief Executives – Leicestershire

Dear

At the last meeting of our Council on 30 September, Councillor Janice Richards (who is also a County Councillor) submitted the attached Motion, regarding action by Members and Officers acting as 'individual Champions' through daily contacts internally and with other agencies in raising awareness of the issue of the availability of sexualised content and images.

The Motion was supported unanimously by all Members present at the meeting and I have written formally to them and to all staff advising them of the 'Champion' expectations arising from the Motion. I will be writing also to Leicestershire County Council to seek their support.

My purpose in writing to you is to advise you of the adoption of the Motion and the response (also attached) from Councillor Bray, the Leader of the Council, in offering his support. It would be appreciated if you could also raise the issue with your own Members and staff, so that we can adopt a consistent approach at District level across the County.

Your support would be much appreciated.

Yours sincerely

**Steve Atkinson**  
**Chief Executive**

Please ask for      Steve Atkinson  
Direct dial          01455 255606  
Direct fax  
Email                [steve.atkinson@hinckley-bosworth.gov.uk](mailto:steve.atkinson@hinckley-bosworth.gov.uk)  
Your ref  
Our ref              SA/ SD  
Date                 15 October 2010

Mr G Williams  
Director of Children's Services  
Leicestershire County Council  
Glenfield  
Leicester

Dear Gareth

**RE: SEXUALISED CONTENT AND IMAGES**

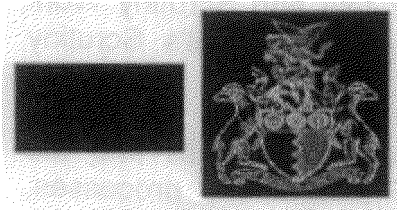
As you may be aware, Councillor Janice Richards (who is also a Member of the County Council) submitted the attached Motion to a meeting of our Council on 30 September 2010. I attach also the response made by Councillor Bray, the Council Leader, to that Motion, which was adopted unanimously following a brief debate.

I have subsequently written to all our Members and to staff advising them of the adoption of this Motion and seeking their support in acting as 'Champions' in their daily activities in addressing the concerns raised in the Motion. I have written also to colleague District Chief Executives on the same basis.

My purpose in writing to you, as the head of the agency which can perhaps exert the maximum leverage in this area, is to seek the support of your Council in raising awareness and gaining support in combating the issues raised by Councillor Richards. I look forward to your support on this initiative and will be happy to discuss it further, if that would help.

Yours sincerely

**Steve Atkinson**  
**Chief Executive**



**Hinckley & Bosworth  
Borough Council**

*A Borough to be proud of*

# **Overview and Scrutiny Work Programme 2010/2011**

**ISSUE 2010/06: DECEMBER 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;
- Looking at the impact of the LDF on the rural areas

### **4. Transport Review**

- Look at transport in the Borough

### **5. Community Safety Partnership**

- Six-monthly report on progress of Partnership

# SCRUTINY COMMISSION

## TIMETABLE

Scrutiny Commission - Thursday 9 December 2010						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (Member/officer)	External Involvement
Scrutiny Topics	Atkins & Greenfields updates	Request of Members	Ensure progress	Thriving economy	Deputy Chief Executive (Corporate Direction)	
	Town Centre Masterplan update	Request Members of	Ensure progress	Thriving economy	Deputy Chief Executive (Community Direction)	
	Comprehensive Spending Review	Request Members of	Value for money and provision of services	All Corporate Aims	Strategic Leadership Board / Leader	
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	
	Neighbourhood Wardens Enforcement Policy	To inform Scrutiny members before a decision being made	Input into policy development	Cleaner & Greener neighbourhoods	Chief Offices, Business, Contract & Street Scene Services	
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**

<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	<b>External Involvement</b>
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**

<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	<b>External Involvement</b>
Scrutiny Topics	PCT section 106 contributions					
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	
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 14 April 2011**

<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	<b>External Involvement</b>
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	
	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	
	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		

## COUNCIL SERVICES SELECT COMMITTEE

### TIMETABLE

<b>Council Services Select Committee – Thursday 11 November 2010</b>					
<b>Function</b>	<b>Subject</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>
Scrutiny Topics	Programme for each key frontline service: Revenues and Benefits	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	Thriving Economy	Executive Member for Finance / Revenues & Benefits Manager
Performance Management Information	Attendance Management	To monitor staff sickness absence	Reduction of sickness absence / continuation of good performance	All Corporate Aims	Relevant Executive Member / Chief Officer (Corporate & Customer Resources, Scrutiny & Ethical Standards)
Tracking of implementation with previous recommendations					
Committee Management Issues	Work Programme Review	Review the Work programme for the year to enable efficient work flow for the CSSC processes	Achieve Work Programme content & schedule agreed by Members	All Corporate Aims	Chairman / Democratic Services Officer

**Council Services Select Committee – Thursday 16 December 2010**

<b>Function</b>	<b>Subject</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>
<b>Scrutiny Topics</b>	Programme for each key frontline service: Housing (inc Housing Repairs)	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	Decent, well managed and affordable housing	Executive Member for Housing / Chief Officer (Housing, Community Safety & Partnerships)
	Programme for each key frontline service: Revenues and Benefits	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	Thriving Economy	Executive Member for Finance / Revenues & Benefits Manager
	Special Expenses area	Request of Committee	To inform members	All Corporate Aims	Accountancy manager
<b>Performance Management information</b>					
<b>Tracking of implementation with previous recommendations</b>					
<b>Committee Management Issues</b>	Work Programme Review	Review the Work programme for the year to enable efficient work flow for the CSSC processes	Achieve Work Programme content & schedule agreed by Members	All Corporate Aims	Chairman / Democratic Services Officer

**Council Services Select Committee – Thursday 27 January 2011**

<b>Function</b>	<b>Subject</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>
Scrutiny Topics	Programme for each key frontline service: Environmental Health (inc Pest Control)	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	Safer & Healthier Borough / Cleaner & Greener Neighbourhoods	Executive Member for Environmental Health / Chief Officer (Environmental Health)
Performance Management Information					
Tracking of implementation with previous recommendations					
Committee Management Issues	Work Programme Review	Review the Work programme for the year to enable efficient work flow for the CSSC processes	Achieve Work Programme content & schedule agreed by Members	All Corporate Aims	Chairman / Democratic Services Officer

**Council Services Select Committee – Thursday 17 March 2011**

<b>Function</b>	<b>Subject</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>
Scrutiny Topics	Programme for each key frontline service: Development Control, Building Control & Local Development Framework	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	All Corporate Aims	Executive Member for Planning / Head of Planning
Performance Management Information	Performance Improvement – 3 <sup>rd</sup> quarter review	Monitor the quarterly Performance Reports to Executive	Ensuring that the Executive delivers improvement to Council Services and addresses underperformance appropriately.	All Corporate Aims	Relevant Executive Members and Chief Officers
Tracking of implementation with previous recommendations					
Committee Management Issues	Work Programme Review	Review the Work programme for the year to enable efficient work flow for the CSSC processes	Achieve Work Programme content & schedule agreed by Members	All Corporate Aims	Chairman / Democratic Services Officer

**Council Services Select Committee – Thursday 28 April 2011**

<b>Function</b>	<b>Subject</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>
Scrutiny Topics	Programme for each key frontline service: Leisure Centre	Monitor improvements and delivery against the councils aims stated under the Corporate Plan	Better quality services and more community focused services	Safer & Healthier	Executive Member for Culture / Cultural Services Manager
Performance Management Information					
Tracking of implementation with previous recommendations					
Committee Management Issues	Work Programme Review	Review the Work programme for the year to enable efficient work flow for the CSSC processes	Achieve Work Programme content & schedule agreed by Members	All Corporate Aims	Chairman / Democratic Services Officer

## FINANCE AND AUDIT SERVICES SELECT COMMITTEE

### Timetable

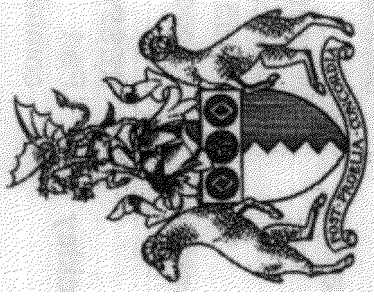
Finance and Audit Services Select Committee – Monday 20 December 2010					
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)
Scrutiny Topics Performance Management Information	Audit Block 4	Ensure findings are considered	Recommendations are implemented	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Internal Audit
	Budget monitoring – 2 <sup>nd</sup> quarter	Quarterly update report	Ensure Members are aware of current issues with regard to the budget	Thriving Economy	Deputy Chief Exec (Corp. Direction) / Accountancy Manager
	Capital Programme 2010/11 to 2013/14	Backbench input to Capital Programme	Ensure the Executive provides good value improving services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager
	Annual Audit Letter	Review work of External Auditors	Matters reported by External Auditors are considered by Elected members	All Corporate Aims	Deputy Chief Exec (Corp. Direction)
Tracking of implementation with previous recommendations					
Committee Management Issues	Work Programme 2009/10	To review the Select Committee's workload	To ensure timely consideration of reports and consistency of distribution of workload	All Corporate Aims	Accountancy Manager/ Chairman



<b>Finance and Audit Services Select Committee – Monday 7 February 2011</b>						
<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	
<b>Scrutiny Topics Performance Management Information</b>	Audit Block 5	Ensure findings are considered	Recommendations are implemented	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Internal Audit	
	Revenue Budget and Council Tax Proposals 2011/12	Ensure Value for Money and allow backbench input into the Budget and Council Tax setting process	Ensure the Executive delivers good value improving services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
	Capital Programme 2010/11 to 2013/14	Backbench input to Capital Programme	Ensure the Executive provides good value improving services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
	Treasury Management Performance report	Ensure value for Money	Ensure the Executive delivers good value improving Services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
<b>Tracking of implementation with previous recommendations</b>						
<b>Committee Management Issues</b>	Work Programme 2009/10	To review the Select Committee's workload	To ensure timely consideration of reports and consistency of distribution of workload	All Corporate Aims	Accountancy Manager/ Chairman	

<b>Finance and Audit Services Select Committee – Monday 21 March 2011</b>						
<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	
<b>Scrutiny Topics Performance Management Information</b>	Audit Block 6	Ensure findings are considered	Recommendations are implemented	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Internal Audit	
	Budget monitoring – 3 <sup>rd</sup> quarter	Quarterly update report	Ensure Members are aware of current issues with regard to the budget	Thriving Economy	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
	Annual Audit and Inspection Letter	Review work of External Auditors	Matters reported by External Auditors are considered by Elected members	All Corporate Aims	Deputy Chief Exec (Corp. Direction)	
	Prudential code	Ensure value for Money	Ensure the Executive delivers good value improving Services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
	Annual Audit Plan	Provide the plan for external audit	Plan approved	All Corporate Aims	Deputy Chief Executive (Corporate Directoin)	
<b>Tracking of implementation with previous recommendations Committee Management Issues</b>	Work Programme 2009/10	To review the Select Committee's workload	To ensure timely consideration of reports and consistency of distribution of workload	All Corporate Aims	Accountancy Manager/ Chairman	

<b>Finance and Audit Services Select Committee – Monday 9 May 2011</b>						
<b>Function</b>	<b>Activity/ Objective</b>	<b>Reason</b>	<b>Desired Outcome</b>	<b>Vision, Values and Aims</b>	<b>Responsible (member/officer)</b>	
<b>Scrutiny Topics</b> Performance Management Information	Audit Block 7	Ensure findings are considered	Recommendations are implemented	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Internal Audit	
	Annual Audit Report 20010/11 (internal)	To provide assessment of internal control	Assurance of internal control and risk management	All Corporate Aims	Deputy Chief Executive (Corporate Direction) / Internal Audit	
	Treasury Management Performance report	Ensure value for Money	Ensure the Executive delivers good value improving Services	All Corporate Aims	Deputy Chief Exec (Corp. Direction) / Accountancy Manager	
<b>Tracking of implementation with previous recommendations</b>						
<b>Committee Management Issues</b>	Work Programme 2009/10	To review the Select Committee's workload	To ensure timely consideration of reports and consistency of distribution of workload	All Corporate Aims	Accountancy Manager/ Chairman	



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

# **FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS**

**DECEMBER 2010 – MARCH 2011**

## 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](http://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](http://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](mailto: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 DECEMBER TO 31 MARCH 2011**

**DECEMBER 2010**

<b>Details of Decision to be taken (* denotes key decision)</b>	<b>Portfolio/ Service</b>	<b>Decision Maker and Date(s)</b>	<b>Reporting Pathway and Date(s)</b>	<b>Consultees and Consultation Process</b>	<b>Documents to be submitted (Report Author)</b>
Responsive Repairs Contract – confidential?	Business, Contracts & Street Scene Services	Council 7 December 2010			Committee Report (Michael Brymer)
Street Scene Services	Business, Contracts & Street Scene Services	Council 7 December 2010		Public Consultation, Members via Value for Money Report	Committee Report (Michael Brymer)
Strong Leader Plus	Corporate Direction	Council 7 December 2010			Committee Report (Louisa Horton)
Reallocation of Flexible Working capital budgets	Finance	Council 7 December 2010		Executive briefing	Committee Report (Sanjiv Kohil)
Statement of Licensing Policy (Licensing Act 2003)	Licensing	Council 7 December 2010	Licensing Committee		Committee Report (Mark Brymer)
Sexual Entertainment Venues	Licensing	Council 7 December 2010	Licensing Committee		Committee Report (Mark Brymer)
Earl Shilton & Barwell Area Action Plan Preferred Options	Planning	Council 7 December 2010	Planning Committee, 30 November; Executive, 1 December	LDF Working Party	Committee Report (Sally Ann Smith)
Youth Council Annual Report	Youth Council	Council 7 December 2010			Presentation (Youth Council)

**JANUARY 2011**

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 (Report Author)
Neighbourhood Wardens enforcement policy	Business, Contracts & Street Scene Services	Executive 12 January 2011	Scrutiny Commission, 9 December		Committee Report (Caroline Roffey)
Calendar of meetings 2011/12	Corporate Services	Council 18 January 2011			Calendar of meetings (Pat Pitt)

**FEBRUARY 2011**

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 (Report Author)
Budget setting and Council tax	Finance	Council 24 February 2011	Finance & Audit Services Select Committee		Committee Report (Sanjiv Kohli)
Affordable Housing SPD & Rural Needs SPD	Planning	Council 24 February 2011	Planning Committee		Committee Report (Valerie Bunting)

**MARCH 2011**

No decisions to be taken.

**To Be Programmed**

Council House future options	Housing / Finance		Scrutiny Commission		Committee Report (Sharon Stacey)
Tenant Consultation Feedback	Housing	Executive	Scrutiny Commission		Committee Report (Sharon Stacey)
Leicestershire Waste Partnership Strategy	Business, Contracts & Streetscene Services				Committee Report & Strategy (Michael Brymer)
Discounted open market sale properties	Planning				Committee Report (Valerie Bunting)



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

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](http://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](http://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.

**Minutes of Scrutiny Environment Group Meeting**  
**Held 9 June, at 18:00, in Committee Room 2**

**Present:** Councillors P Hall, K Morrell, M Cartwright, D. Inman,  
R Parkinson, J Neachell

1. **Apologies:** Councillors R Ward, J Bannister, M Lay

2. **Appointment of Chair and Vice Chair**

Chair - Councillor Hall Proposed MC Seconded KM agreed  
Vice Chair -Councillor Cartwright Proposed KM seconded DI

3. **Minutes of meeting held 23 November 2009:** Approved

4. **Matters Arising**

RP reported that the Carbon Management Plan would require review due to the change in office accommodation recently announced.

DVD – copies for all members of SEG. PH to return original. JN

5. **Energy Audit on Argents Mead**

Matt Burns Senior Surveyor presented a report and presentation on the energy audit exercise carried out on Argents Mead in February 2010 to help identify key components of the base load for electricity and gas usage. Audit had shown individual items produced little reduction in overall consumption. MB identified the suspected high consumption of the server rooms including air conditioning. MB advised of the proposal to use temporary meters to determine current consumption and options for improvement. Members discussed the options of running at higher temperatures. Software for shutting down PCs was discussed and the need for further walk through audit.

6. **Update on NI185 CO2 from Council Activities**

RP advised on the instruction from DEFRA not to calculate NI185 until new format is produced. RP reported that there had been an 8.8% reduction in gas consumption and a 2.8% reduction in electricity across the council buildings with wide variances between buildings. Whilst the fleet consumption of fuel had increased mainly due to increases in recycling rounds, the mileage claimed by staff had reduced by 21%. Overall the total emission of CO<sub>2</sub> appeared to have reduced by approximately 3% (subject to verification). The Carbon Management Plan is to be revised due to the changes in office accommodation proposals.

**Agreed:** Note the progress made.

## **7. Report on NI 188 Adaptation to Climate Change**

JN reported that LCC had engaged staff for the risk assessment for the impacts of climate change on council services. This had been provided to service managers to incorporate in future service planning and to assist in production of the action plan for this years LAA II target of achieving level 3 by Mar4ch 2011

**Agreed:** Scrutiny Environment Group note:

1. A comprehensive assessment of potential climate change impacts on HBBC service provision has highlighted priority areas for action in accordance with Level 2 NI188
2. Regular review of the risk assessment and continual monitoring of adaptive responses will be a part of Environmental Management work
3. The Council's approach and methods have been demonstrated to LSP partners with a view to encouraging them to adopt a similar approach
4. To note the high risks identified in the key findings and Appendix A and integrate them into service planning and completing risk registers
5. To note the plans to develop a future work programme as part of the regional project in order for Leicestershire, including the districts, to reach Level 3 of NI 188 by March 2011. This will include the development of an Adaptation Action Plan.

## **8. Update on EMAS/Climate Change Strategy**

JN reported on programme proposed.

**Agreed** JN to circulate a Briefing Note on actions carried out to deliver objectives identified in the HBBC Climate Change Strategy.

## **9. Environmental Target Setting for 10-11 and 11-12**

RP presented a report recommending targets for the reduction of office waste and paper. Members suggested – drop print size for agendas – point 11 (2-3% saving in paper). Support detailing ordering for departments to show usage linked to reduction targets. Suggestion of draft print to reduced toner use.

### **Agreed**

The targets for office waste and paper usage reductions to be monitored through the EMAS and performance management systems for 2010-11 and 2011-12.

ENV01(office paper)	2010-11	30% reduction from 2008-09 baseline.
	2011-12	35% reduction from 2008-09 baseline.

ENV2a (office waste)	2010-11	5% reduction in total waste (baseline 2009-10)
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2011-12 10% reduction in total waste (baseline 2009-10)

ENV2b (waste recycled) 2010-11 65% of total waste recycled  
2011-12 70% of total waste recycled

**10. Any Other Business**

Caterpillar – Eco Award with schools – offer for members to attend. Running again 23 June 2010. Five schools involved. MC requested to attend JN to advise.

**11. Date of next meeting:** 27 September 2010 at 18:00. (subsequently changed to 15.11.10)

**HINCKLEY & BOSWORTH BOROUGH COUNCIL**

**FINANCE & AUDIT SERVICES SELECT COMMITTEE**

**8 NOVEMBER 2010 AT 6.30 PM**

**PRESENT:** Mr PAS Hall – Chairman

Mr JG Bannister, Mr PR Batty, Mr DM Gould, Mr MR Lay, Mr K Morrell, Mr R Ward and Ms B Witherford.

Officers in attendance: Mr S Atkinson, Mr D Bunker, Mr Michael Brymer, Mr S Kohli, Mr D Moore, Miss R Owen and Mr R Parkinson.

Colin Roxburgh of RSM Tenon was also in attendance.

**298 DECLARATIONS OF INTEREST**

No interests were declared at this stage.

**299 MINUTES (FASC30)**

It was

**RESOLVED** – the minutes of the meeting held on 20 September 2010 be agreed and signed by the Chairman.

**300 INTERNAL AUDIT PROGRESS REPORT (FASC31)**

Mr Roxburgh presented the internal audit progress report. It was noted that there were two medium level recommendations with regard to risk management, but the situation was being monitored and reported at monthly performance meetings with Senior Officers.

It was also highlighted that there was one minor recommendation with regard to Financial Assistance, despite good processes being in place for disabled facilities grants.

**301 AUDIT COMMITTEE CHECKLIST**

Members were reminded to return their completed checklists, the outcome of which would be reported at the next meeting. Mr Kohli emphasised the importance of completing the checklists and submitting them to the Democratic Services Officer so that this longstanding matter could be completed at the next meeting.

302 PRUDENTIAL CODE AND TREASURY MANAGEMENT ANNUAL REPORT 2009/10 (FASC32)

The Select Committee received the annual treasury report in order to fulfil the requirement of the Council's reporting procedures. The amount of borrowing was discussed and the total debt, and it was stated that currently internal resources were being used to fund the capital programme but that this could not continue and it would soon need to be supported by borrowing. It was also noted that this year's capital receipt would be largely dependent on the sale of land at Stoke Road (former Club for Young People site).

RESOLVED –

- (i) the report be noted;
- (ii) Council be RECOMMENDED to
  - (a) approve the actual 2009/10 prudential indicators contained within the report;
  - (b) note the treasury management stewardship report for 2009/10.

303 TREASURY MANAGEMENT ACTIVITY 2<sup>ND</sup> QUARTER 2010/11 (FASC33)

Members were informed of the council's treasury management activity during the second quarter of 2010/11. Members were reminded that interest rates were still historically low, which impacted on investment income. It was stated that short term borrowing had been undertaken, but as yet no long term due to security and cost of the investment.

304 WORK PROGRAMME (FASC34)

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

RESOLVED – the work programme be agreed.

305 DATE OF NEXT MEETING

It was noted that the next meeting was scheduled for 20 December 2010.

306 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

RESOLVED - in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

307 HOUSING REPAIRS

Further to a request of the previous meeting of the Select Committee, Members discussed the current situation with regard to housing repairs and were advised that the financial implications were still in draft, with further work in progress.

RESOLVED – the draft report (subject to amendments of detail) be endorsed for consideration by Council on 7 December.

(The meeting closed at 7.36 pm) )



**Scrutiny Transport Review Working Group  
6pm Tuesday 16<sup>th</sup> November 2010.**

**Note of Meeting**

**Attendees:**

Cllr Mr JC Bown  
Cllr Mr DM Gould  
Cllr Mr PAS Hall  
Cllr Mr K Morrell  
Cllr Mr BE Sutton  
Cllr Ms BM Witherford  
Richard Crosthwaite – Principal Planning Officer (Policy),

**1. Appointment of Chair**

The Group appointed Cllr Sutton as Chair.

**2. Apologies**

None

**3. Terms of Reference of Working Group, timetable and resources.**

The purpose of this meeting is to discuss and consider items to be included in the Terms of Reference for this Group (draft version attached below) and to consider the scope and resources required to undertake the review.

The Group discussed a range of issues relating to transport across the Borough, including:

**Town Centre Infrastructure**

*In particular: the 6 roads into Hinckley; public transport routes (including the circulation of buses around the town centre); Pedestrian and cycle access/movement into Hinckley (e.g. Hinckley Area Cycling Network Plan); The impact of development on the road network (e.g. Sketchley Brook proposed cycle routes and proposed access to the local road network); and, The role of the Leicestershire County Council Highways.*

**Sustainable Urban Extensions**

*The impact of the proposed SUEs on the strategic transport network. For example, the A447 in both directions and the A5 corridor. These potential impacts are currently being considered through Paramics modelling, being undertaken by consultants. This will inform the Earl Shilton and Barwell Area Action Plan at the Submission Stage in Summer 2011.*

*Traffic Impacts within the existing settlements were also discussed and it was explained that there would be a requirement for developers to consider local impacts within transport assessments that will accompany future planning applications.*

## **Rural Areas**

*Discussions included: the impact of future development on transport in and around Witherley, Sheepy and Twycross; HGV routes; Shackerstone Cycle Route (former railway); A5 Redgate Junction; and, public transport (including links to the 'enhanced Hinckley Town Centre')*

## **4. Transport Review Working Group Programme**

It was agreed that the review needs to remain manageable within the resources available to the Working Group (£2900) and timescales (to 10 March 2011) that were set out in the Scrutiny Commission Report of 16 September 2010. It will therefore be necessary to identify specific priority themes to be reviewed at each meeting, namely:

- Town Centre Public Transport (including access from rural areas)
- Road, Pedestrian and Cycle Access into/through Hinckley (including consideration of the collaborative effect of proposed development)
- Sustainable Urban Extensions (including impacts on A5 and A447)

The purpose of the Review will be to gain a shared understanding of issues relating to these topics areas and the range of work that is currently being undertaken.

It was agreed that, where appropriate, relevant external input will be requested. This is likely to depend upon the specific theme, but could be in the form of presentations from experts that have been involved in the preparation of evidence bases, or County Council Officers whose remit relates closely to the theme that is being discussed. Any costs incurred would have to be met through the Scrutiny Transport Review Working Group's Budget.

The Review will culminate in the preparation of a short report, bringing together the conclusions drawn from the Workshops and making appropriate recommendations.

There will be resource implications for the Planning Policy Team in relation to this work and this will need to be agreed before a work programme can be finalised.

RC agreed to draft a programme for the Scrutiny Transport Review based on this discussion and circulate to Members via Rebecca Brown.

## **5. Date of Next Meeting**

To be agreed as part of the programme to be drafted. This is likely to be in January 2011.

## **Scrutiny Transport Review Working Group**

### **Terms of Reference**

**The remit of the Scrutiny Transport Review Working Group is to:**

1. consider the potential impact of planned development within the Borough on the elements of the transport network identified below and to gather evidence on the processes involved in planning for this.

The following will be considered at topic based meetings:

- Hinckley Town Centre Public Transport (including access from rural areas)
  - Road, Pedestrian and Cycle Access into/through Hinckley
  - Sustainable Urban Extensions (including the local road network, A5, A47 and A447)
2. build a shared understanding of the processes and the role of a range of organisations involved in planning for transport
  3. explore opportunities to make recommendations within a final report relating to the impact of planned development on transport networks and services
  4. produce a report to the Scrutiny Commission on the Group's findings in March 2011

### **Methods and reporting**

- Workshop meetings
- Meetings with relevant Officers
- Expert advice, briefings and presentations
- Inviting appropriate external expertise to support the work of the Group, where appropriate from relevant partners and agencies
- Prepare a Report that summarises key findings and offers recommendations

### **Officer Support**

Richard Crosthwaite, Principal Planning Officer (Policy)

**SCRUTINY COMMISSION – DECEMBER 2010**

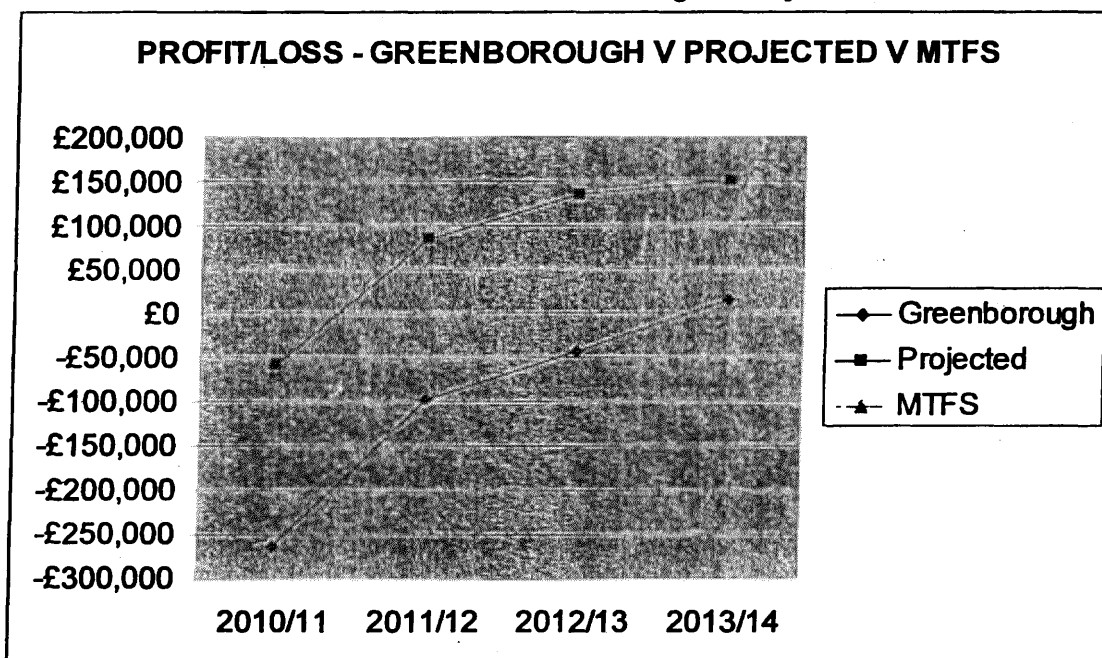
**REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE DIRECTION)**

**RE: ATKINS BUILDING PROJECT UPDATE**

**1.0 ADDENDUM**

The chart below shows the performance of the building in terms of whether a profit/loss is being made in respect of the Greenborough report, MTFS and current projections.

*Chart. Profit/Loss – Greenborough V Projected V MTFS*

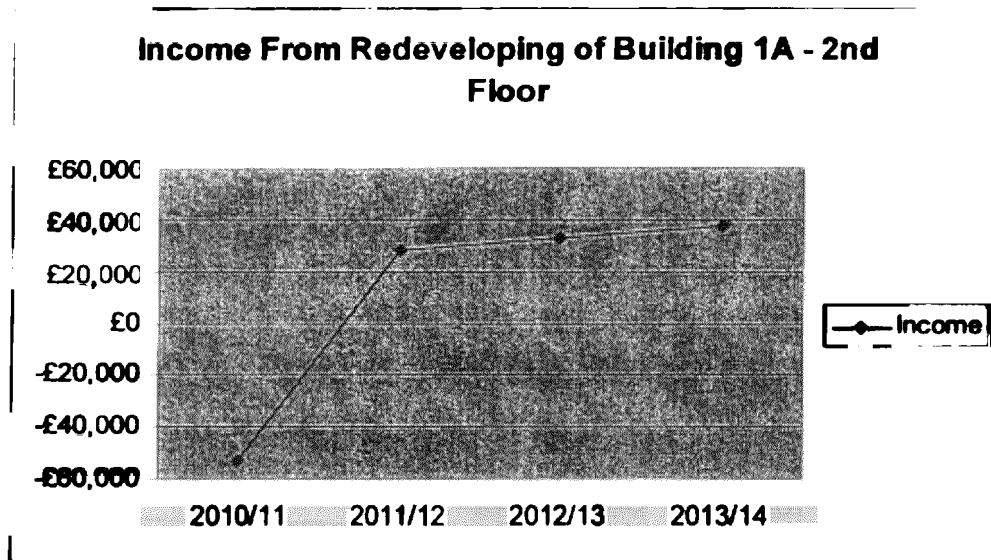


**2.0 PARTITIONING OF SECOND FLOOR – BUILDING 1A**

Building 1A on the second floor of the Atkins Building, offers a potential 2,700 square feet of space available that can be developed. Deducting circulation space, this could lead to an extra 2,400 square feet of office space being developed. With 6 x people on the waiting list and growing this is valuable space that could be let out to small/medium enterprises.

The approximate cost of redeveloping this space is £50,000. The payback period from letting 6 offices (average 300 square feet) in year 1, 7 in year 2 and 8 in year 3 would be 1 year and 9 months.

*Chart. Income/Expenditure from redeveloping Building 1A – 2<sup>nd</sup> Floor*



Year	2010/11	2011/12	2012/13	2013/14
Income	-£50,000	£27,900	£32,550	£37,200

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Contact Officer: Malcolm Evans, Estates and Asset Manager Ext. 5614  
Shaun Curtis, Commercial Estates Manager Ext. 5742

Deputy Chief Executive (Corporate Direction)

Ext. 5607