



Date: Date Not Specified

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **Members of the Scrutiny Commission**

Mr MR Lay (Chairman)	Mrs L Hodgkins
Mr PAS Hall (Vice-Chairman)	Mr DW Inman
Mr C Ladkin (Vice-Chairman)	Mr K Morrell
Mr PR Batty	Mr K Nichols
Mr Bessant	Mrs S Sprason
Mrs WA Hall	Miss DM Taylor

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

There will be a meeting of the **SCRUTINY COMMISSION** in the Council Chamber, Council Offices, Argents Mead on **THURSDAY, 27 OCTOBER 2011** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

Rebecca Owen
Democratic Services Officer

A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

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

To confirm the minutes of the meeting held on 8 September 2011.

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

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

4. **DECLARATIONS OF INTEREST**

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

5. **QUESTIONS**

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

6. **PRESENTATION BY VOLUNTARY ACTION LEICESTERSHIRE**

Representatives of VAL will provide a presentation.

A maximum of 30 minutes has been allocated for this item.

7. **COMMUNITY SAFETY PARTNERSHIP UPDATE** (Pages 5 - 10)

Report of the Community Safety Partnership attached.

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

8. **SCRUTINY REVIEW: FUEL POVERTY**

Discussion to scope the fuel poverty review.

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

9. **ANTI-POVERTY STRATEGY UPDATE** (Pages 11 - 18)

Report of the Deputy Chief Executive (Community Direction) attached.

A maximum of 15 minutes has been allocated for this item.

10. **VEHICLES FOR SALE ON THE HIGHWAY** (Pages 19 - 22)

Report of the Chief Officer, Business, Contract & Street Scene Services attached.

A maximum of 15 minutes has been allocated for this item.

11. **PLANNING AND ENFORCEMENT APPEAL DECISIONS** (Pages 23 - 28)

Report of the Deputy Chief Executive (Community Direction) attached.

A maximum of 5 minutes has been allocated for this item.

12. S106 DEVELOPER CONTRIBUTIONS (Pages 29 - 32)

Report of the Deputy Chief Executive (Community Direction) attached.

A maximum of 5 minutes has been allocated for this item.

13. 2013 BOUNDARY REVIEW (Pages 33 - 40)

Information regarding the review and consultation are attached along with maps showing the proposals affecting the East Midlands.

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

14. SCRUTINY COMMISSION WORK PROGRAMME 2011-12 (Pages 41 - 54)

Work programme attached.

15. FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (Pages 55 - 62)

Copy of the Forward Plan for October 2011 to January 2012 attached.

16. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

17. 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.

18. ALTERNATIVE DEPOT OPTIONS

Verbal report.

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Agenda Item 2

HINCKLEY & BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

8 SEPTEMBER 2011 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mr PAS Hall - Joint Vice-Chairman

Mr JG Bannister, Mr PR Batty, Mr PS Bessant, Mr DW Inman, Mr JS Moore, Mr K Morrell, Mr K Nichols and Miss DM Taylor.

Officers in attendance: Mr S Atkinson, Ms V Bunting, Mr B Cullen, Mr S Curtis, Mr M Evans, Miss R Owen, Ms C Peters, Mrs S Stacey and Mr B Whirry.

138 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Mrs Hodgkins, Mr Ladkin and Mrs Sprason with the following substitutions authorised in accordance with Council Procedure Rule 4.3:

Mr Bannister for Mrs Hodgkins;
Mr Moore for Mrs Sprason.

139 MINUTES (SC8)

On the motion of Mr Nichols, seconded by Mrs Hall, it was

RESOLVED – the minutes of the meeting held on 28 July 2011 be confirmed and signed by the Chairman.

140 DECLARATIONS OF INTEREST

No interests were declared at this stage.

141 ENVIRONMENTAL IMPROVEMENT PROGRAMME FOR 2011/12 (SC9)

Further to a request at the previous meeting for a breakdown of funding regarding the above, Members received a presentation showing improvements carried out across the Borough.

Whilst Members endorsed the use of the funding, concern was expressed that parish councils were asked to contribute to improvements carried out within their parish, but that, where improvements were planned in the special expenses area, the same request was not made of the special expenses budget. In response it was agreed that this matter would be taken to the Hinckley Area Committee.

It was noted that a Landscape Partnership Lottery Bid for the Ashby Canal area was being developed by British Waterways in partnership with community groups and the council. If successful although funding could not be spent directly on canal bridge repairs, it could be spent on improving heritage skills such as masonry or hedge laying. Other projects which were being considered included improving sections of the footpath along the canal, the parking at Sutton Cheney Wharf, generating electricity at Help Out Mill in Shackerstone and a new footpath route at Gopsall.

In response to a question about the process for approving improvement schemes, it was explained that the proposal was measured against set criteria, then a list was drawn up which was agreed by Members.

RESOLVED –

- (i) the report be endorsed;
- (ii) the Hinckley Area Committee be RECOMMENDED to give consideration to match funding improvements within the precept area.

142 IMPLEMENTING SOCIAL HOUSING REFORM: DIRECTIONS TO THE SOCIAL HOUSING REGULATOR - CONSULTATION (SC10)

Members were provided with a report on the above consultation paper with the proposed response appended to the report. The new initiatives included in the proposed changing standards were highlighted as affordable rent, tenant panels, flexible tenancies and tenant cashback.

A Member identified the lack of information in the consultation document about the possibility of local authorities becoming registered social landlords. In response it was stated that the document referred to registered providers, which included councils, but referred to developing properties rather than taking over management of affordable housing developed as part of a Section 106 agreement. Officers supported the aspiration to purchase housing from developers for affordable housing purposes and advised that the authority may be in a position to consider this following a review of HRA funding and the stock investment plan in future.

Members expressed concern with regard to the ‘tenant cashback’ initiative outlined in the consultation document, suggesting that monitoring of repairs and provision of cashback would be very difficult to manage. It was reported that this scheme was being piloted in certain areas of the country and the results of these pilots, once available, would need to be understood before further comment could be made.

It was suggested that the responses to the questions should be seen as an opportunity to outline how the authority would like the system to operate. Officers agreed to look again at the responses, but felt that many of the questions did not have sufficient detail to be able to give a definite response. It was also important that Members provided input to ensure the responses were sufficiently hard hitting.

RESOLVED –

- (i) The report be endorsed, subject to the responses being ‘hardened up’ to suggest actions/requests from HBBC perspective;
- (ii) A further report be provided to the Commission on the possibilities for the authority with regard to engaging with developers to purchase affordable housing.

143 ATKINS AND GREENFIELDS DEVELOPMENTS – YIELD AND TENANT LOCATION (SC11)

In response to a request at the previous meeting, the Commission received a report on financial and tenant location details for Greenfields Business Park and the Atkins Building.

Members asked if another similar project could be funded. In response it was stated that the whole estate was currently being considered, including whether to improve older units or replace them.

Information on the number of new jobs created was requested and some examples of where businesses on the sites continued to improve and more jobs had been created. Examples of businesses moving to these two developments from outside of the borough were also provided.

It was noted that there were some security issues on some of the other industrial estates that didn't have as good security as Greenfields, but officers were working with police and tenants to look at options, which would be partly funded by businesses on the site. It was also stated that ways of making all of the sites more 'green' were being considered.

RESOLVED – the report be noted.

144 SHARED SERVICES – CURRENT AND MEDIUM TERM POSITION (SC12)

Members of the Scrutiny Commission were updated on existing joint working or shared services with other councils in Leicestershire and the surrounding areas and of achieved and planned outcomes. The strategic approach and strict criteria was highlighted.

It was reported that the revenues & benefits partnership had not been expected to make savings during the first year, but were now projected to save £84,000. The people involved in this were commended, but whilst Members were impressed with the savings, they asked about the affect on performance. In response it was reported that the first joint board meeting would be held on 21 September and would receive a performance report, but it appeared that performance had improved slightly overall and was anticipated to improve further.

A Member asked if investments were being made to enable future shared services, for example if the authority was to develop its DSO services, it would need a new depot. In response it was noted that, whilst investment was not generally being made to prepare specifically for sharing of more DSO services in the future, a new depot was under discussion. It was requested that a report on the options for this be brought to the next meeting of the Commission.

Concern was expressed that whilst the financial cost of sharing services could be quantified, the human cost may not have been measured in terms of, for example, stress to employees of additional travelling and learning new systems.

RESOLVED –

- (i) the effective joint working initiatives be endorsed;
- (ii) a report on options for a new depot be brought to the next meeting.

145 SCRUTINY COMMISSION WORK PROGRAMME 2011/12

Further to the Scrutiny workshop on 7 July 2011 and subsequent work to identify priority areas for consideration by the Scrutiny Commission, Members were informed of the priorities and how this work would be managed by the Commission. Members were reminded of the process for scrutiny reviews and in particular interviewing witnesses.

146 FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS (SC13)

Members received the Forward Plan of Executive and Council decisions. It was requested that the following reports be brought before the Commission before a decision being made:

- Protocol for Section 106 contributions including affordable housing;
- Argents Mead (both reports due for decision in December 2011 and June 2012).

RESOLVED – the Forward Plan be noted and the abovementioned items be brought to the Commission.

147 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr Nichols, seconded by Mr Bannister, 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.

148 ARGENTS MEAD (SC14)

Further to a request of the Commission, a report on the options for enhancement of the site on which the council offices currently stood was considered, along with the financial implications of the various options.

RESOLVED –

- (i) should further public consultation be undertaken for this site, all residents of the borough be included;
- (ii) any future consultation on this matter should include the costs, impact and benefits of each of the options;
- (iii) further information on the costs for demolition of the council offices be provided;
- (iv) further information on the costs to the council of each of the options be provided, for example, should the required capital receipt not be achieved;
- (v) the original objective as recommended by the Finance & Audit Services Select Committee of maximising the capital receipt be reinforced.

(The meeting closed at 9.36 pm)

SCRUTINY COMMISSION – 27 OCTOBER 2011

REPORT OF THE COMMUNITY SAFETY PARTNERSHIP

1. PURPOSE OF REPORT

To update Scrutiny on current performance, challenges and successes in relation to the Hinckley and Bosworth Community Safety Partnership.

2. RECOMMENDATIONS

- (i) That Scrutiny notes the content of this report.
- (ii) That the Community Safety Team continues to provide Scrutiny Commission with six monthly Community Safety Partnership performance update reports

3. BACKGROUND TO THE REPORT

3.1 The partnership has developed a new 3 year Community Safety Plan 2011-14 for the borough of Hinckley and district of Blaby which is available for download on the community safety pages at www.hinckley-bosworth.gov.uk or on request from the Community Safety Team.

3.2 Operational action plans and a robust performance management system are in place to ensure delivery of the Community Safety Plan 2011-14.

3.3 The priorities in the plan are based upon information about crime and disorder issues across the district and borough and take into account the issues local people consider to be of most concern. The partnership has identified the following strategic priorities for the next 3 years:

- Improving Community Confidence, Engagement and Cohesion
- Identifying, Supporting and Protecting Vulnerable People
- Reducing Offending and Re-Offending.

Cross Cutting Theme:

- Reduction in harm caused by substance misuse.

3.4 The partnership works actively in specific locations, target known offenders and work with local people to ensure confidence and satisfaction with the way we deal with crime and anti-social behaviour is increased.

4. PERFORMANCE

4.1 Fortnightly Delivery Group meetings enable partners to review current crime and anti-social behaviour trends and help to ensure that actions are in place to deliver continued improvement in performance.

4.2 Performance Overview April – end Sept 2011

- Total recorded crime is on target and is down 17.5% (550 fewer offences) compared to the same period last year.
- Serious Violent Crime is down 27.3%(3 fewer offences) compared to the same period last year

- Serious Acquisitive Crime (burglary, vehicle crime and robbery) is on target and is down 12.6 % (62 fewer offences) compared to the same period last year.
- Criminal damage is down 19.9% (123 fewer offences) compared to the same period last year. Criminal damage is often seen as a pre-requisite to anti-social behaviour.
- Race hate crime is down 54.2% (11 fewer offences) compared to the same period last year
- Burglary dwelling (homes) is on target and is down 26.1% (41 fewer offences) compared to the same period last year.
- Vehicle Crime is down 7.7% (26 fewer offences) compared to the same period last year.
- Anti-social behaviour offences are down 33% (as at 1st Sept 2011) though continuing to tackle anti-social behaviour remains a priority concern for the public.
- The satisfaction with the way the council and police deal with anti-social behaviour has reached a record high of 86%.

4.3 In conclusion, the Community Safety Partnership is currently performing well against target and has plans and initiatives in place to help maintain these performance levels. **Hinckley & Bosworth have, year to date, the best crime reduction across the whole of Leicestershire and Leicester City.**

5. CHALLENGES

5.1 In summary the Partnership faces the following performance challenges:

- Seasonal trends show that burglary dwelling, domestic abuse and theft from motor vehicle rise in the run up to Christmas
- Commercial burglary is currently showing an increase of 16.3% compared to last year

5.2 Partnership priority action plans and seasonal campaigns are in place to tackle the above

5.3 External funding which supports the work of the Community Safety Partnership has been reduced within this financial year and is uncertain for 2012/13. This could impact on the Partnership's ability to react to emerging threats and to continue with the campaigns and other positive promotions of the work undertaken.

5.4 Reputational issues undermine the work of the Partnership (anniversary of key dates and outcome of independent enquiries)

6. SUCSESSES

6.1 Significant reductions in crime and anti-social behaviour compared to last year. This is particularly significant given the reductions achieved last year.

6.2 The following seasonal campaigns have been agreed by the partnership and have been planned for delivery over the next quarter:

- Halloween Campaign in October to combat anti-social behaviour in this period.

- Dark Nights Campaign will be launched end October aiming to halt the seasonal increase in burglary.
 - Theft from vehicle campaign to be delivered on November 25th. In conjunction with the Fire Service, Police and Prince's Trust the partnership will be undertaking a day of fitting anti-theft screws on vehicles to reduce theft of number plates.
 - Christmas Campaign will be launched on November 18th and aims to halt seasonal crime such as burglary, drug misuse and domestic abuse over the Christmas period. The community safety team will be in the town centre on the Christmas light switch on night handing out safety advice for the Christmas period. A seasonal menu will be produced which will give out safety advice in a fun way and these menus will be on tables in pubs, cafes and restaurants. Cocaine usage in town centre pubs is also being targeted with posters discouraging cocaine usage and making clear a zero tolerance approach from the pubs and community safety partners. Taxi marshals will be on duty on key nights over the Christmas period. Oak FM and Twitter will be used alongside other promotional methods to ensure the Christmas safety messages reach a wide audience.
- 6.3 Community Action Week in Wykin, 350 households received information on what is available within their area; contact was made with over 50% of residents; organised through the Neighborhood Action Team with key service providers assisting throughout the week.
- 6.4 Full programme of school holiday youth diversionary activities has been delivered over the summer months via the Community Houses.
- 6.5 Development of Gwendoline Community House - new groups now established at the house, including the local beat team having a permanent office, housing officer working there 1 day a week, girls group gaining new members, Millfield Day Centre assisting on gardening project, Voluntary Action Leicestershire working from the house and new residents accessing services.
- 6.6 Number of awareness sessions held in schools and youth projects to raise awareness of drug and alcohol on well-being and behaviour
- 6.7 Safety Crew programme continued to be delivered to schools (Year 8 pupils) - workshops on ASB, Drugs and Alcohol, hate crime and disability awareness. Two schools have had safety crew this year and it has been arranged to take place during the academic year in five other schools in the borough
- 6.8 Inclusive friendship group started at Earl Shilton Community House.
- 6.9 Introduction of anti-social behaviour vulnerability matrix to identify vulnerabilities on first contact
- 6.10 Promotion of Community Safety services on Hot Homes Tour 11th-15th April. Week long promotion around the borough in conjunction with Community Safety and Fire & Rescue Service on 637 Bus.
- 6.11 National Grid- event for overseas workers to inform them of relevant information relating to hate crime, personal safety and privately rented housing. Over 250+ overseas workers attended the event.

- 6.12 Introduction of First Contact in the borough for residents 18+ to enable better signposting for vulnerable people.
- 6.13 Hinckley and Bosworth and Blaby District Community Safety Partnership have had successful outcomes since the merger of the Strategic partnerships. The new joint partnership has:
- Shared the administration of meetings, reports, strategy work etc resulting in officer time savings for both areas
 - Developed a new joint 3 year strategy
 - Developed and endorsed new Terms of Reference for the joint partnership
 - Developed and endorsed a new Consultation and Engagement Strategy for the joint partnership
 - Developed a new performance monitoring framework that better reflects the performance and achievements of the joint partnership
 - Delivered a joint summer campaign leaflet
 - Joint Domestic abuse leaflet for both areas has been updated and produced
 - Both areas are preparing for roll out of Sentinel database for recording of ASB cases
 - Funding achieved across both areas for joint working on development of schools educational programme

7. FINANCIAL IMPLICATIONS

None relating directly to the report.

8. LEGAL IMPLICATIONS (AB)

None raised directly by this report

**9. CORPORATE PLAN IMPLICATIONS
COUNCIL VISION**

The Partnership assists the Council in achieving the following aims of the Corporate Plan 2010/15

- Cleaner and greener neighbourhoods
- Safer and healthier borough
- Strong and distinctive communities

10 CONSULTATION

11 RISK IMPLICATIONS

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
External funding reduced	Develop action plan for affected projects/posts to include exit strategies	S Stacey
Performance Risks identified as challenges under Section 5 of this report	Delivery action plans in place to tackle emerging challenges	S Stacey

12. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

The impact on rural areas of the Borough has been addressed within the Partnership's Refreshed Crime and Disorder Reduction Plan 2011-14. An Equality Impact Assessment has been completed for the Community safety Partnership Strategy 2011-14.

13. CORPORATE IMPLICATIONS

The following implications have been taken into account:

- Community Safety – throughout the report
- Equality & Rural Implications – within Partnership Plan 2011/14 and EIA
- Environmental Implications – None Directly arising from the report
- ICT Implications – None directly arising from the report
- Asset Management – None directly arising from the report
- Human Resources – None directly arising from this report
- Voluntary Sector – VAHB is member of Partnership's Executive Board

Background papers:

Appendix A - Community Safety Partnership Plan 2011-14

Contact Officer: Rachel Burgess Community Safety Consultation & Performance Manager (x 5798)

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SCRUTINY COMMISSION – 27 OCTOBER 2011

REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION) RE: ANTI-POVERTY STRATEGY

1. PURPOSE OF REPORT

To update Scrutiny on Anti-Poverty Strategy achievements and to put forward recommendations to manage anti-poverty post April 2012

2. RECOMMENDATIONS

- (i) That Scrutiny notes the content of this report.
- (ii) That the Scrutiny Commission supports the recommendation to integrate the anti poverty strategy priorities and outcomes into service improvement plans, and the corporate planning process.

3. BACKGROUND TO THE REPORT

- 3.1 The need for a review into income deprivation within the borough of Hinckley & Bosworth was highlighted in 2006/07 by the Scrutiny Commission. A decision was made to include it in the Commission's work programme. The Commission's objective for the review was to improve the quality of life of people living in poverty in the area.
- 3.2 A Stakeholder Workshop was held in December 2008 to identify areas for development
- 3.3 Two reports were commissioned:
 - **Matters of Fact Consultancy** reported in April 2007. They aimed to define income deprivation and understand the geography of income deprivation within the Borough. The report concluded that the most common definition of income deprivation in economically advanced societies is a household income that is 60% or less of the average household income.
 - **CI Research Consultancy** reported in February 2008. They aimed to develop local strategies and policies to address situations arising from local income deprivation. The report highlighted best practice approaches and case studies which have demonstrated success. The report concluded by identifying recommendations to move forward and this approach was endorsed by the Scrutiny Commission. The recommendations focused on working with partners, providing a real and meaningful voice for residents and enhancing the work already undertaken in the Borough. The proposed action, endorsed by the Scrutiny Commission, was to establish a working group to take forward the conclusions of the studies and develop local strategies and policies to address income deprivation in the Borough.
- 3.4 The Anti-Poverty Strategy 2009-12 and supporting actions plans have been in place since April 2009. 6 Key themes are identified in the strategy:
 - Income Deprivation
 - Employment
 - Health Deprivation and Disability
 - Education, Skills and Training
 - Housing and Services
 - Crime and Anti-social behaviour
 - Living Environment

4. ACHIEVEMENTS

4.1 Achievements from the Anti- Poverty action plan are detailed below under the six key theme headings listed in Section 3.4 of this report.

4.2 Income Deprivation

- Mosaic and Experian software have been used to identify areas within the borough consisting of low income households who could potentially be entitled to Housing /Council Tax benefit. 215 leaflets have recently been sent out to households identified through this process and feedback is being monitored
- The Take Up strategy was refreshed in 2009 to include a more targeted approach to the working age.
- Changes to benefit regulations regarding the treatment of child benefit income. This change has enabled us to do a number of take up campaigns, particularly targeting working age families i.e. at supermarkets, schools promoting housing and council tax benefits.
- A working age leaflet was created in 2009 to encourage this working age group to check their potential entitlement to housing /council tax benefit either by telephone or via the benefits pages on the Councils web-site. This leaflet was made available from our Customer Services reception and given out at the various take up campaigns conducted in the borough.
- In 2009 a First Response Team was set up which comprised of the officers giving advice on Housing and Council Tax Benefit, the Mortgage Rescue Scheme and how to prevent homelessness. The Citizens Advice Bureau in Hinckley gave debt advice and Job centre plus gave advice on the benefits available when customers were made redundant. Letters were sent out to all businesses in the borough advising them of the service we were offering and how it could benefit them and their employees. Several information packs and posters were sent to businesses who requested further information about the First Response Team. 6 visits in total were carried out to local businesses that were suffering redundancies and the feedback received was positive.
- The council website is regularly updated, taking into account the effect changes to regulations have on our customers and their possible entitlement to benefits.
- A "Benefits House" has been created on the benefits web-pages, which is a quick and easy tool for customers to find out if they could possibly be entitled to claim Housing and Council Tax Benefit. It enables them to decide if it is worth them submitting a claim, as it gives them an idea of the average income they would need to have to qualify for help towards their rent and Council Tax charges.
- Referrals are made to the court desk for advice for people facing homelessness
- Local Credit Union Provision - established arrangements are now in place at Earl Shilton Community House with fully trained volunteers managing drop in sessions. An additional access point has been created at Hinckley Unitarian Church. The Credit Union provision is pro actively promoted at all Community Houses, with Community House staff trained to support applicants in collating all relevant documents ahead of a meeting with a trained volunteer, which helps to accelerate the pace on the loan application process. Baseline data has been collated for 2010/11 resulting in establishment of performance targets for 2011/12. Data demonstrates steadily rising take up figures both in relation to loans and savings accounts. The value of loans provided during 2010/11 is £36, 855. There is ongoing

elected member training sessions to raise the profile of this initiative and secure community champions, and regular features in the staff newsletter and Borough Bulletin, as well as Clockwise Credit Union presence at relevant community events.

4.3 Employment

- From February 2011, HBBC has supported the Hinckley Area Pilot. The aim of this pilot initiative is to explore how 'face to face' services to the unemployed are delivered by partners in the Hinckley area and what is the scope for improvement. The principal objective is to integrate the services that support people out of work or unemployed, who are seeking information, advice and guidance about learning and work in order to return to work by co-locating, integrating and sharing services in Hinckley.

Phase 1 of the pilot has involved the establishment and analysis of a range of information and data from the key agencies currently providing advice, information and guidance, as well as a range of customer/client workshops to gain customer insight. The Steering Group will present a business case to the county level Access to Services Board in October 2011, setting out findings and recommendations.

- At its annual review meeting in February 2011, the LSP Board agreed to the establishment of a strategic Skills and Employment Partnership. Whilst it is recognised there are a range of agencies progressing this agenda across the Borough, in the current climate, there is a need for greater collaboration and integration of activity and resource, and a strategic focus for tackling the employment and skills issues within the Borough
- This group will bring together key partner agencies to collectively drive forward this agenda to focus on the most important issues/those we can influence, to bring about improvement. , initially to include:
 - Tackling access to work issues – rural Borough with limited public transport provision, fuel expenses generally with this being a particular barrier for young people. Potential to influence/develop travel to work schemes
 - Establishment of more apprenticeships that are informed by and meet business needs
 - Establishment of vocational routes in priority areas – looking at alternative routes to higher level skills
 - Influence inward investment linked to changes in section 106 agreements. Gaining commitment/building into the planning process a requirement to employ a percentage of local people. Linked to the this ensuring a job ready workforce, support and training provision to match sector needs

4.4 Health Deprivation and Disability

- Following the establishment of the Hinckley and Bosworth Health & Wellbeing Partnership in February 2010, and it's progress in establishing local priorities and under pinning delivery plans to contribute to the countywide health outcomes, from April 2011 this partnership has been acknowledged as having 'early implementer' status working with County Public Health Team in delivering health reform agenda. With effect from April 2011 locality arrangements have been in place, with the public health team working part time on site at Hinckley and Bosworth. The Partnership Board is well represented including GP representation, enabling us to link in with GP Clinic Commissioning arrangements. The Partnership has two key priorities: Achieving a Healthy and a Healthy Life Style, and Tackling Health Inequalities. This work is focused around three key themes: Tackling Teenage Pregnancy; Reducing the Prevalence of Obesity and Physical Inactivity in Adults and Children, and Smoking Cessation. Delivery plans for each of these themes, have a specific focus within Hinckley and Bosworth's priority neighbourhoods and identified 'hot spots'

within the Borough. Priorities for the H&B partnership align with County H&WB Board priorities

- In 2010/11 677 young people attended the Youth games trials.
- In 2010/11 48 disabled young people attended the Leicestershire and Rutland Inclusive games
- In 2010/11 26,732 opportunities available for people to participate in physical activity through Active together
- Funding secured for appointment of 2 full time equivalent Physical activity officers
- GP Health referral scheme developed – 570 attendees in 2010/11
- Town Centre Run started and now in 3rd year of delivery- 500 runners took part in this years run
- Preparation underway for 2012 Olympics. 2 staff supported special Olympics in Leicestershire and ran presentation ceremony. Open weekends and special events planned in run up to Olympics.
- Inclusive ‘come and try sports days’ have seen over 110 local residents get active in the last year.

4.5 Education, Skills and Training

- The Young Artists Open Exhibition and bursary scheme saw 28 young people from across the borough submitting artwork to feature in an exhibition in the Atkins Gallery. Four young people also shared a £1,000 prize to enable them to purchase art materials or to attend art courses to further develop their artistic talents. There was also the opportunity for them to receive one-to-one mentoring with a professional artist who was able to give them advice about career development and how to work commercially within the arts and creative industries. This was funded with £5,000 of Find Your Talent money. Find Your Talent has now been suspended.
- The Centre for Creative Enterprise on the Atkins site opened in September 2010 to offer workshop and studio space to start up creative businesses in the area. It also features a gallery area for artists to be able to promote and sell their work.
- See Employment section above and specific reference to the Employment and Skills Partnership Group

4.6 Housing and Services

- 448 cases of homelessness were prevented in 2009/10 and 511 cases of homelessness were prevented in 2010/11 helping to reduce the use of temporary accommodation and the negative impact of homelessness on households.
- In 2010/11 completion of 41 disabled adaptations in the private sector improving the living conditions and quality of life for disabled households.
- In 2010/11 completion of 12 Major Works & 10 Minor Works Assistance in the private sector improving the living conditions and quality of life for private households

- Successful use of Mortgage rescue/Mortgage prevention schemes, 14 completed, helping to reduce the use of temporary accommodation and the negative impact of homelessness on households.
- Completion of home insulation project by Private Sector Housing Team. By targeting this project at priority neighbourhoods resources were directed to those households which were more likely to be in fuel poverty and finding it harder to heat their homes. The project helped to improve the energy efficiency of approximately 1800 households
- Review of council housing allocations policy completed to ensure that we meet the needs of those with highest need and lowest financial resources
- Allocations let 263 council properties in 09/10 and 269 in 2010/11 providing accommodation that is affordable and supporting those with most need
- Continued provision of a capital support grant to Care & Repair (West Leicestershire) Ltd who are the Home Improvement Agency operating in the area

4.7 Crime and Anti-social behaviour

- Levels of crime have reduced significantly. Overall crime rose slightly by 2.74% in 2009/10 compared to 2008/09. However in 2010/11 crime fell significantly by 13.7% compared to 2009/10. Year to date figures show a further reduction of 13.5% compared to last year.
- Levels of recorded anti-social behaviour fell by 28.4% in 2010/11 compared to 2009/10.
- Satisfaction with the way we deal (police and council) with anti-social behaviour reached a level of above 80% for the first time in 2010/11. We are currently achieving an 86% satisfaction rate.
- A Community House was set up in the priority area of Barwell in 2009 and is now a successful project in this area
- Successful development of CCTV and ANPR in Earl Shilton
- Vulnerability Training and the introduction of a vulnerability matrix are helping to ensure vulnerabilities of customers who access the anti-social behaviour services are identified.

4.8 Living environment

- Continued lead and implementation of the Play Strategy. Refreshed action plan. Third national play day event- free event for children and families approx 2000 attendees.
- Through What's Going Down brochure- free and cheap activities for children and families- x 16,000 distributed and 12,000 downloads
- Opening of new children's play area at Queens park
- Youth council members supported to provide activities and opportunities for young people to achieve outcomes for the community. Youth council have had involvement in community safety campaigns, devising of the town centre trail in 2011, support of National play day and have run an anti-bullying campaign in the borough.

- Subsidised pest control treatment for those on certain benefits. The normal cost of treatments is £58 for mice, £48 for insects. For residents in receipt of Housing Benefit, Council Tax Benefit or Income Support there is a reduced charge of £22. During the period 1 April 2010 to 31 March 2011 48 residents took advantage of this reduced rate.
- Subsidised drainage investigations. The normal cost of drainage investigations is £55.70. For residents in receipt of Housing Benefit, Council Tax Benefit or Income Support there is a reduced charge of £30. During the period 1 April 2010 to 31 March 2011 16 residents took advantage of this reduced rate.
- Certain enforcement actions e.g. against accumulations, filthy premises etc may result in the payment of fees by those enforced against. In certain situations, payment plans can be set up. During the period 1 April 2010 to 31 March 2011, 1 residents took advantage of a payment plan for the removal of an accumulation of refuse.

5. FUTURE RECOMMENDATION

- 5.1 Tackling poverty remains a high priority, particularly in the current economic climate with increasing numbers of people experiencing financial difficulties and inequalities widening.
- 5.2 The Anti-Poverty Strategy has helped to raise the profile of this area of work across service areas, and indeed within many service areas is included within service improvement plans. Therefore to ensure that this area of work continues to be driven as a key corporate priority, and brings about the accelerated improvements necessary across these range of service areas and others, it is recommended that the priorities and outcomes within the existing anti poverty strategy are formally integrated into the authority's service planning framework.
- 5.3 This will ensure actions and responsibilities are included in all relevant service improvement plans, with assigned leads, targets and outcomes, and monitored on an ongoing basis. This would still allow for reporting on related outcomes, but as part of the service planning process, rather than a stand alone work strand.

6. FINANCIAL IMPLICATIONS

The work identified and prioritised in the report will be provided from within existing budgets.

7. LEGAL IMPLICATIONS (AB)

None raised directly by this report

8. CORPORATE PLAN IMPLICATIONS

The Anti Poverty Strategy contributes to all of the corporate priorities.

9. CONSULTATION

Consultation took place to inform the original Anti Poverty Strategy.

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

The Anti Poverty Strategy provides interventions to all areas of the Borough and impacts on the community were considered when developing the original strategy.

Background papers:
Appendix A – Anti-Poverty Strategy 2009-12

Contact Officer: Rachel Burgess Performance and Consultation Manager (5798)

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SCRUTINY COMMISSION - 27 OCTOBER 2011

REPORT OF CHIEF OFFICER BUSINESS, CONTRACT AND STREET SCENE SERVICES RE: VEHICLES FOR SALE ON THE HIGHWAY

1. PURPOSE OF REPORT

To advise Members of the different powers and responsibilities held by the Borough and County Council in relation to vehicles for sale at the roadside.

2. RECOMMENDATION

Members note the content of the report, and the actions County, Borough and Parish Councils can take with regard to this matter.

3. BACKGROUND TO THE REPORT

- 3.1 Scrutiny Committee have requested a report on vehicles for sale on the highway following complaints by Councillors about cars for sale on the public highway. This report sets out the most appropriate method for dealing with different types of offence:-

Unlawful advertising:

- 3.2 The Town and Country Planning (Control of Advertisement) Regulations 2007 gives powers to deal with unlawful advertisements on the highway, such as fly posters and purpose built trailer advertisements. The Regulations do give exemptions, however, to advertisements that are displayed on or in vehicles which are not used principally for the display of advertisements. The Planning enforcement team deals with complaints of unlawful advertising.

Selling Vehicles on the highway:

- 3.3 The Clean Neighbourhoods and Environment Act 2005, brought in new powers to deal with selling vehicles on the road. So that individual private sellers are not targeted, one person has to have two or more vehicles offered for sale within 500 metres. If 6 sellers each have a car for sale adjacent to each other then we cannot take any action under this legislation. The Neighbourhood Wardens deal with offences of this nature however as vehicles tend to be SORN or unregistered it is very difficult to prove that one seller is responsible for the sale of more than one vehicle. An example of where the Council can use these powers would be a car sales business parking vehicles on grass verges near their premises.
- 3.4 Where it cannot be proven that vehicles sold in close proximity are being sold by one seller, the County Council have powers under Section 147a of the Highways Act 1980 which provides that:

“no person shall, for the purpose of selling anything, or offering or exposing anything for sale, use any stall or similar structure or any container or vehicle, kept or placed on —

- (a) the verge of a trunk road or a principal road;*
(b) a lay-by on any such road; or
(c) unenclosed land within 15 metres of any part of any such road,

where its presence or its use for that purpose causes or is likely to cause danger on the road or interrupts or is likely to interrupt any user of the road.”

Under Section 130 of the Highways Act 1980, there is a duty on the Highways Authority to ensure that highway land is not obstructed. There is also a duty to protect the rights of the public to the use and enjoyment of any highway. Both Borough and Parish Council's can make representation to the Highways Authority in respect of these duties. An example of where this action would be appropriate would be at Field Head, Groby, where vehicles are in multiple ownership. At a meeting on 7/10/11 with Leicestershire County Council (LCC) Highways Department, LCC agreed to consider this action, where representation is made to them identifying a nuisance.

Abandoned vehicles:

- 3.5 The Council has powers under the Refuse Disposal (Amenity) Act 1978 to remove abandoned vehicles. Neighbourhood Wardens are able to remove vehicles abandoned on the highway. They can also remove untaxed vehicles once the tax disk is 2 months out of date. Examples of where the Neighbourhood Wardens remove abandoned vehicles are burnt out cars, vehicles which are not registered, vehicles which are not moved etc.

4. **FINANCIAL IMPLICATIONS (TO)**

None relating to this report.

5. **LEGAL IMPLICATIONS (AB)**

Contained in the body of the report

6. **CORPORATE PLAN IMPLICATIONS**

These actions contribute to the Corporate Plan Aim of Cleaner and Greener Neighbourhoods by keeping neighbourhoods clean and tidy and minimising environmental nuisances in the borough

7. **CONSULTATION**

Not applicable.

8. **RISK IMPLICATIONS**

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

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

No significant risks associated with this report / decisions were identified from this assessment:

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

The Council will need to communicate these requirements to residents so that they are aware of the legislative position.

10. **CORPORATE IMPLICATIONS**

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

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

Contact Officer: Caroline Roffey 01455 255782

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SCRUTINY COMMISSION – 27 OCTOBER 2011

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION) RE: PLANNING AND ENFORCEMENT APPEAL DECISIONS

1. PURPOSE OF REPORT

To inform Members of the Planning and Enforcement appeal determinations that have been made contrary to the decision of the Local Planning Authority.

2. RECOMMENDATION

The report is noted.

3. BACKGROUND TO THE REPORT

Since the last report to the Scrutiny Commission in July 2010 there have been 12 appeal decisions made by the Planning Inspectorate. 3 appeals allowed, 6 appeals dismissed and 3 were withdrawn.

Of those allowed 1 was an officer recommendation to committee where members decided to overturn the officer's recommendation and 1 was based on recommendations from the Local Highway Authority who withdrew their objection prior to the public inquiry.

4 APPEALS ALLOWED

4.1 **Appeal by Flude Family Settlement 2004 against the refusal of outline planning permission (10/00661/OUT) for residential development (outline – access only) at land adjacent to Hinckley Golf Club, Leicester Road, Hinckley.**

4.2 In relation to this appeal, the Inspector considered the main issue to be whether in light of material considerations there is a pressing need to release the site in terms of housing land supply.

4.3 The Inspector considered that since the decision was made to refuse this application in December 2010 there has been a downwards trend in housing supply in a very short period of time. The council has accepted that it is below the required five year housing land supply needed. When a local authority cannot demonstrate a five year supply of deliverable sites they should consider favourably planning applications for housing as stipulated in PPS 3.

4.4 The matter of housing land supply was considered by the Inspector in the final report on the examination into the Core Strategy. Although it was acknowledged there would be a shortfall, this would be made good in the years post 2017/18 when the Sustainable Urban Extensions (SUEs) would come fully on stream. However, delays in progressing the Site Allocations document and impediments to developing the Area Action Plan for Earl Shilton and Barwell were noted by the appeal Inspector.

4.5 The Inspector considered that the need to overcome constraints regarding the uncertainty of decommissioning the Waste Water Treatment Works reduced the developable area for housing within the SUE. It was considered by the Inspector that there is a strong chance the SUEs will not deliver the projected 4150 dwellings in the plan period up to 2026.

- 4.6 With reference to the Core Strategy Inspector's report, it was always anticipated there would be a shortfall of housing land in the early years of the plan. Nevertheless, this period of shortfall looks to continue beyond that originally anticipated. When combined with the present situation of a falling housing land supply, the appeal Inspector noted that the issue starts to become more worrying.
- 4.7 The appeal site before the Inspector was considered to form a remedy as part of a wider contingency strategy reviewing sustainable sites identified in the SHLAA, where this site is identified as being achievable, available and deliverable.
- 4.8 The Inspector took the view that whilst recent appeal decisions have considered housing land supply issues in the borough and found the lack of housing to not be an overriding reason to permit further development, it was pointed out by the Inspector there have been a number of material changes in circumstances since then. These changes include the delay in delivering the SUEs, the shortfall of housing land supply that has increased dramatically over a short space of time and importantly it was stressed the other recent appeal sites are within areas defined in the development plan as lower order settlements.
- 4.9 The Inspector was of the opinion that this proposal would remedy the slippage in the Borough wide housing land supply. The proposal would accord with Core Strategy Policy 1 and the clear objectives of PPS3.
- 4.10 The need to release the land to make up the housing land supply was considered against the effect of development on the character and appearance of the surrounding area (including the Green Wedge). The appellants case, as presented to the Inspector, was that there is no material role of the appeal site in any of the defined functions of the Green Wedge as set out in Policy 6 of the Core Strategy. The appeal site currently contains crops and is not accessible to members of the public. It does not fulfil the functions of providing a 'green lung' or a recreational resource.
- 4.11 By contrast large parts of this Green Wedge do fulfil these roles including the adjacent golf course, sports ground, Sheepy Wood and Burbage Common which is accessible to the public. Development of the site would not result in the coalescence of Hinckley, Barwell and Earl Shilton.
- 4.12 The Inspector drew upon the SHLAA review where it was concluded the site would provide a natural extension to the settlement boundary and took the view that the location of Hinckley Golf Club already acts as a green space between Hinckley and Barwell. Indeed, the Inspector agreed the proposal would extend housing out along Leicester Road to only a marginal degree, given the position of dwellings on the opposite side of the road. The development could be viewed as 'infilling' between existing built development and would be appropriately landscaped.
- 4.13 On balance the loss of this part of the Green Wedge would be acceptable and would not result in pressure to release other parts of it, which are materially different. A well designed housing scheme would not harm the character and appearance of the surrounding area, including the green wedge.
- 4.14 Other matters were then addressed by the Inspector regarding local concerns about loss of privacy, highway safety, and surface water drainage problems all of which were considered and could be mitigated. Noise and traffic resulting from the development will not be unduly harmful.
- 4.15 The Inspector considered that on the basis of the detailed evidence provided by the Council, the provisions in relation to affordable housing, footpath improvement works, public transport, library facilities, primary care trust, civic amenity, public open space, the provision of bus stops and raised kerb works and the education contribution are

necessary, relevant to planning, directly related to the development and would fairly and reasonably relate in scale and kind to the development. As such, they meet the tests of Circular 5/05 and also those set out in CIL Regulations 122. However, the Inspector considered the travel pack contribution and bus passes unnecessary to make the development acceptable and these were not requested.

- 4.16 There is a noted difference in the assessment by this Inspector of the acceptability of contribution requests when judged against the tests in the CIL Regulations and when compared with previous decisions, particularly in relation to Library, Civic Amenity and PCT requests. Officers will need to review the approach to such requests in light of this decision and to assess whether the current approach and interpretation needs to be amended
- 4.17 In summary the proposal is not considered to harm the character and appearance of the surrounding area including the green wedge. Given the Council's lack of a demonstrable 5 year supply of housing land there is a pressing need to release this sustainable site for housing in Hinckley. It is important to note the Inspector's reference to the written ministerial statement, 'Planning for Growth' which he gave substantial weight to.
- 4.18 **Inspectors Decision:** Appeal allowed (committee decision)
- 4.19 **Appeal by Mr John Knapp against the refusal of outline planning permission (09/00915/OUT) for the erection of 62 dwellings and associated access at land south of 26-28 Britannia Road, Burbage.**
- 4.20 The Inspector considered there were two main issues, the first was the effect of the proposal on highway safety and the second was whether in light of the prevailing housing supply situation in the Borough; the site should be brought forward for housing.
- 4.21 In relation to the first issue, there were two different aspects to the concerns expressed about the proposal in terms of highway safety. The first was the impact of additional traffic that would be generated by the proposal on Britannia Road and its environs.
- 4.22 With regards to the methodology employed by the appellant on measuring the volume of traffic on Britannia Road and Freemans Lane the Inspector went along with the Highways Authority's expressed satisfaction and saw no good reason to differ from their conclusions.
- 4.23 It was made clear by the Inspector that housing development of this kind will generate additional traffic passing along Britannia Road and the surrounding junctions. For this reason the Inspector addressed the concerns raised. After conducting on-site observations, it became evident to the Inspector that people do park vehicles awkwardly and this does restrict movement of vehicles. Nevertheless, this is not an unusual situation locally or nationally. Indeed, it was considered by the Inspector that this can have the positive effect of slowing down traffic, to the benefit of highway safety.
- 4.24 In relation to the concerns expressed about the adequacy of the proposed visibility splays at some of the junctions, the Inspector concurred with the appellants approach that junction improvements can be secured by condition. If the highway authority is satisfied that they could accept the additional traffic generated by the development without detriment to highways safety the Inspector saw no reason to disagree with their professional assessment.

- 4.25 The second aspect related to the access into the site from Britannia Road and circulation within the site. Concerns were raised at the appeal about the junction proposed with Britannia Road but the Highways Authority expressed their satisfaction with it and took the view that having regard to technical documents (Manual for Streets), adequate visibility would be available.
- 4.26 The Inspector then had regard to what was termed a 'pinch point', which was used to describe the section where the access road narrows a little as it passes between existing dwellings. It was considered by the Inspector this would still be of a width adequate to allow the safe passage of pedestrians and traffic, including emergency vehicles or waste collection vehicles. Subject to suitably worded conditions, the proposal need cause no difficulties in terms of highway safety in the area around the site, or within the site itself.
- 4.27 As with the Leicester Road appeal decision, the second issue was the Councils lack of a 5 year supply of housing. Again the Inspector referred to PPS3 stating that if an up-to-date five year supply of deliverable sites cannot be demonstrated, planning applications should be considered favourably.
- 4.28 The decision was considered against whether the landscape structure of the land falls within Landscape Character F of the Councils Character Assessment, the weight to be given to development in the countryside and changes to village character. The following policies and documents were considered relevant; Core Strategy Policy 4, Local Plan policies NE5 and RES5 and the Burbage Village Design Statement.
- 4.29 Taking the above policies and documents into account, the Inspector considered the degree of harm would be limited. The site is on the urban fringe of the village with existing built development to the north and north east, and playing fields to the west. Development of the site for housing would not cause any significant harm to the setting of the village. The landscape character assessment acknowledges that sensitivity varies across the diverse urban fringe character area. For the reasons set out the appeal site is not considered to be particularly sensitive to change. If housing needs to be provided on land that is not previously developed, it is not an unsuitable site for that purpose.
- 4.30 Reference was then made to a significant development site at Sketchley Brook that still needed to be resolved. This site is on previously developed land and may include as many as 375 new homes meeting the figure of 295 dwellings as stipulated in Policy 4 of the Core Strategy. Nevertheless, it was pointed out by the Inspector that this is clearly expressed as a minimum. Based on a recent appeal decision (land East of Groby Village Cemetery, Groby Road, Ratby), it was important to consider whether the provision of 62 dwellings on the appeal site would prejudice the spatial vision of the Core Strategy.
- 4.31 If Sketchley Brook is implemented in the manner envisaged, it is not considered sufficient to prejudice the spatial vision. Whilst the appeal site would cause some harm in landscape terms it would not be significant. This was then weighed against the existing housing supply position in the Borough, since the proposal would provide significant benefits, if brought forward now. In addition, the proposal provides for affordable housing as part of this proposal in excess of the requirements of CS Policy 15. This represents a significant benefit that weighed in favour of the proposal.
- 4.32 Other matters were then addressed by the Inspector with regards to flooding in the area and concern over drainage. The Inspector referred to professional judgements highlighting there was no objection from the Environment Agency on the basis of the revised Flood Risk Assessment (FRA) and, conditions can be applied to secure the measures needed.

- 4.33 The Inspector then addressed the issue of localism that has yet to come into force. In the opinion of the Inspector, the overriding factor is that a 5 year housing supply cannot be demonstrated and therefore planning applications should be considered favourably notwithstanding the evidence that local residents held very strong views.
- 4.34 A detailed account of the conditions and obligations that can be attached to the decision is then made in the final section of the Inspector report.
- 4.35 In summary the proposal would not cause any difficulties in terms of highway safety, there would be a degree of harm to the landscape and to the setting of the village, but nothing of great significance. The proposal would not prejudice the spatial vision for the area. Other impacts and aspect can be mitigated through the UU and controlled by conditions. On this basis and given the absence of a demonstrable five year supply of housing the proposal would provide great benefits in meeting the shortfall and the appeal is therefore allowed.
- 4.36 **Inspectors Decision: Appeal allowed (committee decision)**
- 4.37 **Appeal by Mr. J Singh against the refusal for full planning permission for the change of use from Retail (Class A1) to Hot Food Takeaway (Class A5) and the erection of external flue retrospectively (10/00908/FUL) at 102 Rugby Road, Hinckley, LE10 0QE**
- 4.38 The Planning Inspector considered the single main issue for consideration is the effect of the proposal on the living conditions of neighbouring occupiers. The appellant has since sought to address the concerns of the previous Planning Inspector, principally reducing the opening hours and introducing soundproofing measures to the party wall with the adjoining residential property no. 100.
- 4.39 The appeal premises is in an edge of town location with shops, takeaways and a mixed use redevelopment site nearby therefore the areas character has a transitional element rather than completely residential.
- 4.40 Observing the comments made by the Councils Environmental Health Officer he was satisfied that the soundproofing now proposed would reduce noise to an acceptable level. It was also noted that the extraction system will be sufficient to deal with odours. The proposed change in closing time from 20:00 to 18:00 would address concerns about noise and general disturbance in the mid-evening. All the previous concerns are now considered to be satisfactorily addressed by the current proposal.
- 4.41 Whilst mitigation measures aim to overcome original concerns, the Council maintains that the issue in essence comes down to a non-conforming use in a residential area. As previously stated the area is not exclusively residential in the Inspectors opinion.
- 4.42 In light of suitably worded conditions the Planning Inspector believes the proposed use would not materially harm the living conditions of neighbouring occupiers with regards to the potential for noise and disturbance which would conflict with saved Policy BE1 of the Hinckley and Bosworth Local Plan 2001.
- 4.43 Reference was also made to the flue where it was considered by the Planning Inspector no material harm will arise to the outlook of neighbours and therefore to their living conditions. The Planning Inspector considers the change of use is acceptable and then recommends suitably worded conditions to be attached to the decision.
- 4.44 **Inspectors Decision: Appeal allowed (committee decision)**

5. FINANCIAL IMPLICATIONS [DMe]

5.1 It is anticipated that the award of costs for appeals and any other associated costs will be funded from existing revenue budgets.

6. LEGAL IMPLICATIONS [AB]

6.1 None as the report is for noting only.

7. CORPORATE PLAN IMPLICATIONS

7.1 The Council needs to manage its performance through its Performance Management Framework in relation to appeals.

8. CONSULTATION

8.1 None

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
Financial implications to the Authority in defending appeals	Take into account the risk in refusing planning applications and the likely success of an appeal	Simon Wood/Tracy Miller

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 None

11. CORPORATE IMPLICATIONS

11.1 None

Background papers: Application files and appeal documentation

Contact Officer: Tracy Miller, Development Control Manager, ext 5809

SCRUTINY COMMISSION – 27 OCTOBER 2011

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION) RE: S106 DEVELOPER CONTRIBUTIONS

1. PURPOSE OF REPORT

To inform members of the Scrutiny Commission of the position in respect of the Section 106 contributions that have not been spent within the 5 year period that contain a 5 year claw back clause and therefore are at risk of being clawed back by the developer, and those that are over 4 years old but not beyond the 5 years threshold.

2. RECOMMENDATION

That the report be noted

3. BACKGROUND TO THE REPORT

Developers/applicants can be requested to make financial contributions to enable planning permission to be granted, where it would otherwise be refused, to pay towards infrastructure needed as a consequence of their development, i.e. towards play and open space, libraries, education facilities etc. The contribution request has to be in accordance with Circular 05/2005 Planning Obligations and the Community Infrastructure Levy Regulations 2010.

This can be done in several ways. A Section 106 agreement can be prepared which identifies the amount of contribution and when the contributions need to be paid, i.e. on the commencement of development or first occupation.

The latter option has no claw-back period. However, the money must be used for the purposes identified otherwise the developer may be entitled to claw the money back. Section 106 agreements have a claw-back period normally of 5 years, on the basis that if the infrastructure improvements are not in place by then, there is clearly no need for the facility.

The contributions are closely monitored through a database set-up on a parish basis and are available to the parish councils on request. This enables parish councils to clearly see what funds may come forward, to help them plan for improvements in their area. Open invitations have been sent to all parish council clerks with regard to receiving a presentation on understanding the full S106 process.

Whilst the database is complex, owing to the amount of information held, it helps to identify what money the development may bring in, when development has commenced, and monies outstanding. It also indicates where money has been committed through the Green Space Strategy.

When analysing the database, there is one S106 agreement greater than 5 years old which contains a claw-back totaling £1.68 – Market Bosworth, there is one S106 agreements between 4 – 5 years totaling £9,928.00, and four between 3 – 4 years totaling £199,027.12 :-

- | | | |
|-------------------|---------------------------------------|----------------------|
| • Market Bosworth | Land at Beulah House Station Road | £1.68 (> 5 yrs) |
| • Burbage | Land at 29 Britannia Road, Burbage | £9,928.00 (4-5 yrs) |
| • Barwell | Land off the Common, Barwell | £57,768.01 (3-4 yrs) |
| • Earl Shilton | Land at Montgomery Road, Earl Shilton | £92,921.79 (3-4 yrs) |
| • Earl Shilton | Land off Candle Lane, Earl Shilton | £43,857.32 (3-4 yrs) |

- Kirkby Mallory Rear 34 Main Street Kirkby Mallory £4,480.00 (3-4 yrs)

The Section 106 Forum was set up 5 years ago and also monitor the database.

4. FINANCIAL IMPLICATIONS [DB]

There are none relating to this Council arising directly from this report. Section 106 contribution from developers are designed to provide resources to councils to improve infrastructure to meet the demands placed on it by new developments. All the contributions outlined above are in respect of play and open space provision and are due to the parish council detailed. Failure to use the contribution within the specified time limit would mean that resources available to improve infrastructure are not used as they could be.

5. LEGAL IMPLICATIONS [AB]

None Raised directly by this report

6. CORPORATE PLAN IMPLICATIONS

This document contributes to Strategic aim of the Corporate Plan 'Safer and Healthier Borough'

7. CONSULTATION

None

8. RISK IMPLICATIONS

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

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

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

Risk	Mitigating actions	Owner
If monies are paid within the timescale but not used for the purpose identified or not used at all, then these may be clawed back by the developer /applicant.	Close monitoring of database.	Simon Wood / Sally-ann Kempin

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

None

10. CORPORATE IMPLICATIONS

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

- Community Safety implications [Sharon Stacey, ext 5636]
- Environmental implications [Jane Neachell, ext 5968]
- ICT implications [Paul Langham, ext 5995]
- Asset Management implications [Malcolm Evans, ext 5614]
- Human Resources implications [Julie Stay, ext 5688]
- Planning Implications [Simon Wood, ext 5692]
- Voluntary Sector [VAHB]

Background papers: S106 Database & Circular 05/5

Contact Officer: Sally-ann Kempin ext 5654

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East Midlands

Initial proposals summary

Who we are and what we do

The Boundary Commission for England is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England.

2013 Review

We have the task of periodically reviewing the boundaries of all the Parliamentary constituencies in England. We are currently conducting a review on the basis of new rules laid down by Parliament. These rules involve a significant reduction in the number of constituencies in England (from 533 to 502), and require that every constituency – apart from two specified exceptions – must have an electorate that is no smaller than 72,810 and no larger than 80,473 (please refer to *A guide to the 2013 Review* for details of how this has been calculated).

Initial proposals

We have now completed the first stage of the review process and have published our initial proposals for the new Parliamentary constituency boundaries in England. Information about the proposed constituencies is now available on our website or in hard copy at a local ‘place of deposit’ near you.

What is changing in the East Midlands?

The East Midlands region has been allocated 44 constituencies – a reduction of two from the current arrangement.

Our proposals leave ten of the 46 existing constituencies unchanged.

As it has not always been possible to allocate whole numbers of constituencies to individual counties, we have grouped some local authority areas into sub-regions. The number

of constituencies allocated to each sub-region is determined by the electorate of the combined local authorities.

Sub-region	Existing allocation	Proposed allocation
Lincolnshire	7	7
Derbyshire	11	10
Northamptonshire, Leicestershire, and Nottinghamshire	28	27

In Lincolnshire, three of the seven existing constituencies are unchanged while two are changed only by the exchange of wards between the two.

In Northamptonshire, Leicestershire, and Nottinghamshire, seven of the 28 existing constituencies are unchanged, five of which are located in Leicestershire.

Substantial change is required, however, elsewhere in the region to comply with the new rules.

In Derbyshire none of the existing constituencies is unchanged, though many of our proposals reflect existing constituencies.

In Northamptonshire, Leicestershire, and Nottinghamshire, it has been necessary to propose two constituencies that cross county boundaries. We have proposed one constituency that contains electors from both Northamptonshire and Leicestershire, which combines the towns of Daventry and Lutterworth, and another that contains electors from both Leicestershire and Nottinghamshire, combining the towns of Coalville and Keyworth.

How to have your say

We are consulting on our initial proposals for a 12-week period, from 13 September 2011 to 5 December 2011. We encourage everyone to use this opportunity to contribute to the design of the new constituencies – the more public views we hear, the more informed our decisions will be when analysing all the views we receive.

We ask everyone wishing to contribute to the design of the new constituencies to first read the *Initial proposals* report and accompanying maps before responding to us.

In particular, we would like to know:

- if you agree in full, in part or not at all with our initial proposals for the East Midlands region;
- which sub-regions you agree with and why;
- which sub-regions you disagree with and why; and
- if you can propose alternatives for areas you disagree with that meet the statutory rules we set out in our report.

You can find more details of how to respond on our website, or you can write to us direct or email eastmidlands@bcommengland.x.gsi.gov.uk. You can also find details of where and when we will be holding public hearings in your area on our website.

Boundary Commission for England
35 Great Smith Street
London
SW1P 3BQ

Tel: 020 7276 1102

Email: information@bcommengland.x.gsi.gov.uk

Website: www.consultation.boundarycommissionforengland.independent.gov.uk

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407194/0911



The 2013 Review of Parliamentary constituencies explained

The Boundary Commission for England is the independent public body that reviews all Parliamentary constituency boundaries in England every five years.

We are currently carrying out a review under new rules laid down by Parliament. This Review, which concludes in 2013, means substantial changes to Parliamentary constituencies in England: reducing the total number of constituencies from 533 to 502 and making sure that each constituency has similar numbers of registered electors. In many cases this means redrawing the existing boundaries.

Find out more

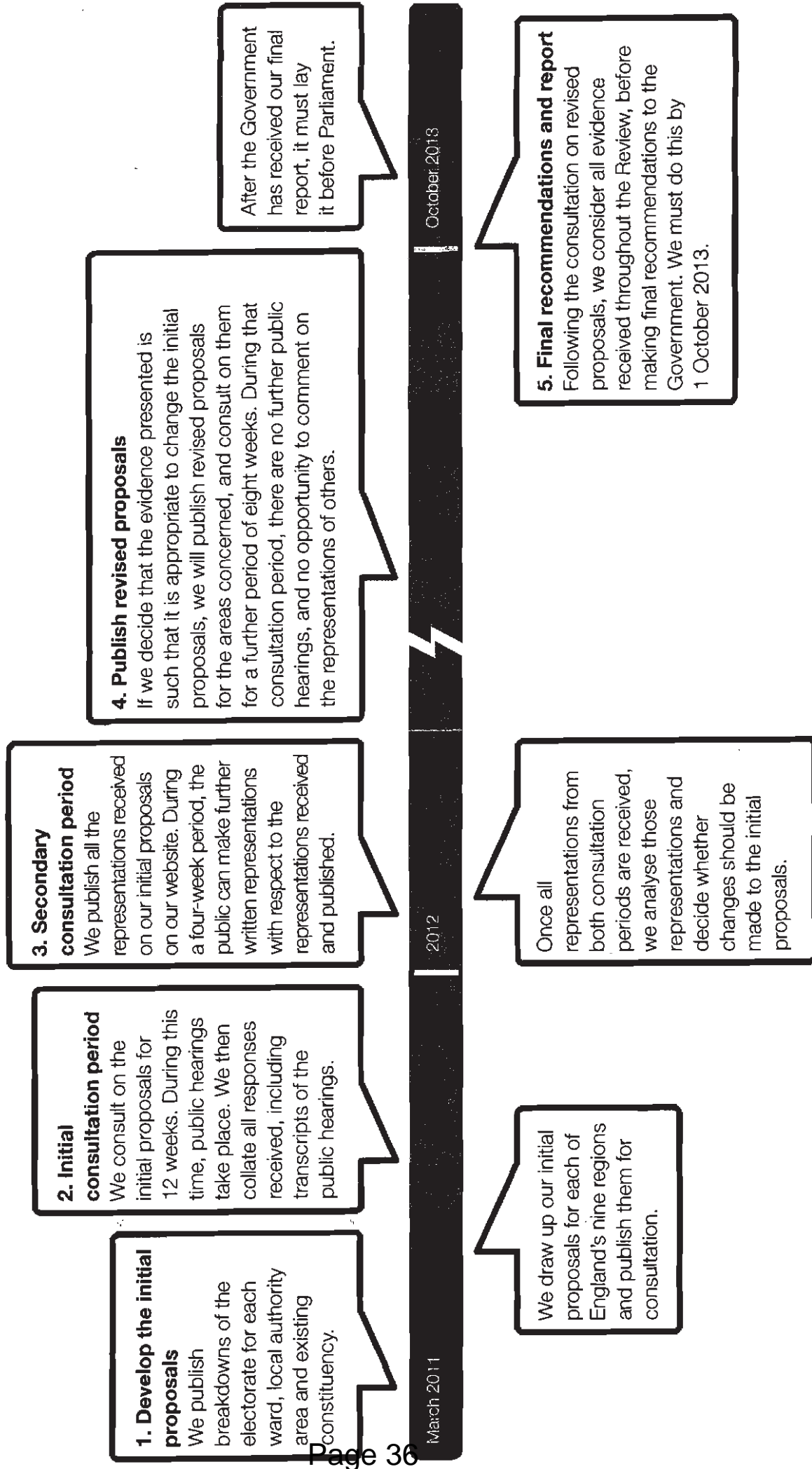
You can find out more about the Boundary Commission for England and the 2013 Review by:

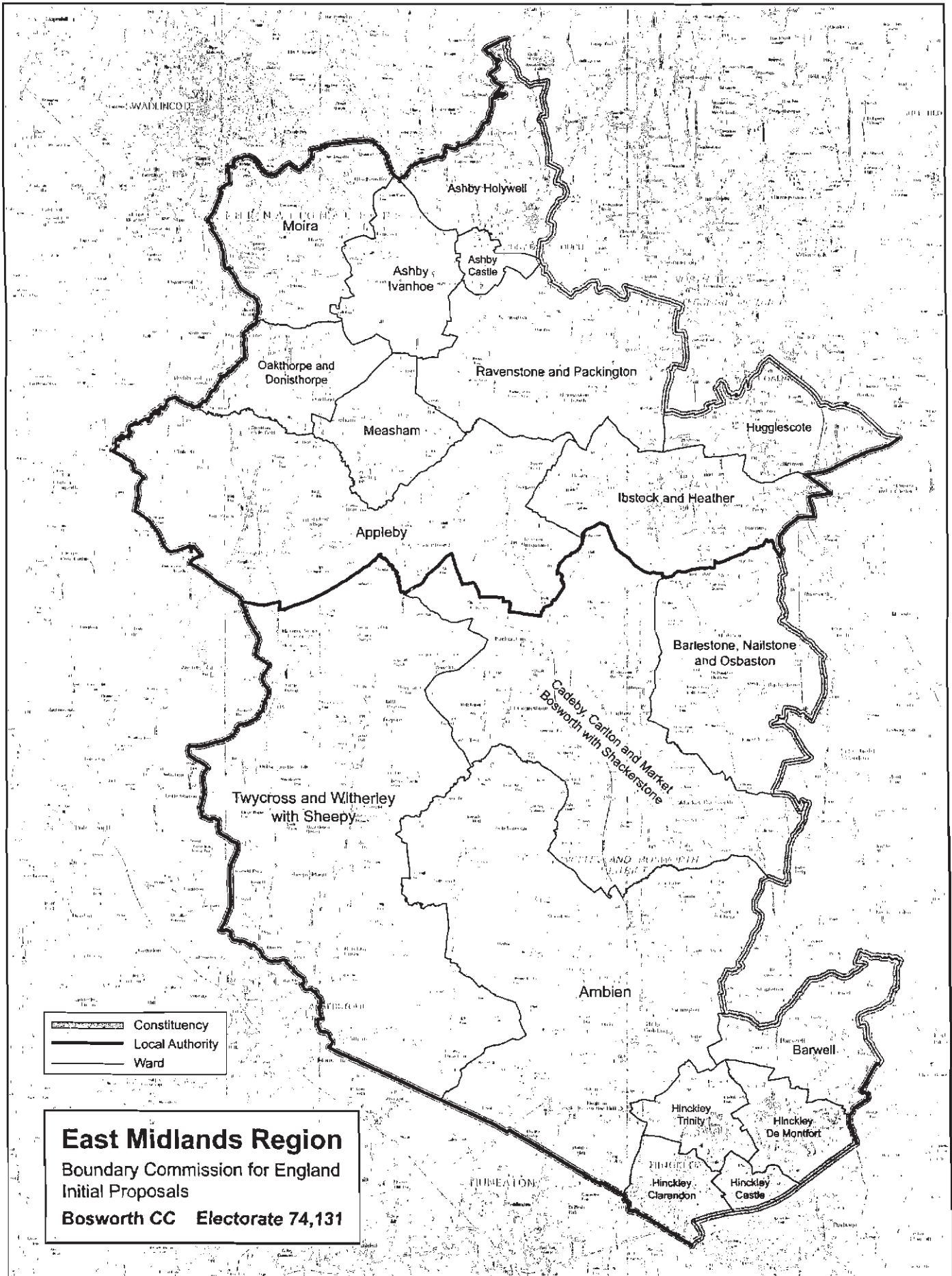
- visiting our website (search online for 'boundary changes' or go to www.consultation.boundarycommissionforengland.independent.gov.uk); and
- reading *A guide to the 2013 Review* (available on our website).




If you have any questions, you can:

- email information@bcommengland.x.gsi.gov.uk;
- call 020 7276 1102; or
- write to The Boundary Commission for England, 35 Great Smith Street, London SW1P 3BQ.

Timeline for the 2013 Review





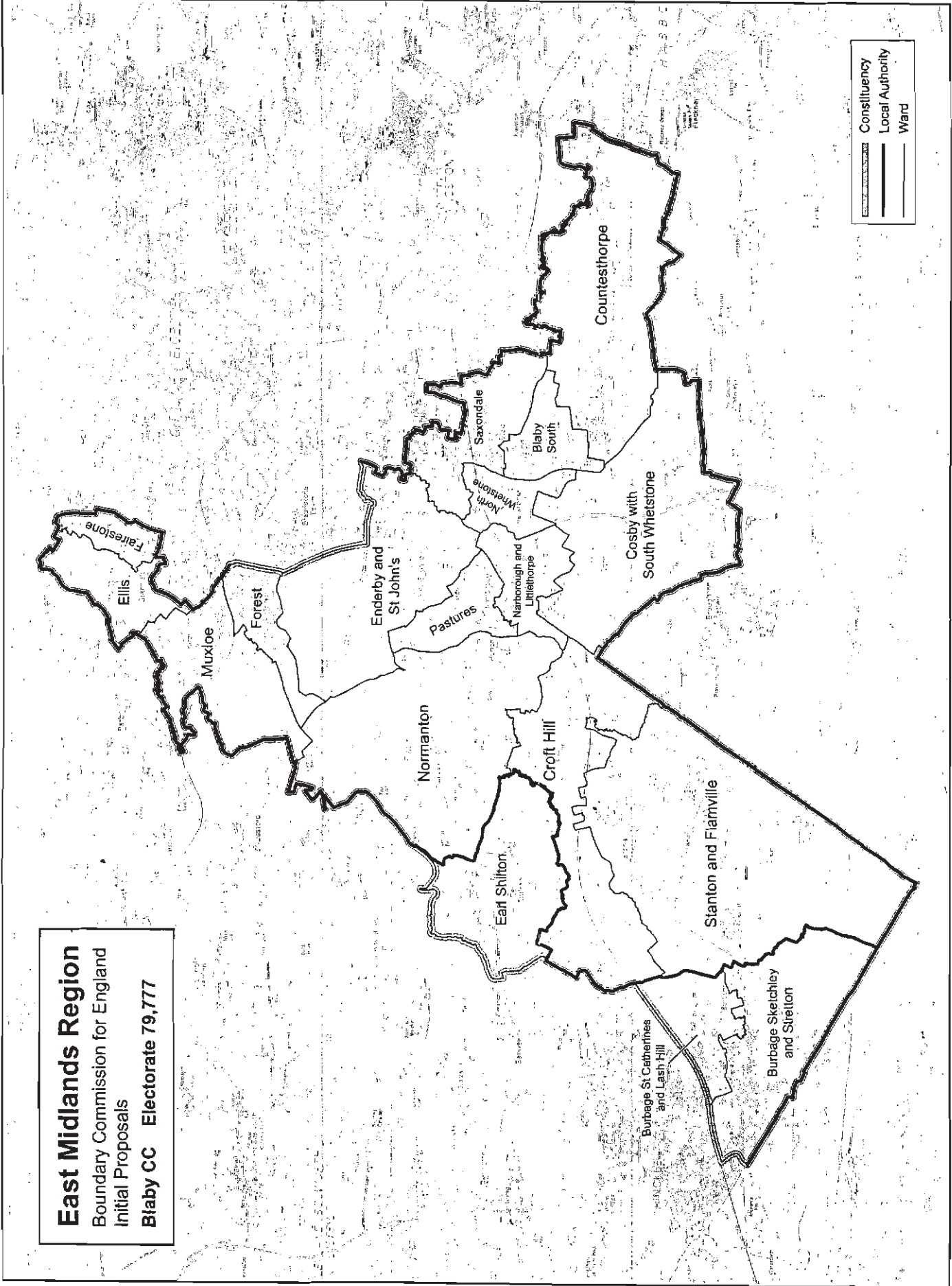
-  Constituency
-  Local Authority
-  Ward

East Midlands Region
 Boundary Commission for England
 Initial Proposals
 Bosworth CC Electorate 74,131

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East Midlands Region
 Boundary Commission for England
 Initial Proposals
Blaby CC Electorate 79,777

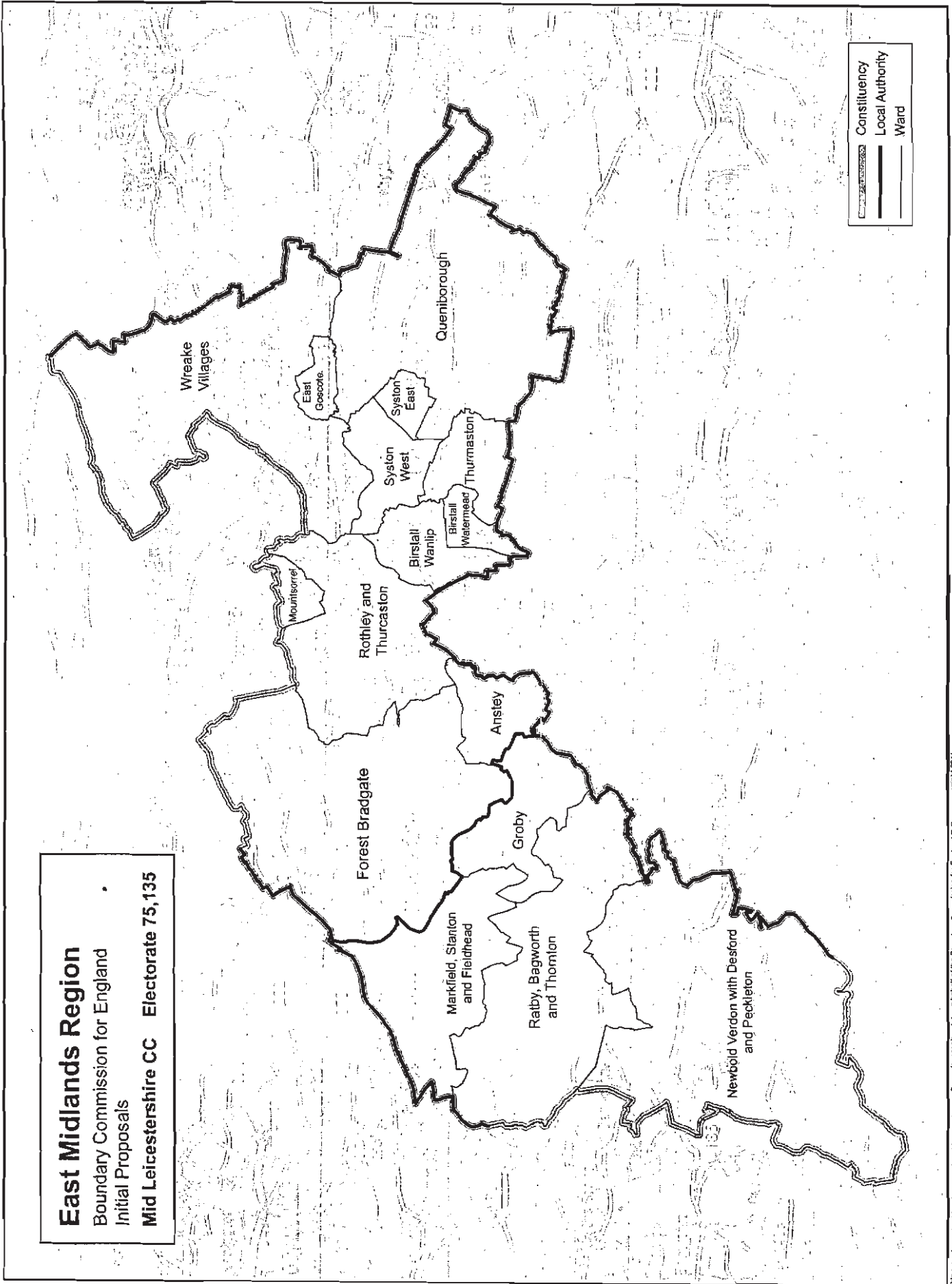


Legend:
 Constituency
 Local Authority
 Ward

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East Midlands Region
 Boundary Commission for England
 Initial Proposals
Mid Leicestershire CC Electorate 75,135

Constituency
 Local Authority
 Ward



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A Borough to be proud of

Hinckley & Bosworth
Borough Council

Overview and Scrutiny Work Programme 2011/2012

ISSUE 2011/02: OCTOBER 2011

Welcome to Hinckley and Bosworth Borough Council's Overview and Scrutiny Work Programme, which sets out the work to be carried out by the Council's Overview & Scrutiny function during 2011/2012.

A structured, focussed and supported scrutiny process, which dovetails into the Council's wider democratic, performance and financial management processes, provides for an evidence based approach to challenging and developing the Council's long term vision and priorities and ensuring that the needs of the Borough's Citizens are met.

This is the seventh year that we have managed the work of scrutiny through a work programme. Following a review of progress in November 2005, it was proposed that future work programmes be configured into the following categories to better represent all the roles and responsibilities of the Overview and Scrutiny Function:

- **Scrutiny Topics** – This includes items of particular interest to overview and scrutiny that can be classified as 'scrutiny topics' to investigate in particular detail.
- **Performance Management Information** – Information provided by the council identifying current performance levels against performance indicators, progress with implementation of business delivery plans, best value reviews and service improvement projects. This is in accordance with the Council's Performance Management Framework.
- **Participation in Policy Development Issues** – These are issues being revised or introduced by the Council or other external organisations. The Overview and Scrutiny Function should be engaged in the development of such matters so that the decision-making body (Executive, Council or external organisation) are informed of all possible views before taking a decision / agreeing a new policy.
- **Tracking of implementation with previous recommendations** – The scrutiny commission will review progress with the implementation of previously agreed recommendations.
- **Committee Management Issues** – These include the minutes of previous meetings, progress reports on actions, overview and scrutiny work programmes and development issues for the overview and scrutiny function.

The Work Programme ensures that Scrutiny's work is:

- outcome focussed;
- prioritised accordingly;
- resourced properly; and
- project planned properly.

The Work Programme has been designed to ensure it is a living document and it will be reviewed at each meeting of the Scrutiny Commission, and the Finance, Audit & Performance Committee will also review its section at each of its meetings, to ensure it remains focussed and relevant.

*Councillor Matthew Lay
Chairman of Scrutiny Commission*

SCRUTINY COMMISSION WORK PROGRAMME 2011/2012

1. Performance Improvement

- How the Council proactively manages performance to ensure that issues are addressed in a timely fashion and that there is continuous improvement; and
- Monitor the quarterly Performance Reports to Executive and the decisions they take.
- Risk Management.

2. Implementation of Rural Areas Review

- Annual progress report on implementation of outcomes.

3. Community Safety Partnership

- Six-monthly report on progress of Partnership

4. Planning methodology

- Review the methodology used in planning regarding travellers sites;
- Review planning methodology in order to protect the countryside and consider the impact of development on green wedge.

5. New Homes Bonus

- Understand the process and implications regarding the New Homes Bonus.

6. Sales of cars on the roadside

- Analysis of the problem, implications and possible solutions.

7. Health care

- Care for the elderly
- Specific focus on Alzheimer's support
- 3rd sector role
- GP services.

8. Reviewing performance (frontline services)

- Housing repairs

9. Fuel Poverty

- Internally focussed review
- Numbers in fuel poverty
- How local authorities can help
- Private sector housing – advice and support provision

10. Youth provision

- What do / can parishes do?
- Look at support for volunteers / community groups;
- How can we support & increase the number of volunteers.

SCRUTINY COMMISSION

TIMETABLE

Scrutiny Commission - Thursday 27 October 2011						
Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Fuel Poverty Review: Scoping of Review	Internally focussed review to support residents experiencing fuel poverty	Agreement of timescales, information required and witnesses to call	Strong & distinctive communities	Chief Officers for Scrutiny & Housing	
	Options for depot	Scrutiny of options	Ensure full consideration of options and input of Scrutiny throughout process	Cleaner & Greener neighbourhoods	Chief Officer Business, Contract & Street Scene Services / Estates & Asset Manager	
	Sale of cars on the highway	Request of Members	Recommendation to resolve issues	Cleaner & Greener neighbourhoods	Chief officer for Street Scene Services	
Performance Management Information	Planning Appeal Decisions	6-monthly review	Ensure high performance of Planning Committee		Director of Community & Planning Services	
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	

	Boundary Review 2013	Request of Commission for information	Make representations to Government / input into consultation	All Corporate Aims	Chief Executive / Leader	
Tracking of implementation with previous recommendations	Community Safety Partnership Review	6 monthly update	Reduction in crime and improved partnership working	Safer and Healthier Borough	Executive member for Community safety Deputy Chief Executive	
	Developer Contributions update	Update progress since previous report	Monitoring of section 106 contributions	Strong and distinctive communities	Executive Member for Planning / Director of Community and Planning Services	
	Voluntary Action Leicestershire	Presentation by VAL	Understanding of operations	Safer and healthier borough / strong & distinctive communities	Deputy Chief Executive (Community Direction)	
	Anti Poverty Strategy	Update on progress	Support all communities	Strong & distinctive communities	Chief Officer for Partnerships	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 8 December 2011

Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Fuel Poverty Review: interview of witnesses / review of information	Internally focussed review to support residents experiencing fuel poverty	Sufficient information to be able to make recommendations	All Corporate Aims	Chief Officers for Scrutiny & Housing	
	Health Review: care for the elderly (focus on Alzheimer's): scoping of review	Externally focussed review	To recommend improvements to healthcare	Safer & Healthier Borough	Chief Officer for Scrutiny	County Council, GPs, PCT
	New Homes Bonus	To advise Members	Increased awareness of NHB	All Corporate Aims	Deputy Chief Executive (Community Direction)	
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	
	Planning methodology – travellers sites	Request of Members				

Tracking of implementation with previous recommendations	Follow up from RSL Forum as result of Scrutiny Review of Housing Associations	Ensure recommendations are actioned	High quality and consistent support for residents of social housing	Decent, well managed and affordable housing	Chief Officer for Housing	RSLs
	Engaging with developers to acquire affordable housing	Recommendation of previous meeting	Make recommendations for future discussions	Decent, well managed and affordable housing	Deputy Chief Executive (Community Direction) / Leader / Chief Officer for Housing	
Committee Management issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 19 January 20112

Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Fuel Poverty review: discuss evidence & consider recommendations	Internally focussed review to support residents experiencing fuel poverty	Final report and recommendations	All Corporate Aims	Chief Officers for Scrutiny & Housing	
	Youth provision: scoping of review	Support and increase voluntary provision of youth activities	Ensure volunteers are supported and further volunteering is encouraged	Strong & Distinctive Communities	Chief officer for Scrutiny	Voluntary providers of youth activities
	Health Review: care for the elderly (focus on Alzheimer's): interview of witnesses(1)	Externally focussed review	To recommend improvements to healthcare	Safer & Healthier Borough	Chief Officer for Scrutiny	County Council, GPs, PCT
Performance Management Information	Review of Member Development	Scrutiny of activities	Ensure value for money training and development and assess progress towards achieving Member Development Charter	All Corporate Aims	Head of Corporate & Scrutiny Services / Member Development Champion	

Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	
	Planning methodology – green wedge	Request of Members				
Tracking of implementation with previous recommendations						
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 1 March 2012

Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Youth provision: interview of witnesses	Support and increase voluntary provision of youth activities	Ensure volunteers are supported and further volunteering is encouraged	Strong & Distinctive Communities	Chief officer for Scrutiny	Voluntary providers of youth activities
	Health Review: care for the elderly (focus on Alzheimer's): interview of witnesses(2)	Externally focussed review	To recommend improvements to healthcare	Safer & Healthier Borough	Chief Officer for Scrutiny	County Council, GPs, PCT
Performance Management Information	Housing Repairs	Update on progress of arrangements	Ensure value for money and improved service provision	Decent, well managed and affordable housing	Chief Officer Business, Contract & Street Scene Services	
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	
Tracking of implementation with previous recommendations	Community Safety Partnership Review	6-monthly update	Reduction in crime	Safer and Healthier Borough	Executive member for Community safety Deputy Chief Executive	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 19 April 2012

Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Planning Appeal Decisions	6-monthly review	Ensure high performance of Planning Committee		Director of Community & Planning Services	
	Youth provision: interview of witnesses if necessary / discussion on recommendations	Support and increase voluntary provision of youth activities	Ensure volunteers are supported and further volunteering is encouraged	Strong & Distinctive Communities	Chief officer for Scrutiny	Voluntary providers of youth activities
	Health Review: care for the elderly (focus on Alzheimer's): discussion on possible recommendations	Externally focussed review	To recommend improvements to healthcare	Safer & Healthier Borough	Chief Officer for Scrutiny	County Council, GPs, PCT
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	
	Parish & Community Initiative Fund	Consider proposed distribution of funding	Recommendations to Executive	Strong & Distinctive Communities	Executive Member for Rural Areas / Deputy Chief Executive	

Tracking of implementation with previous recommendations	Rural areas review	Review progress against previous recommendations		Strong and distinctive communities	Executive Member for Rural Affairs	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

Scrutiny Commission - Thursday 24 May 2012

Function	Activity/ Objective	Reason	Desired Outcome	Vision, Values and Aims	Responsible (member/officer)	External Involvement
Scrutiny Topics	Youth provision: Final report	Support and increase voluntary provision of youth activities	Ensure volunteers are supported and further volunteering is encouraged	Strong & Distinctive Communities	Chief officer for Scrutiny	Voluntary providers of youth activities
	Health Review: care for the elderly (focus on Alzheimer's): final report	Externally focussed review	To recommend improvements to healthcare	Safer & Healthier Borough	Chief Officer for Scrutiny	County Council, GPs, PCT
Performance Management Information						
Participation in Policy Development Issues	Review of Forward Plan to identify items	Scrutiny of Executive decisions	Identification of reports for review ahead of decision making	All Corporate Aims	Executive member for Corporate Services/ Head of Corporate & Scrutiny Services	
Tracking of implementation with previous recommendations	Rural areas review	Review progress against previous recommendations		Strong and distinctive communities	Executive Member for Rural Affairs	
Committee Management Issues	Work Programme	Review work load for the year	Agreed forward work programme	All Corporate Aims		

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Hinckley & Bosworth
Borough Council

A Borough to be proud of

FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

OCTOBER 2011 – JANUARY 2012

Hinckley & Bosworth Borough Council
Council Offices, Argents Mead
Hinckley, LE10 1BZ

HINCKLEY & BOSWORTH BOROUGH COUNCIL

INFORMATION ABOUT THE FORWARD PLAN

WHAT IS THE FORWARD PLAN?

The Forward Plan contains decisions which are due to be taken by Council, Executive or under delegated powers to individual Executive members or senior officers. Each plan covers a four month period and is updated monthly. The plan includes all decisions to be taken both “key decisions” (definition opposite) and non-key decisions.

WHAT INFORMATION IS CONTAINED IN THE FORWARD PLAN?

The Forward Plan details:

- The nature of the decision to be made and whether it is a key decision (definition opposite);
- The committee or individual who will take the decision;
- The date or period when the decision is to be taken;
- The stages which will be undertaken prior to the decision, both consultation and presentation to committees;
- The documents which will be presented to the decision maker(s);
- The author of the report.

You can view copies of the current Forward Plan on our web site (www.hinckley-bosworth.gov.uk) or alternatively at:

The Main Reception, Council Offices, Argents Mead, Hinckley

WHAT IS A KEY DECISION?

A key decision is an Executive decision which:

- involves expenditure (of reduction of income) of over £20,000 on any particular scheme/project;
- adopts a policy or strategy (which the Executive has the power to adopt);
- involves the adoption or amendment of the Scale of Fees and Charges;
- is one that affects the whole of the Borough and is one which the residents of Hinckley & Bosworth would normally expect to be notified or consulted; or
- involves a recommendation by the Executive to a Partnership organisation which will take the ultimate decision.

Decisions by the regulatory committees (ie Planning, Regulatory, Licensing and Standards) and Personnel Committee are never key decisions.

A copy of this Forward Plan can be downloaded from our website (www.hinckley-bosworth.gov.uk) or can be obtained by telephoning 01455 255879, sending a fax to 01455 635692 or emailing democraticsupport@hinckley-bosworth.gov.uk

RESPONSIBILITY FOR DECISIONS

Part 3 of the Council’s Constitution sets out which committee/individual has responsibility for taking decisions.

FORWARD PLAN OF EXECUTIVE AND COUNCIL DECISIONS

1 OCTOBER 2011 TO 31 JANUARY 2012

OCTOBER 2011

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted <i>(Report Author)</i>
Changes to Parish & Community Initiative Fund	Business, Contract and Street Scene Services	Executive 12 October 2011		Parish Councils, Borough Councillors & VAHB	Committee report <i>(Caroline Roffey)</i>
Improvements at Brodick Road open space	Business, Contract and Street Scene Services	Executive 12 October 2011		Residents Feb 2011	Committee Report <i>(Caroline Roffey)</i>
Refresh of Carbon Management Plan 2011-14	Environmental Health	Executive 12 October 2011		Internal and external	Committee report <i>(Rob Parkinson)</i>
Council Housing Tenancy Conditions Review	Housing	Executive 12 October 2011	Scrutiny Commission	Consultation with tenants	Committee Report <i>(Sharon Stacey)</i>
Broadband	Planning	Executive 12 October 2011			Committee Report <i>(Judith Sturley)</i>
EMDA Town Centre Regional Support Completion	Planning	Executive 12 October 2011			Committee Report <i>(Claire Peters)</i>
Enterprise Zone and Regional Growth Fund re MIRA	Planning	Executive 12 October 2011			Committee Report <i>(Judith Sturley)</i>
Green Wedge Review	Planning	Executive 12 October 2011			Committee Report <i>(Sally Smith)</i>

Open Space, Sport & Recreational Facilities Study	Planning	Executive 12 October 2011			Committee Report (<i>Sally Smith</i>)
Regent Street	Planning	Executive 12 October 2011			Committee Report (<i>Duncan Elliott</i>)
Scrutiny Annual Report	Corporate Services	Council 25 October 2011			Annual Report
Protocol for section 106 contributions, including affordable housing	Planning	Council 25 October 2011			Committee Report (<i>Valerie Bunting</i>)

NOVEMBER 2011

Page 58
No decisions to be taken

DECEMBER 2011

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted (<i>Report Author</i>)
Environmental Health General Enforcement Policy 2011	Environmental Heath	Executive 7 December 2011		Internal and external	Committee report (<i>Rob Parkinson</i>)
Argents Mead	Planning	Executive 7 December 2011			Committee Report (<i>Duncan Elliott</i>)
Sustainability Appraisal Scoping Report	Planning	Executive 7 December 2011			Committee Report (<i>Sally Smith</i>)

Charities Act 2006 Policy	Environmental Heath	Executive 7 December 2011	Executive	Licensing Committee Internal and external	Committee report (<i>Mark Brymer</i>)
Value for Money Report	Street Scene	Executive 7 December 2011			Committee report (<i>Mike Brymer</i>)
Fees – Legislation coming out in October 2011	Planning	Council 20 December 2011	Executive		Committee Report (<i>Cathy Horton</i>)

JANUARY 2012

Page 59

Details of Decision to be taken (* denotes key decision)	Portfolio/ Service	Decision Maker and Date(s)	Reporting Pathway and Date(s)	Consultees and Consultation Process	Documents to be submitted (<i>Report Author</i>)

To Be Programmed

HRA Subsidy Reform	Housing / Finance	Executive	Scrutiny Commission		Committee Report (<i>Sharon Stacey</i>)
Tenant Consultation Feedback	Housing	Executive	Scrutiny Commission		Committee Report (<i>Sharon Stacey</i>)
Leicestershire Waste Partnership Strategy	Business, Contracts & Streetscene				Committee Report & Strategy (<i>Michael Brymer</i>)

	Services				
Discounted open market sale properties	Planning				Committee Report (<i>Valerie Bunting</i>)
Earl Shilton & Barwell AAP	Planning	Exec April/May 2012			
Argents Mead	Planning	Council June 2012	Executive		
Introduction of full cost recovery for Licensing	Environmental Health	July 2012			
Environmental Health Commercial Services - Enforcement Service Delivery Plan 2012/2013	Environmental Health	Executive June 2013	Executive	Internal	Committee report Steve Merry
Constitution – review SoD (EH)					
Resident Involvement Strategy	Housing	TBC			Committee Report

DETAILS OF COUNCIL DECISION MAKERS

The table below details the Council's Service Areas and the Executive Member responsible for each with the Council Official responsible for service management.

AREA OF RESPONSIBILITY / SERVICE AREA	EXECUTIVE MEMBERS AND CHIEF OFFICERS	HEAD OF SERVICE CONTACT DETAILS
Strategic Leadership	Councillor SL Bray (Leader) Mr S Atkinson (Chief Executive)	Tel: 01455 255606 Fax: 01455 890229 Email: steve.atkinson@hinckley-bosworth.gov.uk
Community Direction (including Housing, Community Safety, Partnerships, Environmental Health, Planning & Cultural Services)	Councillor D Bill (Deputy Leader) (Community Safety) Councillor SL Bray (Leader) (Planning) Councillor DS Cope (Housing & Environmental Health) Councillor MT Mullaney (Culture, Leisure, Parks & open spaces) Mr B Cullen (Deputy Chief Executive, Community Direction)	Tel: 01455 255676 Fax: 01455 890229 Email: bill.cullen@hinckley-bosworth.gov.uk
Corporate Direction (including Corporate & Customer Resources, Scrutiny, Ethical Standards, Finance, ICT, Estates & Asset Management)	Councillor KWP Lynch (Finance, ICT & Asset Management) Councillor Ms BM Witherford (Corporate Services, Equalities) Mr S Kohli (Deputy Chief Executive, Corporate Direction)	Tel: 01455 255607 Fax: 01455 251172 Email: sanjiv.kohli@hinckley-bosworth.gov.uk
Business, contract & Streetscene Services (including Refuse Collection, Street Cleansing, Car Park Management, Housing repairs, Neighbourhood Wardens)	Councillor SL Bray (Leader) (Car Parks) Councillor DS Cope (Housing Repairs) Councillor WJ Crooks (Refuse and Recycling, Street Cleansing) Councillor MT Mullaney (Green Spaces, Grounds Maintenance) Mr M Brymer (Head of Service)	Tel: 01455 255852 Fax: 01455 234590 Email: michael.brymer@hinckley-bosworth.gov.uk
Rural Issues (across all portfolios and including Village Centres)	Councillor WJ Crooks Mr B Cullen (Deputy Chief Executive, Community Direction)	Tel: 01455 255676 Fax: 01455 890229 Email: bill.cullen@hinckley-bosworth.gov.uk

Further clarification and representations about any item included in the Forward Plan can be made to the appropriate Executive Member and Head of Service either using the contact details above or in writing to: Hinckley and Bosworth Borough Council, Council Offices, Argents Mead, Hinckley, Leicestershire, LE10 1BZ. Representations should be made before noon on the working day before the date on which the decision is to be taken.

DECISION MAKING ARRANGEMENTS

The views of local people are at the heart of decision making at Hinckley & Bosworth Borough Council, because major decisions are made by Councillors who are elected every four years by local people. Councillors work with the communities that they represent to ensure that local priorities are reflected in the work that the Council does.

The Council is made up of 34 Councillors representing 16 wards. If you want to know which Councillor(s) represents your area or you would like to contact your Councillor(s) concerning an issue, you will find contact details on our website (www.hinckley-bosworth.gov.uk) or alternatively you can contact the Council on 01455 238141.

The Council is committed to the principle of open government and everyone is welcome to attend meetings (except for confidential business) and to receive details of non-confidential items. Below are further details of the Council's democratic decision making arrangements.

The Council

The Council is responsible for setting the budget and the policy framework. Each year there is an Annual Meeting, which selects the Mayor and Deputy Mayor (who are the Chairman and Vice-Chairman of the Council) and decides the membership of the Scrutiny Commission and Regulatory Committees. There are six ordinary meetings of the Council per year, which make strategic, policy and major budget decisions.

This Forward Plan details decisions to be taken by the Council over the next four months.

Executive Functions

Many day to day policy and operational decisions are taken by Executive, a group of seven Councillors comprising of the Leader, Deputy Leader and five Executive Members each responsible for an area of Council policy and activity. The Executive members and their responsibilities are detailed in the previous table.

Overview and Scrutiny Functions

Decisions of the Executive are subject to scrutiny by the Scrutiny Commission and the Finance, Audit & Performance Committee. The Scrutiny Commission and Finance, Audit & Performance Committee also have a role in Policy development. In addition, Scrutiny Panels are established to oversee ad-hoc projects. The Scrutiny Commission publishes an Annual Report and a Work Programme; this is available on the Council's website and from the Council on request.

Regulatory Functions

In addition the Council has established committees to deal with regulatory issues, these committees are Planning Committee, Licensing Committee, Regulatory Committee and the Standards Committee.

Further information about the Council's Decision Making Arrangements can be obtained from Democratic Services on 01455 255879.