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**HINCKLEY & BOSWORTH
BOROUGH COUNCIL**



Hinckley & Bosworth
Borough Council

A Borough to be proud of

**AGENDA FOR THE
MEETING OF THE COUNCIL
TO BE HELD ON
TUESDAY, 3 DECEMBER 2013
at 6.30 pm**

Fire Evacuation Procedures

Council Chamber (De Montfort Suite)

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Date: 25 November 2013

Hinckley & Bosworth
Borough Council

A Borough to be proud of

Dear Sir/Madam

I hereby summon you to attend a meeting of the Hinckley & Bosworth Borough Council in the Council Chamber at these offices on **TUESDAY, 3 DECEMBER 2013 at 6.30 pm**

Yours faithfully

A handwritten signature in black ink, appearing to read 'RK Owen'.

Miss RK Owen
Democratic Services Officer

AGENDA

1. Apologies
2. Minutes of the previous meeting (Pages 1 - 12)
To confirm the minutes of the meeting held on 24 September 2013.
3. Additional urgent business by reason of special circumstances
To be advised of any additional items of business which the Mayor 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. Mayor's Communications
To receive such communications as the Mayor may decide to lay before the Council.
6. Petitions
To receive petitions in accordance with the Council's Petitions' Scheme.

7. Questions
To deal with questions under Council Procedure Rule number 11.1
8. Leader of the Council's Position Statement
To receive the Leader of the Council's Position Statement.
9. Minutes of the Scrutiny Commission (Pages 13 - 16)
To receive for information only the minutes of the Scrutiny Commission meeting held on 10 October 2013.
10. Local Council Tax Support Scheme 2014-15 (Pages 17 - 24)
11. Priority Reserves (Pages 25 - 28)
12. The Hinckley & Bosworth Local Plan - Local Development Scheme 2013-2016 (Pages 29 - 64)
13. Sale of former depot site, Middlefield Lane (Pages 65 - 68)
14. Klondyke Allotments - Compulsory Purchase Order (Pages 69 - 74)
15. Re-adoption of the Local Government (Miscellaneous Provisions) Act 1976 (Pages 75 - 82)
16. Ethical Governance and Personnel Committee (Pages 83 - 86)
17. Annual Review of the Constitution (Pages 87 - 90)
18. Membership of the Planning Committee
To appoint a member of the Liberal Democrat Group to a vacancy on the Committee.
19. Membership of the Executive
The Leader of the Council will announce a change to membership of the Executive.
20. Membership of Revenues & Benefits Joint Committee
To appoint an additional Executive member to the Joint Committee.
21. Membership of Outside Body: Leicestershire & Rutland Heritage forum
To appoint a representative to the forum.
22. To consider the following motions, notice of which have been received in accordance with Council Procedure Rules 13.1 and 13.2:-
 - (a) To be proposed by Councillor Gould and seconded by Councillor Hulbert

“This Council believes that housing developments, where built, should be primarily targeted to satisfy the local need and be of primary benefit to the locality. To that end, this Council will put in place policies that target affordable homes at people from that immediate locality.

Specifically, this Council shall put in place policies that mean new homes built in the Barwell Sustainable Urban Extension shall be firstly made available to residents (and in particular young families where relevant) in Barwell who need to find a home; similarly, this Council will make the same provision for Earl Shilton and its Sustainable Urban Extension”.

(b) To be proposed by Councillor Mullaney and seconded by Councillor Hulbert

“That this Council:

A) notes that payday lenders are trapping millions of people in spirals of debt.

B) believes that the Financial Conduct Authority (FCA)’s new proposals for regulating payday lenders are a step in the right direction, but do not go far enough.

C) further believes:

i. that the FCA’s proposals would not prevent payday lenders from drip-feeding new loans to people who already have payday debts and are struggling to pay them back

ii. that the FCA’s proposals would not prevent people from being hit with escalating penalty fees

iii. that the FCA’s proposals would not stop payday lenders from raiding people’s bank accounts without telling them.

D) welcomes that some of Britain’s biggest debt, consumer and anti-poverty organisations – including Which?, Citizens Advice, StepChange Debt Charity, Church Action on Poverty and the Centre for Responsible Credit – and MPs from every Party represented at Westminster have come together to support the **Charter to Stop the Payday Loan Rip-Off**.

E) resolves to:

i. endorse the Charter to Stop the Payday Loan Rip-Off which calls on the FCA to introduce tougher regulation of payday lenders.

ii. encourage residents of [local authority] to support the Charter by signing the online petition at <http://www.change.org/paydayloancharter>

iii. promote and support the development of local credit unions, including the Clockwise Credit Union and more affordable lending.

iv. work with partners on campaigns against increasing levels of personal debt.

F) agrees to send a copy of this motion to Martin Wheatley, Chief Executive of the Financial Conduct Authority and to all local Members of Parliament.”

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Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

24 SEPTEMBER 2013 AT 6.30 PM

PRESENT: MRS L HODGKINS - MAYOR
MR JG BANNISTER – DEPUTY MAYOR

Mr PR Batty, Mr DC Bill MBE, Mr CW Boothby, Mr SL Bray,
Mrs R Camamile, Mr MB Cartwright, Mrs T Chastney, Mr DM Gould,
Mr PAS Hall, Mrs WA Hall, Mr MS Hulbert, Mr DW Inman, Mr C Ladkin,
Mr MR Lay, Mr KWP Lynch, Mr R Mayne, Mr JS Moore, Mr K Morrell,
Mr MT Mullaney, Mr K Nichols, Mrs J Richards, Mrs H Smith,
Mrs S Sprason, Miss DM Taylor, Mr R Ward and Ms BM Witherford

Officers in attendance: Steve Atkinson, Bill Cullen, Louisa Horton, Sanjiv Kohli, Rebecca Owen, Rob Parkinson and Caroline Roffey

188 PRAYER

Prayer was offered by Reverend John Whittaker.

189 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Allen, Bessant, Cope, Crooks, O'Shea and Sutton.

190 MINUTES OF PREVIOUS MEETING

On the motion of Councillor Nichols, seconded by Councillor Mayne, it was

RESOLVED – the minutes of the meeting held on 16 July 2013 be approved and signed by the Mayor.

191 ADDITIONAL URGENT BUSINESS

One additional item of business was announced as printed on the supplementary agenda: membership of Planning Committee. This would be taken at the end of the agenda. This item was deemed urgent as it had come to light after despatch of the agenda but was considered prudent to take at this meeting prior to the next Planning Committee.

192 DECLARATIONS OF INTEREST

No declarations were made at this stage.

193 MAYOR'S COMMUNICATIONS

During her communications, the Mayor made reference to Tim Norton from Groundcare who had broken his neck in a kayaking accident on holiday. Members joined with her in sending their best wishes to Tim.

The Mayor also referred to the Local Democracy event on 15 October 2013 which would again see pupils from local schools attending to take part in various activities including an exercise to identify the qualities required of a councillor.

With regard to local events, the Mayor highlighted the success of Hinckley Carnival, the Classic Car Show and the over 50s day.

Regarding charity events, the Mayor referred to a walk along the canal undertaken by the sea cadets, Cllr Hulbert's weight loss challenge, her son-in-law and a friend's sponsored bike ride and her forthcoming casino night.

The Mayor concluded by presenting certificates from Grand Quevilly to two chefs from North Warwickshire and Hinckley College – Jason Thacker and Peter Anderson, who had accompanied her on this year's town twinning visit in order to take part in a culinary event with chefs from other twin towns.

194 QUESTIONS RECEIVED UNDER COUNCIL PROCEDURE RULE NUMBER 11.1

(a) Question from Cllr Hulbert to the Executive Member for Culture & Leisure

Does the Executive Member agree with me that the increased amount of activities and youth clubs for children and young people in Barwell in recent times is positive news for the village and will he join me in paying tribute to those who lead it, especially the many volunteers?

Response from Cllr Cope

Volunteers are valued and fully appreciated by myself and my colleagues. Without their dedicated commitment, the offer to our families would be significantly diminished.

To demonstrate this here are some examples:

595 young people from Barwell, supported by 24 volunteers and staff from the Community House attended a variety of fun activities during the summer. These activities were complemented by new provision at The George Ward Centre.

Supporting the National Play Charter that the Council adopted in January 2013, the HBBC Play Workers supported Barwell Methodist Church, along with other partners who engaged with 72 children offering them a healthy lunch and play activities, encouraging team work and sociability, imagination, group cohesion, compassion, participation in activities, behaviour improvement.

To tackle the healthy weight issues in children HBBC are working with education and health partners to deliver physical activity programmes.

The feedback received from parents/grandparents/carers and residents were that it was an "excellent summer in Barwell for children with such an array of activities and trips going on".

I thank the volunteers, Partners and HBBC Officers for their continued support. Barwell should be proud of its achievements.

(b) Question from Cllr Hulbert to the Executive Member for Finance, ICT & Asset Management

I'd like to ask the lead member how many successful benefit fraud prosecutions there's been in the borough in each of the past five years?

Response from Cllr Lynch

I thank Cllr Hulbert for his question. The number of successful benefit fraud prosecutions in the Borough over the last 5 years are listed below:

Number of successful Benefit Fraud Prosecutions - Hinckley & Bosworth BC					
2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	01.04.13 to date
6	8	12	19	16	7

(c) Question from Cllr Moore to the Leader of the Council

Our letter head proclaims "A Borough to be proud of". At the last meeting of this Council, the Party I'm honoured to represent took the decision to underline this boast by taking positive action to drive forward our Town's regeneration.

Could I ask the Leader, has he like me noted the fact that this building, which is the Civic Centre of our Borough, seems to be keeping its light under a bushel. It sits at one of the prime gateways to our Town, every vehicle entering from the South has to pass its doors, yet we have a situation where the flag pole, which I believe should be proudly flying our Borough flag, is tucked away behind the building.

Additionally, others districts in the country are proud to associate themselves with their "twinned towns", as I'm sure is true of our town, by placing a plaque proclaiming the fact at or close to their main entrance. Could I ask Leader, as the portfolio holder for the Town Centre, does he not agree with me that these oversights should, with some urgency, be remedied?

Response from Cllr Witherford

The flagpole to the Hinckley Hub is situated to the left of the main entrance to the short stay car-park of the Hinckley Hub in a prominent position. The Council flies the Union flag from this point on formally agreed designated days, the Council flag to signify full Council meetings and the Armed Forces Flag on Armed Forces Day which is next celebrated on the 28th of June 2014. The flagpole cannot be used for any other occasion as it would then be considered as an advertising banner and be subject to appropriate planning approvals. If the flagpole is to be relocated closer to the highway it may be considered by County Council Highways as a potential driver distraction. The cost of relocation would be in the region of £1000.

We're equally proud to associate ourselves with our twin towns of Grand Quevilly and Herford as evidenced by the rock gardens on Coventry Road which are dedicated to Grand Quevilly and the Hinckley-Herford gardens at the bottom of Church Walk. So far as plaques commemorating our links with these two towns are concerned, unfortunately there is limited space at the entrance of the Hub for such display, together with the fact that we have partners within the building who have no connection with the town twinning concept enjoyed by Hinckley and Bosworth. We have now instigated dedication of two of our meetings rooms – one for each of our twin towns, which will display the gifted items from previous town twinning visits.

By way of a supplementary question, Cllr Moore agreed that the £1,000 cost of relocation was not a sensible use of funds, but suggested that some other authorities obtained sponsorship for such things. He asked if this could be investigated. In response, Cllr Witherford agreed to do so.

(d) Question from Cllr Ward to the Leader of the Council

Further to the letter published in the 12th September edition of the Hinckley Times "Is staff free bus right" and having been asked this question by a number of people and not knowing the answer, could the Executive member please confirm to me the details and total costs associated with regard to the Park & Ride and Shoppers Bus service to and from the Hub provided by the Council for employees and is this service also provided for the benefit of the Council's partner organisations at the Hub.

Can the Executive member please confirm for what length of time it is envisaged to provide this service and is this provided at council tax payers' expense and if so, at which Council meeting was this arrangement was approved.

Response from Cllr Bray

As part of the cost saving exercise in 2011-12 all staff undertaking business mileage were reviewed and approximately 100 were reclassified as casual users saving the Council approximately £130k per year ongoing. On moving from Argents Mead those re-designated staff also lost their permit for car parking at the Hinckley Hub. To encourage all staff to take up the season tickets for long stay car parks, it was agreed by Executive in May 2013 that staff could park at the underutilised Brunel Road car parks for a period of six months. To further encourage this use of the long stay car parks, a three month trial of a shuttle bus was agreed running for one hour morning, lunchtime and afternoons linking the Hub, car parks and town centre. This was also to encourage staff to continue utilising the town centre shopping during lunch times which has the support of the Town Centre Partnership. Use has been relatively low except for lunchtimes with most staff walking to the Hub from Brunel Road. The cost is approximately £1,300 per month and the service is provided by Westfield Community Centre. The Council has however received an additional £30k for long stay car parking permits for Leicestershire County Council Staff working in the Hub who also utilise the shuttle bus. Following a review of the service the shuttle bus will cease at the end of the September.

(e) Question from Cllr Morrell to the Leader of the Council (as Executive Member for Planning)

An article appeared in the Hinckley Times on 12th September, quoting unhappy Barlestone residents, complaining that travellers on the illegally established Good Friday caravan site which has been a blight on their area since Easter 2009 have been given yet another year to vacate and then re-instate this site. Can the Executive member please clarify why the Council has felt it necessary to extend their stay this long when no such lengthy delay would be considered if a Council tenant was being evicted and also whether the Council has any real confidence that the site will actually be vacated.

No doubt the Executive member will also be aware from the article that residents expressed concerns as to whether the travellers will take any notice of the eviction notice and make good the field, as this will be a huge job and that if the travellers do not comply with the notice, who will pay for this? Can the Executive member provide any assurance that the site will be cleared and re-instated in accordance with the notices issued and who will pay, if the travellers don't?

Response from Cllr Bray

In taking enforcement action that Council must act reasonably in all respects it is important to note that the terms of the enforcement notice were considered by Planning Committee on 23 July. Whilst the time for compliance was discussed, there was no motion proposed to amend the notice period or its requirements. The Enforcement Notice was served on 16 August 2013 and required full clearance and reinstatement of the land. The responsibility of the cost of this work would fall to the occupiers.

The Council has now received formal notification for the Planning Inspectorate of an appeal against the enforcement notice. The appellant is appeal on the grounds that planning permission should be granted and that the time period for compliance with the notice is not long enough. Accordingly, the matter is now in the hands of the Planning Inspectorate, and an independent Inspector will determine if the notice and its time for compliance is reasonable.

Given the notification of the appeal the matter of compliance with the notice is currently held in abeyance and thus the matters of site clearance, reinstatement and associated costs is not currently under consideration. Speculation on such matters may be considered to prejudice the Councils case at appeal.

- (f) Question from Cllr Batty to the Leader of council (as Executive Member for Planning)

Clearly there still appears to be conflicting opinion on what counts towards a 5 year housing land supply. Appeal Inspectors recently appearing only to give weight to "deliverable" completions when calculating eligible numbers. Can the Executive member provide, with any real certainty, assurances with regard to this Council's current 5 year housing land position when it is significantly dependent on plots with outline consent and no completed S106 agreements in place?

With the number of Appeals pending and with the Borough, particularly Burbage, under a deluge of unwelcome planning applications, does the Executive member agree that this Council needs to be absolutely sure of its' interpretation of what constitutes a 5 year housing land supply.

Response from Cllr Bray

You are correct in stating that Appeal Inspectors only give weight to deliverable sites when calculating housing numbers to be included in the five year housing land supply. Indeed, this is consistent with the Borough Council's own approach which also only gives weight to deliverable sites.

The approach taken follows the guidance contained within paragraph 47 of the National Planning Policy Statement (NPPF) and its associated footnote (11). Footnote 11 states that:

To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

Taking this guidance into account, when calculating the 5 year supply, the Council includes sites with planning permission, outline planning permission and planning permissions pending the signing of a s106 agreement unless there is clear evidence available that schemes will not be delivered within the 5 year period.

The deliverability of sites included within the Borough's five year housing land supply calculation has been considered by Inspectors at recent planning appeals. The principle of including outline planning permissions, including those pending s106 agreements, has been accepted. Indeed, the Inspector that determined the most recent case of relevance to this issue (Shilton Road, Barwell) agreed with the Council's interpretation of what constitutes a five year housing land supply position by concluding that a 5 year supply of deliverable housing sites had been demonstrated.

As a supplementary question, Cllr Batty asked if, taking into account the 80 completions in Barwell which were required in order to meet the housing trajectory in addition to 160 completions in 2014 and the fact that the SUE decision had not yet been issued, the authority was likely to be able to deliver against the five year housing land supply. Cllr Bray committed to providing Cllr Batty with a written response.

(g) Question from Cllr Ladkin to the Executive Member for Culture & Leisure

I notice from the current issue of the Borough Bulletin, publicity given to the switch on of the Council's town centre Christmas lights. Bearing in mind the few nervous moments at last year's switch on ceremony, can the Executive member please confirm what if any changes or improvements have been made for this years display and at what cost, bearing in mind the actual number of lights appear to have been progressively fewer and fewer each year.

Can the Executive member also confirm how many years it was since these particular lights were purchased and what are the Council's anticipated plans and budget the for town centre Christmas lights in 2015 when the Council has assured us that the Bus Station redevelopment will be completed.

Response from Cllr Cope

The erection of the Christmas Lights contract for Hinckley town centre and Market Bosworth has just been through a robust tender process. I'm pleased to announce that a local company has been awarded the contract. The winning company offers excellent value for money and have provided assurances that the situation that occurred last year (which was simply down to human error) will not happen this year. The new contract will provide the Council with an efficiency savings and also allows us to purchase replacement lights over the next 3 years ensuring sustainability.

During the previous 4 years all of the lights have been renewed. As the lights are perishable, the Council will replace and upgrade, within budgetary limitations, over the next 3 years. With regards to the Crescent bus station development, the Council are in dialogue with the Developers to ensure there is a 'Christmas Lighting display' and this is complementary to Hinckley town centre's existing display.

(h) Question from Cllr Batty to the Executive Member for Finance, ICT & Asset Management

An article by the Deputy Chief Executive Corporate Direction was recently published in the Hinckley Times with a bold headline claiming that the "Hinckley Hub is saving the council money from day one". Clearly this headline would suggest to most council tax payers that there has been an overall saving to the Council from day one as a result of moving to the Hinckley Hub. Can the Executive member for finance please confirm if this is actually the case bearing in mind that the Council actually owned Argents Mead and there was no rent to pay, whereas the Council is now tied to an expensive 30 year plus lease on the Hinckley Hub.

Therefore, in order that we can all understand whether there actually was an overall saving to the Council from day one as suggested by the article's headline, could the Executive member for Finance please provide us with a detailed breakdown, taking into account all relocation costs including IT and office fitting out, costs of the lease etc, compared to the undoubted savings from energy efficiency and rent on Florence House, I trust there was no rent penalty on ending the Florence House lease.

Response from Cllr Lynch

In response to Cllr Batty's question I will firstly point out that the Headline in the Hinckley Times was not given or suggested by the Deputy Chief Executive, Corporate Direction and the content of his letter did not claim to have made savings from day one. However, now that Cllr Batty has given me the opportunity I will set out briefly how this Council has made savings from day one and will continue to avoid future costs that would have come with all of the options that have been considered by Council over the past 3 years.

I suggest to Cllr Batty that instead of raising questions based on articles in the Hinckley Times, he goes back and reads the numerous reports that have been to Full Council for consideration in the past two years. I particularly point him to the very detailed report that was approved by this Council on 29th June 2010 which set out the financial and operational implications of all of the options that were available to this Council. A copy of this report can be accessed from the Council's website.

When Cllr Batty has refreshed his memory, he will no doubt remember that the savings to this Council come not only from lower energy and running costs, the savings also come from the fact that had the Council remained any longer at it's Argents Mead offices then there would have been significant maintenance costs to pay. The alternative option that was considered was to temporarily move staff to the Atkins building and then move them to offices in the Bus Station development when complete. This would have incurred additional re-location costs and disruption to services. By only moving the once to the Hub savings were made of just over £400,000. In addition, I will remind Cllr Batty that by making the decision to move to the Hub the Council secured over £1million capital receipt from the Developer. Neither of these sums would have come to fruition if we did not move to the Hub.

The other options that were considered at the time were to refurbish the existing offices at Argents Mead or to build our own offices. These options would have cost this Council between £470,000 (for refurbishment) and £850,000 (for new build) per annum in borrowing costs. The comparative cost for this Council (after partner contributions) is around £350,000 per annum. Therefore, avoiding further

costs to the taxpayer from day one before annual savings in running costs of around £75,000 per annum.

195 URGENT QUESTION RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES 11.1 AND 11.3(B)

The Mayor allowed the following urgent question to be put due to the information being made public after the deadline for questions and it being considered an urgent matter:

Question from Councillor Lay to the Executive Member for Finance, ICT and Asset Management

Could the Executive Member for Finance confirm that Leicestershire County Council is looking to make redundant all disabled employees who were previously employed under the Work Choice Programme. Can the Executive Member for Finance also inform us if this Council has any co-hosted posts under this scheme that will now be under threat and what are the financial implications for this Council?

Response from Cllr Lynch

Thank you Cllr Lay for this question. I can confirm that Leicestershire County Council is currently consulting with all disabled staff who are affected by this decision which is part of the County Council's cost reduction programme. This Council has one post that will be affected by this decision. The arrangement with the County Council to host this post started in 1989, initially under the Sheltered Placement Scheme. This has since changed to the Workstep grant and subsequently to the Work Choice Programme. Officers of this Council are currently in discussions with the County Council to clarify the employment status of this post. I can assure Cllr Lay that we will be doing everything we can to safeguard this post but the impact of retaining this post will be around £10,000.

By way of a supplementary question and following expressing his alarm at the rumoured 600+ job losses that could result from the withdrawal of this funding, Cllr Lay asked if HBBC would look to ensure that any individuals based at this authority under the scheme could continue their employment and that the County Council be lobbied regarding withdrawal of such important funding. In response, Cllr Lynch stated that the number of employees affected across Leicestershire was in fact 42, and that the possibility of retaining the affected post at HBBC was already being investigated. He also confirmed that the matter would be taken up with Leicestershire County Council.

196 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement the Leader referred to the financial position of the council, expressed his disappointment regarding the delay in progress with City Deals, sent his best wishes to Tim Norton, encouraged Members to sign the petition to keep Richard III in Leicestershire and provided an update on the negotiations with regard to Mallory Park.

Lead Members from the other group responded to the position statement, echoing many of the Leader's points but also expressing concern regarding the future financial position of the authority from 2015 onwards.

197 THE MINUTES OF THE SCRUTINY COMMISSION MEETINGS HELD ON 4 JULY AND 29 AUGUST 2013

The Chairman of the Scrutiny Commission introduced the minutes of the previous two meetings for information.

198 CLEAN NEIGHBOURHOOD STRATEGY

Members were informed of the Clean Neighbourhood Strategy which had been updated for adoption following restructure of the street cleansing and neighbourhood warden services. It was noted from a national survey that the service provided by the Council was:

- one of the top 25% of best performing Councils,
- the sixth lowest costing service;
- second quarter of best performing Councils for customer satisfaction;
- nominated for the APSE best street cleansing service award.

During discussion, the following issues were raised:

- The loss of five mechanical sweepers which had been purchased in 2008;
- The problem of serving notices to clean up land when the owner of the land could not be contacted;
- The possibility of taking action against residents whose refuse and/or recycling bins were kept permanently on the street;
- The provision of road sweeping dates/times to town and parish councils for their assistance in moving cars off the road in order to facilitate cleaning;
- The problem of bins not being returned to the exact property from which they were removed for emptying and of the internal recycling caddy being damaged during emptying.

A member commended the street cleansing staff, namely the team in Barwell, for their hard work. Members confirmed that they were generally proud of the service provision.

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

RESOLVED – the Clean Neighbourhood Strategy be adopted.

199 SCRAP METAL DEALERS ACT 2013

Members were informed of the licensing requirements of the Scrap Metal Dealers Act 2013 and the associated changes to the scheme of delegation and licensing fees. Members hoped that metal theft would be reduced as a result of the new Act. It was moved by Councillor Gould, seconded by Councillor Nichols and

RESOLVED –

- (a) the charges of £280 for a new site and collector's licence and £180 for a variation of licence be approved;
- (b) all contested applications be considered by a Licensing Panel consisting of three members of the Licensing Regulatory Committee;
- (c) the Authorised Officers for enforcement of the legislation be approved as follows:
 - Principal Licensing Officer;
 - Licensing & Compliance Officer;
 - Environmental Health Officers;
 - Environmental Health Technical Officers;
 - Chief Officer (Environmental Health);
 - Environmental Health Manager (Commercial).

200 MOVEMENT TO RESERVES - REQUEST FOR DELEGATED AUTHORITY

This item was withdrawn from the agenda and would be given consideration by Scrutiny Commission.

201 ANNUAL GOVERNANCE STATEMENT 2012-13

The Annual Governance Statement and the Statement of Accounts were presented and discussed together. In response to Members' comments and questions, the following points were made:

- Stock data work in the Orchard system had been necessary as the historical information had to be physically checked and manually updated. Officers agreed to provide the cost of this to members;
- Sickness absence was monitored closely by the Chief Executive and by managers and there was a reporting process for sickness when home working;
- Despite the implementation of 'bedroom tax', the hardship fund was showing an underspend and had not been accessed as much as had been anticipated;
- A further report on Hinckley Club for Young People would be brought before the Finance, Audit & Performance Committee following the request for the club to provide a forward forecast.

Reference was also made to:

- The high quality of training that had been delivered to members of the Finance, Audit & Performance Committee;
- Disappointment at Hinckley Club for Young People not accepting the offer of HBBC's audit services;
- The unqualified opinion that would be provided by the external Auditor.

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

RESOLVED – the Annual Governance Statement 2012/13 be approved.

202 STATEMENT OF ACCOUNTS 2012-13

The Statement of Accounts 2012/13 had been presented and debated with the Annual Governance Statement (the previous minute refers). It was moved by Councillor Lynch and seconded by Councillor Bray that the Statement of Accounts be approved.

Councillor Lynch, along with eight other members, stood to request that voting on the Statement of Accounts be recorded. The vote was taken as follows:

Councillors Bannister, Batty, Bill, Bray, Camamile, Cartwright, Chastney, Gould, Mrs Hall, Mr Hall, Hodgkins, Hulbert, Inman, Lay, Lynch, Mayne, Moore, Morrell, Mullaney, Nichols, Richards, Smith, Sprason, Taylor, Ward and Witherford voted FOR the motion (26);

Councillor Boothby abstained from voting.

203 MEMBERS' ALLOWANCES

Members were provided with the report of the Independent Panel on Members' Allowances and were also advised of the recommendations of the Scrutiny Commission on 29 August 2013 which had been endorsed by the Executive on 11 September.

The report of the Independent Panel had identified that members of Hinckley and Bosworth Borough Council received lower allowances than members of many other authorities and had recommended increases in all basic and special responsibility allowances.

Whilst members welcomed the recommendations of the Independent Panel and acknowledged the increase in their level of responsibility and workload, they felt that in light of the current economic climate, the pay freezes or low pay rises in public and private sector and the reduction in benefits to many residents, they could not accept an increase in the basic allowance and the special responsibility allowances.

With regard to the allowances for the Mayor and Deputy Mayor, all Members who had previously undertaken these roles stated that the cost to the individual whilst carrying out the role was far higher than the sum received in allowances, resulting in a high level of personal expenditure which may prevent some members putting themselves forward to be Mayor. It was also felt that the financial pressure was often as apparent during the year as Deputy Mayor as it was during the term as Mayor. The recommendations to increase the allowances for the Mayor and Deputy were therefore supported. It was also felt that the allowances should be reviewed annually.

It was moved by Councillor Witherford, seconded by Councillor Lay and

RESOLVED –

- (i) the recommendations of the Independent Panel for increases in members' allowances be welcomed;
- (ii) the increase in allowances for the Mayor and Deputy Mayor be approved;
- (iii) the increase in all other allowances be not approved.
- (iv) The level of allowances be reviewed annually.

204 MOTIONS ON NOTICE

The following motion had received from Councillor Inman, seconded by Councillor Gould, in accordance with Council Procedure Rules 13.1 and 13.2:

“Council notes with regret the current decline in the number of public houses operating within the Borough and nationally, and supports moves to keep as many community public houses open as possible. As one method of achieving this the Chief Executive is instructed to write to the Secretary of State supporting action under the Sustainable Communities Act to ensure that planning permission is required before community pubs are converted into betting shops, supermarkets, pay-day loan stores or other uses or are allowed to be demolished.

Council notes that if this can be achieved the Council as planning authority would be able to decide applications as to whether community pubs should be demolished or converted into other uses and this action could save many community pubs in both the urban and rural areas. The Chief Executive is also instructed to write to our Members of Parliament asking them to support this proposal.”

During debate, it was noted that many public houses provided community facilities and were an essential part of villages and communities. It was reported that an average of 26 pubs were closing each week, they could be demolished without requiring planning permission and many were run down. It was felt that breweries could be partly

responsible due to the high charges imposed on landlords and it was suggested that this problem also needed to be addressed.

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

RESOLVED – the motion be supported.

205 PLANNING COMMITTEE - MEMBERSHIP

An amendment to the membership of the Planning Committee, namely Councillor Boothby to replace Councillor Smith, was put to the meeting. Upon being put to the vote the amendment was REFUSED and it was therefore

RESOLVED – the membership of Planning Committee remain unchanged.

(The Meeting closed at 8.40 pm)

MAYOR

Agenda Item 9

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

10 OCTOBER 2013 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Miss DM Taylor – Vice-Chairman

Mr JG Bannister (for Mr MS Hulbert), Mr PR Batty, Mr DW Inman, Mr JS Moore, Mr K Morrell and Mr K Nichols

Also in attendance: Councillor DC Bill MBE, Councillor SL Bray and Councillor LJP O'Shea

Officers in attendance: Valerie Bunting, Bill Cullen, Edwina Grant, Louisa Horton, Sanjiv Kohli, Rebecca Owen, Caroline Roffey, Sally Smith and Sharon Stacey

214 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Hulbert with Councillor Bannister substituting in accordance with Council Procedure Rule 4.

215 MINUTES

On the motion of Councillor Nichols, seconded by Councillor Moore, it was

RESOLVED – the minutes of the meeting held on 29 August 2013 be confirmed as a correct record and signed by the Chairman.

216 DECLARATIONS OF INTEREST

No interests were declared at this juncture.

217 QUESTION AND ANSWER SESSION WITH THE LEADER & DEPUTY LEADER

The Leader and Deputy Leader of Council had been invited and were in attendance to answer questions regarding their plans, policies and direction. During the question and answer session, the following topics were discussed:

- Consultation and reporting to Council on the site allocations DPDs;
- The sound system in the Chamber;
- The future of the old Police Station, Social Services offices and cinema in Bond Street, Hinckley;
- Future budget constraints and the relatively positive position of the authority, particularly in comparison with Leicestershire County Council;
- The benefits of maintaining services in house rather than outsourcing;
- The success of shared services and the unlikely possibility of the county council becoming a unitary authority;
- Council house building as a preference to registered social landlords and the HRA investment plan;
- Bringing empty homes back into use;
- Equitable distribution of resources across the urban and rural areas of the borough;

- The need for improvements in the town centre and the links between the bus station development and the town centre needed in order to encourage the use of both;
- The lack of rural transport and transport links from rural to urban areas.

The Leader and Deputy Leader were thanked for their attendance and the opportunity to ask questions.

218 ENERGY SAVING - SCHEMES

The Scrutiny Commission received a presentation from the Private Sector Housing team regarding energy saving schemes available and the level of take up. It was noted that the definition of fuel poverty had recently been changed and many people, even in deprived areas, were no longer considered to be in fuel poverty as they used mains gas for heating which was cheaper.

Updates were provided on funding streams such as Green Deal, and the benefits of solid and cavity wall insulation, loft insulation and boiler replacements were also discussed.

Officers were thanked for their good work and achievements on this which included achieving a recent national award.

219 REFUSE & RECYCLING OUTPUTS

Members were informed of performance of the council's waste management service. It was stated that all national targets had been met and the main challenge was controlling costs in light of the likelihood that recycling levels would reach a limit fairly soon. The possibility of a kitchen waste collection service was discussed, but it was noted that this was costly and did not necessarily provide value for money.

220 GYPSY & TRAVELLER ACCOMMODATION ASSESSMENT

Members were informed of the Gypsy and Traveller Accommodation Assessment for Hinckley and Bosworth which was to be used as an evidence base to inform the preparation of the local plan.

Some members expressed concern that many 'travellers' no longer lived a nomadic lifestyle and therefore should be subject to the same rules as the settled community, and it was suggested that this was a national issue which should have been addressed in the NPPF and should be challenged.

Concern was also expressed regarding the number of vans per pitch considered acceptable under the requirements. It was stated that pitch requirement calculations were based on two vans per pitch, yet the actual average figure across the borough was currently 1.2 vans per pitch, which meant that they were under-occupied.

Despite the concerns, members generally felt that the methodology was robust and the document was much clearer than the previous county-wide document.

221 ANTI POVERTY STRATEGY - APPROACH GOING FORWARD

The Commission was informed of progress with implementation of the Anti Poverty Strategy 2009 – 2012 and the action plan. Members reiterated their concerns regarding under-occupancy ('bedroom tax') and disabled residents and the lack of flexibility with the current regime. It was requested that a report be brought to the Commission on the impact of the changes. It was reported that representations had been made to CLG and these had been acknowledged.

RESOLVED – a report on the impact of the changes to council tax and benefits be brought to a future meeting of the Commission.

222 MOVEMENT TO RESERVES - REQUEST FOR DELEGATED AUTHORITY

The Scrutiny Commission received a report which had been withdrawn from the Council agenda pending further consideration of the issues and methods of prioritising reserves and reporting back. It was explained that, under Financial Procedure Rules, movements to reserves had to be agreed by Council, thereby delaying the process. It was noted that this was a particular problem when the Government announced changes at short notice which required the authority to take action immediately.

At this juncture and having reached 9.30pm it was

RESOLVED – the meeting be extended for ten minutes to conclude the business on the agenda.

Having discussed the possible reasons for having to move funds to reserves at short notice, including the likelihood of submitting returns showing underspends in the interim whilst awaiting approval of the movement to reserves, a compromise was suggested in creating a list of key services for which movements could be made without prior council approval, with movements being reported back to members at the next possible opportunity. Members generally felt that this was an acceptable way forward and agreed to receive a report to a future meeting of the Finance, Audit & Performance Committee on key services which may be subject to movement of funds to reserves.

223 SCRUTINY COMMISSION WORK PROGRAMME 2013-2015

Members received the work programme for 2013-15 and suggested the following additional items:

- Planning enforcement staffing;
- Joint budget meeting with Finance, Audit & Performance in January 2014;
- Continuation of the Barwell & Earl Shilton Scrutiny Group.

(The Meeting closed at 9.35 pm)

CHAIRMAN

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COUNCIL – 3RD DECEMBER 2013

COUNCIL TAX SUPPORT SCHEME 2014-2015
REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE
DIRECTION)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

To provide an update on the current Local Council Tax Support Scheme (LCTS) and to seek approval from the Council to reduce the maximum level of Council Tax Support from 91.5% to 88%.

2. **RECOMMENDATION**

The Council endorses the reduction of the maximum level of Council Tax Support from 91.5% to 88%.

3. **BACKGROUND TO THE REPORT**

From 1 April 2013 the national Council Tax Benefit scheme was replaced by Local Council Tax Support Schemes administered by District councils. Government funding for the local schemes was reduced compared to the existing national funding for council tax benefit. In broad terms the Council's grant funding for council tax support only covered 90% of the costs of the previous scheme based on current claimant numbers. For Hinckley & Bosworth the reduction in funding was in the region of £583,000

3.1 **Current Scheme**

The Government took powers in the Bill to prescribe certain classes or groups who must receive reductions. This will include classes of eligible pensioners, based on the same factors that have determined pensioner eligibility and award under the council tax benefit system. Therefore, excluding pensioners from any change, (who represent 54% of benefit recipients in Hinckley and Bosworth), the reduction in the Council's grant funding for council tax support is closer to 20%.

At the core of the new scheme is a benefit 'cap', which for Hinckley & Bosworth restricts benefits for working age claimants to a maximum of 91.5% of their total council tax liability. This means that all working age claimants of council tax benefit will pay at least 8.5% of council tax in 2013/14.

Crucially in October 2012 the government released new guidelines on the design of local schemes with which compliance was strongly encouraged, together with a financial incentive of one year's transitional funding for those Councils complying with these guidelines one of which was that those who would be entitled to 100% council tax benefit support paid no more than 8.5% of their council tax liability i.e. maximum support was set at 91.5%

The current spend on the Local Support Scheme is as follows

Current spending on LCTS 2013/2014 - Working Age (3,118)	£2,311,570
- Pensioners (3,701)	£3,053,276
	£5,364,846

3.2 Why does the current scheme need to change?

- The transitional grant which was received from government for the current year of £139,387 will not be received for 2014/15, resulting in a deficit that will need to be recovered.
- The Finance Settlement for 2013/14, included £544,764 of Council Tax Support Grant for this Council. £143,000 of this amount was passed to parish councils to reduce the impact on their council tax bases. There is uncertainty as to the amount (if any) of Council Tax Support Grant that will be receivable for 2014/15. Any reduction in this grant will also impact on the support this Council can offer to Parishes.
- There is a real risk that if this Council left the cap unchanged at 91.5%, then the Preceptors would withdraw the current funding used to support the Discretionary Discount Fund and the additional administration charges which totals £72,000, see table below under 3.3).
- Following the relevant distributions of Council Tax funding to the main preceptors (this Council only receiving around 10% of collected levies), the impact of not changing the scheme would impact the major preceptors funding streams materially. There is a risk therefore that a decision to leave the cap unchanged at 91.5%, would affect relations and risk further reductions in funding allocations to this Borough.
- The other District Councils in Leicestershire, apart from Harborough District Council, are consulting on increasing the minimum amount of council tax to be paid by all recipients of benefit to 10%, 15% and 20%, with an indication that mostly all will follow Harborough District Council who set their cap in 2013/14 at 85%.
- If the decision was made to leave the cap at 91.5%, then the estimated additional financial cost ,assuming that the preceptors remove their support for funding, will be £211,589 (see table below under 3.3).

3.3 The additional burdens assuming that the Preceptors withdraw their support for the Administration and Discretionary Discount Fund is as follows:

	Maximum Council tax Support 91.5%	Maximum Council tax Support 88%
Loss of support for Discretionary Discount Funding	£52,165	£52,165
Loss of support for admin funding	£20,037	£20,037
Loss of Transitional Grant	£139,387	£139,387
Reduction in Spend		
Stay at 8.5%	£0	
Reducing maximum level of support from 91.5% to 88%		-£100,359
(Deficit) if support funding removed	(£211,589)	(£111,230)
(Deficit) / surplus if support funding not removed	(£139,387)	(£39,028)

3.4 Examples of impact of reducing the maximum level of support from 91.5% to 88%

1. Laura is a single parent with two children under five years old. She is of working age and claims Income Support. For the current year she pays 8.5% of her Council Tax bill.

Council Tax charge	£963.23
Council Tax Support (Maximum 91.5%)	-£881.36
Actual charge	£81.87 (£1.57 p/w)

If Laura is liable to 12% of the council tax charge she will have to pay an additional amount per year of £33.71 or an additional £0.65 per week.

2. Mr and Mrs D are working age and they have a weekly income of £145.00 and live in a Band D property.

Council Tax charge	£1449.85
Council Tax Support (Maximum 91.5%)	-£ 1326.61
Actual charge	£ 123.24 (£2.36 p/w)

If Mr & Mrs D are liable to 12% of the council tax charge they will have to pay an additional amount per year of £50.75 or an additional £0.98 per week.

3.5 Support for Residents - Discretionary Discount Fund

The discretionary fund is used to support those people who will have great difficulty paying council tax. The discretionary fund is a fundamental part of the scheme; it provides districts with the flexibility to assess on a case by case basis requests for financial assistance from people who are vulnerable or suffering from severe financial hardship.

The discretionary fund also mitigates the potential increase in the number of small bad debts and impact on demand for public services more generally. The Fund will have common eligibility criteria enabling discretionary discounts to be offered to residents on a case by case base.

By the end of September 2013 a total of 106 Discretionary Discount awards have been made totaling £3,500. The total budget for 2013/14 was £58,000. It is anticipated that up to half of this budget will be used by the end of the year.

The major preceptors have indicated that any under spend of the discretionary fund in the current financial year can be carried forward to 2014/2015.

3.6 Collection Rates

Early analysis suggests that recovery of the debt is, as expected, resource intensive and proving difficult to collect. This is why continued support in the form of funding for the additional administration burden from the major precepting authorities is vital.

By September 2013, 7151 reminders had been issued (compared with 4,592 in September 2012) of which 2098 were issued to taxpayers in receipt of CTLS.

If the debt remained unpaid the enforcement process has continued resulting in the issuing of a summons (details below). As this is the first year of the changes we have taken the view, where appropriate to cancel the summons costs once the debt has

been cleared, this is particularly relevant to those of working age who have not had to pay council tax previously.

The table below reflects Council Tax arrears due and the amounts collected to date for CTLS cases that are paying Council Tax for the first time and were in receipt of full (100%) Council Tax Benefit on the 31st March 2013.

Number of accounts subject to enforcement	Amount due	Summons Costs	Total Due	Balance outstanding	Collection Rate
1418	£105,905.90	£28,257.00	£134,162.90	£66,591.49	49.63%

3.7 Comparison with other Local Authorities

A number of other authorities have been contacted to establish their plans in relation to their local schemes.

Authority	Caseload	Current Limit	Plans for 2014/2015
Bassetlaw	10,600	92%	Considering increase –Still at consultation
Blaby	5,400	91.5%	Considering increase to 12%
Charnwood	11,344	91.5%	Considering increase-no decision yet
Derbyshire Dales	4,410	91.5%	No change
East Lindsey	16,040	75%	No change
East Staffordshire	9,200	75%	No change
Harborough	4,100	85%	No change
Leicester City	37,006	80%	No change (restricted to Band B)
Melton	2,844	91.5%	Considering increase-no decision yet
North Kesteven	7,610	95%	Considering increase- Still at consultation
North Warwickshire	5,090	91.5%	No change
North West Leicestershire	6,930	91.5%	Consulting on 90%, 85% & 80% Likely to go with 15%
Oadby & Wigston	3,751	91.5%	Considering increase-likely to go to 15%
Rushcliffe	5,860	91.5%	No change
Rutland	1,740	75%	No change
South Kesteven	10,040	80%	No change

4.0 FINANCIAL IMPLICATIONS [KB]

Before 2013/2014, the Council held a budget for council tax and housing benefit of around £22million. From 2013/14, all working age individuals will be required to pay an element of council tax based on an agreed local scheme.

From a budget perspective, this has resulted in the removal of council tax subsidy (£5,842,570 2012/13) and also council tax benefit payments from the Collection Fund (£5,800,470 in 2012/13). This Council has been granted £50,898 in New Burdens monies to fund the cost of implementing these changes.

From a financing perspective, the LCTS has the result of reducing the Council's council tax base as income will only be received for a proportion of those properties previously in receipt of council tax benefit. In 2013/2014, the council tax base was impacted by -3,532.7 Band D equivalent properties and, consequently, council tax financing was reduced by £318,617. The added complexity going forward is that the level of collection and income received by the District will also immediately impact the financial arrangements and position of the major preceptors; Leicestershire County Council, Leicestershire Fire and Rescue and Leicestershire Police.

In order to compensate for this loss, the Finance Settlement included £544,764 of Council Tax Support Grant for this Council in 2013/14. £143,000 of this amount was passed to parish councils to reduce the impact on their council tax bases.

Going forward, the local council tax scheme will be a core budgeting decision for the Council as the impact of any changes will significantly impact the available funding. For the purpose of this strategy, the council tax base for various schemes has been calculated based on movement in 2013/2014.

In addition, the increased levels of Council Tax now collected will increase the levels of collection fund surplus allocated to this Council and the major preceptors. The forecast levels assumed in the strategy are following heavily prudent assumptions on the level of bad debt that may arise from the numerous "new" and smaller debts that will be raised for citizens who have not previously been liable for council tax charges.

5. **LEGAL IMPLICATIONS (AB)**

The Schedule 1A of Local Government Finance Act 1992 requires all local authorities to consider each financial year whether to revise its Local Scheme for Council Tax. For any changes to the Scheme to have effect in the 2013/2014 financial year the revision must be made by 31 January 2014.

6. **CORPORATE PLAN IMPLICATIONS**

The welfare reform changes have had a significant impact on individuals within the Borough and we will continue to support those individuals and households through the use of the Discretionary Discount and Discretionary Housing Payment Schemes.

7. **CONSULTATION**

The Local Government Finance Bill imposes a duty on billing authorities to consult with major precepting authorities and such other persons as it considers likely to have an interest in the scheme.

All authorities within Leicestershire, accept Harborough District Council, are consulting on plans to increase the benefit cap to between 90% and 80%, and our expectation is that all authorities who limited support in the first year, to take advantage of the transitional grant will be increasing their cap. Members need to be aware that if we do not increase the cap we will be out of step with other authorities within Leicestershire.

We wrote to in excess of 3,100 working age claimants in receipt of council tax support asking them to give their views on reducing the maximum amount of support from 91.5% to either 90%; 88%; 85% or 80%.

The option existed to take part in the survey either on-line or by completing a paper copy which was available on request.

We received only 20 responses to the survey which equates to just 0.6% of those written to, that may suggest the strength of feeling against an increase is not as great as perhaps thought.

The results and comments received are detailed in Appendix A.

Claimants were also given the opportunity to attend one of four Local Scheme awareness sessions held at the Atkins Building on Monday 30 September, regrettably there were only five attendees during the whole day.

8. **RISK IMPLICATIONS**

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

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

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

The mix of council tax benefit claimants is such that it is generally difficult to protect specific vulnerable groups, such as families with young children, or the disabled, as protecting these would result in a highly adverse impact on non-protected claimants

In order to mitigate the impact of the scheme on other vulnerable groups a Discretionary Discount Fund is being utilized to allow the Council to support the most vulnerable residents on a case by case basis.

10. **CORPORATE IMPLICATIONS**

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

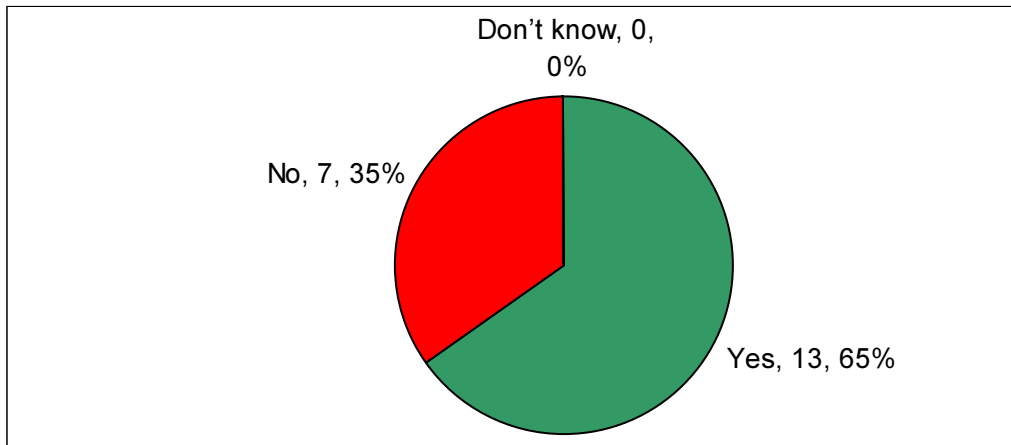
- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

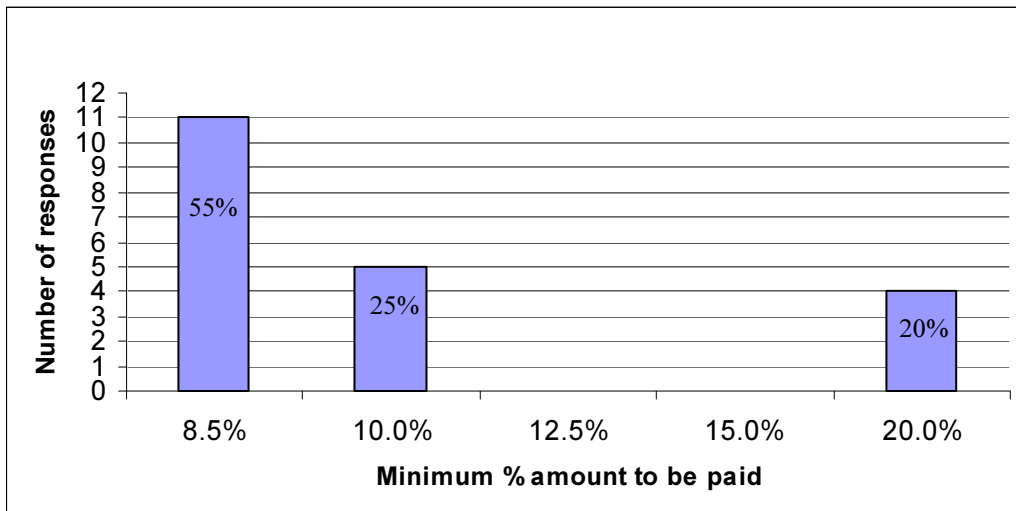
Contact Officer: Storme Coop Ext 5706
Executive Member: Councillor Keith Lynch

Appendix A

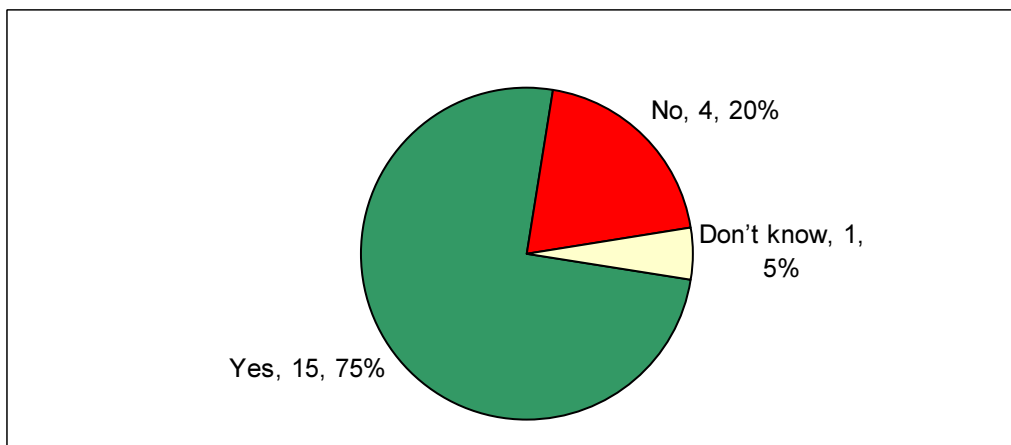
Q - Should everyone pay something towards their Council Tax



Q - How much should they pay as a minimum



Q – Should the Council protect vulnerable people from paying more



Claimants were invited to comment on the scheme in general terms and the following have been taken directly from the responses

- People on benefits get just enough to pay for everyday living costs and yet now they are having to pay Bed Room tax and part of their Council Tax from the same amount of money! I am struggling my self to pay this extra money out of my husbands DLA
- Every one should pay. when you see people on benefit using taxis several times a week for shopping every one should pay at least 20%
- I am really struggling to pay this extra money along with bedroom tax! I am now spending over a quarter of our benefit on this and it is crippling me
- As someone who is on benefits i find it hard to pay the 8.5% but do believe all should pay something but must be kept to the minimum, thank you
- I think it's terrible that the poorest people have to contribute towards council tax and rent
- I feel it is important that everyone makes a meaningful contribution to the local council budget, this will inform their thinking on the way money is spent - in particular the efficiency of the way it is spent - as they are a contributor
- Other than pensioners all these groups should be able to work. Some pensioners have higher incomes than working folk without the costs so pensioners are not an homogenous group.
- Welfare Reform is having a drastic impact on disabled people. I am already in fuel poverty. Coupled with that, I now have to pay for bus travel to access mental health support groups in Leicester 3 days a week (I have to be there before 9.30am)
- Where exactly are nil or low income individuals expected to find the monies to pay for any increase in CT? It is already difficult to find the 8.5% asked of, for the year 2013. This is a hidden poll tax and should be scrapped immediately.
- If it has to be increased no more than 10%. Benefits are not going up, living costs increased and finding even £1 a week extra means less money to spend on food.

COUNCIL – 3RD DECEMBER 2013

PRIORITY RESERVES
REPORT OF THE DEPUTY CHIEF EXECUTIVE (CORPORATE
DIRECTION)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

- 1.1 To seek approval from Council to delegate authority for decisions relating to transfers to priority earmarked reserves to the Deputy Chief Executive (Corporate Direction) in conjunction with the Executive Member for Finance, ICT & Asset Management.
- 1.2 The levels of monies that will be proposed for transfer will be finalized during the outturn process for 2013/2014 and the budget process for 2014/2015. A verbal update on these proposals will be provided at this meeting.

2. **RECOMMENDATION**

- 2.1 That Council approves the proposed list of “priority” earmarked reserves detailed in section 3.6
- 2.2 That Council approve delegated authority to the Deputy Chief Executive (Corporate Direction) in conjunction with the Executive Member for Finance, ICT & Asset Management to approve transfers of revenue under spends to these priority earmarked reserves during the financial year, with regular up date reports to Scrutiny Commission and the Executive.
- 2.3 That Council note that transfers from reserves to fund expenditure will continue to be made in line with the limits set out in the financial procedure roles.
- 2.4 That Council note that a full review of the Council’s ear marked reserves and balances will continue to be brought to Council on annual basis as part of the outturn reports

3. **BACKGROUND TO THE REPORT**

- 3.1 As at 31st March 2013, the Council held £5.413million in General Fund and £3.251million in Housing Revenue Account reserves.
- 3.2 Currently, an annual review is performed on the level of reserves as part of the outturn process. The outcomes of this review are reported to Council to obtain approval of:
 - Release of reserves no longer required;
 - Creation of new reserves to fund future spend/pressures; and
 - Transfer of “excess” balances (i.e. those over the recommended minimum balance requirements) to reserves
- 3.3 Throughout the financial year, any requests to transfer money to reserves are subject to Council decision as per the Constitution. Any transfer from reserves to fund spend will be approved in line with the limits set out in the financial procedure rules.
- 3.4 Due to the Council’s robust budget setting and monitoring procedures, savings are often identified throughout the year as part of periodic budget monitoring processes. In addition, unbudgeted income can be received (e.g. for large planning applications or due to un-forecast increase in activity). In the current climate and given the

Council's sufficient balances, the Deputy Chief Executive (Corporate Direction), as the Council's section 151 officer, will generally recommend that such funds should be transferred to earmarked reserves to fund future spend in specific areas.

- 3.5 In order to ensure efficiency around this decision making process and to guarantee that funds are earmarked to meet financial needs on a timely basis, it is recommended that Council approve delegated authority to the Deputy Chief Executive (Corporate Direction) in conjunction with the Executive Member for Finance, ICT & Asset Management to approve transfers to earmarked reserves during the financial year.
- 3.6 On the request of the Scrutiny Commission a number of "priority" earmarked reserves have been identified and were endorsed by the Commission at the meeting held on 21st November 2013. These reserves have been put forward on the basis of the Council's ongoing strategic priorities and financial risk profile.
- Enforcement reserve – Currently enforcement budgets are held for small amounts within individual cost centres. These are frequently under spent though occasionally large calls are made to carry out significant enforcement work. It is therefore proposed to remove individual enforcement budgets and create a corporate reserve that can be called upon should significant cases arise. An amount of up to £100,000 will be set aside for this purpose.
 - Local Plan Reserve- Following the changes announced by Government in relation to the Council's Local Plan requirements, further funding will be required to fund production of the required documents in the medium term. The Council's current Local Plan Reserve will be depleted by the 2014/2015 and therefore it is recommended that further contributions are made to fund these requirements going forward
 - Waste Management Reserve- Further investment is required in the waste management service going forward, particularly to fund increase requirements in service delivery created by new housing developments in the Borough.
 - City Deal Reserves- The Council will be required to make contributions towards the City Deal initiative The plans for these "Deals" are currently being drawn up and therefore it is proposed that a reserve is created to fund potential contributions going forward. An initial reserve of £50,000 is recommended and will be reviewed upon clarification on the City Deal proposals
 - Leisure Centre Reserve- It is proposed that any available savings continue to be transferred to the Leisure Centre reserve to fund the capital cost of this scheme and reduce the need for borrowing. This fund will also be used to cover any time lag in receipt of funds from the sale of the Bus Station site
 - Appeals Reserve – In order to ensure that funding is available for any large appeals that are approved by Planning Committee, an appeals reserve is recommended for approval.
- 3.7 **Transfers from reserves to fund expenditure will continue to be made in line with the limits set out in the financial procedure roles and the annual reserves review will continue to be brought to full Council for approval.**

4. FINANCIAL IMPLICATIONS [KP]

Contained within body of the report

5. LEGAL IMPLICATIONS [AB]

It is the responsibility of the S151 Officer under S26 and S27 of the Local Government Act 2003 to advise the Authority annually on the appropriate amount of reserves and to make recommendations on the Authority's strategy with regard to reserves

This proposal requires an amendment to the Financial Procedure Rules and as such requires 2/3rd's majority at Council in favor of the recommendations.

6. **CORPORATE PLAN IMPLICATIONS**

The Council's governance arrangements are robust

7. **CONSULTATION**

Members of the Executive and Strategic Leadership Board have been consolidated in the contents of this report.

8. **RISK IMPLICATIONS**

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

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

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

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

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

There are none.

10. **CORPORATE IMPLICATIONS**

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

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

Background Papers: Statement of Accounts

Author: Katherine Plummer, Head of Finance ext 5609

Executive Member: Cllr KWP Lynch

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COUNCIL – 3 DECEMBER 2013

THE HINCKLEY AND BOSWORTH LOCAL PLAN – LOCAL DEVELOPMENT SCHEME 2013-2016

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)



WARDS AFFECTED: ALL

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the requirements for and to seek approval of a revised Local Development Scheme (LDS).

2. RECOMMENDATION

2.1 That Council:

- Note the requirements for undertaking a review of the existing Local Development Scheme;
- Approve the revised Local Development Scheme and LDS programme for publication.

3. BACKGROUND TO THE REPORT

- 3.1 A Local Development Scheme (LDS) is essentially each Local Planning Authority's (LPA) project plan for the preparation of Local Development Documents (LDDs) in accordance with the requirements of the Planning and Compulsory Purchase Act 2004.
- 3.2 LDDs can be either Development Plan Documents (DPDs) or Supplementary Planning Documents (SPDs) The Core Strategy, Area Action Plans, and any document which includes a site allocations policy, are prescribed as DPDs
- 3.3 These documents make up the Local Development Framework which is, effectively, a folder of the LDDs which provide the framework for delivering spatial planning strategy in the Borough.
- 3.4 At present, the Local Plan for the Borough comprises the following local development documents (LDDs):
- i. the 'saved' policies of the Hinckley & Bosworth Local Plan (adopted 2001);
 - ii. the Core Strategy (adopted 2009);
 - iii. the Hinckley Town Centre Area Action Plan (adopted 2011);
 - iv. a number of supplementary planning documents, and
 - v. will include the emerging Site Allocations and Development Management policies DPD and the Earl Shilton and Barwell Area Action Plan (AAP).
- 3.5 The Planning and Compulsory Purchase Act (PCPA) 2004 requires the Council, as the Local Planning Authority (LPA), to prepare and maintain its LDS and to revise it at such time as it considers appropriate.

- 3.6 The Localism Act 2011 and the NPPF have introduced changes which need to be reflected in the Council's LDS.
- 3.7 The existing Local Development Scheme was published in June 2010 (approved at Council 29 June 2010) and a subsequent update to the LDS programme was published in July 2012 (approved at Executive 18 July 2012). The 2012 LDS programme sets out the key dates for the preparation and adoption of the remaining LDDs:

Table 1: Key dates for emerging LDDs (LDS 2012)

Local Development Document	Programmed date for Submission	Programmed date for Adoption
Site Allocations and Generic Development Control Policies DPD	January 2014	December 2014
Earl Shilton and Barwell Area Action Plan	September 2013	April 2014
Gypsy and Traveller Allocations DPD	June 2015	February 2016
Community Infrastructure Levy	March 2013	October 2013

4 REVIEWING THE LDS PROGRAMME

- 4.1 Against the existing key dates set out in Table 1, a summary of the progress for each of the documents is set out below.
- i. **The Site Allocations DPD** was due for publication consultation in August & September 2013 and Submission to the Secretary of State in January 2014. Further work to identify appropriate site allocations including Member working groups to consider alternatives, is being undertaken to inform the Publication draft of the Site Allocations DPD which need to be addressed prior to the plan being submitted to full Council for approval. As a result of considering further alternative site allocation options, it was not possible to meet this publication date. The NPPF states that each LPA should ensure that its Local Plan is based on adequate up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of its area.

The Localism Act 2011 makes it the duty of LPAs to cooperate with neighbouring authorities in the preparation of its Local Plan and provided for the abolition of Regional Strategies.

The NPPF states that LPAs should prepare a Strategic Housing Market Assessment to assess their full housing needs. The Borough Council in conjunction with the other Local Planning Authorities (LPAs) throughout Leicestershire is currently preparing a brief to procure a Strategic Housing Market Assessment (SHMA) to inform emerging and future local plans for each of the LPAs. The Leicester and Leicestershire SHMA was published in 2008 and is based on DCLG 2004 household projections, consistent with the then adopted Regional Plan. The projections to inform the new SHMA will take into account the most up to date information (including the 2011 Census, ONS population projections and DCLG household projections) to provide a

robust and long-term evidence to inform future housing provision in the Borough beyond the current Plan period of 2026.

- ii. **The Earl Shilton and Barwell AAP** was programmed for publication in June and July 2013. The AAP was published from 30 August – 14 October 2014. The delay of two months to the existing programme was the result of a conscious decision not to consult during the summer holidays and to allow for consideration at Planning Committee (25 June) and subsequent meeting of the Council (16 July) to seek approval to consult on the Publication draft and to submit the AAP to the Secretary of State.
- iii. Commencement of the preparation of the **Gypsy and Traveller DPD** is programmed to begin in October 2013. The Borough Council approved an update Gypsies and Travellers Accommodation Needs Assessment (GTAA) at Executive (11 September 2013). The results of the GTAA will be used to inform the Gypsy and Traveller DPD.
- iv. The authority has decided to postpone the preparation of a Community Infrastructure Levy (CIL) charging schedule until such a time as the Site Allocations DPD and the Earl Shilton and Barwell AAP are advanced to 'Submission' and to coincide with any subsequent preparation of a Local Plan.

5 REVISED LOCAL DEVELOPMENT SCHEME PROGRAMME

- 5.1 The Localism Act 2011 has amended some of the provisions of the PCPA 2004 and provides that the Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the duty to cooperate, legal and procedural requirements and whether it is 'sound'.
- 5.2 LPAs are increasingly being challenged on the preparation of draft plans, and in some instances being found 'unsound' at Examination, on the basis that the evidence used to inform their objectively-assessed housing need is out-of-date. The NPPF has reaffirmed the need for local authorities to prepare a SHMA in order that plan-making and decision-taking is undertaken in the context of up-to-date and objectively-assessed housing need.
- 5.3 A revised LDS would therefore reduce the risk of legal challenge referred to above and would minimise the risk to soundness by setting out the Council's intention and programme for the early review and preparation of the Local Plan.
- 5.4 Setting out the scope and programme for future plan preparation for the Borough will have the merit of giving confidence to the inspector at Examination that the present strategy remains appropriate over the short term whilst the Council has set out its intention and programme for the review and preparation of the new Local Plan, informed by the emerging new evidence.
- 5.5 The risks associated with not bringing forward a revised Local Development Scheme and actions which can minimise these risks are set out further in Section 10.

- 5.6 The Policy Team are currently exploring the opportunities to prepare a joint Local Plan with one or more of the neighbouring authorities.
- 5.7 Appendix 1 sets out the draft Local Development Scheme, including the programme for the completion of the documents which will form the 'Local Plan 2006-2026' and for the initial preparation of an updated Local Plan. It is considered that a review of the Local Plan could be adopted by the end of 2017. The NPPF states that a Local Plan should be drawn up over an appropriate time scale, preferably over a 15-year period. This would be consistent with other periods of review to adapt to changing legislation such as the Hinckley and Bosworth Local Plan adopted in 2001 and the Core Strategy adopted in 2009.
- 5.8 The LDS Programme retains the inclusion of a separate Gypsy and Traveller DPD (G&TDPD). It is statutory requirement for Local Authorities to plan for the provision of pitches for gypsy and travellers and plot targets for travelling showpeople. It is considered more appropriate that a separate DPD is prepared to be informed by the recent GTAA rather than falling under the Local Plan review.
- 5.9 The recently-published 'Planning policy for traveller sites' sets out the Government's planning policy for travellers' sites and LPAs should set pitch targets for gypsies and travellers which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring LPAs using a robust evidence base. The NPPF states that "*Any additional development plan documents should only be used where clearly justified*". It is at present considered more appropriate to continue the preparation of the DPD forming part of the Borough's 'Local Plan 2006-2026'.
- 5.10 Whilst the Council has not entirely ruled out preparing a Community Infrastructure Levy Charging Schedule, a revised timetable for CIL has not been included within the LDS programme. However, this does not preclude a CIL charging schedule being prepared alongside a review of the Local Plan.

6. FINANCIAL IMPLICATIONS (KP)

- 6.1 The future costs (i.e. from 2014/2015) of both the existing Local Plan documents and revised Local Development Scheme have been understood and have been summarised below:

	2014/2015	2015/2016	2016/2017	2017/2018
	£'000	£'000	£'000	£'000
Site allocations	200	0	0	0
Earl Shilton and Barwell Area Action Plan	88	0	0	0
Gypsy and Traveller Allocations	37.5	17.5	75.5	0
Revised Local Development Scheme	50*	22.5	182.5	305.5
Total	375.5	40	258	305.5

*This amount reflects an additional £12,000 which will be funded from existing budgets

- 6.2 The Council has in place an earmarked reserve to fund the costs associated with the original Local Plan process. Taking into account current forecasts, the balance on this reserve as at 31st March 2014 is forecast to be £373,500. Based on the above costs this will be insufficient to fund the future costs associated with this project.
- 6.3 Both Executive and Scrutiny Commission have identified the Local Development Scheme reserve as a “priority” reserve for future investment. On this basis therefore, additional transfers of £152,000 from balances to the reserve are recommended to ensure that funding is available when required.
- 6.4 Pending approval of the above, the balance in the LDS reserve is forecast as follows:

	2014/2015	2015/2016	2016/2017	2017/2018
	£'000	£'000	£'000	£'000
Opening balance	373.5	150	262	156
Transfer to reserves	152	152	152	152
Spend - Existing LDS	-325.5	-17.5	-75.5	0
Spend - Revised LDS	-50	-22.5	-182.5	-305.5
Closing balance	150	262	156	2.5

- 6.5 The above proposals for expenditure and funding will be included and approved as part of the 14/15 revenue budget and the next iteration of the Council’s Medium Term Financial Strategy.

7. LEGAL IMPLICATIONS [MR]

- 7.1 Set out in the report.

8. CORPORATE PLAN IMPLICATIONS

- 8.1 The LDS sets out the programme for the preparation of the Borough Council’s Local Plan. The documents comprising the Local Plan will contain policies and objectives contributing to the following aims of the Corporate Plan, which will be specified through individual reporting on each document.

- Creating a vibrant place to work and live.
- Empowering communities.

9. CONSULTATION

- 9.1 The Local Plan would be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

10. RISK IMPLICATIONS

- 10.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 10.2 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.

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

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
The Site Allocations DPD and AAP are not considered legally compliant.	Ensure the publication and submission dates conform to the LDS.	Policy and Regeneration Manager
	Undertake legal compliance self-assessment prior to Submission.	Policy and Regeneration Manager
The DPD and AAP not meet the 'Tests of Soundness', primarily concerned with being 'Positively Prepare' in relation to emerging evidence bases. i.e. the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.	Undertake a Soundness self-assessment prior to Submission.	Policy and Regeneration Manager
	Incorporate a review of the Local Plan which will accommodate the emerging evidence base used to inform objectively assessed housing needs for the Borough.	Policy and Regeneration Manager
Assessed development needs contained in the Core Strategy being challenged through the development management process, including at appeal.	Ensure that a clear and transparent process for Local Plan review is agreed to enable the authority to continue to be in a position to demonstrate that it is positively seeking opportunities to meet the objectively assessed development needs of the Borough (in line with NPPF paragraph 14).	Policy and Regeneration Manager.

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

- 11.1 To set out a programme for the preparation of Local Plan for the Borough, identifying key stages for future consultation on the emerging and future planning framework.

12. **CORPORATE IMPLICATIONS**

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

- Community Safety implications – None arising from this report
- Environmental implications – None arising from this report
- ICT implications – None arising from this report
- Asset Management implications – None arising from this report
- Human Resources implications – None arising from this report

- Planning Implications – Contained within the body of the report.
 - Voluntary Sector – None arising from this report
-

Background Papers

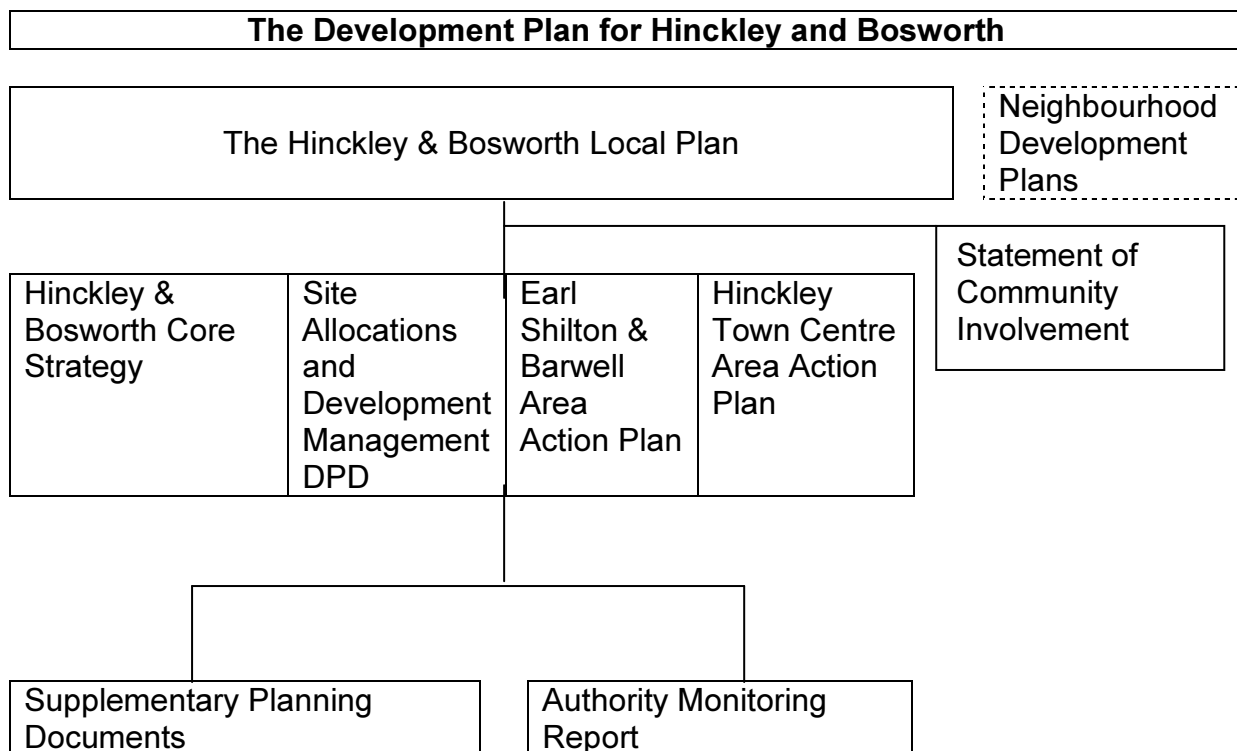
Appendix 1: Revised Local Development Scheme Programme

Appendix 2: Diagram illustrating documents which form the Local Plan

Draft Local Development Scheme 2013-2016

Contact Officer: Chris Colbourn Ext. 5749
Executive Member: Councillor Bray

Appendix 1: Diagram illustrating documents which form the Hinckley and Bosworth Local Plan



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(DRAFT) Hinckley and Bosworth Local Plan

Local Development Scheme 2013-2016



**Hinckley & Bosworth
Borough Council**

October 2013

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1 Introduction

What is this Document?

- 1.1 The Local Development Scheme sets out the programme for preparing all of the documents (Local Development Documents) which form the Borough Council's Local Plan. This Local Development Scheme includes details of important opportunities where all those that live, work, visit or have an interest in the Borough can be involved in this process to help shape the future of Hinckley and Bosworth.
- 1.2 This LDS is an update to the LDS published in June 2010 and the subsequent LDS Programme published in July 2012. The LDS has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and the Town and Country Planning (Local Planning) England Regulations 2012.
- 1.3 There is a glossary of terms at the end of this document to help readers with the range of new terms that have been introduced.

The Strategic Planning Context

- 1.4 Since the publication of the Local Development Scheme 2010, the planning landscape has changed considerably. In 2011 the Localism Act was introduced enabling the revocation of Regional Strategies (the East Midlands Regional Plan was revoked by the Secretary of State on 12 April 2013), introducing 'Neighbourhood Planning' and changes to the Town and Country Planning Regulations (Local Planning Regulations 2012). The National Planning Policy Framework (NPPF) was published in March 2012 and in conjunction with the 2012 Local Planning Regulations set out the need to prepare 'Local Plans', replacing the former development plan system of 'Local Development Frameworks'.
- 1.5 The National Planning Policy Framework (NPPF) superseded a majority of the Planning Policy Guidance / Statements. The NPPF sets out the policy framework for preparing Local Plans and states that:

"Each LPA should produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should only be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development."

Local Development Documents

- 1.6 All documents which comprise or support the delivery of the Local Plan are Local Development Documents.

Development Plan Documents

- 1.7 Development Plan Documents (DPDs) outline the Borough Council's policies for development within the Borough. The DPDs carry the most weight for making decisions on planning applications. Development Plan Documents form part of the Statutory Local Plan, which will form the legal basis for all

future planning decisions in the Borough. DPDs form the 'Development Plan' for the Borough in conjunction with any Neighbourhood Development Plans when adopted.

- 1.8 Whilst the NPPF encourages the delivery of a single 'Local Plan', a number of documents can comprise the Local Plan where any development plan documents (DPDs) are justified, where existing DPDs or 'saved' policies remain in force.

Supplementary Planning Documents

- 1.9 Supplementary Planning Documents (SPDs) are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but do not form part of the development plan.

Statement of Community Involvement

- 1.10 This Statement of Community Involvement (SCI) document sets out the standards to which the Local Planning Authority will engage and consult the public and other stakeholders during the production of the Local Plan and when dealing with planning applications.

Authority Monitoring Report

- 1.11 The Council is required to monitor annually how effective its policies and proposals are. An Authority Monitoring Report (AMR) will be published by the council each year to inform Local Development Scheme reviews and will be made available for public inspection.
- 1.12 As part of the monitoring process, the Council will assess:
- Whether it is meeting, or is on target to meet, the milestones set out in the Local Development Scheme and, if not, the reasons why;
 - What impact Local Development Documents are having on other national and locally set targets;
 - Whether any policies need to be reviewed or replaced to meet sustainable development objectives; and
 - What action needs to be taken if policies need to be replaced.
- 1.13 As a result of monitoring, the council will consider what changes, if any, need to be made. If changes are appropriate, these will be brought forward through the review of the Local Development Scheme.

Statement of Community Involvement

- 1.14 The Statement of Community Involvement (SCI) (adopted 2006) sets out the standards to which Hinckley and Bosworth Borough Council will engage and consult the public and other stakeholders during the production of the current Local Plan (formerly the LDF), over the period 2006 - 2026 and when processing planning applications.

- 1.15 A review of the SCI has been programmed ahead of undertaking a review of the Local Plan. This will allow the authority to undertake a review of the methods used for consulting on DPDs and SPDs at both formal and informal stages.

Neighbourhood Development Plans

- 1.17 A **Neighbourhood Development Plan** (NDP) is a plan prepared by a Parish, Town Council or Neighbourhood Forum for a particular area. An NDP can be used to set a shared vision for an area, shape and direct sustainable development and set policies to determine decisions on planning applications. NDPs will form part of the planning policy framework for the respective Neighbourhood Area where they are brought forward and must be in general conformity with the strategic policies of the Local Plan. As local planning authorities are not responsible for the preparation or timetabling of any NDPs that are proposed, they are not considered in this LDS.

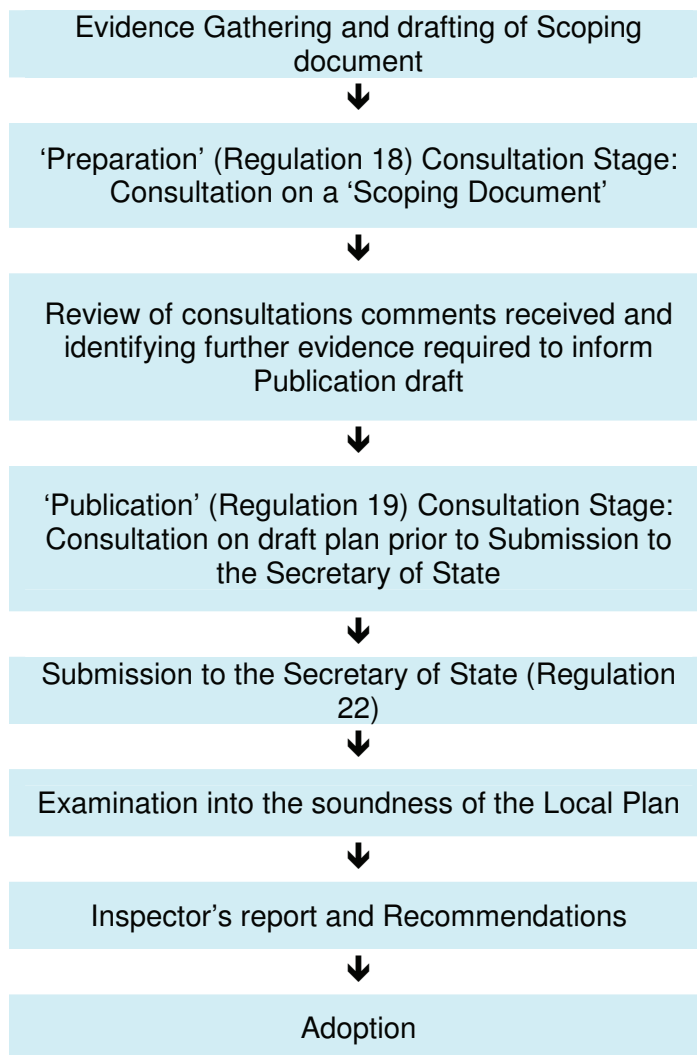
Regulatory and Consultation Requirements

- 1.18 The Local Plan is to be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The 2012 Regulations now require the following formal consultation and notification stages prior to adoption (summarised in Figure 1):

Key Stages of Local Plan Preparation

- i. **Preparation (Regulation 18) stage** – requires the LPA to notify and invite responses on the subject and contents of a local plan which the LPA proposes to prepare. The document takes the form of a scoping document and sets out the proposed matters and issues to be covered by the Plan and seeks views on the contents of the Plan including policy coverage and approach. The responses to the consultation will be used to inform the publication draft of the Plan and identify any further evidence required. It is envisaged that this document would seek to draw upon the existing DPDs as basis for the consultation.
 - ii. **Publication (Regulation 19) stage** – requires consulting on a draft of the Plan prior to it being submitted to the Secretary of State for Independent Examination.
 - iii. **Submission (Regulation 22)** – Submission of the Plan to the Secretary of State for Independent Examination.
- 1.19 The process of producing DPDs is summarised in Figure 1 below. The involvement and consultation of stakeholders and local communities will be an important part of each stage, particularly in the early stages of considering the issues and alternative options available. Supplementary Planning Documents will not be subject to examination.

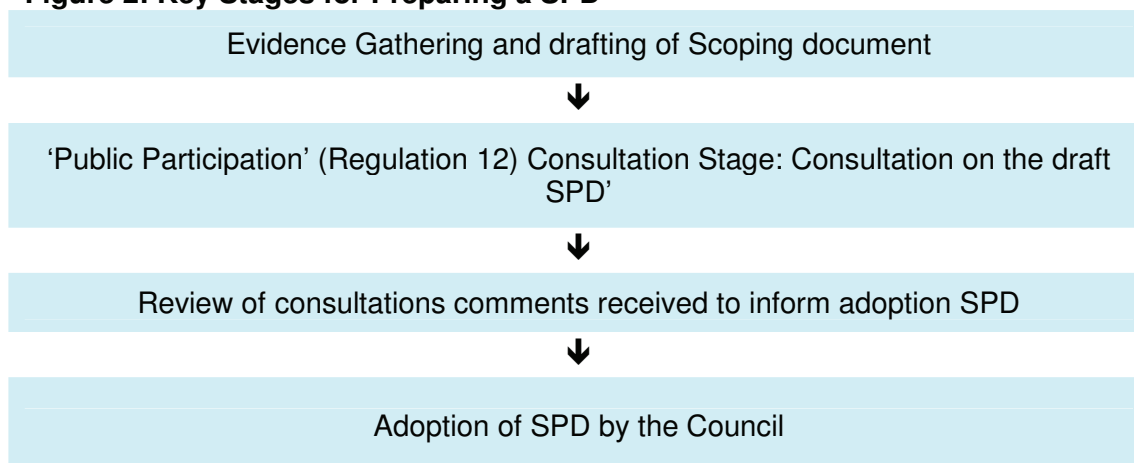
Figure 1: Stages for Preparing a Development Plan Document



Key Stages for Preparing a Supplementary Planning Document

1.20 The borough Council is required to prepare a SPD in conformity with the 2012 Local Planning Regulations, however the Regulations do not require SPDs to be subject to Examination. The key stages for preparing a SPD are summarised in Table 2.

Figure 2: Key Stages for Preparing a SPD



1.21 The consideration of the following factors determined the Council's priorities in this Local Development Scheme:

- The need to review and update key policies and proposals set out in the currently adopted Local Plan to reflect the East Midlands Regional Plan;
- Land-use requirements arising from the Community Strategy;
- New planning regulations and associated guidance;
- The emerging Evidence Base and Monitoring regimes;
- Discussions with the Communities and Local Government, stakeholders and other agencies;
- Known developer interest; and
- 5 Year Housing Land Supply.

Relationship to other Key Plans and Strategies

1.22 A number of other local strategies, guidance and evidence base documents are important to inform and help shape development and infrastructure requirements in the Borough and need to be considered throughout the preparation of the Local Plan and SPDs.

- i. Hinckley & Bosworth Borough Community Plan (2010-2015) sets out the priorities for improving the quality of life in the Borough over a five year period, but puts this into the context of a longer term vision for the type of place the Borough should be in 2026.
- ii. The planning framework for minerals extraction and waste management facilities throughout the County is the responsibility of Leicestershire County Council and comprises the Waste Core Strategy and Development Control policies and Waste Core Strategy and Development Control policies DPDs (adopted 2009) and some 'saved' policies from the Waste Local Plan (adopted 2002).
- iii. The County Council, as the highways authority is responsible for preparing the Local Transport Plan (LTP). LTP 3 was published in 2011 and sets out the highways authority will seek to ensure that transport continues to play its important role in helping Leicestershire to continue to be a prosperous, safe and attractive County.

1.23 A number of other important Borough Council, County Council and external strategies and evidence base documents are also taken into account when preparing DPDs and SPDs. The documents are considered during the scoping of a DPD / SPD and throughout the Sustainability Appraisal process (discussed below).

The Role of Strategic Environmental Assessment and Sustainability Appraisal

- 1.24 The Council is required to undertake a Sustainability Appraisal¹ (SA) and Strategic Environmental Assessment² (SEA) of all Development Plan Documents (for the purpose of preparing DPDs, the SA incorporates the requirements of the SEA Directive). The purpose of the SA is to assess the key environmental, social and economic (sustainability) impacts resulting from the policies and proposals within the DPDs. An SA is required at each stage of the plan preparation process to inform both the impacts and recommendations for monitoring, mitigating and enhancing the impacts and effects of a plan and, if necessary, addressing any sustainability issues that arise through changes to each iteration of the plan.
- 1.25 The preparation of a SA involves, where applicable:
- Identifying strategic development options;
 - Collecting base-line monitoring information;
 - Predicting significant environmental, social and economic effects of the options;
 - Engaging and consulting with the public and key organisations on the implications of the options available; and
 - Addressing and monitoring the significant environmental, social and economic effects of the plan.

Evidence Base

- 1.26 To produce informative, effective and up-to-date planning policies, the Council needs to prepare and consider a reliable baseline of evidence when drawing up its planning framework. Evidence documents are critical to informing the direction and content of policies within the Local Plan and guidance within SPDs. A number of various studies have been prepared to inform the documents set out in the LDS Programme relating to housing provision and land availability; renewable energy; employment land provision and availability and the availability and requirement for community facilities and existing standards of play and open space provision.

¹ As required under the Planning and Compulsory purchase Act 2004 (section 39 (2))

² As required under the Strategic Environmental Assessment Directive 2001/42/EC transposed through the Environmental Assessment of Plans and Programmes Regulations 2004

2 The Hinckley and Bosworth LDS Programme

2.1 The LDS Programme for the preparation of the Local Plan is provided in Appendix 1. It comprises the delivery of the emerging DPDs and SPDs and the subsequent review and preparation of a new Local Plan.

2.2 The first stage seeks the completion of the emerging DPDs and SPDs to form the Local Plan which meets the requirements of the Core Strategy (adopted 2009) and is compliant with the NPPF. Furthermore the Borough Council has 'saved' a number of the policies from the 2001 Local Plan until such time as the relevant Development Plan Documents are in place.

2.3 The Local Plan for the Borough will comprise of the following:

- **The Core Strategy Development Plan Document** provides the strategic planning policy framework and spatial development strategy for the Borough over the period 2009-2026. The Core Strategy was adopted in December 2009 and all other LDDs must be in conformity to and enable the delivery of the Core Strategy and its vision.
- **The Site Allocations and Development Management Policies DPD** will allocate land to deliver the housing and other major development needs such as employment, retail, recreation / open space, nature conservation, community uses and other land uses, to meet the requirements set out in the Core Strategy. The DPD is programmed for adoption in June 2015.
- **Gypsy and Traveller Allocations DPD** will provide the planning policy framework and allocate land to deliver residential pitches / sites to meet the requirements set out in the Core Strategy and reflect up to date evidence. The DPD is programmed for adoption in October 2016.
- **Hinckley Town Centre Area Action Plan** includes site allocations for retail, employment, residential, leisure, and open space in Hinckley town centre. The AAP was adopted in March 2011.
- **Barwell and Earl Shilton Area Action Plan** will provide the planning policy framework for the future development of two Sustainable Urban Extensions located south east of Earl Shilton and north west of Barwell. It will also provide the policy framework for the regeneration of the existing Earl Shilton and Barwell local centres and for development across the entire settlements. The AAP is programmed for adoption in July 2014.
- **The Shopping and Shop Fronts Supplementary Planning Document** adopted in October 2007 provides guidance which forms the basis for negotiating with developers on the quality and design of shop fronts and associated advertisements and the location and mix of retail and non-retail uses, such as pubs and bars. The LDS includes a review of the SPD programmed for adoption in August 2015.
- **Affordable Housing SPD** supplements adopted Core Strategy Policy 15 to ensure that sufficient affordable housing is delivered. The SPD was adopted in February 2011.
- **Rural Needs SPD** To supplement adopted Core Strategy Policy 17 to ensure 'local needs' in relation to housing, employment and community facilities are met. The SPD was adopted in February 2011.

- **Sustainable Design SPD** adopted in April 2008 to supplement relevant 'saved' policies of the Local Plan. The LDS includes a review of the SPD entitled '**Sustainable Development and Renewable Energy SPD**' programmed to be adopted in November 2015.
- **Play and Open Spaces Developer Contributions SPD** adopted in September 2008 provides guidance for implementing policies and standards for the provision of new and improved play and open space opportunities. The LDS programmes a review of the SPD in August 2015.
- **Hinckley Town Centre Strategic Transport Development Contributions SPD** outlines a list of highway and public transport improvements which would be needed in the town centre if major developments went ahead. It also suggests contributions that developers should pay to finance these improvements. The SPD was adopted in April 2009.
- **Biodiversity SPD** will set out methods of identifying the required mitigation and compensatory measures and guidance to meet the need for biodiversity 'off-setting'. The programmed date for adoption of the SPD is November 2015.

2.4 The Proposals Map (including inset plans) is currently part of the adopted and saved policies of Local Plan. However, it will be updated as and when Development Plan Documents are adopted.

Review of the Local Plan

2.5 The LDS includes a review of the Local Plan. The Local Plan will eventually supersede the DPDs referred to above and provides the opportunity to consolidate the DPDs into one Local Plan. Furthermore, a revised Strategic Housing Market Assessment (SHMA) is due to be prepared in 2014 which will inform future planning policies and housing need for all local authorities throughout Leicester and Leicestershire. This will eventually supersede the SHMA published in 2008. The programme in Appendix 1 identifies that initial preparation of the Scoping document will begin in December 2014, after completion of the Site Allocations DPD and the updated SHMA.

Changes to the LDS Programme since 2012

2.6 A number of changes have been made to the LDS programme accommodating the Council's approach to preparing and reviewing its Local Plan and a review of the Supplementary Planning Documents to supplement the Site Allocations and Development Management DPD. The most significant changes are summarised below and set out in Table 1.

2.7 **The Site Allocations DPD** was due for publication consultation in August & September 2013 and Submission to the Secretary of State in January 2014. Further work to identify appropriate site allocations including Member working groups to consider alternatives, is being undertaken to inform the Publication draft of the Site Allocations DPD which need to be addressed prior to the plan being submitted to full Council for approval. As a result of considering further alternative site allocation options, it was not possible to meet this publication date.

- 2.8 **The Earl Shilton and Barwell AAP** was programmed for publication consultation in June and July 2013. The AAP underwent Publication consultation from 30 August – 14 October 2014. The delay of two months to the existing programme was the result of a conscious decision not to consult during the summer holidays and to allow for consideration at Planning Committee (25 June) and subsequent meeting of the Council (16 July) to seek approval to consult on the Publication draft and to submit the Submission version of the AAP to the Secretary of State.
- 2.9 The authority has decided to postpone the preparation of CIL until such a time as the Site Allocations DPD and the Earl Shilton and Barwell AAP are advanced to 'Submission' and to coincide with any subsequent preparation of a Local Plan.

Table 1: Revisions to Local Development Scheme Programme since 2012

Document	Programmed Adoption Date 2012	Programmed Adoption Date 2013	Reason for Change
Statement of Community Involvement	N/A (Adopted 2006)	October 2014	Review of SCI adopted in 2006 to be undertaken to be consistent with the 2012 Regulations.
Core Strategy	N/A (Adopted 2009)	See 'Local Plan' below.	Now adopted – Removed from Programme
Site Allocations and Development Management Policies DPD	December 2014	June 2015	Further work to identify appropriate site allocations is being undertaken to inform the Publication draft of the Site Allocations DPD which need to be addressed prior to the plan being submitted to full Council for approval.
Earl Shilton & Barwell Area Action Plan	April 2014	July 2014	The delay of two months to the existing programme was the result of a conscious decision not to consult during the summer holidays and to allow for attendance at Planning Committee (25 June) and subsequent meeting of the Council (16 July), the purpose of which was to seek approval to consult on the Publication draft and to submit the Submission version of the AAP to the Secretary of State.
Gypsy and Traveller Site Allocations DPD	February 2016	October 2016	To accommodate further preparation time of a 'Scoping Document' and reflect consultation stages of the 2012 Local Planning Regulations.
Play & Open Spaces Developer Contributions Supplementary Planning Document	N/A (Adopted September 2008)	August 2015	Review of SPD adopted in 2008 to be undertaken to supplement the Site Allocations and Development Management DPD.
Shopping & Shop Fronts Supplementary Planning Document	N/A (Adopted October 2007)	August 2015	Review of SPD adopted in 2007 to be undertaken to supplement the Site Allocations and Development Management DPD.
Sustainable Development & Renewable Energy DPD	N/A	November 2015	SPD will supplement the Site Allocations and Development Management DPD and supersede the Sustainable Design SPD.
Biodiversity SPD	N/A	November 2015	SPD will supplement the Site Allocations and Development Management DPD.

3 Management of Development Plan Preparation

- 3.1 This section gives an account of how the Council will work, the resources that will be allocated, and how risks will be managed.

Duty to Cooperate

- 3.2 The Localism Act introduced the Localism Act sets out a 'duty to co-operate'. This applies to all local planning authorities, national park authorities and county councils in England and to a number of other public bodies. The duty:
- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council
 - requires that councils set out planning policies to address such issues
 - requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies
 - requires councils to consider joint approaches to plan making.
- 3.3 The NPPF sets out the strategic issues where co-operation might be appropriate, addressing matters such as the provision of infrastructure across local authority boundaries such as housing provision, transport and flood risk. The NPPF highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans.
- 3.4 The Council has in the past worked closely with neighbouring authorities and external agencies and will continue to foster such relationships where required, particularly in preparing baseline evidence.

Resources

- 3.5 The Planning Policy and Regeneration Team is responsible for preparing the Local Plan and coordinating work required to support the delivery of the documents set out in this LDS on a day to day basis. The Council will work closely with colleagues from other Service Areas and external agencies to prepare evidence base documents and inform policies in the Local Plan.
- 3.6 Consultants will be engaged on specific projects to provide technical expertise or where there is a need for independent advice. Some work will be undertaken in conjunction with Leicestershire County Council particularly to identify infrastructure and highways requirements and where opportunities arise with other districts to avoid duplication of effort across the county such as the preparation of the Strategic Housing Market Assessment.
- 3.7 During the preparation of the Core Strategy and the subsequent DPDs, the council has made annual contributions from its revenue budget to an earmarked reserve to fund the plan preparation process. Development Services department has a business plan which provides a framework for project delivery and this plan is reviewed annually.
- 3.8 Resource and financial implications have been considered through the preparation of this LDS. Detailed resource and budget implications will need to be considered prior to undertaking the Local Plan review, however the Policy and Regeneration Team, at its current staffing levels will be able to

sufficiently resource the preparation of the Local Plan. Furthermore the Council will continue to explore appropriate opportunities for joint working with neighbouring authorities, which will result in a sharing of resources and evidence base documents.

Programme Management and Responsibilities

- 3.9 The profiles in Section 4 identify management responsibilities for each area of work.
- 3.10 Regular meetings are held between the Chief Planning and Development Officer and the Policy and Regeneration Manager to ensure lines of communication are working and to review progress of plan preparation.
- 3.11 Progress on the Local Development Scheme programme and the preparation of Local Development Documents will be reported at various Senior Management and Member briefings as and when considered necessary. Furthermore, each DPD and LDD will be subject to consideration and approval through the relevant committee process prior to consultation on each stage referred to above.
- 3.12 At this stage, informed assumptions have had to be made about the availability of the Planning Inspectorate to examine DPDs. However, the Borough Council will enter into a service level agreement with the Planning Inspectorate for the Examination and reporting period at the appropriate stage.

Council Procedures and Reporting Protocols

- 3.13 For each Development Plan Document, Supplementary Planning Document and the Statement of Community Involvement, the levels of political responsibility include the following:
- Member briefings or Member working groups as and when required throughout the preparation of DPDs and SPDs;
 - Executive for key stages of production of Development Plan Documents.
 - If appropriate, the Council's Scrutiny Commission will review evidence for Development Plan Documents, and results of consultation for all documents and make recommendation to Executive Members as appropriate;
 - Council Resolution required for submission and adoption stages;

Risk Assessment

- 3.14 In preparing the Local Development Scheme, it was found that the main areas of risk relate to:

Staff Turnover

- 3.15 This has been reduced as far as reasonably practical by the introduction of a staff retention package for key staff. Also, the council has established good working relationships over the years with consultants and neighbouring authorities and where appropriate resources will be pooled for mutual benefit.

Political Issues

- 3.16 This has been reduced as far as possible by the political management arrangements put in place. Officers will maintain an ongoing dialogue with Members at key stages of the plan preparation process. Where necessary the Scrutiny Commission has the opportunity to consider documents prior to consultation stages.

Capacity of Planning Inspectorate to cope with demand nation-wide

- 3.17 The Borough Council will seek to minimise this as much as practicably possible through sending the LDS; 'Publication' consultation documents and intended date of submission to the Planning Inspectorate. Prior to Submission, the Borough Council will enter into a Service Level Agreement with the Planning Inspectorate setting out timeframes and responsibilities of both parties for the submission and examination for each DPD.

"Soundness" of Development Plan Documents

- 3.18 The Borough Council will undertake a 'soundness self-assessment' throughout each stage of the plan preparation process, utilising the Planning Advisory Service (PAS) 'Soundness Self-assessment checklist'.

Legal Challenge

- 3.19 The Borough Council will seek to minimise the threat of legal challenge by making sure that the legal and procedural requirements as set out in the Planning and Compulsory Purchased Act and the Town and Country (Local Planning) Regulations for preparing DPDs have been met. The Council will undertake a 'Legal Compliance' check throughout each stage of the plan preparation process, utilising the PAS 'Local Plan Legal Compliance Checklist'.

4 Local Development Document Profiles

Site Allocations and Development Management Policies Development Plan Document

OVERVIEW	
Role & Subject	To provide a policy framework containing land allocations and site specific proposals up to 2026, in accordance with requirements, vision and spatial strategy set out in the Council's Core Strategy. The Development Plan Document will include the identification of sites for housing, employment, retail, recreation/open space, nature conservation and other land uses. It will contain policies relating to proposals that require site specific conditions such as design guidance, conservation and protection of open spaces and criteria based policies against which planning applications for the development and use of land and buildings will be considered.
Geographical Coverage	Borough-wide
Document Type	Development Plan Document.
Chain of Conformity	It must be in conformity with the Core Strategy, the National Planning Policy Framework and the Hinckley & Bosworth Community Plan.
Programmed Adoption Date	June 2015
TIMETABLE	
Stage	Dates
Document preparation and stakeholder engagement.	September – December 2005
Consultation on Issues & Options.	July – September 2007
Consideration of Representations and Stakeholder Discussions.	October 2007 – August 2008
Public Consultation on Preferred Options.	February – April 2009
Publication of Development Plan Document.	March 2014
Submission to Secretary of State.	August 2014
Estimated programmed date for Examination.	January 2015
Programmed date for Adoption.	June 2015
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team.
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Members will be briefed as and when it is considered appropriate to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	Formal and informal consultation responses from external stakeholders and service and infrastructure providers. Local Strategic Partnership to provide key link to community planning. Consultants to assist with the preparation Sustainability Appraisal / Strategic Environmental Assessment; evidence based documents and attendance at examination as required.
Stakeholder & Community Involvement	Stakeholder and community engagement and consultation will be essential at each stage of production and the arrangements for this will be in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The DPD will be subject to review in the form of the Borough Council Local Plan (see below). The effectiveness of the policies and delivery of site allocations will be monitored on an annual basis through the Authority Monitoring Report.

Barwell and Earl Shilton Area Action Plan

OVERVIEW	
Role & Subject	To set out detailed policies and site proposals for the delivery of two Sustainable Urban Extensions at Barwell and Earl Shilton. The AAP will include the policy framework to assess development proposals across the whole of Barwell and Earl Shilton relating to matters such as retail, employment, residential, leisure, and open space). It will also include the identification of redevelopment and regeneration opportunities within the centres of Barwell and Earl Shilton with the aim of enhancing the vitality and viability of these areas.
Geographical Coverage	Barwell and Earl Shilton.
Document Type	Development Plan Document.
Priority	High
Chain of Conformity	It must be in conformity with the Core Strategy, the National Planning Policy Framework and the Hinckley & Bosworth Community Plan.
Programmed Adoption Date	July 2014
TIMETABLE	
Stage	Dates
Document preparation and stakeholder engagement.	September – December 2005
Consultation on Issues & Options.	July – September 2007
Consideration of Representations and Stakeholder Discussions.	October 2007 – August 2008
Public Consultation on Preferred Options.	February – April 2009
Publication of Development Plan Document.	August 2013
Submission to Secretary of State.	December 2013
Estimated programmed date for Examination.	March 2014
Programmed date for Adoption.	July 2014
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team.
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	Development Industry expertise, including seeking advice from stakeholder groups. Consultants have previously been commissioned to undertake a masterplanning exercise for the Sustainable Urban Extensions and identify potential regeneration opportunities for the district centres of Barwell and Earl Shilton. Consultants to assist with the preparation Sustainability Appraisal / Strategic Environmental Assessment; evidence based documents and attendance at examination as required.
Stakeholder & Community Involvement	Stakeholder and community engagement and consultation will be essential at each stage of production and the arrangements for this will be in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The effectiveness of the policies and delivery of site allocations will be monitored on an annual basis through the Authority Monitoring Report.

Gypsy & Traveller Allocations Development Plan Document

OVERVIEW	
Role & Subject	To provide a policy framework containing land allocations and site specific proposals for gypsy and traveller pitches/sites up to 2031, in accordance with requirements, vision and spatial strategy set out in the Core Strategy and informed by appropriate evidence. The DPD will include the identification of sites for gypsy and traveller accommodations and will contain policies relating to proposals that require site specific conditions such as design guidance, conservation and protection of open spaces and criteria based policies against which planning applications for the development and use of land and buildings will be considered.
Geographical Coverage	Borough-Wide
Status	Development Plan Document.
Priority	High.
Chain of Conformity	It must be in conformity with the Core Strategy, the National Planning Policy Framework and the Communities and Local Government Planning Policy for Traveller Sites.
TIMETABLE	
Stage	Dates
Evidence base gathering and drafting of Scoping document.	October 2013 – April 2014
Consultation on Scoping DPD Document.	May – June 2014
Publication of Development Plan Document	July – August 2015
Submission to Secretary of State.	February 2016
Estimated date of Pre-Examination Meeting and Commencement of Examination hearings.	May2016 – June2016
Estimated date for Adoption.	October 2016
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team.
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	Leicester and Leicestershire Joint Traveller Unit, including seeking advice from stakeholder groups.
Stakeholder & Community Involvement	Stakeholder and community engagement and consultation will be essential at each stage of production and the arrangements for this will be in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The effectiveness of the policies and delivery of site allocations will be monitored on an annual basis through the Authority Monitoring Report.

Shopping & Shop Fronts Supplementary Planning Document

OVERVIEW	
Role & Subject	To provide supplementary policy guidance for negotiating with developers on the quality of shop fronts and associated advertisements and the location and mix of retail and non-retail uses, such as pubs and bars.
Geographical Coverage	Borough-wide.
Document Type	Supplementary Planning Document.
Priority	Medium.
Chain of Conformity	Must be in conformity with the Site Allocations and Development Management DPD; the Earl Shilton and Barwell AAP and the Hinckley Town Centre Area Action Plan.
Programmed Date for Adoption	August 2015.
Stage	Dates
Drafting of Publication SPD.	October 2013 – April 2014
Consultation on Publication SPD.	July – August 2014
Programmed date for Adoption.	August 2015
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team.
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	None anticipated – SPD to be prepared internally.
Stakeholder & Community Involvement	The Publication draft SPD will be subject to stakeholder consultation in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The effectiveness of the policies and delivery of the relevant DPDs will be monitored on an annual basis through the Authority Monitoring Report. The implications of any changes to relevant plan policies to the SPD as a result of monitoring will be considered.

Sustainable Development and Renewable Energy Supplementary Planning Document

OVERVIEW	
Role & Subject	To provide supplementary guidance on Policy 24 and 16 of the adopted Core Strategy and relevant design policy and guidance on the delivery of renewable energy provision throughout the Borough to supplement relevant policy within the Site Allocations and Development Management DPD.
Geographical Coverage	Borough-wide.
Status	Supplementary Planning Document.
Priority	Medium.
Chain of Conformity	Must be in conformity with Policy 24 and 16 of the adopted Core Strategy and relevant design policy within the Site Allocations and Development Management DPD.
TIMETABLE	
Stage	Dates
Drafting of Publication SPD.	July – November 2014
Consultation on Publication SPD.	February – March 2015
Programmed date for Adoption.	November 2015
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	None anticipated – SPD to be prepared internally.
Stakeholder & Community Involvement	The Publication draft SPD will be subject to stakeholder consultation in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The effectiveness of the policies and delivery of the relevant DPDs will be monitored on an annual basis through the Authority Monitoring Report. The implications of any changes to relevant plan policies to the SPD as a result of monitoring will be considered.

Play & Open Spaces Developer Contributions Supplementary Planning Document

OVERVIEW	
Role & Subject	To provide supplementary guidance to advise and inform those involved in planning new development throughout the Borough as to how relevant Borough Council policies and standards will be applied to the provision of new and improved play and open space opportunities and the method for calculating financial contributions towards their delivery.
Geographical Coverage	Borough Wide.
Status	Supplementary Planning Document.
Priority	Medium.
Chain of Conformity	Must be in conformity with 19 of the adopted Core Strategy and relevant policy within the Site Allocations and Development Management DPD.
TIMETABLE	
Stage	Dates
Drafting of Publication SPD.	October 2013 – April 2014
Consultation on Publication SPD.	July – August 2014
Programmed date for Adoption.	August 2015
ARRANGEMENTS FOR PRODUCTION	
Organisational Lead	Policy and Regeneration Team
Management Arrangements	The Policy Team will co-ordinate and manage work on a day to day basis. Senior Management and Members will be regularly briefed and offer an opportunity to inform recommendations to Executive and other Council meetings as appropriate.
External Resources	None anticipated – SPD to be prepared internally.
Stakeholder & Community Involvement	The Publication draft SPD will be subject to stakeholder consultation in line with the Town and Country Planning Regulations and the Statement of Community Involvement.
Monitoring and Review	The effectiveness of the policies and delivery of the relevant DPDs will be monitored on an annual basis through the Authority Monitoring Report. The implications of any changes to relevant plan policies to the SPD as a result of monitoring will be considered.

Appendix 3: Glossary of Planning Terms

Area Action Plan	AAP	These site-specific plans will provide the planning policy framework for key areas of opportunity, change and/or conservation.
Annual Monitoring Report	AMR	This is a document to be produced each year to assess the effectiveness of the Development Plan Documents.
Chain of Conformity		This term describes the relationship between documents, plans and policies and how closely they must correspond with one another and reflect other planning strategies and policies. 'Conformity' can take number of forms ranging from 'having regard to' to 'must conform to'.
Community Strategy		Local Authorities are required by the Local Government Act 2000 to prepare Community Strategies, with the aim of improving the social, environmental and economic well being of their areas. Through the Community Plan, authorities are expected to co-ordinate the actions of the local public, private, voluntary and community sectors through the establishment of a Local Strategic Partnership.
Development Plan		The local planning policy framework against which planning applications are determined. This includes adopted Local Plans and Neighbourhood Development Plans
Development Plan Document	DPD	Any part of the Local Development Framework that forms part of the statutory development plan e.g. the Core Strategy, site-specific allocations of land, area action plans and the proposals map.
Examination		An examination chaired by an independent Planning Inspector into the soundness of the Development Plan Documents.
Local Development Document	LDD	A document that set out planning policies and guidance for the Borough for specific topics or for geographical areas, includes Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.
Local Development Scheme	LDS	The project management document setting out the programme for preparing the Local Development Documents and proposals for monitoring and review.

Local Plan	LP	<p>The plan for the future development of the local area, prepared by the local planning authority in consultation with the community. The Local Plan comprises of development plan documents adopted under the Planning and Compulsory Purchase Act 2004 and policies which have been 'saved' under the 2004 Act. For Hinckley and Bosworth the current Local Plan comprises:</p> <ul style="list-style-type: none"> • The 'saved' policies of the Borough Local Plan 2001; • The Core Strategy (adopted 2009); and • The Hinckley Town Centre Area Action Plan (adopted 2011).
Local Planning Authority	LPA	The public authority whose duty it is to carry out specific planning functions for a particular area. In Hinckley and Bosworth this is the Borough Council.
Local Strategic Partnership	LSP	A cross sector partnership including service providers, voluntary organisations, community groups, and residents. The aim of the partnership is to plan and deliver a joint programme for improving quality of life. In Hinckley and Bosworth this programme is called the Community Plan, but there is also a Leicestershire Community Strategy prepared by a Countywide Local Strategic Partnership, Leicestershire Together.
Neighbourhood Development Plan	NDP	A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).
Stakeholders		Stakeholders are any organisations, bodies or individuals affected or interested in the Local Plan. This will involve members of the public, developers, landowners, interest groups and organisations such as the Environment Agency.
Statement of Community Involvement	SCI	A document that sets out the standards to which the Local Planning Authority will engage and consult the public and other stakeholders during the production of the Local Plan and when dealing with planning applications.

Strategic Environmental Assessment	SEA	An assessment of the potential impacts of policies and proposals on the environment to include proposals for the mitigation of impacts.
Supplementary Planning Document	SPD	Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs can be a material consideration in planning decisions but do not form part of the development plan.
Sustainability Appraisal	SA	An assessment of the social, economic and environmental impacts of the policies and proposals of each Development Plan Document.

Further copies, versions in alternative languages and larger print or audio versions

Further copies, versions in alternative languages and larger print or audio versions are available from the following address:

Policy and Regeneration Team
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR
Tel: 01455 238141
Email: planningpolicy@hinckley-bosworth.gov.uk

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COUNCIL – 3 DECEMBER 2013

**SALE OF FORMER DEPOT SITE MIDDLEFIELD LANE
REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE
DIRECTION)**



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: HINCKLEY DE MONTFORT

1. **PURPOSE OF REPORT**

- 1.1 To update members on the current position regarding the sale of the former Council Depot Site Middlefield Lane.

Members can view copies of the documents referred to below in the Members' Room or by contacting the report author.

2. **RECOMMENDATION**

- 2.1 That Council confirms it is happy to proceed with marketing the former Council Depot Site Middlefield lane for disposal as outlined in this report. A further report will be brought before Council to agree the sale on negotiated terms.

3. **BACKGROUND**

- 3.1 In December 2011 Council agreed to progress a project to relocate the Middlefield Lane Depot to new premises.
- 3.2 To fund this relocation and new development Members agreed to the sale of the Middlefield Lane site which was valued by Sturgis Shattock and partners on the 28 October 2010 at a value of £2,300,000.
- 3.3 In March 2012 a contract was agreed to purchase a suitable plot of land on the Harrowbrook Industrial Estate for the new works depot premises known as the Jubilee Building, which received planning consent on 29 May 2012.
- 3.4 A full design and build construction commenced on site in September 2012 and the contract was completed by Ashe Construction in March 2013.
- 3.5 As the current climate for residential housing is now showing signs of improvement and the Capital programme includes the receipt for the disposal of this site officers request that Members approve the marketing of this site in line with the Councils adopted disposal strategy.

Marketing Strategy

- 3.6 To dispose of the former Depot Site at Middlefield Lane Hinckley it is necessary to follow the guidance laid out in the Councils adopted Disposal Strategy.
- 3.7 In this instance the former Depot site was identified for disposal as the facility was in poor condition and performing inadequately both in its function and financially.
- 3.8 As a general principle, disposal with open marketing is the appropriate way to attract interest and secure best consideration. In this case it is proposed that the site move forward via Private Treaty with open marketing. After a reasonable period of exposure to the market, negotiations will be carried out with interested parties and a clear highest bidder may emerge.

- 3.9 In the event that two or more interested buyers are identified at similar prices it is possible to consider moving on to Informal Tender.

Advantages:

- allows a flexible approach;
- time pressures are seldom imposed on either the seller or buyer; and
- it is widely understood and accepted by the general public.

Disadvantage:

- the proceedings cannot always overcome suspicions of unfair dealings, and it is therefore a method to be used with caution.

- 3.10 Informal tendering is a process by which offers are invited but perhaps without a firm closing date. Unlike a formal tendering process (when tenders are submitted in sealed envelopes all of which are opened together) offers in the informal process are opened as they are received. Offerers may be invited to increase their bids, possibly having been told that that a higher bid has been received. Whilst the practice of informal tendering (which might also be described as extended auction) does frequently give rise to complaints, the Ombudsman accepts that such a procedure may sometimes be appropriate and may result in the Council obtaining a higher price for the land than if bidding was restricted to a single sealed tender. At the end of such an extended auction process all parties still expressing interest should be asked to submit a final bid by a specified date”.

Advantages:

- the most advantageous terms for the Council can be formulated even in very complex cases;
- the Council does not need to accept any tender if the offer is not satisfactory;
- as bids are not public, tenderers should put forward their best offer. (Though not necessarily going to achieve best price because in an auction situation people are sometimes prepared to bid more than they had envisaged, particularly when they see others prepared to bid at that level)
- most useful as a tool for resolving competing interest following private treaty marketing.

Disadvantages:

- lacks the certainty of the Formal Tender procedure, can be frustrating since post-tender negotiations can be protracted and may not be successful; and
- the requirement to negotiate raises some of the disadvantages of a sale by private treaty.

- 3.11 Formal tendering requires a great deal of preparation, as the tender document forms the contract for sale. A full appraisal of the transaction needs to be carried out, including a valuation which may be used to provide a guide price, in order to have a baseline against which to assess the tenders when they are returned.

Disadvantages:

- potential purchasers are often put off by the procedure whereby they commit themselves contractually upon making any financial offer; there is little room for discussion about the scheme itself, and this method is too robust and inflexible to take account of any conditional offers, e.g. subject to planning etc.

In view of the inflexibility and disadvantages of the formal tender procedure there should, in normal circumstance, be a presumption against this method for the disposal of property.

Preparation for Disposal

- 3.12 In preparation for disposal the Estates and Asset Management Service have
- instructed Sturgis Snow and Astill to update the valuation report produced in October 2010
 - Instructed a further valuation for the site from the District Valuer
 - Gained approval from the Secretary of State to demolish the former Depot buildings
 - Are awaiting tender prices to be returned to move towards demolition of the remaining structures on the site in January 2014
 - Received a detailed Ecological report for the site from George Burton Architecture & Ecology Ltd (Appendix B)
 - Received a detailed Site Investigation for the site from Solmek (Appendix C)

4.0 FINANCIAL IMPLICATIONS [IB]

4.1 At the Council meeting on the 20th December 2011 it was reported that the sale would realise an estimated gross capital receipt of £2,300,000. After allowing for site clearance costs of £100,000 the net receipt would be £2,200,000.

4.2 The receipt from the site will be used to fund the Leisure Centre Development. If the sale is not earmarked for the Leisure Centre Development additional financing to fund the development will be required. If the £2,200,000 was financed through borrowing the cost of borrowing chargeable to the General Fund annually for 35 years, is estimated to be £167,857. Additionally, Council approval would be required to increase the Prudential Borrowing Limit by £2,200,000.

4.3 The Middlefield Lane Depot site is on HRA Land. Under The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 and the Localism Act 2011 the receipt can be used for regeneration purposes as long as it meets the following criteria:-

- (a) the land or building on the land is vacant, unused, ineffectively used, contaminated or derelict; and
- (b) the works or activities are carried out in order to secure that the land or the building will be brought into effective use.

HBBC's External Auditors (PWC) have agreed that the Leisure Centre Development on the Argents Mead site meets the above criteria.

5. LEGAL IMPLICATIONS [AB]

Contained within the body of the report.

6. CORPORATE PLAN IMPLICATIONS

7. RISK IMPLICATIONS

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
By not agreeing to the sale of the land, the Council would be exposed to serious risk of litigation and considerable costs, a much lower valuation (lower 'best value') and significant reputational damage.	Confirm agreement at this meeting	Council

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

Future development of the land is in accordance with planning policy for residential development within Hinckley. In preparation of the land sale a planning application has been approved.

9. **CORPORATE IMPLICATIONS**

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

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

Background papers:

Contact Officer: Malcolm Evans, Estates & Asset Manager, ext 5614

Executive Member: Cllr Keith Lynch

COUNCIL – 3 DECEMBER 2013

KLONDYKE ALLOTMENTS - COMPULSORY PURCHASE ORDER
REPORT OF CHIEF EXECUTIVE

WARDS AFFECTED: GROBY



Hinckley & Bosworth
Borough Council

A Borough to be proud of

1. **PURPOSE OF REPORT**

- 1.1 To seek member approval to make a Compulsory Purchase Order to acquire land and property interests at the land Known as the Klondyke Allotments site in connection with restoring the land to a use commensurate with its proper planning purpose, to delegate authority to the Chief Executive to take necessary steps to implement the Order.

2. **RECOMMENDATION**

- 2.1 That Council resolves:

- 2.1.1. It being satisfied that:

- (a) the acquisition of the land and interests contained in the Order (the maximum extent of which being those boundaries shown on the drawing attached to this Committee Report) is necessary to restore the land to a use commensurate with its proper planning purpose; and
- (b) the Order is proportionate in all the circumstances and that there is a compelling case in the public interest that requires the Order to be made, sufficient to justify any interference with human rights of the parties affected

to make the Hinckley Bosworth Borough Council (Klondyke Allotments) Compulsory Purchase Order 2013 (once the final form has been settled in accordance with the delegated authority set out below) and to submit the same for confirmation by the Secretary of State

- 2.1.2. to delegate authority to the Chief Executive as follows:

- (a) pursuant to the provisions of Sections 226(1)(b) of the Town and Country Planning Act 1990 (as amended), section 13 of the Local Government (Miscellaneous Provisions) Act 1976, the Acquisition of Land Act 1981 and all other relevant powers and provisions the Chief Executive, in consultation with the Chief Officer Corporate Governance and Customer Engagement and any other appropriate officer, be authorised to make, seal and submit to the Secretary of State for confirmation, an order entitled "The Borough of Hinckley and Bosworth (Klondyke Allotments) Compulsory Purchase Order 2013" ("the Order") to acquire land and other interests in respect of the land shown coloured pink on the plan at Appendix 1 to this report ("the Land") referred to as "Map referred to in the Hinckley & Bosworth Borough Council (Klondyke Allotments) Compulsory Purchase Order 2013" or in respect of such lesser areas of that land should he consider it appropriate;
- (b) to agree and adopt a Statement of Reasons (a draft of which is attached at Appendix 2) which may be subject to minor amendment(s) as required until the time the Order is made for the making of the Order in order to promote the proper planning purpose of the site;
- (c) to publish and serve upon all persons entitled thereto the Notice of the making of the Order and to authorise publication of the Order and to take all

other necessary steps to enable the Order to be confirmed by the Secretary of State;

- (d) that in the event the Order is confirmed by the Secretary of State, to serve Notices to Treat under Section 5 of the Compulsory Purchase Act 1965 and, where necessary, to serve Notices of Entry under Section 11 of the Compulsory Purchase Act 1965 in respect of the Land, or at his discretion to execute a General Vesting Declaration and in any event to take all steps considered necessary to obtain possession of the land included in the Order;
- (e)
 - (i) to continue to negotiate and attempt to negotiate with a view to agreeing terms for purchase by agreement or payment of compensation for any interests in or rights over the Land;
 - (ii) where considered appropriate, to agree terms for relocation;
 - (iii) if considered appropriate, to appoint specialist external consultants to perform or assist in the performance of these tasks; and
 - (iv) in the event that such terms are not agreed and following confirmation of the Order, to refer those matters where no agreement has been reached to the Lands Tribunal for determination.

2.1.3. To delegate authority to the Chief Executive to enter negotiations with Midland Quarry Products Ltd in order to agree the terms of a Compulsory Purchase Order Indemnity Agreement to contribute to the cost of the compulsory purchase and remediation of the Land.

3. BACKGROUND TO THE REPORT

3.1 The current unauthorised usage of the Klondyke Allotments has been a matter of concern for the Council for a number of years. The site is within both the Green Wedge and the National Forest and as such the current usage of the site is in direct opposition to its proper planning designation.

3.2 Planning enforcement action taken over the years to attempt to control the site has included:

3.2.1 The serving of a Planning Enforcement Notice on one part of the site in 2005 requiring that all hard-standing be removed from the site and the land reinstated to its previous condition through the planting of appropriate grass shrubs and seeds. This enforcement notice has not been complied with.

3.2.2 Following the failure of the owner to comply with the Enforcement Notice the Council in 2007 sought and obtained an Injunction Order in similar terms to the enforcement notice. Owing to difficulty in locating the subject of the Injunction the Council has not been in a position to enforce it although it remains extant.

3.2.3 Another area of the site has since 1986 been used as an unauthorised builders yard. A planning contravention notice was served against the property in 2007 which resulted in works being carried out to remove a proportion of the loose materials and scrap on the site although the unauthorised use continues.

3.2.4 In March 2007 a further area of the Site was served with an enforcement notice to remove all caravans and mobile homes from the site. This enforcement notice was complied with.

3.2.5 In April 2011 the owners of the entire site was made subject to a further injunction to prevent any development of the site and in particular the

bringing onto the site tarmac or other materials for the on to the land. This injunction expired in June 2011 as no breaches of the injunction occurred in this period.

- 3.3 The proper planning purpose of the site is set out in the Council's Adopted Core Strategy 2009. The site is part of both the National Forest and the Rothley Brook Meadow Green Wedge.
- 3.3.1 Policy 9 of the Adopted Core Strategy 2009 lists the land uses which are considered acceptable within the Rothley Brook Green Wedge as Agriculture, Recreation, Forestry, Footpaths and Bridleways Burial Grounds and Nature Conservation. In addition any land use within the green wedge is required to maintain the function of the Green Wedge, and retain the visual appearance of the area.
- 3.3.2 Policy 21 of the Adopted Core Strategy supports proposals that contribute to the delivery of the National Forest Strategy including (increasing woodland cover, enhancing biodiversity, developing a new woodland economy for timber products and wood fuel energy, outdoor recreational and sport provision and tourism developments. Only development meeting this Strategy will be supported and even then only if its siting and scale is appropriate to a forest setting the development respects the character and appearance of the wider woodland setting.
- 3.4 The current unauthorised uses of the site are not in keeping with either Policy 9 or Policy 21 and it is proposed that following the acquisition of the site a tree planting programme is carried out to ensure that the proper planning purpose of the site is met and the Green Wedge and National Forest supported properly.
- 3.5 The Council will during the Compulsory Purchase process negotiate in parallel with the current owners of the site to purchase their properties by private treaty.
- 3.6 As members will see, there is a long history to this site and concerns have been raised regularly by local members about the need to negotiate its standing and use. As a result, a number of meetings have been held in recent months, involving the Leader of the Council, local members, relevant officers and other local interests, following which this report has been produced. The report and its recommendations have the full support of that group.
- 3.7 Midland Quarry Products were also represented on the group and they have indicated that they would be willing to make a financial contribution towards the costs of compulsory purchase order, the purchase of the Land and the remediation of the Land. An indemnity agreement for these costs will be agreed by the Council prior to making the Order.
4. FINANCIAL IMPLICATIONS (KB)
- 4.1 Based on the current position, the cost of preparing the compulsory purchase order for this case could be met internally by existing resource. However, for any ensuing public inquiry, the Council will be required to fund legal costs estimated at around £12,500.
- 4.2 In line with the Council's Asset Management Strategy, an independent valuation has been obtained on the current site to ascertain its market value. This valuation, obtained from the Council's commissioned valuers (Sturgis Snow and Astill) has been received for £1.00, assuming there to be no prospect of any remediation works being imposed on the freehold of the site. This current valuation indicates that the

asset would hold no benefit to the net worth of the Authority and would effectively be held at surplus.

- 4.3 If the Council were to acquire the land, various costs would be incurred in making the land secure ahead of any decision on its future use. These are currently estimated to be £1,100. Further resource may be required from the Council's Estates and Asset Management officers to react to any disturbance that occurs as a result of the Council acquiring the site.
- 4.4 Potential further use for the land may include creation of a woodland area on the site. The cost of this initial planting is estimated to be £28,500, excluding any ongoing grounds maintenance work that will be required.
- 4.5 On the basis of the current value and lack of present uses it would be difficult to demonstrate strict financial value for money in acquiring the land. Because of the cost associated with its future use, acquisition may not be deemed affordable, sustainable and prudent under the terms of the Council's Prudential Treasury Management Strategy.

5. LEGAL IMPLICATIONS (AB)

- 5.1 The procedures for making a compulsory purchase order are governed by various statutes, including (but not limited to) the Compulsory Purchase Act 1965, the Acquisition of Land Act 1981 and the Town and Country Planning Act 1990.
- 5.2 Section 226(1) of the Town and Country Planning Act 1990 gives the Council power to make the a compulsory purchase order on condition that it thinks that the acquisition of the land is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.
- 5.3 The Council is advised that the proposed compulsory acquisition of the land and interests contained in the Order (the maximum extent of which being those boundaries produced shown on the drawing attached to this Committee Report) will is required to achieve the proper planning purpose of the land in light of its designation as part of both the Rothley Brook Meadow Green Wedge and the National Forest;
- 5.4 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the European Convention on Human Rights ("ECHR"/ "the Convention").
- 5.5 The position is conveniently summarised in paragraph 17 of Part 1 of the Memorandum to ODPM Circular 06/2004, which states that a compulsory purchase order should only be made where there is "a compelling case in the public interest". The Circular makes it clear that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. In making this assessment, an acquiring authority should have regard, in particular, to the provisions of Article 1 of the First Protocol and Article 6 of the Convention and, in the case of a dwelling, Article 8 of the Convention. These are summarised and considered below.
- 5.6 Article 1 of the First Protocol states that:
"...Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law..."

- 5.7 Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed, this will be done in accordance with the law. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the scheme are set out earlier in this report. It is considered that the Order will strike a fair balance between the public interest in the implementation of the scheme and those private rights which will be affected by the Order.
- 5.8 Article 6 of the Convention provides that:
“In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”
- 5.9 The Scheme has been extensively publicised and consultation has taken place with the communities and parties that will be affected by the Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State for Communities and Local Government, and to be heard at a public inquiry. It has been held that the statutory processes and associated right for those affected to pursue remedies in the High Court where relevant, are compliant with Article 6.
- 5.10 Article 8 of the Convention states that:
“Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.”
- 5.11 It is considered that such interferences as may occur with the pursuance of the Order are in accordance with the law, pursue a legitimate aim, namely the proper planning of the area in which land is situated and/or the protection of the rights and freedoms of others, and are proportionate having regard to the public interest that the compulsory purchase will promote the return of the site to a state in keeping with its planning purpose.
- 5.12 Those directly affected by the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Code, assessed on the basis of the market value of the property interest acquired, disturbance and statutory loss payment. The reasonable surveying and legal fees incurred by those affected will also be paid by the Council (these costs will also be backed by the indemnity from Midland Quarry Products). The Compulsory Purchase Code has been held to be compliant with Articles 8 and Article 1 of the First Protocol.
- 5.13 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties. Similarly, any interference with Article 8 rights must be “necessary in a democratic society” i.e. proportionate.
- 5.14 The Council should consider the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the site. The Council is advised that interference with Convention rights in this instance is considered to be justified in order to secure the economic regeneration, environmental and public benefits which the scheme will bring.

6. CORPORATE PLAN IMPLICATIONS

6.1 The redevelopment of the Klondyke Allotment site meets the Corporate Aim of creating a vibrant place to live and work by reducing the impact on the environment,

7. CONSULTATION

7.1 None specific to this report

8. RISK IMPLICATIONS

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

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

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

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
By not taking the actions recommended in the report, the status of the land remains unresolved and its usage is likely to continue not to comply with the requirements of the Core Strategy 2009	Pursue the compulsory purchase of the site	Chief Executive

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The recommendations contained within the report present no implications with regard to equalities or rural areas. However, the wider redevelopment proposals which have been previously approved by the Council have given full consideration to equality and rural considerations. The development will be of benefit to all groups within the community and all areas of the Borough.

10. CORPORATE IMPLICATIONS

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

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

Background papers: Plan of the Site

Contact Officer: Adam Bottomley Senior Solicitor ext 5621

Executive Member: Cllr Stuart Bray

COUNCIL 3 DECEMBER 2013

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

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



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

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

2. **RECOMMENDATION**

- 2.1 That the Council pass a resolution to adopt the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 for the whole of the Borough.

3. **BACKGROUND TO THE REPORT**

- 3.1 Part II of the Local Government (Miscellaneous Provisions) Act 1976 contains provisions in relation to the licensing of private hire and hackney carriage vehicles, drivers and operators. The legislation contains provisions which allow local authorities to control the operation and use of private hire and hackney carriage vehicles and to protect the public by ensuring that vehicles are fit for use as licensed vehicles and drivers are 'fit and proper' to act as such if the provisions of Part II of the 1976 Act have been adopted by the Council
- 3.2 Recent case law has seen decisions to prosecute for offences under Part II challenged successfully because a Council could not demonstrate, some 35 years after the event, that it had given the appropriate notices in its adoption of Part II. The paperwork was simply not available. There is a general awareness that these challenges have taken place and in order to have a recent and robust position which would not be challengeable it is suggested that it would be beneficial to re-adopt the resolution for the purpose of clarity for the future and to ensure certainty in any enforcement action taken under the legislation.

4. **FINANCIAL IMPLICATIONS [PE]**

- 4.1 The cost implication relating to the publication of the statutory notices has been met by existing budgets.

5. LEGAL IMPLICATIONS [MR]

- 5.1 Section 45(2) of the 1976 Act provides that if the Town Police Clauses Act 1847 is in force in the area of a district council, the council may resolve that the provisions Part II of the 1976 Act (other than section 45), are to apply to the relevant area; and if the council do so resolve those provisions shall come into force in the relevant area on the day specified in that behalf in the resolution (which must not be before the expiration of the period of one month beginning with the day on which the resolution is passed). "The relevant area" for these purposes means: (a) if the Act of 1847 is in force throughout the area of the council, that area; and (b) if the Act of 1847 is in force for part only of the area of the council that part of that area. The 1847 Act is in force throughout the entire area of Hinckley & Bosworth Borough Council.
- 5.2 Section 45(3) provides that a council shall not pass a resolution adopting Part II of the 1976 Act unless it has (a) published a notice of intention to pass the resolution in a local newspaper circulating in the area for two consecutive weeks; and (b) served a copy of the notice, not later than the date on which it is first published in the newspaper, on each Parish or community council within the area to be affected.

6. CORPORATE PLAN IMPLICATIONS [RP]

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

7. CONSULTATION [MB]

- 7.1 Public Notices have been placed in the Hinckley Times newspaper for two consecutive weeks commencing 19th September 2013 and all Town and Parish Councils have been served with a copy of the notice on 24th September 2013.

Following the consultation the Council must by resolution formally agree to adopt Part II of the Act which will then come into effect at least one month after the passing of the resolution.

8. RISK IMPLICATIONS

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

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

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

Management of significant Risks		
Risk Description	Mitigating actions	Owner
Reputation, Legal, Regulatory	Adoption of the Act in accordance with section 45 will ensure future lawful regulatory action.	Mark Brymer

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

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

10. **CORPORATE IMPLICATIONS**

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

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

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

Background papers: Local Government (Miscellaneous Provisions) Act 1976
 Notice letter to Town & Parish Councils
 Copy of Public Notice placed in newspaper

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

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HINCKLEY & BOSWORTH BOROUGH COUNCIL

Licensing of Hackney Carriages and Private Hire Vehicles

**NOTICE OF INTENTION TO ADOPT PART II OF THE LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976**

TAKE NOTICE that, at its meeting on the 11th September 2013 the Executive resolved to recommend to Council re-adoption of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”) within the Borough.

Hinckley & Bosworth Borough Council, (“the Council”) intends to pass for the purposes of clarification and the avoidance of doubt the following resolution pursuant to Part II of the Local Government (Miscellaneous Provisions) Act 1976 as part of its recent licensing review. Accordingly without prejudice to its previous adoption made pursuant to the above provisions of the 1976 Act;

NOTICE IS HEREBY GIVEN THAT pursuant to Section 45 (3) of the 1976 Act, it is the intention of the Council to pass a resolution that the provisions of Part II of the 1976 Act (other than section 45) shall be adopted and shall apply to the whole of its area with effect from 1st February 2014.

The resolution will have the effect of confirming the Borough of Hinckley & Bosworth as a ‘controlled district’ for the purposes of the 1976 Act, thus empowering the Council to control the licensing of hackney carriage and private hire vehicles, drivers and operators from the said date.

Mr Mark Brymer
Principal Licensing Officer

Dated: 19 September 2013.

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Please Ask For: Mr M Brymer
Direct Dial/Ext: 01455 255645
Direct Fax: 01455 255843
Email: esadmin@hinckley-bosworth.gov.uk
Our Ref:
Date: 17th September 2013

To All Parish / Community Councils

Dear Sir / Madam

Notice of Intention to Adopt Part II of the Local Government (Miscellaneous Provisions) Act 1976

As part of Hinckley & Bosworth Borough Council's ("the Council") recent licensing review, the Executive resolved at its meeting on 11th September 2013 to recommend to Council re-adoption of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act") within the Borough. Part II of the 1976 Act contains provisions relating to the licensing of private hire and hackney carriage vehicles, drivers and operators.

The re-adoption of the 1976 Act is proposed for the purposes of clarification for the future without prejudice to the Council's previous adoption in 1977 pursuant to the above provisions of the 1976 Act, and to ensure certainty in any enforcement action taken under the legislation.

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

The Executive authorised the Principal Licensing Officer to give the appropriate notices to all parish councils and to place the appropriate notices in the Hinckley Times.

Accordingly, please find enclosed for your information Notice pursuant to the provisions of the 1976 Act, the purpose of which is to ensure compliance with the notification requirements. A copy of the Notice will be published in the Hinckley Times Newspaper for 2 consecutive weeks commencing from 19th September 2013.

The Council will be requested to pass a resolution to adopt the provisions at its meeting scheduled to take place on 3rd December 2013. If passed, this will have the effect of confirming that from the 1st February 2014 the Borough of Hinckley & Bosworth will be a "controlled district" for the purposes of the 1976 Act, thus empowering the Council to control the licensing of hackney carriage and private hire vehicles, drivers and operators from the said date.

Should you have any enquiries please do not hesitate to contact Mr Mark Brymer on the above e-mail or telephone number.

Kindly acknowledge safe receipt.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mark Brymer', written in a cursive style.

Mark Brymer
Principal Licensing Officer

COUNCIL – 3 DECEMBER 2013

**ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE/
STANDARDS COMPLAINTS
REPORT OF: MONITORING OFFICER**



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

- 1.1 This report follows decisions made at Council in 2012, comments made at meetings of the Ethical Governance and Personnel Committee and the resignation of four members of the Committee on 18 November 2013.

The purpose of the report is to explain what this Council needs to have in place to comply with legislation and seeks to obtain Members support for a way forward.

2. **RECOMMENDATION**

- 2.1 That Council agree the approach to dealing with Complaints about Borough and Parish Councillors received under Chapter 7 of the Localism Act 2011, by agreeing one of the four alternative models described in paragraphs 3.7 - 3.10 or suggesting and agreeing an alternative model.

3. **BACKGROUND TO THE REPORT**

- 3.1 Chapter 7 of the Localism Act 2011 sets out the provisions in respect of the conduct of members under the new legislation. There is no longer a statutory requirement to have a Standards Committee, however each authority has to have in place arrangements dealing with complaints and standards issues.
- 3.2 The determination of complaints is a Council function, so the Council must either deal with it itself, appoint a committee (politically balanced), appoint a committee (and waive political balance) or delegate the function to an officer.
- 3.3 The Borough Council has responsibility to deal with complaints about elected and co-opted Members of Parish and Town Council's in the Borough's area. As such the Council can choose to co-opt non voting Parish Members on to any Committee delegated to carry out this function.
- 3.4 In 2012, this Council determined that a Politically balanced committee be set up to determine complaints and that it would be combined with the Personnel Committee, as such the Ethical Governance and Personnel Committee was established. The Committee has a membership of nine councillors and based on current proportionality five Liberal Democrat and four Conservative councillor places.
- 3.5 Following a number of debates during the consideration of complaints, concerning partiality due to the subject matter of the complaints often being about the actions of councillors of different Political Groups, the Conservative members of the Committee took the decision to resign from this Committee. This means that there are currently four vacancies.
- 3.6 This report is required as a decision is required as to the appropriate way forward as our statutory requirements state that we MUST have a mechanism for dealing with complaints. The following paragraphs indicate options open to the Council, or of course Members may like to suggest an alternative

3.7 OPTION 1 – Appointment to the four vacancies

This option is in essence maintaining the current position. This would require nomination of four Conservative councillors to the vacancies. In order to address concerns regarding partiality it would then require all members of the Committee to acknowledge that their duty on that committee is to consider all complaints objectively and without bias and to remain impartial.

3.8 OPTION 2 – That political balance be waived for Ethical Governance and Personnel Committee

This requires unanimous support of those present. This would allow for there to be an equal number of members of the Committee. For example four Conservative and four Liberal Democrat councillors. In this scenario (assuming there was a full complement) if there was a tie of votes, the Chairman would have the casting vote. Alternatively a ninth place could be given to the Labour member. The number of members can be determined by the Council.

3.9 OPTION 3 – Council considers all complaints

The Localism Act 2012, states that consideration of complaints is a Council function, as such complaints can be brought to meetings of the Council for determination. If this is a preferred option then I would advise delegating further decision making to an officer to filter complaints further. In order to address concerns regarding partiality it would then require all members of the Council to acknowledge that their duty is to consider all complaints objectively and without bias and to remain impartial.

3.10 OPTION 4 – Delegation to an Officer

As a function of the Council, you are open to delegate the whole function of considering and determining complaints to an officer of the Council.

3.11 For Council's information, since June 2012, the Council has received 12 complaints about Borough and Parish Councillors. Two of those have been referred for investigation, one of those has been completed and is awaiting consideration by the Ethical Governance & Personnel Committee and the other is in the early stages. Two complaints have still to be considered. As such there is a need to put a mechanism in place quickly to deal with these matters as one meeting has already had to be cancelled due to the absence of a properly constituted committee.

4. FINANCIAL IMPLICATIONS AB

4.1 Will be met within existing resources

5. LEGAL IMPLICATIONS LH

5.1 Stated in the report, failing to have a mechanism in place to deal with complaints will be a breach of the legislative requirements and we will face challenge through the Courts.

6. CORPORATE PLAN IMPLICATIONS

6.1 Empowering Communities – this mechanism allows members of the public to raise concerns and complaints about elected local Councillors.

7. CONSULTATION

7.1 None, this is for consideration by the Council as it is a Council function

8. RISK IMPLICATIONS

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

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to adopt a mechanism for the consideration of complaints leads to challenge	Agree an approach going forward	Council

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 All sectors of the Community are entitled to raise complaints about their local Councillors and Council is under a duty to have a mechanism in place to deal with them.

10. CORPORATE IMPLICATIONS

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

Background papers: none

Contact Officer: Louisa Horton x5859
Executive Member: Councillor Bron Witherford

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COUNCIL – 3 DECEMBER 2013

**ANNUAL REVIEW OF THE CONSTITUTION
REPORT OF THE MONITORING OFFICER**

WARDS AFFECTED: ALL WARDS (CORPORATE ISSUE)



Hinckley & Bosworth
Borough Council

A Borough to be proud of

1. **PURPOSE OF REPORT**

- 1.1 To recommend updates to the Constitution in line with changing legislation, Corporate Operations Board restructure and amended Chief Officer titles, amendments to Financial Procedure Rules and general review of content, grammar and layout.

All substantive changes are listed in this report and a copy of the Constitution with all recommended changes highlighted is available from the Democratic Services Officer on request.

2. **RECOMMENDATION**

- 2.1 That Council approves the changes to the Constitution listed in paragraphs 3.2 to 3.10 of this report.

3. **BACKGROUND TO THE REPORT**

- 3.1 The Constitution requires updating throughout the year to keep up to date with changes in legislation, and on an annual basis a full review is undertaken to ensure consistency throughout and to provide the opportunity to give consideration to all parts of the Constitution and their continuing relevance.

- 3.2 General changes throughout the Constitution have been made as follows:

- Chief Officer titles (removal of Chief Officer (Business, Contracts & Street Scene Services and amended titles of remaining Chief Officers) as agreed by Council on 16 July 2013 and amendment of delegation as appropriate;
- Head of Service officer title changes as agreed under delegated authority;
- Grammatical and typographical changes, and updates to ensure consistency throughout document;
- Changes to the Scheme of Allowances from April 2014 as agreed by Council on 24 September 2013.

- 3.3 Changes are recommended in relation to finance as follows:

- Updating of finance definitions;
- Revenue budgets (page 135): New financial limit on variations as proposed by Strategic Leadership Board and Corporate Operations Board to include as the first bullet point 'under £1,000 on codes relating to supplies and services up to a maximum of £10,000 per annum: All members of the Corporate Operations Board' and to insert as the beginning of what was the first bullet point '20% but less than' so the second bullet point will read '20% but less than £10,000 : Deputy Chief Executive (Corporate Direction) can approve virement'. The same change is repeated on page 156 para 23;
- Removal of reference to the Capital Forum;
- Contract procedure rules (point 5 – open competitive tenders): change from 'at least two of the following media' to 'at least one of the following media'.

- 3.4 Required changes relating to Environmental Health (Commercial):
- Deletion of reference to Scrap Metal Dealers Act 1964 and Motor Salvage registration under Vehicles Crime Act 2001 and insertion of the delegated powers given to officers in relation to the Scrap Metals Dealers Act 2013, agreed by Council on 24 September 2013.
 - Alterations to officer powers in relation to Section 38 of the Health and Safety at Work Act 1974 whereby the power to institute legal proceedings is delegated to officers appointed under Section 19 of the Act.
- 3.5 Amendments are required to onward limits of delegation under Building Control and Private Sector Housing:
- Page 75: to add a new point 3 to expand upon the serving of notices and prosecutions under the Building Act 1984 and give provision for delegation when immediate action is required;
 - Page 80: to include additional sections of the Building Act 1984 in paragraph 4.1 – sections 59, 60, 64, 65, 66, 76 and 79 and provision for delegation where immediate action is required;
 - Page 81 paragraph 4.4 and page 82 paragraph 4.5: provision for immediate action.
- 3.6 Changes in Street Scene Services required:
- Matters previously delegated to the Chief Officer (Business, Contracts & Street Scene Services) now delegated to the Head of Street Scene Services;
 - Add in to onward limits of delegation under the Refuse and Recycling portfolio 'holding Environmental permits to operate waste transfer station delegated to Head of Street Scene Services' (this is not a new delegation but for clarity as was previously not included in Constitution);
 - Removal of duplicated paragraph on car parking.
- 3.7 Proposed changes relating to members and committees:
- Changes required to seating arrangements at planning committee due to new meeting room and layout to state that members of the committee shall sit in their allocated place at the table and members in attendance as ward councillors or observers shall be seated in the reserved seating and shall come to the table when invited to speak;
 - Grammatical and textual corrections to code of conduct.
- 3.8 The following changes regarding member development are recommended:
- Mandatory training for Chairs and Vice-Chairs of all committees and standing bodies;
 - Amend requirement for mandatory training on Licensing, Planning and Appeals to 'as appropriate and identified by officers and the lead members for that area', rather than annually. This ensures that training on any changes in legislation is mandatory for members of the relevant committee.
- 3.9 Other recommended changes in the area of Corporate Services are:
- The Corporate Complaints Procedure requires updating due to the introduction of the Housing Ombudsman and the opportunity for complainants to ask advice of their ward councillor or MP prior to referring their complaint to the Ombudsman;

- Delegation of the signing of documents to the HR Manager in addition to the Chief Executive and the Chief Officer (Corporate Governance & Customer Engagement).

3.10 Other changes may be required as agreed under other agenda items at the same meeting.

4. FINANCIAL IMPLICATIONS [KP]

4.1 The only financial implications relate to the changes proposed to the financial regulations which, if approved will be enacted from 1st April 2014.

5. LEGAL IMPLICATIONS [LH]

5.1 A two-thirds majority is required to make changes to the Constitution.

6. CORPORATE PLAN IMPLICATIONS

6.1 The recommendations contained in this report support all Corporate Visions, Aims and Objectives in regulating and monitoring the decision making process and ensuring the council operates appropriately and within the legal framework.

7. CONSULTATION

7.1 Consultation has been undertaken with officers and members responsible for those aspects affected.

8. RISK IMPLICATIONS

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

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

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

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to maintain constitution resulting in possible breaches of legislation.	Undertake annual reviews and ensure relevant officers input into the reviews and members are aware of recommended changes.	Louisa Horton
Lack of awareness of provisions of Constitution and of decision making processes.	Ensure members and officers are aware of the provisions and receive unified advice.	Louisa Horton / Rebecca Owen

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The recommendations contained within this report will not affect any group or community more than another. The maintenance of the Constitution and provisions therein aim to support all who live, work, visit or are educated within the borough and to regulate decision making and ensure powers are in place to provide services appropriate for and accessible to all.

10. CORPORATE IMPLICATIONS

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

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

Background papers: None

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