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**HINCKLEY & BOSWORTH
BOROUGH COUNCIL**



**Hinckley & Bosworth
Borough Council**

**AGENDA FOR THE
MEETING OF THE COUNCIL**

**TO BE HELD ON
TUESDAY, 30 NOVEMBER 2021
at 6.30 pm**

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- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
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- **Do not** use the lifts.
- **Do not** stop to collect belongings.

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We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

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Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you



Date: 22 November 2021

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, 30 NOVEMBER 2021 at 6.30 pm**

Yours faithfully

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

Miss RK Owen
Democratic Services Manager

AGENDA

1. Apologies
2. Minutes of the previous meeting (Pages 1 - 4)
To confirm the minutes of the meeting held on 5 October 2021.
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. Items will be considered at the end of the agenda.
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. Questions
To deal with questions under Council Procedure Rule number 14.

7. Petitions
To deal with petitions submitted in accordance with Council Procedure Rule 15.
8. Leader of the Council's Position Statement
To receive the Leader of the Council's Position Statement.
9. Hinckley National Rail Freight Interchange (Pages 5 - 10)
To seek authorisation for a scheme of delegation.
10. Recruitment of additional posts: HGV drivers and driver training for waste collection service (Pages 11 - 16)
To seek approval to recruit two additional HGV drivers and support the training of two additional staff for the waste collection service.
11. Motions received in accordance with Council Procedure Rule 17
 - (a) Motion proposed by Councillor M Mullaney and seconded by Councillor Pendlebury
"Council notes the recent closures of the Santander and Halifax bank branches in Hinckley as part of a wider spate of bank closures across the country.

Council further notes that whilst many people are comfortable and able to bank online some, often elderly, residents still rely on banking in person. Closing the local branch will mean them having to travel substantial distances when many are unable to drive.

Council calls on the Chancellor of the Exchequer to give the Financial Conduct Authority more powers to prevent large bank companies carrying out anti-social large scale closures of local branches without adequate alternative provisions."
 - (b) Motion proposed by Councillor Ladkin and seconded by Councillor Morrell
"Council recognises the successes of COP26 and asks the Climate Change Member Working Group to note and act on them".
12. Matters from which the public may be excluded
To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Schedule 12A of the 1972 Act listed on the documents.
13. Building Control Service (Pages 17 - 80)
14. Horiba Mira investment update (To Follow)

Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

5 OCTOBER 2021 AT 6.30 PM

PRESENT: CLLR E HOLLICK - MAYOR
CLLR DT GLENVILLE – DEPUTY MAYOR

Cllr DC Bill MBE, Cllr CW Boothby, Cllr SL Bray, Cllr MB Cartwright, Cllr JMT Collett, Cllr MA Cook, Cllr DS Cope, Cllr MJ Crooks, Cllr WJ Crooks, Cllr DJ Findlay, Cllr REH Flemming, Cllr L Hodgkins, Cllr C Ladkin, Cllr MR Lay, Cllr KWP Lynch, Cllr LJ Mullaney, Cllr MT Mullaney, Cllr LJP O'Shea, Cllr A Pendlebury, Cllr RB Roberts, Cllr MC Sheppard-Bools, Cllr BR Walker and Cllr P Williams

Officers in attendance: Mark Brymer, Bill Cullen, Julie Kenny and Rebecca Owen

170 APOLOGIES

Apologies for absence were submitted on behalf of Councillors C Allen, R Allen, Gibbens, Morrell, Nichols, Smith, Webber-Jones and H Williams.

171 MINUTES OF THE PREVIOUS MEETING

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

RESOLVED – the minutes of the previous meeting be approved as a correct record.

172 DECLARATIONS OF INTEREST

No interests were declared.

173 MAYOR'S COMMUNICATIONS

The Mayor reported on the very successful Proms in the Park event on 4 September. He also reported on a visit to Hinckley Museum and the classic car show organised by Hinckley BID. The Mayor congratulated those involved in organising the events.

174 QUESTIONS

(a) Question from Councillor L Mullaney to the Leader of the Council:

“Leader, may I ask what the key objectives and positive outcomes that have arisen from the Crescent regeneration scheme and what the people of Hinckley have said about their priorities for it and how have we reported on the scheme’s commercial performance?”

Response from Councillor Bray:

“The Council set out its ambition for the bus station site in its development brief published in 2007. These are summarised as follows:

- Significantly improve the retail shopping offer
- Deliver new leisure facilities including a state of the art multi-screen cinema
- Secure a high quality building
- Achieve a sustainable development that enhanced the public realm of the town centre.

A number of key objectives underpinned this ambition:

- To provide retail, leisure and other facilities for the local community to meet identified need and help sustain the vitality and visibility of the town centre
- Contribute for the growth and improvement of the town centre with new quality retail and leisure facilities, leading to improved investor confidence in Hinckley
- Assist in preventing the identified leakage of spend out of Hinckley to competing centres
- To vastly improve the ambience of the area for those who work and live in the vicinity of the site
- Restoring community pride in the area
- Providing a major employment opportunity in a sustainable location, creating new investment opportunities and over 600 new jobs
- Addressing the existing town centre transport issues by providing an improved bus station for the town, together with enhance public parking provision
- Bringing significant improvements to the built environment and landscape of the town
- Creating and enhancing pedestrian and cycle routes through the site and enhancing linkage with the rest of the town centre
- Creating new areas of landscaping, public areas and open space to improve the environmental and public realm of the area.

All of these key objectives have been met. In addition, an independent report commissioned in 2015 placed Hinckley in the top 5% of retail footprint centres in the UK as a result of the development and improved its standing from 23rd to the 11th largest retail footprint centre in the East Midlands.

Further independent economic assessments that have been undertaken also demonstrate the significant economic impact of the Crescent. In 2017, a study undertaken by Amion showed the total economic impact being generated by the scheme for Hinckley town centre was more than £20M net additional GVA per annum, with over 1,000 additional jobs generated linked to an £82M capital investment into the scheme.

A further economic study undertaken by Warwickshire Economics in 2019 highlighted that Hinckley town centre generated £178M of GVA to the local economy with retail and leisure accounting for £57.6M GVA (45.5%).

It is, therefore, clear that despite the economic and more recent Covid Pandemic challenges, the Crescent has been a huge success, contributing significantly to the economic and physical regeneration of the town centre.

The residents of the borough have told us what's important to them. In fact, as early as 2006 a survey of the boroughs' residents highlighted that 45% of all respondents selected cinema as their top priority for new facilities in Hinckley, with over a quarter of all young people voting this as their top choices.

This was further reinforced with the feedback on the shortlisted developer schemes with people voting the Tin Hat Crescent scheme with its mix of uses as their favourite. Ultimately, when the former administration decided to sell off the cinema and restaurant block, the residents of the borough voted with their feet and supported the current administration's campaign to retain these important facilities in Council ownership.

The commercial return of the project has never been a top priority for the Council – moreover, it has been the wider economic and physical transformation and impact that the scheme would bring to the town as already referenced.

The Council has considered reports on the commercial arrangement and performance of the Crescent dating back to 2013. In more recent years, reports on Block C have been considered by Scrutiny Commission and Council in 2018, 2019 and there have been questions responded to at Council – the most recent in December 2020 by the Leader of the Conservative Group.”

(b) Question from Councillor Collett to the Executive member for Finance:

“Can the Executive member for Finance please confirm the total amount of funding received from the Government to assist with the Coronavirus pandemic? Can the Executive member also confirm the total amount of Coronavirus assistance funding distributed by this council to local business, councils and worthy causes?”

Response from Councillor Lynch:

“Other government grant income to give support to the council for loss of income, additional costs and new burdens was £3,602,739. This was for 2020/21, there will be some more for 2021/22, but not finally settled year, but approximately £1.1m so far. There was also S31 support to cover the reliefs given to retail business, which meant we had to stand down the business rates collected of £5,401,499 (£3.9m was for 2020/21, the rest is 2021/22).

As at 27 September 2021, the value of grants paid was £36,404,157 with the number of individual grants made being 7037 since March 2020. (Note that businesses may have had more than one grant, so the 7037 does not represent separate businesses).”

By way of supplementary question, Councillor Collett asked for confirmation that the figure for the value of grants paid of £36,404,157 was correct. This was confirmed.

175 LEADER OF THE COUNCIL'S POSITION STATEMENT

In his position statement, the leader referred to:

- General support for the county council's expression of interest to government for a devolution deal
- Work to support Afghan resettlement
- The successful policing operation in relation to “County Lines”
- The reopening of the Meadows Community Centre in Burbage
- The recent VCS celebration and handover of voluntary sector support from Next Generation to the RCC
- Recent successful events including Proms in the Park
- Guidance received to support residents in organising street parties to celebrate the platinum jubilee
- The launch of a new round of recovery grants for local businesses.

176 MINUTES OF THE SCRUTINY COMMISSION

The chairman of the Scrutiny Commission presented the minutes of the last meeting.

177 GAMBLING ACT POLICY

The refreshed Gambling policy (statement of principles) was presented to members. It was moved by Councillor Cartwright, seconded by Councillor Sheppard-Bools and

RESOLVED – the Gambling Policy be adopted.

178 ARRANGEMENTS FOR APPOINTING THE EXTERNAL AUDITORS

Members received a report which contained options for appointing external auditors from 2023/24. Members sought reassurance that previous issues with delays in the external audit process had been overcome. It was moved by Councillor Lynch, seconded by Councillor Cope and

RESOLVED – the external audit provider continue to be appointed under the PSAA procurement contract.

179 MOTION PROPOSED BY COUNCILLOR M MULLANEY AND SECONDED BY COUNCILLOR FINDLAY

The following motion was moved by Councillor M Mullaney and seconded by Councillor Pendlebury:

“Council notes that the £20 a week Universal Credit uplift is coming to an end on 6 October.

According to the Joseph Rowntree Trust, 6,790 families locally will be hit by the £20 a week Universal Credit reduction.

The cut in Universal Credit comes at a time when many people are struggling to meet the costs of rising energy bills and many low income working people will also be hit by National Insurance rises from April 2023.

Council calls on the government to drop its plans to reduce Universal Credit and to make the Universal Credit Uplift permanent.

Council resolves to write to the Chancellor of the Exchequer calling for the Universal Credit uplift to be made permanent.”

Councillor Bray, supported by nine further councillors, requested that voting on the motion be recorded. The vote was recorded as follows:

Councillors Bill, Bray, Cartwright, Cope, M Crooks, W Crooks, Findlay, Flemming, Glenville, Hodgkins, Hollick, Lay, Lynch, L Mullaney, M Mullaney, Pendlebury, Sheppard-Bools, Walker and Williams voted FOR the motion (19);

Councillors Boothby, Collett, Cook, Ladkin, O’Shea and Roberts voted AGAINST the motion (6).

The motion was therefore declared CARRIED and it was

RESOLVED – a letter be sent to the Chancellor of the Exchequer calling on the government to drop its plans to reduce universal credit and to make the universal credit uplift permanent.

(The Meeting closed at 7.30 pm)

MAYOR



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 30 November 2021

Wards affected: All wards

Hinckley National Rail Freight Interchange

Report of Director (Environment & Planning)

1. Purpose of report

- 1.1 To update Members on the progress being made in relation to the pre-application and application for a Development Consent Order (DCO) for the Hinckley National Rail Freight Interchange (HNRFI) by Tritax Symmetry to the Planning Inspectorate.
- 1.2 To advise Members on the statutory process and how the Borough Council are engaged in that process
- 1.3 To seek approval for a scheme of delegation to enable the Council to respond and engage effectively in the DCO process.
- 1.4 To confirm arrangements for member briefing.

2. Recommendation

- 2.1 That members authorise the Director (Environment & Planning) in consultation with the Executive Member for Planning and the Chair of the Member Working Group to respond on behalf of the Council on all matters pertaining to the HNRFI (Hinckley National Rail Freight Interchange) as described in this report.

3. Background to the report

- 3.1 The Hinckley National Rail Freight Interchange is classed as a Nationally Significant Infrastructure Project (NSIP) which are major infrastructure developments. A Development Consent Order (DCO) application for consent

to undertake an NSIP is made to the Planning Inspectorate who will consider the application and make a recommendation to the Secretary of State, who will decide on whether the DCO should be granted for the proposed scheme.

- 3.2 The HNRFI sits predominantly within the administrative boundary of Blaby District Council with approximately 250m of the proposed A47 road link from the M69 to Leicester Road being within the Hinckley and Bosworth administrative boundary which makes the Council a 'Host Authority' along with Blaby District Council and Leicestershire County Council.
- 3.3 The proposal is still being developed based on its evolving evidence base, however the current proposal for the DCO is:
- a) New rail infrastructure off the existing Felixstowe to Midlands and the North rail freight route (F2MN);
 - b) An intermodal freight terminal aka railport capable of accommodating up to 16 trains per day;
 - c) Up to 850,000 m² of buildings for logistics use (comprising 650,000 square metres at ground floor level and a further 200,000 square metres of mezzanine floorspace) – a use within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (warehouse and storage);
 - d) Lorry park which may include HGV fuelling facilities
 - e) Highway works including:
 - i. Provision of south facing slips onto Junction 2 of the M69;
 - ii. A new highway link between Junction 2 and B4668/A47 Leicester Road
- 3.4 The DCO application is currently at the pre-application phase of the DCO process where a formal public consultation must be held by Tritax Symmetry and this is anticipated to be early 2022.
- 3.5 There are then five other stages of the DCO process which are summarised below:
- Acceptance – submission of the application to the Planning Inspectorate
 - Pre-examination – Interested parties including the host authorities register to then be able to make their relevant representations
 - Examination – Hearings, representations, statement of common grounds on all matters being considered as part of the application
 - Recommendation & Decision – the Planning Inspectorate makes their recommendation within three months of the close of the examination. The Secretary of State then has a further three months to make the decision whether to grant/refuse the DCO.
 - Post-decision – 6 week Judicial Review period
- 3.6 As part of the DCO application process, and particularly during the examination stage, there will be continuous deadlines for the Council to submit further representations, answer queries and update statements of common ground on topic specific matters. These requests by the Planning Inspectorate will require swift responses (potentially within 14 calendar days)

to ensure all matters are fully explored before the close of the examination of the application.

3.7 The Planning Inspectorate has stated that late submissions of representations may prejudice the ability of other interested parties to consider and comment on its content, potentially then disrupting the examination and resulting in additional costs for other interested parties.

3.8 It is therefore advised that the Council ensures it has adequate delegations in place as it is unlikely there will be time to seek committee approval for representations made by the Council within the swift turnaround times. The HNRFI specific Member Working Group in place provides a cross party, discussion and consultation platform for the DCO process and so will be able to provide views on matters brought before them to assist in responding back to the Planning Inspectorate, with final decisions being made by the Director (Environment & Planning) in consultation with the Executive Member for Planning and the Chair of the Member Working Group.

4. Exemptions in accordance with the Access to Information procedure rules

4.1 This report will be taken in open session.

5. Financial implications [CS]

5.1 Specialist consultants may be required and developers will be asked to cover these costs via a Planning Performance Agreement.

5.2 There are currently no budgets approved for this project. If required, expenditure and income will require approval in accordance with financial procedure rules.

6. Legal implications [MR]

6.1 Section 101 local Government Act 1972 provides that a local authority may arrange for the discharge of any of its functions by a committee sub-committee or officer

6.2 Town and Country Planning and development control are specifically excluded from being executive functions by the Local Authority (Functions and Responsibilities) (England) Regulations 2000

6.3 It is therefore not possible under this section to delegate the exercise of powers relating to the exercise of town and country planning and development control to an individual councillor.

6.4 If it is intended, as set out in the report, that a single member should be involved in the decision, then the power can be delegated to an officer to be exercised after consulting with the named member.

6.5 This is the recommendation in the report, and, in law, the decision must be that of the officer.

7. Corporate Plan implications

7.1 Delegating decision making powers to the Director (Environment & Planning) and the Lead Executive Member for Planning for actions and responses pertaining to the HNRFI DCO application process will contribute to the delivery of the following two Corporate Plan themes:

- Places - We will do everything we can to ensure the transport and community infrastructure can support growth
- Prosperity - Boost economic growth and regeneration by encouraging investment that will provide new jobs and places to live and work all over the borough and we will encourage developers to use local labour, developing skills in collaboration with local colleges and provide opportunities for training and employment

8. Consultation

8.1 There is a cross party Member Working Group in place, which meets regularly to discuss matters and issues pertaining to the HNRFI DCO.

9. Risk implications

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

9.2 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.

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

Management of significant (Net Red) risks		
Risk description	Mitigating actions	Owner
S.04 – Damage to Reputation / adverse publicity by not responding appropriately or within the specified timeframes dictated by the Planning Inspectorate.	Have a scheme of delegation in place to enable quick and timely responses on behalf of the Council back to the Planning Inspectorate.	Bill Cullen

10. Knowing your community – equality and rural implications

- 10.1 By giving the Director (Environment & Planning) and the Lead Executive Member for Planning delegated powers to respond in a timely manner to matters pertaining to the HNRFI DCO application, this enables the Council to comment at every opportunity given ensuring the interests of the Borough are represented.

11. Climate implications

- 11.1 The climate implications of the HNRFI will be assessed through the DCO process and the Council's Carbon Reduction and Climate Change Officer is part of the Council's project team and so will be heavily involved in any consultation responses.

12. Corporate implications

- 12.1 By submitting this report, the report author has taken the following into account:
- Community safety implications – None directly as a result of this report.
 - Environmental implications – This will be assessed through the DCO application process.
 - ICT implications – None directly as a result of this report.
 - Asset management implications - This will be assessed through the DCO application process.
 - Procurement implications – Consultants may be required and officers will follow the correct procurement procedures.
 - Human resources implications - None directly as a result of this report.
 - Planning implications - this will be assessed through the DCO application process.
 - Data protection implications - None directly as a result of this report.
 - Voluntary sector - None directly as a result of this report.

Background papers: None.

Contact officer: Matthew Bowers - 01455 255641
Executive member: Councillor D Bill

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Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 30 November 2021

Wards affected: All

Recruitment of additional posts: HGV drivers and driver training for waste collection service

Report of Director Environment & Planning

1. Purpose of report

- 1.1 To seek Council support for the approval to recruit two additional HGV drivers and support the training of two existing staff as HGV drivers for the waste collection service.

2. Recommendation

- 2.1 Council supports the request for the recruitment of two permanent HGV drivers and supports the training of two existing staff as HGV drivers for the waste collection service.
- 2.2 Council approves the supplementary budget of £87,000 in 2022/23 and £17,000 in 2021/22 for the part year impact.
- 2.3 Council notes the £60,000 for the estimated additional agency costs in 2021/22.

3. Background to the report

- 3.1 HBBC waste collection services have been impacted during the summer due to long term sickness and COVID absences. For many years the 18 establishment drivers have had such cover provided from local workforce agencies and the service has benefited from the lower cost and flexibility this allows giving reduced overall service costs. The national HGV driver shortage has impacted on the ability of agencies to provide covering drivers. Driver salaries and rates have dramatically increased across the private sector

particularly in our area as the Golden Triangle for logistics. Agencies have struggled to provide waste drivers despite increased pay rates and incentives. The service has needed to increase base salaries by a market supplement to retain and recruit to recent posts.

- 3.2 The service has managed to maintain all refuse and recycling rounds by rescheduling staff from garden rounds along with utilising supervisors and other drivers within the service. This has impacted on other service areas such as street cleansing and bulky collections. More recently support has been provided from DPD for the hired provision of up to five drivers Tuesday to Thursday. Through these measures the number of households (HH) missing garden collections has been minimised to date to:

HH's missing 1 garden collection	35.5%
HH's missing 2 garden collection	60.0%
HHs missing 3 garden collections	6.3%

- 3.3 This should be viewed against a recent survey of English waste collection authorities by the Local Authority Recycling Advisory Committee which identified disruption to services this year significantly higher than HBBC.

% of authorities suffering	Residual	Recycling	Garden	Food / Garden	Food
Minor Disruption	13%	8%	15%	0%	5%
Moderate Disruption	8%	13%	18%	22%	20%
Severely Disrupted	0%	0%	6%	0%	0%
Withdrawn	0%	0%	6%	11%	0%

HGV and Service Statue Survey No 2 Results Week Commencing 4 October 2021 LARAC

- 3.4 SLT requested a review of the current problems and options to improve the ongoing resilience of the waste service in view of the changing national landscape for HGV drivers. This was undertaken by an independent consultant with former knowledge of the service. The key finding was the reliance on agency drivers to support the service is no longer fit for purpose as under current and future predictions agency HGV drivers are no longer readily available. Reviewing some other collection authorities who had managed to maintain less disruption, it was evident most had additional capacity of HGV drivers on their establishment of anything between 30-50%. Also many utilised driver/loaders who are qualified drivers but only drive when required performing as loaders for the remaining time.
- 3.5 SLT has considered and accepted the recommendation of seeking to recruit two additional HGV drivers to establishment, which equates to a modest 11% over capacity. This requires Council approval for a supplementary budget for 2021/22 and 2022/23.
- 3.6 In addition, it is recommended that the service seeks to facilitate HGV driver training for suitable interested staff in an attempt to grow our own. To

incentivise this and to retain such staff, the suitably qualified staff will be paid at the enhanced driver salary whilst undertaking driving duties reverting to the substantive post grade. Agency staff would cover the loaders post if required whilst driving. The total time to achieve a qualified and competent driver is currently estimated to be around 26 weeks due to high demand and licensing delays. Faster training routes are being explored.

- 3.7 The cost of this training equates to £1,345 per driver including licence applications etc. There would be costs associated with backfill for these individuals whilst they were undertaking training estimated to be £5000 per trainee. The training and backfill costs are expected to be borne over this and next financial year. This requires Council approval for a supplementary budget.
- 3.8 Whilst the total cost of the loader driver as a driver is similar to obtaining an agency driver, it does not rely on procuring an external agency driver and as they are existing staff, there are operational advantages from knowing the service. This cost would be met from the agency budget. The trained staff would be subject to the standard training agreement which covers recovery of percentages of the training costs should they exit the council within a two year period.

4. Exemptions in accordance with the Access to Information procedure rules

- 4.1 To be taken in open session.

5. Financial implications [DS]

Supplementary Budget (Drivers & Future Progression)

- 5.1 The estimated cost of implementing recommendations in section 3.5 is £87,000 per annum from 2022/23. This consists of £69,000 to recruit two new drivers and £18,000 to incentivise suitable interested staff to progress to drivers.

If recruited from 1 January 22 there will also be a one off pressure of £17,000 for 2021/22.

If Council approves the above supplementary request ongoing savings need to be found to match payroll costs to ensure there is no additional pressure on general fund balances.

Additionally, there is an estimated pressure of circa £60,000 allowed for within September budget monitoring for the impact in the current financial year.

- 5.2 Loaders (for noting)

The situation for loaders is similar to that of drivers. To secure agency loaders 8 week contracts have been given. It is therefore more efficient to recruit loaders and reduce reliance on agency loaders. If required up to £95,000 will

be vired from the existing agency budget to salaries to cover the cost of additional loaders. This budget movement is within existing budget lines therefore does not require formal approval.

6. Legal implications [MR]

- 6.1 As a Waste Collection Authority the Council has a statutory duty to collect household waste under sec 45 of the Environmental Protection Act 1990
- 6.2 Section 112 Local Government Act 1972 empowers the Council to appoint such officers as it thinks necessary for the proper discharge of its functions (see 7.1 above) on such reasonable terms and conditions as it thinks fit.
- 6.3 Section 1 Localism Act 2011 empowers the Council to do anything that individuals generally may do and in any way, including the power to do it for a commercial purpose and for the benefit of its area and residents

7. Corporate Plan implications

- 7.1 Waste collection is a statutory function which contributes to the councils clean and green objectives. The income from garden waste also contributes significant revenue to the council's budgets.

8. Consultation

- 8.1 None at this stage

9. Risk implications

- 9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 9.2 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.
- 9.3 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
Reputational – loss of confidence in the delivery of a key service	Driver recruitment and retention	Darren Moore / Caroline Roffey
Statutory – the council has a statutory duty to collect waste	Driver recruitment and retention / waste staff review	Darren Moore / Caroline Roffey
Environmental – failing to collect recycling reduces our recycling rate and has negative impacts on the environment,	Driver recruitment and retention / waste staff review	Darren Moore / Caroline Roffey

10. Knowing your community – equality and rural implications

- 10.1 This service is universal. An aging population does increase the number of assisted collections needed, and housing growth also increases demand for the service.

11. Climate implications

- 11.1 Garden waste collections and dry recycling collections make an important contribution to the circular waste economy and the council's environment objectives.

12. Corporate implications

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

- Community safety implications - none
- Environmental implications – recycling impact
- ICT implications - none
- Asset management implications - none
- Procurement implications - none
- Human resources implications – Julie Stay aware and has advised
- Planning implications - none
- Data protection implications - none
- Voluntary sector - none

Background papers:

Contact officer: Matt Bowers

Executive member: Councillor W Crooks

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By virtue of paragraph(s) 1, 2, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

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