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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 04 December 2024

To: Members of the Scrutiny Commission

Cllr C Lambert (Chair)	Cllr C Harris
Cllr MJ Surtees (Vice-Chair)	Cllr J Moore
Cllr P Williams (Vice-Chair)	Cllr A Pendlebury
Cllr DS Cope	Cllr M Simmons
Cllr MJ Crooks	Cllr A Weightman
Cllr C Gibbens	

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **SCRUTINY COMMISSION** in the De Montfort Suite, Hinckley Hub on **THURSDAY, 12 DECEMBER 2024** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

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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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Thank you

SCRUTINY COMMISSION - 12 DECEMBER 2024

A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES (Pages 1 - 4)**

To confirm the minutes of the meeting held on 31 October 2024.

3. **ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

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

4. **DECLARATIONS OF INTEREST**

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

5. **QUESTIONS**

To hear any questions in accordance with Council Procedure Rule 12.

6. **SCRUTINY COMMISSION WORK PROGRAMME (Pages 5 - 10)**

Work programme attached.

7. **AFFORDABLE HOUSING DELIVERY (Pages 11 - 18)**

To provide an annual update on delivery of affordable housing in the borough.

8. **PLANNING APPEALS ANNUAL UPDATE (Pages 19 - 26)**

To provide an annual update on planning appeals' performance.

9. **BUDGET STRATEGY 2025/26 (Pages 27 - 34)**

To present the budget strategy for 2025/26.

10. **CREMATORIUM PRESENTATION (Verbal Report)**

To provide an update on the crematorium project.

11. **SCRUTINY REVIEW: HOUSING (Pages 35 - 44)**

To present the final report of the Housing Task & Finish Group. Members are asked to consider the recommendations within the report and recommend them to the Executive.

12. **MINUTES OF FINANCE & PERFORMANCE SCRUTINY (Pages 45 - 46)**

For information.

13. **ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIR DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY**

As announced under item 3.

14. **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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Schedule 12A of the 1972 Act.

15. **CINEWORLD HINCKLEY (Verbal Report)**

To provide information to members following the recent decision of Cineworld not to close their cinema in Hinckley.

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

31 OCTOBER 2024 AT 6.30 PM

PRESENT: Cllr C Lambert - Chair
Cllr MJ Surtees and Cllr P Williams – Vice-Chair
Cllr MA Cook (for Cllr C Harris), Cllr DS Cope, Cllr MJ Crooks, Cllr C Gibbens,
Cllr J Moore, Cllr A Pendlebury, Cllr M Simmons and Cllr A Weightman

Officers in attendance: Daniel Britton, Chris Brown, Malcolm Evans, Lois Hodgkins, Lesley Keal, Julie Kenny, Rebecca Owen, Madeline Shellard, Sharon Stacey and Julie Stay

216. **Apologies and substitutions**

Apologies for absence were submitted on behalf of Councillor Harris with the substitution of Councillor Cook authorised in accordance with council procedure rule 10.

217. **Minutes**

It was moved by Councillor Crooks, seconded by Councillor Pendlebury and

RESOLVED – the minutes of the meeting held on 29 August be confirmed as a correct record.

218. **Declarations of interest**

No interests were declared.

219. **Scrutiny Commission Work Programme**

It was agreed that an update on the cinema in the Crescent would be provided to the next Scrutiny Commission meeting.

The work programme was noted.

220. **Economic Regeneration Strategy 2021-25**

Members received an update on work undertaken to fulfil the aims of the Economic Regeneration Strategy. During discussion, the following points were raised:

- Long term plans, such as the town centre masterplan, should have been followed up as part of the scrutiny function. It was clarified that work had been commenced on the new feasibility study and production of masterplans for key town centre sites in Hinckley
- Whilst the UKSPF was due to end in March 2025, funding for some similar projects could still be available under the parish & community initiative fund

- The wellbeing theme could be tied in with the walk to school initiative – it was agreed that this would be referred to the young people’s officer.

It was moved by Councillor Gibbens, seconded by Councillor Surtees and

RESOLVED – the economic regeneration work undertaken and outcomes achieved by noted and endorsed.

221. **Infrastructure funding statement**

The infrastructure funding statement for 2023/24 was presented to the commission.

In relation to the development known as “Hinckley North” off Normandy Way, it was noted that the site may have been sold on since the outline application had been permitted. In response to a member’s question about Leicestershire County Council’s determination that a new schools was not required, it was noted that the land for the school was still available should it be required in the future with the addition of development on the site to the east of the one under discussion.

Following some discussion, it was agreed that information on contributions to Newbold Verdon surgery from the development on Bosworth Lane would be checked and confirmed outside of the meeting.

Changes to the procedure for parish councils to request section 106 monies were discussed, however it was noted that changes had not been implemented until the current year so would not have impacted the report before members.

It was moved by Councillor Crooks, seconded by Councillor Weightman and

RESOLVED – the report be noted.

222. **Tenant Involvement and Scrutiny Update**

The Scrutiny Commission was provided with updates in relation to the Transparency, Influence and Accountability Housing Customer Standard, as required by the Social Housing (Regulation) Act 2023. During the discussion, members praised the council’s positive position nationally with regard to housing and the variety of channels available for tenants to contact the council.

In response to a question from a member about encouraging tenants to get involved, for example in tenants’ associations, it was explained that this had been particularly difficult over recent years but a lot of work was being undertaken to engage and empower tenants, including engaging with groups already in existence in some communities.

It was moved by Councillor Crooks, seconded by Councillor Cope and

RESOLVED –

- (i) The ongoing work to meet the Transparency, Influence and Accountability Consumer Standard be noted;

- (ii) The Charter for Tenants be endorsed;
- (iii) The Housing Service Communication Strategy be endorsed.

223. People Strategy

The People Strategy 2024 to 2028 was presented to members. Officers were commended on the excellent report. It was moved by Councillor Surtees, seconded by Councillor Williams and

RESOLVED – the People Strategy be endorsed and RECOMMENDED to the Ethical Governance & Personnel Committee.

224. Overview and Scrutiny Annual Report

Consideration was given to the Overview & Scrutiny Annual Report. It was moved by Councillor Crooks, seconded by Councillor Pendlebury and

RESOLVED – the annual report be RECOMMENDED to Council.

225. Adoption of infrastructure review - update

Members were informed that the scrutiny review into adoption of infrastructure would soon commence. Group leaders had nominated members and membership would consist of Councillors R Allen, Cope, Green, Harris, Lambert and Williams.

226. Minutes of Finance & Performance Scrutiny

The minutes of Finance & Performance Scrutiny on 2 September were received for information.

227. Minutes of the Housing task & finish group

Members received the minutes of the Housing Task & Finish Group meeting on 5 September for information.

228. Matters from which the public may be excluded

On the motion of Councillor Williams seconded by Councillor Surtees, it was

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

229. **Council Depot update**

Members were informed of the review that had been undertaken into the future need for larger depot facilities and were presented with a proposed lease option on a new site. It was moved by Councillor Gibbens, seconded by Councillor Williams and

RESOLVED – the report be endorsed and RECOMMENDED to Council.

(The Meeting closed at 7.43 pm)

CHAIR



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Scrutiny Commission Work Programme 2023-2027

DECEMBER 2024

Date	Issue (report author)	Reason	Outcomes	Supports corporate aims
12 December 2024	Planning appeals update (Chris Brown)	Annual report	Monitoring of performance on appeals	2
	Hinckley Cinema update	Request of members	Awareness of support from the council	2
	Affordable housing delivery (Valerie Bunting)	Annual report	Awareness of delivery	1, 2
	Housing review: final report (Scrutiny review)	To consider the report of the task & finish group	Recommendations to Executive	1, 2
	Crematorium update			
30 January 2025 (budget meeting)	Budget reports (Ashley Wilson)	Reporting pathway	Scrutiny prior to Council decision	All
	Pay policy statement (Julie Stay)	Reporting pathway	Scrutiny prior to Council decision	All
	GPs / dentistry and Hinckley Hospital update (Scrutiny review)	Request of members: matter of importance to residents	Awareness of situation to be able to support and advise	1
13 March 2025	Housing associations review (Scrutiny review)	Request of members: matter of importance to residents	Scoping of review	1, 2
	Young people's voice (Amy Casey)			1
	Parish & Community Initiative Fund allocations (Paul Scragg)	Normal reporting pathway	Recommendations to SLT	2
	Voluntary & Community sector partnership update and commissioning outcomes (Rachel Burgess)	Annual update	Awareness of VCS activity	1
	Cost of living update (Rachel Burgess)			

Date	Issue (report author)	Reason	Outcomes	Supports corporate aims
	Bus services / public transport (Scrutiny review)	Request of members: impact on communities	Understand and influence policy	1, 2
5 June 2025	Environmental Improvement programme (Daniel Britton)	Annual report	Consult with members	2, 3
11 September 2025	Economic regeneration strategy ()	Annual report	Briefing on outcomes	2, 3
	Infrastructure funding statement (Kirstie Rea)	Annual report	Awareness of S106 contributions and allocations	2
6 November 2025	Planning appeals update (Chris Brown)	Annual report	Monitoring of performance on appeals	2
	Affordable housing delivery (Valerie Bunting)	Annual report	Awareness of delivery	1, 2
22 January 2026 (budget meeting)	Budget reports (Ashley Wilson)	Normal reporting pathway	Scrutiny prior to Council decision	All
	Pay policy statement (Julie Stay)	Normal reporting pathway	Scrutiny prior to Council decision	All
12 March 2026	Voluntary & Community sector partnership update and commissioning outcomes (Rachel Burgess)	Annual update	Awareness of VCS activity	1
	Parish & Community Initiative Fund allocations (Paul Scragg)	Normal reporting pathway	Recommendations to SLT	2

Date	Issue (report author)	Reason	Outcomes	Supports corporate aims
May / June 2026				
July / August 2026	Environmental Improvement programme (Daniel Britton)	Annual report	Consult with members	2, 3
September / October 2026	Economic regeneration strategy ()	Annual report	Briefing on outcomes	2, 3
	Infrastructure funding statement (Kirstie Rea)	Annual report	Awareness of S106 contributions and allocations	2
November / December 2026	Planning appeals update (Chris Brown)	Annual report	Monitoring of performance on appeals	2
	Affordable housing delivery (Valerie Bunting)	Annual report	Awareness of delivery	1, 2
February 2027 (budget meeting)	Budget reports (Ashley Wilson)	Normal reporting pathway	Scrutiny prior to Council decision	All
	Pay policy statement (Julie Stay)	Normal reporting pathway	Scrutiny prior to Council decision	All
March / April 2027	Voluntary & Community sector partnership update and commissioning outcomes (Rachel Burgess)	Annual update	Awareness of VCS activity	1
	Parish & Community Initiative Fund allocations (Paul Scragg)	Normal reporting pathway	Recommendations to SLT	2

Date	Issue (report author)	Reason	Outcomes	Supports corporate aims

To be programmed
 Regeneration strategy 2021-25 review
 Heritage strategy annual report

Key to corporate aims
 1 – People
 2 – Places
 3 – Prosperity

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Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Scrutiny Commission 12 December 2024

Wards affected: All wards

AFFORDABLE HOUSING DELIVERY

Report of Director (Community Services)

1. Purpose of report

1.1 To inform Members of the delivery of affordable housing in the Borough, as requested by the Scrutiny Commission as an annual position update.

2. Recommendation

2.1 That the Scrutiny Commission the contents of this report.

2.2 Note the positive delivery of completions and permissions of affordable housing in the Borough which has exceeded the Core Strategy targets.

3. Background to the report

3.1 This report is the latest report presented in response to a Scrutiny Commission request that Members receive an annual report on affordable housing delivery.

3.2 The targets and thresholds for affordable housing in the Borough are set out in Policy 15 of the Core Strategy. These differ for the urban and rural settlements and are as follows:

Location	Site size threshold	Target
Urban (Hinckley, Barwell, Burbage and Earl Shilton but not the SUEs)	15 dwellings or more, or sites of 0.5 ha or more	20% affordable housing

Sustainable Urban Extensions – Barwell and Earl Shilton	15 dwellings or more, or sites of 0.5 ha or more	20% affordable housing
Rural areas (all sites not in the above categories)	4 dwellings or more, or sites of 0.13 ha or more.	40% affordable housing

3.3 However, local policy has been superseded by national policy, and several amendments to the National Planning Policy Framework (NPPF) affect the delivery of affordable housing in the Borough. These comprise:

- Affordable housing should only be sought on major developments. This means that in rural areas, affordable housing is only requested on sites of 10 dwellings or more.
- On sites that require affordable housing, 10% of all housing should be for Affordable Home Ownership. This means that in urban areas, the tenure split reduces the affordable housing for rent to 10% of the total affordable housing delivery.
- The introduction of First Homes requires 25% of affordable housing on qualifying sites to be delivered as First Homes. This runs alongside the above requirement for 10% of all dwellings to be for affordable home ownership.

3.4 The Core Strategy also sets out the minimum numbers of affordable housing to be delivered in the Core Strategy period 2006 – 2026. This sets out a target of 2,090 affordable dwellings to be delivered over the policy period, 480 of which should be in rural areas.

4. AFFORDABLE HOUSING COMPLETIONS AND PERMISSIONS TO 31 MARCH 2024

4.1 The total number of affordable housing completions and the percentage of affordable housing delivered since the start of the Local Plan period (2006 – 2026) is shown in the table attached at Appendix 1. This table has been updated from the Residential Land Availability monitoring statement for 2023/2024.

4.2 Members are asked to note the following in respect of the table:

- Figures provided for the year 2022 to 2023 cover an 18 month period, from 1 April 2022 to 30 September 2023.
- Figures for 2023 to 2024 correct this anomaly and cover the 6 month period from 1 October 2023 to 31 March 2024.
- As requested at last year’s Scrutiny Committee, the final columns have been added to show the split of affordable housing in urban and rural settlements as a % of the overall housing delivery.

4.3 This table shows that since the beginning of the plan period (2006) a total of 1,898 affordable dwellings have been completed against the 2,090 affordable dwellings requirement set out in the Core Strategy Policy 15.

4.4 In addition, there are dwellings for affordable housing in the pipeline, as they have received planning permission but have either not been completed or the build has not yet started. The full picture of affordable housing is therefore as below:

Completed properties over the plan period to 31.3.24	1,898
Planning permission where the build hasn't started	940
Planning permission where building is under way	10
Total number of properties	2,848

4.5 In conclusion, this equates to a total number of completions and permissions for affordable dwellings of 2,848 against the adopted Core Strategy target of 2,090 for the period 2006 – 2026. The Core Strategy also sets a target of 480 of the affordable dwellings to be delivered in the rural areas, and with completions and permissions, 1,327 affordable homes have been delivered in the rural areas. Delivery against target is therefore as follows:

Core Strategy AH target - all	AH completions + planning permissions – all	% delivered against Core Strategy target – all	Core Strategy AH target – rural	AH completions + planning permissions - rural	% delivered against Core Strategy target – rural
2,090	2,848	136.6	480	1,208	251.66

4.6 As in previous years, work is still ongoing to maximise the delivery of affordable homes in the borough. Core Strategy targets strike a balance between the levels of need in the borough and the amount that was realistically deliverable on planning gain (section 106) sites. Need for affordable housing in the borough continues to grow across all tenure types but is most acute for rented properties.

4.7 Key Challenges

The key challenge for delivery of affordable housing in the Borough is the lack of capacity of Registered Providers (RPs) to acquire homes on section 106 sites. This is a national issue and is receiving coverage through various sources including BBC News:

[How 'perfect storm' blew away planned social homes England needs - BBC News](#) .

The main issues relate to the rising costs of development, and the new obligations on social landlords around the standards required in their existing stock. This has reduced the development programme for most RPs, and they are tending to concentrate on delivery of their own build programmes, where they have more control over the specification of the homes and can use grant to help with the viability of delivery.

- 4.8 Negotiations with developers continue to try to find an acceptable way forward to ensure there is a delivery of some affordable housing on sites, but alternatives such as acceptance of commuted sums or gifted units do not deliver the same number of properties than sale to RPs which give developers a capital receipt. Priority is being given to delivery of affordable housing for rent in preference to higher numbers of dwellings which are all for affordable home ownership.
- 4.9 The Autumn Statement announced an increase in Affordable Homes Grant of £500 million to be accessed via Homes England's continuous market engagement. This will help RPs' delivery of homes on 100% affordable housing sites, but as grant cannot be used for planning gain properties, will not help to resolve the issues on section 106 sites.

Proposed changes to National Planning Policy Framework.

- 4.10 Consultation on proposed changes to NPPF closed on 24 September 2024. The revised NPPF draft includes removal of both the requirement for 10% affordable home ownership, and the 25% First Homes delivery. It also strongly supports social rent as a tenure type, and Homes England will now support use of grant for delivery of social rented homes. The revisions also acknowledge the part single tenure sites play in delivering affordable housing, particularly supporting delivery of social rented properties.

5 Exemptions in accordance with the Access to Information procedure rules

- 5.1 Not exempt.

6. Financial implications [IB]

- 6.1 The current scheme has been phased out and is due to end by 2025/26 and now exclude legacy payments. The Government plans to reform the scheme. Future grant, if forthcoming, is expected to be lower than the current scheme and will probably not include any legacy payments. Historically, the current scheme gave £1,272 per new band D property for up to 5 years plus £280 for affordable housing.

Council Tax

- 6.2 Based on an average band D equivalent for each property added to the Council Tax Base, the additional income will be £154.87 (including special expenses).

7. Legal implications [SN]

- 7.1 None, the legal implications are covered in the report.

8. Corporate Plan implications

This report meets the aims of the Corporate Plan 2021 – 25. In particular objective 4 of Places:
Improve the quality of existing homes and enable the delivery of affordable housing.

9. Consultation

9.1 None required as this report is for information only.

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 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.

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
Failure to deliver affordable housing increases the pressure on the Council's waiting lists and impedes its desire to assist residents in the Borough who cannot meet their needs on the open market	Continue to support the delivery of 100% affordable housing sites by RPs. Work with developers to maximise what can be delivered on section 106 sites and to find solutions to enable site delivery to proceed. Where possible, for the Council to take up affordable housing opportunities on section 106 sites by acquisition or gifted units.	Strategic Housing and Enabling Officer

11. Knowing your community – equality and rural implications

11.1 This report is concerned with ensuring that a supply of affordable housing is available in the Borough for people in the greatest need. This includes consideration of people from vulnerable groups, and those living in rural areas.

12. Climate implications

12.1 This report is for information only on delivery numbers so there are no climate implications.

13. Corporate implications

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

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: Appendix 1: Table of affordable housing delivery

Contact officer: Valerie Bunting x5612

Executive member: Councillor Bill Crooks

Year	Affordable Housing Completions (net)			Total open market housing completions (net)	Total Housing Completions (net)			Percentage of housing delivery that is affordable				
	Rural	Urban	Total		Rural	Urban	Total	Rural	Urban	Total		
2006/7	15	65	80	358			438	3.4%	14.8%	18.3%		
2007/8	3	41	44	354			398	0.8%	10.3%	11.1%		
2008/9	9	80	89	385			474	1.9%	16.9%	18.8%		
2009/10	0	107	107	246			353	0.0%	30.3%	30.3%		
2010/11	0	5	5	222			227	0.0%	2.2%	2.2%		
2011/12	0	134	134	239			373	0.0%	35.9%	35.9%		
2012/13	6	11	17	208			225	2.7%	4.9%	7.6%		
2013/14	60	43	103	377			480	12.5%	9.0%	21.5%		
2014/15	93	61	154	598			752	12.4%	8.1%	20.5%		
2015/16	40	57	97	515			612	6.5%	9.3%	15.8%		
2016/17	59	82	141	428			569	10.4%	14.4%	24.8%		
2017/18	21	81	102	321			423	5.0%	19.1%	24.1%		
2018/19	59	40	99	325			424	13.9%	9.4%	23.3%		
2019/20	53	63	116	169			285	18.6%	22.1%	40.7%		
2020/21	40	62	102	146			248	16.1%	25.0%	41.1%		
2021/22	57	16	73	427	184	319	500	11.4%	3.2%	14.6%		
2022/23	306	44	350	533	475	408	883	34.7%	5.0%	39.6%		
2023/24	60	25	85	326	167	231	411	14.6%	6.1%	20.7%		
	881	1,017	1,898	6,177	826	958	8,075	10.9%	12.6%	23.5%		

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scale appeals or those with complex matters to consider heard by way of either a hearing or an inquiry. A hearing will typically last for one to two days and is a structured discussion led by the Inspector whereas an inquiry may last several days and will include an element of cross examination of professional witnesses by legal advocates.

- 3.4 In all three appeal procedures public participation is allowed, through either written responses or addressing an Inspector at a hearing or an inquiry.
- 3.5 An update on progress with planning appeals is presented to Planning Committee as a standing item on the monthly agenda.

4. Appeals

Appeals update

- 4.1 A list of planning appeals from 2023/24 is set out in Appendix A to this report.
- 4.2 Appendix A shows that 34 appeal decisions were received in 2023/24. Of these 34 appeal decisions, 11 were for major proposals (proposals above 10 dwellings or above 1000sqm) with the remaining 23 for minor proposals. The list of appeals includes two applications where a decision was not made by the Council, with the appeal made against non-determination of the planning application.
- 4.3 Of the 34 appeals in 2023/24, 12 of these (35%) were allowed (granted permission) with the other 22 dismissed. Of these 12 allowed decisions, this includes seven appeals that were for major proposals and allowed at appeal. These six are highlighted in orange in Appendix A.
- 4.4 At the time of writing, 21 appeals have been determined thus far in 2024/25. Of these, five are major appeals with the remaining 14 as minor appeals. Of the 19 appeals, four have been allowed, including one major appeal decision, and the rest dismissed. None of these thus far in 2024/25 have been non-determination appeals.
- 4.5 Of the total appeal decisions received in 2023/24, two of these relate not to planning applications but instead relate to planning enforcement cases, with an appeal received against an enforcement notice served. Of the two planning enforcement appeals, both have been dismissed (Breach Lane Farm, Earl Shilton and The Old Cottage, Shackerstone).
- 4.6 In addition to the appeals listed in Appendix A, Members should be aware that the Council has one major residential appeal awaited (Land east of The Common, Barwell), with a hearing in February 2025. No other major appeals are currently outstanding.

Appeals allowed

- 4.7 Of the appeals allowed in 2023/24 (12 decisions), none of these were against non-determined applications, seven were against decisions taken by Planning Committee against the recommendation of Planning Officers and five were against either delegated Officer decisions or decisions taken by Planning Committee in line with a recommendation for refusal.
- 4.8 Of the seven appeals allowed in 2023/24 for decisions taken by Planning Committee against Officer recommendation, six of the seven were major residential appeals and one was a minor appeal. Of the appeals allowed against delegated Officer decisions, one was a major appeal (Watling Inn), with all others minor appeals.
- 4.9 Of the allowed appeals across 2023/24 the key reasons given by Inspectors in allowing planning appeals are:
- Lack of a national policy requirement of a 5 year housing land supply (at the time);
 - Relevant housing target policies of the Local Plan being out of date;
 - Limited or localised only landscape harm;
 - Limited impact on highway safety; and
 - Allocation within an adopted Neighbourhood Plan.
- 4.10 In all allowed appeals for major developments, the above factors have been balanced against the benefits of the proposed developments, namely the delivery of housing and affordable housing against an identified shortfall of both in the Borough. As the Council was unable to demonstrate a 5 year housing land supply (since updated to demonstrate 5.6yr supply) and the relevant policies with regards to housing supply of the Core Strategy are out of date, all recommendations and decisions make reference to paragraph 11 of the National Planning Policy Framework and the presumption in favour of development. This states that planning applications for development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.11 This test of paragraph 11 of The Framework sets a very high bar for the Council to refuse an application. This high bar has been met with appeals in 2023/24 for:
- Land north of Shenton Lane, Market Bosworth (125 dwellings)
 - Kyngs Golf Club, Market Bosworth (holiday lodges)
 - Land east of Bagworth Road, Barlestone (50 dwellings)
 - Forest Hill Golf Club (hotel)

In determining these appeals, the Inspectors considered that the harm to the landscape (all) and impact on the conservation area and heritage assets (Market Bosworth) significantly and demonstrably outweighed the benefits of the proposals of the delivery of market and affordable dwellings.

Appeal Performance

- 4.12 Planning appeal performance remains a key requirement of government. Under-performance can lead to government intervention by removing decision-making powers from local planning authorities. The government measures performance at appeal against all decisions over a rolling 2 year period. No more than 10% of all decisions should be overturned at appeal. It should be noted that at the end of the 2 year period there is a further 9 months to take account of an applications still in the appeal system.

Application Type	National Indicator	Performance
Major Applications	10%	12.1%
Non Major Applications	10%	0.7%

Table 2: Quality of decision making (1 April 2021 to 31 March 2023)

- 4.13 Performance on Majors of 12.1% (up from 5.7%) was on the basis that of the 91 major applications determined between April 2021 and March 2023, 16 were appealed and of these 11 were allowed on appeal.
- 4.14 Performance on non-majors was 0.7% (down from 1.1%) on the basis that of the 1355 applications determined, 41 were appealed and of these only 9 were allowed. The Council is therefore significantly below the 10% which is the level at which the government would intervene in relation to minor and other applications.
- 4.15 The Council received a letter from DLUHC in February 2024 requesting information as to why performance on quality of decision making for major applications (appeals performance) was above the 10% threshold. The Council responded in March 2024, outlining the reasons for and raising queries for a number of appeals allowed to justify the performance figure being below 10%, proposing that a more accurate figure instead should be 6.6% when taking into account exceptional circumstances around four of the allowed appeals. The Council was not designated at the time.

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

- 5.1 Open

6. Financial implications - CS

- 6.1 The current budgeted impact of appeals and historic data is summarised below:

	Budget	Actual costs	Overspend/(underspend)
2020/21	£43,000	£147,582	£104,582
2021/22	£43,000	£274,568	£231,568
2022/23	£43,000	£144,896	£101,896
2023/24	£93,000	£217,224	£124,224
2024/25	£145,790	£28,076 actual to date	(£100,000) estimated

**Note: the budget for 2024/25 was increased by £52,790*

- 6.2 The forecast for 2024/25 is based upon written representations appeals covered by officer time only (no additional costs) and hearings that can cost around £15,000 per hearing. There are no inquiries potentially costing around £50,000+ anticipated for 2024/25. The estimated underspend for 2024/25 has already been allowed for in this years forecast outturn.
- 6.3 The MTFs does not include recurring appeals costs at the higher levels being incurred, and to continue to overspend on planning appeals will increase the future pressure on the Council's finances.

7. Legal implications

- 7.1 Set out in the report.

8. Corporate Plan implications

- 8.1 The planning service contributes to all three priorities of the Corporate Plan, helping People stay healthy and reducing crime; improving Places through improved quality of homes, affordable housing, urban design and heritage facilities; and by delivering Prosperity by supporting town centre regeneration, tourism and economic growth.

9. Consultation

- 9.1 None

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 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.

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

Management of significant (Net Red) risks

Risk description	Mitigating actions	Owner
<p>DLS.19 - Recruitment & retention of staff</p> <p>Failure to recruit & retain staff leads to failure to maintain staffing levels within Development Services to deal with works required and increases use of agency staff with associated higher costs.</p> <p>For appeals this could lead to a greater number of non-determination appeals should resources decrease. Further, the resourcing impact of additional appeals on existing resources, financial and staff time need to be considered.</p>	<p>Appointment of recruitment consultants</p> <p>Supporting Officers Careers through training and modern apprenticeships</p> <p>Benchmarking against surrounding authorities to ensure competitiveness.</p>	Chris Brown
<p>DLS.44 - Five year housing land supply</p> <p>Failure leads to speculative unplanned housing developments plus additional costs incurred due to planning appeal process</p>	<p>The council to maintain a 5YHLS. All Members have received training and further briefing to this effect. SLT and officers are working closely with Members to plan a positive way forward to address this.</p>	Chris Brown
<p>DLS.51 Housing Delivery Test</p>	<p>DLUHC published the Housing Delivery Test results in January 2021 and the Council has delivered 86% of it's housing requirement HBBC will continue to work on delivering new homes to ensure it does not continue to fail the HDT</p>	Chris Brown

11. Knowing your community – equality and rural implications

11.1 The planning services takes account of equality and rural issues as part of all the decisions taken.

12. Climate implications

12.1 The planning service considers the climate impact of all decisions it takes in accordance with the Council's strategy and Government Policy and Guidance.

13. Corporate implications

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

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: None

Contact officer: Chris Brown, Head of Planning
Executive member: Cllr W Crooks

Appendix A – List of planning appeal decisions 2023/24

Appendix A

No.	Application number	Site Address	Proposal	Appeal decision	Date of Planning Decision	Date of Appeal decision	Major / Minor
1	21/00020/FUL	The Oak Lodges, Kirkby Mallory	1 dwelling	Dismissed	01.07.2022	12.04.23	Minor
2	21/00937/FUL	6A Shakespeare Drive, Hinckley	Demolition of bungalow, erection of 2 dwellings	Dismissed	28.04.22	24.04.23	Minor
3	22/00801/FUL	59 Merrylees Road, Newbold Verdon	1 dwelling	Dismissed	01.11.22	24.04.23	Minor
4	22/00284/HOU	14 The Hawthorns, Markfield	Householder - extensions	Allowed	02.05.23	17.03.22	Other
5	22/00572/OUT	Land North 258 Ashby Road, Hinckley	5 dwellings	Dismissed	N/A	10.05.23	Minor
6	22/00447/FUL	17 Bridge Lane, Witherley	2 dwellings	Dismissed	25.11.22	03.07.23	Minor
7	22/00989/HOU	39 Wykin Road, Hinckley	Retention of fence	Dismissed	28.11.22	17.08.23	Other
8	22/00167/OUT	Land north of Shenton Lane, Market Bosworth	125 dwellings	Dismissed	N/A	17.08.23	Major
9	22/00776/FUL	Spring Hill Farm, Wood Lane, Higham on the Hill	1 dwelling	Dismissed	11.08.22	18.09.23	Minor
10	22/01227/OUT	Ashfield Farm, Kirkby Road, Desford	120 dwellings	Allowed	19.12.22	05.10.23	Major
11	22/00916/FUL	12 Rodney Gardens, Sheepy Magna	Change of use agricultural to curtilage	Allowed	30.11.22	13.10.23	Other
12	20/00080/UNBLDS	Breach Lane Farm, Earl Shilton	Commercial use - vehicles	Dismissed	11.07.22	24.10.23	Enforcement
13	22/00058/OUT	Winter Cottage Stanton Lane, Stanton	1 dwelling	Dismissed	18.02.23	24.10.23	Minor
14	22/00733/FUL	314a Station Road, Bagworth	3 dwellings + 1 HMO	Dismissed	27.07.22	27.10.23	Minor
15	22/00192/OUT	Land at Lychgate Lane, Burbage	85 dwellings	Allowed	24.01.23	30.10.23	Major
16	21/00502/OUT	Land to the Southwest of Lutterworth Road, Burbage	80 dwellings	Allowed	16.08.22	30.10.23	Major
17	21/00195/FUL	Kyngs Golf and Country Club, Market Bosworth	9 holiday cabins	Dismissed	16.12.22	31.10.23	Major
18	23/00457/ADV	Hilltop Works 2 Keats Lane, Earl Shilton	illuminated billboard advert	Dismissed	08.05.23	07.11.23	Other
19	21/00203/UNBLDS	Land at The Old Cottage, Main Street, Shackerstone	unauthorised outbuilding to dwelling	Dismissed	06.07.23	13.11.23	Enforcement
20	22/00302/OUT	Land at Bagworth Road, Nailstone	9 dwellings	Dismissed	24.03.23	24.11.23	Minor
21	22/00772/FUL	84 Leicester Road Hinckley	5 dwellings	Dismissed	20.02.23	07.12.23	Minor
22	22/00021/FUL	Sheepy Parva Farm	Stable block and barn	Allowed	17.03.23	08.12.23	Other
23	22/01056/FUL	7 Dean Road, Hinckley	1 dwelling	Dismissed	24.05.23	18.12.23	Minor
24	21/00460/OUT	Land east of Bagworth Road, Barlestone	50 dwellings	Dismissed	15.09.22	11.12.22	Major
25	22/00394/FUL	Land Adjacent To 78 Queens Road, Hinckley	Extensions to form HMO	Dismissed	16.12.23	13.12.23	Minor
26	22/00752/OUT	Forest Hill Golf and Country Club	New Hotel	Dismissed	13.03.23	21.12.23	Major
27	23/00422/HOU	132 Stanley Road, Hinckley	Rear extension	Dismissed	29.04.23	03.01.24	Other
28	22/00065/FUL	Watling Inn, A5	Extension to hotel	Allowed	14.03.23	16.01.24	Major
29	22/00318/OUT	Land east of Stoke Road and north of Normandy Way (A47) Hinckley	475 dwellings	Allowed	02.05.23	18.01.24	Major
30	22/01203/FUL	2a Clarendon Road, Hinckley	Loft coversion to increase HMO capacity	Dismissed	19.12.23	05.02.24	Other
31	23/00633/HOU	9 Boyslade Road, Burbage	Two storey side and rear extensions	Allowed	27.06.23	07.02.24	Other
32	21/01295/OUT	Land off Desford Lane, Ratby	225 dwellings	Allowed	01.09.23	28.02.24	Major
33	23/00061/OUT	Land adjacent to Lockey Farm, Hunts Lane, Desford	100 dwellings	Allowed	04.09.23	25.03.24	Major
34	21/01305/FUL	Chapel Fields Livery Stables, Chapel Lane, Witherley	5 dwellings	Allowed	22.12.22	27.03.24	Minor



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Scrutiny Commission 12 December 2024

Wards affected: All Wards

BUDGET STRATEGY 2025/2026

Report of Head of Finance

1. Purpose of report

1.1 To present the Budget Strategy for 2025/2026.

2. Recommendation

2.1 That the Budget Strategy for 2025/2026 be noted.

3. Background to the report

3.1 This Budget Strategy (the Strategy) is presented during significant pressures in local government finance especially for shire districts. The chancellor announced a core spending power increase nationally of 3.2% (£1.3bn) in real terms, including council tax increases. Of this £600m is earmarked for social care, and £270m will be for indexation of the Settlement Funding Assessment (SFA) which is positive but is unlikely to keep up costs increases. There may be further funding of about £200m for National Insurance Contributions but further details are needed.

3.2 In 2016/17 government funding was 60% of our net budget requirements, it is now about 40%, with Council Tax now being the largest share of how HBBC's net budget requirement is financed.

Core Funding	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25
Government Funding	6.5	6	5.6	5	4.4	4.1	3.9	4.2	4.4
Council Tax	4.3	4.6	4.8	5.1	5.3	5.4	5.6	5.9	6.1
Total	10.8	10.6	10.4	10.1	9.7	9.5	9.5	10.1	10.6

3.3 After taking inflation into account this means that local government funding has reduced in real terms over the past 10 or so years.

3.4 For this Council, the key pressures are summarised below:

- reduced funding provided by Central Government compared to historical levels due to national pressures on the economy. The details for the level of the 2025/26 funding will not be known until the Provisional Settlement has been provided, expected mid-December 2024. It is expected to be a one-year settlement. Income at risk in the settlement includes.
 - Revenue Support Grant (RSG) is currently estimated at £207,446. (In 2016/17 this was £1.26m).
 - New Homes Bonus (NHB) is currently estimated at £450,863, which may be the final year of this award (In 2016/17 this was £2.9m).
 - Lower Tier Funding Support £220,003
 - Services Grant £109,352
- The national pay award agreed for 2024/25 is £1,290 for spinal column points 2 to 42 or 2.5 per cent on spinal column point 44 and above. For 2025/26 an estimate of 2% has been included which is the government inflation target, with spinal point increments on top of this.
- It should be noted that this Council is in the lower quartile of district Council Tax levels. Since 2016/17 MHCLG has allowed an average £5 increase in Council Tax. A £5 increase will be included for 2025/26 and are already allowed for in the government's core spending assessment and is in line with previous MTFS assumptions. There may be the potential to increase further if this limit is relaxed, which can be considered once details are known as part of the financial settlement.
- The Business Rate Baseline reset date is still yet to be confirmed but is not expected in the 2025/26 financial year. The MTFS will provide further details on this when drafted. A full reset in future will remove all or most of any business rates growth before the rest base year. Such growth currently provides £4.3m of income to the council. Some changes to the business rate multiplier are being introduced for 2025/26 years, which may impact S31 grant compensation from the Government and reduce income, but the details are not yet available to assess this risk.
- Other pressures will include fluctuations in the level of Business Rates that will be retainable by the Council in light of high levels of appeals, potential bad debts due to the economic downturn and the impact of growth or shrinkage of the business base in the council area.
- Dampening and tapering in relation to the fair funding review. The current details of how, or if, dampening and tapering support will be provided when a fair funding review and business rates reset is completed is not currently known. This is not expected in the year 2025/26.

- 3.2 When members set the council tax for 2025/26, the Council's section 151 officer has a duty under Part II of the Local Government Act to report on the robustness of the Budget and the adequacy of reserves in providing quality services. This Strategy provides the framework for the next financial year. In view of the changes in funding mentioned above, additional work will be required to ensure that robust sustainable balances can be maintained in future. If this Statement cannot be made at any time a S114 recommendation will be issued. This is not expected to be needed for the 2025/26 year.

Income Generation/Fees and Charges

- 3.3 All fees and charges are reviewed on an annual basis and are published separately in the Council's Fees and Charges book, as approved with the budget. Whilst a dedicated charging strategy is not in place, a number of principles are followed when considering fees and charges.
- 3.4 In general terms, all applicable services should be charged for unless there is a valid reason for an exception to be made. These exemptions include, but are not limited to:
- Instances where the administrative cost of levying and recovering the charge would outweigh any potential income.
 - Where policy has been passed to fund the service from Council Tax or other dedicated funding streams (e.g., grants)
 - Circumstances where charging would significantly deter demand.
 - Where statute dictates that charges cannot be made
- 3.5 When setting scales of charges, the following factors are taken into consideration:
- Statutory obligations
 - Policy decisions
 - Inflation and relevant indices
 - Local market research and competition, including consideration of market distortion (where relevant)
 - The impact of price changes on activity level or demand
 - Levels of subsidy (where appropriate)
 - The need to avoid any exploitation of customers who have no option but to use the Council's services.
 - Cost recovery. This should be considered with the recognition that, taking one year with another, the income from charges should not exceed the cost of provision.
 - The financial position of the Council and the need to generate income to remain solvent.

2025/2026 Budget Assumptions

3.6 The following assumptions will be used for the purpose of setting the 2025/2026 Budget:

Factor	Assumption
Basis of budget	The 2025/2026 base budget is to be based on the 2024/2025 original budget. All one-off items in the 2024/2025 original budget will be removed and full year effects of part year budget changes included.
Growths	<p>Consideration will be given to requests where additional resources are required to cover additional expenditure arising from additional statutory requirements or changes in the economic climate. Requests will need to be supported by both the relevant SLT members and must be accompanied by an explanation as to why the costs cannot be met from existing resources.</p> <p>Where pressures have arising due to ending funding, officers should look to include a corresponding reduction in expenditure.</p> <p>It is already known that increased homelessness/temp accommodation costs will continue to be a pressure.</p>
Savings/additional income – officer targets	All officer targets included in the MTFS detailed will be built into the Budget.
Council Tax	The national guidance on allowable Council tax increase is not yet released, but for 2025/26 it was to be 2% or £5 which ever was the higher. This cap may be increased.
Pay increase	Average Pay Increase award assumed at 2% plus increments (pending any changes in national negotiations),
National Insurance	HMRC rate above employees earning £9,100 is currently 13.8. This is changing to 15% in earnings above £5,000. This is expected to be funded by an extra grant. The details of the grant will be finalized as part of the financial settlement.
Employers Pension Contributions	An Employers Contribution rate is based on the triannual valuation. For 25/26 This will remain at 21.9%. The lump sum element is increasing from £727,000 to £752,000.
Vacancy Factor	A net salary/vacancy saving of 5% will be applied (5% in previous years). This will be across all service areas except for senior management posts.
Supplies and Services – Non-contract	Zero percent increase
Supplies and Services – Contract	It is anticipated that the average rate of inflation of 2% will be added to the Council's payments. As such inflation will be applied to contractual costs. Where budget holders have knowledge of price rises that differ, adjustments can be made to these budgets to reflect actual price changes.

Fees and Charges	Inflation of 2% will be applied to all fees and charges where permissible. HRA rent will be set as September CPI plus inflation in line with government guidance. As agreed by Council in the MTFS update in November 2023, a £5 increase will be made on Garden Waste collection charges
Investment income/expenditure	The Bank of England base rate is currently 4.75%. Most economists are of the opinion that the base rate will reduce to around 3.5 % in early January 2026. The potential impacts of the UK budget and US elections mean this may change. A rate of 4% has been assumed for 2025/26.

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

4.1 Report taken in open session.

5. Financial implications [IB]

5.1 Contained in the body of the report

6. Legal implications

6.1 None

7. Corporate Plan implications

7.1 The Budget supports all aims of the Corporate Plan

8. Consultation

8.1 All budget holders and members of Executive and the Scrutiny will be consulted in the Budget setting process.

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 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. It is not possible to eliminate or manage all risks all 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 these report / decisions were identified from this assessment:

Management of significant (Net Red) risks		
Risk description	Mitigating actions	Owner
That the Council has insufficient resources to meet its aspirations and cannot set a balanced budget That decisions made for 2021/22 are used to inform the Medium Term Financial Strategy and the pressures set out in that strategy.	A budget strategy is produced to ensure that the objectives of the budget exercise are known throughout the organisation.	Strategic Leadership Board
That the MTFS has no robust and costed plan to ensure sustainability, resulting in public criticism on value for money from the internal and external auditors	The budget is scrutinised on an ongoing basis to ensure that assumptions are robust and reflective of financial performance.	Strategic Leadership Board
	Decisions are made which provide costed reassurance that sufficient levels of reserves and balances are maintained to ensure financial resilience over the period of the MTFS	Council

10. Knowing your community – equality and rural implications

10.1 The budget process will impact on all areas of the Borough and all groups within the population.

11. Climate implications

11.1 There are no direct implications arising from this report

12. Corporate implications

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

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

Contact officer: Ashley Wilson

Executive member: Cllr K Lynch

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Hinckley & Bosworth
Borough Council

Housing Scrutiny Review

Report of the Task & Finish Group

1. Purpose of the review

- 1.1 At the overview & scrutiny member workshop in July 2023, housing and homelessness were identified as priorities for members to look at in more detail through the overview and scrutiny process.
- 1.2 A paper was produced for the Scrutiny Commission which outlined the key challenges in relation to housing in order to inform the review.

2. Scope and method of the review

- 2.1 At its meeting on 14 December 2023, the Scrutiny Commission agreed the scope of the review as:
 - Understand the pathways that people use to access housing, along with the barriers
 - Develop a strategy to increase the availability of private rented accommodation
 - Lobby government for more funding for affordable housing, in particular making it easier for councils to increase their own housing stock
 - Consider how empty homes can help with the housing shortage.
- 2.2 It was agreed that the review would be undertaken by a task & finish group with membership to be nominated by the group leaders.

2.3 The following members were appointed to the group:

Councillor J Crooks
Councillor C Gibbens
Councillor C Harris
Councillor C Lambert
Councillor M Surtees
Councillor P Williams.

2.4 Councillor Crooks was appointed chair at the first meeting.

2.5 Meetings of the group took place on 14 March, 8 May, 1 August and 5 September 2024. The first meeting considered the approach to the review, including the information required and whether any witnesses would be called.

2.6 The task & finish group met as an informal, non-statutory body operating under its own procedures. Meetings were not open to the public and the minutes were not circulated beyond the group members.

2.7 The review was supported by the Director (Community & Development Services), the Head of Housing, the Strategic Housing & Enabling Officer and the Democratic Services Manager.

2.8 The Private Sector Housing Team Leader and the Revenues & Benefits Manager attended meetings to give evidence.

2.9 A letting agent attended the final meeting of the task & finish group to discuss barriers and challenges in the private rented sector and how the council could help private landlords make more accommodation available to ease the homelessness crisis.

3. Key findings from the review

3.1 The review process provided an excellent opportunity for a small group of councillors to look at this specific area in more detail, and thanks to the support of officers and guests it provided an invaluable insight into the significant amount of positive work already being undertaken in these areas. There were a number of areas where recommendations were formed following the work undertaken, and if adopted these will be considered by the relevant bodies with a view to taking them forward.

3.2 Empty homes

3.2.1 An officer from the private sector housing team informed members of the work of the service in relation to empty homes, including:

- Issues resulting from hoarding
- Techniques to encourage owners to bring properties back into use
- Powers available to tackle issues relating to empty homes.

3.2.2 There was a lack of capacity for additional work on empty homes which had been exacerbated by the recent increase in damp and mould work.

3.2.3 The private sector housing team didn't have the necessary information to proactively contact owners of empty homes, but if an empty home was reported, a questionnaire was sent out.

3.2.4 The Borough Bulletin was used to encourage those with empty homes to come forward, but the response rate was low.

3.2.5 It was difficult to sell a home when an owner was in care or when they were deceased but there was a charge on the property for care costs, which had resulted in more empty homes.

3.2.6 Properties that were unoccupied and unfurnished were entitled to an exemption from council tax for one month, after which time a full charge was payable. A property must be considered "substantially furnished" to be considered occupied, which could lead to landlords circumventing the rules.

3.2.7 From April 2020, a 100% council tax premium was charged on properties that had been empty for longer than two years. From April 2021, the premium increased to 200% on properties that had been empty for longer than five years. From April 2022, the premium was increased to 300% for properties that had been empty longer than ten years.

3.2.8 There were discretionary exemptions to the premiums outlined in 3.1.7. These include properties on the market for sale or rent, hardship, the taxpayer being in

care or hospital, the property being unsafe to live in or subject to a compulsory purchase order.

3.2.9 Whilst there was no restriction in legislation preventing council tax on empty properties being used to purchase council properties, it was current council policy that this money was returned to the council tax fund and spent according to council priorities.

3.2.9 There were 66 long-term empty properties in the borough in 2023 – 45 had been empty for more than two years, 12 had been empty for five to ten years and nine had been empty for over ten years.

3.2.10 The list of empty properties was no longer provided to the housing service by the revenues team. This information would assist the private sector housing team in targeting those empty properties. A list of second homes could also be provided.

3.3 Private rented housing

3.3.1 The housing needs study was considered, indicating a significant shortfall in the number of affordable and social rented properties required.

3.3.2 There were particular affordability concerns in relation to private rented properties for larger families.

3.3.3 The types of houses previously suitable for first time buyers (smaller, cheaper homes) were now often purchased by landlords to rent out, with an associated reduction in first time buyer supply.

3.3.4 Some landlords were leaving the rental market due to new tax rules, EPC requirements, interest rates and proposed changes to regulations around no fault evictions.

3.3.5 There was such a high demand for rental properties from private tenants that private landlords did not need to work with local authorities in order to fill their vacant properties. In discussions with the lettings agent who attended the task and finish group, it was not possible to identify specific initiatives that the council was not already providing that might assist in making applicants on the council waiting list or those who were homeless more attractive to private landlords.

3.4 Section 106 contributions

3.4.1 The interest from registered providers in taking on new S106 properties had reduced in recent years. This made it difficult to maximise affordable housing delivery. The issue was being considered by an LGA working group on which the council's Strategic Housing & Enabling Officer sat.

- 3.4.2 Shared ownership options appeared to have been overshadowed by the first homes schemes.
- 3.4.3 Aspirations within the council to develop more council housing or to acquire new council homes through Section 106 provision on sites was restricted by a lack of available funding within the HRA and the absence of development skills to take an in-house build programme forward. The council was making use of its powers to acquire new properties though, although all new properties were subject to the right to buy.

3.5 Right to Buy

- 3.5.1 The Right to Buy (RTB) scheme had resulted in a significant loss of council properties at a reduced receipt, and the council was restricted in the use of the money, however all retained receipts were used. The council had very limited discretions within the legislation that governs the sale of council properties through the RTB.
- 3.5.2 The government had proposed to reform the RTB scheme, and a consultation was awaited.

3.6 Lobbying

- 3.6.1 A key theme of the working group was considering areas for lobbying the government.
- 3.6.2 Existing lobbying was taking place nationally and supported by the council, including:
- [Securing the future of council housing](#): the council was a signatory to this initiative led by Southwark Council
 - Local Government Association (LGA) round table on S106 sites: the council participated in LGA discussions on S106 agreements
 - LGA proposal for national housing directors forum: support for the creation of a collective voice for housing directors to engage with government
 - National Planning Policy Framework (NPPF) consultation response: submission of a response to the consultation focusing on affordable housing
 - National emergency homelessness summit: the council was a signatory to a letter to government which sought the prioritisation of a number of measures to help address the national housing crisis.
- 3.6.3 Areas for lobbying or further work were considered:
- Section 106 sites: relating to affordable housing, engagement with registered providers, community infrastructure and viability
 - Right to buy: restricting the sale of council properties

- Empty properties: increasing funding to bring empty properties back into use
- Officer capacity and funding: seeking funding for staffing to progress housing initiatives and requesting financial support for developing and acquiring council housing
- Private rented sector: working with letting agents to ease the pressure of homelessness
- General: promoting a more coordinated approach to housing-related policies across government departments

3.7 General comments

3.7.1 Many properties had been extended, which left fewer smaller properties.

3.7.2 Impending legislative changes, such as the Renters Reform Bill, introduce extensive reforms and greater responsibilities for the Private Sector Housing Team. This is likely to affect capacity and additional resource may need to be considered in due course.

4. Conclusions

4.1 Empty homes

- 4.1.1 Information sharing between the revenues and private sector housing teams could result in more work to target empty properties with the aim of bringing them back into use.
- 4.1.2 Additional resources would be required to undertake further work on bringing empty homes back into use and given the relatively small number of long term empty properties and property types, bringing them back into use would not make a major contribution to reducing homelessness or meeting housing need.

4.2 Private rented housing

- 4.2.1 Whilst demand for rental properties exceeded supply and landlords could be selective with regard to tenants, there may be opportunities for the council to work more closely with landlords in future.

4.3 Section 106 contributions

- 4.3.1 There was a need for more affordable housing and to ensure developers had engaged with registered providers at an earlier stage in the planning/development process.
- 4.3.2 It was important to ensure sites and requested contributions were viable to avoid the need for variations to the S106 agreement later in the process.
- 4.3.2 Lobbying should take place in relation to section 106 agreements, specifically:
 - Lobby for a higher percentage of affordable housing within S106 agreements
 - Advocate for more funding allocated to community facilities such as schools, healthcare and public transport
 - Call for stricter enforcement mechanisms to ensure developers comply with S106 obligations
 - Push for greater transparency in the negotiation and implementation of S106 agreements
 - Explore ways to balance the need for affordable housing and community infrastructure with developers' viability concerns
 - Advocate for regular reviews and updates of S106 guidelines to ensure the policy remains effective and relevant.

4.4 Right to buy

- 4.4.1 Preservation of current council housing stock was a key concern and opportunities to lobby government to restrict the sale of council properties should be explored through responding robustly to the forthcoming consultation.

4.5 General

- 4.5.1 A more coordinated approach to housing-related policies across government departments was required.
- 4.5.2 Use of existing data to carry out benchmarking would provide greater insight into whether the council has sufficient resources within the housing service.
- 4.5.3 Officer capacity was an overriding barrier in all areas of work. The services involved in the review provided an exceptional service, but additional resource would future proof the service and provide the opportunity and expertise for more work in the areas highlighted in this report.

5. Recommendations

- 5.1 Information be shared between the revenues and the housing services including a list of empty properties, the size of the properties, and any second homes where the owner also lived in the borough.

Reason: To enable the targeting of empty properties and increase the likelihood of bringing them back into use.

- 5.2 The Executive be recommended to consider providing additional staffing to investigate empty properties and bring them back into use.

Reason: Bringing empty properties back into use would alleviate some of the pressure on availability of housing.

- 5.3 The Executive be recommended to consider increasing capacity and expertise within the relevant team to benefit from opportunities to acquire S106 properties.

Reason: To increase availability of housing acquired through S106 agreements.

- 5.4 Officers continue dialogue with local landlords and their representatives with a view to seeking to work together to relieve pressure on the homelessness service.

Reason: To increase the availability of housing which the council may have access to for those in the greatest housing need.

- 5.5 Council be recommended to lobby government in relation to:

- Section 106 sites: relating to affordable housing, engagement with registered providers, community infrastructure and viability
- Right to buy: restricting the sale of council properties to support the council in retaining housing stock
- Empty properties: funding to assist with bringing empty properties back into use
- Officer capacity and funding: funding for staffing to progress housing initiatives and requesting additional financial support for developing and acquiring council housing
- General: promoting a more coordinated approach to housing-related policies across government departments (for example, resettlement schemes, homelessness, prison discharge).

- 5.6 A review of the action undertaken following the consideration of the recommendations within this report be added to the overview & scrutiny work programme for 2025/26.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

FINANCE & PERFORMANCE SCRUTINY

28 OCTOBER 2024 AT 6.30 PM

PRESENT: Cllr MJ Surtees – Chair
Cllr P Williams – Vice-Chair
Cllr DT Glenville, Cllr LJ Mullaney, Cllr P Stead-Davis, Cllr BE Sutton and
Cllr A Weightman

Officers in attendance: Julie Kenny, Rebecca Valentine-Wilkinson and Ashley Wilson

210. **Apologies and substitutions**

Apologies for absence were submitted on behalf of Councillor Cope.

211. **Minutes of the Previous Meeting**

It was moved by Councillor Williams, seconded by Councillor Sutton and

RESOLVED – the minutes of the meeting held on 2 September be confirmed as a correct record.

212. **Declarations of interest**

No interests were declared.

213. **Treasury Management - quarter 2 2024/25**

Members were informed of the council's treasury management activity in the second quarter of 2024/25.

In response to questions from members, officers confirmed the hope that the timing of projects would have an influence on the capital financing costs moving forward due to the forecast falling of interest rates, and therefore a delay on borrowing until late 2025 when rates were forecast to improve slightly.

Members noted the report.

214. **Performance & Risk Management Framework 1st quarter summary 2024/25**

Members were provided with the first quarter summary for performance indicators, service improvement plans, corporate risks and service area risks.

In response to questions from members, officers confirmed that:

- The Ethical Governance and Personnel Committee was the body responsible for complaints and had oversight via an annual report
- There were a suite of tools available to support staff who were experiencing workplace anxiety and depression, which had increased over recent years

- The Planning Committee received regular reports in relation to appeals and inclusion of cost of appeals within that report would be explored. It was also suggested that this be included in the planning frontline service review report
- The council was a disability confident employer and undertook measures to meet targets in relation to the percentage of employees with a disability.

RESOLVED –

- (i) Members noted the first quarter status for items listed in the report;
- (ii) Members reviewed the risks that posed the most significant threat to the council's objectives and priorities.

215. Finance & Performance Scrutiny work programme 2024/25

Members reviewed the work programme for 2024/25. The request from the previous meeting for a report on food waste was reiterated, in particular the progress and anticipated costs.

A report on key capital projects was requested to a future meeting.

A member referred to the Internal Audit report on recording of electric and gas usage which had been considered at a recent Audit Committee. Officers confirmed that the CO² usage would be reported in the annual outturn but agreed to review the report and discuss with the chair and vice-chair what could be brought to Finance & Performance Scrutiny.

Members noted the work programme.

(The Meeting closed at 7.16 pm)

CHAIR