

# Public Document Pack



Hinckley & Bosworth  
Borough Council

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

Date: **20 January 2026**

**To: Members of the Executive**

Cllr SL Bray (Chair)  
Cllr MC Bools (Vice-Chair)  
Cllr MB Cartwright  
Cllr WJ Crooks

Cllr L Hodgkins  
Cllr KWP Lynch  
Cllr MT Mullaney

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **EXECUTIVE** in the De Montfort Suite, Hinckley Hub on **WEDNESDAY, 28 JANUARY 2026 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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- **Do not** stop to collect belongings.

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Thank you

## EXECUTIVE - 28 JANUARY 2026

### A G E N D A

1. **APOLOGIES**

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

To confirm the minutes of the meeting held on 19 November 2025.

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. **ISSUES ARISING FROM OVERVIEW & SCRUTINY**

(If any)

7. **WASTE BIN AND COLLECTION POLICY (Pages 5 - 24)**

To seek agreement from members to update the Waste Collection Policy

8. **BIODIVERSITY NET GAIN: BURBAGE COMMON AND WOODS (Pages 25 - 38)**

To seek permission from members to assign areas of Burbage Common and Woods as a biodiversity net gain (BNG) 'habitat bank'

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

As announced under item 3.

10. **MATTER 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 ground that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Schedule 12A of that Act.

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## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### EXECUTIVE

**19 NOVEMBER 2025 AT 6.30 PM**

PRESENT: Cllr SL Bray - Chair  
Cllr MC Bools – Vice-Chair  
Cllr MB Cartwright, Cllr WJ Crooks, Cllr L Hodgkins, Cllr KWP Lynch and  
Cllr MT Mullaney

Also in attendance:

Officers in attendance: Julie Kenny, Darren Moore, Madeline Shellard, Sharon Stacey, Rebecca Valentine-Wilkinson, Ashley Wilson and Bill Cullen

#### 250. **Minutes**

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

RESOLVED – the minutes of the meeting held on 24 September be approved as a correct record.

#### 251. **Declarations of interest**

No interests were declared at this stage.

#### 252. **Issues arising from Overview & Scrutiny**

The Leader expressed his thanks for comments received from the Overview & Scrutiny committee on the Local Government Reorganisation proposal report.

#### 253. **Extended Producer Responsibility Funding**

Members were presented with the packaging Extended Producer Responsibility funding (pEPR) report from Defra 2025 that was part of the new waste regulatory framework. The report confirmed that all producers of packaging waste would be required to pay into a fund which was then distributed to local authorities to cover the cost of collecting and disposing of this packaging.

Members thanked officers for the report and their work to date in respect of preparations for the forthcoming Food Waste Service.

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

RESOLVED –

- (i) That Executive note the funding for 2025 and the potential reduction in funding in future should HBBC be deemed to fail to meet the efficient and effective criteria.
- (ii) That Executive note the current assessment of low-medium risk of future reductions in funding reported in 3.11 and 3.12 of the report.

- (iii) That Executive endorsed the recommendations in 3.12 of the report:-
  - i) HBBC appeared to currently have low – medium risk of reduced pEPR payments based on efficient and effective assessment.
  - ii) Consideration be given to reducing the size of replacement bins and a sticker on residual bins. Funding for this sticker would be provided within the Government's transitional food waste allocation to HBBC. Both of these changes would be discussed with the Leader/Executive briefing and built into the waste collection policy which is currently being updated.
  - iii) In 2026 further consideration should be given to a separate paper and card collection. This should include dialogue with both Leicestershire County Council and the wider Leicestershire Waste Partnership. Due consideration should also be given to LGR impacts.
  - iv) This review would be repeated annually or as clarity emerged from the scheme administrator.

#### 254. **Local Government Reorganisation proposal**

Executive were presented with this report that outlined the work undertaken by the District and Borough Councils in Leicestershire and Rutland County Council to produce the draft final Local Government Reorganisation (LGR) proposal for (North,City,South) for Leicester, Leicestershire and Rutland (LLR). The report also detailed the public consultation that had been carried out and overall support for the proposal.

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

#### RESOLVED –

- (i) That Executive give consideration to the comments made by the Scrutiny Commission and any recommendations of Council.
- (ii) That Executive approve the final draft Local Government Reorganisation Proposal for Leicester, Leicestershire and Rutland, along with any comments they wish to make which will be considered prior to final submission to the Ministry of Housing and Local Government (MHCLG) by the 28 November 2025.
- (iii) That Executive endorse the overwhelming view of the Council meeting held on 18.11.25 where members cross-party expressed strong views in opposition to the scrapping of Borough and District Councils.
- (iv) That Executive instruct the Leader and Chief Executive to continue to express opposition to the principle to the Local Government reorganisation.

- (v) That Executive note the strong record of delivery of HBBC and expressed thanks to all Members and officers over the years that have contributed to serving the people of the Borough.
- (vi) That Executive put on record its gratitude to all officers for the work done on the North/City South proposals for LGR and approved it's submission as the Council's preferred Bid should the Government not u-turn on its proposals.
- (vii) That authority be delegated to the Chief Executive in consultation with the Leader for any final changes prior to submission.

(The Meeting closed at 6.38 pm)

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CHAIR

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## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Executive 28 January 2026

Wards affected: All

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### Waste Collection Policy

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Report of Director Corporate and Street Scene Services

#### 1. Purpose of report

- 1.1 To seek agreement to update the Waste Collection Policy.

#### 2. Recommendation

- 2.1 Executive agree to the updated Waste Collection Policy and its implementation from 1 March 2026.
- 2.2 Executive agree delegation for the Director (Corporate and Street Scene Services) and the Executive Lead (Neighbourhood Services) to update the materials accepted / prohibited to comply with the governments simpler recycling reforms, as the dry recycling re-processor makes changes (3.13).
- 2.3 Executive agree to the minor changes to fees and charges contained within the policy being included in the annual fees and charges report to Council February 2026.

#### 3. Background to the report

- 3.1 The “Wheeled bin and container policy” was agreed in 2013 and now needs updating to include the new food waste collections, and other minor changes which support the efficient operation of the service and the aims of the Leicestershire Resources and Waste Strategy which was adopted in 2022. The policy has been widened to include other waste collections made by Street Scene Services. The updated policy is in Appendix one, the key changes are mainly operational and are detailed below:
- 3.2 Introduction (Section 1). This has been updated to reflect national policy changes (simpler recycling reforms), the updated corporate plan, and the

Leicestershire Joint Resources and Waste Strategy adopted by the Council in 2022.

- 3.3 Food waste, bulky collections, big bin, special collections and fly tipping / litter and dog fouling added throughout the document
- 3.4 Accepted and prohibited materials (Section 3). Prohibited items are now listed to raise awareness and increase recycling / reduce contamination. Note these materials have not changed and bins containing the prohibited list are already routinely rejected by collection crews. Plastic and metal tubes can now be recycled, and a clarification is added for dry recyclable items which are too dirty or degraded for recycling or cannot be cleaned with reasonable effort. A sticker will be added to the lid of all residual waste bins (black bins) as part of food waste collection roll out identifying all items which must be placed in the other recycling bins.
- 3.5 Collection points and times (Section 4). Confirmation added that where bin presentation points are disputed, after careful consideration and consultation with ward members, the decision of the waste management team will be final. The early presentation time for high temperatures is also added which is now custom and practice during hotter periods.
- 3.6 Bins left on streets (Section 7). Addition of the use of Public Space Protection Orders in areas where bins are repeatedly left out on the street causing issues.
- 3.7 Assisted collections (Section 8). Confirmation that access rights are required and permission must be granted for collection and return of bins.
- 3.8 Overfilled, overweight and contaminated bins (Section 10). Strengthened policy on prohibited items in refuse / black (not recyclable bin) to support Leicestershire resources and waste strategy and reduce the risk of fires on vehicles.
- 3.9 Bin Size and additional containers (Section 11). The changes here are to reduce the number of households with extra residual waste capacity in line with the Leicestershire policy which in turn will increase recycling participation.
  - Confirmation garden bins will be removed if they are presented without the correct payment sticker displayed.
  - Confirmation of current practice of that households with bins 360l and larger will be regularly audited and bins reissued in line with bin size policy.
  - 50% reduction in the fee for a replacement refuse bin if residents opt for a smaller bin than due for their household size.
- 3.10 New developments (Section 14). Confirmation of the importance of developers providing bin presentation points for private roads, and expectation that developers and landlords will pay for bins for new

developments but this is an agreement between the developer / landlord and the residents.

- 3.11 Bins / containers for new occupancies (Section 15). Confirmation that other than where wheeled bins cannot be provided residents will be required to have black and blue lidded bins and food waste caddy as a minimum.
- 3.12 The policy will come into place from 1 March 2026, when food waste roll out will be complete, and new fees and charges will apply from 1 April 2026.
- 3.13 Further changes need to be made to the dry recycling materials which HBBC collect by 1 April 2027 as part of the Governments Simpler Recycling reforms. HBBC are reliant on LCC and their dry recycling contractor to do this. For example, additional types of plastic film must be collected and recycled. Delegation is sought for the Director (Corporate and Street Scene Services) and the Executive lead (Neighbourhood Services) to update the materials accepted / prohibited as these changes are made.

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

- 4.1 The report can be taken in public session.

#### **5. Financial implications (AA)**

- 5.1 Based in 3.9 above if the residents decide to request a smaller bin, in future overall income will reduce. Any associated changes in the budget will require approval in accordance with financial procedure rules.

#### **6. Legal implications (ST)**

- 6.1 The “Simpler Recycling Regulations” come into force on 31<sup>st</sup> March 2026, requiring all local authorities to implement the standardised core recycling collections, as covered by this report.

#### **7. Corporate Plan implications**

- 7.1 The Council's Corporate Plan (2024-2028) includes commitments to increasing recycling, work towards a greener borough, and promoting sustainable development and initiatives to reduce the carbon footprint of the Borough. By increasing recycling and reducing residual waste this policy achieves the corporate plan aims

#### **8. Consultation**

- 8.1 Extensive consultation was undertaken in 2021 across Leicestershire as part of the development of the Leicestershire Resources and Waste Strategy 2022- 2050. This consultation led to the development of the Strategy and pledges which HBBC adopted in 2022. The changes to this policy support the Strategy and pledges and therefore implement the consultation findings.

- 8.2 The strategy can be found here: [About Us | Less Waste](#)
- 8.3 Many of the updates to the policy are operational and are already custom and practice and therefore do not require further consultation. For example, early start times in extreme heat, removal of persistently presented brown bins without payment sticker, prohibited items in certain bin types.
- 8.4 The new food waste collection is a statutory requirement from 1 April 2026. Consultation is therefore deemed unnecessary as it must be provided.

## 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
Opportunity: clarification of collection policy	This manages customer expectations and gives a robust and consistent framework to support the corporate plan aim of increasing recycling	Darren Moore
Failure to increase recycling rates	Increased clarity on prohibited items in the black / refuse bin, and confirmation through a bin sticker will reduce uncertainty and therefore should increase recycling rates	Caroline Roffey
Poor collection services and low customer satisfaction	Ensure services are adequately resourced and new collections are well communicated to residents	Caroline Roffey
Inconsistent application of policy	System changes as required. Awareness training for Waste team and Contact Centre staff ahead of 1 April.	Caroline Roffey

## **10. Knowing your community – equality and rural implications**

- 10.1 An Equalities Impact Assessment for food waste collections has been completed. Assisted collections are the main mechanism for supporting residents, and sacks collections are used where the use of wheeled bins is not physically possible. These variations to the universally delivered service should enable everyone who wants to recycle to do so.
- 10.2 Bins for new properties have been chargeable (one off charge) for several years, and the new requirement for these properties to have all bin types (except garden) may impact those on low incomes. This is mitigated by the expectation developers and landlords will pay for the new bins, and by the option of a smaller residual bin at a reduced charge.

## **11. Climate implications**

- 11.1 The policy supports the Climate Change strategy 2024-2028. The policy aims to work towards achieving the national recycling target and contributing towards implementation of the Leicestershire resource and Waste Strategy 2022-2050.

## **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

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Background papers:

Appendix 1: Waste Collection Policy

Contact officer: Caroline Roffey x5782

Executive member: Councillor Lynda Hodgkin

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Hinckley & Bosworth  
Borough Council

## Hinckley and Bosworth Borough Council Waste Collection Policy: 1 March 2026

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## 1. Introduction

The Council's Corporate Plan (2024-2028) includes commitments to increasing recycling, work towards a greener borough, and promoting sustainable development and initiatives to reduce the carbon footprint of the Borough. The Council are partners of the Leicestershire Waste Partnership and have adopted the Leicestershire Resources and Waste Strategy (2022-2050). This commits to a circular economy by preventing waste and maximising the value of resources and minimising negative environmental impacts from waste. This Waste collection policy supports several strategy pledges:

- Reduce littering and fly tipping
- Encourage waste prevention, reuse and repair
- Implement and promote food waste collections
- Continuing garden waste collections
- Collecting the full range of recyclables specified by government
- Explore viability of adding extra materials to recycling collections
- Put in place collection systems to meet the national recycling target of 65% by 2035 which may include restricting residual waste capacity to encourage greater materials separation, carbon savings and resource recovery.

We encourage residents to:

- Prevent waste arising in the first place (through awareness and education)
- Reduce the amount of waste they produce
- Reuse and repair products
- Recycle waste where possible

The recycling rate in Hinckley and Bosworth has plateaued (as for England as a whole). The introduction of food waste collections will help improve the Council's overall recycling performance further and reduce waste going to disposal. We will also change services and collections as necessary to comply with the Environment act 2021 and the Governments Simpler Recycling reforms.

The cost of our collections remains one of the lowest in the East Midlands and we aim to continue to increase recycling and reduce waste going to disposal wherever possible with the resources we have available.

## 2. Our Services

The Council provides the waste collection services detailed below. Residents should recycle everything they can using the residual waste bin as the bin of last resort.

<b>Waste collected</b>	<b>Frequency</b>
Dry Recyclable materials	Alternate Weekly
Garden waste (Subscription Service)	Alternate Weekly
Food Waste	Weekly
Non-recyclable/residual waste	Alternate Weekly
Bulky / Large items	Chargeable - booking required
Big Bin Service	Chargeable - booking required
Special collections	Chargeable - booking required
Commercial Waste collections	Chargeable - Weekly or Alternate Week

### 3. What goes in each bin (accepted and prohibited materials).

These lists are indicative and subject to change, for full details visit [What goes in my bins and more about domestic collections | Hinckley & Bosworth Borough Council](#)

Container / service	Accepted materials	Prohibited items
Dry recycling (Blue lidded bin) collected every 2 weeks. Items should be loose (unless on a sack service)	<ul style="list-style-type: none"> <li>✓ Glass bottles and jars</li> <li>✓ Metal food and drink cans</li> <li>✓ Aluminium foil</li> <li>✓ Household plastic bottles / tubs / pots / trays (not black plastic)</li> <li>✓ Food and drink cartons (tetra pack)</li> <li>✓ Aerosols</li> <li>✓ Newspapers / magazines / books</li> <li>✓ Junk mail</li> <li>✓ Envelopes</li> <li>✓ Directories / catalogues</li> <li>✓ Cardboard</li> <li>✓ Cereal packets</li> <li>✓ Waste paper</li> <li>✓ Film (cling film, bread bags, carrier bags, bubble-wrap, film lids)</li> <li>✓ Greeting cards and wrapping paper (no shiny gold or silver, and no glitter)</li> <li>✓ Plastic and metal tubes (cosmetics, toothpaste, tomato puree etc)</li> </ul>	<ul style="list-style-type: none"> <li>✗ All items listed as accepted items for other bins e.g. refuse, garden waste and food waste.</li> <li>✗ Dirty recyclable items (please rinse) and ensure all items are empty</li> <li>✗ Items within sacks / bags (all recycling must be loose)</li> <li>✗ Polystyrene</li> <li>✗ Flower pots</li> <li>✗ Black plastic containers</li> <li>✗ Any plastic items not listed in accepted materials</li> <li>✗ Any silver / metallised plastic e.g. crisp packets that have a silver lining</li> <li>✗ Batteries,, vapes and any items with electronic components</li> <li>✗ Textiles</li> </ul>
<b>All recyclable items must be empty and clean as contaminated materials will result in bins not being collected. For full details see the Recycling and Waste Guide.</b>		

Container / service	Accepted materials	Prohibited items
<b>Garden waste (brown lidded bin) collected every 2 weeks:</b> (chargeable service – bins will only be emptied if current years bin sticker is attached)	<ul style="list-style-type: none"> <li>✓ Twigs, branches and hedge trimmings</li> <li>✓ Plants and cut flowers</li> <li>✓ Weeds</li> <li>✓ Leaves</li> <li>✓ pruning</li> <li>✓ Grass cuttings</li> </ul>	<ul style="list-style-type: none"> <li>✗ Garden items such as flower pots or trays, soil or turf</li> <li>✗ Stones, hardcore or rubble</li> <li>✗ Pieces of wood or fence panels</li> <li>✗ Plastic or other types of bags (including compostable bags and packaging)</li> </ul>
<b>Food Waste (silver bin) collected weekly. Liners for the 7l caddy provided to new residents only. On going the resident will need to provide these.</b>	<ul style="list-style-type: none"> <li>✓ Tea bags and coffee grounds</li> <li>✓ All uneaten food and plate scrapings/leftovers</li> <li>✓ Mouldy and out of date food (including ready meals)</li> <li>✓ Raw and cooked fruit and vegetables, whole and peelings</li> <li>✓ Bread, cake and pastries</li> <li>✓ Raw and cooked meat and fish (including bones)</li> <li>✓ Dairy products, cheese, egg, egg shells, and yogurt</li> <li>✓ Rice, pasta and beans</li> <li>✓ Pet food</li> </ul>	<ul style="list-style-type: none"> <li>✗ Packaging of any kind</li> <li>✗ Liquids such as milk</li> <li>✗ Oil or liquid fat</li> <li>✗ Pet bedding or faeces</li> <li>✗ Any material that is not food waste</li> </ul>
<b>Textiles (Red Bag)</b> Collected every 2 weeks	<ul style="list-style-type: none"> <li>✓ Clothing / shoes</li> <li>✓ Hats / belts</li> <li>✓ Sheets / towels</li> <li>✓ Curtains</li> </ul>	<ul style="list-style-type: none"> <li>✗ Soiled or damaged clothing (i.e. paint, oil contaminated)</li> </ul>

<p><b>Non-recyclable household waste (black bin collected every 2 weeks)</b></p>	<ul style="list-style-type: none"> <li>✓ Non recyclable household waste</li> <li>✓ Animal waste</li> <li>✓ Nappies and other sanitary / hygiene related waste</li> </ul>	<p>All items listed as accepted in other bins e.g.</p> <ul style="list-style-type: none"> <li>✗ Food waste</li> <li>✗ Garden waste</li> <li>✗ Recyclable materials accepted in the blue lidded bin*</li> </ul> <p>*except items which are too dirty or degraded for recycling and cannot be cleaned with reasonable effort</p> <p>Plus</p> <ul style="list-style-type: none"> <li>✗ Builder rubble or stones</li> <li>✗ Corrosive materials</li> <li>✗ Electrical items</li> <li>✗ Batteries</li> <li>✗ Vapes</li> <li>✗ Commercial or trade waste</li> <li>✗ Hot ashes</li> <li>✗ Car parts</li> <li>✗ Liquids</li> <li>✗ Paints (still in liquid form – dried/solid paint can be accepted)</li> <li>✗ Full aerosols or other compressed air / gas items (discharge prior to putting in bin)</li> </ul>
<p><b>Please note, the size of black-lidded bin provided is determined by the number of full time occupants – see page 10. Section 11. A list of key items not accepted within the black bin will be displayed on the bin lid from / March / April 2026</b></p>		

<b>Container / service</b>	<b>Accepted materials</b>	<b>Prohibited items</b>
<b>Bulky waste. Bookable chargeable service</b>	Large items of household furniture <a href="https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_3_collections_you_pay_for">https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_3_collections_you_pay_for</a>	See list of items collected <a href="https://www.hinckley-bosworth.gov.uk/suitableitems">https://www.hinckley-bosworth.gov.uk/suitableitems</a>
<b>Big Bin service – Bookable chargeable</b>	Household residual waste, garden waste and recyclable waste where residents have too much waste for their normal bins <a href="https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_3_collections_you_pay_for/1946/big_bin_clear_out_collection_service">https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_3_collections_you_pay_for/1946/big_bin_clear_out_collection_service</a>	Residents must ensure they use the different bin types correctly, sorting recyclable and non recyclable waste.
<b>Commercial / trade waste Bookable and chargeable</b>	All waste must be similar in composition to household waste and sorted in accordance with the bins specified above. Services available include residual waste, garden waste, dry recycling, food waste, bulky collections and big bin collections	Industrial or manufacturing waste
<b>Special collections Bespoke 1 off collections . Chargeable</b>	For example house clearances, Asbestos collection etc This service is entirely at the councils discretion and the council will only collect the materials accepted within the other bins listed above unless agreed.	Advice available on request

## 4. Collection points and times

Wheeled bins and containers must be placed at the boundary of a resident's property with the public highway. Bins should be clearly visible, easily accessible and not placed behind fences or gates. Wheeled bins and containers should be presented and accessible by 7am\* on the day of collection and be taken back onto the property on the day of collection. Residents should ensure that the food waste bins are visible and not obscured by the other bins. Residents should also take care on windy days to present the dry recycling and food waste bins close to other bins to reduce the risk of them blowing over.

If bins are placed on the footpath (due to limited frontage space) they should be clearly visible and positioned in such a manner as not to cause an obstruction to vehicles and pedestrians, including cycle lanes, wheelchairs, and push chairs. Bins presented on the highway should not be presented before 7:30pm on the day prior to collection and should be taken back in after service on the day of collection.

**If a property is located on private land the expectation is that containers are presented at the public highway.** Where there is disagreement between residents on bin presentation points, after careful consideration by officers, and consultation with the ward members, the decision of the waste management team on location will be final.

\*In periods of high temperatures notified by the Met Office (generally 30 degrees centigrade), collections may commence before 7am. Details will be provided on our website and via social media if this becomes necessary.

## 5. Bins/containers not presented by 7am

If a bin/container is not presented at the time of collection, crews will not be able to return to collect the bin until the next scheduled collection day.

## 6. Missed collections

If a bin is presented by 7am and collection was missed, residents should report this to the Council by the end of the next working day. In these circumstances only the council will return to collect the bin. (Please note this applies to crew error only and does not apply where external factors have prevented collection such as road works or inclement weather). Vehicle CCTV will be checked to verify bin was presented at time the crew were present, and no return will be made if a bin was not clearly presented.

## 7. Bins left on streets - Section 46 Environmental Protection Act 1990

The Environmental Protection Act 1990, Section 46 contains legislation which deals with containers being left out on the street for unreasonable amounts of time. Residents and businesses must comply with this legislation to avoid complaints from pedestrians and neighbours of bins obstructing the highway (including footpaths), smelly bins or the visual impact of containers on the street.

Such complaints are dealt with by sending residents an initial letter explaining their responsibilities with regards to their containers and the legislation that must be adhered to.

If the problem continues, a section 46 notice will be sent to the resident advising them that they must comply with the legislation. Bins may be removed and service stopped if after the required notice is served and bins remain on the public highway. A delivery charge is made to return bins removed as a result of non-compliance with a section 46 notice. In neighbourhoods where this is a persistent problem by multiple properties the Council will consider introducing a public space protection order whereby a fixed penalty notice can be issued to residents each time a bin is not correctly removed by a resident after it has been collected.

## **8. Assisted collections**

In special cases where **all** residents in the household are physically incapable of placing containers at the collection point, due to infirmity or disability, applications can be made for an Assisted Collection. This means that collection staff will collect and return bins and containers directly from a property, from a place jointly agreed with the resident. There should be obstruction free, legal and safe access and an agreed place to collect a resident's bin. If large steps or other obstacles exist preventing the safe collection of a wheeled bin, a sack collection service will be required.

To assess eligibility for the Assisted Collection service, residents will be required to provide details of all residents at the property, and a visit may be made by an officer. This list will be audited every 1-3 years and to remain on an assisted service, residents will be required to update the records held for them. The Council may require proof of infirmity or disability to confirm eligibility.

Although every care will be taken in carrying out Assisted Collections the council cannot accept responsibility for any loss or damage caused as a result of providing an Assisted Collection service.

**Bins need to be accessible (e.g. locks opened on gates), clearly visible on collection day and crews should have safe passage to service the containers. We will not be able to return to service containers if access cannot be safely gained.**

In requesting an assisted collection service residents must have the relevant access rights, and they grant permission for crews to enter onto their property for the purpose of collecting and returning bins.

## **9. Additional Waste**

### **Recyclable materials – blue lidded bin collected every 2 weeks**

Recyclable items placed by the side of the bin will be collected. We are happy to collect extra recyclable items if there is not enough room in the bin with lid fully closed. The items should be placed securely in a clear bag or cardboard box to prevent them from blowing away. Reasonable amounts of large cardboard can be flattened and stacked beside the blue bin, but we are unable to collect excessive amounts of cardboard (i.e. packaging from a kitchen installation) which should be taken to the nearest Recycling and Household Waste Site. Additional bins for recyclable materials are available free of charge on request

and are available via the following link [https://www.hinckley-bosworth.gov.uk/info/200255/new\\_bin\\_or\\_bag](https://www.hinckley-bosworth.gov.uk/info/200255/new_bin_or_bag)

### **Garden waste – brown lidded bin (chargeable service) collected every 2 weeks**

Only waste contained within the bin with lid fully closed will be collected. Additional bins may be requested through the Garden Waste Collection service for the appropriate annual charge.

### **Food Waste – Silver caddy collected weekly (Commences February / March 2026)**

We provide a 23 litre caddy to present food waste at your property boundary on collection day. Only food waste presented in this caddy with lid fully closed will be collected. We cannot accept food waste in any other type of container. Additional food waste containers are available free of charge on request [https://www.hinckley-bosworth.gov.uk/info/200255/new\\_bin\\_or\\_bag](https://www.hinckley-bosworth.gov.uk/info/200255/new_bin_or_bag)

A 7 litre kitchen caddy is provided for use inside the kitchen.

Replacements are provided free of charge where they are damaged due to general wear and tear, and to new residents. Residents can of course choose to use a different container of their choosing within the kitchen (at their own expense)

### **Non-recyclable household waste – black lidded bin collected every 2 weeks**

The standard black lidded bin provided should be the bin of last resort with all recyclable waste placed in the other recycling bins provided. It is the correct capacity for most properties who are using the other recycling bins available. Only waste contained within the bin will be collected. The lid should be fully closed and flat. No additional non-recyclable waste will be collected unless:-

- Collections have been delayed following suspension of service due to inclement weather.
- Prior arrangements have been agreed with the Waste Management Team.

## **10. Overfilled, overweight and contaminated bins**

Care should be taken not to overfill bins or make them too heavy to be safely collected.

The lid of the bin must be shut flat prior to collection. Overfilled bins where the lid cannot be closed completely may not be emptied as this can cause problems when tipping into the collection vehicle.

If bin lifts are unable to lift bins, or collection staff are unable to move them safely due to excessive weight we will be unable to service the bin until excess material is removed by the householder.

Blue lidded recycling bins, Brown lidded garden bins and Food Waste caddies contaminated with materials other than the specified recyclable materials collected for the collection scheme will not be emptied. We will not be able to return to collect bins containing incorrect materials until your next scheduled collection day. Residents will need

to remove incorrect materials prior to collection. Should a contaminated container be tipped in the rear of a vehicle before the crew realise, the whole load can be rejected at the processing site and may have to be treated as non-recyclable waste via landfill or incineration. For this reason, if an individual persistently contaminates a bin/container, the council may suspend the service.

Similarly black bins (residual waste) will not be emptied if items which could be recycled are visible at the time of collection. This includes dry recycling, garden waste, food waste, electrical items and batteries / vapes. The majority of residual waste is taken for incineration and turned into energy from waste in accordance with waste hierarchy principles. Food waste and garden waste contain around 70% water meaning extra energy is needed to generate energy from this waste thus increasing the emissions and removing the opportunity for composting and reuse of this organic material. Dry recycling incorrectly placed in the black bin ends up being incinerated and results in the loss of recyclable glass and steel, and burning plastic emits harmful climate change emissions. Electrical items contain precious metals and are clearly marked that they must be disposed of with other electrical waste. Batteries and vapes are a fire hazard on the collection trucks and are widely collected at supermarkets and other retail outlets.

If your bin/container cannot be emptied if it is too heavy, overloaded or contains unsuitable items, it is the resident's responsibility to remove them. A bin-hanger may be left advising the bin/container contains incorrect items. The crew will record the reason why the container cannot be serviced for our records and the bin will not be emptied until the next scheduled collection day and only if the issue has been corrected.

## **11. Bin Size and Additional wheeled bins/containers**

### **Recyclable waste – blue lidded bin**

A standard 240 litre bin will be provided. An additional bin is available free of charge on request for residents who require additional capacity for recyclable materials. Similarly, a smaller bin is available for those with limited space. This is subject to availability.

### **Garden waste – brown lidded bin (chargeable service)**

Garden Waste is collected every 2 weeks for an annual subscription. The bin is a fixed size of 240 litre. Charges are publicised in the council's 'Scale of Fees and Charges'. Houses with larger gardens can request and pay for additional brown lidded bins if required. Bins remain the property of the council. A permit showing payment has been made must be clearly displayed on the front of the bin. Bins will be removed by the Council if they are presented for collection without the correct payment having been made / sticker displayed.

### **Food Waste Caddies**

Each household will be provided free of charge with one internal 7 litre caddy and one external 23 litre caddy when the service is rolled out at the beginning of 2026. Additional bins are available free of charge on request to larger households.

### **Non-recyclable waste – black bin**

The Council provides 1 black bin only and the size is determined by the number of full time occupants of the household.

<b><u>Number of full time occupants</u></b>	<b><u>Size of bin</u></b>
<b><u>1-2</u></b>	<b><u>140 litres</u></b>

<u>3-4</u>	<u>240 litres</u>
<u>5-6</u>	<u>360 litres</u>
<u>7-8</u>	<u>2 x 240 litres</u>
<u>9-10</u>	<u>240 litre plus 360 litre</u>
<u>11+</u>	<u>660 litre</u>

If a change of circumstances occurs/for new occupancies without bins/replacement bins/ or for any other circumstance, the provision of bins will be reviewed and bins re-issued in accordance with the above provisions. Households with bins of 360 litres or greater will be regularly audited and bins reissued in line with the policy above based on household occupants.

Where residents opt for a smaller refuse bin than due for their household size then the fee for the refuse bin will be reduced by 50%.

## **12. Stolen / missing / damaged bins/ containers**

All wheeled bins and containers remain the property of Hinckley & Bosworth Borough Council at all times. Residents are responsible for keeping and maintaining them in a safe, clean and tidy condition.

The council will repair or replace any wheeled bins/containers that are damaged through fair wear and tear including damage by collection crews during collection. A replacement charge will apply where damage has been caused by the negligence of a resident in accordance with fees and charges. The size of a replacement black lidded bin will be in accordance with the number of permanent residents in the property.

Where wheeled bins/ are lost or stolen, the council will only replace one bin free of charge in a five-year period (regardless of bin lid colour). For any subsequent bins lost or stolen within a five-year period, a charge for replacement and delivery will be made in accordance with the council's scale of fees and charges. In all circumstances the size of non-recyclable (black lid) waste bins provided will be determined in accordance with the number of permanent residents in the property.

## **13. Limited storage space**

Where properties have limited storage space for wheeled bins or there are difficulties to safely present and/or service bins, a visit will be made by a member of the Waste Management Team. Where there is no viable option to provide bins, purple sacks will be provided for non-recyclable waste and clear sacks for recyclables. These bags may be presented every fortnight at the boundary of resident's property with the public highway where they are clearly visible. Residents on this scheme can present up to 6 purple bags per fortnight. New supplies will be delivered every 16 weeks.

Food Waste will be collected weekly via the 23l caddies provided which should be presented at the same location as sacks (a 7l kitchen caddy is also provided for internal use within a property).

There is no alternative container to the brown bin for the collection of garden waste meaning this collection service cannot be provided to properties unable to accommodate wheeled bins.

## **14. New developments**

### **Provisions for new homes**

All new residential developments must be provided with suitable and appropriate storage capacity to store waste bins/containers and ensure there is adequate space to present bins at the boundary of the property with the public highway. For developments with private access roads, adequate presentation points must be provided at the point at which the private access road meets the public highway.

It is recommended that developers consult with the council on the provision of waste storage facilities and Bin Collection Points (BCP's) at the initial planning stage to avoid any future problems for residents.

Developers should review our guidance document to inform planning applications meet all requirements to provide effective Waste Management arrangements for residents. The expectation of the Council is that developers and landlords will pay for bins for new developments, but this is an agreement between developers / landlords and residents, and the waste management team will not be involved in any such disputes.

## **15. Bins/Containers for new occupancies**

The council will make a charge for the provision of wheeled bins/containers provided to new occupancies in accordance with the charges contained in the council's 'Scale of Fees and Charges'. This includes all new occupants of dwellings and is not limited to the first occupancy of new dwellings. For example, a resident moving into an existing dwelling will be required to pay for their bins if none are left by the previous resident. This requirement applies regardless of the ownership of the property (to both rented, social and privately owned properties).

All bins and containers provided remain the property of the council. Residents should not take black or blue lidded bins or food waste containers with them when moving. Where the garden waste service has been paid and the new property is within the borough the brown lidded bin may be taken and the waste service contacted to issue a new sticker for the new address to enable collections to continue.

Other than where storage or access issues mean wheeled bins cannot be used, all properties will be required to have the black and blue lidded bins, and food waste caddies as a minimum. The garden waste bin will be available upon payment of the correct fee.

Additional information on the specific waste storage and collection requirements and cost of containers and bins is available online at [https://www.hinckley-bosworth.gov.uk/info/200255/new\\_bin\\_or\\_bag](https://www.hinckley-bosworth.gov.uk/info/200255/new_bin_or_bag) or by calling 01455 238141.

## **16. Bulky waste / large items collections**

Full details of this service are available on the Councils website including fees, items collected / not collected and how to book. [https://www.hinckley-bosworth.gov.uk/info/200418/large\\_and\\_multiple\\_items\\_%E2%80%93\\_collections\\_you\\_pay\\_for](https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_collections_you_pay_for)

Collection times and locations are the same for this service as for wheeled bin collections. Residents must book upholstered seating items separately. A discounted rate is available for those in receipt of certain benefits. Residents on benefits need to book by telephone so eligibility can be confirmed.

## **17. Big Bin service**

Full details of this service are given on the Councils website including fees, items collected and how to book. [https://www.hinckley-bosworth.gov.uk/info/200418/large\\_and\\_multiple\\_items\\_%E2%80%93\\_collections\\_you\\_pay\\_for/1946/big\\_bin\\_clear\\_out\\_collection\\_service](https://www.hinckley-bosworth.gov.uk/info/200418/large_and_multiple_items_%E2%80%93_collections_you_pay_for/1946/big_bin_clear_out_collection_service)

Users of this service are required to separate their waste as outlined in this policy using the correct bin for each item, and ensuring recyclable items are recycled. Bins also need to be stored securely and presented for collection in line with the requirement for household waste bins

## **18. Trade / commercial waste collections**

Trade waste customers are required to separate their recyclables as part of the governments Simpler recycling reforms. This applies to dry recycling and food waste. For larger businesses (10 or more full time equivalent full-time employees) this is by 31 March 2025, and for micro firms by 31 March 2027. Businesses are required to use their bins as set out in this policy. If customers wish to lock their bins to prevent misuse this must be arranged by the customer and bins must be accessible and unlocked at the agreed collection time.

To enquire about a trade waste collection for your service please contact  
TradeWaste@hinckley-bosworth.gov.uk

## **19. Special collections**

These are bespoke collections. For a quote please [streetscene@hinckley-bosworth.gov.uk](mailto:streetscene@hinckley-bosworth.gov.uk)

## **20. Fly tipping, litter clearance and dog fouling**

The council is responsible for removal of fly tipping, litter and dog fouling on HBBC land, and the public highway. Additional litter bins will be provided where there is a proven need. Parish council land is the responsibility of parish councils, and private land is the responsibility of the land owner. Fly tips on HBBC and highway land are routinely investigated and the Borough council will investigate fly tips on non HBBC land where requested to do so and evidence is available.

Enforcement of fly tipping, littering and dog fouling will be robust where evidence is available and in hot spot areas. CCTV cameras are deployed and used routinely, images of offences will be posted on social media, and residents are encouraged to report any offences they witness. Fixed penalty notices are routinely issued and repeat offenders/ larger fly tips will be prosecuted.

Fly tips and litter should be reported

[What you need to do | Report fly-tipping | Hinckley & Bosworth Borough Council](#)  
[Litter and litter bins | Hinckley & Bosworth Borough Council](#)

## 21. Contact us

The Waste Management Service can be contacted for further advice and assistance on 01455 238141

or [wasteservices@hinckley-bosworth.gov.uk](mailto:wasteservices@hinckley-bosworth.gov.uk)

or by writing to Waste Management, The Jubilee Building, Unit B, Fleming Road, Hinckley, Leics. LE10 3DU



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Executive

28 January 2026

Wards affected:

Hinckley: Site visited by residents of all wards.  
Some areas of proposed improvements are within  
Blaby district.

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### **Biodiversity Net Gain: Burbage Common and Woods**

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Report of Director Resources and Street Scene Services

#### **1. Purpose of report**

- 1.1 To seek permission to assign areas of Burbage Common and Woods as a biodiversity net gain (BNG) 'habitat bank'.
- 1.2 To seek delegated authority for the Director Resources and Street Scene Services and the Executive Lead for Neighbourhood Services to "sell" these BNG units to relevant developers at market rates.
- 1.3 To seek approval for the habitat improvement works identified in the report.

#### **2. Recommendation**

- 2.1 SLT / Executive agree to establish parts of Burbage Common and Woods as a BNG habitat bank on the basis it:
  - Improves biodiversity at a strategic green infrastructure site
  - Generates income to enable habitat improvements in a sustainable way for at least 30 years,
  - Provides additional revenue to improve our countryside sites and to improve the overall resilience of Burbage Common and Woods to cope with increasing visitor pressures.
  - Enables the offsetting of development impacts to be achieved within the Borough
- 2.2 SLT / Executive agree to endorse the completion of a Conservation Covenant between the council and an appropriate Responsible Body for the

delivery of BNG habitat bank and to secure these units to the national Biodiversity Gain Site Register.

- 2.3 SLT / Executive agree delegated authority for the Director Resources and Street Scene Services and the Executive Lead for Neighbourhood Services to “sell” these BNG units to relevant developers at market rates.
- 2.4 SLT / Executive note negotiations have already commenced with Pallex for the sale of some BNG units ( potential value of £867,188.70 in year 1)
- 2.5 SLT / Executive note the biodiversity improvements to Burbage Common and Woods needed to fulfil our obligations under BNG.
- 2.6 SLT / Executive note that by creating these BNG units the council must achieve a 10% enhancement in biodiversity and maintain this for 30 years. The land cannot then be used for any other purpose for this 30-year period.
- 2.7 SLT/ Executive note based on the Pallex negotiations, a capital budget of £53,985 will be added for endorsement at Council in February 2026 and a receipt of £867,189 from the sale of units. A revenue budget of £16,000 needed 2026/27. An additional budget for legal services will also be needed of £20,000.
- 2.8 For 2027/28 Executive approve a revenue budget of £7,567.
- 2.9 Note that for future years (Years 1,3,5,10,15,20,25 & 30) £10,625 will be aside to pay for Ecology surveys/reports and Responsible Body payments to ensure compliance with scheme.

### **3. Background to the report**

- 3.1 Biodiversity Net Gain (BNG) is a legal requirement of the national planning system which has applied to most major development since February 2024 and most smaller developments since April 2024. It requires developers to deliver a minimum 10% uplift in biodiversity (wildlife) value over and above what was present on site prior to development. The biodiversity habitat gain is calculated, measured and monitored using a complex biodiversity metric set out in national guidance. A developer can either create or enhance habitats for biodiversity on their development site, or if this is not possible look offsite. HBBC have an opportunity to create “habitat banks” to provide this offsite option to developers and receive income for the creation or enhancement of habitats on HBBC land through the sale of biodiversity units. Any enhancement of habitats must be for 30 years.
- 3.2 Different HBBC departments have different roles and responsibilities in relation to BNG:-
  - i. Local Planning Authority – responsible for ensuring developer meet their BNG requirements at the planning application stage, deliver the 10% gain, and monitoring this for 30 years

ii. Landowner (Green spaces)– opportunity to create habitat banks, sell BNG units, and improve biodiversity for 30 years of agreements. Only green spaces currently have land of suitable size to be viable for BNG.

iii. Developer (Asset Management and Housing) – requirement to meet 10% BNG on any developments HBBC undertake.

This report concentrates on HBBC as landowner and the development of BNG units on the Councils green spaces.

### **Burbage Common and Woods**

- 3.3 A feasibility study was undertaken by an external consultant, RSK Wilding, to evaluate BNG feasibility for Burbage Common and Woods. Of the 82.17 hectares surveyed 9.58 hectares were found to have potential for enhancement, together with 0.24kms of hedgerow. The remaining parts of the site either deemed unsuitable or of high existing biodiversity value making a 10% uplift impractical. A further habitat management and maintenance plan was then commissioned which set out clearly the habitats for BNG, the management to achieve 10% biodiversity uplift, and the maintenance and monitoring required over 30 years to maintain this 10% uplift. The habitat management plan is dynamic and will need to be updated regularly to reflect what is actually happening on the ground and respond to achieve the uplift.
- 3.4 Four main habitat types were found to have potential for enhancement.:
- I. Burbage common central copse (limited ground flora and understorey, compaction for heavy footfall). Improvements to include defining access routes to reduce trampling, reduced compaction and increased ground flora, creation of woodland understorey by underplanting and managing through coppicing, increased deadwood habitats.
  - II. Extension area neutral grassland enhancement. Improvements to increase species richness of the sward, include cut and remove vegetation, scarify then spread freshly cut green hay from more species rich areas of the common, cut twice annually.
  - III. Extension area arboretum woodland enhancement. Improvements including understorey planting, rotational coppicing to increase structural diversity of vegetation, some thinning to reduce heavy shading of stream, increase deadwood habitats, delineation of pathways to reduce trampling.
  - IV. Extension area species rich hedgerow (hedgerow to narrow and short to maximise biodiversity). Cut on 2-3 year rotation to develop hedgerow size and vegetative density, hedge laying after a number of years to improve structure and prevent gapping.
- 3.5 A full analysis of the potential additional biodiversity gain, and the costs and saleable value of the enhanced habitat units is given in appendix 1.

Project expenditure and income forecasts over the 30 years of the project are shown in appendix 2.

### **Delivery options**

- 3.6 An officer working group including Green Spaces, Planning and Legal Service have reviewed options and determined registering Burbage Common and Woods as a Habitat bank is the best option. The council will need ensure we lawfully enter the market for selling biodiversity units to developers, and as landowner HBBC green spaces must create a legally binding conservation covenant; register the land with the HBBC local planning authority, and then apply to DEFRA to register the site on the national BNG register. A conservation covenant is required as HBBC has different responsibilities, and HBBC will need to appoint a responsible body and an ecologist to ensure HBBC Green Spaces are correctly delivering BNG.
- 3.7 A conservation covenant agreement is a private, voluntary agreement to conserve the natural or heritage features of the land. The agreement sets out what a landowner and responsible body (designated by DEFRA) must or must not do to help conserve the land become and it becomes legally binding as a conservation covenant. It must be signed by two parties, namely the landowner and a 'responsible body'. There are currently only a limited number of organisations registered as responsible bodies, and green spaces are currently seeking the quotes for this work.
- 3.8 The habitat units would be placed on the open market by HBBC Green spaces via the Natural England BNG site register. Work to improve the habitats then needs to commence within 12 months following the habitat management plan. Habitat creation, enhancement, management and monitoring would be undertaken over a 30 year period to comply with the scheme. As units are sold a legal agreement must be created agreed and signed by the Council and the developer purchasing the units.
- 3.9 Section 106 agreements (developer contributions) have been considered as an alternative and rejected. To ensure due diligence on the different functions within the Council a separate entity (company) would need to be created and deliver the BNG at Burbage Common and Woods. Given HBBC currently only has Burbage Common and Woods identified as a BNG site (see 3.15) given the time and costs of establishing this company this is not deemed to be the best solution.

#### **Potential demand and BNG Unit prices**

- 3.10 BNG requirements for developments of 9 or less homes are under review but for larger development the duty still stands. Given the scale of house building proposed in the local plan it is anticipated that these habitat units at Burbage Common can be sold in the short-medium term.
- 3.11 Pallex have already been in discussions with Green Spaces and Planning teams about the potential to use Burbage Common units to meet their BNG need for the Wiggs Farm development. BNG is a reserved matter within their planning permission granted in September 2025. This one development could potentially buy 27.14 units of the 37.92 units available at Burbage Common. This agreement would facilitate a significant development in the Borough and keep the BNG benefits within Hinckley and Bosworth.

- 3.12 Given the high costs for developers they may opt to purchase land and deliver the BNG themselves, for example to create wildlife habitats on agricultural land. Local landowners and farmers may also decide to convert land in their ownership into BNG habitats. The balance of supply and demand locally may determine unit values which officers cannot predict.
- 3.13 BNG pricing reports are available which track and report average quarterly BNG unit prices for different habitats for England North and South. It is recommended that Officers be delegated authority to determine average prices using current pricing reports at the time units are sold to determine to correct price for the habitat units.

### **Delivery of BNG registration**

- 3.14 Project timescale to register Burbage Common onto the national Biodiversity Gain Site Register:

<b>Key Project Dates</b>	<b>Key Dates</b>
HMMP	Nov-25
Report to SLT	Dec-25
Executive Briefing (7th Jan)	Jan-26
Executive (28th Jan)	Jan-26
Due Diligence Securing the land (6wks)	Feb - Mar-26
Conservation Covenant (6wks)	Mar-Apr-26
HBBC Legal Review Covenant (4wks)	Apr-26
Planning registration (land charges) (1-6wks)	May 26
Registration of Units (6wks)	June - July-26
Application to Register, sale of Units	Aug-26
Works start on Site	Sept-26

- 3.15 Additional work by legal services will be needed. This will include support to establish the site as a habitat bank (including registration with Natural England) and to draft such documentation necessary to lawfully enter into the market for selling biodiversity units. The council will need to seek external specialist legal advice to carry out this work. Legal will need to assess which firms provide this specialist advice and if they can meet the timeframe as set out in the report. The work would also need to be overseen by the inhouse solicitor, which will impact upon their workload. The in- house legal costs are estimated at £20,000.

### **Other opportunities**

- 3.16 The Green Space team's opinion is that at present there is no other suitable land in HBBCs ownership for BNG.
- Majority of countrysides would probably already be judged as good therefore potential uplift is limited. Sites are also already under HLS (Enviro-Agri funding) and national forest schemes.
  - Other green spaces – these have a statutory function (e.g. burial grounds , allotments), are playing fields (sports pitch management does not deliver

BNG), already have increased biodiversity (wildflower areas and new hedgerows planted), or are too small to be viable units

- Housing land / industrial land – sites are too small to be viable units and are in close proximity to residents meaning biodiversity improvements may difficult to deliver and sustain over 30 years
- Crematorium site – site has higher potential value as crematorium and due to current state of site would require significant investment to deliver any BNG uplift.

The cost of a BNG feasibility study is significant (Burbage common study cost £24k) and officers do not believe the benefits would exceed the costs on these other sites.

- 3.17 Potentially HBBC could purchase agricultural land and provide it as BNG gain for developers. However, given the financial outlay and risks this would probably be better delivered after local government reorganisation as any new unitary authority will have an in house ecology service.

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

- 4.1 This report can be taken in public session.

#### **5. Financial implications (IB)**

- 5.1 The overall impact of the scheme based on the Biodiversity net gain calculator is attached in Appendix 1.
- 5.2 Appendix 2 set out the estimated revenue costs that will be required across the 30 year term.
- 5.3 Overall the revenue costs can be funded by cashflow arising from the receipt. So, there will be no net impact on the revenue budget.
- 5.4 A capital budget of £53,958 for enabling works will require approval will require approval as part of the capital programme report at February Council.
- 5.5. In 2026/27 £16,000 revenue will be required plus in house legal costs estimated at £20,000. An annual revenue budget of £7,567 will be required for maintenance from 2027/28 onwards.
- 5.6 For compliance and monitoring £10,625 will be aside to pay for Ecology surveys/reports and Responsible Body payments to ensure compliance with scheme. These will be required in years 1,3,5,10,15,20,25 & 30 of the scheme.

#### **6. Legal implications (JS)**

- 6.1 This is a new area of work. Legal input will include (but not be limited to): understanding and drafting the legal agreements needed for BNG S106 agreements and conservation covenants; registration of sites with Natural

England; reviewing any existing legal restrictions relating to Burbage Common and Woods; and discussions with developers wishing to purchase the units. Sufficient time will be needed for this work.

- 6.2 Legal will also need to ensure transparency with 1 solicitor acting for Green spaces, and another for the local planning authority. Sufficient budget will be needed for this, and these costs are estimated as £20,000.

## **7. Corporate Plan implications**

- 7.1 The Corporate Plan 2024-2028 includes an action to “promote biodiversity” , “improve our green spaces” and to work towards a greener Borough. If agreed the proposals in this report would meet all of these aims. It would also support delivery of the local plan by enabling BNG requirements to be met locally.

## **8. Consultation**

- 8.1 No public consultation has been undertaken for this report. However, as part of the management of Burbage Common and Woods Green Space Officers do consult national bodies such as Natural England, The Forestry Commission and Leicestershire Wildlife Trust .
- 8.2 To register the land on the gains register, Natural England would have to be satisfied that the management proposals met the required 10% BNG uplift.
- 8.3 BNG arrangements would need to be detailed within any planning decisions. BNG is a matter that is covered through the use of planning conditions, and the use of purchasing off site units to meet the relevant BNG requirements will be set out in the Section 106 Heads of Terms. These are identified in all relevant reports that are determined by Planning Committee and set out in Officer reports for delegated decisions. The sale of units at Burbage Common will then be outlined in the text of S106 agreements.

## **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
Failure to realise habitat improvements resulting in breach of legal agreements	Funding and habitat management capacity needs to ensure these improvements are delivered for 30 years	Ian Pinfold / Paul Scragg
Failure to realise anticipated values / income	Use of independent pricing reports gives transparency on unit prices at the time of sale and gives assurance units are being sold at current market value	Caroline Roffey
Opportunity: Potential to create new habitats funded through BNG	Explore once LGR established	Ian Pinfold / Paul Scragg
Legal agreements with developers need to be robust	Ensure full consideration by legal services of any new agreement. Sufficient budget required.	Julie Stay
Green Space team knowledge / expertise / capacity for BNG at Burbage Common	seek external advice as needed. Support staff and ensure sufficient training and time available to deliver this new work. Ensure any future recruitment within the green spaces team considers BNG knowledge and expertise	Caroline Roffey
Capacity to deliver additional BNG sites / units	Recommended only pursue additional sites once demand becomes apparent.	Caroline Roffey
LGR: risk of making a 30 year commitment when the future governance of HBBC is not clear.	Ensure agreement from Executive	SLT
Potential conflict of interest for HBBC as Local Planning Authority and landowner	Clear boundaries between HBBC LPA and HBBC green spaces teams throughout establishment of site on register, sale of units and ongoing monitoring. Use of external consultants, responsible body and LCC ecology service to provide	Chris Brown Caroline Roffey Julie Stay

	separation of professional responsibilities. Use of 2 separate solicitors within legal services	
Opportunity: To improve biodiversity and safeguard this valued countryside site for 30 years	The Environment Act 2021 introduced a strengthened biodiversity duty which requires all public authorities in England to consider what they can do to conserve and enhance biodiversity. This project contributes towards this duty	Caroline Roffey

## **10. Knowing your community – equality and rural implications**

- 10.1 The current overall management plan for the site is out of date and needs revising but there is a specific management plan for Burbage Woods. The majority of the grassland areas are managed under the HLS agreement which runs until September 2028.
- 10.2 Potentially the works to the copse could increase accessibility for wheelchair users and those with mobility impairments. None of the proposals would directly have a negative impact on any sector of the communities but if this emerges as a risk then an equalities impact assessment would be completed.

## **11. Climate implications**

- 11.1 The Climate Change and Biodiversity Strategy includes actions to increase biodiversity on HBBC property, and to deliver at least 10% BNG on qualifying planning applications. This proposal would meet both of these aims.
- 11.2 Works to improve the copse nearest the Visitor Centre will include work to increase the woodland structure. Whilst more trees may be planted it is not envisaged that any additional carbon will be sequestered as potentially some trees may need to be removed to allow sunlight to reach the woodland floor to allow a woodland under storey to establish.

## **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

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Background papers:

Contact officer: Caroline Roffey x5782

Executive member: Councillor Lynda Hodgkins

## Appendix 1: Potential value and costs

Area / habitat	Area / length	Current condition	Target condition	Indicative cost Yr 1 delivery	Indicative cost Management Yr 2-30	Total cost	Total indicative cost per year	Unit uplift (saleable units)	Potential value per unit	Total potential gross value	Total potential net value (value-cost)	Total potential net value per year
BC Copse	2.78 ha	Moderate	Fairly good	£16,440	£16,052	£32,492	£1,083	7.22	£54,500	£393,490	£360,998	£12,033
Extension grassland	5 ha	Moderate / poor	Good	£26,570	£171,387	£197,957	£6,599	24.07	£26,700	£642,669	£444,712	£14,824
Extension arboretum	1.9 ha	Moderate	Fairly good	£10,645	£10,393	£21,038	£701	4.68	£54,500	£255,060	£234,022	£7,801
Extension heathrow	0.24 km	Moderate	Good	£330	£21,594	£21,924	£731	1.32	£25,000	£33,000	£11,076	£369
Total	9.58ha 0.24km			£53,985	£219,426	£273,411	£9,114	303.79		£1,324,219	£1,050,808	£35,027

## Appendix 2: Project Expenditure and Income Forecast over 30 years of the Project

Total number of Saleable Units (37.92) with a receipt of £1,324,219

<b>Project Timeline</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027 - 2056</b>
<b>Burbage Common BNG Units available</b>		Year1	Year 2-30

<b>Income Forecast</b>			
Expected sale of Units (27.14) Pallex		£867,188.70	
Remaining Saleable Units (10.78)			£457,030.30
<b>Total</b>		<b>£867,188.70</b>	<b>£457,030.30</b>

<b>Expenditure Forecast</b>			
Due Diligence	£4,250.00		

Conservation Covenant	£5,925.00		
Registration of Units	£639.00		
Site Improvement Works (Capital)		£53,958.00	
Annual Maintenance (Revenue)			£219,453.00
Responsible body (Revenue)		£16,000	£24,000.00
Ecology and Reports (Revenue)			£45,000.00
Say Inflation based on 2.5 over 30 years.			485,417
<b>Totals</b>	<b>£10,814.00</b>	<b>£69,958.00</b>	<b>£773,870</b>

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